

Legislative Assembly

Thursday, the 23rd September, 1965

| Ayes | Pairs | Noes |
|----------------------|-------|----------------------|
| Hon. J. J. Garrigan | | Hon. G. C. MacKinnon |
| Hon. R. H. C. Stubbs | | Hon. E. C. House |
| Hon. F. J. S. Wise | | Hon. G. E. D. Brand |

Majority against—3.

Amendment thus negated.

The Hon. N. E. BAXTER: Could Mr. Willesee explain to me the intention of subsection (3) of proposed new section 525A? It appears that the wording is somewhat contradictory as to parking facilities provided by the council.

The Hon. W. F. WILLESEE: The question put by the honourable member has caught me on the hop, because I did not realise that clause 4 went so far. However, as far as I can understand, the purpose is to delete paragraph (c).

The DEPUTY CHAIRMAN (The Hon. A. R. Jones): I am afraid Mr. Willesee has misinterpreted the question asked by Mr. Baxter.

The Hon. N. E. BAXTER: I am referring to subsection (3) of proposed new section 525A, which commences at the bottom of page two and continues at the top of page three. To me it appears that this provision is seeking to prevent any revenue, charges, or fines being paid into the parking fund before the date that this legislation will come into operation, but then it provides that, with that exception, the fund shall include all revenue charges, fines, and so on in relation to parking places.

The Hon. W. F. WILLESEE: My explanation would be that the Bill creates a situation similar to that which would apply under the City of Perth Parking Facilities Act. Nevertheless, I will undertake to make some inquiries for the purpose of answering the questions asked by the honourable member.

Progress

Progress reported and leave given to sit again, on motion by The Hon. W. F. Willesee.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.37 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 5th October.

Question put and passed.

House adjourned at 5.38 p.m.

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

QUESTIONS (18): ON NOTICE

TRAFFIC ACCIDENTS: FATALITIES

Causes: Determination

1. Mr. ROWBERRY asked the Minister for Police:

- (1) What steps are taken by the Police Department to ascertain the cause of traffic accidents where fatalities occur?

Carbon Monoxide as a Contributing Factor

- (2) In cases where accidents occur on straight roads, for no apparent reason, has the theory that carbon monoxide poisoning may have been a contributory cause been given any credence?
- (3) Have any symptoms of carbon monoxide poisoning been evident in any fatality occurring in traffic accidents?
- (4) Is it practical to assume that a leaky exhaust system could be responsible for the presence of carbon monoxide in modern motor vehicles?
- (5) What steps have been taken to warn the motoring public against this danger?
- (6) What percentage of carbon monoxide in air can cause death?

Mr. CRAIG replied:

- (1) All fatal traffic accidents are fully investigated by experienced police officers and such investigations embrace the cause of the accident.
- (2) Yes. This possibility has always been considered and has been investigated over a number of years by the district medical officer.
- (3) No. If present, symptoms of carbon monoxide poisoning would be plainly evident.
- (4) Yes, but the most likely vehicles to be affected would be old vehicles, particularly trucks and utilities.
- (5) The National Safety Council of Western Australia from time to time issues warnings through the

Press. The danger of carbon monoxide poisoning is pointed out in all of the courses provided in driver education by the National Safety Council, including the family driver scheme.

- (6) Two parts of carbon monoxide per thousand parts of air will cause almost complete loss of muscle power and render the victim unconscious.

Three parts per thousand parts of air will almost inevitably cause death.

2. This question was postponed.

CITRUS TREES AND VEGETABLES

Irrigation Water: Maximum Salt Content

3. Mr. ELLIOTT asked the Minister for Agriculture:

What is regarded as the safe maximum salt content of water used for irrigation purposes for—

(a) citrus trees;

(b) vegetables?

Mr. LEWIS (for Mr. Nalder) replied:

- (a) Citrus trees.

In general, water containing more than 50 grains per gallon total soluble salts should be regarded as poor quality irrigation water for citrus orchards near Perth. But with water of this quality poor irrigation techniques can still allow some damage to occur. As citrus is fairly sensitive to salt injury it is important to use the best quality irrigation water possible. It is not possible to set a definite safe limit since factors such as climatic conditions, type of irrigation, frequency of irrigation, and time of irrigation influence considerably the likelihood of damage from using a particular water.

- (b) Vegetables.

It is even more difficult to set a safe limit for vegetables since a further variable, the salt tolerance of the particular crop, influences the decision. While some vegetables such as beetroot and spinach may be irrigated with water of 100-200 grains per gallon total soluble salts, sensitive crops such as beans require water of 50 grains per gallon or less depending on conditions.

CANNING RIVER

Salinity Checks

4. Mr. ELLIOTT asked the Minister for Works:

- (1) Will he advise whether regular salinity checks are made of the Canning River in the Kenwick and Maddington areas?

- (2) What was the date of the most recent readings and how do they compare with previous readings in the last two years?
- (3) If these indicate an increase in salt content, is it regarded as serious enough to cause any concern?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) (a) The 16th September, 1965.
(b) Generally speaking the readings are lower, and the position is considered to be satisfactory.
- (3) See (2) (b).

STATE INSURANCE OFFICE

Industrial Diseases Fund: Deterioration and Increased Premiums

5. Mr. MOIR asked the Minister for Labour:

- (1) In view of the obvious deterioration of the fund held by the State Government Insurance Office to meet claims for industrial disease, and having regard for the advice tendered by the Victorian Government actuary in 1955, why was remedial action not taken at that time or as soon as possible to place the fund on a sound basis?
- (2) Did the State Government Insurance Office management at that time consider an increase in the premium rate charged to employers?
- (3) Has an increase in the rate been considered by the management of the State Government Insurance Office at any time since then?
- (4) If increases have been considered, what was the reason for non-adoption?

Mr. O'NEIL replied:

- (1) It must be accepted that a fund of this nature is subject to fluctuation. The advice tendered by the Government actuary in 1955, which will be tabled, did not indicate a necessity for an increase in the rate at that time.
- (2) Answered by (1).
- (3) Yes.
- (4) The decisions were made by the Premium Rates Committee appointed under the provisions of the Workers' Compensation Act who made their decisions after considering carefully all the available evidence.

WORKERS' COMPENSATION

Death and Disablement: Maximum Payments under Act

6. Mr. MOIR asked the Minister for Labour:

- (1) What have been the respective amounts of maximum payments for death or disablement provided by the Workers' Compensation Act since the 1st January, 1950?
- (2) What were the dates that each increase came into operation?

Mr. O'NEIL replied:

- (1) and (2) The information requested is contained in the following schedule:—

WORKERS' COMPENSATION ACT 1912-1964 Maximum Payments for Death or Disablement since 1st January, 1950

| Date increase came into operation | Death | | | Incapacity Total and Permanent | | | Other | | |
|---|-------|----|----|--------------------------------------|----|----|-------|----|----|
| | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| 8/4/1949 | 1,000 | 0 | 0 | 1,250 | 0 | 0 | 1,250 | 0 | 0 |
| 25/1/1952 | 1,500 | 0 | 0 | 1,750 | 0 | 0 | 1,750 | 0 | 0 |
| 12/3/1954 | 1,800 | 0 | 0 | 2,100 | 0 | 0 | 2,100 | 0 | 0 |
| 14/1/1955 | 2,500 | 0 | 0 | 2,400 | 0 | 0 | 2,400 | 0 | 0 |
| 31/1/1956 | 2,572 | 15 | 0 | 2,409 | 18 | 10 | 2,409 | 18 | 10 |
| 23/7/1956 | 2,652 | 2 | 7 | 2,540 | 0 | 11 | 2,540 | 0 | 11 |
| 31/1/1957 | 3,000 | 0 | 0 | 2,750 | 0 | 0 | 2,546 | 0 | 0 |
| 26/4/1957 | | | | | | | 2,617 | 0 | 0 |
| 27/10/1958 | 3,081 | 0 | 0 | 2,824 | 0 | 0 | | | |
| 27/7/1959 | | | | | | | 2,712 | 0 | 0 |
| 26/10/1959 | 3,172 | 0 | 0 | 2,907 | 0 | 0 | | | |
| 2/5/1960 | | | | | | | 2,787 | 0 | 0 |
| 25/7/1960 | 3,293 | 0 | 0 | 3,018 | 0 | 0 | | | |
| 24/10/1960 | | | | | | | 2,867 | 0 | 0 |
| 31/7/1961 | 3,386 | 0 | 0 | 3,103 | 0 | 0 | | | |
| 27/4/1964 | | | | | | | 2,960 | 0 | 0 |
| 28/10/1964 | 3,500 | 0 | 0 | 3,213 | 0 | 0 | | | |
| 14/12/1964 | 3,500 | 0 | 0 | 3,500 | 0 | 0 | 3,500 | 0 | 0 |

