

I would like the Minister to give a clear undertaking that it is his intention to act along these lines.

Mr. NALDER: I do not think that will be necessary. There being on the board adequate representation of those who are engaged in the industry, we should not overload the board by appointing additional representatives.

Mr. Jamieson: There are only six members on the board.

Mr. NALDER: It is a fair sized board. The situation is well covered, and both the board and the hatcheries are well clued up as to the number of chicks that are required to be bred to enable producers to replace their hens. I am certain that the board will make available to the hatcheries on request any information it has, especially information relating to the increase in the numbers of flocks.

I understand that the annual increase is in the vicinity of 6 per cent.; and that being the pattern the hatcheries make arrangements accordingly. If producers increase the size of their flocks for other reasons, it will be up to the board to inform the hatcheries. There has not been any request by the hatcheries to be represented on the board.

Mr. Jamieson: They have expressed their worries to me.

Mr. NALDER: If necessary, consideration can be given to this matter.

Clause put and passed.

Clauses 17 and 18 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted. 2.

#### **BILLS (3): RETURNED**

1. Nickel Refinery (Western Mining Corporation Limited) Agreement Act Amendment Bill.
2. Appropriation Bill (General Loan Fund).
3. Loan Bill.

Bills returned from the Council without amendment.

#### **ADJOURNMENT OF THE HOUSE: SPECIAL**

MR. NALDER (Katanning—Deputy Premier) [10.54 p.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. tomorrow (Wednesday).

Question put and passed.

*House adjourned at 10.55 p.m.*

## **Legislative Council**

Wednesday, the 18th November, 1970

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

#### **QUESTIONS (8): ON NOTICE HEALTH**

##### *Transport of Meat*

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

- (1) Is the Minister aware of the unhygienic conditions in which meat is being delivered to the meat auction room in O'Connor, Fremantle?
- (2) If so, does he agree that this mode of delivery is so bad it can be assumed that the slaughtering of the animals is also unhygienic?
- (3) Would the Minister have brought to the notice of the Public Health Inspectors these unsatisfactory conditions with a view of rejecting any meat into the market that is not transported under conditions satisfactory to the Department, and trace the source of supply to determine if the slaughtering meets the approval of the Public Health Department regulations?

The Hon. G. C. MacKINNON replied:

- (1) Yes.
- (2) Not necessarily.
- (3) This is a matter which receives constant attention.

#### **MEAT INDUSTRY**

##### *Appointment of Authority*

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

In view of the ever increasing industrial strife in the Meat Industry, and its ruinous effects on the ability of the farming community in Western Australia to survive the effects of drought and low prices for agricultural products generally—

- (a) will the Minister request the Minister for Agriculture to re-examine his opposition to implementing that section of the Towns and Austen Report which strongly recommends the appointment of a fully representative Meat Industry Authority in Western Australia;
- (b) if the recommendation to appoint a Meat Industry Authority is not to be implemented, will the Minister

advise the House what positive steps are to be taken to bring about a more stable Meat Industry?

The Hon. A. F. GRIFFITH replied:

- (a) The situation has not changed since my reply to a similar question on 6th October, 1970.
- (b) The machinery exists, as is the case in other industries, to deal with industrial matters.

3. *This question was postponed.*

#### 4. FIRE PRECAUTIONS

##### *Protection of Public*

The Hon. G. E. D. BRAND, to the Minister for Health:

Further to my question on Tuesday, the 10th November, 1970, regarding the protection of the public from fire in public places, will the Minister advise the House—

- (a) if the appointment of a Fire Guard is compulsory;
- (b) if so, what authority does he have over the public should an occasion arise; and
- (c) to whom is he answerable?

The Hon. G. C. MacKINNON replied:

- (a) Yes. See regulation 46 of Public Buildings Regulations with exceptions as quoted in regulation 49.
- (b) He has authority to direct the public to exits. See regulation 52, clause (e).
- (c) In the first instance to the manager or person in charge or control of the public building in which the fire guard is employed.

In the second instance to the Commissioner of Public Health or a person duly authorised in writing for that purpose by the log book which is required to be kept. See regulations 53 and 54.

#### 5. JOHN THOMSON AGRICULTURAL ECONOMICS INSTITUTE

##### *Source of Funds*

The Hon. J. DOLAN, to the Minister for Mines:

With reference to the John Thomson Agricultural Economics Institute—

- (a) from what sources are funds derived to make its operations possible; and
- (b) who are the financial contributors to this Institute, and what amounts do they contribute?

The Hon. A. F. GRIFFITH replied:

- (a) The John Thomson Agricultural Economics Research Centre is financed partly from general University funds and partly from contributions from the following firms and organisations listed on the June, 1970, issue of *Farm Policy*, a publication of the Centre—

A.N.Z. Bank.

Australian Association of Farm Management Consultants.

B.P.

Bank of New South Wales.

Chamberlain Industries.

Colonial Sugar Refinery.

Commonwealth Banking Corporation.

Commercial Bank of Australia.

C.S.B.P. & Farmers Ltd.

Cresco Fertilizers.

Dalgety Australia Limited.

Elders-G.M.

E.S. & A. Bank.

Farmers' Union of W.A.

Grain Pool of W.A.

Harris Scarfe & Sandovers.

Imperial Chemical Industries.

National Bank of Australasia Ltd.

Pastoralists & Graziers Association.

Southern Cross Machinery.

West Australian Newspapers.

Wesfarmers.

- (b) The amounts contributed by the various outside bodies are not available.

6.

#### ABATTOIRS

##### *South-West Division*

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

- (1) What is the present killing capacity of all abattoirs in the South West Division of Western Australia for—

(a) sheep and lambs; and

(b) cattle?

- (2) What is the planned increase in capacity for each of the existing works?

- (3) What new abattoirs will be commenced in the next twelve months?

- (4) Will sufficient abattoir facilities be available to handle all stock available for killing in 1971?

The Hon. A. F. GRIFFITH replied:

- (1) It is presumed that this question refers to registered export abattoirs and the daily capacities are as follows—

Abattoir	Sheep and Lambs	Cattle
Midland .....	8,000	600
West Australian Meat Export Works (Robb Jetty) .....	6,000	400
Anchorage .....	2,500	100
Warroona .....	500	120
Harvey .....	up to 200 (for local purposes only)	160
Bunbury .....	nil	100
Northwicks (Albany) .....	2,000	100
Geraldton .....	600	100

- (2) Whilst there have been a number of proposals in regard to increases in capacity for some of the existing works, no details for any of them have yet been finalised.
- (3) It is not known with any degree of certainty what new abattoirs will be commenced in the period specified, but negotiations are proceeding with a number of private companies.
- (4) With the plans at present under consideration it is anticipated that abattoir facilities will be adequate to handle stock available for killing in 1971.

## 7. KWINANA FREEWAY

### *Continuation*

The Hon. F. R. H. LAVERY, to the Minister for Mines:

- (1) Have any decisions been reached as to the siting of the proposed continuation of the Kwinana Freeway in the areas of Mt. Henry, Como, and Deepwater Point at Mt. Pleasant, and beyond?
- (2) If so, at what points will the Canning River be crossed?
- (3) When is it proposed that this work will commence?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) No firm decisions have been made, although it has been recommended to the Metropolitan Region Planning Authority that the route should be by way of a river crossing at Mt. Henry.
- (3) No work on this crossing is expected to commence before 1974.

## 8. WATER SUPPLIES

### *Desalination of Sea Water*

The Hon. G. E. D. BRAND, to the Minister for Health:

- (1) As underground water may eventually become polluted by various insecticides and detergents, etc.,

what thought has been given to the desalination of sea water for drinking and other purposes?

- (2) Is it a fact that a person can be trained to drink sea water over a certain period, and is able to exist on the same?

The Hon. G. C. MacKINNON replied:

- (1) The possibility of desalinating sea-water for drinking and other purposes is a matter which is under constant review by the appropriate water authorities. So far, however, the economics of this proposition have not justified its development on a major scale.
- (2) No.

## LEAVE OF ABSENCE

On motion by The Hon. W. F. Willesee (Leader of the Opposition), leave of absence for six consecutive sittings of the House granted to The Hon. H. C. Strickland (North) on the ground of ill-health.

## LIQUOR ACT AMENDMENT BILL

### *Third Reading*

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

## SECURITIES INDUSTRY BILL

### *In Committee*

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

Clauses 1 and 2 put and passed.

Clause 3: Arrangement—

The Hon. A. F. GRIFFITH: When replying to the second reading debate I indicated I would ask the Committee to take out part IX of the Bill; in which event it would be necessary to alter the arrangement that appears in this clause. In that case I daresay it will be necessary to postpone consideration of clause 3 till after part IX of the Bill has been considered.

The CHAIRMAN: That might be wise.

The Hon. A. F. GRIFFITH: There are also a few other minor alterations I would like to make as the clauses are called. The amendments are not on the notice paper. They are of no great significance—a word here and a word there is all that will be necessary—and I am sure I can explain the position satisfactorily.

The Hon. W. F. Willesee: I have never known you to be at a loss for words.

The Hon. A. F. GRIFFITH: At times I am, but this will not be one of those occasions. I move—

That further consideration of the clause be postponed.

Motion put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Interpretation—

The Hon. W. F. WILLESEE: I think we have now cleared up what I considered to be a difficulty of introducing into a previous Bill the term "corresponding law." This measure makes everything quite clear and removes any doubt I might have had in this direction.

Clause put and passed.

Clauses 7 to 14 put and passed.

Clause 15: Registrar to grant or renew licences in certain circumstances—

The Hon. W. F. WILLESEE: What is the basis of capital for a person who is accepted on the stock exchange—and I do not mean by way of insurance or guarantee? Is there a set figure of cash capital that must be possessed by a man or a company before being accepted as a member of the stock exchange?

The Hon. A. F. GRIFFITH: I cannot accurately answer the question. The conditions under which a person can become a member of the stock exchange are laid down in its rules, and I do not know whether his acceptance by the exchange is gauged on assets. A member must be a creditable person. However, I will make some inquiries before we finally pass the Bill.

The Hon. W. F. Willesee: Thank you.

Clause put and passed.

Clauses 16 and 17 put and passed.

Clause 18: Bond in respect of dealer's licence—

The Hon. W. F. WILLESEE: With regard to subclause (4), the bond must be current, obviously. If it is not current, the dealer is deemed to be unlicensed. However, is there any way of ensuring that the bond is kept current, because \$10,000 is involved?

The Hon. A. F. GRIFFITH: The licensing authority has to make sure that the person fulfils the requirements of the Act in relation to the bond. Then it is a question of surveillance on the part of the licensing authority to ensure that the bond is constantly maintained in a current state.

Clause put and passed.

Clauses 19 to 23 put and passed.

Clause 24: Application of this Division—

The Hon. A. F. GRIFFITH: I move an amendment—

Page 17, line 12—Insert after the word "dealer" the passage "(other than a stock broker)".

It is pointed out to me that the records which a stock broker must keep are laid down in the rules of the stock exchange,

which are more punitive than the provision in this division. The actual rules themselves contain contractual obligations between the stock broker and his association, and under these the stock exchange is able to impose considerable punitive measures upon the stock broker in the event of some events taking place. Under this clause in the Bill such a person is fined a much lesser amount than the stock exchange is able to impose under its rules. Therefore, it is intended that the stock broker be dealt with by the stock exchange itself which has more punitive penalties, and allow the other people to be dealt with under this clause.

The Hon. W. F. Willesee: I think you would help the Committee considerably if you would explain the difference between a dealer and a stock broker.

The Hon. A. F. GRIFFITH: The honourable member is in a difficult mood this afternoon.

The Hon. W. F. Willesee: No; I am searching for information.

The Hon. A. F. GRIFFITH: I will provide it as best I can. A stock broker is a person who deals in securities on behalf of other people. If someone rings a stock broker and asks him to do something for him then the stock broker is acting as his agent or stock broker. A dealer is a person who deals in securities on his own account.

The Hon. W. F. Willesee: Thank you. Amendment put and passed.

The Hon. W. F. WILLESEE: Subclause (1) (f) deals with a financial journalist, and I cannot understand why such a person should be subject to the rigorous provisions under this Bill. In my view a financial journalist is a person who assesses something on his own opinion and I do not think he should be called upon to establish by documents he possesses the reasons for what he has done. If a man is paid by a newspaper to do a particular job I think he has an unfettered right—

The Hon. A. F. Griffith: An unfettered right to do what?

The Hon. W. F. WILLESEE: To criticise; to be critical; to assess a situation as he sees it in the public interest. The whole basis of this legislation is to control the stock exchange and its operations and I think a journalist moves out of that orbit. I think we must leave him the right of complete criticism without saying to him, "Produce the documents that support your argument."

A journalist might, by pure forethought, anticipate what public opinion would be. We, as a Parliament, could not be influenced by that, but I do not think we should be able to say to this man, "You must state the opinion that is the background of your article." I think the Press

must have an unfettered right in any criticism that it might want to make of this or any other legislation. It seems to me that by this provision we are tending to inhibit a journalist.

We move from dealers and dealers' representatives and so on to a financial journalist. Many people, reading the Press in its many forms, rightly or wrongly accept the viewpoints of those journalists. Some make mistakes and suffer accordingly; others have their successes. However, I believe that by this provision we are inhibiting the Press from its right to criticise, to make a judgment, or to say that the Government, the Opposition, or an individual has been wrong in a public statement or a company has been wrong in its approach to a particular issue.

I apologise for not raising this matter on the second reading. I had a note of it but I missed it. The Minister has, upon reflection, decided to give further consideration to one part of the Bill and I am wondering whether he might look at this point a second time, too.

The Hon. A. F. GRIFFITH: Clause 24 is under the heading "Division 2.—Records." The clause simply says that a financial journalist must keep a record of the securities in which he himself is interested—that is, personally interested. Clause 25 amplifies the position. A financial journalist might have several types of securities about which he writes and so the legislation requires that he shall keep a record of the securities that he holds. It has nothing to do with his ability to criticise. I think he should keep a record of the securities he has because he is writing financial opinions that could have a very important effect not only upon the securities which he himself holds but also on the securities held by other people.

The Hon. W. F. WILLESEE: Let us begin at the point at which the Minister finished. The Minister intends to delete from this legislation that part which deals with disclosures; because he wants to give further consideration to it in the public interest.

The Hon. A. F. Griffith: Yes.

The Hon. W. F. WILLESEE: There is only one field of public opinion outside of Parliament, and that is the Press. In my view the provision to which I have referred in this clause could inhibit the Press from the right to give a critical analysis of a balance sheet, for example—

The Hon. A. F. Griffith: No.

The Hon. W. F. WILLESEE: —unless the journalist could support that analysis by producing evidence. That could create a problem. For the life of me I cannot see why we should include a financial journalist. It is his province to analyse and be critical. He analyses; he suggests;

and he criticises. That is his job and it is the right of the Press to do it. A financial journalist should not be subjected to the same strictures that we place on people who are part and parcel of the stock exchange. I shall not persist beyond asking the Minister to have another look at the matter. I think in all sincerity the Minister believes he is right, but I think we are encroaching on the inherent rights of the Press. I do not think the provision in the Bill bears any relationship to the subject matter of the legislation.

The Hon. A. F. GRIFFITH: I do not think we are doing anything of the kind. All we are saying in this clause is that if a person is a financial journalist, and he holds securities, then he shall keep a record of them. Can the honourable member read into the clause anything which says that a man cannot write an article which is an analysis of a particular situation? All the clause says is that a financial journalist is one who does write in that way.

Let me first of all deal with the question of the deletion of part IX. I intend to ask the Committee to do that for the reasons I gave. However, there is nothing in this clause which says that a financial journalist cannot write what he likes. I do not intend to suggest that any of them are dishonest, but let us assume that we imported a dishonest one and he wanted to write articles or analyses concerning stocks which he himself held in order to boost his own financial position. We want to know about those securities because he is someone who is dealing in securities. He is in a privileged position because he is writing in the newspapers about them, and people are likely to take notice of what he writes. Further down members will find the real punitive provisions relating to a person who disseminates any information of a false nature.

The Hon. W. F. Willesee: Where is that?

The Hon. A. F. GRIFFITH: In clause 86, which reads—

A person shall not make any statement, or disseminate any information, with respect to any securities, that, at the time it is made or disseminated, he knows is, or has reasonable grounds for believing to be, false or misleading in any material particular.

The Hon. W. F. Willesee: That deals with short-selling.

The Hon. A. F. GRIFFITH: I know. It deals with misleading statements. Surely this man should not be in a privileged position. If he is a dealer in securities, we ask only that he keep records of them. Mr. Willesee suggests that we should relieve him of that obligation and leave him free to go his own way. If he is not dealing in securities he does not have to keep records

and he does not have to worry; but if he is dealing in securities we should know about them.

The Hon. W. F. WILLESEE: I am not convinced by what the Minister has said. How many people—whether they be ordinary people, journalists, or anybody else—control and have dealings in securities? I am not prepared to accept the proposition. If a journalist has shares in a variety of companies, according to his income and the amount of capital he can expend, he is entitled to them. Basically, his job is to work for the newspaper, to report on financial matters. From that he derives his income and his livelihood. It is incidental if his published opinion hurts anybody by the way. If that man has shares in some companies, why should he have to disclose them any more than I should have to disclose the shares I have?

The Hon. A. F. Griffith: Because you do not write for the newspapers.

The Hon. W. F. WILLESEE: We are looking at the right of a person to be uninhibited when he criticises the public life of this State or of Australia, or if he criticises this Bill. It is quite incidental if a journalist—a financial journalist in particular—has some shares in a company. If we consider his salary, it is doubtful whether he could have a marked effect on any company. If he were a person who had backed his judgment over the years, he would be entitled to any emoluments that came his way; but I believe that a man doing this particular job would be a man of principle and would be above reproach in this regard.

If we were to insist that such a man must disclose his shareholdings, we would, to some extent, inhibit his freedom and his right to criticise. We might not agree with what he says but he is entitled to say it. He is entitled, in his own right, to express a point of view. If, incidentally, he has some shares, they could not, in my opinion, to any degree control the actions of a company, nor could he influence what happened to a company. However, he could be inhibited in some way by having to disclose his shares, and be unable to carry out his job in the same way as A and B, who have no shares.

I think this clause exceeds in carefulness. I agree with the rest of clause 24, but I think this is going too far. We must not in any way interfere with the rights of the Press, however much we might disagree with it.

The Hon. A. F. GRIFFITH: I do not think I have been able to explain the provisions of this Bill satisfactorily to members. The journalist of whom Mr. Willesee speaks is in a unique position. If he is a man who does not deal in securities at all, who has never bought a share or done any trading in shares, and he writes an unfettered opinion regarding a certain situation, he has nothing to worry about; but

if he is a man who holds a considerable interest in securities, and he writes for a newspaper articles about a company in which those securities are held, he is undoubtedly in a position to influence the market. If he does not do that, he has nothing to worry about. Clause 30 of the Bill reads—

The Registrar may supply a copy of a register or of any extract of a register to any person who in the opinion of the Registrar should in the public interest be informed of the dealing in securities disclosed in the register.

If the financial journalist discloses to the registrar, through his records, that he has a considerable interest in certain securities, and if he writes about those securities, thus influencing the market, surely it is in the public interest that such information should be made known if the registrar thinks fit. If the journalist does not hold any securities, he will not come into conflict with this provision.

We pick up everybody else who deals in securities. Why should we leave out the financial writer, whose articles can be read by the public at large, and who can have a considerable influence on the market, and tell him he can go for his life? I do not suggest this is being done by anybody in particular but this provision is inserted in the Bill to give protection against such a situation.

The Hon. W. F. WILLESEE: I regret that the Minister and I are not getting anywhere. I do not believe the financial editors and financial writers of the various journals in Australia could in any sense, as individuals, influence a market. If the Minister possesses information that I do not have, I think he should disclose it at this stage. If such a journalist were in a position to influence the market, he could take out shares in the names of members of his family, and in that way circumvent this clause.

The principle with which I am concerned is that we should not in this legislation fetter the Press. This Bill deals with people who are tied up with the stock exchange in their everyday dealings. We have introduced an observer. We have introduced the person who might write critically of the things I say here today or the things the Minister might say tomorrow, or who might criticise a company, a director, or the activities of the stock exchange.

Surely he should be one who can express an opinion, unfettered. There must be some restricting factor that would influence the thinking of this person. If he owns a few shares, I cannot agree with the Minister that it would be possible for him to influence the price of a company's shares. After all, the smallest company has up to 5,000,000 shares, and many companies with 10c shares have 50,000,000 shares.

I do not want to delay the passage of the Bill. I only ask the Minister to look at this clause in view of the fact that he will be looking at another part. We are suddenly introducing a factor which is not part and parcel of the principle of the Bill; that is, to make provision for the regulation and the control of the stock exchange. I cannot support the Minister's views that we should insert a provision to control the activities of a financial journalist in those circumstances.

The Hon. A. F. GRIFFITH: My final word on the matter is the Bill does not stop there.

The Hon. W. F. WILLESEE: I cannot agree with you even if you talk for a week.

The Hon. A. F. GRIFFITH: I will not be talking for a week.

The Hon. W. F. Willesee: Thank you.

The Hon. A. F. GRIFFITH: This is serious.

The Hon. W. F. Willesee: It is; it is a very serious matter.

