Members should not undertake any commitments for Wednesday or Thursday of next week. I move—

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

The SPEAKER: Before putting the motion, I would announce that I will not call for questions at 11 o'clock tomorrow morning. In accordance with the practice adopted in the last few years, I will call for questions as soon as practicable after lunch.

Question put and passed.

House adjourned at 10.47 p.m.

Legislative Council

Thursday, the 19th November, 1970

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 11.00 a.m., and read prayers.

QUESTIONS (4): ON NOTICE

1. TRAINED SOCIAL WORKERS

Scarcity

The Hon. J. DOLAN (for the Hon. R. F. Hutchison), to the Minister for Child Welfare:

(1) Is the Minister aware of the scarcity of trained social workers in Western Australia?

(2) If so, what steps are being taken to rectify this important community necessity?

The Hon. A. F. GRIFFITH (for The Hon. L. A. Logan) replied:

(1) Yes.

(2) The Public Service Commissioner's office and Departments employing Social Workers have developed cadetships and traineeships in social work to stimulate training for the social work profession at both the University of Western Australia and the Western Australian Institute of Technology.

Periodically, social workers are also sought by advertisement in other States.

2. MINING

Geologists

The Hon. J. DOLAN (for the Hon. R. H. C. Stubbs), to the Minister for Mines:

(1) What is the official establishment for geologists in the Mines Department?

(2) How many of these positions are vacant at present?

(3) Are any resignations pending?

(4) How many geologists with five years or more experience have resigned in the past 12 months, and what position did they occupy?

The Hon. A. F. GRIFFITH replied:

(1) 51.

(2) There are 20 vacant permanent positions as at 19-11-70. However, three of these are occupied by officers on the temporary staff and a further 7 positions will be filled when the geologists already appointed commence duty.

(3) Two resignations are pending.

(4) Eleven, occupying the following positions:—

2 Supervising Geologists—Sedimentary (Oil) Division.

1 Supervising Geologist—Regional Mapping Division.

1 Supervising Geologist—Mineral Resources Division.

1 Senior Geologist—Mineral Resources Division.

1 Technical Information Officer.

4 Geologists Level 1—Hydrology and Engineering Geology; Mineral Resources and Common Services Divisions.

1 Geochemist.

3. HOSPITAL

Rockingham

The Hon. J. HEITMAN (for the Hon. C. R. Abbey), to the Minister for Health:

(1) Is the planning for the Rockingham Hospital proceeding satisfactorily?

(2) Can the Minister give details of the capacity of the hospital and services to be provided?

(3) When will construction commence on site?

The Hon. G. C. MacKINNON replied:

(1) Yes.

(2) Initially the hospital will have accommodation for 68 patients (40 general and 28 maternity beds). It is being designed to allow for future expansion, and service areas will be planned accordingly. Facilities will include operating and birth suites and an x-ray department.

(3) Current planning allows for commencement in late 1971.

4. *This question was postponed.*

SECURITIES INDUSTRY BILL

Third Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [11.04 a.m.]: I move—

That the Bill be now read a third time.

THE HON. I. G. MEDCALF (Metropolitan) [11.05 a.m.]: I will be very brief in what I have to say at this stage of the Bill. However, I wish to make it quite clear that in the comments I made and, perhaps, in answer to one or two interjections during the course of the debate on the Bill, that so far as supporting the contents of part IX is concerned, what I wished to indicate to the House was that had there been uniformity in part IX that would have completely destroyed the argument which I put forward. In other words, had part IX been universally adopted at this stage by the other States then the argument I put to the House would have had no validity.

That is the point I want to make, and in doing so I wish to say that so far as uniform legislation is concerned I consider this type of commercial legislation is ideally suited to uniformity as, indeed, is the Companies Act. Both stock exchange law and company law are proper subjects for uniform legislation. However, I would not wish as a member of this Parliament to abrogate my right as a legislator of the State of Western Australia to have my own views and make my own comments on any uniform legislation which might be presented.

I approve the present practice of the Attorneys-General conferences, and of other groups, of putting forward uniform legislation on behalf of the Commonwealth, to be passed by the various States. I would not wish it to be thought for one moment that because I approve of that practice I would necessarily support all the uniform legislation which came before this House. I am sure the Minister would not expect me to do that, any more than he would expect any other member of this House to do so.

My remarks are not directed to the Minister, because I believe he would approve of these views. However, I wish to make it clear that, as a legislator, I would do as any other member of the House would do and reserve the right to comment on and consider any legislation, whether or not it was uniform, which might at any time come before the House.

THE HON. F. J. S. WISE (North) [11.08 a.m.] I think it is very good to have the expression of such a healthy sentiment as that expressed by Mr. Medcalf. I do not think anyone in this Chamber held any view other than that which he made clear, and I expressed the opinion in the course of some of my remarks that had part IX of this Bill been uniform throughout Australia Mr. Medcalf would not have spoken as he did, and part IX would have received very little criticism from him.

The second point raised by Mr. Medcalf this morning, was that this is the type of legislation which lends itself to uniformity. Through the years we have had experience of Bills emanating from Commonwealth conferences, whether from standing committees, various State departmental interests, or councils such as the Agriculture Council. Such organisations sometimes suggest that we might have uniform legislation throughout the Commonwealth.

We have found that when such Bills—particularly those affecting agricultural matters—were presented to State Parliaments, the different activities in an industry in the various States rendered it almost invariably necessary to vary so-called uniform taxation from State to State. One can readily understand that in the field of mercantile and business interests uniformity could almost be achieved; but, as a legislator of some years, I feel that all of us at all times have the right and the responsibility to challenge something which does not appear to be parallel or workable in all States.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

VERMIN ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. J. DOLAN (South-East Metropolitan) [11.12 a.m.]: This Bill, which proposes to amend the Vermin Act, is the first of a trilogy, and I intend to address my second reading remarks to the third of these associated Bills.

There are only two operative clauses in this Bill. Clause 2 relates to the commencement date of the provisions, which is the 30th June, 1970. I would ask members particularly to note this commencing date because of the position which was associated with another Bill introduced about a week ago.

Clause 3 amends section 103 of the principal Act in order to provide for the abolition of the vermin rate. I approve wholeheartedly. I think the Act was responsible for many injustices being imposed upon many landholders, and for that reason I am pleased to know that the vermin rate is to be abolished. I support the Bill.

THE HON. G. W. BERRY (Lower North) [11.13 a.m.]: I have a few remarks to make regarding this Bill. My remarks concern the Vermin Act as it seems to conflict with the Fauna Conservation Act. In one Act certain types of fauna are classed as vermin and have to be destroyed, being

of no commercial value; and in the other Act we are endeavouring to farm the red kangaroo. It might be within the province of the new Ministry of physical environment to bring about some cohesion between these Acts, rather than having a position in which some of our fauna are destroyed as vermin and put to no good use.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [11.14 a.m.]: I want to express my support for the Bill because many of the constituents I represent will receive great benefit from it. While it is only a small Bill, which had one of the shortest introductory speeches, the benefits to be derived by the people I have in mind are very great. These people are small farm owners who have been caught up in the revaluation of land over the last couple of years, and they find themselves faced with increased vermin tax accounts. Whereas in the past those accounts amounted to $7 or $8, they have since increased to several hundred dollars. These people are very grateful for the consideration which has been given to this matter by the Government. I know the Government has been looking at the matter for a long time, following representations made by various members of Parliament, and I have very great pleasure in supporting the Bill.

THE HON. N. E. BAXTER (Central) [11.15 a.m.]: I am one who is very pleased at the introduction of this amending Act, because vermin rates have been a bone of contention for quite some time. Over the past four or five years, a committee has spent a great deal of time in trying to have something done about the inequities that existed in the vermin and noxious weeds taxes, which are, of course, associated.

In actual fact, these are not taxes; they are levies on primary producing properties for the purpose of raising funds for the Agriculture Protection Board, to enable it to carry out certain work and inspections in connection with the control of vermin and noxious weeds. One cannot dissociate vermin and noxious weeds because the one organisation—the Agriculture Protection Board—handles both in many respects.

For many years the board has done a very good job in assisting to control vermin, but unfortunately, under the State's system of valuation the vermin and noxious weeds rates became totally out of proportion. I have here a file containing a few figures which show the inequities that existed under the old system and the position that would have existed had the Government adopted the recommendation to assess these levies on an acreage basis. I would like to quote from a rather comprehensive list of shires throughout the State by way of illustration.

On a property of 109½ acres in the Armadale-Kelmscott Shire with an unimproved capital value of $2,857, the vermin and noxious weeds taxes combined were $36, which was a light assessment for this area; on an acreage basis the taxes would have been $8.40. On a property of 4,020 acres at Carnamah, with an unimproved capital value of $5,839, the taxes were only $16.35; on an acreage basis the levy would have been a reasonable figure of $50.20. This list indicates some of the anomalies that existed under the Act, and I point out some of them. At Morawa a property of 4,223 acres was levied at $6 a year. A property of 6,000-odd acres at Geraldton was levied at $27 a year. So it goes on.

The inequities that existed under this system of levy for vermin and noxious weeds rates were very marked and unfair to certain people, particularly those in areas close to Perth, such as in the Armadale-Kelmscott Shire, the Kalamunda and Mundaring Shires, and even in the Swan Shire.

The assessments were made on properties of small acreages and the total reached a very high figure. Yet we can find large properties in the wheatbelt areas paying tax as low as $6. If it is considered that this system is fair, I fail to agree with such a contention. It has all been brought about by the very unsatisfactory valuation system which has been followed in this State, and is still followed. In regard to the Bill, there is only one answer to the problem of obtaining fairer valuations with local government rating; that is, the valuations should be done on site valuation and it should not be assessed on the unimproved capital value or the annual value.

Let us take the Perth Shire Council areas, in citing instances of this. That council is supposed to make its valuations on unimproved capital values, but if one checks some of the valuations on properties which vary from service stations to dwelling houses, one can find that the annual valuation of a service station is based on site value, as against the unimproved capital value that is used to assess other properties. The value of a service station is greatly inflated when compared with another property in a comparative area which may even be on the opposite corner to the service station.

The Hon. A. F. Griffith: I thought we were abolishing the vermin tax.

The Hon. N. E. BAXTER: We are, but I am putting forward this argument as one of the reasons why it should be abolished; that is, the very inequitable system that is used. We have a valuer who sights only one property, but does not sight the rest. This is the sort of sight valuations that are being made today.

In taking the matter a little further and quoting some of the rates per acre that I worked out in relation to some of the properties in the various shires, I would mention that I have here figures that range from .481c per acre to 8.729c per acre. This shows the wide variation between those two figures, and illustrates how the system has operated in relation to the vermin and noxious weeds rate per acre on properties in various parts of the State.

In making a study of the whole system that exists at present, one realises that it is very higgledy-piggledy, in that the valuations vary greatly from place to place. Even with properties that are in adjacent areas, the variations in cost per acre on which the vermin and noxious weeds tax is assessed are very marked, for the simple reason that some shires have had two or three valuations of properties over a period of 15 years, but others have not had any revaluations. Therefore, the assessments for vermin and noxious weeds tax on those properties that have been the subject of revaluation have risen terrifically, whereas the vermin tax and noxious weeds tax on those properties that have not been revalued have remained at a very low figure.

It is impossible for the Taxation Department to do much about this position, because it has only about 15 valuers to cover the whole of the country areas of the State. The job is practically impossible, and the Taxation Department is unable to obtain more valuers to lighten the load. One can understand how this ridiculous situation came about, and it would have continued had action not been taken to press the Government to do something about it. The present system of valuation has been going on for some time, and over the years even the Farmers' Union has been working on the problem through a committee. I am glad to say that at last the Government has realised that it would be better to waive this tax than to continue it under the present system.

The Hon. A. F. Griffith: What do you mean by "even the Farmers' Union has been working on it"?

The Hon. N. E. BAXTER: The Farmers' Union was very concerned about the inequity of the assessments that have been made for vermin and noxious weeds tax, so it appointed a committee from its executive to inquire into the matter, and that committee co-operated with myself and other members. This subject was raised at last year's conference of the Farmers' Union, and after a great deal of discussion by the executive the conference agreed that the best way to handle this matter was on an acreage basis rather than on an unimproved capital value basis. This recommendation was passed to the Government, and it was well known to the Government that this was the attitude of the Farmers' Union.

Many hurdles have had to be surmounted in order to make this impression.

The Hon. A. F. Griffith: There would have been many more hurdles to get over if we had done this on an acreage basis.

The Hon. N. E. BAXTER: I know a great deal about this matter. I spent many weeks with a committee working out figures in regard to it. The file I have here contains a great deal of information and figures that were collated as a result of co-operation from members of the committee and those appointed by the Farmers' Union. I can assure the Minister that that committee and I know a great deal more about this subject than he does.

However, I do not want to continue in this vein. I support the Bill very strongly, and I am pleased to see that the Government has seen fit to abolish this tax. I trust it will never be reimposed.

THE HON. F. R. WHITE (West) [11.27 a.m.]: I support this legislation with enthusiasm. On Thursday, the 13th August, I spoke at length on the effect of revaluations on property, especially in the fringe shires of the metropolitan region which have already been mentioned by Mr. Baxter, because most of these local authorities lie within my electorate.

I am very pleased to see that the vermin rate is being abolished, together with the noxious weeds rate. However, I am still fearful that there are quite a number of *bona fide* primary producers who will be subject to land tax assessments in the future, through no fault of the Taxation Department, but through the fault of the accountants employed by the owners of the land.

I have been amazed at the ignorance of many members of the general public as to what their rights are under legislation such as this; they are ignorant of the privileges to which they are entitled. We all know that a *bona fide* primary producer at present, does not have to pay land tax and metropolitan region improvement tax; that is, on a property in excess of five acres. He has been obliged to pay only vermin and noxious weeds tax. However, many of these people have never applied to the Taxation Department for exemption from the payment of land tax and metropolitan region improvement tax. What is more, many of these *bona fide* primary producers employ accountants to conduct their affairs and these accountants have not advised them that they are allowed to apply for exemption from the payment of land tax and metropolitan region improvement tax.

If people should happen to read my speech which, as I mentioned, is recorded in *Hansard*, I hope they will take the necessary action to obtain the privileges to which they are entitled. If they do, then in future years they will not receive land tax assessments of any description whatsoever.

On this occasion I should like to express my sincere appreciation of the action of the newly appointed Commissioner of State Taxation (Mr. Ewing). In respect of the many problems which my constituents presented to me Mr. Ewing has done a tremendous job in an endeavour to rectify errors in the assessments and to give these people a fair go, so as to relieve them of the burden which was brought about by revaluations. I appreciate what Mr. Ewing has done, and I sincerely thank him and the other officers of the State Taxation Department for the tremendous amount of work they have done, particularly in making their recommendations. I also appreciate the recommendations which have been made by the Under-Treasurer. As a result of this the vermin tax, covered by the Bill now before us, and the noxious weeds tax are to be abolished. I support this legislation.

THE HON. S. T. J. THOMPSON (Lower Central) [11.31 a.m.]: I also rise to support this measure. It is not very often that we have the opportunity to support a measure for the abolition of a tax. For that reason I commend the Government for the action it has taken. I feel this action has been taken by the Government in a genuine attempt to ease the problems confronting the agricultural industries. This is one of the measures in which relief is being given in order to assist the primary producers to overcome their difficulties.

Of course, with the passage of this legislation it will not mean the end of the Agriculture Protection Board. Over the years it has done a wonderful job. I can well remember the time many years ago when the first rabbit appeared in my district. The rabbit population increased until we were virtually feeding the rabbits with our crops. This vermin actually took control of some of the farms in the area.