Pneumoconiosis Claims: Tabling of Report on S.G.I.O. Fund

7. Mr. MOIR asked the Minister for Labour:

Would he table the findings of the Government Actuary of Victoria who conducted a survey and issued a report in 1955 on the fund held by the S.G.I.O. for the payment of pneumoconiosis claims?

Mr. O'NEIL replied:

Yes. I have here the document for tabling.

The document was tabled.

Industrial Diseases: Tabling of Claim Form

8. Mr. MOIR asked the Minister for Labour:

Would he table a form of the type used by the Commonwealth Laboratory at Kalgoorlie prior to 1947 to indicate and certify the condition of miners who had contracted industrial disease and were claimants for compensation under the Workers' Compensation Act?

Mr. O'NEIL replied:

The Commonwealth Health Laboratory at Kalgoorlie prior to 1947 issued to miners who contracted industrial disease forms under the Mine Workers' Compensation Act. Assuming that the latter is the form referred to in the question I am unable to place upon the Table of the House a blank form of the type then in use, but I am able to table a photostatic copy of a form actually used in 1946. Only the name and laboratory number of the claimant have been deleted. I have the form for tabling.

The form was tabled.

SCHOOLS AT NARROGIN

Students and Grades: Number

9. Mr. W. A. MANNING asked the Minister for Education:

What is the number of students enrolled in each school in Narrogin (including convent and agricultural wing) giving the number and total in each grade?

Mr. LEWIS replied:

- (1) Narrogin Agricultural Senior High School:

| | | | |
|--------|------|------|-------|
| Year 1 | .... | .... | 173 |
| Year 2 | .... | .... | 154 |
| Year 3 | .... | .... | 154 |
| Year 4 | .... | .... | 71 |
| Year 5 | .... | .... | 35 |
| | | | <hr/> |
| | | | 587 |

Agricultural Students—

| | | | |
|--------|------|------|-------|
| Year 1 | .... | .... | 48 |
| Year 2 | .... | .... | 54 |
| | | | <hr/> |
| | | | 102 |

- (2) Narrogin Primary School:

| | | | |
|---------|------|------|-------|
| Grade 1 | .... | .... | 82 |
| Grade 2 | .... | .... | 62 |
| Grade 3 | .... | .... | 69 |
| Grade 4 | .... | .... | 61 |
| Grade 5 | .... | .... | 71 |
| Grade 6 | .... | .... | 115 |
| Grade 7 | .... | .... | 113 |
| Special | .... | .... | 20 |
| | | | <hr/> |
| | | | 593 |

- (3) Narrogin East Primary School:

| | | | |
|---------|------|------|-------|
| Grade 1 | .... | .... | 53 |
| Grade 2 | .... | .... | 54 |
| Grade 3 | .... | .... | 59 |
| Grade 4 | .... | .... | 35 |
| Grade 5 | .... | .... | 43 |
| | | | <hr/> |
| | | | 244 |

- (4) St. Matthew's:

| | | | |
|---------|------|------|-------|
| Grade 1 | .... | .... | 28 |
| Grade 2 | .... | .... | 29 |
| Grade 3 | .... | .... | 32 |
| Grade 4 | .... | .... | 34 |
| Grade 5 | .... | .... | 23 |
| Grade 6 | .... | .... | 39 |
| Grade 7 | .... | .... | 31 |
| Year 1 | .... | .... | 19 |
| Year 1 | .... | .... | 16 |
| Year 3 | .... | .... | 11 |
| | | | <hr/> |
| | | | 262 |

RESERVE No. 26004

Slope Island: Excision and Vesting

10. Mr. NORTON asked the Minister representing the Minister for Fisheries:

- (1) As Slope Island is shown on Lands Department map No. 120/300 as Reserve No. 26004 and is not included on the list supplied to me in answer to question 8 on Tuesday, the 21st September, will he advise if this is a printer's error or if this island has been excised from the reserve?
- (2) If the island has been excised from Reserve No. 26004, when was this done and for what purpose?
- (3) If this island was originally in Reserve No. 26004, for what purpose was it vested?

Mr. ROSS HUTCHINSON replied:

- (1) Slope Island has been excised from reserve No. 26004.
- (2) The 11th September, 1964. Lease granted under the Land Act to the Shark Bay Salt Company to establish a salt industry at Useless Loop.
- (3) Formerly vested in the Fauna Protection Advisory Committee for the conservation of fauna and collection of guano.

11. This question was postponed.

WORKERS' COMPENSATION

Payments under First Schedule: Denial by Union Official on Agreement

12. Mr. MOIR asked the Minister for Labour:

- (1) Referring to his answer to question 11 on the 16th September, in further clarification of an answer given to me on the 7th September in connection with a decision of the State Government Insurance Office to invoke clause 3 of the first schedule of the Workers' Compensation Act to determine eligibility of claimants under section 8 of the Act, does he wish the House to understand that a meeting actually took place in

March this year between the General Manager of the S.G.I.O. and Mr. F. Lithgow, Secretary of the Mining Division of the A.W.U., and that Mr. Lithgow agreed to the application of clause 3 of the first schedule of the Act to claimants for compensation for disablement due to pneumoconiosis?

(2) Is he aware that Mr. Lithgow denies—

(a) that he met the General Manager of the S.G.I.O. in March, 1965;

(b) that he or his management committee ever agreed to this proposal which has resulted in several former miners being refused compensation payments for disablement due to pneumoconiosis?

Mr. O'NEIL replied:

(1) No. The discussion was between Mr. Lithgow, Secretary of the Mining Division of the A.W.U. and Mr. W. A. Barnett, Branch Manager of the S.G.I.O. in Kalgoorlie. Mr. Barnett has told the General Manager of the S.G.I.O. that Mr. Lithgow had referred the matter to his management committee who had had a special meeting and had decided that they had no objection to the provisions of clause 3 applying to new applicants after the 14th December, 1964, but would object to it applying to others. This advice was given to Mr. Barnett in a telephone conversation he had with Mr. Lithgow. Mr. Barnett has documented the conversation.

(2) (a) Yes. The discussion was with the branch manager, S.G.I.O. in Kalgoorlie.

(b) See answer to (1).

SOUTH BUNBURY HIGH SCHOOL

Housing for Staff

13. Mr. WILLIAMS asked the Minister for Education:

(1) When appointments are made for staffing the South Bunbury High School, will houses be made available to—

(a) the principal;

(b) any other staff members?

(2) If the answer in either case is "Yes," from what source will the house or houses be supplied and where will they be situated?

(3) If the answer to either part of (1) is "No," would he give the reasons?

Mr. LEWIS replied:

(1) to (3) Having regard to the possible housing requirements of a principal, deputy principal and one senior master at the new South Bunbury High School, the Government Housing Authority has been requested to give consideration to the provision of five houses in Bunbury. The 1965-66 building programme will be considered shortly.