The Hon. A. F. GRIFFITH: If the Leader of the Opposition reads the whole of clause 29 together with clauses 24 and 30 he will realise that a financial journalist, if he does not deal in securities, has nothing to worry about. If he writes reports that are true he has nothing to worry about; but if there is any doubt, the registrar or any person authorised by him will be able to obtain the name and address of any financial journalist who wrote a particular article, and it would then be possible to check the records to see whether the journalist has any securities. The registrar would then be able to judge for himself whether the journalist's views were influenced by his personal possessions.

If he has done nothing wrong he has nothing to be concerned about. But do not let anyone tell me that a financial journalist cannot have a distinct effect on the market, because he can. I am not suggesting he will deliberately do so, but if he does there could be a reprisal. Surely it is in the public interest that we should know this. At the moment we may know that every journalist we have in the community will not take such action, but one of these days we may import a journalist who does, and we should be able to do something about it. Clause 30 allows the registrar discretion as to whether he supplies a copy of a register or an extract of a register to any person. I can see nothing wrong with that. Its purpose is simply to cover a situation that is covered now.

The Bill covers dealings on the stock exchange. These clauses deal with that part of the operations relating to the dissemination of information. I know it will be hard, but we are trying to catch up with the rumour merchants who get together with their colleagues to issue a report which they know is not true; which is done

deliberately to enhance their securities on the market. Surely we cannot agree with that sort of thing, but should try to catch up with that type of person. Such a provision is also in the legislation.

The Hon. W. F. WILLESEE: It is unfortunate that the further we go the less I like the Minister's arguments.

The Hon. F. J. S. Wise: I agree.

The Hon. W. F. WILLESEE: I cannot believe that we as a Parliament should be able to check up on a person because he has said something in criticism or in approbation of a company whilst he is a shareholder of that company. The basic principle of the Press is its freedom. I never thought I would be standing up to support the Press so vehemently as I am this afternoon. Apart from the pros and cons of a company itself there is no greater factor than the analytical reports published in the Press week by week.

The Hon. A. F. Griffith: Criticism.

The Hon. W. F. WILLESEE: Constructive analysis.

The Hon. A. F. Griffith: I am not worrying about criticism, but praise.

The Hon. W. F. WILLESEE: Praise, if the Minister likes, that is given by a person who believes it at the time. The provision in the Bill would inhibit any financial journalist. Why not do the same to me because I am criticising the Bill? Why should I not have to disclose my shares? They are all bad ones, I might say.

The Hon. A. F. Griffith: You are not a journalist; you do not write articles in the Press and have an effect on the market.

The Hon. W. F. WILLESEE: But this is a field in our society which entitles a person to be a critic.

The Hon. A. F. Griffith: He can still be a critic.

The Hon. W. F. WILLESEE: We seem to be going round in circles. In essence, I believe the Press should have no inhibitions whatsoever to deter it. I cannot see that a man who owns a few shares should have to disclose them and be subject to action by the registrar. I cannot see why he should be brought within the provisions of the Bill. If he wants to buy a few shares that is his own business and is part of his private life. He should be allowed to remain unfettered, to say or write what he likes in the interests of the public. Because of his position he is an analytical person. If he fails in his job he will be sacked by his master. At no time should he be brought within the provisions of a Bill of this nature.

The Hon. CLIVE GRIFFITHS: Although it does not matter very much one way or the other, I am inclined to agree with

certain aspects of the point that Mr. Willesee has raised; that is, if a journalist wants to write an article about a particular security, then when this legislation is passed he will not be permitted to hold any of those shares in his own name. I do not think this provision will achieve very much, because a person who is endeavouring to manipulate the market in his position as a journalist will certainly place his securities in the name of somebody else. Whether or not he has the shares in his own name is another matter, but I do not entirely agree that he should be compelled to divulge his holdings, simply because he has the ability to influence the market.

I myself have the ability to influence the market, and frequently I do but much to my distress, because it seems that as soon as I purchase some security its market value is depressed dramatically! I do not know whether it would be of any help if I were compelled to divulge my holdings of securities.

To look at this matter from another angle, it does not matter very much that a journalist writes articles about securities. If he does, he could hold shares in the name of somebody else. If he is required to keep a register, as is prescribed in the provision in clause 24, then the registrar could ask him to produce the register at any time to ascertain whether he owns any of the securities about which he has been writing.

The Hon. W. F. Willesee: Why should he be required to keep a register of his shares?

The Hon. CLIVE GRIFFITHS: Apart from divulging his ownership of shares, the keeping of a register by him imposes little hardship. It is very difficult to substantiate a case against a journalist of trying to manipulate the market, simply because he felt that certain securities should be acquired and others disposed of.

People who follow the stock exchange adopt various systems and methods. Some select securities because they like the way the directors of the company operate, or because they like the type of operations undertaken by the company. Other people buy shares for no other reason than on the recommendation of a journalist.

Journalists could write articles which would induce people to purchase a particular stock. In the weekend newspaper I saw an article by a journalist on a particular security, the price of which has been depressed very greatly over the last few months. I would like to know whether it was as a result of this article by the journalist or whether it was for some other reason that this security increased in value by a considerable percentage on the following Monday. It would not do anyone any good to find out that the journalist concerned owned some of these shares.

I think a great deal of fuss is being made of a provision that does not really matter. However, it is of concern that stock brokers are excluded from this provision.

The Hon. A. F. Griffith: What do you mean when you say that stock brokers are excluded?

The Hon. CLIVE GRIFFITHS: They are excluded from this provision.

The Hon. A. F. Griffith: That is done for a different reason. The stock broker is a dealer, and he holds a dealer's license.

The Hon. CLIVE GRIFFITHS: In this clause we are talking about dealers.

The Hon. W. F. Willesee: The dealer is part and parcel of it.

The Hon. A. F. Griffith: He is not excluded. We are excluding the stock broker from this provision, because he is covered by other provisions.

The Hon. CLIVE GRIFFITHS: I thought the broker had been excluded, because he is already covered by the rules of the stock exchange.

The Hon. A. F. Griffith: That is right.

The Hon. CLIVE GRIFFITHS: That is a different matter altogether.

The Hon. A. F. Griffith: Those rules are more punitive than this provision.

The Hon. CLIVE GRIFFITHS: The Bill provides for the setting up of other stock exchanges, and they may not have the same rules. Even the existing stock exchange might change its rules.

The Hon. A. F. Griffith: Not without the permission of the Minister. That appears in the Bill.

The Hon. CLIVE GRIFFITHS: What about the rules of new stock exchanges?

The Hon. A. F. Griffith: Not without the permission of the Minister either.

The Hon. CLIVE GRIFFITHS: I assume the new ones will adopt the rules of the existing stock exchange. I do not believe it is good enough to say that the stock broker is covered by the rules of the stock exchange. If those rules are more stringent than the provision in the clause, then what is the point of excluding him? Apparently under this provision he is asked to do less than the rules of the stock exchange require him to do. It seems that we are making a fuss about whether or not journalists should be required to keep registers of their shareholdings.

The Hon. W. F. Willesee: I thought that rather than making a fuss we were talking about a principle of journalism.

The Hon. CLIVE GRIFFITHS: I am not suggesting that the honourable member is making a fuss about this provision. I am saying it is just as easy to exclude the journalists from this provision, because it will not achieve anything when



it is passed. If a journalist so wishes he can have the shares in the name of his wife or some other person. The reason for including the reference to journalists in this clause is to cover all possible parties who are in a position to deliberately mislead other people in share dealings.

The Hon. F. J. S. WISE: Intruded into the debate on this clause is a reference to the likely exclusion of certain provisions from the Bill, because of certain reasons. While at this stage we are not permitted to debate the reasons, I can see much more merit in the reasons which have been given as to why part IX should be deleted than in the reasons given as to why the provisions in the clause should be retained.

I have no reason to applaud the attitude of some members, because I am of the opinion that the rights of the individual should be preserved at all times. I am sure that all of us have read of cases, relating to endeavours to identify journalists who have written newspaper articles, that have been taken to the High Court because of the refusal of the newspapers concerned to disclose the identity of the writers.

This is something in which sanctity has been preserved through generations. Not only do we label such a person in this clause, but clauses 29 and 30 make it possible for the registrar to furnish with personal details, any person who, in his opinion, should have the information in the public interest. That provision is contained in this division, and even more than that: Clause 29 sets out that a journalist is one against whom a special tilt is being made. A journalist is not to be allowed to use the freedom of the Press or the lucidity of his pen in his own *bona fide* analysis of the merits or demerits of a certain stock.

I am not concerned whether a journalist could contract out and avoid this provision by some devious means, such as having shares held in another name; that is not the point. The point has been amply made by my leader who suggested to the Minister that this division has as much demerit as has part IX. I think this division requires very close examination; not only the clause which is before the Chair, but the whole of the division as it affects the financial journalist in particular. The financial journalist is singled out in more than one clause in the division.

The Hon. A. F. GRIFFITH: There is nothing to stop a financial journalist writing his opinion about some situation, the way he sees it, in respect of any company; nothing whatever stops him doing that. It is pure balderdash to suggest there is. The only provision set down by the Bill is that if that particular journalist is the holder of securities then he should keep records of them. In the event

of his not criticising companies but, in fact, writing favourable articles in respect of companies in which he might be a shareholder himself—and he is in the unique position of being able to do that—then the registrar is in a position, if he need be, to disclose to a person he thinks fits the fact that the journalist held those securities. That is the total situation, and this provision has been included in the New South Wales legislation.

The provision is also included in the Victorian legislation, and it is not aimed at any other situation. It is of a protective nature so far as the public is concerned in regard to the dissemination of information or the writing of articles by a journalist who might have an interest in the securities about which he is writing.

I know that if a journalist wanted to avoid the situation he could put the securities into somebody else's name; I am quite aware of that. That information would probably be hard to disclose. However, the journalist who does that must know, in his own conscience, he is putting the securities into somebody else's name in order that he can have an unfettered right to write about those securities. I am a little surprised at what has been said.

The Hon. F. J. S. Wise: Now the Minister is dealing with the balderdash he referred to.

The Hon. W. F. Willesee: The Minister introduced the word.

The Hon. A. F. GRIFFITH: Because I think it is balderdash.

The Hon. F. J. S. Wise: I think what the Minister is saying is balderdash.

The Hon. A. F. GRIFFITH: Well, let us not argue about that.

The Hon. W. F. Willesee: We will argue about it now.

The Hon. A. F. GRIFFITH: The people who are to keep records will include financial journalists. The honourable member thinks the financial journalist should be free to hold securities and be completely unfettered. He should be able to write as he wills or wishes, and he will not have to disclose the fact that he might own some of the securities about which he is writing. Am I to understand that that is the situation that is required?

I wonder why the provision has been put into the legislation of two other States, and why we are following that course. I do not know what the remainder of the States will do. The Leader of the Opposition is asking for this division to be removed from the Bill and the financial journalist given this right. The financial journalist will be able to take advantage of the unique position in which he may find himself.

*Sitting suspended from 3.46 to 4.01 p.m.*

The Hon. W. F. WILLESEE: I had hoped that I had spoken for the last time on this issue. Unfortunately, the Minister introduced the word "balderdash." I intimated when speaking to the second reading that I had followed the progress of a Bill in the State of New South Wales since March and I have endeavoured, to the best of my ability, to take a comprehensive approach to the legislation. In fact, I complimented the Government on the total legislation. I consider that the Minister has not considered the full context of what has been said in Committee in saying that we are talking balderdash.

The Hon. A. F. Griffith: I did not mean, generally, and you know it.

The Hon. W. F. WILLESEE: Why did the Minister use the word at all? We had confined ourselves to a principle—whether the Press should have an unfettered right or not—and the Minister introduced new material unexpectedly and I believe in-adviseably.

I state now and for the last time that I will not oppose the legislation in principle but I believe, so far as financial journalists are concerned, the legislation will restrict their rights and it is an extremely bad provision to write into the legislation of this State. Other States may have done it but they could be wrong. A few Attorneys-General may sit together, but they are only individuals and can make mistakes. We should not have the silly idea that several people in a committee are the answer to the world's problems, because they are not. They can make mistakes honestly and they can be subjected to criticism, because that is our right in Parliament. I wish more members of the Committee had spoken one way or the other.

Be that as it may, if we simply accept legislation put forward to us without comment and constructive criticism as a basis, where do we stand with electors and the right to be elected? I will say no more than that; but as long as I occupy this seat in this Chamber—and that may not be for very much longer irrespective of what may happen at the next election—I would never stand up and introduce balderdash to any subject I put forward to the Committee.

The Hon. G. W. BERRY: I cannot see anything wrong with the provision. Shares which I may purchase go both ways—up and down—because I am not a market barometer like some other members. I am a person who is interested in financial matters and the stock exchange and I am greatly influenced by what a financial journalist has to say in any publication, and there are many of them.

If a journalist can influence people and the market I cannot see why he should not have to disclose the holdings he may have in a particular company which may be affected. For this reason I cannot see

anything wrong with the provision. After all, a director of a company has to disclose what interest he has by way of shares. This information becomes public knowledge.

For the life of me I cannot see that any principle is being invaded or that anyone will be penalised by having to state his interest if he is a financial journalist.

The Hon. A. F. GRIFFITH: I think I ought to offer an apology to the Committee for the use of the word "balderdash." It was not intended in any way to be offensive.

The Hon. W. F. Willesee: I think that is right, too.

The Hon. A. F. GRIFFITH: I do apologise. I did not use the word in a well-phrased sense. I do not think I need to say more on that subject except that I regret having used the word.

I still stick to the argument I have put forward. There is, perhaps, an inclination towards thinking that the Bill is aiming at financial journalists. It is not aiming at financial journalists but is simply trying to provide, as has been done in the other States, that in the event of a journalist using information to affect the market he must keep records of the securities which he holds and, if necessary, disclose them. He can hold all the securities in the world if that is his wish. If he does not do anything wrong and does not affect the market in a way he should not, he can still be critical. However, if he starts to praise a particular stock—possibly unduly praise it—perhaps someone should have a look at the situation, because he could be in the position of being able to influence the market to such an extent that many other people could lose a great deal of money. That is all the provision seeks to do.

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

Ayes—17

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

Noes—8

Hon. R. F. Cloughton	Hon. R. Thompson
Hon. J. Dolan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. R. H. C. Stubbs	Hon. F. R. H. Lavery
	(Teller)

Fall

Aye	No
Hon. E. C. House	Hon. K. C. Strickland

Clause, as amended, thus passed.

Clauses 25 to 30 put and passed.

Clause 31: Inspection of books and records of licensee and others—

The Hon. A. F. GRIFFITH: I refer the Committee to subclause (6), line 37, on page 22 of the Bill. The expression "any

person" is too wide as the measure will deal with holders of licenses under the Act. I move an amendment—

Page 22, line 37—Delete the words "any person" and substitute the words "the holder of a licence under this Act".

Subclause (6) would then read—

Where the Registrar has reason to suspect that the holder of a licence under this Act . . .

Amendment put and passed.

Clause, as amended, put and passed.

Clause 32: Court may make certain orders—

The Hon. A. F. GRIFFITH: I refer the Committee to lines 32 and 33 of clause 32 (1) where the word "Registrar" appears. The word is split up and runs into the second line. It is more appropriate that the words "relevant authority" be used. I refer members to the definition of "relevant authority" in clause 6 of the Bill. It is considered that the use of those words is better because the subclause will then provide for action to be taken by the appropriate authority. I move an amendment—

Page 23, lines 32 and 33—Delete the word "Registrar" and substitute the words "relevant authority".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 33: Production and inspection of books where offence suspected—

The Hon. A. F. GRIFFITH: The word "Registrar" also appears in lines 12 and 22 in this clause. I move an amendment—

Page 25, lines 12 and 22—Delete the word "Registrar" and substitute the words "relevant authority".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 34 and 35 put and passed.

Clause 36: Disclosure of certain interests—

The Hon. A. F. GRIFFITH: If members look at lines 14 and 15 they will find the words, "refers to any securities issued by a corporation or other person." I propose to delete those words and to substitute the words "recommends any securities." The present words are superfluous in view of the definition of "securities" in the Bill. The intention of the clause is to ensure that where a person is invited to buy securities, and the invitee has an interest in those securities, then that person will be acquainted by the invitee that he has an interest in the securities. Therefore, I move an amendment—

Page 27, lines 14 and 15—Delete all words commencing with the word "refers" down to and including the word "person" and substitute the words "recommends any securities".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 37 and 38 put and passed.

Clause 39: Accounts to be kept by dealers—

The Hon. A. F. GRIFFITH: Subclause (6) provides that contract notes and records have to be kept for a period of seven years. It is a little difficult to ask stock brokers to keep records of contract notes for such a long time. I am told by the stock exchange that stock brokers' dealings are so numerous that if they are obliged to keep records for seven years a terrific amount of storage space will be involved, or else stock brokers will have to use microfilming. It is proposed to leave the period at seven years in the case of records, and most records are kept in ledgers in the stock exchange offices. However, it is proposed to lessen the period contract notes are required to be kept to five years.

I believe the two other States which have enacted legislation have provided for a period of seven years and five years respectively. Opinions have been expressed that the period is too long. I do not know what the States which have not yet legislated intend to do. A suggestion has been made to me that the period might be reduced to three years in view of the fact that stock brokers keep their records in ledger form. However, it occurred to me that if we did so the difference between this State and the other States would be too wide. When the legislation is further considered we might be able to arrive at uniformity with the other States and adopt a lesser period. I move an amendment—

Page 30, line 16—Insert after the word "section" the passage ", and for a period of not less than five years".

The Hon. W. F. WILLESEE: I think the Minister has a good point. I cannot see any value in keeping contract notes for a great length of time because one receives a scrip which follows upon the issue of the contract note. As the Minister says, it is quite probable that in the future we might adopt even a lesser time than that which is now proposed.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 40 to 47 put and passed.

Clause 48: Powers of independent auditors—

The Hon. W. F. WILLESEE: During the second reading I referred to the difference between an auditor and an investigator, but I do not expect the Bill to be amended at this stage. However, my remarks were based on the opinion of authorities in accounting law, and I feel that some consideration could be given to the difference between an auditor and an investigator, bearing in mind that the Minister receives

a report from an auditor and then issues the authority for what is, in essence, an investigation.

The Hon. A. F. Griffith: He is an investigator, really.

The Hon. W. F. WILLESEE: Yes, I think that is the better term. The Bill says, "independent auditor." We then get one man over another although he has no greater powers apart from the fact that the Bill provides additional rights to an independent auditor; whereas, by appointing an investigator, those rights would certainly be applicable.

A simple amendment at some future date would clarify the position and give the person who is an investigator a complete knowledge of his rights in the matter. While an auditor is limited in what he can do, an investigator can demand; and there seems to be a big difference in the two situations.

The Bill provides for further investigation, but the fact that something which is wrong is reported to the Minister means that he must develop the situation further and pursue the matter by way of investigation at depth without qualifying what has been said to him previously.

The Hon. A. F. GRIFFITH: I had a pencil note against this clause and I apologise to Mr. Willesee for not having noticed it earlier. The man appointed under the Companies Act, be he an accountant or a solicitor, possesses powers under that Act. The man concerned would be an independent auditor with powers of inspection. He will certainly have an investigatory function.

Clause put and passed.

Clauses 49 to 58 put and passed.

Clause 59: Fidelity funds to be established and maintained—

The Hon. A. F. GRIFFITH: Mr. Willesee raised the question of liquidity and I would point out that regulation 35 of the rules and regulations of the stock exchange states that—

A Member shall give to the Chairman not later than the 31st of August each year a Statutory Declaration that the said Members nett worth at the 30th of June each year excluding the value of his Stock Exchange seat, all life policies, exceeds the sum of \$30,000. Should the said Members nett worth not exceed this sum, the said Member is to supply the Chairman with a statement covering all the said Members assets and liabilities at the time.

This merely ensures that the member's liquidity is sound.

Clause put and passed.

Clauses 60 and 61 put and passed.

Clause 62: Investment of fidelity funds—

The Hon. W. F. WILLESEE: This relates to the Trustees Act with which we dealt earlier in the session. I drew attention to

the fact that I thought it limited the right of participation in short-term loans. If members will read clause 62 (1) they will see what I mean. I thought investments could not be made under the Trustees Act in short-term loans—and this is the field of this type of investment—because there could be a situation on the stock exchange where brokers had very short notice.

The Trustees Act is limited to tight and long-term securities and accordingly one cannot cavil at this clause, except to say that it does not allow short-term loans in the short-term market which is very current today. What would happen in the event of the trustees confining themselves to the strict observance of the Trustees Act and taking a lesser percentage of their money and tying it up for a longer term, when they could make a better investment on a short-term basis?

The Hon. A. F. GRIFFITH: In some respects the short-term money market these days may not be a risky business. It is perhaps a more secure business than it has been. But the fundamental feature of a trust account of this nature is to ensure that it is absolutely secure and that is why the limitation is placed on the sections of the Trustees Act under which an investment may be made. The objective of the fund is security in its essence; that it is as safe and sound an investment as can be obtained.

I do not know whether a short-term investment is risky; but if the trustees were permitted to invest outside section 16, while I do not say they would make a bad investment—

The Hon. W. F. Willesee: I do not think they can go outside.