However, today right throughout my district rabbit-proof fences have been pulled up, and they have been replaced with wire mesh fences. This has been brought about by the protection given by the Agriculture Protection Board over the years, although at times we may not see eye to eye with its actions. The fact remains that we have got rid of one of the greatest pests to the agricultural industries in the great southern, although on odd occasions we still find a rabbit or two. I commend the Agriculture Protection Board for the good work it has done over the years; I also commend the Government for revoking the vermin tax.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [11.33 a.m.]: I am sure the Commissioner of State Taxation (Mr. Ewing) and his officers will be appreciative of the remarks made by Mr. White. It is my anticipation that, as Mr. Syd Thompson said, the Bill will be received with enthusiasm, because rarely do Governments introduce Bills to abolish taxation. In fact, it has been enthusiastically received, although I did think for a few brief moments that we were imposing a tax instead of abolishing one!

The Hon. F. J. S. Wise: Did you really?

The Hon. A. F. GRIFFITH: I did have that idea for a few moments. I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

NOXIOUS WEEDS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. J. DOLAN (South-East Metropolitan) [11.37 a.m.]: This is the second of the trilogy to be introduced. The Bill seeks to amend the Noxious Weeds Act. Again I would draw the attention of members to what I said when I spoke on the Vermin Act Amendment Bill: The provisions of this Bill are to operate as from the 30th June, 1970. Perhaps I might add that no difficulty whatever is experienced in bringing about the retrospective application of a measure for a period of a month or two, when the occasion demands.

The Hon. N. E. Baxter: That is because the 30th June is the date when the assessments come out.

The Hon. J. DOLAN: I would also like to point out that the Bill achieves the desired result of abolishing this tax. The general remarks that I have made on the first and second of this series of three Bills are appropriate to the third one, which is the Bill to amend the Agriculture Protection Board Act. I support the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

AGRICULTURE PROTECTION BOARD ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. J. DOLAN (South-East Metropolitan) [11.40 a.m.]: This Bill is the third of the group of three Bills and it gives effect to the abolition of the vermin and noxious weeds rates, and also makes provision for the financing through the Agriculture Protection Board of what is required to be done under the Vermin Act and the Noxious Weeds Act.

In the past the custom has been for a budget to be prepared on the basis of the amount that will be necessary to implement the provisions of those two Acts; and now that the rates associated with them are to be removed it will be necessary for funds to be provided by revenue for the operations of the Agriculture Protection Board. That board will allot the money as required.

I thought I would wait until this stage of the series to pass a few remarks about the Agriculture Protection Board. It consists of 11 members, three of whom are *ex officio*. Those *ex officio* members are the Director of Agriculture, or his representative, who is the chairman of the board; the Chief Vermin Control Officer; and an officer of the State Treasury. Members will see the importance of having those three gentlemen on the board. Then there are eight persons appointed by the Governor to hold office for a term of three years.

As regards vermin control, it has been found necessary to pay bonuses on certain vermin. For example, a dingo brings a bonus of $2.50; a fox 60c; and an emu 30c. There is even a bonus paid on a wedgetail eagle, but there may be a little debate about whether that bird can be classed as vermin, or not. I know many people who feel that that bird should not be classed as vermin.

The Hon. G. W. Berry: There have been many complaints about that.

The Hon. J. DOLAN: There are many people who feel those birds deserve protection instead a being classed as vermin. However, that is a different argument altogether.

The Hon. J. Heitman: No bonus has been paid on foxes for the last four years.

The Hon. J. DOLAN: Those are the rates included in the Act. Whether any of the references have been removed, I do not know. I did not go into those minor details. There is even a rate fixed for wild goats—it is $4 a hundred—and $2.50 a hundred for kangaroos. Whether those rates have been removed from the Act I do not know. I should not imagine those who are engaged in shooting kangaroos on a commercial basis would also be paid the rate of $2.50 a hundred for getting rid of them. I do not think the shooters would be paid both ways.

As regards noxious weeds, it is necessary at times to employ a considerable number of people to eradicate some of these weeds. To give a recent example, there was the discovery of skeleton weed along some of our railway lines. A considerable number of men had to be employed to eradicate that weed, and I understand their efforts have been successful.

I suppose those who will get the benefit of the removal of the noxious weeds and vermin rates will be happy and I do not believe any great difficulties will be occasioned to the Agriculture Protection Board. The only difficulty I can see would have been in regard to the money that will not be available from the imposition of those two rates. However, it will be provided from revenue and that should compensate. I support the Bill.

THE HON. J. HEITMAN (Upper West) [11.44 a.m.]: Like the previous speaker I thought I would group the three Bills together and discuss them during the debate on this measure. I think if we all spoke in turn to each Bill it would take a tremendous amount of time.

I would like to congratulate the Government for introducing these Bills to abolish the vermin and noxious weeds rates which have applied for so many years. Most farmers realise they have always subscribed to local authorities to assist in the eradication of vermin and noxious weeds and, of course, that practice will continue. For the last 10 years or more local authorities have assisted the Agriculture Protection Board to a great extent by subsidising the wages of the men employed in the eradication of vermin and noxious weeds in various districts.

In the northern areas, some 10 years ago, we set up a regional council to police the Vermin and Noxious Weeds Acts to try to eradicate rabbits and other vermin as well as noxious weeds. When the council first started we had one vermin inspector and one noxious weeds inspector to three or four shires. However, it was found to be impossible to carry out the work satisfactorily, and today each shire has two inspectors, one for vermin and one for noxious weeds.

In my view a great deal of money could be saved if we employed one inspector for each shire. He could police eradication measures taken in regard to noxious weeds during their growing period and, in the other six months of the year, he could be employed in the eradication of vermin. The Agriculture Protection Board has always said that to have one man doing the two jobs would be impossible; because a man cannot work under two bosses. Mr. Meadly is the head of the noxious weeds branch and Mr. Tomlinson was the senior

officer on the vermin side. Of course, today Mr. Tomlinson is the officer in charge of the Agriculture Protection Board.

I certainly cannot see why one inspector cannot be employed by each local authority in country areas. The inspector would get to know his district very well and for half of the year he would be engaged on the destruction of vermin and for the other half of the year he would be dealing with noxious weeds. Both of those pests have separate seasons, and it is not of much use distributing poisoned oats when there is lush growth on the ground upon which the vermin can feed. Also, it is not of much use looking for noxious weeds in the summertime. The only weed which causes trouble during that period is caltrop.

So I believe we could save a man's wages, the cost of a four-wheel drive vehicle and a caravan, plus other expenses, for each shire, if such a suggestion were adopted. Perhaps the Agriculture Protection Board still does not agree to this idea but I am of the opinion that it could be put into operation. Officers could be trained to handle the sprays that are necessary for the eradication of noxious weeds and the same men could be trained to lay poisoned baits.

I can remember on one occasion asking why this could not be done and I was told that it takes too long to train a man. I know men are trained for a month before they are sent out, but in my view each man could be trained for a month on each type of work. There would still be two top men in charge in each agricultural district, such as Geraldton, Moora, and other districts throughout the country. In that way there would be good liaison and those officers would be able to police the work of the inspectors.

I know farmers will be happy to be relieved of having to pay $800,000 annually. As a matter of fact, the figure could reach $1,000,000 in a year because it all depends on how much money the Agriculture Protection Board wants to carry out its work. Like other speakers I congratulate the Agriculture Protection Board because not only does it look after the eradication of vermin and noxious weeds but its officers also make sure that sheep loaded for export are in good health. The board has inspectors to watch this angle.

The Agriculture Protection Board makes sure that there are no noxious weeds amongst seeds of any description which come into the State. This includes inspection of cereals, clover seeds, and all other types of seeds.

The board inspects all second-hand wool packs which come into Western Australia from Japan, America, or other countries. On many occasions it has had to condemn up to 300 or 400 bales of second-hand wool packs, because they contained burr which is not allowed into Western Australia.

As Mr. Dolan knows, it also polices the Dog Act and ensures that alsatians are sterilised before they come into Western Australia. On many occasions unsterilised dogs which have come in from other States have been sent back to be sterilised before allowing the owner to bring them in again.

The Hon. F. J. S. Wise: It does a remarkable job in the Kimberley in killing thousands of dogs.

The Hon. J. HEITMAN: Wherever one goes, one will see the effects of the Agriculture Protection Board. It lays baits in the Kimberley and Murchison areas. In addition, it helps vermin boards in the Kimberley. The board performs a tremendous amount of work, apart from policing vermin and noxious weeds. I consider we should congratulate it while we have the opportunity. I can see where the board could cut down on expenses and, in this connection, I made certain references earlier in my speech.

I wish the board well and hope the Government will not become tired of providing the wherewithal to ensure that the board is able to carry out what is an extremely important job.

THE HON. G. E. D. BRAND (Lower North) [11.53 a.m.]: I rise to support the measure and, also, the two previous measures which have just been passed. I, too, wish to thank the Government for the contribution which will be made to those who can do with a little relief.

There has been certain trouble, of course, because nobody likes to pay rates but they must be paid if people want work done. I understand that these are not rates but are referred to as a levy.

In any event, I wish to thank the Government and to compliment the Agriculture Protection Board. It does an extremely good job but, of course, it does not always please those for whom it performs certain tasks in various districts. There is always the case of the expert who lives in the bush and sometimes departmental officers will not believe what such a person has to say, although he might be an extremely experienced man.

By and large, the Agriculture Protection Board does an excellent job in keeping the vermin problem under control. I wonder whether we will ever find a solution to the age-old argument of whether baiting or trapping is the best way to control the dingo menace. This has been argued in the Murchison area for many years. Baits are laid by air and it is not always possible to come back to inaccessible areas to check to see whether the baits have done any good. However, these are problems which will undoubtedly be solved as time goes by.

That is about all I have to say, except to remind the House that I have previously mentioned the good work done by the

Agriculture Protection Board and others in the north-west. In fact, they rather amazed the American fraternity when furniture came in crates and motorcars were shipped from America to people who were about to move into Exmouth when the base was being established. The Americans were quite surprised to find that officers went over their cars with a fine tooth comb and hosed them down thoroughly to remove any seeds. The same officers went over cases and fumigated everything before it was allowed out of quarantine. In this way they did a great job to protect our agricultural industry. I support the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [11.56 a.m.]: This type of legislation comes before us from time to time so that adjustments can be made to the salaries of the judiciary of this State. I support the measure. We must ensure that at least we keep in line with other States in matters of this nature.

As long as I have been in this House, it has been the practice to adjust judges' salaries in this way; that is, by legislation passed by Parliament. It has also been the practice to accept the judgment of the Government of the day when such legislation is brought forward. The Minister clearly gave the reasons for bringing forward the legislation slightly earlier than normal on this occasion.

If there is another way of adjusting judges' salaries, it might be worth looking into, because this subject has received almost continual reference by opinionists in the Press in recent times. The view has been expressed that we, in Parliament, in passing this kind of legislation pave the way for ultimate increases in our own salaries and then, in turn, by some manner of means for increases in salaries paid to civil servants. It has been said that these increased emoluments flow from this type of legislation.

I do not subscribe to that view and I do not believe it to be the case. Nevertheless, it warrants the comment that if this is the line of thinking by a section of the public we should, perhaps, look to dealing with the situation in some different way. I am not suggesting that we should take away the principle which, I believe, is the basis of the legislation; namely, we simply keep pace with salaries paid in other States in this extremely important field. After all, judges are the keepers of the law and they are the people responsible for its interpretation in pure law. It stands to reason that somebody must take a determined stand as to what salaries and emoluments are paid to them, and what appreciation is shown of the work that is done.

In supporting the legislation, I have some regret that it is even thought that in passing legislation such as this, some members of Parliament would be doing it with a view to increasing their own salaries at some future date. I certainly cannot imagine any member of Parliament who would be doing it for this purpose. I support the measure.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [11.59 a.m.]: I shall do no more than acknowledge with thanks the remarks made by Mr. Willesee, except to say that the suggestion that has been made by sections of the public to the effect that we, as members of Parliament, fix judges' salaries on a kind of *quid pro quo* basis is quite absurd. That suggestion is not one I appreciate and, of course, it is not true.

The Hon. F. J. S. Wise: Governments have a responsibility under the Constitution.

The Hon. A. F. GRIFFITH: That is right. That is the very point I was going to make. Ever since the Constitution was written Governments of the day have had a responsibility to adjust the salaries of the judiciary. I do not think I need labour the point any further. I think probably it would be desirable if we could get some type of uniform approach throughout Australia in relation to the question of judicial salaries. Again, this is a difficult matter because of the size of one State as against another, the population of one State as compared with another, and the administrative functions of the Chief Justice in one State as compared with those of the Chief Justice in another State. It might be said that the responsibility of a puisne judge when trying a case in this State is exactly the same as the responsibility of a puisne judge in any other State; but it is not right to say that the administrative responsibility of the Chief Justice in one State is exactly the same as that of the Chief Justice in another State.

This Government is trying to follow the same course followed by all other Governments as far back as I can remember; that is, to arrive at some basis that bears a relationship to other States which are in a similar position to us. As far as I am aware we have always taken into consideration the situation which prevails in South Australia and Queensland. Those two States have conditions which are close to those under which we in this State operate. From time to time it will be necessary for Parliament to continue to exercise the responsibility it has always had, unless some other method is followed in the future. Once again, I thank Mr. Willesee for his remarks.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

DENTISTS ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

DISTRICT COURT OF WESTERN AUSTRALIA ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 12th November.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [12.05 p.m.]: I certainly do not intend to delay the passage of this Bill because it is complementary to the previous legislation which I supported. Its provisions are similar in every way and the principle behind this Bill is exactly the same as that behind the previous measure. I support the Bill.

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

THE HON. I. G. MEDCALF (Metropolitan) [12.06 p.m.]: I strongly support this Bill, and my comments apply also to the measure relating to judges' salaries. I believe it is necessary that we should ensure that members of the judiciary are properly paid. They give up a great deal when they take on these jobs, particularly the members of the district courts. When the original Act was introduced I said that I wondered whether the salaries of district court judges were sufficiently high. I am pleased to see that the matter is now being rectified and their salaries are being increased under this Bill.

I think we should not forget that there is a considerable amount of sacrifice on the part of some people who accept high judicial office. Some of those people are in a position to receive high fees and, in giving up that position, they are acting in the best spirit of assisting the community. I believe that should not be overlooked.

It is very easy to criticise what appears at first glance to be a high salary and to say it is too much. Yesterday I noticed an advertisement for a position in the Taxation Court of Appeal or Board of Review. The advertisement appeared in the Law Society journal and I particularly noticed that the salary offered was $15,592 per annum for an ordinary member of, I think, the No. 2 Board of Review stationed in Melbourne. That is not a high judicial office. The Taxation Court of Appeal has a most important function, but its members are restricted to those who specialise in the tax field and the positions do not carry the status which applies in the case of a District Court judge, and certainly not that which applies in the case of a Supreme Court judge. However, the advertisement indicates the degree to which the community must be prepared to remunerate people who accept even a medium office in the judicial sphere.

I believe, therefore, that when we see criticism of judges' salaries purely because those who criticise have plucked a figure out of the air and said, "Look, this man is to receive so much. How could he possibly be worth that?" that criticism overlooks the degree of training, the qualifications, and even the actual pecuniary sacrifice which the judges make. I do not say that all of them make a sacrifice in order to accept judicial office, but certainly most of them do. I think this is a point which should not be forgotten, and it applies not only to judicial offices but also, as you are well aware, Mr. President, in many other walks of life. However, it would not be appropriate for me to refer to those other offices under this Bill. I merely reiterate that I support the measure.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [12.10 p.m.]: I would just like to employ a minute of the time of the House to thank Mr. Willesee and Mr. Medcalf for their remarks in connection with this Bill which, as has been explained, is similar to the legislation we dealt with previously.

I recall Mr. Medcalf's remarks about salaries at the time I introduced the Bill to establish the District Court. I also recall his remarks as to the difficulty in which I might find myself in obtaining judges for that court.

I am happy to report, now, that not only have we secured the services of three District Court judges—Judge Goode who is Chairman of the Third Party Claims

Tribunal is also, of course, a District Court judge—but, as I explained in my second reading speech, very good work indeed is being done by the District Court.