The locations of any houses approved for this department would be determined by the Government Housing Authority.

BUNBURY HARBOUR

Navigational Aids

14. Mr. WILLIAMS asked the Minister for Works:

(1) What improvements are to be made to navigational aids in the Bunbury Harbour area?

Slipway and Fishermen's Jetty

(2) Where is it planned to locate a slipway and fishermen's jetty in Bunbury Harbour?

(3) When will work on the above projects commence, also the anticipated date for completion?

(4) What is the anticipated capacity of the proposed slipway?

(5) Would an area of land in the vicinity of the slipway be made available for boat building or a small shipyard?

Mr. ROSS HUTCHINSON replied:

(1) (a) Improved day and night navigational marks will be installed on the main harbour entrance leads this financial year.

(b) Day and night navigational marks will also be installed to mark limits of dredged area 600 feet east of Nos. 1 and 2 jetty berths.

(2) The slipway will be located on the reclaimed area shorewards of the mineral sands bulk storage area. A suitable site for a fishermen's jetty is still under consideration.

(3) Funds have been approved this financial year for the purchase of long term delivery materials and equipment for the slipway. Active work on the site will commence next financial year with completion planned for January-February, 1967.

(4) 80 tons on single haul. 140 tons on double haul.

(5) Yes.

COMMONWEALTH SECONDARY SCHOOL SCHOLARSHIPS

Examination Results: Announcement

15. Mr. DAVIES asked the Minister for Education:

- (1) When is it anticipated the results of the examination for Commonwealth secondary school scholarships will be made known?

Award: Basis

- (2) Will such scholarships be awarded solely on the results of the examination held or will results of the Junior Certificate examination also be taken into consideration?

Students: Notification

- (3) Is it intended to advise the successful students direct or will they be advised through their respective schools?
- (4) Will unsuccessful students be advised of the result?

Mr. LEWIS replied:

- (1) It is expected that the names of the successful students for Commonwealth secondary scholarships will be announced in the Press during the first week in December.
- (2) The results of the Junior Certificate will have no bearing on the Commonwealth scholarship results.
- (3) Successful candidates will be notified by the Press announcement and by a personal letter offering them a scholarship.
- (4) Unsuccessful students will not be personally notified but will gain this information from the lists published in the Press.

IRON ORE MINING AT KOOLYANOBING

Health Certificates: Exemption

16. Mr. MOIR asked the Minister representing the Minister for Mines:

Is it correct that mineworkers and prospective mineworkers contemplating undertaking work at Koolyanobbing are being informed by an officer of the health laboratory at Kalgoorlie that a health certificate is not required by them in order to work on mine leases at that centre?

Mr. BOVELL replied:

Advice has been given by the laboratory that construction men, as distinct from mineworkers, do not require health certificates.

MINES REGULATION ACT BREACHES: PROSECUTIONS

Location of Offences

17. Mr. MOIR asked the Minister representing the Minister for Mines:

Referring to his reply to question 3 of the 22nd September, dealing with prosecutions for breaches of the Mines Regulation Act, will he state where the offences were committed in each instance?

Mr. BOVELL replied:

The prosecutions referred to in my reply to the honourable member's question of the 22nd September, 1965, were for offences committed in the following mines:—

| | |
|--------------------------|----------------|
| Sons of Gwalia | 2 |
| Great Boulder | 3 |
| Australian Blue Asbestos | 9 |
| Lake View and Star | 3 |
| Ravensthorpe (withdrawn) | 1 |
| | <hr/> 18 <hr/> |

SCHOOLS IN AND NEAR FREMANTLE

Number and Pupils

18. Mr. FLETCHER asked the Minister for Education:

- (1) What is—

- (a) the number of State schools;
- (b) the number of private schools; within the electoral boundaries of—

- (i) Cottesloe-Mosman;
- (ii) Fremantle;
- (iii) Melville;
- (iv) Cockburn;
- (v) East Melville?

- (2) What is the number of pupils attending each of these schools?
- (3) What is the overall total?

Mr. LEWIS replied:

- (1) and (2)

| Electoral Boundaries | Government Schools | Enrolments | Non-Government Schools | Enrolments |
|----------------------|----------------------|-------------------|------------------------------|-------------------|
| Cottesloe-Mosman | Cottesloe | 325 | Presbyterian Ladies' College | 612 |
| | Cottesloe North | 318 | Methodist Ladies' College | 435 |
| | Fremantle North | 141 | St. Hilda's | 607 |
| | Mosman Park | 356 | Iona Convent | 270 |
| | Deaf School* | 146 | St. Anne's | 24 |
| | Lady Lawley Cottage* | 20 | | |
| | Yaringa* | 28 | | |
| | Rottneet | 27 | | |
| | <hr/> 8 <hr/> | <hr/> 1,361 <hr/> | <hr/> 5 <hr/> | <hr/> 1,948 <hr/> |

| Electoral Boundaries | Government Schools | Enrolments | Non-Government Schools | Enrolments |
|-------------------------|---|------------|-----------------------------------|------------|
| Fremantle.... | Fremantle East | 390 | C.B.C., Fremantle | 437 |
| | Richmond | 507 | St. Joseph's College | 372 |
| | South Terrace | 334 | St. Joseph's Girls' School | 274 |
| | White Gum Valley | 461 | Mary Immaculate | 102 |
| | Beaconsfield | 499 | Sacred Heart | 91 |
| | John Curtin Senior High | 1,506 | | |
| | 6 | 3,697 | 5 | 1,276 |
| Melville | Bicton | 619 | Santa Maria | 454 |
| | Palmyra | 700 | St. Joseph's Pignatelli | 116 |
| | Willagee | 659 | Our Lady of Fatima | 172 |
| | Carawatha | 494 | | |
| | Melville | 748 | | |
| | Melville Infants' | 425 | | |
| | Attadale | 648 | | |
| | Melville Senior High | 1,154 | | |
| | 8 | 5,447 | 3 | 742 |
| Melville East | Applecross High | 1,442 | St. Benedict's | 261 |
| | Ardross | 405 | Holy Trinity | 120 |
| | Brentwood | 645 | | |
| | Applecross | 729 | | |
| | Mt. Pleasant | 703 | | |
| | Como | 417 | | |
| | 6 | 4,341 | 2 | 381 |
| Cockburn | Hilton Park | 471 | Our Lady of Mt. Carmel | 124 |
| | Bibra Lake | 16 | St. Brendan's | 96 |
| | Coogee | 56 | St. Vincent's | 137 |
| | Coogee South | 150 | St. Jerome's | 114 |
| | Hamilton Hill | 426 | Christ the King | 225 |
| | Hamilton Hill East | 617 | | |
| | Hamilton High | 935 | | |
| | Jandakot | 61 | | |
| | Naval Base | 87 | | |
| | Kwinana High | 521 | | |
| | Calista | 103 | | |
| | Medina | 761 | | |
| | Noalimba* | 74 | | |
| | Melville Rehabilitation Centre* | 12 | | |
| | 14 | 4,290 | 5 | 696 |
| Totals | 42 | 19,136 | 20 | 5,043 |

* Special Schools.

(3) Grand total Government and non-Government schools—
62 schools, 24,179 enrolments.

QUESTIONS (2): WITHOUT NOTICE

COLLIE COAL: ECONOMIC DEPOSITS

Life

1. Mr. HAWKE asked the Premier:

In view of the fact that Consulting Mining Engineer Marshall and other coalmining engineers at Collie disagree with the statement by the Minister for Electricity as published in *The West Australian* on the 20th November, 1964, in which he claimed known economic

deposits of coal at Collie are sufficient for only 30 years, will he advise—

Effect on Extension of Muja Power Station

- (1) Has a decision been made to extend the new Muja power station?
- (2) If so, what is the extent of the proposed additions and the size of the additional generating units?