The Hon. A. F. GRIFFITH: I do not think they can. It means that the earning capacity of the money may be a little less, but it is as secure as funds can be when invested pursuant to section 16 of the Trustees Act.

Clause put and passed.

Clause 63 put and passed.

Clause 64: Accounts of fidelity funds—

The Hon. W. F. WILLESEE: As a matter of public interest, I ask the Minister whether the accounts will be tabled?

The Hon. A. F. GRIFFITH: I do not think so.

The Hon. W. F. Willesee: It is a fidelity fund; a public fund.

The Hon. A. F. GRIFFITH: I am not sure on this point; they could be tabled.

The Hon. W. F. Willesee: It would only be a basis for disclosure.

The Hon. A. F. GRIFFITH: I do not think there is anything to prevent the accounts being tabled, but as I say I am not too sure on the point. I do not think it will be a document of infinite public

interest, and it must be in the custody of the Government of the day. I do not think there is any requirement in the legislation which says the accounts shall be tabled.

Clause put and passed.

Clauses 65 to 77 put and passed.

Part IX: Clauses 78 to 83—

The Hon. A. F. GRIFFITH: I do not know how you, Mr. Chairman, will wish me to deal with this matter.

The CHAIRMAN: You wish to delete clauses 78 to 83 inclusive?

The Hon. A. F. GRIFFITH: That is right. I would ask the Committee to vote against clauses 78 to 83. I explained the position last night and the reasons I gave then are unchanged.

The CHAIRMAN: The Clerk has suggested that you move to strike out clauses 78 to 83, part IX, contained on pages 53 to 56.

The Hon. A. F. GRIFFITH: Very well. I move an amendment—

Pages 53 to 56, part IX—Delete clauses 78 to 83.

The Hon. F. J. S. WISE: These clauses were criticised by Mr. Medcalf during the second reading of the Bill, when he ably set out his reasons for his criticism. He claimed this provision could prejudice Western Australian companies in particular. He said that if all the provisions in this division were agreed to by the other States he would not find the same objection to them.

The Minister, when replying to the second reading debate, submitted arguments for and against this division and, naturally, as one of the architects of the Bill, he could see on balance more merit in the clauses as printed than objections, and I agree with him. However, not illogically, I thought, he said that as he accepted the contention against this part and as no other State had passed a similar one, he would prefer to handle it in consultation with the Attorneys-General of the other States.

I rose merely to say that I hope in such an examination there will be no generosity or let-out in what is to be demanded of companies in furnishing information to the stock exchange, companies which have enormous resources even undisclosed in balance sheets.

We have in this State some very large companies which can influence the thinking, and perhaps at times the voting, on certain legislation, and we have others which receive the applause and plaudits of scrutineers of balance sheets—that is, the financial journalists—for the manner of presentation of their balance sheets. Indeed, I can name one company which, year after year, has been so congratulated; and it is to the great credit of one, now deceased (the late Sir Lance Brisbane), that

the Brisbane and Wunderlich company stands so high in public esteem because of the information provided annually in its balance sheet. It has nothing to hide and therefore nothing to fear or be worried about.

I am not on the side of those companies which, because of their strength, authority, and power in the community, are able to refrain from disclosing to their shareholders and the world those things which rightly belong in a report of a company, no matter how vast or financial it is.

I am sure that when the Minister discusses this part in an interstate atmosphere it will be resolved in the best interests of shareholders and companies, and it will be appreciated that companies are held in high esteem when they disclose things even though they may give to their competitors some inkling of their prospects of joining with one company or another.

I am quite prepared to leave this matter in the hands of the Minister because I feel sure he is fully apprised of the benefits and disadvantages of a part of this kind.

The Hon. J. M. THOMSON: I am somewhat disappointed that this part is to be deleted because it provides a protection for the unsuspecting public. I do feel that this part could be prejudicial to Western Australia, but I must say that I was far more impressed by the comments of the Minister when he introduced the Bill than I was with the two speeches I heard last night. I think it is a pity this part is to be deleted.

I do not propose to obstruct the passage of the measure, but merely wish to make my opinion known. The provisions, particularly of clauses 79 to 81, are most desirable in the interests of the people concerned; and I trust that ere long the persuasive eloquence of those who will consider this part will result in an amendment.

The Hon. A. F. GRIFFITH: I thank Mr. Wise for his comments. I do intend to refer this matter to the next meeting of the Standing Committee of Attorneys-General.

I appreciate the remarks of Mr. Jack Thomson who will realise, I am sure, how hard it is sometimes to draft legislation, particularly when it is a Bill of this size, and have it passed without any amendment whatever. Perhaps his appreciation of this might grow when I remind him that the passage of a Bill I introduced for him a couple of years ago became so difficult that I had to drop it altogether.

Amendment put and passed.

Clause 84: Prohibition of short selling—

The Hon. A. F. GRIFFITH: I assume that the Clerks will make the necessary changes in the numbers of the clauses and parts.

The CHAIRMAN: That will be done automatically.

The Hon. A. F. GRIFFITH: I move an amendment—

Page 57, line 16—Delete the words "or a stock exchange" and substitute the words "and not otherwise".

If a complaint is made and any action is to be taken, it should be taken by the Minister and not by anyone else.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 85 to 90 put and passed.

Postponed clause 3: Arrangement—

The Hon. A. F. GRIFFITH: I assume that the parts and sections referred to in this clause will be automatically adjusted by the Clerks, following deletion of certain clauses.

The CHAIRMAN: That will be done by the Clerks.

Postponed clause put and passed.

Title put and passed.

### *Report*

Bill reported, with amendments, and the report adopted.

## **MARKETING OF EGGS ACT AMENDMENT BILL**

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

### *Second Reading*

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [4.59 p.m.]: I move—

That the Bill be now read a second time.

Resulting from proposals submitted by the Poultry Farmers' Association of W.A. earlier in the year, a referendum of eligible poultry growers was recommended with a view to obtaining agreement to the establishment of a licensing authority for the purpose of regulating the production of eggs in this State.

A referendum was held on the 4th September last and this resulted in an 83 per cent. "Yes" vote for the establishment of such an authority.

A meeting of representatives of the Poultry Farmers' Association, the Egg Marketing Board, and the Department of Agriculture then formulated requirements of draft legislation and this Bill is designed to incorporate the several proposals detailed to producers at the time of conducting the referendum.

The meeting decided that the licensing authority as requested by the producers should be the existing Western Australian

Egg Marketing Board. This is considered desirable because the board has the responsibility of marketing and is the main source of the information appertaining to levels of production and the assessment of farming potential, as related to licensing. With the setting of the levels of production and licensing requirements, there would remain little additional work to be carried out in that regard to occupy a separate authority were such established.

Consequently, in view of these decisions, it is proposed that the Marketing of Eggs Act should be amended by the addition of several new sections.

One of the main requirements is that which is related to the inviting of applications for licenses as well as the basis or the principles on which licenses are to be determined; and finally, the actual determination of applications.

As these aspects are much involved, it is proposed that the basis for licensing be assessed by the board after consultation with the industry for submission to the Minister for approval before being implemented.

Adequate provision has been made in respect of the first licensing year for persons who qualify by reason of being in the egg producing business during the period of 12 months ended the 31st March, 1970, but not necessarily, of course, during the whole of that period.

Provision has also been made for others who consider they have entitlement for licensing and desire to make application.

There is a right of appeal against the board's refusal to grant a license and against the number of fowls endorsed on the license.

Provision is made for the issue of supplementary licenses and for the transfer of licenses.

Penalties are provided for offences such as those involving the keeping of more than 20 fowls without a license for the purpose of producing eggs for sale or for keeping a greater number of fowls than the license permits.

Breeding fowls kept for the purpose of producing hatching eggs will not require licensing, but certain conditions are set out which must be observed by persons operating in this branch of the industry.

Members may appreciate that the object of introducing this legislation is to ensure orderly production of an adequate supply of first grade eggs for consumption and to avoid excessive oversupply.

The Hon. F. J. S. Wise: What effect may it have on the price of eggs?

The Hon. G. C. MacKINNON: It is sincerely hoped that it certainly will not lead to any increase in the price of eggs. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. F. R. H. Lavery.

## ELECTORAL ACT AMENDMENT BILL (No. 2)

### *Receipt and First Reading*

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

## DENTISTS ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 17th November.

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the Opposition) [5.05 p.m.]: I accept the Bill on the basis on which it was introduced by the Minister for Health. My approach to this question would be that a student must be given some practical training. The only really operative clause in the Bill states—

- (e) a student who, while undergoing instruction in a school of dental therapy that is approved by the Board, performs an act of dentistry under the direction of a dentist.

Surely there could be no better way to obtain practical training than by that means. Therefore, I approach the Bill on the basis that we are writing into the law a provision which will ensure that before our dentists can practise they will have academic training and also practical training.

One is mindful of the fact that in the Press we read of a shortage of dentists. Therefore, it is all the more important that those who are about to enter the dental profession are given a practical background as well as an academic one. It is unnecessary for me to prolong the debate any further because I believe this measure is a practical application of something that is necessary.

**THE HON. V. J. FERRY** (South-West) [5.07 p.m.]: I rise briefly to indicate my support for this measure which, although it is rather small, is another step in the scheme being implemented in this State to bring better dental facilities to the people. This is a principle I heartily applaud, particularly as I, like several other members in this House, represent a country electorate and there is a real need for the availability of dental treatment in country areas.

To encourage the training of students as envisaged by this Bill can only help the overall situation, and I commend the Government, and the Minister particularly for his personal interest in dentistry problems. I believe we have made a great deal of progress in this matter in the last few years, and the plans that have been formulated are now starting to pay off. I look forward to the day when the need for dental treatment will be lessened by

the programme that the Government has set out to put into practice. I would also suggest that those who need dental treatment will be able to obtain it more readily. I can only commend the Bill.

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [5.08 p.m.]: I thank members for their comments. I repeat that we had hoped it would not be necessary to introduce this amendment, and that the people covered by it might have been covered in a general sense by section 50 of the Act. However, that was not considered advisable and hence the introduction of this legislation.

I would also remind members that there will be a necessity next year to introduce an amendment to the principal Act to provide for a new section to cover dental therapists fully but this Bill will give the girls concerned the necessary protection in the meantime. As Mr. Willesee said, the legislation is considered necessary so that these people can get practical training. I thank members for their comments.

Question put and passed.

Bill read a second time.

### *In Committee, etc.*

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

### *Third Reading*

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

## NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT ACT AMENDMENT BILL

### *Assent*

Message from the Governor received and read notifying assent to the Bill.

## PHYSICAL ENVIRONMENT PROTECTION BILL

### *Second Reading*

Debate resumed from the 12th November.

**THE HON. J. DOLAN** (South-East Metropolitan) [5.12 p.m.]: I intend to support the Bill for one reason only, and that is because it places a reference to this very important subject on the Statute book. It is my considered opinion that this is the weakest legislation of its type not only in Australia, but in the world. Later I will contrast it with the Victorian legislation on the same subject to illustrate the remarks I have just made.

Might I say that in my view the Bill is a skeleton and it will need a strong Government, with strong ministerial support, to put some flesh on it.

The Hon. A. F. Griffith: Then we will be all right.

The Hon. J. DOLAN: The problem with which the Bill is concerned is not one which can be contained in a single area, so that when we are legislating for a State we also have to bear in mind that what is proposed will extend to all the other States. There are so many angles associated with the subject that the Bill could be debated for days—that is, if one were to treat each aspect fully. The waters of streams, rivers, and of the ocean, are not static; and neither is the atmosphere. Soil may be static but things grown in that soil are not.

Desecration of the water, air, or soil by people in one country can not only have a detrimental effect in that country but it can also have a serious effect in a neighbouring country. To give an example, if some of the big rivers of the world, such as the Danube or the Rhine, were polluted, not only would it affect the countries in which those rivers have their source, but it would also affect every country through which they pass until they reach the sea. Such pollution can also have a very serious effect on human beings, fish, birds, and the wildlife in all of those countries.

Pollution not only has no boundaries in space, but it also has no boundaries in time. There are people yet to be born who will be vitally affected by what we do in our time in connection with pollution and conservation of our environment. We, today, are putting up with the consequences of things which were done in the times of our fathers. I will give examples of the many acts of desecration in our own State for which our forefathers were responsible and for which we are paying the penalty today.

What is pollution? The opinion of Dr. Gould, the editor of *The New Scientist*, is as follows:—

A pollutant is simply something which is present in the wrong quantity, in the wrong place, and at the wrong time. On this definition, man is rapidly polluting his environment, upon which he depends for his life, with the product of his own unnatural activities. He is not only adding poisons which are frequently dangerous to himself, to the air, to the waters and to the land—he is also upsetting the overall balance of life on earth.

What are some of the sources of pollution? How can they be overcome? These questions are posed in the desire to be positive about the matter, and I hope that some of the things I say will bear fruit.

In most cities pollution is caused by smoke from factories and even from private homes; by fumes from industry, and by dust from quarries. One example of action taken to counteract this form of pollution is the action that was taken in the City of London, where it was insisted

that all the fuel used in factories should be smokeless, and in many areas there is a complete ban on household fires.

I am aware of this because my son lives in a suburb of London called Ealing, which is a smokeless area. The home which my son built many years ago had fireplaces, and he had to have the house redesigned and refurnished because the fireplaces had to be taken out. Now, the heating is generally in the floors, and no smoke of any kind is to be found there.

In nearly all the cities of the world the major sources of pollution are the motor-car and the transport vehicle. Diesel and carbon monoxide fumes are creating serious problems. In the United States attempts have been made to grapple with the problem by fixing a simple device to motor vehicles. The device is not expensive in relation to the total cost of the car—it costs about \$20—and its purpose is to prevent fumes being spewed into the atmosphere.

An indication of how serious and widespread this problem is was given in "Four Corners" last Sunday night, when a man on the spot in the city of Saigon said that it was the worst polluted city in the world, and the pollution was coming almost entirely from motor vehicles associated with war operations, in the form of transport and military vehicles.

Another problem associated with pollution is the disposal of sewage. At beaches in Queensland and New South Wales untreated sewage is quite evident, and it is not only responsible for the spoiling of the beaches but it also constitutes a serious threat to health.

It is said to be true that if one drinks a glass of water in London one might very well be the seventh person to drink the very same water. That is how the problem has been tackled in London, and a terrific saving has resulted. In Glenelg in South Australia there are some very fine ovals. The water that is used on those ovals comes from sewage treatment works.

The Hon. J. Heltman: The same thing is done at Merredin.

The Hon. J. DOLAN: And also at Kalgoorlie. The effect of industrial wastes and detergents also comes within the overall problem of pollution. These substances flow into our streams and, eventually, into our oceans, and the damage they do is almost unbelievable.

Under the Victorian legislation, a penalty of \$5,000 is imposed on anybody who infringes the provisions by polluting the waters. There is a further penalty of \$500 for each day the pollution continues. That is what I call legislation that has a real bite in it.

The Hon F. J. S. Wise: Is that into waterways?



The Hon. J. DOLAN: That is right. That is only the beginning because the Victorian legislation is to be expanded to cover air pollution and every other aspect of interference with the environment. I was particularly struck by one paragraph of a report on the legislation when it was introduced. The report said that in practice the legislation meant that the discharge of waste never in itself became a right, and that it was controllable by the State at all times.

How many industrial establishments have been polluting waters with their industrial wastes and have considered that they had a right to do so? This has been the practice for so many years that the people responsible feel that any step taken to prevent them from doing so is an infringement of their liberty.

The sea is polluted in many simple ways. Examples of this are the oil tankers that went aground in Torres Strait and at Southampton, in England, when oil pollution had a disastrous effect on the sea life, particularly on the birds which had their wings and feathers covered with oil so that they could not fly.

I was greatly perturbed by the recent decision of the United States Government to dump nerve gases into the ocean. When strong protests were made, great care was taken in transporting the gases across the country to the point of embarkation. Then they were taken down to the Bahamas, which is, I suppose, one of the loveliest places in the world, and there these drums were deposited on the bed of the ocean. Nobody knows what the ultimate effect will be on the fish in the sea, or just how far any resultant pollution will extend across the Atlantic. We can visualise what a tragedy might occur.

The United States is not the only country that has dumped nerve gases in the ocean. After 1945 West Germany dumped thousands of poison gas shells in the ocean seven miles off the coast of Denmark, at a place where the sea was only 70 feet deep. The shells containing the gases will gradually rust and decay, at which time the poisons will be released. What effect will they have on the sea life in that area? Will they affect the fishing industry in the North Sea?

The United Kingdom is also guilty of having dumped over 200,000 tons of poison gases—mustard gas, phosphine, and nerve gases—in the Atlantic in 1957. What will be the eventual effect of that action? Just over 12 months ago thousands of fish and birds were washed up from the Irish Sea, and on inspection they were found to have died from burns. It might be circumstantial evidence, but there seems to be an obvious association between the dumping of those gases and the death of those birds and fish.

We have a Clean Air Act on our Statute book, and at this stage it might be appropriate to ask whether it has achieved its aims, whether it is achieving its aims, or whether its aims will ever be achieved if we do not change our line of thinking. Clean air Acts have been in existence in Bradford, Leeds, and London for 10 years, and there is now no pollution or smog in those places. The regulations are stringent and they are effectively policed. Members may recall that in 1952 no fewer than 4,000 people died in London as a result of smog. Smog is hardly to be seen there now. London still has its pea-soup fogs, but there is no smog associated with them. When buildings are cleaned and given a new coat of paint, they remain clean.

The Hon. G. C. MacKinnon: You are a bit starry-eyed because of the contrast with what existed in previous years.

The Hon. J. DOLAN: I was in Melbourne 40 years ago. It struck me that it was a dirty city, by comparison with Perth. The buildings were dirty and there was a continual haze. It was not regarded as air pollution or smog in those days. People were probably conditioned or brain-washed to the extent that they thought such things were necessary evils associated with industrial progress. Now, of course, we are beginning to have different thoughts on the matter.

I do not know whether anybody would regard the River Yarra as being clean, especially where it flows through the city of Melbourne. It is known as the river that flows upside-down. However, I have been in the upper reaches of the Yarra at Warrandyte and similar places and one could not find a more delightful stream. But as it travels down to the ocean the water is polluted by industrial wastes and when it reaches the city area one would not want to swim in it unless one accidentally fell out of a boat and was forced to swim.

We have to look at another aspect in regard to the harm that may be done by pollution. I refer to the use of insecticides and detergents. We do not yet know what effect these have on our environment. After DDT has been used it has found its way into the rivers, has been washed into the ocean, and has been taken over by the tides. It was discovered that even at the South Pole where one would think no purer air or water could be found, a large number of penguins died. When autopsies of their bodies were taken it was found that they were full of DDT and that that was the cause of their death, at a spot thousands of miles from the initial source of the DDT.

This is a subject, of course, in which farmers may be interested. I do not know whether farmers could now get along without the chemicals that are being used. It

would be almost impossible for some of them to operate without chemicals. However, what damage is being done when the chemicals are washed from the soil and they enter the streams? What effect do they eventually have on animal and bird life? These are questions which could result in long and intensive debate. We do not yet know the terrific price we are paying for the excessive use of chemicals. The other day I heard a remark that was passed at a C.P.A. conference that was being held in Australia. The speaker said that the only thing he could say about himself was that he came from Montreal where the life span is reduced by seven years as a result of pollution. What an admission by a person who came from a country like Canada!

How can we tackle this overall problem of physical environment? I can give a simple illustration. I have always felt that we do not have enough parks, gardens, and reserves. Five years ago, in New South Wales, a Bill was introduced entitled the National Parks and Wildlife Bill. During the five years that have elapsed I will outline some of the results of that legislation.

Additions have been made to the national parks at a rate of 25 acres an hour, or 600 acres a day. During the five years the area of national parks has increased from 1,800,000 acres to 3,200,000 acres. I would also point out that of the 1,800,000 acres that existed, one of the parks had an area of 1,300,000 acres so the remainder of the parks comprised only 500,000 acres. The expenditure on national parks has increased from \$650,000 to \$3,000,000. The number of rangers who are employed to police the parks has increased from 125 to 340. In addition, a marine national park has been established; an almost unheard of thing.

The Hon. F. J. S. Wise: That is to deal with the land sharks.

The Hon. J. DOLAN: That is right. I do not know whether they intend to throw them into the sea. Within the next 12 months the State of New South Wales will also establish a large school for rangers who will be taught all aspects of conservation of the environment and of animal and bird life. It is also intended to invite delegates from all parts of South-East Asia to the school so that the influence of the work that is being done in New South Wales will spread to those countries.

I mentioned earlier that our forefathers can be blamed for many of the problems that face us today. At the same time I will state that the task of improving our physical environment is not impossible if the spirit is willing and there is a determination to preserve a way of life and everything that is worth while for our future generations. To do this we must be prepared to work hard at it.

Let us start, say, by mentioning the goldfields. When the goldfields were discovered and people established themselves in the goldmining industry, the first steps they took were to destroy the forests. Some people do not know what forests are like on the goldfields. I worked for 12 months in one of the forests no further than 60 miles from Kalgoorlie, and at one time two rakes of firewood a day used to be taken out. That had been going on for over 30 years, but plenty more timber remained. Around the goldfields area itself the people followed the principle that has always been ascribed to Australians; that is, if it does not move, chop it down, and if it does move, shoot it.

The Hon. G. C. MacKinnon: And, if it is empty, throw it away.