The Hon. I. G. Medcalf: We were very fortunate.

The Hon. A. F. GRIFFITH: We were. I merely wish to record my appreciation of the work that is being done by the court. While its establishment was accepted by the profession, it was not accepted unanimously; there was some doubt. It has now proved well worth while and I am very glad to be able to report on the court's success and to express my appreciation of the work it is doing.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

LAND TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. J. DOLAN (South-East Metropolitan) [12.14 p.m.]: The most recent valuations that have been made of land in the metropolitan area or near metropolitan area by the valuers of the Taxation Department have placed very great burdens on many taxpayers.

The increases in the tax assessment of land in the metropolitan area can be illustrated by the example I have taken from one of the councils in my area—the South Perth City Council.

In 1965 the Taxation Department valuation of the area was $25,373,490. The latest valuation in 1969—four years later—showed an increase from $25,373,490 to $76,804,450. The latest valuations in other areas in my province have shown relatively similar percentage increases.

The purpose of this Bill is to grant concessions and consequent relief to taxpayers, so that the difficult position in which they find themselves may be alleviated. Some of the concessions could even be classified as retrospective—and I again direct the attention of members to the fact that this is the third occasion this morning on which I have referred to the commencement of the operation of the provisions of a Bill as from the 30th June, 1970. I think by now members will have gained the implication of my reference.

The Hon. A. F. Griffith: I have gathered that you have a bit of mischief in your heart.

The Hon. J. DOLAN: I fully agree with this particular aspect of the Bill. I feel that the concessions should operate on the principle of giving relief as soon as possible when it is obviously needed.

That is one of the particular reasons I support the legislation. Not only are concessions being made in actual taxation; but the Commissioner of Taxation has been given power to defer the collection of the taxes in certain instances.

When such a deferment is granted, however, it is proposed to charge a 10 per cent. per annum interest on the amounts of the deferments. The purpose in charging interest is, of course, to ensure that the taxpayers who pay their taxes on the dot should not in any way feel they are being discriminated against. I think that is quite a reasonable attitude to adopt.

I do not wish to go over the aspects that were debated very fully over a long period in another place, because I think all members would have read the explanatory notes. If they have not done so I suggest they may have been falling down a little on their job, because this is a matter that affects all of us.

There are certain provisions contained in the Bill in relation to concessions which, I feel, warrant a few brief comments. The present exemption on improved land valued at $6,000 has been increased to $10,000. The commissioner has power to apply a ceiling value on rural land and this is also a great advantage.

Unimproved rural land can be treated as improved land and the lower improved land tax rates can be applied. Improved rural land which is rezoned is to be taxed at the lower scale until approval to develop it is obtained; or, alternatively, for a maximum period of three years.

This provision is explained in detail on pages 12, 13, and 14 of the explanatory notes. Concessional exemptions from land tax are extended to land used for primary production whether this land is in the towns or in the cities.

I notice Mr. White is within hearing, but that Mr. Clive Griffiths is missing from the Chamber. These two members were vitally concerned in this particular aspect of land which is used for primary production. They referred to it when we were dealing with the Local Government Act Amendment Bill which related to the problem of rural farm lands.

This provision in the land tax assessment Bill is equivalent to that, and I feel they should take particular note of it and advise those people who believe they have in any way been discriminated against or treated unfairly that here is the opportunity for their situation to be brought into line. I would suggest seriously that in those cases

for which the taxation commissioner gives a certain exemption because the people concerned are engaged in primary industry in these areas, exemption should also be granted if possible by the local governing bodies so that none of these people who have been affected will feel they have been treated unjustly.

The Hon. F. J. S. Wise: It would be a very handy authority to whom they could refer.

The Hon. J. DOLAN: I think so. When a local authority is in doubt concerning whether certain land in a rezoned area should be classified as urban farm land, the authority to which it should refer is the Taxation Department. I have often said, and I think we all believe, that the Taxation Department always gets that to which it is justly entitled.

The Hon. A. F. Griffith: It always gets its man.

The Hon. J. DOLAN: I would say so. In that respect the Canadian Mounted Police would have nothing on it. Perhaps a little story would be appropriate at this stage. A little fellow once took a hard rock and squeezed it, and out of the rock came some blood. Another person said, "By gee, you are strong. What do you do in normal life?" The little fellow replied, "I work for the Taxation Department!" Because of that training he was able to get blood out of a stone. We could not find a more appropriate authority to which to refer for these classifications of land than the Taxation Department!

Another exemption applying is in regard to land used for forestry purposes. In this instance the appropriate authority, and the authority mentioned in the Bill as being the one to grant such an exemption is the Forests Department. If it feels that the work done is of such a nature as to deserve an exemption, it is prepared to grant it. This would apply to some of those people mentioned by Mr. White.

If the Forests Department grants such an exemption, it should be used as a basis for an appeal to the local authority in order to have the land classified as urban farm land and thus make the owner eligible for a reduction in rates.

A considerable portion of the Bill is devoted to home units. It is proposed that these, no matter in what category they be—whether they are on a strata title, are tenants in common, or company units—they are to be assessed on a basis similar to ordinary residences. I believe this is completely fair and I would go along with it.

Two points in the explanatory notes I feel should be drawn to the attention of members. The first is that on pages 13 and 14 the new provisions with relation to rural land are clearly stated. Not only is the extent of the concessions explained, but also a very clear picture is given concerning how the concessions were arrived at. The table on page 16 illustrates the effect of the extended concessions and this is also worthy of an inspection and close study by all members.

The Government's intention to train valuers is evident from the Bill, and this is a most important aspect of work in relation to ratings of any kind. This decision of the Government is meritorious, and I wish it well, because such a provision will obviate the long period of years which elapses between valuations. I know it will be some time before these valuers will be trained, but when they are it will overcome the problem which faces people when they are suddenly confronted with new valuations.

It is estimated that the concessions to be granted by the Government under this Bill will amount to $1,600,000 for 1970-71. Already provision has been made for these concessions in the Budget and I fully appreciate what has been done. Any concession which can be granted to such a big section of the community which has suffered a real hardship as a result of increased valuations and big land tax assessments will be a relief; and I think we all appreciate it. I support the Bill.

THE HON. F. R. WHITE (West) [12.26 p.m.]: Once again I rise virtually to thank the Commissioner of State Taxation and his officers for the amount of work they have done in the preparation of this legislation. As I said on a previous Bill today, I did speak at length in August on the problems which revaluations and taxation were producing for people in the near metropolitan area. The Minister for Justice arranged to have that speech sent to these gentlemen, and I know they studied it carefully. I am pleased to see they have included amendments which I suggested were desirable. They have provided the relief I suggested was warranted.

The Hon. C. R. Abbey: Would you not give the Premier some credit?

The Hon. F. R. WHITE: Most certainly —the Premier, the Under-Treasurer, the Assistant Under-Treasurer, officers of the State Taxation Department, and everyone else concerned.

I did lead a deputation to the Premier a short while ago, prior to this legislation being drafted, and the deputation was concerned with the effect of the high land tax on people within the metropolitan area.

The deputation covered many of the aspects I dealt with in my speech, but one particular point the deputation referred to was that there should be retrospectivity written into the legislation so that those people who had been affected by revaluations during the 1969-70 financial year would obtain relief for that period. Even though I did not mention this myself in

my speech, I am very pleased to see that such a provision has been included in the Bill.

Another provision which will be of vital importance is the discretionary power granted to the Commissioner of State Taxation. This discretionary power has not been available in the past, and he has had to act in accordance with the legislation. If land tax was owing on a property, he had to send a final notice and take appropriate action to ensure the payment was made.

Under the proposed legislation the commissioner will have discretionary powers, and if he considers there is an instance of hardship and the person cannot pay, then he will be able to grant deferment for the payment of that tax over a period of time and at such rate of interest he thinks appropriate, up to a maximum of 10 per cent.

So I am extremely pleased this legislation has been introduced, and once again I thank the Premier, the Commissioner of State Taxation, and everyone else involved in this exercise.

THE HON. R. F. CLAUGHTON (North Metropolitan) [12.29 p.m.]: I read with interest the arrangements which are being made to individualise the taxation assessments for people in certain types of home units and under strata titles.

On a previous occasion I referred to electricity payments and asked that these be individualised. I was told this could not be done, but I feel a system could be adopted similar to that set out in this Bill.

The PRESIDENT: Order! I draw the honourable member's attention to the fact that electricity is not mentioned in the Bill.

The Hon. R. F. CLAUGHTON: I realise that, but I just thought I would grasp this opportunity to bring the matter forward.

The Hon. A. F. Griffith: Just sort of sneaking it in!

The Hon. R. F. CLAUGHTON: The concessions to rural landholders illustrates some of the difficulties which arise with regional planning. Speculators move ahead of the development in anticipation of it in order to gain some profit.

The present Bill is an attempt to overcome some of the difficulties associated with town planning. There will probably need to be other changes, not in taxing methods, but in other fields of town planning to overcome the remaining difficulties.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [12.32 p.m.]: This is a joyous day! It is joyous to be able to introduce three or four Bills, one after the other, providing relief from taxation. As I said previously, I appreciate the enthusiasm with which such Bills are received. Mark you, Sir, this sort of concession cannot be granted with careless abandon. The Treasurer of the State has to have regard for the overall demands and you, yourself Sir, in your own province will realise that although the State is giving away $1,000,000, there also has to be appreciation of the fact that we must have money to build schools, houses, and provide all the services which are required. I mention that fact because this step has not been taken lightly, and I am sure members realise that.

The Hon. C. R. Abbey: Is it not a measure of the prosperity of the State that we can do this sort of thing?

The Hon. A. F. GRIFFITH: Of course, the fact that the Treasury is able to do away with some form of taxation means that the Treasury has to make up that money in some other direction if it is to cope with the commitments of the State. One matter about which we are pleased, and it has improved our situation very considerably, is the royalty we receive from minerals.

The Hon. N. E. Baxter: Never has so much been done by so few in such a long time.

The Hon. A. F. GRIFFITH: A man much greater than myself said words similar to those. I do not intend to stonewall my own Bill, so I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

RESERVES BILL

Second Reading

Debate resumed from the 17th November.

THE HON. R. THOMPSON (South Metropolitan) [12.37 p.m.]: This is the usual Bill which comes before Parliament each year and it provides for the cancellation of certain reserves, and the changing of their use in some cases. I think it is fair to say that members would know better than I the effect of this Bill in their respective areas. The reserves, in the main, cover many shires within the State.

Two areas in my province are affected. A portion of land is being excised from the Fremantle cemetery for the purpose of creating some blocks which will be available for leasing. One lease is to be taken up by a monumental mason, and other leases are available in the same area. I

have no objection to this excision. As long as I can remember the land has been a cemetery reserve, and it has not previously been put to any use.

It is possibly a little sad that we are to lose a reserve at North Fremantle, which will make way for the approach to the new Stirling bridge which is to be constructed across the river slightly east of the traffic bridge in Fremantle. That is a necessary works and we therefore have to forego the reserve. However, recreation grounds are in short supply in North Fremantle, and the Fremantle City Council, in conjunction with the Lands and Surveys Department, should set about obtaining further recreation areas for the people.

Possibly there has been some confusion with regard to the plans which I have in my hand at the moment. Prior to the introduction of the Bill the Minister was kind enough to hand me the plans. I looked at them but I do not know whether I handed them back to the Minister or put them on the Table of the House. It has been brought to my notice that some members have not seen the plans.

The Hon. A. F. Griffith: Did Mr. MacKinnon give the plans to the honourable member?

The Hon. R. THOMPSON: Yes.

The Hon. A. F. Griffith: I am sorry; I have found the plans in his folder.

The Hon. R. THOMPSON: I do not think they have actually been tabled for perusal by members. If that be the case I feel we could possibly delay the Bill. I ask the Minister to delay the Bill so that all members can look at the plans. The respective members will be answerable to the shires in the electorates they represent, if the provisions of the Bill do not meet with the approval of the shires.

Usually these plans circulate from one member to another, but on this occasion, although I had the opportunity to see them, I would not like to deny other members the same opportunity.

One proposal which draws some criticism from me concerns a reserve which is not in my area and I do not know it well, but I think it will be known to all members who have visited the north-west from time to time. I refer to the area of the Chichester Range. The members from that area, who know it well, will probably have something to say about this matter.

No doubt most members will have received quite a lengthy and well prepared document from a Mr. Rundle, of Bayswater, who is a conservationist. I do not know this person; I do not know his age, where he comes from, what his occupation is, or anything about him; but I must congratulate him on the work he does in relation to reserves and conservation in Western Australia. He has pointed out some of the matters that have gone through Parliament and have been incorporated in agreements, without any reference being made to the cancellation of reserves. He says that some Bills go through with undue haste, without a full explanation being given to Parliament of the meaning of some of the agreements or the legislation, and that in the process some reserves have been taken away.

I conclude by saying that I am quite satisfied with the Bill as it affects my area but, by the same token, I think members should have the opportunity to peruse the plans.

THE HON. N. E. BAXTER (Central) [12.43 p.m.]: In speaking to this Bill I want to make some brief comments on reserves in general. There has been some correspondence between the York Shire Council and the Lands and Surveys Department. In the first instance, the York Shire Council made an application to the Lands and Surveys Department for the exchange of a reserve for part of a location on a farmer's property to be used as a gravel pit. On the 25th November, 1969, the Under-Secretary for Lands wrote to the York Shire Council in these terms—

> In reply to your letter of July 17, I advise that following an inspection by a surveyor of this Department, it has been considered that the land be offered on an equal area exchange for the area of Reserve No. 26024 for an equal area ex Avon Location 22009, this has been made in an endeavour to assist your Council.

Some time later, on the 2nd June, 1970, the Lands and Surveys Department apparently reversed its decision and wrote to the council as follows:—

> With reference to previous correspondence, I advise that after further consideration this Department is not prepared to agree to the exchange of a similar area from Avon Location 22009 for Reserve No. 26024 and proposes that the purpose of the reserve be amended to "Conservation of Flora", and this action is proceeding.

This seems to be a most peculiar way of going about things—to agree at one stage to an exchange, and later to cancel it and make the area a flora reserve.

In another instance concerning the York Shire Council another reserve was converted to the conservation of flora and fauna without any advice being sent to the council. The council is a little perturbed by these moves, not that it does not consider the department has the right to convert reserves to flora and fauna reserves, or whatever the department might see fit to do, but the council thinks it would be a matter of courtesy for it to be advised of

such action. On the 26th October, 1970, the council wrote to the Under-Secretary for Lands in this vein—

> Reserve No. 27703—Avon Location 30591—292 acres 0 roods 22 perches. Correspondence No. 2017/70.
>
> Further to my letter of 21st October lodging Council's objections to the declaration of Reserve 21981 as "Conservation of Flora and Fauna", it is now noted that the above Reserve has also now been declared a Flora and Fauna Reserve vide *Government Gazette* No. 95 of 23rd October—again this represents Council's first information that such a declaration was contemplated.
>
> Would you please take immediate action to advise this Council of what other Reserves in this Shire are proposed to be the subject of such declarations and suspend all such actions which may be in the process of execution until Council is fully informed and extended the courtesy of being asked its opinion.

Sitting suspended from 12.47 to 2.15 p.m.

The Hon. N. E. BAXTER: Before the suspension for lunch I was dealing with correspondence between the York Shire Council and the Lands and Surveys Department, and the lack of consideration and courtesy that was shown to the local authority in relation to the alteration of the purpose of some of the reserves under its jurisdiction, because the purpose of many of the reserves within the boundaries of this shire have been changed over the years time and time again without any notification being given to the shire council, or any opinion being asked from it. I quote another letter dated the 21st October from the York Shire Council to the department as follows:—

> It is noted vide *Government Gazette* No. 85 of 18/9/70 that the purpose of the above Reserve has been changed from "Timber (Settlers' Requirements)" to "Conservation of Flora and Fauna."
>
> This is the first advice to reach this Council that any such proposal was contemplated or in the progress of being executed.
>
> It is a matter of concern to this Council that local government is now relegated to a role whereby it is no longer consulted by some State Government Departments prior to such actions being taken.
>
> Council records its extreme disappointment at this treatment and expresses its belief that it has every right to be advised of all such actions being contemplated by your department.