Survey and Boring Programme

- (3) If not, will he give an assurance that a comprehensive survey of the Collie coal field will be carried out by the Government?

- (4) Will the Government also institute a thorough boring programme to ascertain the approximate total economic quantity of coal available in the Collie district?

Mr. BRAND replied:

- (1) No decision to extend beyond four units each of 60 megawatts.
- (2) Answered by (1).
- (3) and (4) The reserves of both the open cut and deep coal are well known following geological and geophysical examination, drilling, and the mining operations conducted over the years.

The problem is to know at what price this coal can be extracted from time to time.

STATE HOUSING COMMISSION

Mrs. Hathaway: Eviction

2. Mr. JAMIESON asked the Minister for Housing:

- (1) What motivated the State Housing Commission to evict Mrs. Hathaway from Reginald Street, Maniana, into the street yesterday?
- (2) Is the Minister aware that this eviction received a considerable amount of publicity on the TV news last evening?

Mr. O'NEIL replied:

- (1) and (2) I desire to thank the honourable member for having given me prior notice of his intention to ask this question. I was not aware of the publicity that was given to this particular case on television. In fact, I was not aware of the matter at all until approximately 11 a.m. today when the general manager of the commission reported it to me. I would advise the honourable member that the person concerned, having rectified the circumstances which occasioned the eviction is once again a tenant of the State Housing Commission at the same address. However, if the honourable member requires any further information regarding the complete circumstances behind this case, I feel it would be desirable for him to discuss the matter with me privately.

THE CITY CLUB (PRIVATE) BILL

Select Committee: Presentation of Report

Mr. Durack submitted the report of the Select Committee, which was received.

MR. DURACK (Perth) [2.26 p.m.] I move—

That the report and evidence be printed and consideration of the report be made an Order of the Day for Tuesday, the 5th October.

Question put and passed.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Third Reading

MR. O'NEIL (East Melville—Minister for Labour) [2.35 p.m.]: I move—

That the Bill be now read a third time.

I desire to honour an obligation to the member for Kalgoorlie and the member for Fremantle in respect of two amendments they unsuccessfully moved during the Committee stage. I have had an opinion given to me by the Crown Law Department relative to both these amendments, and I think it would be better if I read directly from that opinion. It reads, referring firstly to the amendment of the member for Fremantle, as follows:—

Adverting to the query as to "pre-arranged place", the only significance in the change from the wording of the Eastern States' provision is that ours is grammatically correct—

Mr. Hawke: Hear, hear!

Mr. O'NEIL: To continue—

—the other is not. It is proper to say a thing was done "by prearrangement" or that it "was prearranged". The word, "prearranged" is not, properly, an adjective and, in our view, ought not be used as such. The alternative was that of substituting an adjectival clause, thus: It is such a place as that at which persons . . . attend, by prior arrangement, and at which employers . . . select and engage persons. The place is thus sufficiently identified and no significance attaches to the manner in which it has been done.

The proposed addendum of the Hon. Member for Kalgoorlie is completely redundant. The worker has the right to obtain compensation (provided always that this is properly payable), right up to the date of judgment for damages. As long as this entitlement is there, he may receive compensation by arrangement with his employer (in fact the insurer) and, failing payment, he may apply to the Board. Nothing in the amendment alters that situation, prior to judgment for damages.

Question put and passed.

Bill read a third time and transmitted to the Council.

TRAFFIC ACT AMENDMENT BILL

Report

Report of Committee adopted.

WESTERN AUSTRALIAN COASTAL SHIPPING COMMISSION BILL

Second Reading

Debate resumed, from the 16th September, on the following motion by Mr. Court (Minister for the North-West):—

That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [2.38 p.m.]: This Bill proposes to place the control of the State steamships in Western Australia under a coastal shipping commission. This proposal is before us largely because of the inquiry carried out by Captain John Williams, who is chairman of the National or Australian Coastal Shipping Commission.

The setting up of a commission in Western Australia to supervise the running of our State steamships—not that all of them are steam these days—and generally to further organise and, where necessary, reorganise the existing service was one of the main recommendations of Captain John Williams in a comprehensive report he made to the Government following the inquiry he carried out.

The Minister in his speech did not, I think, give us any very adequate or sufficient reasons to support the proposal in this Bill. I am not saying that sufficient and adequate reasons are not available. I quite realise, too, that when it is proposed to place an existing organisation under a new set-up in regard to direction of policy and formulation of policy, it is not easy to submit practical reasons as to why this should be done and as to how it will operate, because there is no practical experience in this field to guide any Minister or other person who would seek to justify the proposal.

The Minister admitted it could be argued that the existing State Shipping Service could continue in the future under the control of a general manager responsible to a Minister of the Crown, as it has done over the last 50 years or so. This really brings us to the crux of the situation.

In my view the State Shipping Service, well managed by a general manager and reasonably supported by Government policy, could be more successful than if it were run by a commission, the members of which were not skilled or far-seeing enough in their outlook and attitudes to develop the activities of the service along good lines, or along the best possible lines. In other words, I think we come up against

a situation which frequently arises of deciding a future position on the basis of comparing it with what it might be, and anticipating that future control and policy will be good compared with what it has been, and is, under the existing management and control.

Obviously in that situation it is not easy to be acutely logical, because, as I said a few moments ago, there is no practical basis of comparison. We examine what has happened in the past under present management and control, and what is happening at present, and compare it with what we hope will happen under the proposed new type of control by a commission. I am quite satisfied in my own mind that in the event of the personnel of the new commission being good or excellent, the commission will function satisfactorily and successfully, and even better, maybe, than the present system of control.

In relation to the success or otherwise of the proposed commission, a great deal will, of course, depend on the finance which the Government can make available to the commission or which the commission itself, under the statutory borrowing powers which this proposed law will give to it, can raise. Should the commission be able to raise all the millions which would be required to modernise the service; to purchase new and up-to-date ships; and to keep the line right up to the mark all the time, then undoubtedly the commission would do, and will do, far better than the existing management has been able to do with the service in past years.

I think every member would realise that the general managers of this concern in the past have been greatly handicapped by the lack of capital. Governments have only been able to give a certain amount of loan money to this concern to enable new ships to be purchased and existing ships to be modernised or improved.

There is in this proposed legislation at least one big advantage: the proposal to give the commission borrowing powers of its own. On that basis it would seem certain that the commission will come into possession of far greater funds per year, after it has been operating for perhaps two or three years, than it has been possible for any Government in the past to give to the existing service.

One argument which appealed to me in the Minister's speech in favour of this proposal is that the recommendation of Captain John Williams for the setting up of a commission of control was strongly supported by the ex-general manager who retired recently, and also by the present general manager. These two persons have had very great practical experience in the management and running of this shipping service, and consequently their views and

recommendations would carry a great deal of influence with me and, I should think, with any other member of the House who has doubts as to whether we might be well advised to hold on to the existing set-up in regard to management and control, or whether we should adopt the proposals contained in the Bill.

The proposal in connection with the commission is that it shall consist of three persons, one to be chairman, one to be deputy chairman, and one to be an ordinary member; and that decisions of the commission shall be on a majority basis, with two members of the commission constituting a quorum.

It is quite easy to see that when only two commissioners are present and there is disagreement, no decision can be made except the negative decision that nothing is to be done on the particular issue until such time as the full number of commissioners are present at a meeting, when a decision of two to one might be obtained.

The Minister gave us a very full explanation of the duties of the commission. Some of these duties are specific; some are gloriously general and are based, I think, upon wishful thinking, in which I heartily join. In this regard I refer particularly to the obligation, or the implied obligation, placed upon the commissioners to manage the service efficiently and to concentrate upon obtaining the best possible financial results from its operations. These are implied obligations, if not expressly stated ones, with which I think everybody could agree.