The Hon. J. DOLAN: That is right. If something is empty make litter of it and throw it onto the side of the road! On the goldfields all the timber was cut down and what was the result? As a lad I can remember that one thing my mother feared was that as soon as she had cleaned the house more often than not on the horizon a dust storm could be seen approaching and there was nothing to stop it, because all the trees which had been a natural windbreak had been destroyed.

However, we had a wise Forests Department which, not so many years ago, took control of the situation and its first move was to establish a green belt. In other words, within a certain area the cutting down of green trees was prohibited. The forests soon re-established themselves with the result that the effect of dust storms is not nearly as severe as it was 30 years ago. The people in those parts are now educated into thinking in terms of conservation and, in fact, are dedicated to it.

If any member wishes to go to Broken Hill he will find in that town only one monument to either a man or a woman.

The Hon. R. F. Hutchison: I know Broken Hill well.

The Hon. J. DOLAN: That monument is to a man who was not a great mining magnate, a big industrialist, or a great sportsman. He was a naturalist and a horticulturist, whichever way one wishes to refer to him. His name was Karl Morris. Prior to the Karl Morris era Broken Hill was one of the worst places in which to live so far as dust storms were concerned. When a dust storm was in progress a person could not see five yards ahead. In fact, one of the worst-affected areas in Broken Hill had to be evacuated, because the houses were nearly covered with sand, and that particular section of the town had to be established elsewhere.

Karl Morris was convinced that the centre could be regenerated and that the first step to take was to let nature take over. So he persuaded the authorities to permit him to fence an area over which

the prevailing winds blew. With permission granted, he erected a fence to stop the effect of the prevailing winds. He fenced this area so securely that the other destroyers of natural vegetation—family goats—were prevented from entering it. Within a matter of a year or two extensive growth covered the whole of this area.

After making his point and getting the people around to his way of thinking, Morris was able to explain the operations he had in mind. As a result he was able to fence further areas, and then he commenced the task of planting trees. It was at this stage that an industrialist worth his salt entered the picture. He was a famous man called Essington Lewis; I suppose one of the greatest Australians of all time. During a world tour of many places where erosion could be seen in its worst form—in the Middle East, Africa, and in other countries—he had thousands and thousands of trees and shrubs forwarded from those countries to his friend Karl Morris. They were planted in Broken Hill areas and later on were nurtured by surplus water obtained from industry. This water was purified before being made available to Morris.

Today, if one visits Broken Hill one can enjoy a lovely picnic on the grassed areas on the side of an artificial lake. One can also go boating on the lake. Of course, the people of Broken Hill are extremely grateful and I think the children are taught to remember Karl Morris in view of the fact that he is the only man or woman to whom a monument has been erected in Broken Hill. I understand he is regarded as being the city's first citizen. He is the type of person I would have liked to see granted a knighthood but unfortunately he died before anybody got around to thinking about it.

If we pause to reflect, it is realised that harm is being done by poor farmers. In saying that I do not mean they are poor because they are short of money. I am talking of those people who do not know how to farm properly. One of the areas in Victoria that suffered was the famous mallee country where large crops of wheat were grown. With the passage of time all the natural vegetation was destroyed leaving no windbreaks whatsoever. As a consequence millions of tons of top soil were blown down to the Pacific Ocean never to return. Once the surface of any soil has been removed it is impossible to replace it.

Many members visited the Ord and witnessed the stage of erosion that had been reached in that area. It was almost criminal and had occurred through overstocking. This tendency must stop and the task of physical regeneration of the environment must become part and parcel of the thinking of every citizen of Western

Australia, otherwise we will leave the land in a state which cannot be enjoyed by those who come after us.

I have read a very small but interesting book of late, and I can recommend it to any member who wishes to read about this problem. It can be obtained from the Public Library and its title is *Sahara Conquest*. I suppose all members think of the Sahara Desert as a place to keep away from, but it is capable of regeneration. If we think the task that lies in front of us in this country is a big one we should have a look at the example that has been set in other places in making an attempt to overcome this problem. If we do we can easily realise that the same can be done in Western Australia.

In recent years it has been discovered that underneath the Sahara Desert is a body of water which is even greater than our great artesian basin. We all know what a marvellous difference that artesian basin has made to the inland of Australia. However, in the Sahara Desert the source of water is almost unassessable. One of the hydrographers in that country has estimated that to fill a reservoir of the same capacity as the body of water that lies underneath the desert the Rhine River would have to flow into it for 190 years.

Magnificent work has been done in the Sahara Desert area, and millions of acres have been reclaimed by the process of re-afforestation. In this respect a great debt is owed to the Esso oil company, which came up with the system of regeneration of land whereby trees were planted and the soil was contained by the use of oil sprays. Of course, we have seen a similar operation in this State, but to a lesser extent, in the construction work of the Mitchell Freeway between this building and the Swan River.

I repeat that the Victorian legislation is well worth studying, because that State has been realistic about this question. I suppose the problems in that State, particularly in respect of water pollution, are greater than those experienced in Western Australia. In those circumstances we can take a leaf out of Victoria's book.

Let us consider the activities of the big mining companies which are extracting bauxite along the Darling Range. I have seen the operations, and the attempts that have been made to regenerate the land. I say emphatically, although I am not an authority on forestry matters, that once these hardwood forests are destroyed they are gone forever. I could quote the authority of outstanding foresters of this State who say that not one good specimen of jarrah could be grown in an area from which the topsoil has been taken. It is all very well to say that the topsoil can be replaced, and the area can be used to grow pines and to establish pastures. I would point out

that forests and trees are our greatest heritage. If we look after the trees we can rest assured that the trees will repay us not only financially, but also by ridding us of the problems of erosion and those problems associated with the starving of the land.

When this industry started off the estimated production was 200,000 tons a year, but now it has reached 1,200,000 tons. Of course, proposals have been made to increase the annual production still further. The more the production of bauxite is extended the greater will be the problems that we face. However, if we are severe enough, and if we obtain the co-operation of the companies involved, we will be able to associate industry with conservation in such a way that eventually the land, instead of becoming a dead loss, will be turned into pastures and be used for other forms of production, other than for the growing of timber. I repeat that once destroyed our hardwood forests cannot be replaced. I prefer to take as authority the opinions of men who have been engaged in the forestry industry for a long time, rather than the opinions of companies which, to a certain extent, are engaged in particular operations of mining.

We sometimes view with smug satisfaction the applications made by people to operate houseboats on rivers and estuaries. There is one such application for a permit to operate houseboats on the Murray River. This is the start of the pollution of rivers. Some people claim the Government should not interfere with the liberties of individuals, but I am inclined to think that they use the term "liberties" loosely. What they regard as a liberty is really a license. When the Government refuses to permit houseboats to operate on rivers, and thereby pollute the water, some people claim that it is a case of interfering with the liberties of the individual. In my view it is not interference at all if we wish to retain the rivers as they are. I can think of no more appropriate place than the area around the southern estuary to be set aside as a wildlife reserve. On these magnificent stretches of water we find untold bird life. If places such as that are destroyed, I cannot imagine the people who come after us referring to us as blessed.

In New York State investigations have revealed that the mud dredged from some of the rivers in order to deepen them for commercial use has been dumped into the sea. It was shown that the dumping of such mud has killed the organisms in the sea, and eventually the fish will be destroyed. Whilst good work is being done in New York State to keep the rivers open for commercial use, at the same time, as a result of dumping the mud, fish life and other organisms are destroyed. This was not anticipated.

A report which appeared in the newspapers a couple of weeks ago described the enormous quantities of dead fish that had been found in Botany Bay. When efforts were made to trace the cause, it was found that this was brought about by pollution of the waters of the streams, as a consequence of which the fish died.

We cannot be excused for some of the things we have done. I refer members to a report which appeared in *The West Australian* of the 25th October, in which a marine biologist expressed concern with the dumping of waste products into the sea off Garden Island. Barrels of arsenic have been dumped in deep water on the other side of Garden Island. It was claimed that as the barrels were dumped in deep water they would not be affected by the tides, and there would be no effect on the fish life. Who can tell what will happen to those barrels next year or in 10 years' time? I have seen tins a couple of years after they had been thrown into sea water; the metal had rusted through. If the tins had been full the contents would have leaked out.

I conclude by referring to this aspect, because it involves my province. Members who represent provinces south of the city along the Albany Highway and South-Western Highway have seen the scars on the hillsides. If they look at the hills from Gosnells they will be able to observe the scars which have been caused by companies operating quarries. No-one who has seen those scars would be impressed with our love of nature and landscape.

The Hon. F. R. H. Lavery: The scars also appear on the hills near Adelaide.

The Hon. J. DOLAN: I am reminded that we can go to Adelaide to see the same thing. The Adelaide hills should be beauty spots, yet we see scars that have been caused by industry. It is said that those scars can be covered over at a cost of \$10,000. Sir Marcus Oliphant, the great scientist, has said that it is time we made a move to reclaim that land; and that it was a disgrace to the people of South Australia that the scars continued to remain. He said he would not be happy unless he was able to return to Adelaide to find the scars covered.

In Western Australia we have the job in front of us. We can even see the scars on the Darling Range from the east side of this building. If there happens to be a sea breeze we can see them clearly, but if there happens to be a land breeze we may not. On occasions I have been called out at 9 or 10 p.m., and I have driven right up to the gates of these quarries. I found that the area had to be lit with large arc lamps, and from a distance of 50 yards one could only see a haze. If one were to remain in the area for a time and retained all the dust that one breathed in, one would be spitting out dirt for a couple of hours afterwards.

What does pollution result in? I am reminded that a big Japanese trading company operating in Tokyo has decided to invest in the building of a city in Alaska, and a Tokyo honey firm has sent a director to Paraguay to establish an apiary. It is prepared to transfer the whole of its apiary industry from Japan to Paraguay. I know that bees are busy creatures, and it is difficult to prevent them from working. However what stops them from working in Japan is the pollution.

The Hon. F. J. S. Wise: Some bees do not work.

The Hon. J. DOLAN: No, but they perform a useful function. The bees have to be sent to Paraguay where arrangements have been made to re-establish the apiary industry.

I support the Bill, but I do so for one reason only: that it places this legislation on the Statute book. I am sure that none of us would ever be happy until the legislation became something worth while.

I conclude by quoting what His Royal Highness, the Duke of Edinburgh, who summed up the question of conservation more succinctly than I could, said—

Conservation is not a matter of trying to stop every development or an attempt to make the country into some sort of museum, it is a matter of setting limits, of creating a desirable environment and of finding acceptable compromises.

I would interpolate: there has to be a distinct balance between industry and the livelihood of people, and conservation. This balance is most important. To continue with the remarks of His Royal Highness—

Somehow or other more people must come to realize that conservation is a continuing and growing problem which affects us all now, and will effect future generations even more. Somehow or other we have got to learn that what looks like the cheapest and most obvious solution today, may turn out to be a vastly expensive mistake in a few years' time.

I conclude on that note, and with an appeal to members to realise that although this legislation may not be all that we desire, it is at least a start. I suppose all things have a beginning, just as all of us were born. Whilst this legislation is on the Statute book our duty is to improve it to the extent that we will not let anything stand in the way of making Australia a better country in which to live. I have always thought that Australia was the best country in the world; I say it is our duty to make it a better country. With some reservations I support the Bill.

**THE HON. N. E. BAXTER** (Central) [5.59 p.m.]: I cannot help but say that I am disappointed with the legislation. Like Mr. Dolan I believe it is only a skeleton of the legislation we should have on the Statute book; not only that, but this is a very skinny skeleton, without any teeth.

Let me refer to the title of the Bill which is—

An Act to make provision for the establishment of a Department of Environmental Protection and a Physical Environment Council for the prevention and reduction of environmental pollution and the protection of the physical environment, and for incidental and other purposes.

If members examine the measure they will find that it comprises four parts. The first is the preliminary part, which is normal in every Bill; the second is the establishment of a department of environmental protection and administration, and this is purely a machinery provision to set up a Government department; the third is the establishment of a physical environment council, and this sets out its functions, powers and duties; and the fourth contains miscellaneous provisions.

In other words, there is nothing in the Bill which gives it any teeth and, therefore, any worth-while provisions must be included under "Miscellaneous." Nothing is included in the other parts of the Bill. Firstly, a department of environmental protection will be set up. It will be a Government department to contact other departments regarding anything that may cause pollution, and which may be the responsibility of those other departments. Then, a physical environment council will be set up to report to the Minister so that the Minister may convey to other departments and to the Premier recommendations as he thinks fit. Where do we go from there? I have seen that procedure in operation without the proposed legislation, and we get exactly nowhere.

In this respect, one particular part of the Bill makes me wonder what it really means. I wonder whether there is any substance in the whole of the legislation. Clause 25 of the Bill reads as follows:—

(1) Any individual or any body of persons, whether incorporated or not, may refer in writing to the Minister any matter, which he believes or they believe on reasonable grounds, requires investigation for the purpose of preventing environmental pollution or injury to the physical environment.

That is really good. However, it goes further, and subclause (2) reads as follows:—

(2) Where any matter is referred to the Minister pursuant to subsection (1) of this section, the Minister may require the Council to furnish him

within such period with such report thereon as the Minister thinks fit and may require the report to be accompanied by the recommendation of the Council with respect to the matter.

That all boils down to the fact that the Minister may require a report, as he thinks fit, and following that he may make, from the report, such recommendations as he thinks fit. That is as far as it goes, and that is the sum total of the teeth in the Bill. It is a rather gummy old set-up.

The Hon. G. C. MacKinnon: What rot! The Bill is to set up a department. Half a dozen Acts already deal with conservation, and every one of those Acts has teeth. They deal with conservation and clean air. The Bill is to set up a department.

The Hon. N. E. BAXTER: What about the pollution of water supplies?

The Hon. G. C. MacKinnon: There are already several Acts to cover the prevention of pollution of water supplies.

The Hon. N. E. BAXTER: Where?

The Hon. G. C. MacKinnon: On the Statute book.

The Hon. N. E. BAXTER: I do not think the Minister can quote me an Act dealing specifically with water supplies.

The Hon. G. C. MacKinnon: Nowhere would there be better protection of water supplies than the legislation we have.

The Hon. N. E. BAXTER: I do not agree with the Minister because there is nothing to deal with the overall control of the pollution of water supplies throughout the State. A Bill was introduced which dealt with the metropolitan area, but it did not deal with the rest of the State.

I will give an instance of pollution. I have mentioned this matter before, and I refer to the pollution of a particular brook which runs through my property and through the property of my neighbours. That brook is polluted by industry, and by an inefficient sewerage system.

The Hon. G. C. MacKinnon: The new department will make recommendations, and action will flow from those recommendations. The actions do not have to be set out in the Bill; it would be totally ridiculous if they were.

The Hon. N. E. BAXTER: We still do not have on the Statute book legislation which can deal with pollution satisfactorily. What is the good of setting up a department or a council to make recommendations, when the recommendations are made from one department to another? They are then handed around like a hot potato.

The Hon. A. F. Griffith: Is the honourable member in favour of legislation to control water in country areas?

The Hon. N. E. BAXTER: The pollution of water in country areas, yes, and to provide for some control over the location of water supplies. However, there should not be power to direct individual farmers on what they should do with their wells or dams.

The Hon. G. C. MacKinnon: How does one control without being able to control individual actions? Actions cannot be controlled without controlling the individual.

The Hon. N. E. BAXTER: The individual can be controlled in regard to pollution. The two Ministers are attacking me on this point.

The Hon. A. F. Griffith: Is the honourable member in favour of the control of water supplies?

The PRESIDENT: Order!

*Sitting suspended from 6.06 to 7.30 p.m.*

The Hon. N. E. BAXTER: Before the suspension I was side-tracked to some extent from what I was saying. I should now like to get back to what I was discussing on this Bill.

The Hon. A. F. Griffith: That is a good idea.

The Hon. N. E. BAXTER: I was discussing protection from pollution, because the Bill definitely deals with pollution of the environment and protection of the physical environment. Under this legislation, who will be protected? The Minister for Health says there is legislation to provide some protection from pollution, particularly in regard to pollution of private and public water supplies. I simply do not know what legislation we have which would give this protection. I certainly do not know of any that applies to areas outside the metropolitan area.

The Bill before us says that any individual or body of persons may refer in writing to the Minister any matter which they believe on reasonable grounds requires investigation. What would be the purpose of an individual or a body of persons, corporate or otherwise, referring anything in writing to the Minister in connection with this legislation if they did not believe that some protection would be afforded under it?

At this point I would like to mention a case in which I was involved, together with my neighbours, concerning pollution of what was a beautiful clean-running brook and is now a disgrace to the State. I have investigated this and I have gone into the matter with the Public Health Department and the Public Works Department. What protection does one have? The Public Health Department and the Public Works Department are not prepared to put a dragline into the stream to clean up the mess caused by industry and the Government. No legislation of

which I am aware provides that my neighbours and I will be protected by the Government and that the Government will put a dragline into the stream and clean out the horrible mess that has been made. I challenge any Minister in the Government to look at the stream today to see what a disgraceful mess it is in.

The Hon. G. C. MacKinnon: The dragline idea is your opinion of the solution. It is not shared by any of the experts.

The Hon. N. E. BAXTER: It has been used in other parts of the stream to clear it out. The local authority bulldozed part of the area to straighten the stream and to try to clear certain sections which were so polluted that the water banked up at a substantial culvert under the road. The local authority spent quite a deal of money in doing this. I admit that the charcoal iron industry has spent a deal of money in putting in lagoons to take the overflow wastes, such as tars and acids. It has also gone to the trouble of putting in a polythene lining so that these materials will not seep through to the dams.

The Hon. G. C. MacKinnon: I take it you will admit the power exists under the Act to do it.

The Hon. N. E. BAXTER: Under common law perhaps.

The Hon. G. C. MacKinnon: Under the Health Act.

The Hon. N. E. BAXTER: It does not exist under the Health Act. Assays and analyses have been made of the waters in the stream, and the Public Health Department and the Public Works Department say there are no health hazards.

The Hon. G. C. MacKinnon: It is hot.

The Hon. N. E. BAXTER: It certainly is hot; it smells very hot. If the Minister lived as close to it as my neighbours and I do, he would know that it smells terribly hot. At the present time the stream smells as sewage effluent smells and yet the department says this is caused by oxidation after various fluids come into the stream.

East of Wundowie we have the set-up of sewage lagoons. Further down the stream the charcoal iron and steel industry is located. Although it has put in extensive lagoons to take the sewage, it is not a proper sewerage scheme, because it has no treatment plant. The system works through septic tanks and, personally, I doubt the efficiency in many instances so far as sewage disposal into the lagoons is concerned when there is no treatment plant.

This can either overflow into the stream or be released through pipes from dams. Only on Monday I checked the lagoons to see whether there was any overflow. There was no actual overflow, but it could have

been possible for some of the water from the lagoons to flow into the stream through a release cock.

On the banks of the dams I could see the damp mark which was, I suppose 3 feet or 4 feet high. I would say this did not occur from the natural lifting of the water up the banks, because I doubt whether it would show that high on the banks. If some water from the lagoons had been released from the overflow pipes at the side of the dams, this could possibly have been the cause and created the effluent smell in the brook. Once charcoal effluent, tar effluent, and acid effluent, combined with decayed red vegetation, mixes with what is in the brook it can be converted, on oxidation, back to what is apparently either sewage effluent or something similar to it.

It is also possible that effluent from the ablation blocks and from the boarding house at Wundowie, which is run by the works to accommodate and provide meals for single men, could be discharging some effluent into the stream from the septic systems, because these are not connected to the lagoons.

These are the kinds of things that can happen. I have given this illustration, not because it is a personal case or a case concerning my neighbours, but because it is relevant to this legislation. The public generally should have the right to feel that investigation of pollution of water supplies can be carried out under some legislation. At the moment I have many thousands of dollars tied up in bloodstock on my property. These animals have to drink the water from the stream, unless I go to the great expense of reticulating to provide my own supply.

If we intend to introduce legislation of this nature, let us make provision for protection of individuals and of the public so far as public streams are concerned. The stream I have mentioned finally makes its way from Noble Falls to the Gidgieganup Road, which is a popular picnic spot. I cannot see that any protection will be afforded under this measure.

It will purely set up a department and a council which will make a report to the Minister. How far that report will go when it is referred to another Government department, I do not know. I would rather see an authority set up, not a Government department. I think this matter should be controlled by an authority, free from Government departments and responsible to Parliament alone for its actions on pollution.

The Crown can be responsible for pollution through any of its instrumentalities. Perhaps it makes arrangements with private companies in respect of pollution of water supplies and other matters. The situation under this measure will mean that the matter will go from one Government department to another. It will be an appeal from Caesar to Caesar.

This is why I do not like the legislation, although I am prepared to support it in the hope that the Government will have a very close look at the matter and introduce amending legislation next session, or some other legislation which will give protection to the people. There should be an authority to which individuals and bodies could make their complaints in writing setting out all the circumstances, in the knowledge that an investigation would be undertaken. There should be an independent Government body with power to say that something shall be done. It should not be referred to the Minister for a report to be made to another Government department which will probably say, as has happened before, that this is not its fault but the fault of, say, the Public Works Department, or the Department of Industrial Development. In this way the whole matter is only banded about.

The Hon. G. C. MacKinnon: You know better than that. You know that is not true.