This letter was signed by the shire clerk. I agree with the local authorities in taking such a stand. The least the department could do, when contemplating a move such as this, is to get in touch with the local authority to advise what the department intends to do and obtain the reaction not only of the local authority but also of the local people to the proposal. This is a matter that concerns not only the shire council itself but also the people who reside in the locality.

I trust that, in the future, the Government will recognise that the local authorities have some rights in regard to these matters. In dealing with one part of the Bill relating to a reserve which was set apart for the purpose of a rifle range, which now has more or less been closed and is being used for other purposes, my mind goes back to the war years, and even before that, when the rifle range was in operation. The range was used for practice by members of the V.D.C., and at one stage, through some means or other, a few Owen guns were issued to us for a few days for practice. Apparently someone made a mistake because the guns were quickly removed for dispatch to New Guinea; the boys there were short of weapons.

I cannot help but have happy thoughts of many of the men who were connected with that rifle club. One who comes readily to mind is Johnny Rose. Mr. Willmott knew him very well. He was a well established farmer in the district, and he has long since passed away. He was a very kindly man and he used to ride a horse around his property, followed by a couple of dogs. In one pocket he had clover seed, and in the other he had small pebbles. As he rode around the property he spread the clover seed as he went, and when the dogs got near the front of the horse he used to hit them on the head with the pebbles. He became very proficient in this practice. He passed away some time ago.

Another member of the rifle club in those years was Edmund Moore who was a dear old gentleman. He used to enjoy some fun with the younger men when he attended sports functions or race meetings. He had a brother about 74 years of age and on one occasion one of my friends said to him, "Geoff must be a great old age, Teddy," and he replied, "Geoff is a mere boy; he is only 74." I now mention the third trustee of that rifle club who was William Morgan Jenkins, another gentleman who passed away some years ago. It is rather strange, in recalling the names of these gentlemen, to think that they are still listed as trustees of a reserve although they have been deceased for many years. They were grand old gentlemen and well known in their day and I do not think it hurts, sometimes, to recall the names of these men who were well established in the district and connected with many organisations, and who, when they died, were greatly mourned. Having made those few remarks, I support the Bill.

THE HON. V. J. FERRY (South-West) [2.22 p.m.]: I support the Bill. I have examined a number of its provisions, and although I have not had the opportunity to examine every provision I am satisfied that it is worthy to be passed by this House.

For the sake of the record I would point out that there is a mis-spelling in a name used by the Minister when he introduced the second reading of the Bill. He referred to clause 21 which relates to the change of purpose of Class "A" Reserve No. 24482 at William Bay, near Denmark. He said that the reserve was a coastal reserve at William Bay and Perry Inlet. The correct spelling of the name is Parry, and not Perry. I think this mistake in the spelling of the name also occurred in another place when the Bill was debated. I note that on the litho which has been provided for our perusal the native name for Parry is Kord-a-bup. Other than that I see nothing wrong with the Bill, and I support it.

THE HON. F. J. S. WISE (North) [2.24 p.m.]: This Bill and similar ones which have been introduced over the years have always aroused keen interest for several reasons, one being that such Bills herald the closing of the parliamentary sessions. That has been the practice for half a century.

It has always been customary that when excisions or alterations are to be made to the boundaries of reserves they are held over till the end of each year so that all the provisions can be included in the one Bill. I have had the privilege of introducing 12 such Bills, and on each occasion I have endeavoured to make the measure as self-explanatory as this one.

There is one clause in this measure which attracts my attention; it is clause 23 which refers to an excision from Class "A" Reserve No. 30071—Chichester Range National Park. This is an area south of Roebourne, containing approximately 372,483 acres, and from it is intended to be excised 320 acres—which is not a large area to be excised.

I would draw the attention of the Minister to the deficiency in plan No. 23 which not only is referred to in the text of the Bill but is also attached to the Bill. I refer principally to the area around Cape Lambert and the whole reserve.

In the course of his speech the Minister made the comment that it was necessary to encroach on this reserve for the purpose of constructing a railway and a service road from Mount Enid near where the Robe River mining operations are to commence to a port to be established at Cape Lambert. I stress the fact that this excision is for the purpose of constructing a railway and a service road, associated with a mining venture.

I take the minds of members back to the time of the introduction of the first Iron Ore (Cleveland-Cliffs) Agreement Bill which was passed in this Chamber in 1965, and to the introduction of two subsequent amendments to that legislation. One amendment passed in 1969 altered the names of the persons who were involved in the development of this iron ore deposit. It will be recalled that one of the contracting partners ceased to have an interest, and the other much more powerful partner took its place. The other Bill effected certain minor amendments.

I get back to the point that that Bill which is now an Act was not accompanied by a plan to show the route of the road. Some members may recall that due to my habit of being a stickler for having the right thing done in these matters, I caused the first Hamersley Bill to be withdrawn by the vote of this House until another Bill, as is required under the Public Works Act, was introduced. The Minister could aver as to whether or not I was right.

The Hon. A. F. Griffith: On that occasion I helped you.

The Hon. F. J. S. WISE: On that occasion I believed that the provisions of the Public Works Act still remained paramount, in that in the case of an agreement it was a requirement to introduce a Bill for the construction of the railway to accompany the Bill containing the agreement.

In the booklet *Acts, Etc., Relating to Parliament*, 1969, which has been so well prepared by the Clerks of this House at the President's direction, we find on page 182 an extract from the Public Works Act. It shows very clearly that in all cases before the second reading of a Bill to provide for the construction or closure of a railway, the plans of the route shall be stated specifically. That provision is contained in the State Transport Co-ordination Act as well as the Public Works Act.

Whether or not members recall it, I can assure them that it is written into the Cleveland-Cliffs iron ore agreement that, wherever it is necessary for a railway or a road to be constructed under that Act, the Government shall make provision for the company to have access to the Crown lands involved. That is in the agreement.

Also implicit in the agreement is that this House shall be advised when practicable—and I think it should almost be practicable now—of the route of a railway from the mining area to the port.

Can the Minister advise us whether a determination has been made as to the exact route of the railway? I realise that the Minister may not be able to

give this information immediately, because it is not his department and, for this reason, he may not be able to tell us offhand.

We must remember that we are dealing with extremely difficult terrain. We are dealing with country that is more on edge than not in the intervening region between the site for the mining and the plains below. It will be a most difficult engineering responsibility to construct a railway. However, I would assume that since the clause in question is with us, considerable progress must have been made. The Minister will notice if he looks at plan No. 23 that it gives no suggestion at all of the reason for the excising of 320 acres.

The Hon. A. F. Griffith: The map does not, except that it is stated that the area is to be excised for the leases for road and railway.

The Hon. F. J. S. WISE: I have before me what the Minister for Lands said in this connection; namely—

> Engineering requirements make it necessary for the route of the railway and the accompanying surface road to pass through this national park.

For this reason, there are two points in what I am raising. The first is that we have not, at any stage, been given an indication of a route, which we are required to have statutorily. The second point is that although an area is to be excised from a national park, there is still no suggestion of where the route will be located.

I support the Bill and, of course, the clause, but I wonder whether the Minister could furnish us with information on the points I have raised before this session ends. My inquiries lead me to believe that sketch plans are already under way. I would like to know whether this House could be furnished with such plans.

THE HON. J. HEITMAN (Upper West) [2.33 p.m.] I support the Bill. I have only one reservation in connection with the area I represent.

I think the Government has done the right thing. The Minister said that land vested in the agricultural society in Latham was no longer needed for that purpose and the trustees of this agricultural society had passed on. I know the particular reserve has been used for many years as a recreation ground, and I feel quite sure the Perenjori Shire would like to keep it for that purpose. Up till now the shire has spent money on it and has received assistance from the progress association in the Latham townsite. I am quite certain that in creating this an "A"-class Reserve vested in the shire more progress will be made and more money will be spent by the shire concerned.

So far as the hall site is concerned, there is already a hall at Latham. It is built on the opposite side of the railway line and serves a good purpose where it is sited.

I am sure the shire and the people of Latham will be pleased to see the reserve vested in the shire as an "A"-class Reserve. For this reason I support the Bill.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [2.34 p.m.]: In replying to the comments that have been made in debate on this Bill, first of all I want to apologise for the fact that the plans were not readily available. They came down to me in a folder and I had two copies. I had them on my table. Later on, my colleague, the Minister for Health, moved the second reading. Quite frankly I imagined that the plans had been laid on the Table of the House but, instead, we found them on the Government front bench. I apologise for this.

The Hon. W. F. Willesee: I think they were tabled, in the strict sense, and then returned.

The Hon. A. F. GRIFFITH: I thought they were tabled, but they are not in the records. I also thought I had made them available, but obviously they did not go into the records.

I know it is disorderly to interject and I do this so seldom as you know, Mr. President, but I wanted to tell Mr. Ron Thompson that if anyone wanted to adjourn the debate to look at the plans, I would be happy to have the debate adjourned.

The Hon. W. F. Willesee: We have heard everything.

The Hon. A. F. GRIFFITH: It appears, however, that the problem has been overcome and I thank members for their cooperation.

I am not in the position of being able accurately to answer the points raised by Mr. Wise, except to say that the excision of 320 acres for the purpose of the construction of a railway line and a surface road for the Cleveland-Cliffs operation is provided for in clause 23 of the Bill.

It is well known that the Cleveland-Cliffs agreement has been extremely difficult to get off the ground and that there has been a change in partnership since the time the original agreement was introduced—I think Mr. Wise said 1965.

The Hon. F. J. S. Wise: Yes.

The Hon. A. F. GRIFFITH: As members know, fortunately the Cleveland-Cliffs agreement now has the prospects of a much brighter future and it certainly looks as if everything will be all right.

I am not in the position of being able to provide the House with a copy of the plan at the moment, but I suggest we could do one of two things: We could defer consideration of the Committee stage.

The Hon. F. J. S. Wise: There is no need.

The Hon. A. F. GRIFFITH: Mr. Wise says there is no need and, consequently, I will take the Bill through Committee. However, I will hold the third reading of the

Bill until a little later in the day and, in the meantime, I will make inquiries on the points Mr. Wise has asked me about and supply him with the information if it is possible for me to do so.

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.

STAMP ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th November.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [2.46 p.m.]: The Opposition—having previously complained about the imposition of this legislation through an excellent advocate in a man named Wise, of this House—finds it difficult to complain about the fact that the tax is being taken away. I think the three proposals in the Bill are very good. The fact that the amendments have been brought about as a result of litigation at the High Court level is, I think, historical rather than of great value to the comments one could make on this Bill.

The fact that the measure provides exemption from stamp duty on housing loans is, in itself, a good thing. If the burden of this tax is spread over a wider area than it was previously—and I refer to stamp duty as a State tax—then again I think it is a good move. Certainly it is the lesser of two evils.

I would not like to attempt to deal with the legal aspect of the situation. I took umbrage at the original legislation because it imposed a tax which, in essence, we on this side of the House did not like. However, now it is disappearing. I agree with the provision to grant exemption from stamp duty to loans made to members of registered credit unions. I think we protested about that situation previously.

In effect, I think it would be pointless to reiterate all the matters mentioned previously in opposition to the legislation. The Bill provides relief from the situation that exists and, as such, I think it must be supported in principle. Therefore, I do not intend to delay the House any further.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

CITY OF PERTH ENDOWMENT LANDS ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 17th November.

THE HON. R. F. CLAUGHTON (North Metropolitan) [2.52 p.m.]: There have been several meetings in the City Beach-Floreat Park area recently at which the actions of the Perth City Council in spending money obtained from the sales of endowment lands have been questioned. It is as a result of this that the necessity for the Bill before us has arisen.

There are three separate areas of land in question: One is the beach reserve which is of "A" class; the endowment lands themselves; and the Lime Kilns Estate. The latter area was actually purchased by the City of Perth and there has never been any question about its right to spend the money it obtained from the sale of that land anywhere the council wished. The Lime Kilns Estate covers largely that area we know as Floreat Park. The endowment lands cover the City Beach area and that section northwards, which the council is at present in the process of opening up.

The process of development has been to subdivide the land, construct roads, kerbing, and drainage, and then sell it. Therefore, I do not think it is remarkable that to date—except for last year—no profit has been made from this development. I imagine that whatever money has been raised has been spent on the next section for development.

The original Act of 1920 makes it clear, as does the second reading speech of the then Minister for Education (The Hon. H. Colebatch) who introduced it, that the proceeds from the sale of endowment lands were to be used within the area covered by those lands. In my view the action the City Council has taken over the years in not completely following this course is justifiable; because it would have meant that the cost of any development of the beach area would have fallen on the proceeds of the sales of land in the Lime Kilns Estate. As a result, those who built in the endowment lands area would have received the benefit of the sales of land in other sections. In effect, those people would have been receiving an advantage over others.

Subdivisions that have taken place in recent years, as I indicated previously, necessitated the provision of roads, kerbing, and a considerable amount of development

work in the moving of sand to make the sand dunes suitable for building operations. At the same time, a considerable amount of money has been spent on the development of the beach facilities at City Beach, and I should think that the people who live in that area are the ones who would use those facilities more frequently than anyone else.

I shall not attempt to oppose what the Bill seeks to achieve. In my view it is a sensible way to deal with the situation. People in the endowment lands area will almost certainly get the benefit of the money that is spent in developing the beach facilities. The plans the City Council has prepared, and is in the process of implementing, are most imaginative even though we might question the amount of money being spent on those facilities. I believe there is some justification for the criticism of the amount of money that was spent, for instance, on the life savers' clubhouse. However, I do not think the people who have bought properties in the endowment lands area can object to the money raised by the sale of that land being used for this purpose.

In subdivisional development elsewhere the subdivider, as a rule, not only has to provide for roads and drainage but is sometimes also called upon to contribute towards the provision of recreational facilities, footpaths, and sewerage. I do not think the money obtained from the sale of endowment land has been used for purposes such as those, but it could very well be used for such purposes.

If we must object to what the City Council has done we could perhaps criticise it because it has created segregation of the community by the method it has adopted in that area. This has attracted rather large prices for land at the auctions and it has meant that only a selected group of the community can afford to live there. In its developments the State Housing Commission has advocated a more balanced grouping of the community. It does not build a State Housing Commission type of development for an entire area. The commission leaves a significant proportion of its areas available for private development, which means a wider strata of society is represented in those areas.

It is evident from what has taken place at City Beach that a more affluent section of the community is represented there, and this is reflected in the facilities that are provided in the schools in that area. Because the parents are better off the children in those schools enjoy far better facilities than children elsewhere.

There is not the same degree of difficulty in fund raising necessary for procuring teaching aids, recreational facilities, and so on. This, of course, also applies to the community facilities which might be required. The fund raising to finance these is a great deal easier. The type of criticism which I feel ought to be levelled at this method of land development is that it has caused a segregation of the community and this has created an imbalance within that community.

I would now like to refer, in passing, to a recent event within the Perth City Council. We all know that only a few days ago one of the planners resigned, following an earlier action within the council itself in connection with one facet of this scheme for the City Beach area. I refer to the planning scheme being changed. The plan for the development of the area provided for a segregation of the traffic and, it would seem, a decision within the council has frustrated the efforts of the town planners to provide safe passageways for vehicles as a result of property owners on the through road being permitted to construct driveways which could cause traffic conflict. If this is the reason for the resignation of the town planner it is certainly to be regretted.