I note that in the Bill reference is made to the responsibility on the commission to do all these things upon a basis of also making available the services of the ships at the lowest possible cost to passengers and to those who have goods carried in the ships. I am not certain, but I understand there is a probability just around the corner that passenger fares and freights on these ships are likely to be increased.

Mr. Rowberry: Don't put ideas into the Minister's head!

Mr. HAWKE: It is noted also that any proposed increase in passenger fares or freights to be recommended by the commission at any time has to be approved by the Minister before it can become effective. So even though the personnel appointed to this commission in due course may interpret too literally the obligation to run the service most efficiently and to get the best financial result possible from the operation of the service, and, in its enthusiasm in those directions, recommend substantial increases in fares and in freights, we still have the safeguard that any of its recommendations must be scrutinised by the Minister and his approval obtained to whatever increases, if any, are to be permitted.

In essence, the commission is not to be given any great powers by the Bill. As I said a few moments ago, general obligations and responsibilities are placed upon the commission. There are some specific responsibilities and obligations placed upon it, but its legal right to commit the service to any considerable expenditure is very limited. One part of the Bill provides that the commission is to be restricted in its power to purchase assets or to dispose of existing assets without the consent of the Minister to a figure of £50,000. In these days, in the operation of a shipping service, particularly, I should think an amount of £50,000 would be very small indeed. So it becomes clear that the commission is to be extremely restricted in what it may do in the purchase of new assets or in the disposal of existing ones.

Where an amount of more than £50,000 is involved in any one deal or proposed deal that transaction would have to be referred to the Minister for his consideration and decision which, when made, would become binding and would have to be observed to the full by the members of the commission. I agree with that. I think ministerial responsibility should continue, because it is essential that the policy of the Government should be paramount, and also that the Minister should be the person, finally, to decide whether any major purchase of new assets or the sale of existing ones should be made.

It is noted that the Bill proposes to continue in operation the position of general manager. Some reference was made in the Minister's speech and also by way of interjection to the unhappy and unfortunate experience which we had in Western Australia a few years ago following the appointment of a three-man commission to manage the railways. Those of us who had some practical experience of those three commissioners in operation would not like to see anything of that kind develop again in this State, either in relation to the railway system or to any other governmental instrumentality.

It is true as mentioned by the Minister when speaking on that matter, that the establishment of a three-man commission to manage the railways was different from that which is proposed in this Bill, because although the proposal in this measure is to set up a commission of three to manage the State Shipping Service, the day-to-day management of the shipping service will still be in the hands of a general manager; whereas, in the Railways Department, a general manager was not operating under the three-man commission. In fact, I think it is true to say that each of the three men charged with the responsibility of managing the Railways Department had conflicting ideas, with the result that one tried to manage in one direction, another in some other direction, and the third commissioner in between those two

directions, with the result that argument, confusion, and even worse developed, and the whole position became more or less chaotic, so that finally action had to be taken in Parliament to revert to the previous system of having one commissioner to manage the railway system.

So, as I have said, I am satisfied in my own mind that the experience of a general manager in the State Shipping Service, who will perform the day-to-day management, will in every way place the proposed three-man control of the State Shipping Service on a different footing, as compared with the experience we had with a three-man control of the railways a few years ago. In his speech the Minister did tell us that finance will probably be the greatest single hurdle to overcome in a programme to re-equip the fleet of ships now owned by the State Shipping Service. He further advised us that this could involve the commission in an expenditure of more than £6,000,000 without allowing for any additional change which may be necessary because of a build-up in the population and requirements of the north.

Obviously, with the development and progress going on in portions of the north-west, the demands on the State Shipping Service must increase daily. For instance, at present we know the existing service has no possible hope of adequately or fully meeting all the shipping demands which have arisen and which will continue to arise in the north for some time to come. To some extent, the Minister dealt with this subject. He told us there had been criticism from some quarters of the fact that the State Shipping Service is being required to concentrate upon the normal service, and the normal traffic, and is not being permitted to enter this special newly-developed freight traffic which has grown up in recent months.

I suppose those who argue that the State Shipping Service should be permitted to go after this more or less emergency freight traffic would feel that, without the State Shipping Service, there may not have been much north-west today, and therefore the State Shipping Service should be entitled to benefit from this highly-profitable freight which is now offering, especially into ports such as Port Hedland.

The Minister's argument against that was—and I think there was a fair amount of merit in it—that the resident population in the north, nearly all of whom have been there for some considerable time, and the permanent industries in the north-west which, of course, have been there for a great many years, should continue to receive from the State Shipping Service at least as good a service as they have been receiving over the last several years.

I think there is a matter of loyalty involved in this, from the point of view both of industry and of the people concerned

up there; and also the State Shipping Service itself. I suppose, on balance, the argument which the Minister puts up to justify the management of the State Shipping Service continuing to concentrate its services to meet the normal needs of the people in the north-west, and the industries which have been there for many years, would win out. If I had to make a decision on whether the Minister's argument had more merit than the arguments against, I think I would have to come down on the Minister's side—and I do not always do that.

It is evident from the Minister's speech that he, at least, has great hopes regarding the expansion of the State Shipping Service in future years. He looks forward to very great expansion, to almost complete modernisation, and to the establishment under the control of this commission of a State Shipping Service which will be as efficient, as modern, and as up to date as money can make it. We would all support him in that, and would wish his anticipations and prophecies would be met in the not very distant future.

Someone said recently—I am not sure whether I heard it over the air, or whether I read it in the newspaper; I think I might have read it in the subleader of *The West Australian* newspaper this morning; and incidentally I thought the leading article in that paper was very good—and I think I did read it in the subleading article in the newspaper this morning, that the Prime Minister (Sir Robert Menzies) and his Government had, in recent years as a Government done, by way of policy, certain things which, from the Liberal Party point of view, a few years ago would have been startling or revolutionary.

Mr. Rowberry: Socialistic.

Mr. HAWKE: I am sure you, Mr. Speaker, are taking a very great interest in what I am saying. Here we have the Minister for Industrial Development not only bringing forward proposals which are calculated, in his view, greatly to modernise the State Shipping Service and to further develop it and make it more important, but also justifying, in the most total manner possible by his proposals, his hopes and ambitions in the matter, something which in the normal course of events, at least three years ago, would have seemed more or less revolutionary from the point of view of the Liberal Party.

However, I am satisfied in my own mind that the Minister has thoroughly discussed this with the people in Hay Street, and has their approval of the proposals in the Bill, and of the high hopes and great ambitions which he has expressed for the further expansion of this State socialistic enterprise.

The Minister made reference in his speech to warnings issued by the Commonwealth Grants Commission to the Government of Western Australia in relation to the deficits which have been incurred by the operations of this State Shipping Service over the years. I know members of the Grants Commission have been very concerned about these heavy deficits—because the State Shipping Service, naturally, has been incurring deficits, and very large ones, for quite a number of years past. However, anyone who judges the operations of its services purely on a financial basis of its losses, is taking a very shortsighted view of a total situation, and could quite easily be misled into arriving at a conclusion which would be based upon the most flimsy grounds possible.

The State Shipping Service was never a commercial undertaking. No-one ever anticipated it would be carried on profitably. It was established in a somewhat similar sort of situation as developmental railways were established in our southern areas many years ago. When these developmental railways were constructed no-one ever anticipated they would be operated at a profit financially. They were constructed because it was realised undeveloped land in the areas which they would serve would come into production and, consequently, the State's total wealth production would be considerably increased. The indirect financial returns and advantages were the factors that were far more important in the minds of those who would sponsor a proposal for a new railway, than were the likely direct financial returns.

Clearly the same situation existed when the State Shipping Service was established. It was never imagined it could be operated at a direct profit. The purpose behind its establishment and operation was that it would enable people to go to the north-west; it would enable industries which were then operating in a small way to be expanded, and would always make available a regular, reliable transport service without which there could have been little or no development of industry in the north-west in those years; and, of course, very little population would have been required up there in that situation.