The Hon. N. E. BAXTER: I do not know better than that. I must only go on what I have seen.

The Hon. G. C. MacKinnon: As a matter of fact you know full well it would be the responsibility of local government if we had been prepared to leave it at that. However, we were not prepared and we moved into it.

The Hon. N. E. BAXTER: I disagree. Disposal of sewage effluent is not the responsibility of local government. Admittedly local government raised the loan to put in the sewage lagoons in the first place to take the effluent from the town, but the responsibility is with the Public Works Department. The local authority only raised the loan on behalf of the Public Works Department to provide capital. This is the usual procedure and I think the Minister knows that. Why pass the buck to the local authority?

The Hon. G. C. MacKinnon: We did not pass the buck but moved in and did something about it.

The Hon. N. E. BAXTER: The Government moved in and put in another lagoon, but is this the solution? Since that time have representatives from the Public Health Department or the Public Works Department, who had satisfied themselves that, in their opinion, oxidation in the brook was causing the trouble, been back to investigate further? This has not happened to my knowledge and I have certainly received no advice of it.

Let us make provision in legislation so that individuals or bodies can go to some authority and know their requests will be dealt with fairly. They should not be at the will of Government department after Government department. As I have said, this is why I do not like the legislation. I

have also said that I will support it with reservations. I certainly hope the Government will see fit to bring in legislation of some type that will protect individuals and the public generally from happenings similar to those I have outlined.

I could go on to mention other matters of pollution, but I do not wish to do so. I think I have made out a case in regard to this Bill, and I feel justified in doing so. If the Minister is not satisfied I would suggest that he alter the long title of the Bill. He should take out the word "protection" because the measure affords no protection to individuals. The long title does not fit the Bill. I am prepared to support the legislation because it is a start, and I hope more will be done in this direction.

**THE HON. C. R. ABBEY** (West) [7.46 p.m.]: I take this opportunity to congratulate the Minister for Health on his appointment as the Minister in control of the legislation after it is passed. We all know his great record in the Public Health Department and the Department of Fisheries and Fauna. Those departments have been involved in the protection of the environment, the protection of our flora and fauna, and the protection of our fisheries. I believe the Minister has done a tremendous job and I would like to take this opportunity to congratulate him on his record to date. I know he will apply his ability to the legislation before us at present.

I am most surprised at the criticism offered by Mr. Baxter. He virtually said that he does not give the Government credit for honesty of purpose.

The Hon. N. E. Baxter: I do not think I used terms as strong as that.

The Hon. A. F. Griffith: Not quite as strong.

The Hon. C. R. ABBEY: I think that was really the inference that could be drawn: that the Government had no honesty of purpose. I do not think that is at all a correct interpretation. The Government brought down this Bill with every intention of making it work. Is not that what everybody wants? The people of Western Australia have been most vocal, and quite rightly so, on matters concerning the protection of the environment. In the area of Safety Bay-Rockingham in my province there is a strong organisation which is intensely interested in furthering the aims of this Bill. Other speakers this afternoon and this evening said that they do not think the Bill has many teeth. We have some very good Acts which have teeth.

The Hon. F. J. S. Wise: The Dentists Act.

The Hon. C. R. ABBEY: Yes, that is one Act; but it is not quite appropriate to this Bill.



The Hon. G. C. MacKinnon: It deals with conservation, though.

The PRESIDENT: Order, please.

The Hon. C. R. ABBEY: Of course, the purpose of conservation is not only to preserve what we have, but also to improve it. Many farmers are members of this Parliament, and particularly of this House, and in their own right they are conservationists. They prefer to see the environment left in its natural state as much as possible. Perforce they clear the land and produce crops and graze stock on their properties; but that is required in order to feed the population of our State and of the rest of the world. I admit that there are those who have no regard at all—in their foolishness—for the protection of the environment of our State. They are the people who have to be dealt with under legislation such as this.

Some people complain that the Bill has no teeth but they ignore the fact that clause 23(1) states—

A Minister of the Crown under whose administration any of the following matters are being done, namely—

- (a) planning stages are being prepared for a construction or developmental project the nature of which requires the protection of the physical environment in relation thereto, to be considered;

Further paragraphs then follow dealing with industrial projects, applications for mining tenements, and requests to reserve land under the Land Act. Then the clause goes on to state—

shall, as soon as practicable, refer the matter to the Minister for his consideration and advice.

Surely that is a most important provision. Surely no Government department, or no responsible Minister of this Government or any future Government, will ignore that provision and, more particularly, ignore the opinion of the people of this State.

The Hon. N. E. Baxter: Read subclause (2) of that clause and see what it has to say.

The Hon. C. R. ABBEY: The people of this State are rightly demanding further protection for their heritage. While the people of the State demand and require that to be done, any Government which ignored that request could not expect to go on governing for long, and everybody is well aware of that situation.

No doubt this morning the Minister for Health looked out and saw what some people referred to as smog, but it was really a smoke haze. The Minister probably had a few worries. I can assure him that as I travelled to the city earlier in the week through the forest along the Brookton Highway I noticed a great deal

of protective burning being carried out, and the fog this morning was the result of that burning.

The Hon. G. C. MacKinnon: I knew what caused it, but I was a little worried about people complaining that it was caused by chimney stacks.

The Hon. C. R. ABBEY: I agree that many people would believe that until they were informed otherwise.

The Hon. F. J. S. Wise: Someone did a very good job by chasing it away before sundown.

The Hon. G. C. MacKinnon: That was not the department!

The Hon. C. R. ABBEY: In a discussion of this nature I think it is fair to say that this Government has proved its integrity. It is not a Government which brings in measures tongue in cheek intending that once they are on the Statute book they will be ignored. Integrity is something that plays an important part in our lives and I am as certain as I am standing here that we have a Government which has integrity and does not take that sort of action.

As I said previously, it is obvious to me that no Minister, no matter what responsibility he may have and how desperately he wants to bring a project to a successful conclusion, will ignore this legislation and the feelings of the people of this State and ride roughshod over what is a most important measure.

I hope that within a few years we will achieve a situation in which we can take advantage of our vast mineral resources and the benefits to the State which will flow from them, and that future Governments will be able to institute out of Government funds all necessary protection measures, whilst still requiring industries and individuals to contribute their share. This State can look forward to a prosperous future. It has one now, and I am certain that as a result of the prosperity of this State the protection of the environment will be given more than its fair share of attention.

I do not think I will do a great deal of good by repeating all the things that have been said so far in the debate on the Bill both in this House and another place. Perhaps I could come closer to home and mention the Warnbro Sound area. A great deal of concern has been expressed by residents of the district in relation to the proposed mining of the lime sands. It has been said that the mining could be detrimental to the environment of the sound. However, we all know that Government action has precluded any possibility of such mining.

The people in the area have proposed that a sort of national park which takes into account the environment of the sea would be a good thing for Warnbro Sound.

I hope the people who are interested in this matter—and there are many of them in the area—will finally put up a worthwhile plan to the Minister. I am sure that when and if that is done the Minister, with his great interest in fisheries and the environment of the sea, will take action along those lines to help preserve that wonderful asset.

Of course, just north of Warnbro Sound a large industrial complex is to be established. A great port is planned and it will have an effect on the area. That is inevitable, but I believe the effect will not be as detrimental as some people fear.

On the south side of Point Peron we have a different type of environment in which it will be possible for the people employed in the industrial development in Cockburn Sound to enjoy the fruits of an unspoiled area. Those people will undoubtedly live in the southern area of the Rockingham shire rather than in the industrialised section, and if Warnbro Sound is reserved as an area which can be enjoyed not only by the people of the district but also those from other parts of the State, I feel we will achieve a balanced development.

The Hon. F. R. H. Lavery: Would you be happy about having a sewage treatment plant established at Point Peron rather than inland?

The Hon. C. R. ABBEY: This raises an interesting situation. If it is impossible—and I have been informed it is virtually impossible—satisfactorily to install a sewage treatment plant further inland, then I believe it is all right for it to be established at Point Peron. The members representing the area have been concerned about this matter and have made all the investigations possible to ensure that the proposed plant will not have any ill-effects.

Probably some of the plants used in past years have not been terribly effective, but I am certain that any plant installed in this vicinity for the treatment of sewage in the future will be the very best available. Modern plants are available from which the discharge is practically pure. This sort of information is available and I am certain there will be no ill-effects from the discharge of any future plant in that area. This sort of service has to be provided. The only point to be debated is whether the discharge will have any effect, and in this case I am sure it will not.

Mr. Dolan raised a point which I think is quite pertinent. He said that a great many chemicals had been used in agriculture in the past. I would point out that most farmers are now aware that the overuse of chemicals can be detrimental to the pastures and crops they are attempting to save.

There is no doubt that with spraying we quite often kill the beneficial bacteria or wogs, if I might use that expression, while

endeavouring to destroy those which are harmful. When the balance of nature is destroyed in this manner all types of harmful bacteria and insects come into being.

We must get back as closely as possible to a natural type of agriculture. I believe this very sincerely and I practise it myself. When we seek to protect our sheep from blowfly strike, and so on, it is not possible, of course, to avoid the use of chemicals. But these chemicals are very mild in their action; they do not upset the balance of nature. No great danger would result from their use.

I agree entirely that indiscriminate spraying will only promote further pests and insects and eventually it will be necessary for a great deal of research to be carried out to avoid this sort of thing happening. I am sure the Minister who is to be in charge of the legislation will be aware of this possibility and will appreciate that in future it might be necessary to direct research to overcome the problems with which we might be faced.

I see a very interesting future for the Minister who might have to tackle this problem. He will no doubt be inundated with advice from organisations and individuals and he will have to separate the wheat from the chaff. I wish him well with his work.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [8.02 p.m.]: Quite often we have some very strange opinions expressed in relation to pollution and conservation. The most astonishing of these which I have come across recently were contained in an issue of a magazine put out by the Institute of Public Affairs in which an executive of the American Du Pont company blamed the scientists and technologists for causing the spread of pollution around the world. It was his opinion that the world had become polluted as a result of the discoveries made by such scientists and technologists.

I cannot possibly subscribe to that opinion, but it is an example of the rather irrational thinking that can take place on this subject. I find the Bill before us follows very closely the opinions of two highly learned and responsible gentlemen of our community. I refer to Professor Main of the University and Dr. Ride of the Museum. Their views were published in a booklet called *Australian Frontier*, under the heading of "Design for a Better Environment."

These two eminent gentlemen examined two possible methods of setting up a department; one was to give the department overall authority, with all matters having to be referred to it; and to which departmental officers and Government departments would have to defer. The alternative was an authority such as that provided for in the Bill.

Because of the standing of the two gentlemen I have mentioned I feel we must regard their opinions as a genuine effort to control the problems of pollution and conservation with which we are confronted. Their opinions must be highly regarded indeed.

The Hon. G. C. MacKinnon: They would probably be the most valuable opinions in this field in Western Australia. In the case of one, he would probably be among the three top opinions in the whole of Australia on this matter.

The Hon. R. F. CLAUGHTON: I endorse those comments. In his second reading speech the Minister referred to the alternative, as he saw it, of an authority which would override other Ministers and to which all matters in relation to conservation and pollution would have to be referred. He suggested there would be consequential delays because of the system that would be adopted.

I am not sure I can altogether agree with this view. We all know that organisations of a similar type have been set up elsewhere. For example, we have a body now which deals with air pollution. When matters are referred to it, an examination of the problem is undertaken and a recommendation is then made.

I cannot see why the body proposed in this Bill should be any different, and why there should be any necessity for more delay than we have in the present situation.

While we must regard the present proposal as a genuine effort to deal with the situation that confronts us, I think it is only one of a number of solutions. It may be the best solution in this situation and it may not. I think perhaps the criticism levelled by Mr. Baxter would have a great deal of substance.

It is possible that in the organisation of this new authority what the honourable member has forecast might indeed eventuate. For instance we might have the situation of applications being made for mining tenements. The Minister for Mines, in his anxiety to expedite such applications, might grant his approval and then decide subsequently to refer such matters to the new authority which, of course, will require time to study the proposals. In the meantime, however, the project becomes a reality with the attendant consequences.

This could quite easily happen within the organisation contemplated by this Bill. That is the substance of all I wish to say. Because of the source of the proposals it contains we must say that this is a very serious attempt to deal with the problem, but it is only one method which may be adopted. It is possible that later a different solution may have to be found to overcome the problems that might exist.

**THE HON. CLIVE GRIFFITHS** (South-East Metropolitan) [8.10 p.m.]: I only wish to indicate my support for this Bill. Some people have expressed the opinion that it is a pretty innocuous measure; that it has no teeth. I do not believe this to be the position at all. In fact, it is my belief that the body to be set up by the Bill will make recommendations after giving serious and careful consideration to all the facts that have been placed before it.

I do not believe that any Minister or any Government would not take heed of the recommendations put forward from time to time by a council such as that provided for in the Bill. Because of the great interest that is being taken by the general community in matters of environment these days—and which, in fact, necessitated the introduction of this Bill—the Government has seen fit to take steps to combat environmental pollution.

The Government ought to be congratulated for introducing a Bill such as this. While it is only a beginning, I have no doubt that in future it will be necessary to amend the legislation in the light of experience. The fact that a start has been made is, I feel, worthy of our support and congratulations.

There are one or two clauses in the Bill which I feel will need reconsideration in the very near future, but I do not propose to pursue that aspect at the moment. I merely wish to indicate that, so far as I am concerned, the measure sets us off along the right track. It will, I feel sure, do much to help prevent pollution and conserve our natural environment. It is very necessary that this should be done before things get out of hand.

I wish the Minister well in his endeavours to get his council formed and to get things under way.

**THE HON. F. D. WILLMOTT** (South-West) [8.13 p.m.]: In considering this Bill I daresay we all appreciate that no matter what type of legislation is introduced there is bound to be somebody who will express dissatisfaction at its provisions; because there are so many varying ideas as to what should be done to protect our environment and to prevent pollution.

Mr. Dolan made mention of the destruction of some of our jarrah forests, which areas were being used for mining purposes. I agree with what the honourable member said. It is very unlikely that another jarrah tree of any commercial use will ever be grown on the land in question. But it is far too early to assert definitely that no timber of any commercial value will be grown on such land.

The Hon. J. Dolan: I did not say that.

**The Hon. F. D. WILLMOTT:** I am aware of that, but quite a number of people make this assertion, and I think it is too early for such statements to be made, because it would take years to prove whether or

not commercial timber can be grown on the land in question. When I say "commercial timber" I do not necessarily mean timber for sawmilling purposes—there are other types of commercial timber. I feel that, in time, commercial timber will be grown on the land to which I have referred.

I know that some people believe that a department should be established under a Minister with complete control and overriding authority over all other departments. This is the belief of many people who have spoken to me; but I think most members in this Chamber realise that this would be quite an impracticable approach. It just could not work.

Conservation means so many different things to various people and they do not realise there is another side to the story. It is a matter of establishing a sane balance between one industry and another or between one form of conservation and another. Some people quite mistakenly, although quite genuinely, believe that no more kangaroos, rabbits, or emus should ever be destroyed. Those same people do not realise, of course, that kangaroos, rabbits and emus can themselves be the greatest polluters if they are allowed to breed unchecked. Nothing will pollute water and, for that matter, land quicker than an overpopulation of a particular animal. Therefore, I believe that the success of any conservation scheme depends on a careful balance being struck; and such a balance will be achieved under this legislation.

Some people say that this Bill does not have enough teeth in it. I do not agree with that. I believe, with others, that this is a very good start. The Minister, the director, and the board will have a difficult task in front of them, but I have no doubt they will tackle it in a sane way and will advance slowly. If they try to rush matters they will run headlong into a collision.

As I said a moment ago, people have their own ideas concerning what should be done. Mr. Baxter referred to the protection of water supplies. If water supplies were to be completely protected, there would be the greatest scream ever from many of the agriculturalists in this State because of the powers that would have to be given to take action in regard to their own water supplies. Such powers would be necessary if we were to protect water supplies completely. That is only one instance, but the same situation applies to anything.

If we are to get anywhere in this matter of conservation, we must, as I said earlier, strike a sane balance and I do not think this will be achieved by a prohibition of this or a prohibition of that. For instance, no-one in his right senses would suggest no more mining should be carried out. People tend to remain a little in the past. I have in my own electorate some of the worst scarred areas in the State. I am

referring, of course, to the tin mining area of Greenbushes. It has been left in a bad way. However, if we study the mineral sands areas being mined right alongside the main road at Capel, we will see that trees and grasses have been established on the land which has been mined. Certainly the land which is still being worked is scarred, and this will always be so. However, if a genuine attempt is made to do something about the scar after work has ceased, a lot can be done. The area will not be returned to the same state it was before mining commenced, but it is possible to beautify the scar and make use of the land.

For my part I believe this is very good legislation and I wish the Minister and the board which is to be established well. I believe that sanity will prevail and great progress will be made under this legislation, despite all the criticism.

**THE HON. R. THOMPSON** (South Metropolitan) [8.20 p.m.]: At the outset I want to make it perfectly clear that I oppose this legislation because I consider it will place a great burden on the people of Western Australia, and that it will be ineffectual. Nothing constructive will be done with regard to our environment.

If members will cast their minds back they will know that this Bill was introduced as a result of pressure following a march on Parliament House by people who were very conversant with conservation matters.

The Hon. V. J. Ferry: There was a march today I believe.

The Hon. R. THOMPSON: At that time a promise was made that legislation would be introduced during this session of Parliament to control pollution and protect our environment.

The Hon. C. R. Abbey: That promise was given long before that march.

The Hon. R. THOMPSON: But what do we find? We find that this Bill has not met with the approval of any person who has some professional knowledge of conservation. Letters to the Press have revealed that these people are sadly disappointed.

The Hon. G. C. MacKinnon: Mr. Cloughton has told you that it met with the approval of Dr. Ride and Professor Main, and they are well worth listening to.

The Hon. R. THOMPSON: I am talking about the people in Western Australia who are conversant with conservation matters and who formed themselves into a committee because they felt so strongly about the way things were going in Western Australia. Possibly they had reason to do this. If we consider the Air Pollution Control Council which has been established in Western Australia we must realise that it

has achieved nothing. People like Mr. Clive Griffiths and other members of this Chamber have continually had to raise the subject of dust pollution in our atmosphere until the stage was reached where something had to be done and pressures were brought to bear on the Government. We have an Air Pollution Control Council and a committee. The committee and the council meet, but the head of the department (Dr. Macey) I understand is not allowed to attend the council meetings, but he is the professional man.

The Hon. G. C. MacKinnon: Of course, he would not. He is on the advisory committee.

The Hon. R. THOMPSON: Yes, but when he submits his recommendations, he is not heard before the council. He cannot state his case.

The Hon. G. C. MacKinnon: What nonsense.

The Hon. R. THOMPSON: He cannot state his case or his recommendations and that is where they start and stop. Do not tell me that that council has achieved anything constructive. Members have only to attend a football match at Lathlain Park on any Saturday afternoon during the football season to witness the stench and pollution emanating from the works at Carlisle. Nothing has been done—I would not say nothing has been done—

The Hon. G. C. MacKinnon: That is nice of you.

The Hon. R. THOMPSON: —but nothing has been achieved—

The Hon. G. C. MacKinnon: Oh what rot!

The Hon. R. THOMPSON: —to stop the smoke which emanates from those works and eventually lies at the foot of the escarpment. Everyone who has attended a football match at Lathlain Park knows that what I am saying is completely true.

The Hon. V. J. Ferry: They would have seen a good team in action.

The Hon. R. THOMPSON: The honourable member would say something silly like that but I do not take any notice of him. This legislation will involve hundreds of thousands of dollars. We want legislation but we want it to be effective so that the department will have a guideline instead of a red herring which is all this legislation is. It is a red herring which has been dragged across the trail. If it was anything but a red herring it would contain something constructive—some meat—so that all people, from whatever walk of life, would know that they would be subject to some control.

Sir Henry Bolte has in Victoria introduced legislation containing severe penalties. Our Bill contains only two penal-

ties. One of these is in clause 26 which provides a penalty of \$500 if anyone tells tales outside the committee. The other refers to anyone who obstructs the entry of an inspector or any other person onto premises, and for such an obstruction a fine of \$200 is provided. They are the only two penalties provided in our Bill. If this Bill were worth while surely it would contain in black and white provisions concerning what will be done and what will not be done.

The Hon. F. D. Willmott: How are you going to do that?

The Hon. R. THOMPSON: We have people of standing in Western Australia. We do not have to look overseas.

The Hon. F. D. Willmott: You would have a Bill you would never read in a month.

The Hon. R. THOMPSON: The honourable member might not read it, but I certainly would.

The Hon. G. C. MacKinnon: It would never be workable.

The Hon. R. THOMPSON: Penalties are prescribed in legislation in other States, but in our legislation only two penalties are prescribed, one being for obstruction and the other to be imposed on someone who has been a member of the council and who divulges anything outside the council room.

In years to come this will probably be the most important council this Parliament will have established, yet the Minister has no overriding authority. Would anyone suggest to me that the Minister for Local Government and the Minister for Town Planning, or the Metropolitan Region Planning Authority, would permit decisions they made to be upset by some other Minister? I guarantee the Minister for Local Government would not allow another Minister to upset a decision of the Metropolitan Region Planning Authority. But, what do we find under this Bill? The Minister who will be in charge of the department—and he has my sympathy—

The Hon. F. D. Willmott: He has your sympathy, but not your support.