The debates that ensued when the principal Act was introduced make very interesting reading. It was envisaged that the beach area would provide an attraction for numbers of visitors to the district. There was some discussion about the provision of a hotel site to cater for these people, and the question was raised as to who should have the use of it, because it would create a monopoly by the powers granted to the council under the Act.

At that time the beach area was referred to as North Beach. North Beach is, of course, now much further north. The plan envisaged allowed the council an area of land which it could sell and with the funds obtained it was permitted to develop the said lands, as they are termed in the Bill, and the beach facilities. I think this was the essential idea at the time. I am not sure whether the intention of Parliament was for this to be done only with the proceeds from the Lime Kilns Estate, and perhaps the conflict that did eventually arise was not apparent at the time. That largely covers my remarks on the Bill and I support the measure.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [3.05 p.m.]: I understood Mr. Claughton to say that when the Perth City Council became possessed of this land in 1929 the council thought it could spend the proceeds from the sale of the land anywhere it liked.

The Hon. R. F. Claughton: I said the Lime Kilns land.

The Hon. A. F. GRIFFITH: That was not quite the case. I have here a note of explanation provided to the Minister for Lands by the Town Clerk, which is dated the 11th November, 1970. I think this stemmed from some reporting which occurred in the Press following the passage of the Bill in another place, and the

Minister for Lands was concerned that an incorrect impression had been given as a result of the report on the debate in that place. This note of explanation reads as follows:—

> When the City of Perth Endowment Lands Act was promulgated in 1920, it brought together three pieces of land, namely:—
>
> (a) The Lime Kilns Estate, comprising some 1,290 acres which was purchased by the Council in 1917 from the Perry family and is now more commonly known as Floreat Park.
>
> (b) The Endowment Lands proper, comprising some 2,281 acres which could perhaps best be described as the City Beach Residential Area.
>
> (c) Reserve No. 16921 being the beach foreshore.
>
> In the Endowment Lands Act the three parcels of land are described as the "said lands".
>
> For some reason or other, for which there appears to be no logical explanation, Section 39 (2) of the Act makes a distinction between the use of moneys received from sales of land in the Lime Kilns Estate and the sales of land in the Endowment Lands.
>
> In the case of the Lime Kilns Estate, that is, Floreat Park, the proceeds of sales can be spent anywhere on development work within the "said lands" namely, the Lime Kilns Estate, the Endowment Lands or the Reserve which is the beach foreshore.
>
> In the case of the Endowment Lands, the proceeds of sale can be spent only on development work within the "Endowment Lands".
>
> Since the first land sale which was conducted on 9th February, 1929, the Council has treated the three areas as one, with the result that the proceeds of sales in Floreat Park were, in fact, used for development work in the Endowment Lands and on the beach foreshore, but none of the proceeds of land sales have been spent outside the area known as the "said lands" as defined in the Endowment Lands Act.
>
> For over 40 years this amalgamation of areas receipts and development expenditure has worked satisfactorily and without question until recently when for the first time the total proceeds of land sales exceeds the total development expenditure in the area known as the "said lands".
>
> The Council is now confronted with something in the nature of a crisis insofar as it has sold practically all the residential land in Floreat Park (the exception being the areas which the Council has set aside for open space) and at the same time has considerable development works going on along the beach foreshore and for which the proceeds of sales of the Endowment Lands cannot legally be used.
>
> It is contended that the three areas integrate admirably and that the Endowment Lands which is the City Beach Residential Area gains much of its prestige from the fact that it is bounded on the east by Floreat Park, which, quite apart from being a good residential area provides so much of the open space such as the delightful areas around Perry Lakes and the major portion of Reabold Park and the Wembley Golf Course, whilst on the western side of the Endowment Lands is the beach reserve which is being developed to a high standard and in keeping with the area.
>
> This simple amendment is designed to allow in every respect the continued integration of the three areas and in so doing permit a continuation of the high class development which is evident in the area.

I read that statement particularly, in order that Mr. Claughton, who represents the area, would be acquainted with more detailed facts of the situation.

I must say that my colleague, the Minister for Lands (Mr. Bovell), was more than a little upset at the suggestion which was apparently made by some people that the two Bills which were presented in another place were almost the same in approach. I saw in this morning's paper that the Perth City Council disputes the claim that the Government Bill and the other Bill which was introduced in another place are similar. In fact, we know that they are not similar.

The Bill which is now before us merely gives effect to the fact that the Perth City Council can sell land in those three areas, which are the said lands, and spend the proceeds of the sales over the whole of the area of the said lands as defined in the Bill of 1920. That is the point I wish to make.

Let me add, too, that I think the ratepayers in the whole of that area are in favour of the Perth City Council being able to spend the money from the sale of the land over the whole of the said area. Some of the money will be spent on the beach area, and will provide very pleasant facilities which will be enjoyed by very many thousands of people who do not live within the area. This, of course, applies wherever there are river foreshores or seafronts; the local authorities must spend money to provide facilities for the people of the State

who visit those places. The visitors benefit by the development that takes place in the area at the expense of the ratepayers.

In the case with which we are now dealing the money which is expended is derived from the sale of endowment lands which were obtained by the Perth City Council as far back as 50 years ago at a nominal price. With the passing of this Bill the Perth City Council will have the right to spend the money in the said area. As I have already said, the other Bill which was introduced was to bring about an entirely different situation and I am pleased that that measure did not come to this House.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1 put and passed.

Clause 2: Amendment to section 39—

The Hon. R. F. CLAUGHTON: The Minister mentioned the ability of the Perth City Council to spend money raised from the proceeds of the sale of land in the Lime Kilns Estate.

The Hon. A. F. Griffith: No, I thought the honourable member made the comment.

The Hon. R. F. CLAUGHTON: It is now an academic question because very little land is available. The Stephenson Avenue development will take up a fair slice of the area. I would like to draw the attention of members to the remarks made by the Minister who introduced the original Bill in 1920. At page 1351 of the *Parliamentary Debates, 1920,* the then Minister had the following to say:—

> The Bill extends the boundaries of the city of Perth to include the whole of these lands. That is the first provision. It is undoubtedly a necessary provision if the development of these estates is to be proceeded with. In Part VI. of the Bill the council are given all the powers of an owner in fee simple in respect of the land, excepting the reserve—they are not given any of these powers in regard to the reserve, which is shown on the map and is near the sea shore—subject to the proviso in Clause 39 whereby the proceeds of sales of the endowment lands must be applied to the development of these lands. The proceeds of sale of the Lime Kilns Estate which was acquired by the City Council by way of purchase, are not regulated in this manner. They have bought the land and have a private owner's right in it, and can do as they like.

It is quite clear that the intention was not to limit the council to spending the proceeds of the sale of the land only within the said lands, which are defined. A further intention was that by allowing the council to do this not only in the Lime Kilns Estate but in the endowment lands also, the council would have an opportunity to gain funds with which to open up the area and provide beach facilities for the general public.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

ABATTOIRS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

THE HON. R. THOMPSON (South Metropolitan) [3.19 p.m.]: This is a very short Bill which amends section 6 of the parent Act—the interpretation section. Evidently difficulties have been found regarding action taken last year when stock had to be slaughtered because of the drought conditions in country areas. It was found that although it was contrary to the Act, it was most necessary that this slaughtering should take place.

This small amendment to the Act merely clarifies the position, and I think it is a worth-while amendment. The Act at present contains provisions which prohibit the slaughtering of any kind of stock other than at an abattoir or place licensed by the Minister. I do not think I need say any more about the amendment because there are only half a dozen words to be inserted into the section in order to provide some protection. Section 6(1)(cl), as amended by this Bill, would then read—

> (cl) the granting by the Minister, on payment of a prescribed fee, and on such conditions as he thinks fit, of licenses in respect of places, other than abattoirs, authorising the slaughter at such places of stock, the slaughter of which is by regulations under this Act prohibited elsewhere than at an abattoir or at a place licensed as aforesaid;

I have no objection to the amendment and I trust the House will agree to it.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

Sitting suspended from 3.24 to 4.09 p.m.

MARKETING OF EGGS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

THE HON. F. R. H. LAVERY (South Metropolitan) [4.09 p.m.]: This Bill is really the culmination of a request from the Poultry Farmers' Association. The members of that association sought a referendum on the proposals which are in the measure before us and, as most members know, 83 per cent. of the producers were in favour of a form of licensing. As a result the Government has introduced this legislation.

It points to the fact that somewhere along the line someone must have found it necessary to introduce such proposals, but it is rather unusual for legislation to put them into effect to be introduced so quickly. As a rule, when a referendum on anything is held, it is some time before the results are given effect to by way of the introduction of legislation.

Because for a great number of years the policy of the Labor Party has included control of production and orderly marketing of all edible products, it goes without saying that we support this Bill. However, in doing so, it does not necessarily mean that I have no criticism of it. Whatever criticism I offer will be in the form of questions to which I hope the Minister will reply when he winds up the debate.

When the Minister introduced the Bill he said that the Poultry Farmers' Association had sought the proposals in the Bill and it is significant that at a meeting of representatives from the Poultry Farmers' Association, the Egg Marketing Board, and the Department of Agriculture, those proposals were formulated. Therefore, one of the criticisms I intended to offer is not now necessary because this is not simply a Government measure introduced without taking into account the wants of the producers themselves. All the interested parties have met and apparently the producers are satisfied with this legislation.

However, I have one doubt as to whether the licensing of producers should come under the administration and control of the Egg Marketing Board. One of the reasons I have a doubt in this regard is that it ties the hands of the Government in regard to introducing in the future what may be considered further necessary amendments dealing with the control of the industry as a whole. Perhaps I am getting a little wide of the mark with my comments, but what I am really suggesting is that in the past the board must have crossed swords with some producers and I am wondering whether these same producers will have a very high rating with the board.

As I have just said, those growers who in difficult periods have crossed swords with the board may be in a difficult position when they make application for licenses; and I am wondering whether the Egg Marketing Board will treat them on the same basis as other producers. I do not want to be misunderstood, or for members to feel that I am being catty about the board, but the sort of thing to which I have referred has gone on in the past, and no doubt it will go on in the future. Irrespective of how much we might like to work amicably together, somewhere along the line there is always a nigger in the woodpile, and one person or another will suffer as a result of some previous disagreement, not necessarily with the Egg Marketing Board, but with any other type of board.

This sort of thing happened with the Potato Marketing Board and the Onion Marketing Board. As a matter of fact, the onion growers themselves were responsible for the Onion Marketing Board going out of existence.

The Hon. A. F. Griffith: Have you any reason to believe that this board will act in a prejudicial manner?

The Hon. F. R. H. LAVERY: I qualify that by saying that actions speak louder than words. In the past these things have happened. Perhaps I should have added these words: I hope this will not take effect.

The licensing of egg producers will place them in a premium group, because after holding a license for two years they will be able to transfer it. This is somewhat akin to licenses issued to whole milk producers, many of whom have a quota of 62 gallons. The present value placed on these licenses is $200 per gallon, so a dairy with a quota of 62 gallons is valued at over $12,000.

In the case of licenses granted under this legislation, after a period of two years the egg producers will be able to transfer them. In my view they will be valued on a similar basis to milk licenses.

To give another example of the premium that is placed on licenses, I refer to taxi plates. The Government itself has placed a premium of some $7,500 on a set of plates. About a fortnight ago I was in the Traffic Court where I saw the final papers being given to one person. Before he could even earn a single fare he had to outlay $26,000.

This person now comes within a group which is very well protected. I could relate to similar privileged groups in other industries; I refer to crayfishing, potato growing, marine dealing, etc.

As a Labor member who should be looking after the welfare of the consumers, in particular, I hope that in supporting this measure I will not do anything to bring about an increase in the price of eggs. I know that as time goes on, an increase in the price will come about because of increased costs, wages, etc. Although I owe an obligation to the lower income group, in accepting office as a member of Parliament I also owe an obligation to all sections of the community. In some families the children are growing up and are earning a living, but even to them the price of 68c for a dozen eggs is very high.

The Hon. Clive Griffiths: Do you think this measure will bring about a reduction in the price of eggs?

The Hon. F. R. H. LAVERY: I am hoping it will have that effect, because with the more modern system of poultry farming, where three birds are placed in each small cage during the production stage of their life, the costs should be reduced. I agree that the method of keeping the birds penned up is revolting, but under this system there is less likelihood of the spread of disease—and egg producers cannot afford to have one bird in a flock ill. I am hoping that after the passage of this measure if the price of eggs is not reduced it will be a long time before the price is increased.

Today people can buy various grades of eggs, and the prices range from 55c to 68c per dozen. At one time I kept 1,200 head of poultry and up to 400 head of turkey. I would be ashamed of some of the eggs that are now sold by the board; when I was keeping poultry eggs of a similar size would be given away to neighbours.

This Bill will introduce a system of licensing of egg producers. In the leading article of *The West Australian* of the 18th November, reference is made to egg control. This is an influential and powerful newspaper, and it should check up on some of the facts before it publishes a statement. The leading article states—

> Egg producers' enthusiasm for regulation of their industry's production is no reason why—

I do not know why it uses the two words "reason" and "why." They mean the same. To continue—

> —the State Parliament should convert the Egg Marketing Board into a licensing authority.
>
> If producers are dissatisfied with board returns from domestic and export sales it is reasonable to expect that, with rising production costs, natural economic laws would progressively adjust supply to demand. But despite export difficulties production is increasing. Evidently an expanding domestic market is still capable of supporting exports at unsatisfactory prices and giving producers enough encouragement to supply more eggs.

In answer to the interjection that was made by Mr. Clive Griffiths, I am hoping that it will be possible to reduce the price of eggs by restricting the production, and thus avoiding the necessity to sell the surplus overseas at between 20c to 25c per dozen. As against that, the producer receives a return of about 46c per dozen for sales on the local market. To continue with the leading article—

> It is true that, in the short term, fewer eggs and reduced exports might mean lower domestic prices and better returns for producers. But what would happen to consumers once the new policy had been firmly established? They should realise that Parliament is being asked to give the board much greater power. The history of controlled marketing and willingness of egg producers to submit to regimentation suggest that in the long run the producers would become a privileged community at the housewives' expense.

That was what I was referring to earlier. The leading article then states—

> Having greatly stimulated domestic consumption, the State Government should allow a small industry to decide for itself how many eggs it will market. But if the licensing is to come, Parliament should insist on consumer representation on the board being equal to that enjoyed by producers.

The Egg Marketing Board comprises six members, and formerly two of them were consumers' representatives. There is only one now.

In respect of the price of eggs I hope something will be done to contain the price. If the industry is to be given the power to control egg production then I hope it will not bring about the situation that exists in the taxi industry; that is, to make it impossible for others to enter the industry.

The Hon. R. Thompson: That is to create a monopoly.

The Hon. F. R. H. LAVERY: I could not agree more. A monopoly was created in the taxi industry, and such strict control was exercised that it was not possible for others to enter it. When the Minister introduced the second reading of the Bill he said that the measure, while ensuring orderly production of an adequate supply of first grade eggs for consumption, should avoid an excessive oversupply. I hope this will come to pass.

The commercial producer is defined as one who keeps a minimum of 150 head of female adult poultry. All the amendments in the Bill, with the exception of

one, deal with the proposal for the licensing of egg producers and how that will take effect.

The amendment in clause 8 deals with bases or principles on which applications are to be determined. I suggest there should be an early declaration each licensing year, so that licensees will be able to determine the number of birds they will have to purchase or breed.

Clause 10 deals with supplementary licenses. This is a very good provision. Weather conditions affect poultry to a great extent, and a severe heat wave can reduce production very quickly. Under this clause the board will be permitted to issue supplementary licenses on such occasions.

The provision in clause 11 will permit the transfer of licenses after they have been held for two years. The appeal to the Minister is to be final. I am wondering whether it is necessary in the first place for appeals to be made to the Minister. When the board refuses a request submitted by a producer, he should be able to appear before the board again with further evidence before he makes an appeal to the Minister. At present the situation is that when a Minister receives a recommendation from his department it becomes the decision of the Minister. I am wondering whether the appeal to the Minister in the final analysis is a just method.