It may be, as the Minister anticipates, with greater development in the north-west, with much greater population up there, with far more call for passenger accommodation on ships, and for more ships, and more goods to be carried, that the time will come in the foreseeable future when the State Shipping Service could be operated by the commission, by the Government, and by the General Manager, at a direct financial profit; although I think that time would still be a very long way ahead.

I think the Commonwealth Grants Commission has issued these warnings year after year in connection with the heavy deficits incurred directly in the operation of these ships, but so far as I can remember the commission has not, on any one occasion, penalised the State in regard to the annual grant it would receive as a result of the commission's recommendations.

Therefore the fact that the commission has not penalised the State financially seems to me to indicate that members of that commission have a very deep and sympathetic understanding of the total problem which exists in this State in servicing the people and industries of the north-west with a transport service such as is given to them by the State Shipping Service and which will continue to be given to them by that service if this Bill becomes law.

I did, when the Minister was speaking, make an interjection which I did not intend to be serious and which, I think, no-one accepted at the time as being serious. The interjection was, "Do the ships of the commission later become part of the Harold Holt Commonwealth line?"

Mr. COURT: I thought afterwards you probably meant the Alfred Holt line.

Mr. HAWKE: The Minister then said, "I have heard members opposite say that we should hand the State service to the national line instead of operating a service as a separate one within Western Australia." Looking some years ahead, that might really come to pass. So out of this humorous interjection and the Minister's reply there might develop a practical negotiation in the years ahead—I should think not sooner than ten years—when the Commonwealth shipping line and the State shipping service in Western Australia might either become one organisation or might become very closely related in connection with the total service which would be given by the ships under the control of both managements to the people of Australia and industries of Australia which would depend upon those ships for service.

I wish in conclusion to join with the Minister in expressing appreciation on behalf of all members of the Opposition to all of those who have been responsible in the past for the management and operation of the State Shipping Service. It is very true, as the Minister said, especially in connection with the captains of the ships, the seamen, and, of course, the other officers, that they have, in the operation of these ships in the north-west, had to face very difficult and oftentimes very dangerous situations. It is a great tribute, I think, to the skill and the abilities and the devotion of captains, officers, and seamen—everybody concerned—that these ships have been successfully operated without any serious damage and without any serious loss except, of course,

the unfortunate loss of one of the ships at Broome—if I remember rightly—as the result of Japanese bombing of that port during the 1939-45 war.

I know Mr. Owen, the general manager, who retired recently, very well personally and had a great respect for his enthusiasm for the shipping service and his devotion to the duties which were upon him as general manager of the concern. We often hear hard things said about seamen, the same as we often hear hard things said about the men who work on the wharves. I think those of us who might be inclined to join in the general chorus of criticism and condemnation of seamen and wharf workers should, before we join the chorus, go down and have a good, close, personal look at the work they do and the conditions under which they have at times to work, and we might be more reasonable in our attitude and more reasonable in comment which we might have to offer.

The Minister for Industrial Development might keep that idea in mind and perhaps give members of the Parliament an opportunity—if not this year, perhaps next year—of having a look at the ships and the men who operate them; and also, perhaps, an opportunity of looking at the men who do the work on the wharves.

I think that if the Minister has any further argument or reasons which he could put forward in support of this proposal, he should do it. I say that qualified with what I said earlier; namely, that it is not easy to put forward reasons as to why something you are going to set up to do work in the future will be better than something which is operating at the present time. I know the comparison is not easy because it is not practical. One cannot work it out on a logical basis. Therefore one has to build up one's case for what is proposed to be done in the future by expressing a fair amount of hope and a fair amount of anticipation that what is proposed is likely to be effective and is likely to produce better results than have been produced under the policy followed in past years.

At this stage and with those reservations I support the second reading of the Bill.

MR. JAMIESON (Beeloo) [3.17 p.m.]: During his introductory speech, I interjected on the Minister several times in connection with the commission. I think he facetiously brushed me off when I asked him whether he would advertise for the positions of commissioners. That is not an unusual request, because this will be a specialised occupation which will involve the running of a shipping line. I doubt very much whether we can appoint people with accounting experience and expect them to take over this commissioner-ship. The legislation we had the other

night required commissioners to have banking experience; and it is a less onerous task to make a profit in the running of a bank than it is in the running of a shipping line. Even if one runs a bookmaking concern and looks after one's books pretty well, a profit can be shown; but a shipping line is another proposition.

I think that these commissioners must, of necessity, be experienced in shipping economics and be able to foresee all the problems associated with such a proposition. The Minister indicated that somebody had suggested Captain Williams would be one of the commissioners and said that he would not be available. He is the very sort of man who would be required because he has an abundance of experience acquired on the Australian coast. Somebody of his ilk should be appointed; but I doubt very much whether that type of man will be obtained locally.

As is the case with the Rural and Industries Bank, at a later stage it may be possible for people to gravitate from general managers to commissioners, but at this stage there will be a short supply of people who can be given the very onerous task of putting the shipping line on a basis whereby it can be operated with less financial risk.

Getting on to these risks, I have taken the opportunity of noting the comments of the Grants Commission in various reports over a number of years; and while it is true the commission has made some comments, they have been very mild. I believe it is only three years ago that the commission said that while it noted a loss of approximately £1,000,000 and was somewhat concerned about it, it dismissed the loss as the State Shipping Service provided a service and was not a commercial proposition, in so far as it could achieve any financial return, and the commission was not going to press its views.

It has made several comments on things of this nature. It has also made a lot of comments on the Minister for Lands where there has been spending on agricultural research. I wish to be vociferous about this. I do not think we have gone into the conditions of this feature. We know very well that while the Commonwealth remains as it is no strong exception will be taken to expenditure on this service as long as it is kept within reasonable bounds. If the service, otherwise, is of a doubtful nature or supplies are not going to be readily available to the Northern Territory from the other States of the Commonwealth, the Commonwealth Government will not take exception to this expenditure.

In view of the fact that the railways, which serve populous areas, were down by about £4,000,000 on last year I suggest that the running of a shipping service to open the northern part of the State, and maintain it, is not a big expense when imposed

on the Commonwealth as a whole. Of course, it is imposed on the Commonwealth by virtue of the fact that the Grants Commission has to look at the matter favourably to allow the service to be maintained. However, the matter of maintaining it at a profit or loss is for the management to worry about more than for us at this stage.

This brings to light my earlier comment that the commissioners to be appointed must have an abundant knowledge of shipping economics. This particular type of economics is not readily available to people conducting services in cities or towns and any person appointed from that field to be a commissioner would be starting from scratch, the same as any member from this House. It would take a considerable time for such a person to get into full swing and accumulate enough knowledge to run the line on a basis deemed desirable by the new system of management.

Other than that criticism, I think it is probably a good idea to place this organisation, once it gets established, under a commission or board, whichever it might be called. "Commission" is the name usually given when there are fewer than five members, and when the figure goes above five it is usually called a board. This is a managerial organisation, and I think it is advisable to have our shipping service controlled by a board so that the responsibility is not always on the head and shoulders of the chief administrative officer.

It would relieve that officer considerably to know that he had someone to share his troubles and someone to whom he could look for guidance in his major problems. His task would be made ever so much lighter.

To that extent this measure is worthwhile and I hope that our shipping line will flourish. As I have said before, it is high time the Government of this State arranged for a trade ship—not tied up with half a dozen other States—to visit the markets of South-East Asia. Trade ships, including in their cargoes goods from other States as well as from Western Australia, have enabled those States to specialise in some aspects and out sell us on our closest market. We should be prepared to take one of the State ships from our service, during a slack time, so that each year it could go to a different section of the Indian seaboard, until we get the ultimate in markets for our primary products and, indeed, our manufactured goods.