The Hon. R. THOMPSON:—should be armed with something constructive. It is reasonable to suggest that all the Minister will have to do is buy another pigeon-hole in which to place half the matters which will come before him. If he does not wish to refer something to the council, it does not go to the council. When the council makes a decision, what will happen to it? It will go back to the Minister, and there it will stay. There is no follow-on action to be taken.

The Hon. V. J. Ferry: Why don't you give it a chance to work?

The Hon. R. THOMPSON: I want something a little better than this legislation because it will involve a large sum of money. I do not mind how much is involved provided it achieves something.

The Hon. V. J. Ferry: You want more penalties.

The Hon. R. THOMPSON: Not more penalties, but more directions as to what will be done. Also I do not want the Minister in charge to be overridden by his other 11 colleagues if they so desire.

The Hon. F. D. Willmott: You want to give him overriding powers?

The Hon. R. THOMPSON: Most definitely. The Metropolitan Region Planning Authority has overriding powers as has the Minister for Local Government.

The Hon. F. D. Willmott: That is very different—overriding powers—from what you want in this legislation.

The Hon. R. THOMPSON: The honourable member might think so.

The Hon. F. D. Willmott: It very definitely is.

The Hon. R. THOMPSON: The honourable member should study the Act covering the Metropolitan Region Planning Authority, and then study this legislation, which is nothing. It is merely a waste of words. It will probably be called a conservation Act when, in actual fact, it will be a conversation Act because that is all I can see will occur—talk!

There will be talk and more talk without the Minister being able to issue any directive that certain things shall be done. The Minister cannot issue, except through his own department, anything of a positive nature to say that something shall be done. He has to send a report to the Premier but he cannot direct the Minister for Lands, the Minister for Works, or any other Minister to do certain things. A report affecting the department of any Minister must be referred to that Minister, but the Minister in charge of this legislation cannot demand that anything of a positive nature be done.

So we find we have legislation that will cost the taxpayers quite a large sum of money and, as it is written at the moment, the taxpayers are not going to get any benefit whatever from it.

The Hon. G. C. MacKinnon: In your opinion.

The Hon. R. THOMPSON: Neither the Minister nor anybody else has explained as yet what action the council proposed to be set up under this legislation can take. Members have got up and supported the Government; but let us hear somebody tell us, by way of interjection, what action the council can take.

The Hon. G. C. MacKinnon: More things are accomplished in this world by influence than by dictation.

The Hon. R. THOMPSON: That may be so. The Minister used the word, not me; but there are many matters that should be influenced and controlled by the council that will not be able to be controlled under this legislation.

If the council were armed with the necessary powers to direct that certain things shall be done, in the same way as Sir Henry Bolte did in Victoria only last week, those people who are so vocal in their criticism of the measure at the present time would have more faith in it.

The Hon. G. C. MacKinnon: It is a completely different set of circumstances.

The Hon. R. THOMPSON: I do not want to be critical. I want sound, common-sense legislation in which the people can have some faith. In all probability this Bill will walk through the House because it appears to me that very few members have given sufficient thought to the amount of money it will cost to set up the department and the council. A department will have to be established and the Minister, if he wishes, will be able to enter into contractual arrangements. Under clause 10 of the Bill staff are to be appointed and if those people do a good job it will cost the taxpayers many thousands of dollars each year. But their recommendations, however good they may be, will finish up in a pig-eon-hole.

I believe that the job of environmental protection should be tackled by the introduction of a Bill of substance. I make the suggestion that the council to be set up under this legislation should have much the same powers as the Metropolitan Region Planning Authority; and, as members know, I have not admired that body all my life!

The Hon. W. F. Willesee: You are fairly conservative in your praise!

The Hon. R. THOMPSON: It would be impossible for 12 people to know of all the problems of the State. Even the departmental officers will not be able to examine everything in this vast State of ours in the way that certain matters need to be examined. As a result, I suggest that committees should be established in each local authority district throughout Western Australia. These committees should be independent of the shire councils but, if the councils want to be represented on those committees, that could be arranged. By this means the council to be established under this Bill would be able to learn of all the problems as they affect different shires. Admittedly, we would probably have a few cranks appointed to these committees. I go along with Mr. Willmott as regards some of the things he said about crank conservationists.

The Hon. F. J. S. Wise: You think he is a judge of cranks?

The Hon. R. THOMPSON: There would be a few cranks who would be appointed to these committees, and those people would want everything their own way. However, by the same token, out of the recommendations of those committees we would be getting fairly balanced opinions—opinions submitted by the saner types—about what should be done in the different areas throughout the State. That information could be channelled direct to council.

I do not go along with the idea that the recommendations should go to the Minister and, if the Minister so desires, he can forward those recommendations to the council. I think that is wrong. If we are to appoint a council let it deal with the complaints. Why should the Minister deal with complaints? Why should the Minister have the arbitrary right to say, "This will go to the council but this will not go to the council"?

The chairman of the council will be the director and, if we are to have a man of some standing—the best man for the job—it will cost us a great deal of money. Therefore, let him be responsible, and not the Minister, for deciding whether or not a certain matter should be submitted to the council for its consideration.

Now let us have a look at what the council can do when it is set up. Clause 21 of the Bill states—

- (1) Subject to this Act, and as directed by the Minister, the functions of the Council are—

That is the crux of the Bill. The clause then goes on to state—

- (a) to advise on all activities for the protection of the physical environment;
- (b) to advise on measures taken or to be taken to prevent or reduce environmental pollution and to control the disposal of liquid, solid or gaseous wastes;
- (c) in collaboration with the appropriate departments and instrumentalities of the State, to advise on schemes for the prevention, abatement and control of air, water, and land pollution and noise;
- (d) in collaboration with the appropriate departments and instrumentalities of the State to conduct or arrange studies, investigation and research relating to the causes, effects, prevention, abatement and control of air, water and land pollution and noise and to determine the extent of environmental pollution by means of field studies, scientific investigations and inquiries;

- (e) to co-operate with and seek the advice of, the appropriate authorities of the Commonwealth or any other State of the Commonwealth with respect to any matters associated with the carrying out of its functions;
- (f) to examine and report to the Minister upon any matter relevant to its functions;
- (g) to advise the Minister upon any matter arising under this Act that is referred by him to it;
- (h) to do all things necessary to be done for the effectual performance of its functions.

I think that is a classic—"to do all things necessary to be done for the effectual performance of its functions." None of the functions are laid down. Certainly nothing is laid down which will give the council control or permit it to do anything positive. It is an advisory body only.

The Hon. F. D. Willmott: Don't you think advice is necessary?

The Hon. R. THOMPSON: The council will be an advisory body but it will be composed of technical officers. What happens to all the advice after it is given?

The Hon. G. C. MacKinnon: You would not like them to become a legislative body. You would take exception to that, but that is what you are advocating.

The Hon. N. E. Baxter: It would be stuck in the too-hard basket.

The Hon. R. THOMPSON: As I have said, it will be necessary to build another couple of racks of pigeon-holes; because all the advice will be put in a pigeon-hole unless we put some teeth into the legislation. But that will not be done because Government members stand up and say that the Government is doing a good job; we should congratulate the Government. They do not read enough of the legislation of other States to see what is being done in other parts of the country.

The Hon. C. R. Abbey: We do not read wrong things into the legislation.

The Hon. R. THOMPSON: We do not want an advisory panel, but that is all this Bill provides for. The council will not be able to stop anything being done. If Ministers are not co-operative—and some of them are not—

The Hon. G. C. MacKinnon: They all are.

The Hon. R. THOMPSON: No they are not. Some are not co-operative; we know that only too well. Private enterprise calls the tune in some cases; and private enterprise will still call the tune if this legislation is passed in its present form, irrespective of whether or not the environment is being damaged. After the advisory body makes a decision that decision is

sent back to the Minister. I am sympathising with him because when he gets the report he will forward it to the Minister who is in control of the department concerned, and into the pigeon-hole it will go.

The Hon. G. C. MacKinnon: No.

The Hon. R. THOMPSON: Where does it say that any action has to be taken by any department?

The Hon. G. C. MacKinnon: There is a Cabinet, you know.

The Hon. R. THOMPSON: Where in the Bill does it say any action will be taken or any penalty will be invoked if action is not taken?

The Hon. V. J. Ferry: Where in the Bill does it say anything about pigeon-holes?

The Hon. G. C. MacKinnon: Mr. Ron Thompson ought to listen to what Mr. Ferry just said. The Bill does not say anything about pigeon-holes, either.

The Hon. R. THOMPSON: It does not say anything about lots of things. It is like a tattered old net—it will not catch anything. This legislation is a waste of time because of the way it is framed. I oppose it.

**THE HON. N. McNEILL** (Lower West) [8.42 p.m.]: Let me make this observation first: If Mr. Ron Thompson is so keen to have the council, as it is classified in the Bill, clothed with all the power necessary to do the things which he believes it should do, I take this opportunity to disagree just as violently as one can for the reason that I would not be prepared to give my support, particularly in regard to comprehensive legislation of this type or, in fact, any legislation—

The Hon. R. Thompson: You think this is comprehensive?

The Hon. N. McNEILL: I would not give my support to any such proposition relating to any legislation if it will take away from the institution of Parliament the right to govern people. But that is exactly what the honourable member is suggesting he would like to see done by this Bill. He would like to see that authority given to a council and for it to have such power of dictation—to use the Minister's word—that it could take over all the functions of Parliament; and I am sure Mr. Ron Thompson would be one of the first to argue that those functions should be retained by the people assembled in this Parliament as the Parliament.

The Hon. G. C. MacKinnon: You are right about its being comprehensive, too.

The Hon. N. McNEILL: We have heard year after year, and session after session in this place, complaints from people about the operations of statutory authorities, the

inefficiency of those authorities, and so on. Yet the honourable member is asking for the council which is to be set up under this Bill to be given full authority. Can anyone imagine the sort of burden that would be placed on people, in every facet of life in this country, if we were to give the council the powers which the honourable member has suggested?

The Hon. R. Thompson: If you want to preserve the environment you have to do that.

The Hon. N. McNEILL: We have to preserve the environment but to the satisfaction of the people.

The Hon. R. Thompson: It should not be despoiled by a few.

The Hon. N. McNEILL: I suggest there are ample opportunities for the operation of legislation to prevent the despoliation by a few, as the honourable member puts it; but the fact is that it is not necessarily only a few who are involved, because this becomes a community exercise. Everybody must co-operate; and if certain people do not give that necessary co-operation action can be taken accordingly. Provisions to cover that aspect are continued in the measure.

I come back to the point that too little is said of the fact that all this is being done for the benefit and satisfaction of people. How can we provide for the needs of people if we do absolutely nothing—if we do not quarry in a clay pit to make bricks or do not cut down a tree in order to build a house; or if we do not do any of the ten-thousand-and-one other things, the sorts of things Mr. Stubbs commented on the other night? Surely we need these.

After all, we are only endeavouring to preserve, conserve, and protect the physical environment in order that people will get full satisfaction from it, and at the same time we are endeavouring to take whatever steps may be necessary to improve that environment—I repeat, for the satisfaction of people. Being for people, it must be governed by people; and being governed by people, it shall be governed by those who are elected to govern, not by some body or group that is appointed and granted powers to inflict all sorts of penalties.

The Hon. R. F. Cloughton: What about the mining agreements? We gave away parliamentary powers for those.

The Hon. N. McNEILL: I did not fully catch Mr. Cloughton's interjection.

Let me return to the debate on the Bill itself. Clause 6 of the measure provides that where there is inconsistency between the provisions of any Act and the provisions of this Bill, when it becomes an Act, the provisions of this Bill shall prevail. Can anyone say that this Bill, in itself, will be lacking in effectiveness? Mr. Ron Thompson used the argument that there



are no provisions in this Bill which will prevail against the provisions of any other Act or anything arising from any other Act, whether it be in relation to metropolitan town planning or anything else.

In the same vein, I refer to clause 23, which states—

(1) A Minister of the Crown under whose administration any of the following matters are being done, namely—

Those matters have been previously referred to during the debate and I will not pursue them at length, other than to make the observation that surely it must be appreciated that it may not always be the most effective way for an authority or a Minister to operate, to have complete power or overall authority over the operations of all other departments and Ministers, which implies that those Ministers and departments have no responsibility whatever in relation to the protection, conservation, or preservation of the environment. The very important provision which is contained in clause 23 states that this shall be a shared responsibility and that there shall be a statutory obligation upon those Ministers and departments to notify the Minister of all relevant matters. That is an important provision which must surely be effective.

When Parliament ultimately has the opportunity to examine the annual report and to question or attack the Minister in the House, can anyone imagine that any Minister in charge of a department would be so careless as to fail to observe the statutory requirement contained in clause 23? If a Minister were so careless, he would deserve the retribution that would fall upon him.

I pass to clause 24, which relates to the tabling in Parliament of the annual report. We very jealously guard the right of Parliament—which is used not infrequently—to examine and make observations on those matters and papers which are tabled in this House. If all else fails, this Parliament still has the opportunity to make its observations and criticisms, and to take action, if necessary, if affairs are not being dealt with adequately and satisfactorily.

I also refer to clause 25 because, while Mr. Ron Thompson referred to the very good and effective actions in recent times of Mr. Clive Griffiths in relation to certain air pollutants, the fact is that Mr. Clive Griffiths had the opportunity to take those actions through Parliament. Mr. Ron Thompson claims that that illustrates one of the weaknesses in this legislation. It must be appreciated that the very fact that we now have this Bill—which we hope will become a Statute—will take away the necessity for the very things Mr. Ron Thompson has instanced in the case of Mr. Clive Griffiths.

The Hon. G. C. MacKinnon: I think Mr. Clive Griffiths was fairly satisfied with the action that was taken.

The Hon. N. McNEILL: That may be true, but that sort of action may be obviated by the existence of this piece of legislation. Once again, if this provision does not give satisfaction to all the interested people who are well versed in matters of conservation, they have the opportunity to report to the Minister. There is a statutory provision enabling them to do so. Can anyone really imagine that if the Minister were to receive reports from people who have a genuine and high regard for the preservation of our environment—particularly when they represent recognised organisations of some strength and force in the community—he would disregard them and pigeon-hole them when he knows full well that he would hear about it at the very next sitting of this House? I think this is another very effective part of this proposed legislation.

While I am speaking of the effective clauses of the Bill, let me refer to clause 27. Mr. Ron Thompson made some references to clause 27, but only in relation to the penalty. I am not concerned about that aspect. I wish to refer to quite a different topic.

Clause 27 relates to the right of entry, which is a hotly-contested subject in this House. In view of the great public opinion that prevails in this State, in this country, and throughout the world, can anyone imagine that this provision will not be an effective way of providing for control of the environment, when there is the added fear—if I might use the word—that, at the drop of a hat, there is likely to be somebody on the doorstep or coming through the gateway of any person, factory, or enterprise that is contributing to pollution? We have a built-in safeguard which will surely be effective.

The view is often expressed that one of the things that exercise control on the behaviour of people and motorists on the road is the presence of the motorcycle patrol. Whether it be on the road or anywhere else, the presence of the police is a deterrent. With the passing of this Bill there will be the implied presence, all the time, of people who can take action. The Bill provides that there shall be no obstruction of those people, and if there is an obstruction a penalty will ensue.

The Hon. N. E. Baxter: Do you think one Government department would be in fear and shaking because an officer from another department might seek entry to some industry which comes under the department?

The Hon. N. McNEILL: I remind Mr. Baxter that there is already a statutory obligation upon any department or any

Minister to notify the Minister appointed under this Bill of any acts which might contribute to the despoliation of the environment. Need any Minister be in fear and trembling that some other Minister's officer might be coming through his gate for the purpose of making an inspection? That is an unreal situation.

The Hon. R. Thompson: You must be indebted to Mr. Baxter tonight; otherwise you would not have anything to speak about.

The Hon. N. McNEILL: I must confess that both Mr. Ron Thompson and Mr. Baxter supply a great deal of material on which other people can speak, but Mr. Ron Thompson fails to note that what I am speaking about is this Bill, and he fails to relate what I am saying to the operation of this proposed legislation. That is the very weakness he showed in his own examination of the Bill.

I wish to make reference to something which is, for me, a little nearer home. The Minister who will assume the duties under this piece of legislation is my colleague in my own province. I extend to him my compliments on his appointment. It is of great significance to me because, although there are opportunities for despoiling the environment in so many ways throughout the whole country, some of the more obvious and most publicised signs of this occur within our province. It gives a certain amount of satisfaction to know that the Minister represents the province in which these things are taking place.

Let us make full acknowledgement of the fact that the Government is taking these steps. Those who are critical of what this Bill does not do, and what the Government has not done, should also acknowledge all the things that have been done. Many things have been done, including action in connection with air pollution and the preservation of some of our wildlife, and action to increase the size of our national parks. As a consequence of the effectiveness of the action that has already been taken, the Government has been prepared to bring in this legislation.

As regards the activities in my own province, and the preservation of wildlife, there is something about which I am concerned, and which I would be pleased to see preserved. It has been the subject of a very effective survey and examination by one of the Minister's officers. I refer to the existence of the wetlands of Western Australia, a large part of which are situated within my own province. The preservation of wildlife and the existence of those wetlands are important, and I express my concern that the department, the Minister, and all the facilities that will be made available under this legislation, should be disposed, amongst other things, towards the preservation of that condition. It is not only important for animals; it is

also important for the people, and it is certainly important for the whole environment.

I also wish to refer to the mining of bauxite, which occurs in my own area.

I have noted what Mr. Dolan said in regard to the regeneration of jarrah and hardwoods in general, and this is very true. Those of us who have farmed in the hardwood forest areas are aware of the difficulties in the regeneration of jarrah and in reclaiming those areas that have been quarried. It is a regeneration that is recognised as not being generally practicable with the jarrah species. Jarrah, of course, is very difficult to regenerate, a fact well recognised by the Forests Department. This is one of the reasons why it has spent so much time and effort on re-afforestation with other species; it is because the regeneration of jarrah under these conditions cannot be regarded as being very favourable. I do not know whether one can refer to this as pollution or not, but let us look at the subject which I mentioned in this House some considerable time ago, and which was observed by certain members of this House during a visit to Waroona two or three years ago. I am referring to the incidence of dieback in the jarrah forests. This is destroying the hardwood forests even more effectively than the bauxite mining operations or any other mineral development and, what is more, it is affecting a far greater area. It could be suggested that dieback could be a pollutant that was introduced from somewhere, but it is existing under completely natural conditions in these jarrah forests, and, to our very great loss, it is destroying a large part of them.

We must recognise that these things are going on in addition to the other factors which are entirely man made, or which have been caused by man. It could be argued that man is the vector or the vehicle for the spread of this disease.

The Hon. S. T. J. Thompson: Has there been any regeneration in these dieback areas?

The Hon. N. McNEILL: Not all were—

The Hon. G. C. MacKinnon: I did not hear the interjection.

The Hon. N. McNEILL: Mr. Syd Thompson asked whether there had been any regeneration in these dieback areas. My answer is that there has been no regeneration of jarrah, because this species of timber is highly susceptible to dieback. Therefore, re-afforestation is being achieved with other species; the same species that have been used to re-afforest and regenerate some of the areas that have been reclaimed following bauxite mining operations. This has been achieved with some success. However, I acknowledge that it may be some years before we are absolutely sure we will meet with full success.

I do not wish to convey the impression that I would in any way favour the complete despoiling of our forests areas, but after all, all this mining development is contributing to the welfare of the people and improved living conditions and it could, of course, be the means of providing a complete livelihood for many people. The word "compromise" has been used. I am not sure that it is a compromise. I think the word used by Mr. Willmott is more appropriate; that is, it is a balance between needs and regeneration and I believe that this balance can be effectively achieved.

On the subject of trees, I always think that people can get terribly preoccupied with the need to preserve as against the need to create for the future. I can well recall an expression I heard used, which apparently was used to a great extent in the United Kingdom. Many members have no doubt seen the large number of small forests in the United Kingdom: the wood, the copse, or whatever else it may be described as. Following observation of these woods or copses, someone made the expression, "He who plants a tree plants for posterity!" I believe that there is a great need for a balance between the need to preserve and the need to take steps to replace and to regenerate things for posterity.

I think that is the reason why the term "conservation" has not been used in discussing this Bill. The reason is that it is not a conservation Bill and the Minister is not the Minister for conservation. The expressions I have just used in relation to what is required for the future come more readily to mind because they are more apt as coming within the term of "protection of the environment." Surely the protection of the environment is not just a question of taking care of what exists today. There is also a great necessity to take all the necessary steps to protect the environment for all time in the future.

This is one of the prime functions and a provision has been inserted in the Bill to implement this. In conclusion, I believe that with the goodwill of all the people who are concerned—and that does include all of us—this legislation can work. The fact that we will have legislation on our Statute book in the future will present to us the opportunity to amend it in the future if necessary. All other Statutes are subject to amendment and no doubt this one will be as the occasion arises. Let me return to the point I was making about the necessity of obtaining the goodwill of all those who are concerned in the physical environment.