The provision in clause 13 deals with protection against actions. It states that no person who is engaged in this industry can make a claim of any sort against—

(a) Her Majesty;
(b) the State;
(c) the Minister;
(d) the Board; or
(e) any member, officer or employee of the Board.

Under this provision people who feel that they have a right to take action will be precluded from so doing.

Clause 15, which intends to add section 32K, deals with offences, and it worries me a little. Many people have only 20 head of poultry, and this includes pensioners—whether it be a pensioner on his own or a husband and wife team who have their little cottage and are able to keep these birds because they feed them mainly from scraps from their own table. However, in many instances such people are asked to look after a neighbour's birds while the neighbour is on holidays, and this could increase the number of birds being kept by the person so requested to 25 or even more.

I believe that in such circumstances this person should be allowed to advise the board that he is in fact looking after someone else's birds for a fortnight or so. I know this might seem a minor point, but it is important. It is a different situation from the one in which a commercial grower is placed when he makes a false declaration concerning the number of birds he has.

However, in regard to the commercial producer and the person with only 20 hens, the fine is the same. For a first offence the fine is $200 while $400 is to be imposed for a second offence. I am not worried about either of these penalties being imposed on the commercial grower, but I do think that they are a bit steep when imposed on a person who normally has only 20 head of poultry.

Section 32N, dealing with proceedings, is to be inserted under clause 18. This new section provides that any submission to the board or Minister must be made in writing only, and that no person shall be entitled to appear personally or be represented by counsel before the board or Minister. I do not agree with this provision. I can understand the restriction being imposed so far as the Minister is concerned, because if he had to interview these people personally a great deal of his valuable time would be involved. However, with regard to the board itself, I believe that people should be given the opportunity to present their cases personally to the board because the presentation of a case in writing is too restrictive. Many people do not have the ability to express themselves clearly in writing.

Other speakers, who are more conversant with the subject matter of this Bill are to follow, but I did want to express my thoughts as I had some experience of this industry during the war years when it was possible for someone like myself to retain a normal job, but, in addition, rear poultry for egg production. At that time I ran into a great deal of trouble with poultry diseases, and there are many of them. As was said a moment ago, a great many of these diseases can be eradicated as a result of the control of production.

I would like the Minister to indicate to me the prospects of a person desiring to enter the industry in a small way. I know that such a person must comply with all the local authority regulations and other provisions with regard to the type of buildings involved, hygiene, and so on. I know of one person who recently entered the industry and he had an expenditure of $150,000 just for buildings alone. However, many people have perhaps $2,000 or $3,000, and I am wondering whether they will have the opportunity to obtain licenses from the board. With those remarks I support the Bill.

THE HON. C. R. ABBEY (West) [4.36 p.m.]: I rise to support the Bill and I do so with some knowledge of the subject.

Over a very long period a committee comprising members of both Government

parties, one member of which was Mr. Baxter, very carefully studied this situation. For many years now the representatives of the egg producers have felt that a licensing system was the only method by which stability could be introduced to the industry. The index over the years showed such great variations that many of those people who, during the last five or six years particularly, had contemplated entering the industry must have been frightened away. Many producers were involved in a considerable capital expenditure but, despite this, were not successful.

The evidence the committee to which I have referred obtained convinced us that there was a very good case in favour of licensing egg producers. Such a scheme would have many advantages, not only to the producer but, I firmly believe, to the consumer also.

This Bill will have some opponents and they are entitled to their opinions. However, I believe that the stability to be gained from the licensing of egg producers will achieve a result very similar to that achieved in the whole-milk industry. Everyone knows that industry is now very stable from the angle of both the producer and the consumer. No increase has been made in the price of milk for quite a considerable time now. Therefore the fears expressed that advantages will be taken by the body that administers this legislation are not well founded.

We can just imagine what would happen if the marketing board were to place a very high value on the eggs to the consumer. It would be a stupid action and not ever likely to occur because in such circumstances, under section 92 of the Constitution, eggs could be imported from other States. Therefore this is a deterrent to any such action.

During the examination of the situation the conclusion was reached that provided a reasonable percentage above the assessed needs of the consuming public in Australia was obtained, all would be well. Evidence before the committee indicated that about 11 per cent. overproduction is a fair thing. Maybe the marketing authority will decide that it should be a little more or a little less than that. However, provided an overproduction of about 11 per cent. or 12 per cent. is maintained, the situation would be vastly different from that which exists when up to 30 per cent. or more of our eggs and egg pulp are exported. As members know, when this export takes place, the product is placed on the world market at a very low price. During the last five years I believe the average return for both egg pulp and eggs in the shell has been very low. I can recall that in one particular year it was as low as 9c per dozen.

The Hon. N. E. Baxter: That is for export?

The Hon. C. R. ABBEY: Yes. These eggs would include those unsuitable for local consumption. For instance, some might be cracked or the shell in some other way may not be sound. In such cases the eggs are all pulped.

The Hon. A. F. Griffith: Was that the gross figure to the grower?

The Hon. C. R. ABBEY: No. In the year I am quoting the 9c was for the return on eggs exported. If my memory serves me correctly, the eggs were assessed to the grower at about 38c per dozen. They had to obtain more than 37c or 38c a dozen in order to achieve a profit. During that year the amount was considerably below that figure. A yo-yo type of situation arose with people entering and leaving the industry, and when this instability occurs the situation is not good. We have had, on occasions, to import eggs.

At the behest of the Federal authorities more eggs had been exported in that year than was perhaps wise. Under the C.E.M.A. plan the average to producers was of a more reasonable nature.

It is the belief of the Liberal Party—and I am sure it is of the Country Party, too—that when a referendum is held, as was the case in connection with the egg industry, and the producers by a large majority, as in this case, expressed their desire for an egg marketing scheme this request should be granted.

A member: I think 83 per cent. were in favour.

The Hon. C. R. ABBEY: I would say that 83 per cent. is a fairly good majority. I would not mind if I had been elected with such a majority.

Mr. Lavery has expressed some fears that if the present board is also made the licensing authority, it might not be very suitable. I consider his fears are not well founded. The board is a very good marketing organisation and it has at its fingertips all the information required to establish a licensing system such as the one authorised under this Bill.

I believe that, with its experience, it will be a simple matter for the Egg Marketing Board to carry out the functions of a licensing authority. No-one would be better suited for the job and I see no need for anyone to fear that the board will not be fair because, after all, the Bill contains sufficient provisions to ensure that everyone shall be fairly treated.

I think this type of licensing has many consumer advantages. One of the advantages I can see is that a much smaller number of eggs will be exported at a below-cost price. Probably the number will be reduced by at least half, and this will mean that the producer will receive a price which covers his costs and is more profitable. The drag on the finances of the Egg Marketing

Board will be reduced. Instead of perhaps 30 per cent. of the eggs produced in this State being exported, we should be able to maintain something like 11 per cent or 12 per cent. overproduction, and that is all that is needed for export.

Therefore, there could be a two-pronged advantage to the consumer: firstly, there will be stability of price; and, secondly, it can be expected that as there will be a lower cost factor in the price of export eggs, the actual price to the consumer might even be reduced. As I said before, I do not think there is any real need to fear that prices will rise beyond a reasonable level because of the possibility of importing from other States.

The Hon. F. J. S. Wise: I think one of the serious facets in the life of poultry nowadays is the bleak outlook for the rooster.

The Hon. C. R. ABBEY: I agree; he does have a bleak outlook. A further advantage I can see to the consumer is that the egg producers of this State will have to accept responsibility to maintain their production. Of course, under the proposed licensing system it is necessary only to license the number of hens. I am quite sure that the Egg Marketing Board, with its great experience in this industry, will be able readily to assess the figure needed in each area and will be able to maintain the numbers by licensing the appropriate number of fowls.

If that does not occur, the Act can be easily amended. It could even be that producers may have to supply a quota, if necessary. The Bill contains some interesting sidelines. I would like to refer to a publication called *The Egg Situation*, No. 12, July, 1970, which is published by the Bureau of Agricultural Economics. It features a number of examinations of egg production in Australia. I do not intend to weary the House by reading at great length, but I am sure that one section of this report will be of interest to members. It is headed, "Australian Situation," and portion of it reads as follows:—

> Exports of shell eggs in the first nine months of 1969-70 declined to the relatively small total of 3.5m dozen, 1.2m dozen less than in the similar period of 1968-69. Most of the exports in 1969-70 were shipped to the Arabian States. There were no sales to the United Kingdom which had been a major export market for Australian shell eggs in 1968-69 when prices for shell eggs generally rose in Britain.

That indicates the instability of the export market inasmuch as during one year we have a market and the next year it is gone. To continue—

> With the expansion in production in 1969-70 exceeding the increase in disposals of shell eggs through domestic sales and exports, a greater quantity was converted into pulp. Exports of egg products (predominantly pulp) in the first nine months of 1969-70, at 15,400 tons, were 6,900 tons or 81% greater than in the corresponding period of 1968-69 and greater than in any full year since 1953-54.

I think members will agree that it is a fairly alarming situation. To continue—

> Almost all of the increase went to the major market, Japan, although sales to our second largest market, the United Kingdom, rose slightly. The price of Australian prime quality egg pulp in the United Kingdom increased from 23.5d stg per lb exstore to 26d between April and July 1969 and to 27d in December 1969. The f.o.b. unit value of egg pulp shipments to Japan in July-March 1969-70 was 15.6c per lb, or 1.7c higher than for the year 1968-69.
>
> The average f.o.b. return from exports of shell eggs and whole egg pulp (these categories account for a high proportion of exports) rose from 19c to 20.7c per dozen shell egg equivalent, but the rates of reimbursment for the relatively low export prices declined.

So there we have an example of prices rising to that extent in this year. However, let us note that 20c is something like half the cost of production. To continue—

> The reimbursements are financed by a levy on laying hens and, although the maximum rate of $1 per bird was maintained in 1969-70, the proportionate rise in exports was much greater than the rise in total levy collections, resulting in reduced reimbursement rates.

I think that is sufficient to indicate to the House there is some substance in what I have said about the cost to the industry of export eggs. We can also take note that in December, 1967, the Australian Wheat Board reduced the price of feed wheat from $1.71 per bushel to $1.50 per bushel, or $1.435 if the purchaser buys solely from the board. This meant a considerable reduction in cost to the industry—something in the order of 15 per cent.

So with this reduction in costs we can at least look to stability of prices in the future and, possibly, a reduction. I refer again to the report—

> Commercial egg production in Australia is estimated to have risen by 15m dozen in 1969-70 to a record of 182m dozen. This increase was the seventh successive annual rise.

That indicates the urgent necessity for a licensing system such as that before us today. There is mounting evidence that the increased production will lead to a

crash in the industry, and we all know that Western Australia is the first to do something about it.

I think I have said enough to indicate my support of the Bill. It is the culmination of years of effort by the association representing the egg producers. I compliment those people who, for many years, have struggled to make an impression on those in authority in order to bring about this licensing system.

The proposal must be the cause of a great deal of gratification to Mr. Carl Rogers of Armadale, who is at present the President of the Poultry Farmers' Association. Mr. Rogers has been in the forefront of those who have sought to bring stability to this industry. He, together with his colleagues, is worthy of great praise for his efforts to combine all the advantages of the present marketing system with the advantages of the licensing system. I wish them well in their efforts to maintain stability for both the consumer and the industry in the future.

THE HON. I. G. MEDCALF (Metropolitan) [4.57 p.m.]: Far be it from me—as one who is not an egg producer—to make any adverse comment about this Bill in respect of the economic aspects of it. I would defer to those who are closely associated with the egg industry and who know a great deal more about its technicalities and its economic problems than I. The Minister who introduced the Bill and Mr. Abbey have already explained that the egg industry is facing a crisis, or is in the midst of a crisis.

It appears from the comments that have been made that people engaged in the industry are apprehensive about the future of the industry. In those circumstances, therefore, they have decided to take desperate measures in order to attempt to rectify the economics of their industry. Were I to make any comment on the economics of the egg industry I could well be asked the question, "What do you know about the price of eggs?" I would have to confess that I do not know much about the price of eggs apart from what I have learnt today from listening to Mr. Lavery who quoted it.

I believe, however, that the egg industry must be in the midst of a crisis and I am prepared to accept this proposition. In those circumstances any group of primary producers turns to some organised marketing scheme which it hopes will attempt to salve their economic ills. We have seen this occur in a number of other industries and it would be wearisome if I were to attempt to detail them. I would not take up the time of the House by so doing because every member is well aware of those industries which have already been regularised by marketing schemes.

In fact, we have had an organised marketing scheme for the egg industry ever since 1945, subject to amendments made from time to time. Now a more stringent provision is to be introduced in the form of very restrictive licensing of egg producers.

It cannot be described as other than a restrictive form of licensing because it restricts the issue of licenses to those already engaged in the egg industry, or who take over from others in entering the egg industry, except in exceptional circumstances where the Minister is made aware by the board that a greater demand for eggs has occurred and new licenses can be issued, which is provided for in a subclause in one of the clauses in the Bill.

Hence, in this extremely restrictive situation, one must accept that there is a crisis in the egg industry and, if so, is it worth making comments unless they are constructive and will help the industry solve its present problems? I do not propose to venture into that area, because clearly I would be out of my depth, and I do not propose to weary the House with anything I might say on that.

However, I propose to inquire more than to comment by asking why it is that groups of primary producers are so ready to accept very restrictive provisions affecting their basic freedoms without, so to speak, turning a hair? I am not referring to the licensing system. I understand that has been brought about by the present crisis and I accept the comments made by other members. I will not refer to that. I will refer, however, to some of the provisions in the Bill which seem to me to indicate that there is perhaps a failure on the part of egg producers to understand exactly what they are giving away on behalf of some of the other persons concerned. I may be wrong. Producers could have decided that they are quite happy that the Egg Marketing Board should not give any reasons for refusing them a license. They may feel that they do not want to know why a license has been refused if they apply for one and, if this is so, my comment is to no avail.

The Hon. C. R. Abbey: They have a right of appeal, of course.

The Hon. I. G. MEDCALF: I am merely speaking of an application for a license. The egg producers may decide that they do not want to know why an application for a license has been refused. The board is not under any obligation to give any reason for refusing a license; none at all that I can see under the Bill or in the Act which the Bill seeks to amend. That may be quite satisfactory, and I do not take exception to it if that is what the producers want. It may be that the answer to my observation is: what reasons can be given? A person either gets a license or he does not. To me that is not personally satisfactory but it may

satisfy some of the people concerned in this industry. I simply pose that by way of inquiry.

I agree with Mr. Abbey that a right of appeal has been provided in the Bill. No reasons have to be given—

The Hon. J. Dolan: The fellow who appeals has to give reasons why he is appealing. How can he give reasons if he does not know why he was refused a license?

The Hon. I. G. MEDCALF: That is a valid question. He does not know what he is appealing against, except that he has been refused a license. He does not know why. He can appeal to the Minister, and I am very pleased that that provision is in the Bill, because I feel that if ever there were a need for a person to have the right of appeal it is in this situation. A producer can appeal to the Minister and put his case in writing to him, but that is as far as he can go. The Minister will decide what will happen and give the result of the decision. He will indicate that the decision is "Yes" or "No," but he also does not have to give reasons. Not only that, but the appellant is not entitled to go along and state his case to the Minister. To me that seems to be quite extraordinary. I know that, on occasions, when a person wishes to appeal, he is told he is not allowed to have counsel appear for him. That does happen in some cases. I do not want to go into that question, because I have spoken on it on other occasions and I will not weary the House with it now.