I had a good look at the *Centaur* and it had a wide range of exhibits, but in the main the best features were taken by the Eastern States industrialists. They had obviously sent people ahead to see what was required. As I said before, we should use our State ships to provide our own

trade promotion service. If there were any room available, we could sell the space to exhibitors of products other than those from our State. It is high time we used the ships more than we have been doing and got the greatest advantage for the best interests of the State. I hope that the change in the administration will bring about such circumstances within the foreseeable future.

MR. RHATIGAN (Kimberley) [3.22 p.m.]: I desire to support this measure because I think it is worth a trial. However, unlike the member for Beeloo, I do not think there will be any difficulty in getting satisfactory commissioners within the service. We have skippers who have been on that part of the coast for a number of years and who know the circumstances and drawbacks attached to a shipping service. I would think that there would be no bother from that aspect whatsoever.

I took the opportunity specifically to board the *Kangaroo* at Wyndham, knowing that the Grants Commission was to board the ship at Derby. I travelled with the commission to Carnarvon, and sat at the same table and heard several discussions. Mr. Owen, who was the manager of that line, was also on the ship, and I formed the opinion that the Grants Commission was very favourably disposed towards the shipping service. The members of the commission were interested in it and at the table they questioned Mr. Owen and Captain Evans very closely on various factors. On parting with them at Carnarvon I gained the impression that they were sympathetic towards the service. This trip was in June last.

As mentioned by the Leader of the Opposition, we had one unfortunate loss of a vessel which was bombed between Derby and Wyndham and finally sank at the Wyndham jetty. That ship was the *Koolama*. I was at Wyndham at that time. The shipping service is the lifeline of the north-west and without it the north-west could not exist. With those remarks I support the measure.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [3.29 p.m.]: The appointment of members of the commission is a matter in connection with which there could be a very great difference of opinion. The more experience I gain the less convinced I am that boards and commissions are of any great advantage. A lot depends upon the calibre of the general manager. If he has a dynamic personality then the board or commission is not worth much. For example, take the Fremantle Harbour Trust where the general manager ran the show. That was most definite. That show would have been run the same way whether there had been a trust or not.

The reason given by Mr. Williams in his report for the setting up of a commission was that it was necessary as a shield against a demand. He gave no other reason. One must read into what he has said his belief that one of the reasons for the big deficits from year to year in the State Shipping Service is that the service has been called upon to make concessions to meet Government policy. Because it has been called upon to make concessions, and it has been restricted with regard to its charges, it has been a difficult matter for it efficiently to function. So he points out that unless there is to be a shield against demands for concessions nothing is to be gained by changing the form of management. He says that very deliberately, and then he goes on to recommend a commission as a shield.

So his reason for a commission is to put something there which will enable the service to resist demands for concessions. Is that going to be a good thing or a bad thing for the area in whose interests this service is run? Because it is intended that Government policy will remain paramount there will still be these demands for concessions; and if the Government agrees that the concessions should be made, and so instructs the commission, this so-called shield which is to be established in effect is not established at all.

Then what is the benefit? It only increases the cost of administration without any corresponding benefit. I agree with the previous speakers that if there is to be a commission it must be a very competent one; otherwise it will be completely in the hands of the general manager and will therefore be redundant.

The member for Kimberley believes it is possible within the service to select the suitable men who would form this commission. That may be so; I do not know. But if the commission is still to be subject to Government policy with regard to meeting demands for concessions what justification remains for its establishment?

I have been watching very carefully the operations of the Metropolitan Water Supply, Sewerage and Drainage Board since it was set up, and I say most definitely it is no improvement on the previous management; and I am aware of a few things that have been going on in that organisation. I say most definitely it is no improvement, and for the most part it has to rely upon the advice and judgment of the general manager, who was previously the under-secretary; and instead of being assisted, in my view the work of the department is being hampered by the board.

If we are to make this departure and appoint a commission we want to be satisfied that it is going to render some service. I have not yet heard anybody say what service it will render over and above what has already been rendered; and I repeat:

The only reason given by the commissioner was that this was going to be a shield. It seems to me it will not be a shield at all; because it will still be subject to the control of the Minister and therefore it will be obliged to observe Government policy in connection with the matter. Not that I am against that. I believe it is quite right, because this service was established for a specific purpose, and that was to develop the north and to encourage people to go there, and it is essential that they should have concessions.

Why, there is continuous clamour for more and more concessions! And the big one is for taxation concessions. In view of that and the almost certain fact that more concessions will continue to be demanded, this commission will not be a shield against the demands for concessions, and so the reason given for its establishment will not exist. I have been given no other reason as yet for its establishment. It cannot be urged that this proposal will be more economical; and, as for borrowing powers, that makes me smile.

One of the main reasons given for the establishment of the Metropolitan Water Board was the extra amount of money it was going to raise and so relieve the Treasury. It has raised £200,000 from some Government source. If we keep establishing all these extra boards and commissions with borrowing powers the money will not be available to borrow unless the rates of borrowing are sent up and up because of the competition. We know that the big borrowing authority in this State is the State Electricity Commission; but we have had imposed upon that the Fremantle Harbour Trust, with borrowing powers; the Metropolitan Water Board, with borrowing powers; and now this commission, with borrowing powers.

One would think there was an unlimited amount of money available in this State to be borrowed for this purpose, but I do not believe there will be such a great additional amount of capital available to the commission compared with the present set-up under a general manager. If I felt that, because of the additional skill and knowledge that was to be brought to bear, there would be improvements in the type of management, more economy, and so on. I could see some argument for it; but there is no evidence of that, because the commissioner found nothing but praise for the existing general manager and the way the service had been run.

His only complaint was that the existing organisation was subject to pressure for concessions; and if the commission is to be subject to pressure for concessions, in my view there is no advantage and therefore there would appear to be little or no justification for the change. If they look at the report members can see for

themselves the reasons given by the commissioner for recommending that a commission be set up; and it boils down to this: He recommends a commission be set up to form a shield against demands for concessions. If that is the reason the Government is establishing the commission then it must be accepted; but I warn the member for Kimberley that the concessions which have been granted so far may be withdrawn and there will be less likelihood in the future of preferential treatment being given to people in the north of the State if the giving of that treatment involves concessions by way of cheaper freight rates, cheaper passenger rates, or special trips. They can expect that a harder line must be taken in that regard, if the reason given for the establishment of the commission is the reason which causes the Government to act upon the recommendation. I myself feel it is. I fail to see that any other reason has so far been advanced.

The Minister, as did my leader, made reference to the unfortunate Railways Commission. There was not much in that experience to recommend further essays in this direction. In my view the management under the present Commissioner of Railways is a long way in advance of what it might be under any railways commission. I cannot say that I have been over-impressed with the Australian Broadcasting Commission, from time to time. That is another commission.

In most instances I would far rather have a knowledgeable, competent, and dedicated man in a job, who is only subject to Government policy, than one who is subject to a board which, in turn, is also subject to Government policy. That is the general experience in these matters. Let us take the State Electricity Commission, which is one of the best that has been set up in this State. It is also subject to Government policy; make no mistake about that!

I believe quite strongly that we get the most efficient management of undertakings of this kind when there is a thoroughly competent manager in control—one who has not a body interposed between himself and the Government, but who is free to manage the show in accordance with his knowledge and experience, subject only to Government policy. I think it is important, because the Government is responsible to the people, that the situation should always be, in matters of this kind, that whoever is managing the concern should be directly responsible to the Government for what is being done; otherwise we could have some very difficult situation arising where the Government might be convinced something was being done contrary to the welfare of the people concerned, yet it would be powerless to alter the situation. That is an undesirable state of affairs.

Before I close I would join with those who have expressed appreciation of the excellent services which have been given over the years by the men whose responsibility it was to run this instrumentality, unshielded from demands for concessions, and who have given their time and ability in the interests of the State in order to ensure that the service functioned to the best advantage of the people whom it was intended to serve.