There is a great need to educate the people in regard to this subject. That is why, at this stage in our history, it is clear, from the behaviour of the people, even in regard to those who throw their empty

cans out of the car window onto every road they travel, that education is necessary. This would not necessarily be achieved simply by granting punitive powers to some authority, particularly on a matter of such wide application, in order to impose penalties so that people may appreciate what is required of them. Education is the necessary preamble to counter all kinds of adverse behaviour. Without such education and without people being aware of what they are doing and the damage they are inflicting by committing such acts, there is little chance that this legislation will ever be completely effective in a way we would like it to be. I support the Bill.

**THE HON. F. R. H. LAVERY** (South Metropolitan) [9.09 p.m.]: I, too, support the Bill. In so doing I make the observation that this is the twentieth session of Parliament I have attended as a member of the Legislative Council and I should apologise to the House for making this speech in view of the fact that I will be sitting in this House as a member for only another two or three days. However, I will not apologise, because during the last five or six years I have taken an active interest in the conservation of flora and fauna. As members probably know, I have spoken on this matter on more than one occasion.

The Minister for Fisheries and Fauna also knows how I have interested myself in these matters which he has administered in the last few years. The Minister has taken members of Parliament on visits to various places so that they may be acquainted with these matters at first hand. I cannot think of a better way to achieve the objective of this Bill other than doing what Mr. McNeill has just suggested. That is, the members of the public should be educated to appreciate what is required of them. After all, the members of this House are also members of the public and we are expected to act in the role of educators in view of the fact that when we pass legislation of this nature in Parliament we consider it to be for the benefit of the people generally.

The establishment of industry and other undertakings is all part and parcel of the environment. In fact, I am part and parcel of the environment. When I was born in Coolgardie in 1898 I weighed only 3 lb. 10 oz. and the firm of Sandovers in Fremantle made a special incubator or humidicrib in which to keep me alive for six weeks, so I do not think I have done too badly.

The Hon. I. G. Medcalf: That was not the first Coolgardie safe, was it?

The Hon. F. R. H. LAVERY: I came from a town that made Western Australia famous. While the Bill before us is very controversial amongst various individuals, to a certain extent I agree it is a measure

that has been forced on the Government as a result of the promise made by the Premier on the hustings during the last elections, and in view of the pressure that has been put upon him by some people who are sometimes regarded as cranks. Actually, they are not cranks. They are just as zealous in their endeavours to conserve the natural environment, and are just as jealous of our State as any member of this Parliament.

To give support to this contention I intend to quote the names of a group of people who comprise what is known as the Darling Range Conservation Committee. They are Messrs. P. Verstegen, P. Harris, T. Willcox, P. Ravine, and D. Simpson. In view of what has been happening during all this activity to peg mining claims in various parts of the State, this group of people has been sincere in its efforts to preserve the physical environment. Far from being a group of cranks, I would point out that these people were responsible for holding a symposium last year under the auspices of the Nature Conservation Council of Western Australia. The document I have before me is a record of the proceedings of that symposium which I attended myself.

The symposium was attended by about 160 people who were drawn from all walks of life, and they came from not only the metropolitan area but also from the country. I want to quote the remarks of the chairman of that symposium, and also to mention who the speakers were, to prove the point that this group of people who comprise the Darling Range Conservation Committee are those who are prepared to organise a symposium such as that which was held last year.

Because remarks have been made which imply that some people who have been talking about the subject of conservation do not know what they are talking about, I feel I should read out this extract from the papers delivered at the symposium—

For a number of years conservationists have been concerned about the future of the Darling Scarp. It is one of Western Australia's important natural assets and the preservation of its character during the big developments ahead of us in this State is exceedingly important.

At the suggestion of an *ad hoc* Committee working for the establishment of a Darling Range Conservation Authority, the Nature Conservation Council of Western Australia decided to organise a Symposium to investigate the present position of the Scarp and discuss its future.

Speakers were invited from the Authorities most directly involved with the Scarp and people with a special knowledge of some particular aspect of its conservation. The response was excellent and on behalf of my Council

I wish to thank the Speakers listed below for making the Symposium such a success. We also thank Professor Webb for making space available in his Department as a meeting place and for a fine display illustrating the Scarp and its hinterland.

Our organising Secretary Mrs. Gloria Butcher worked tirelessly to make our meeting an effective one and I am sure that all participants will agree that the Symposium was well worth while.

The Chairman of the symposium was Mr. John Oldham, and the speakers who took part included—

Mr. N. R. Hiller—Planning Officer, Country Section, Town Planning Department of Western Australia.

Mr. R. Hillman—Chief Engineer, Metropolitan Water Board of Western Australia.

Mr. M. R. Wallace—Conservator of Forests of Western Australia.

Mr. Basil Balme—Reader in Geology, University of Western Australia.

Mr. Don Reid—Mining Engineer Western Mining Corp. Ltd. (Paper to be forwarded when available).

Mr. C. F. H. Jenkins—Chief Biological Services, Dept. of Agriculture of Western Australia.

Mr. John Oldham—Landscape Architect Public Works Dept. of Western Australia.

Professor M. J. Webb—Head of Geography Department, University of Western Australia.

When a group of half a dozen people in the Darling Range area tried to do something about this question of conservation they were looked upon as cranks. Those who delivered addresses at the symposium included very highly qualified and technical men in this State. In my parliamentary life I have attended many symposiums at the university—in all probability I have attended more of them than other members of Parliament, because I make it my practice to attend whenever possible—but I have not attended one at which so many highly qualified and technical people delivered so many fine papers in the short space of nine hours. I use this as an illustration to indicate the type of people who are concerned with conservation and preservation.

Mr. Rogers, who at the time was the acting Under-Secretary for Mines, also gave an address. In one portion he stated, under the heading of "Notes relating to reserved agricultural or private land and relevant extracts"—

The numbers of applications for mining tenements received by this Department in the last five years are—1965—1,861; 1966—1,882; 1967—4,273; 1968—8,789; 1969—15,000 (approx.)

The tremendous increase in 1968 and 1969 means an inevitable delay in processing these applications, but all possible efforts are being maintained to reduce this back-log.

He was most instructive in his remarks. I thought his address was probably the best of any delivered at the symposium, because he was able to point out to the people concerned the problems, and the advantages that are to be gained. This booklet dealing with the Darling Scarp is well worth reading by anyone who is concerned with this legislation.

Another citizen of Western Australia who resides at No. 4 Wyatt Street, Bayswater, has sent me a great deal of printed matter. I receive a copy of whatever he puts out, because for a time I was on the watchdog committee on wildlife and preservation. This person is Mr. G. E. Rundle, and he is one who is very concerned with trying to inform the people as to what can happen, what has happened, and what will happen, and also how many of the mistakes of the past can be avoided. He is doing a tremendous job in advising the people of the State on these matters. Among the papers which he sent out is a copy of the *Current Affairs Bulletin* of the 28th July, and in this appears an article which deals with conservation in Western Australia.

However, Mr. Rundle also refers to the book *The Great Extermination*, edited by A. J. Marshall. I think the Minister for Fisheries and Fauna referred to this book one evening, and told us it was in the library. Subsequently I obtained the book from the library and took it with me on a trip to Sydney. I read it while I was travelling to and from Sydney. I suppose this is one of the most interesting books dealing with this subject. The author speaks of the great extermination of both flora and fauna, and he refers to parts of Western Australia.

Mr. Willmott spoke in this debate tonight and the author of the poem I am about to read is Frank Willmot. I wonder whether he is the same person as the honourable member opposite! The poem is entitled "The Rape of the Forests." It reads as follows:—

They've builded wooden timber tracks.  
And a trolley with screaming brakes  
Noses into the secret bush  
And the tall old gums it takes.  
And down in the sunny valley,  
The snorting saw screams slow;  
Oh bush that nursed my people,  
Oh bush that cursed my people,  
I weep to watch you go.

The PRESIDENT: Will the honourable member please quote the page from which he is reading?

The Hon. F. R. H. LAVERY: I was quoting from page 156. I now want to quote from pages 186 and 187, and this relates to the work of the late Sir James Mitchell. It uses his nickname "Moo-cow," and deals with land settlement in the south-west. The following appears:—

An agreement with the British Government in 1923 provided for 75,000 immigrants subsidised by the West Australian Government. About 6,000 of the most suitable of these were to be settled on dairy farms of about 160 acres.

I will not quote further, except to refer to a few facts because they are relevant to the subject of conservation and preservation in Western Australia. The author referred to the amount of timber—jarrah and karri—that had been classified as heavy to colossal timber. He went on to say—

Size of the Eucalyptus trees, adapted through aeons of evolution to subsistence on low nutrient soils, is no guide to soil fertility.

This backs up some of the statements that were made by Mr. McNeill that reforestation of jarrah is most difficult. The author went on to say—

The report of the West Australian Auditor General showed that, to 30th June, 1936, the nett Loan Expenditure on Group Settlement was £7,233,000, and losses written off to that date were £5,915,000. The balance was then taken over by the Agricultural Bank. The timber loss on some 50,000 acres of virgin Karri forest destroyed during settlement would today have a royalty value approximating £5,000,000. Its sawn timber equivalent would be approximately £50,000,000. Of 63,000 acres alienated in the Denmark district, West Australia, only 13,000 acres had been partially, and generally unsuccessfully, developed.

In 1958, an investigation of south-west forest areas showed that 351 "farmers" or their sons were employed full time in the sawmills or by the Forestry Department. A survey by the Farmers' Union showed the net income of the dairy farmers "to be remarkably low, and in no case did it exceed the basic wage".<sup>65</sup> Some of the degraded dairying land has been resumed, at low prices, by the Forestry Department for pine plantations, which are proving a commercial proposition.

I quoted those figures to show that in one case of land development in this State a vast area of very valuable forests was destroyed, because of a plan that was introduced by a Government which thought it would be successful; but, in fact, it was not successful. However, we should not cry over spilt milk.

In my opinion the Bill before us does provide the Minister with the wherewithal to do what Mr. Ron Thompson said he would not be able to do.

I believe that the council itself will have a wide authority to delegate powers to many committees and organisations which will have to make reports back to the council which, in turn, will have to make reports back to the Minister. Whoever the Minister may be at any time, he will be able to assess a situation and place before his Government certain points in order of priority; say, points A, B, C, and D. I express the hope, which I know other members in this Chamber share, that those responsible will get their priorities in the right order.

So far as getting onto the bandwagon of conservation and preservation is concerned, we all know the vast development that has taken place in Western Australia. I would say the present Government has been probably the luckiest Government of any in Australia at any time in the past. It has been able to develop iron ore in the north and other mineral deposits throughout the State, including the latest finds of nickel. In saying this, I am not forgetting other heavy minerals in the south-west of the State.

The present Minister, so far as I am concerned, will be able to control the projected council. I think he has already proved that he will have sufficient stamina to stand up to his colleagues; that is, to other Ministers in the Cabinet. He has proved this by at least two things which he has done already. Since he has been in office he has been able to put the crayfishing industry on a really sound basis. I heard it said in the Eastern States last February that those in New South Wales wished that he was in that State to give them a lead on certain types of restrictions—although I do not like the word “restrictions” and I will attack it on another Bill. In any event, they would like to know what he has done in this regard.

Secondly, the Minister was responsible for overcoming a problem which existed for years and years in the metropolitan area. I refer to the emission from the smokestacks of the Swan Portland Cement Company. The Hon. Clive Griffiths brought this matter to Parliament, doubtless as the result of pressure from people in the area. I live six miles from the industry and my car was white every morning when the winds blew from the east.

The Hon. G. C. MacKinnon: Used to be white.

The Hon. F. R. H. LAVERY: Yes, it used to be. That is right. I give the Minister credit for the action that was taken. I would like him to correct me on the amount of money that was involved.

The Hon. G. C. MacKinnon: Approximately \$400,000.

The Hon. F. R. H. LAVERY: This means that these people have spent \$400,000; whether they liked it or not, they have spent this amount. I am sure, however, that they would not have spent it had it not been for the pressure put on by the present Minister. Whether he continues in office after the next election is a story still to be told.

The Hon. C. R. Abbey: He will.

The Hon. F. R. H. LAVERY: However, so far as I am concerned, it gives me pleasure to support the Bill, although I am not happy with all of it. Before I close, there is one more point I must make. I think we must read the Bill properly. Tonight Mr. Baxter made a statement for which I am sure he will be sorry later. He made it because he has not read the legislation properly. If we do this, we will see that the council will really be a committee something similar, I would say, to councils of the medical profession and other councils which apply when an area is so wide that no single committee can handle a matter alone.

I do not know whether this will be my swan song so far as this type of thing is concerned, but I certainly hope that whatever Government is in power and whatever Minister is in charge of the legislation he will not be afraid to come back to Parliament and alter this legislation, if necessary. After all, the legislation is a first at least.

**THE HON. V. J. FERRY** (South-West) [9.35 p.m.]: I wish to have recorded my support for the Bill before the House. There is a great deal one could say on this measure. There is a great deal one could repeat of what has already been said, but it is not my intention to go over much of the ground covered already, nor is it my intention to speak at length on new material. In fact, one could speak on plenty of new material if one felt so disposed because the measure is very wide indeed. It covers a tremendous span of activity.

I simply wish to take advantage of this opportunity to express my thanks to the Government for bringing down the Bill. It is my privilege to represent a portion of Western Australia that has taken a fairly active interest in environmental matters. I am conscious of the references made by some members during the debate tonight to the south-west corner of the State. A great deal that has been said I could agree with.

I would like to see this measure operative and, therefore, it has my support because I believe it is a step in the right direction. I say that because of the knowledge I have from reading the Bill. In its very structure the measure is flexible and, to be effective, I believe this type of measure certainly needs to be most flexible. I cannot conceive that

Parliament could wisely legislate to cover every contingency that might arise in the future. After all, it is a function of Parliament to review legislation from time to time; to be adaptable; and to bring such amendments as are thought fit to suit the very nature of changes that occur from time to time. I believe that the drafting of the legislation is very good indeed. The legislation has built into it this high degree of flexibility in the approach to the problem of environmental control.

The hour is rather late and I have no desire to continue except to repeat that I am very pleased with the legislation and I will watch its implementation with a great deal of interest.

**THE HON. G. C. MACKINNON** (Lower West—Minister for Health) [9.38 p.m.]: I would like to thank members for their comments on the Bill. I consider I should make some remarks on a few matters which have been raised. It is obvious from the debate that members have a number of solutions to this problem in their minds. It is equally obvious that it is an area of conflict; namely, conflict between differing interests, differing groups of people, and differing activities. It would be fair to say that in this, as in so many other directions, there is more than one road to Rome.

Members have mentioned a number of pieces of legislation. It was said that the New South Wales Act is better than this measure; that the Victorian solution is better; and that the Tasmanian solution is also better. I hasten to contradict that. They are not better; they are different.

I discussed the New South Wales legislation with Mr. Lewis, the responsible Minister, probably two years ago. Before the Tasmanian legislation was framed I discussed it with the officers who were planning it at the time. Indeed they asked me to visit them and I did. I went to lunch with board members and we discussed it over lunch. Before the Victorian legislation was brought in, I discussed the aims, too, with those responsible. We were aware of what was being done and what it was hoped would be attained.

This brings me to another point. The legislation under discussion was not brought in as the result of pressure. It was brought in by the Government as a result of planned foresight. The Government believed the time was right and a great deal of thought had gone into this legislation beforehand.

Much of the legislation which has been mentioned as being in force in other States is purely an amalgamation of Acts already in existence in those States. In effect, the New South Wales Act is a combination of forestry, national parks, and wildlife conservation Acts. Each State seems to have different sorts of divisions, because each has different problems.

The Westernport development sparked off the Victorian legislation. An inter-departmental committee was set up to examine the problems of that area. They were extremely difficult problems of ecology and environmental control in a fairly shallow bay and all the problems which follow this type of situation.

Victoria has a proud record in the field of fauna conservation. It has a magnificent laboratory and I had the honour of being present when it was opened by Her Majesty the Queen. It does excellent work.

Tasmania has quite different problems again in that it wishes to preserve a great deal of scenery. There is a tremendous amount of country in Tasmania which is not developed and does not look like being developed for a long time. That State has different problems to resolve.

I insist that legislation in the other States is not better; it is different. As a matter of fact, the nearest comparison with our legislation is the United Kingdom solution which was the establishment of a permanent Royal Commission with powers very similar to the powers which will apply under this measure. It was a typically British solution with powers to advise and all the rest of it. If we examine this legislation we will see that it is more like a permanent Royal Commission than anything else.

There are certain powers under the measure. I foresee the time when certain other Acts will contain a reference to the environmental control council in that certain things will happen if approved by the council. Legislation will flow from this measure as legislation has flowed from other measures.

While members were speaking I made a note of some of the things they thought ought to be controlled under the measure. I had written quite a few down but then I changed my procedure. I went on what was said and looked through the index of the *Statutes of Western Australia*. If we consider only some of the Acts which, on what has been said, members might like to be included, the scope is positively frightening. This one piece of legislation would run into volumes and volumes and it would be so difficult to manage that it would be completely impossible.

I have marked in the index some of the Acts which would be involved. As protection of the environment is concerned, of course it would be necessary to include the Bush Fires Act. This is the first one I ran up against. It would also be necessary to include the Clean Air Act, the Country Towns Sewerage Act, and the Country Areas Water Supply Act. To some extent these are all concerned with conservation. It would also be necessary to include Acts dealing with Crown lands and the drainage of land.

To this list we would have to add the Fauna Conservation Act, the Parks and Reserves Act, the Fisheries Act, the Pearl-living Act, the Oyster Fisheries Act, and the Whaling Act; also the Forests Act and the Destructive Birds and Animals Act.

I think I have given sufficient examples of the Acts that would have to be included. One could go on and on. Members can see the number of slips I have inserted in the book; I have not counted them, but at a quick glance there looks to be a couple of dozen. From the general tenor of the remarks tonight, those are the sorts of Acts which could be included.

I just do not believe that is the proper way to do it. As a matter of fact, after having had one of our most reliable officers, whom many members would know—Mr. Harold Shugg of the Department of Fisheries and Fauna—look into the management of these things in many countries, I am not convinced that it is desirable even to amalgamate national parks and fauna conservation in the one department because, in actual fact, the management techniques are quite different.

In the case of a fauna reserve one endeavours to manage wild populations of animals; whereas in a national park one endeavours to manage a human population of visitors. Different management techniques are required, and also different policing methods and different rangers are needed. It is a matter of scientific expertise. Animals are virtually lifted out of a fauna reserve in order to stock a national park in such a manner that the visitors can view the animals. Different management techniques are required, and it is not necessarily ideal for them to be lumped together. Some countries do it and others do not; it depends entirely on the type of national park.

The matters which members spoke about indicate the tremendous range of subjects it is necessary to cater for. Some are already being handled. Members know that the matter of non-biodegradable detergents is under control. Indeed, the matter of chlorinated hydrocarbons, DDT, dieldrin, and the like is under better control than many people realise. The problem has been well and faithfully attacked by the C.S.I.R.O. and the Department of Primary Industry. Those organisations continually check for residues and if the amount looks like increasing they are very quick to advise the industry in the State concerned that it is running close to losing its export permit. Many countries have rigid controls in regard to chlorinated hydrocarbon residues in butter, meat, and the like.

The Hon. R. Thompson: Do you know if any residues were found during the checks of our main dams and weirs?

The Hon. G. C. MacKINNON: To find those residues in dams and weirs, one has to find the life in them. There would not be much because our dams and weirs are

almost bereft of life. They are fairly deep and did not originally contain much life. That is why some people are wrong when they say that they would provide a good refuge for ducks. That is not so because they are too deep.

The Hon. R. Thompson: I know of one which contains some good marron.

The Hon. G. C. MacKINNON: Yes. Of course, marron will live on detritus without any other form of natural life. The chlorinated hydrocarbons build up in animal fatty tissue, and they build up rapidly. That is where they are found. The main pollution in dams, of course, comes from the farmers' paddocks. That is why one of the comments made by Mr. Willmott about Mr. Baxter's speech was so true; that if we had the sorts of controls he envisaged for the protection of water, the farmers would be the first to scream because the main pollution in dams results from superphosphate, which increases the algae which grows in the pipes, and the animal faecal coliforms from stock.

However, those things present no problem because they are eliminated in the ordinary treatment of water supplies. Incidentally, Mr. Baxter might be interested in looking at sections 129, 131, and 182 of the Pollution of Water Supplies Act. He might find that those sections satisfy him in regard to the point he raised.

The Hon. R. Thompson: Does that relate to underground water supplies?

The Hon. G. C. MacKINNON: No. Unfortunately, that is another story which Mr. Baxter could tell the honourable member privately later on. I would like to thank Mr. Abbey and the several other members who were kind enough to make some mention of me, personally. I hope that I do as well as they indicated I am able to do. Of course, I was delighted with the support given to this Bill by such eminent people as Professor Main and Dr. Ride, who were mentioned by Mr. Clough-ton.

Mr. Clive Griffiths and a number of others mentioned that this Bill is a matter of public interest. I think Mr. Willmott mentioned the difficulties this raised because we range from those who want every kangaroo shot to those at the other end of the scale who want none shot. Of course, both those extremes must inevitably be wrong and the right course must be somewhere in the middle. One would hope that by some marvellous and miraculous method one might be able to please everybody. The commiserations offered by Mr. Ron Thompson might be needed because it is more likely that one will finish up pleasing nobody. However, we always hope for the best.