However, under this Bill an applicant cannot appear personally before the Minister and say, "Here are my reasons." It is true he can put his reasons in writing and submit them to the Minister, but that is the end of the matter. This applies not only to an appeal against a refusal of an application for a license, but also to a person who has had his license cancelled. If a person has had his license cancelled, he also has the right of appeal to the Minister, and that is fair enough; but here again he cannot appear personally before the Minister to submit his case. I would not object to that so far as I am personally concerned, because I am not an egg producer, and if the egg producers want it this way, as far as I am concerned I will not quarrel with them. The answer to me might well be, "Look here, during the war we abrogated all sorts of personal freedoms on grounds of national necessity, and we have such a crisis in the egg industry at present that exactly the same situation prevails; the basic freedoms must go by the board." If that is so, I will accept that explanation. It could come from people who are more knowledgeable on the subject than I am, because I have already said that I appreciate there is a crisis in the egg industry.

If the crisis is so serious that these basic freedoms must be taken away, it emphasises how bad the position is. I say again, by way of inquiry—although what I say by way of inquiry is also, of course, by way of comment—that I am really astounded by the last part of clause 18 of the Bill—in fact, I find it particularly odious. It states—

> . . . no person shall be entitled to appear personally or by counsel before the board or the Minister.

I do not even object to the words "or by counsel" because I do not think the average egg producer would engage counsel to put his case to the Minister, but I should think there would be many cases where a person who had not been granted a license or whose license had been cancelled might submit his reasons for appeal to the Minister and say to him, "I should like to have the opportunity to discuss this matter with you," or, "I should like to have an opportunity see you to put my case," or, "I should like the opportunity to be heard."

I know of many cases where people have appealed to a Minister and have frequently said they would like the opportunity to be heard before the Minister makes his decision. This is an instance where an egg producer is not allowed or has no entitlement whatsoever to appear before the Minister, and if anyone were to apply and say, "I want to be heard," I can only assume the Minister would say, "The Act provides that no person is entitled to appear personally before the board or the Minister"; and that would be the end of the matter, because the Minister is bound by the Act. I believe that, just like anybody else, a good Minister would say, "You can see me if you so desire"; because, clearly, would not the Minister want to demonstrate to the appellant that he was trying to do the right thing; that he was prepared to listen to him?

I believe that any person, a Minister or anyone else, in a position such as this, would want to say, "You come and see me, and I will explain the position to you." But this right is denied to an egg producer. I object to this personally, and feel that attention should be drawn to it.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [5.11 p.m.]: I also express my displeasure at seeing another Bill before us which seeks to create another licensing authority. Whilst I appreciate all the points Mr. Abbey made indicating the problems and difficulties that have been expeprienced over the last few years and are still being experienced by those engaged in the egg producing industry, I also appreciate that a referendum was held and that 80 per cent. of the people concerned voted in favour of a licensing authority being established. I would not

have expected any other result. I am amazed that the result was only 80 per cent. in favour, because under the conditions that poultry farmers are working at the moment, it seems strange that the voting was not 100 per cent. in favour of the authority being established.

I believe that these people have shown they have a short-sighted point of view. I wonder how we will finish up with all this licensing? At present we must have a permit to do this and a license to do something else. I am wondering about the younger people who are growing up in our community, because if they do not hurry up there will not be anything they are allowed to do; other people will be already holding licenses to operate and no avenue will remain open for young people in which they can earn a livelihood. Perhaps the only way they will be able to obtain a license in the future, particularly in a primary producing industry, is to purchase one from an existing holder. I believe it will not be long before a premium is placed on these licenses and they will be traded between one person and another. I do not like this situation.

People should have the right, if they wish, to enter the egg producing industry or the potato producing industry, and not have to be granted a license to operate.

The Hon. F. D. Willmott: And lose all their money as fast as they like.

The Hon. CLIVE GRIFFITHS: It is their own money they have to lose, and if they are anything like me it would not take them long to lose it, because I have not got much.

The Hon. C. R. Abbey: As the number of consumers increases, so will the number of producers.

The Hon. CLIVE GRIFFITHS: That is right. We must expect this to happen. It seems to me that the more consumers we have the more producers will be required in this State and there will be a greater demand for licenses. At present we have the largest population we have ever had, but we have certainly set many more requirements in the licensing field.

The Hon. F. D. Willmott: This is not for local matters, but for export matters.

The Hon. CLIVE GRIFFITHS: I am inherently opposed to this kind of situation. I agree with Mr. Medcalf that it is difficult to believe that those people who voted on the referendum knew what the situation would be under the provisions in this Bill. Not for one moment would I believe that they were under the impression that they would be precluded from the right of stating their reasons in an appeal to the Minister personally, but they could submit them only in writing to the Minister.

I emphasise the difficulties I can foresee in clause 18. I would like to recount a situation that occurred a few days ago when we had quite a lively controversy about people living in caravans. Such people had to submit their reasons in writing to the Minister explaining why they wanted to continue to do something.

It is difficult to see how the Minister could obtain the slightest idea of what the people were getting at if he relied entirely on the letters he received from some of them; particularly if he did not speak to them. I received well over 100 letters, many of which were copies of appeals which had been lodged. Some of the people concerned are not capable of expressing their case in the form of a letter; not because they are unintelligent, but because they find difficulty in conveying their thoughts in writing and, accordingly, I cannot imagine how the Minister could know what they were getting at.

Accordingly I venture to say that of the 80 per cent. who supported the move for a licensing authority not too many would have known what is contained in this particular clause of the Bill.

I think that a licensing authority is an automatic extension of a marketing authority. There is nothing surer than that. It is as certain as night follows day that if there is a marketing authority—such as the egg marketing authority—it is only a matter of time before licenses are issued to restrict activities generally.

I have always been under the impression that when we restrict people by way of licenses we take away from them the incentive to produce more and better goods. I admit that this, of course, is only my point of view. I agree that in certain industries it is important to have a semblance of orderly marketing, but I am not absolutely sure that such a licensing authority will necessarily bring this about.

I hope for the sake of those in the industry that they will be satisfied with the provisions of the Bill, because as sure as eggs are eggs they will get what it provides.

The Hon. J. Dolan: They are not sure.

The Hon. CLIVE GRIFFITHS: If what has happened in this House is any indication, the Bill will be passed and a licensing authority will be established. I repeat that I hope the industry is happy with it and that by its establishment their difficulties will be overcome. I do not, however, like the principle involved—and I do not now necessarily refer to the egg industry. I just do not like the principle involved and that is all there is to it.

I join with Mr. Abbey in wishing the industry well. I trust the fears I have expressed will not eventuate. With those few remarks I support the Bill.

THE HON. N. McNEILL (Lower West) [5.20 p.m.]: I too use this opportunity to express some points of view. While I can, like other members, express sympathy with some of the views put forward, particularly by Mr. Clive Griffiths, I must submit that there is another interpretation that can be placed on this question of a licensing authority.

It is understood, of course, that this is a licensing authority set up for the purpose of controlling egg production. One need not wonder these days that the control of production, particularly in agricultural produce, is something of considerable significance. One might even express some surprise that steps have not been taken earlier towards the control of production by way of licenses—particularly in the egg industry—because, of course, it has experienced difficulties of surplus in connection with the export trade, and also, at times, difficulties related to the local market. It is a little surprising therefore, that the industry has not taken these steps earlier as has been the case in the wheat industry.

I use the expression "licensing authority" in relation to control of production. I think we might also say that it regulates a production to supply a market, and this is what it is really intended to be. I am quite sure that members in this House, after a moment's reflection, can well imagine a great many instances in commercial and manufacturing circles where there is a regulation of supply; a regulation of production in order to supply a market and help stabilise a situation.

That is the atmosphere and the climate in which I would like to see this proposed authority set up. It would be most realistic if this were done. There is, in fact, a point of view expressed in relation to other primary industries, that one of the very great difficulties with which they were faced was brought about because the supply is not geared to meet the requirements of the market.

If we look at the position in another way: perhaps a thorough investigation should be carried out into the possibilities and potential of the industry, together with a full investigation into the question of market research after which we could gear the supplying industry to provide that market.

I would like to see this industry developed through the proposed licensing authority; not necessarily as an instrument of regimentation but as something which will facilitate supply to a market under stable conditions; something which will meet the requirements of the consuming public as well as of those who are in fact producing the commodity.

There are particular features of the Bill on which I would like to make some comment. It may not be apparent to all members, but in relation to the control of production and the creation of a licensing authority some of the provisions in the Bill are of great significance; indeed they are provisions which may well be noted by other sections of primary industry which have been experiencing similar controls.

I would first like to make the observation that I feel one of the great weaknesses in the operation of this legislation lies in the fact that the Western Australian producers are prepared to control and limit their production under a licensing system; and accordingly, if these conditions to which Mr. Abbey referred eventuate—as they affect overall egg production in Australia—Western Australia will be in the position of being very receptive to importations from the Eastern States.

Perhaps it would be more appropriate if I say that Western Australia could well be a place to which there would be export in certain circumstances from the Eastern States in order to provide this market.

It is the intention of the legislation to provide a condition for egg production in Western Australia which will be satisfactory to our producers. If it is satisfactory to our producers, then one can assume it will also be satisfactory to the producers of eggs in other States; those who are not bound by the same requirements as are our own producers.

The Hon. C. R. Abbey: The other States would very quickly follow the lead set by Western Australia.

The Hon. N. McNEILL: Mr. Abbey says that he would imagine the other States would very quickly follow the lead set by Western Australia. Having been engaged with Mr. Abbey and others in an investigation of this industry over a fairly lengthy period I would feel that if one State—and now Western Australia—is prepared to take this step it would be a signal for other States to follow suit in order that uniformity might be achieved. Following this, there is the opportunity for other States to take advantage of what would definitely be favourable conditions in Western Australia.

If that situation does not eventuate, and the other States do not follow the lead, I believe that in the future it will be necessary for us to give some thought as to how our Western Australian market will be protected if that is necessary at the time. That is the situation to which we will have to face up.

One of the weaknesses of the legislation is that we are legislating on a one-State basis. Great concern has been expressed about this legislation by several members who have spoken; they sought an assurance that the Bill would not provide for a closed industry. Clause 9 of the Bill ensures that the industry will not be completely closed; but it will be open only to the extent that

a market exists for an additional quantity of eggs which would enable the licensing authority—the board—to grant additional licenses—once again within very closed limits. I think the figure is one-quarter of the difference of the number licensed in the previous year against that which would be required in the ensuing year.

So there will be a very strictly controlled issue of licenses; it will be one which is tied closely to the market available for the supply. I believe this is important. These provisions must be in the Bill to enable new people to come into the industry and also to provide the necessary opportunities for those who are already in the industry to take advantage of whatever initiative or enterprise is available to them. This is an absolute requirement. We must ensure, by writing into legislation of this kind, that those in the enterprise shall be entitled to the rewards of that enterprise.

I pass now to clause 18 which has also come in for some comment. I would like briefly to indicate my agreement with some of the sentiments expressed; namely, that one must question the limitation which in fact is being placed upon the person who may wish to make representations.

These representations must be submitted in writing and there is no statutory entitlement for the person concerned to appear in person. I will let it go at that and make no further comment. I believe this is a significant clause and I wonder whether it should in fact be there.

Some mention has been made that premiums may well come into being as a result of the operation of the licensing system, and this brings me to the point to which I referred earlier, which I felt was one of the most significant features of the Bill. I can almost promise—if I am in a position to promise—that there will be premiums simply because of the transferability or, to use a more current expression, the negotiability of licenses is permitted. That will be permitted under clause 11 of the Bill.

That is of great significance because there is no negotiability of licenses in the potato industry, and there is no negotiability of quotas or licenses in the milk industry—a matter of considerable current controversy and comment. However, in the Bill before us—which is an amendment to an existing Act—provision is made for negotiability. That, in itself, is a great departure from the usual.

The Hon. A. F. Griffith: Is it not possible to buy a farm with a milk quota?

The Hon. N. McNEILL: Yes, that is true. A farm can be purchased with a milk quota. However, it is not possible to buy the quota independently of the property.

The Hon. A. F. Griffith: But it goes with the property.

The Hon. N. McNEILL: Yes.

The Hon. A. F. Griffith: And the license to which the honourable member is referring could go with the property too.

The Hon. N. McNEILL: That is true; it could go with the property. However, there is provision in the Bill whereby the license might be transferred from person to person.

The Hon. A. F. Griffith: One can scramble one's eggs somewhere else!

The Hon. N. McNEILL: That may well be. However, the negotiability of the license is a very significant feature of the legislation. I believe it is one which will be noted by those people in the milk industry who are arguing and discussing the merits or demerits of negotiability. Also, it may well be noted by those people in the wheat industry who, likewise, are discussing the merits or otherwise of the negotiability of wheat quotas.

I indicate that if transferability is allowed—and I am in favour if it and I give my support to the principle—it will bring about a situation whereby if a license is to be transferable it will have a value. That value will immediately write an additional cost into the industry concerned. I am not disputing that fact, but I make the point. It has to be remembered that we have, virtually, a controlled system of pricing for eggs which may well be based on the cost of production basis. We must also expect that a proportion of the cost may be attributable to the premium attaching to the license. The value of that premium will rest on the circumstances of the day, the month, or the year. It is a cost we must accept, and we must presume it will be written into the cost structure of the poultry industry.

This, of course, is one of the arguments put forward by those who oppose negotiability of licenses in other industries. It is tantamount to accepting a further cost charge against the industry. However, in my view it is under the control which is provided in this Bill and it will be a benefit because it provides for a fairly natural sort of adjustment in the operations of the industry.

The negotiability will remove a great measure of that regimentation which becomes so distasteful in certain other primary industries. That self-adjustment is provided by virtue of the negotiability or transferability provision in clause 11.

If I may refer to the milk industry again, I might mention a factor which becomes a matter of great discontent, and this factor will certainly arise in the wheat industry. I refer to the possession of a license attaching additional value to a property or a person and because of that asset a resulting increase in probate and death duty. The license becomes an asset to a person or a property and will, therefore, be taxable. In the case of the milk industry the license is valued at $160 a gallon. We have

yet to find what value will be placed by the Taxation Department on a license in the egg industry.

I indicate that those poultry farmers who desire this sort of legislation, who wish to have this sort of control, and who are in favour of the provisions of this Bill, must also understand that they will be faced with this additional circumstance with which they might not otherwise have had experience. I have mentioned some of the problems which could arise, not necessarily to the disadvantage of the egg producers. However, I point out that they should be aware of the circumstances which will result.

I trust this measure achieves the purpose desired by the poultry producers in Western Australia. I express the great hope that it will operate in the climate I mentioned when I commenced my speech, and that it will not just be a matter of regimentation and control of the industry. It will be, in fact, an attempt to gear the supply to provide the market which is available. I hope the licensing system will not become a burden on the producers and I certainly hope it will not become a burden on those on whom the producers depend; namely, the consumer families of this State. With those views, I support the Bill.

Debate adjourned, on motion by The Hon. J. Dolan.

BILLS (2): RECEIPT AND FIRST READING

1. Administration Act Amendment Bill.
2. Death Duties (Taxing) Act Amendment Bill.

Bills received from the Assembly; and, on motions by The Hon. A. F. Griffith (Minister for Justice), read a first time.

RESERVES BILL

Third Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.40 p.m.]: I move—

That the Bill be now read a third time.

I did not ask the House to agree to the third reading of this Bill at an earlier stage for the reason that Mr. Wise asked me a question which I was not able to answer at that time. Mr. Wise asked me whether I could explain the approval of the actual excision of 300 acres of land from a particular reserve.

As the Bill indicates, the excision is for the purpose of constructing a railway and services right through that portion of land. The actual route of the railway, so far as the 300 acres of land is concerned, is not shown on the plan produced on the file; nor is it considered that it should be shown on that plan. However, in order that the honourable member's purpose can be fulfilled, I will get a copy of the plan and make it available next week. I hope that will be satisfactory, and I commend the third reading.

Question put and passed.

Bill read a third time and passed.

ADMINISTRATION ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [5.42 p.m.]: I move—

That the Bill be now read a second time.