Mr. Ron Thompson mentioned the cost. What he said is quite true. I believe that the cost of setting up the new department



will be money well spent because there is no doubt that no matter what might be the cost of the protection of the environment and the retention of the quality of life—and the cost will be borne by the taxpayer; by you and me and everybody else in the community—the most economical method of achieving it is to set up this department. In London I spoke to Mr. Ireland, the Chief Alkaline Inspector of the clean air organisation, and Mr. Clark, who is on the Central Electricity Generating Board, and I gained the impression that the clean air organisation in that country costs about £50,000,000 sterling a year. I know that is a large sum of money, but such re-organisation is terribly expensive.

The Hon. R. Thompson: Some machines cost \$30,000 each.

The Hon. G. C. MacKINNON: It is indeed a most expensive proposition, but I believe this department will be much more economical than spreading the work throughout the various Government departments. I think it was Mr. McNeill who asked the question—I realised he asked it rhetorically after I had written it down—why not a Minister for conservation? He then answered the question by saying that conservation is very much a matter related to keeping kangaroos on a reserve, or related to the conservation of soil or water. We are looking for something much wider.

The number of matters that seemed to be misquoted alarmed me a little. For instance, the open space in the metropolitan area was mentioned. The M.R.P.A. has spent \$7,000,000, over and above the 10 per cent. it receives from subdivided land, during the last 10 years on securing open space. We have a tremendous amount of open space in the metropolitan area, and the air in Perth is now considerably cleaner. The Swan River is substantially free from pollution and, as all members know, its banks and shores have been benefited. The river has been turned into a marvellous playground. This city is credited with having more open space areas than any other city in Australia and, almost, any other city in the world. We have a tremendously good reputation for this.

All that is, of course, on top of the excellent requirement that there must be 1½ chains set back from any lake, river, or foreshore in this State. Very few of the old titles which go right down to the water remain.

Although we are faced with problems, I believe this legislation can be made to work in the way it ought to work. It was mentioned that it should be obligatory for all matters to be referred to the council. I think that would wreck the principle. I think if a council of this type is to work it must formulate top level pollution guidelines. If somebody wants to know whether he can drive an inspection vehicle over a

swampy reserve, the matter will be referred to an officer of the department. I mention this example because I actually had to refer such a case to an officer. He said it would be all right provided 18-inch tyres were fitted to the vehicle so that it would not do any damage. That sort of thing should not be referred to the council; it is a matter for a technical officer to decide.

The matter of secrecy is, of course, quite ridiculous. Let us take, for example, nickel and assume that a new process was referred to the council. Let us assume the process was a nickel refinery process in which sulphur dioxide could be converted to sulphuric acid or raw sulphur at an economic price, and without any pollution problems.

The Hon. R. H. C. Stubbs: The research being carried out in Canada is well on the way to that.

The Hon. G. C. MacKINNON: That process would be worth \$1,000,000 to any industrial spy in the world. Obviously, if it was a reasonable proposition the Canadian mineral interests would not be spending \$1,200,000 on a chimney stack at Sudbury, and the sulphur dioxide would be converted into a money-making proposition. If a person went to the council with that process, it could be sold for \$1,000,000 at the snap of a finger. So members can see how ridiculous a penalty of \$500 in relation to secrecy would be. However, it does indicate that secrecy is necessary in such a case, although one would not expect that to apply all the time.

I thank members for their comments and I thank them for their good wishes. I am conscious of the fact that few Ministers have the chance of being in charge of the Bill which originates their portfolio. It is a big responsibility. I know that with the co-operation of all concerned we can ensure that the future of this country is pleasant and bright. We have the advantage of starting late. I am quite sure that without the wholehearted co-operation of virtually everyone the legislation would be doomed to failure. However, given that co-operation and the goodwill to make it work, I am sure that we can leave a better country to our children and to their children. With that prayer, I conclude my remarks.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. G. C. MacKinnon (Minister for Health) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Establishment of Department of Environmental Protection—

The Hon. R. F. CLAUGHTON: I said the Bill largely followed the suggestions made by Professor Main and Dr. Ride.

This is so except in two important respects. On page 21 of the publication to which I referred entitled "A design for better environment," these two gentlemen list the types of things they would expect to see in such legislation. They feel that any body set up under the Bill should be free from political influence.

This is one aspect of the Bill which differs from their recommendations, because when the department of environmental protection is set up it will certainly lack political independence—it will be subject to political influence. To ensure that a large concern conformed to what is needed to prevent pollution—say of the landscape by a mining company—an independent organisation would be needed; one that could move in and examine the problems without constraint of political influence.

The Hon. G. C. MacKINNON: I am aware of this, but I am surprised that this has been raised by a fellow politician. The ideas expressed by Professor Main and Dr. Ride are those normally expressed by people with an academic background. We, of course, have a political background and we know that these things cannot be free from political influence, and I do not think they should be. It would be unrealistic to give an organisation working on taxpayers' money a blank cheque. If it spent its own money it would be financially independent, and that would be all right.

While this department is under my control it will be influenced to an extent by my political thoughts; and if there is a change of Government it will be influenced by the political thoughts of the next Minister appointed to control such department. This is how it should be.

The Hon. R. Thompson: It should be completely above politics.

The Hon. G. C. MacKINNON: We cannot legislate for this.

The Hon. F. J. S. Wise: Not even the Queen is above politics.

The Hon. G. C. MacKINNON: The best committee of its type in Australia that I know of—for which there is no statutory authority at all—is the Western Fisheries Research Committee which is considered by anyone with any scientific background as a very good committee; people generally consider it an honour to attend its annual meeting which is held in Western Australia. This committee earns its authority, as, I am sure, will the committee to be set up under this Bill. I appreciate the opinions expressed by Professor Main and Dr. Ride. I expect them to express such views but I feel they are wrong in this instance.

The Hon. R. THOMPSON: I would like to refer to the Victorian legislation and quote an extract from an article which appeared in *The Australian* on the 13th

November, 1970, which was headed "Bill to fight pollution sets \$5,000 penalties." The article reads, in part—

An anti-pollution bill was introduced into the Victorian Legislative Assembly yesterday calling for a maximum fine of \$5,000 for the unlicensed discharge of waste into the environment resulting in pollution.

The bill also provides for a \$2,000 fine for each day the unlicensed discharge is continued after conviction.

If the holder of a licence to discharge waste violates prescribed conditions he can be fined up to \$5,000 and a daily maximum of \$2,000 for every day the offence is continued after conviction.

Introducing the Bill, the State Minister for Lands, Mr. Borthwick, said: "To some people, these may seem to be very heavy penalties, but they are entirely consistent with trends elsewhere. It is now generally recognised that there is strong deterrent value in high penalties."

The bill provides that in future anyone wishing to discharge waste into the environment will have to have a licence.

It will set up three organisations:

A PROTECTION authority, consisting of a chairman and two members who will have supreme administrative control over waste management and noise in the State.

A COUNCIL consisting of 17 high level representatives of agencies and technologies related to the primary problems of environment protection.

AN APPEAL board serving independently of the two organisations and providing a quasi-judicial appeal process to a new licensing system to be established.

The Bill does not cover everything but the Minister in Victoria foreshadows what it will incorporate as time goes by. The article continues—

The bill will eventually cover all segments of the environment—streams, rivers, lakes, atmospheric areas, bays and other areas.

It will have clean air sections, including prohibition of certain fuels, protection against soil pollution and have power to control litter.

As can be seen, Victoria has given its committee the supreme right to control the immediate problem that faces that State. Ours will be a shuffling process. Matters will be referred to the Minister who will then refer them to the council which, in turn, will make recommendations and refer them back to the Minister, and so on. I am sure that eventually our legislation will follow the lines adopted in Victoria. At

the moment it is hardly worth the paper it is written on. The article continues under the heading "... but no sale for gear to measure it"—

The world's biggest manufacturer of automated laboratory equipment has been unable to sell a single anti-pollution device in Australia.

The company, Technicon Corporation, is increasing sales of other analytical equipment by 50 per cent. a year in Australia.

But an 18-month sales drive has failed to sell machines which automatically monitor water and air pollution.

Technicon executives said yesterday the machines had been sold widely in the United States, Britain, France, Belgium and Germany.

Mr. G. Charlap, vice-president and general manager of the international division of Technicon, arrived yesterday for talks with Australian executives in Sydney.

He said that apart from the lack of interest in the anti-pollution devices other health screening equipment was selling well.

Monitors sold overseas measured air and water pollution on a 24-hour basis, and pollution levels could be read at any time.

The article then says that the machines will cost \$4,000 to \$5,000 each and the more sophisticated machinery will cost as much as \$30,000. It will be necessary for us to purchase similar machinery if our legislation is to work satisfactorily.

The Hon. G. C. MacKinnon: We already have it.

The Hon. R. THOMPSON: Do we already have these machines?

The Hon. G. C. MacKinnon: We already have all we want.

The Hon. R. THOMPSON: The Minister talked about there being more than one road to Rome. That is very interesting comment, because I have here an article which deals with pollution in Rome. Under the heading "Pollution alleged" it states—

A magistrate has brought criminal proceedings against the managements of 449 industrial firms in Milan Province for polluting rivers with industrial waste.

The magistrate Senor Vincenzo Catiglione, said last night that the three biggest rivers in the province had become poisonous streams.

The companies charged include Italy's giant Montecatini-Edison chemical firm, Pirelli, the Milan branch of the Elizabeth Arden cosmetics firm, Bic, the ballpoint pen makers, Kelvinator and Osram, makers of electrical equipment.

The charges carry possible gaol sentences ranging from six months to ten years.

The problem in Rome is probably greater than that which we have here, but at least they have some teeth in their legislation. My criticism is that the Bill before us does not have the teeth necessary to cope with a situation of this nature. However, I feel I am only wasting words so I will sit down.

The Hon. G. C. MacKinnon: Mr. Ron Thompson just said he was wasting words, and I thoroughly agree with him. The Victorian Act is not better than this legislation; it is different, that is all. The Victorian legislation has not included all matters affecting environment. The biggest factor in the metropolitan area is under the control of the Commissioner for Town Planning, of course. He has a tremendous effect on the environment, and the Victorian legislation has not taken this into account at all. The legislation cannot cater for all problems which will arise.

Mr. Ron Thompson referred to many penalties. All the penalties can be increased, if that is the desire, but not under this legislation. They must be increased by amendments to the Acts already existing.

If one salesman grizzles because he is not selling some equipment, is that meant to prove that we have not any equipment?

The Hon. R. Thompson: I said that was a passing reference.

The Hon. G. C. MacKinnon: Why did not the honourable member mention in passing that he had seen on the front page of *The West Australian* a week or two ago a photograph of our air monitoring vehicle parading the streets of Perth checking the gases? We have one in the office checking day and night.

The Hon. R. Thompson: That is very good.

The Hon. G. C. MacKinnon: Members are quite welcome to inspect it. I do not know how many thousands of dollars it involves, but it does not look terribly inspiring.

Mr. Dolan referred to London and the type of reading obtained in two hours in London. We have to run our equipment for 24 hours, and sometimes for 36 hours, to get a reading of any kind. That is the difference between our air and theirs. Ours is remarkably clean, of course, but we have the equipment.

Clause put and passed.

Clauses 8 to 22 put and passed.

Clause 23: Certain matters to be referred to Minister—

The Hon. R. F. CLAUGHTON: A paragraph in this clause is the one which deals with reports to the Minister from the

council, and this is the other matter in regard to which the legislation differs from the suggestions made by Professor Main and Dr. Ride.

One of the things this legislation must do is instil confidence into the public. Independence from political influence and the publication of reports are the two matters which would help to gain this confidence, but provision has been made for neither in this legislation.

The council is required to make an annual report to Parliament through the Minister, but this would not deal at length with the individual matters referred to the council and for that reason the Bill has not been widely accepted by those people concerned with conservation and preservation of our environment. They cannot see that there will be any guarantee that the problems submitted to the council will be effectively dealt with by it. The public are quite convinced that if it is not convenient for certain people to undertake certain tasks they will not be undertaken. They could be very well mistaken in this supposition, but one way to overcome some of their objections would be to publish the findings resulting from the research undertaken by the authority or at its instigation.

Obviously it is not expected that any secrets of the kind the Minister instanced previously would be included in such a report. I cannot see that the Minister would have anything to lose, but he would certainly gain a great deal by obtaining the confidence of the public, which he would if these reports were to be published in the way suggested.

The Hon. G. C. MacKINNON: It never ceases to amaze me how not only members of the public, but also members of Parliament, seem to believe that once a person is elected to Government he suddenly sprouts horns and grows one of those spiky tails. He is supposed to become a different sort of person.

Blind Neddy would know that had it been possible to include the suggestions made by the people about whom Mr. Claughton spoke they would have been included because then the legislation would have been more acceptable.

Unless a person has the task of making legislation work, he does not really study it. It is amazing the number of people who have come to me and told me we should have done a certain thing. I have then explained to them what would have occurred had we done what they suggested, and invariably the reply has been, "Oh, I never thought of that." There will be six members on the council. We have all seen the Conservator of Forests, the Director of Fisheries, and the Under-Secretary for Mines in action. We all know they are dedicated officers, concerned with their own particular department. Mr. Wallace is very concerned for forests, Mr. Bowen for fisheries, and Mr. Berry for mining.

If what they advise can be included in a report it will be included, but it is unreasonable to expect that such a provision should be included in the Bill.

I have asked some people who have the ability to have a look at this legislation as if they were going to apply for the position of director. Each of these people who has done as I asked has told me that this is a very good Bill, that it is workable, and that I should not change it.

I repeat that if the provision suggested could have been included it would have been because it would have got everyone on side and this would have been sensible. But there are very good reasons why it was not done. It is not possible to say to someone that he must issue a report, but need not include anything it is not desired to include. This would be a hard provision to draft. So a report is to be submitted and as much as possible will be published.

Clause put and passed.

Clauses 24 to 29 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

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

### **ABATTOIRS ACT AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

#### *Second Reading*

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [10.29 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains an amendment to section 6 (c) (1) of the Abattoirs Act to enable some form of control to be imposed when issuing a license authorising the slaughter of stock. This section presently contains provisions which prohibit the slaughter in any district of all or any kind of stock except at an abattoir or place within the district licensed by the Minister.

However, there is no provision for any control over the number of stock that may be slaughtered for local consumption or the quantity of meat which can be disposed of in any particular district. Licenses may therefore be issued to slaughter stock, say, for rendering down for tallow or meal after the skins have been removed. Yet operators are not legally bound to comply with those requirements.

The Bill seeks to include a provision whereby the Minister may impose necessary conditions in respect of licenses issued in certain circumstances and this is the purpose of introducing this legislation to amend the principal Act. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. Thompson.

### **BILLS (2): RETURNED**

1. Presbyterian Church of Australia Bill.
2. Legal Practitioners Act Amendment Bill.

Bills returned from the Assembly without amendment.

### **ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

#### *Second Reading*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Mines) [10.31 p.m.]: I move—

That the Bill be now read a second time.

This Bill has as its prime purpose, the exemption of the transport of livestock from the payment of road maintenance charges. In proposing this exemption it becomes necessary to exempt also the empty running by a livestock carter when he is proceeding to load livestock or returning to his headquarters after making the delivery.

Members will have knowledge that claims have been made, from time to time, that the bulk of revenue from road maintenance charges is contributed both directly and indirectly by the primary producer whose income from wheat, wool, and other produce is limited by world market conditions.

It is a fact, however, that the proportion contributed directly by primary producers is quite small being of the order of 1.68 per cent. of the total. An analysis of returns discloses that an estimated 18.72 per cent., however, is contributed indirectly.

Although the total is only 20.40 per cent. of the overall payments, the impact of road maintenance charges is accepted as being relatively heavier on livestock than on other loading, and this is the reason for the proposed exemption. Members generally will, I think, agree that in view of the particularly difficult season which the farming community has faced, this aspect lends further support to the exemption from tax which is now proposed.

If members will refer to the concluding part of the Bill, it will become apparent that the granting of this exemption in-

volves a further amendment as affecting the payment of full license fees under the Traffic Act.

It will be recalled that when road maintenance legislation was introduced originally in this State, it was provided, as a concession, that only half the normal license fee would be payable under the Traffic Act in respect of vehicles subject to payment of road maintenance charges. Consequently, it is reasonable to expect that if exemption is claimed as regards the payment of charges, the concession of a reduced traffic license fee should no longer be applicable.

Consequently, a carrier who engages in livestock transport on a part-time basis only, will have the option of claiming either the exemption from road maintenance charges, or the rebate in his traffic license fee. Obviously, he will choose whichever is the more beneficial to him.

The concession granted by the passing of this measure would, without any question, be of benefit to the farming community, and particularly to those who have to transport livestock over long distances to the metropolitan area for slaughtering. I commend the Bill to the House.

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

### **ELECTORAL ACT AMENDMENT BILL (No. 2)**

#### *Second Reading*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Justice) [10.35 p.m.]: I move—

That the Bill be now read a second time.

Members may recall that the Governor in his opening Speech forecast the introduction of a Bill to amend the Electoral Act to extend the existing 21 years of age franchise to eligible persons not under the age of 18 years. This Bill has this extension as its objective.

The question of altering the voting age was referred by the Premiers' Conference to the Standing Committee of Attorneys-General on two occasions. The first occasion was just prior to the meeting of the standing committee which was held in Perth early in November, 1968, and the second reference was made in June, 1970. This latter submission was considered by the standing committee at its Sydney meeting in July, 1970.

We were aware that the standing committee had under consideration the matter of the general age of legal responsibility and it was considered likely that this study would have prepared the attorneys to comment on the legal implications of any change in the voting age. All attorneys agreed that this was a policy matter and essentially one requiring a decision of Commonwealth and State Governments.

At the July meeting the attorneys agreed that they could report as follows:—

“... Attorneys-General unanimously agreed that there is no legal obstacle to a reduction of the voting age or of the age of general legal responsibility by the Commonwealth or the States in relation to matters within their respective competence.”

“... Attorneys-General also consider that it may be necessary for the Commonwealth to study the possible implications of a reduction in the age of general legal responsibility by any one or more States, upon the right to vote in Federal elections in such state or states, having regard to Section 41 of the Federal Constitution.”

Section 41 of the Constitution of the Commonwealth is as follows:—

“No adult person who has or acquires a right to vote at elections for the more numerous House of the Parliament of a State shall while the right continues, be prevented by any law of the Commonwealth from voting at elections for either House of Parliament of the Commonwealth.”

Section 41 actually confers a right to vote; a right which may not be disturbed by any law of the Commonwealth.

It follows—at least in theory—that the exercise of this right will not be prevented by any failure to alter the Commonwealth Electoral Act to take account of such right. However, it is obvious that until there is some authoritative ruling as to who have rights under section 41, those administering the Commonwealth Electoral Act will be bound to abide by the letter of that Act.

In other words, the authority administering the Commonwealth Electoral Act will not be competent to decide for itself that a person whose age is less than the minimum age for voters prescribed in the Act, has an entitlement to vote pursuant to section 41 of the Constitution. The path could be cleared securely if the Commonwealth Electoral Act were amended.

The matter of the progress, if any, made by the Commonwealth and other States in reducing the voting age to persons over 18 years of age was discussed at the last meeting of the standing committee held in Perth in October this year.

The position then was that legislation had been passed in New South Wales and it may be possible for that legislation to be proclaimed with effect from the 1st July, 1971. A Bill was then about to be introduced into the South Australian Parliament, and the Premier of Victoria had announced that he would proceed with legislation when the Commonwealth had moved in the same direction.

Cabinet approval of the reduction had been given in Queensland but the matter was still under consideration. In Tasmania

the State had resolved to introduce a Bill and the necessary legislation was in preparation.

The position in the Commonwealth sphere was that consideration of the subject had yet to be made by Cabinet. It was also stated at the meeting that the voting age in New Zealand was lowered in 1969 to include persons over 20 years of age. Introduction of the Bill in Western Australia has been delayed to avoid the undesirable possibility of any confusion occurring before the Senate election takes place on the 21st November, 1970.

It is not proposed at the present time to amend the Constitution Acts Amendment Act in regard to the age at which a person becomes eligible to be a member of Parliament. Consideration can be given to this when the question of the reduction in the age of general responsibility is considered in other legislation. It is proposed that the measure will be proclaimed in time to permit of persons over 18 years of age enrolling and voting for the next State general election.

Explaining the Bill itself, clause 2 provides that the measure is to operate from a date to be fixed by proclamation. This will allow time for the necessary amendments to be made to the forms and regulations involved in the change.

Clause 3 amends subsection (1) of section 17 of the principal Act by substituting the word “eighteen” for the present qualifying age of “twenty-one” years. Clause 4 is a consequential amendment to section 44 of the principal Act which deals with the essential particulars of a claim—that is, the claim card for enrolment.

Clause 5 amends section 56 consequentially in regard to the ages of persons shown in lists of deaths and marriages supplied by the Registrar-General to the Chief Electoral Officer. Clause 6 is a similar consequential amendment to section 57 in regard to quarterly lists supplied by the Director of Mental Health Services. The amendment in clause 7 to section 119 is also consequential in regard to the existing provision for a question which may be put to a voter whether he is of the full age of 21 years as at present required. I commend the second reading.

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) [10.42 p.m.]: I move—

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

Question put and passed.

*House adjourned at 10.43 p.m.*