This Bill, and the current Bill to amend the Death Duties (Taxing) Act, are complementary, and together they give effect to the proposals advanced in the Budget which provide more generous concessions and reduced rates of probate duty over a wide range of deceased estates.

In introducing this measure, I would reiterate the acknowledgement of the Treasurer of the thoughtful and constructive suggestions received from individual persons and organisations in the community during the period that the probate duty law has been under review. All of those suggestions were given careful consideration and many of them were most helpful in the framing of the amendments contained in this proposed legislation. Indeed, I am sure many persons in the community will see reflected in the amendments now before members, their own thoughts on the subject, even though they may be expressed in a slightly different form.

Needless to say, it was not practical to adopt all of the propositions put forward, for it must be remembered that probate duty law is a revenue raising measure forming an important integral part of the funds available to the State to finance services required by the community. Therefore, it would not have been a responsible act on the part of the Government to have completely dismantled the law on probate duty. At the same time, however, the Government is conscious that there are areas in which relief should be given and the provisions contained in the two Bills at present before the House give expression to this fact.

Members may recall that in the 1966 legislation, a concessional deduction of up to $7,500 was granted on estates which contained a share of the principal matrimonial home, provided it was owned in joint tenancy by a husband and wife. This measure has been of considerable benefit to those who own their homes under such an arrangement, yet it is appreciated that since the concession was introduced the value of houses and land has increased and a deduction of $7,500 at

the present time does not afford the surviving spouse, particularly the widow, the same protection as originally intended.

Furthermore, a criticism of the concession in its present form is that it discriminates against persons who own their homes in other forms of ownership. Take farmers, for example, who are unable to obtain the deduction because it is not practical for them to own their homes in joint tenancy as the home is frequently an integral part of the farming property. Also, there are other perfectly valid business and personal reasons making it desirable for the family home to be held wholly in either the husband's or the wife's name. And finally, we are aware that although there is a high percentage of home ownership in this country, there are still people who prefer not to own a home but hold an equivalent value of dutiable assets in some other form. The existing concessions give no recognition to these persons.

Essentially, the aim of the concession was to give protection to the surviving spouse, particularly to the widow. The intention was to reduce the duty payable and help to avoid the occasion arising where a widow would be forced to sell her home to meet probate duty.

Therefore, in order to give protection to widows in a more general way than is done at present, it is proposed to replace the present matrimonial home concession with a deduction in respect of the surviving spouse. The deduction will apply to all estates in which assets pass to a spouse. The amount of the deduction will be $10,000 compared to the present matrimonial home deduction of $7,500.

Those who do own their homes in joint tenancy will still have the advantage of the surviving spouse's share of the home not being included in the value of the estate as well as obtaining the benefit of the $10,000 spouse deduction.

However, the new concession, which is applied whether a home is owned or not, is a much more equitable measure and will give universal protection to a widow. It recognises that some persons, such as farmers, are not able to take advantage of the present concession for practical reasons and that others may in fact prefer to hold their assets in other forms.

A young widow who is left with dependent children deserves special consideration. In order to provide additional protection to widows left in these circumstances, it is proposed to allow a concessional deduction of $5,000 in respect of each dependent child. A dependent child will be taken to include children under 16 years of age, student children under 21 years of age, and wholly dependent adult children.

The deductions would also apply in the case of a surviving husband with dependent children, for frequently in those cases the husband is faced with considerable additional costs in the bringing up of the family.

Cases in which there is no surviving spouse and with the estate passing to dependent children occur, for example, in instances of double fatalities where the death of one parent briefly precedes the death of the second parent. It is proposed in these cases that the deduction for dependent children should be doubled from $5,000 for each child to $10,000 for each child. This will give additional protection to dependent children who are orphaned and who, incidentally, would not obtain advantage of the spouse deduction in the assessment of the estate.

Under the existing legislation the value of personal effects and furniture is included in the final balance of an estate. The inclusion of these assets imposes a difficult task on the relatives of the deceased as often the articles include items of great sentimental value. It can be an unpleasant experience trying to value them for probate duty.

All personal effects and furniture up to a value of $1,500 will be exempt from probate duty under this amending Bill. Examination of past estates indicates that this exemption will relieve the need to include such items in almost all estates. It is not possible, however, to give a total exemption because some items, such as antique furniture, jewellery, and works of art may be held as a form of investment, and in these cases it would not be equitable to exempt them from probate duty when other types of investment are assessable.

Existing legislation includes in the final balance of estates the aggregate of all gifts made by the deceased in the three years prior to his death if they exceed $200. Again, this gives rise to the need to examine the financial transactions of the deceased very closely. It is felt that detailed probing of an estate in this manner is not desirable and so it is proposed to exempt entirely gifts to an aggregate amount of $2,000 which the deceased may make during the three years prior to his death, to his widow, children, other issue, or dependent parents.

This is a substantial increase on the previous amount which was allowed and an important variation in principle. At present, if the deceased made gifts of, say, $250 the entire $250 was dutiable. Under this Bill the first $2,000 will be totally exempted. In many cases this will remove the need for close examination of the deceased's affairs because the deceased would not have made gifts approaching that value. In the cases in which gifts exceeding that value have been made they are more likely to have included substantial amounts that are known or are readily identifiable.

It is intended, in addition, to remove the $200 limit on the amount for funeral expenses that can be deducted from an estate. The full amount of funeral expenses will in future be deductible from the estate.

The quick succession provisions of the Act were amended in 1966 to provide a rebate of duty in cases where a second death occurs a comparatively short time after the first death.

The idea of the provision was to give relief where the same assets become liable for duty twice within a short period. The amount of the rebate varies depending on the time that elapses between the two deaths.

The Bill now before members amends the legislation to liberalise the rebates. At present the Act gives full relief where the second death occurs within six months and the proportional relief reduces over a period of five years. It is proposed now to extend the concession so that full relief will be granted in those cases in which the second death occurs within 12 months of the first, and to extend to 10 years the period over which the proportional relief applies.

There is an existing table of rates of duty which applies to a widow, widower, children under 21 years, wholly dependent adult children, or a wholly dependent mother. A different table of rates applies to assets passing to non-dependent adult children or other issue of the deceased. The first table has an exemption of $15,000 compared with $5,000 in the second table and its rates of duty are lower than the second.

One of the principal effects of the different scales of duty is that assets that pass to adult children who are not dependent upon the deceased, are assessed at rates which exempt only the first $5,000, and have higher rates of tax than apply if the assets passed to a widow, or dependent children.

This differential is particularly noticeable in the case of small family businesses and of farmers where it is a common practice for the business property to go to adult children.

The present Bills therefore propose to apply the same rates of duty to all the beneficiaries who are at present assessable under both tables 1 and 2 of the Death Duties (Taxing) Act. In addition, it is proposed to extend the definition to include step children of the deceased and the ex-nuptial children of a deceased woman. At present these may be assessed under table 4 of the Act which contains the highest rate of duty.

Assets going to wholly dependent widowed mothers are at present assessed at the lowest rates of duty, but those that are bequeathed to a wholly dependent father are assessed at the rates in table 3 of the Act. There does not seem to be any justification for this and therefore in the amended Act dependent parents, singularly or jointly, will be assessed at the same rate under a new reduced scale of duty.

A new table of rates of duty will be introduced under the Death Duties (Taxing) Act Amendment Bill which will apply to all of the beneficiaries to whom I have just referred. That is, it will apply to a widow, widower, children of other issue, step children, ex-nuptial children of a deceased woman, and wholly dependent parents. It will replace the present tables 1 and 2 of the Act and contain a lower duty scale than at present applies to these beneficiaries.

The combined effects of these proposals results in substantial relief to estates. The concessions have a dual action in reducing probate duty. On the one hand the concessional deductions and the exemptions reduce the final balance while, on the other hand, the new duty table reduces the rates that are applied to the final balance.

It is not valid, therefore, to compare simply the new concessions or the new rates of duty with those in the Act at present. This would give only a partial indication of the extent of the benefits these Bills confer.

Therefore, some examples have been set out which illustrate the benefits conferred by the proposals and these are available for perusal by members. I think these have been circulated and are before members.

The matrimonial home deduction at present reduces the value of the dutiable final balance of the principal estate, and so confers a benefit upon the beneficiaries under all tables of duty. In view of the much higher deductions that are now proposed for a spouse and dependent children it is considered that this is no longer justified.

The Bill therefore contains a clause that will confine the effect of these deductions to beneficiaries assessed under the new table of duty. Therefore, they will still benefit estates in which assets pass to adult children and other issue.

At the same time as the legislation is being amended to provide these concessions, it is desirable to make minor amendments of an administrative nature now that the Probate Duties Office has been transferred from the Crown Law Department to the State Taxation Department. This was with the setting up of the Commissioner of State Taxation. The purpose of the amendments is to reduce the time it now takes for the Master of the Supreme Court to issue the parchment—that is, the title to the assets—and to reduce delays in assessing the estate.

The current procedure is for a person to lodge all the necessary papers with the Master of the Supreme Court who proceeds to admit the will to probate. The master then forwards the papers to the Commissioner of State Taxation for assessment of duty. Only when the assessment has been paid, or the duty secured, is the parchment issued by the master.

It is proposed to amend the Administration Act to permit the master to issue the parchment without waiting for the commissioner's assessment. It is also proposed that provision be made whereby an executor will file direct with the commissioner the statement of assets and liabilities together with copies of the will and death certificate so as to remove delays in commencing the assessment of estates.

I should like to draw the attention of members to the fact that there is already in the Act a provision whereby the commissioner may waive interests on outstanding duty and grant an executor time to pay the duty in cases of hardship. I mention this because from some suggestions which have been received, it is apparent that not everybody is aware of this.

In cases of genuine hardship, executors should discuss their problems with the commissioner before they take action which may involve them with excessive interest rates, or even the prospect of breaking up an economic unit, such as a family business or farm. I am sure that in these cases, suitable arrangements can be made for the payment of the duty without extreme action being taken by an executor.

The new concessions and rates will apply to the estates of all persons dying after the 1st July, 1970. It is realised that some estates will have been assessed already and action will be taken to ensure that the benefits of the new legislation are applied in those cases.

It is estimated that the full-year cost of these concessions will be $1,800,000 on the present volume of estates. However, members will appreciate that the estates of all persons dying during a financial year cannot be finalised during that year. Because of this time lag, the cost of the proposals, which apply from the 1st July, 1970, will amount to $700,000 during the current financial year. Provision has already been made in the Budget for this cost.

In conclusion, I would desire to reiterate the views expressed by the Treasurer that it is his belief that the measures just outlined will give substantial benefits in a great number of cases, and I think this will already have been apparent to members who have listened to the explanation of the contents of these two Bills. They are progressive measures designed to give real protection to widows and dependent children. They also provide for a range of exemptions which will remove some of the most irritating features of the present Act. They also recognise that some people are not in a position to arrange their affairs in such a way that probate duty is minimised. I have in mind persons whose principal assets are in the form of a family business. These include the small or medium city businesses as well as farms. The new table of duty combined with the other concessions will help these people considerably, and I commend the Bill to the House.

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

DEATH DUTIES (TAXING) ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [6.00 p.m.]: I move—

That the Bill be now read a second time.

This Bill is closely allied to the current Bill to amend the Administration Act, and the introduction of these measures completes the scheme of probate duty concessions announced in the Budget. The Bill prescribes a new table of rates of duty and the beneficiaries to whom it will apply.

The rates of probate duty that apply to the principal estate at present are those specified in tables 1 to 4 of part IV of the Death Duties (Taxing) Act, 1966. Tables 1 and 2 of that Act are shown in a document which is available to members, and indicated therein are the beneficiaries to whom the tables apply.

It will be seen that table 2 rates apply to adult children and grandchildren of the deceased and are slightly higher and provide a lower exemption than table 1, which applies to a widow, widower, children under 21, dependent children over 21 years, and a wholly dependent mother. For example, the first $15,000 of the value of assets passing to table 1 beneficiaries are exempt from duty, but only the first $5,000 of assets passing to table 2 beneficiaries come within that category.

The Bill proposes that the same rates of duty shall apply to all of the beneficiaries at present assessed under these two tables. However, it goes further and provides that step children of the deceased and ex-nuptial children of a deceased woman should also be treated similarly. At present these beneficiaries may be assessed at table 4 rates which are the highest rates of duty applicable to the principal estate.

Wholly dependent mothers are currently assessed under table 1, but a wholly dependent father comes under the higher table 3. The Bill provides that dependent mothers and fathers singularly or jointly shall be assessed under the same table.

The effect of the Bill is that assets passing to the widow, widower, children, other issue, or step children of the deceased, exnuptial children of a deceased woman, or wholly dependent parents would all be assessed at the same rates of duty.

The Bill prescribes a new scale of duty to apply to all of these beneficiaries. The new scale exempts assets to the value of $15,000, with the result that beneficiaries who would previously have been assessed under table 2—that is, principally adult children—receive an immediate benefit. The rates themselves are lower than those in the present table 1 for all values up to $203,750, and lower for all values in the present table 2.

It is not possible to gauge the true value of the benefits of these proposals without applying them to specific cases. This is on account of the compounding effect of the lower rates of duty, and the more generous concessions and exemptions.

If I give one example of the difference that the present Bill makes, it may be helpful. At present if a man leaves his assets to his wife and two dependent children he could—

(1) Give his family gifts totalling $200 before he died.

(2) Leave an estate of up to $22,500 without having to pay probate duty, provided the matrimonial home is owned in joint tenancy.

Under the provisions in these complementary Bills now before the House, a man in the same circumstances could—

(1) Give his family gifts totalling $2,000 before he died.

(2) Leave an estate of up to $36,500 without having to pay probate duty, with no requirement that the matrimonial home must be in joint tenancy. In fact he does not even have to own a home but may hold his assets in some other form.

The combined effect of these two measures is that they will reduce revenue from probate duty by over 20 per cent. Because many of the estates assessed during the current financial year will relate to deaths in an earlier period, the full impact on revenue will not be experienced this year even though the new measures will apply to estates of all persons dying from the 1st July last. I commend the Bill to the House.

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

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON A. F. GRIFFITH (North Metropolitan—Minister for Mines) [6.04 p.m.]: I move—

That the House at its rising adjourn until 3.30 p.m. on Tuesday, the 24th November.

Question put and passed.

House adjourned at 6.05 p.m.

Legislative Assembly

Thursday, the 19th November, 1970

The DEPUTY SPEAKER (Mr. W. A. Manning) took the chair at 11.00 a.m., and read prayers.

ALUMINA REFINERY (BUNBURY) AGREEMENT BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

LIQUOR ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [11.04 a.m.]: I move—

That the Bill be now read a second time.

While it is always likely that early amendment of new legislation of the nature and size of that contained in the Liquor Act will be required, it certainly was not the Government's intention that the principal Act passed during the final days of the last session, should be brought to the House for amendment so soon. Indeed, it was hoped that the new liquor legislation would have survived a period of operation of sufficient duration to enable the community to adapt itself to the new conditions and then later, had some of them proved to be anomalous, or to pose difficulties, they could have been revised all in good time.

Unfortunately, that legislation awaiting the recommendations of the committee of inquiry was, of necessity, drafted in some haste—10 weeks actually were involved in consultation and preparation of its 177 clauses. Therefore, it is perhaps not surprising that some aspects could not be given sufficient study by those whose task it is to administer the liquor laws of the State. In the short period of its operation, it has become quite evident that some of the rights that were exercisable and some of the safeguards that were provided under the Licensing Act, which preceded it, were not carried forward into or adapted to conform to the new measure.

Such a right was that exercised by those conducting stock sales. Under the preceding legislation, those persons were able to obtain a temporary or occasional license. Now, although they may obtain a function permit, they are obliged to obtain their supplies through retail outlets and the entrepreneurs, who have tendered on the basis of buying their supplies through wholesalers, are now placed in a precarious position as a result. This aspect of the new legislation alone has necessitated an early amendment, which is now proposed.