I shall watch with interest what takes place when the commission is established, because these things are done as a result of Government policy. But the fact that they are done does not make them succeed. I repeat that I have yet to see that the change to the Metropolitan Water Board has achieved anything; my own view is that it was a retrograde step. All that the change has achieved is to make the business of managing the concern more difficult than it was before; and that is what may occur in connection with the commission proposed in the Bill before us. However, it is Government policy; it has been recommended for a specific purpose; and we shall see what happens when it is set up.

Sitting suspended from 3.45 to 4.5 p.m.

MR. ROWBERRY (Warren) [4.5 p.m.]: As one who has enjoyed the hospitality and care of the members of the State Shipping Service I would like to add my appreciation to that expressed by other members on this side of the House concerning the operators of that service. It has been said, sometimes with truth, that Australians as a whole are backward in social graces; that they do not pay as much attention as they should to courtesies and all the little things that go to make life worth living; and that they are rough, uncouth, and ungainly. I do not subscribe to that idea. I would like to say that the hospitality, care, and attention—without any palm-greasing at all, which pleased me considerably—on the voyage to and from Darwin could not have been bettered anywhere else in the world. I am convinced of that. I would also like to express my appreciation of the efficiency of those who run this service.

It has been said—and I was pleased that the Leader of the Opposition mentioned this—that the people who operate harbours, wharves, and shipping are inclined to lie back and not do an honest day's work for an honest day's pay. I paid particular attention to the working of these ships—to the working of dockside cargo, and other cargo to and from barges on the way to and from the north-west—and I was convinced that no type of workmen in the world could have bettered the operations and work of those people who are engaged in our shipping service.

During the voyage considerable discussion was held on the shipping service. It was at the time that Captain Williams was about to be appointed to inquire into the workings of the service and there was considerable discussion as to what would happen as a result of his inquiries. We agreed that there were only two ways the shipping service could have been made more efficient or more lucrative.

The first of these was to increase the efficiency of those who were directing the shipping and those who were carrying out those directions; and the second was to increase passenger and freight rates. Well, none of the passengers who indulged in the discussion would agree to an increase in passenger and freight rates. By the same token none of them would agree that the members of the shipping service and the wharfside labourers could have worked any more efficiently than they did. So where could we go from there?

I am convinced that there is nothing very much we can do about making this shipping service to and from the north-west, under the present circumstances, return any more income to the Treasury unless we do certain things. During discussions with agents and others at ports to and from the north-west I heard the opinion expressed on more than one occasion that the State ships were being robbed of economic freight and were being loaded up with all the uneconomic stuff for the ports. It was maintained that the private ships were getting the more lucrative business; and that aeroplanes and road transport were also taking away the lucrative business from the State ships. Whether this is true or not I have no means of ascertaining, but that was the opinion expressed by people who were in a position to know. I should imagine that road transport and the planes being operated by privately-owned enterprise would not indulge in this sort of business unless it did, in fact, return a considerably lucrative amount to their coffers.

Therefore we have the same spectacle with the State ships as we have with the State railways. The State railways were running at a loss because the farmers to whom the railways were, in the first place, dedicated, and for whom they were provided to enable them to open up the land, decided that road transport and their own transport was better for them from a point of view of income than making the freight available on the railways. I should imagine the same thing has happened with the ships plying to and from the north-west.

There are another few points I would like to express on this Bill, which purports to be "a Bill for an Act to set up a commission to establish a Western Australian coastal shipping commission to operate certain shipping services, and for incidental and other purposes." Why should

we appoint a shipping commission? Is it a reflection upon the present management that the present management is not efficient? Is it to provide someone to take the blame for any losses that might occur? Or is it, as the Deputy Leader of the Opposition has pointed out, to provide a buffer between the Government on the implementation of its policy, and the management?

My own opinion would be that every influence and every person, organisation, or group of persons interposed between the makers of policy and the people who implement that policy would contribute considerably to the inertia generated in the operations, and because of that would add considerably to the cost of the operations unless, of course, there was a considerable rise in freight and passenger rates.

I am also convinced that the Minister has investigated this possibility and found it was not possible to profitably continue the service between here and the north-west. I am convinced he has explored every avenue, to use a *cliche*, and has come to the conclusion that this is the only course to adopt. I am also convinced that if he had foreseen the possibility of running this service at a profit, he would not have set up a commission at all. He would have entered into negotiations and called for tenders for the sale of the whole service as he has done in other instances. But because of that I am convinced that we will continue, even with this commission, to have to subsidise the service to and from the north-west; and why not? Why should not the whole State provide this service? It is imperative that we encourage people to go to the north-west to live; and to enable them to do that it is necessary that they have as cheap a link as possible between the metropolitan area and that portion of the State.

Unfortunately, if passenger rates are increased it will possibly put the passenger service of the State ships beyond the reach of certain people in the north-west. It has been discovered that those who can afford to travel by air continue to do so, with the result that we are driven to the conclusion that only those people on a low income will travel by ship.

Here let me say that not everyone in the north-west enjoys a high income. The same basic wage, except for the district allowance, obtains in that area as obtains in the other parts of the State. That is the only difference that applies to the people who work as unskilled labourers on Government projects in the north-west and workers who are employed in the south-west and the metropolitan areas where there are so many amenities: the workers in the north-west receive a district allowance.

Now the setting up of this commission is, in my opinion, merely a pious gesture. I am convinced that had it been possible

to run these State ships at a gain—and Captain Williams concluded the ships could not be run any more efficiently—the Government would have set in operation some means of disposing of the ships to private enterprise.

MR. COURT (Nedlands—Minister for the North-West) [4.18 p.m.]: I thank the Leader of the Opposition and the other members who have spoken to the Bill, who have analysed it according to their understanding of it, and who have expressed, in the main, support for it.

The main point, as I understand from the comments of the Leader of the Opposition, is whether we can advance, for the record, more information of a practical, down-to-earth nature as to why this commission could reasonably be expected to give an improved situation compared with what we have at present where the general manager comes directly under the Minister.

This is a fair enough question, and is one that has been the subject of considerable consideration by the Government. I can assure the Assembly that the Government did not want to create a commission merely for the sake of having one. There had to be a good reason for it.

The first question to be answered, really, is whether the State Shipping Service on our coast, and to a certain extent on an interstate basis as well as an intrastate one, has a future. If it has no future, of course we can muddle along as we are at present. We are not exactly muddling, but we are carrying on a system that has operated over the best part of 52 years. I think. It is probably unfair to those who have gone before me to say the service is muddling along; but, because of shortage of funds, limited ports, tidal problems, and other reasons, we have had to make do with vessels that are not suited to the type of freight offering and the type of conditions that exist.

We feel that the service has a future and a role to play both in servicing the north from Fremantle, as the main base of supply for the north, as well as handling some of the products of the north, as, indeed, it is doing in a mild way at present.

For instance, we found it difficult to get reliable transport to take blue asbestos out of the Pilbara region. It was not attractive to ships to come to Roebourne or Port Hedland only for this freight and without other freight on the forward journey. Likewise we could see problems in getting the cotton and other products out of the Ord area and take them to the immediately available markets in the weaving and spinning mills of Eastern Australia.

In this regard the State Shipping Service has played a very desirable role, and, fortunately, we have been able to provide the service without any economic loss to the State. When I say "without any economic loss to the State" I explain that the operating cost of sailing around Australia for this and other purposes has not been any more costly to the State than had we retained the ships on a straightout south to north and north to south basis. So if we accept the proposition that this service has a future, it is then a question of how best to reorganise it to meet the challenge of the times, having regard for the developments that are taking place and those that are likely to take place.

This question brings with it tremendous complexities. The shipping industry is a very complex one. I would say that without doubt it is more difficult to understand, in many ways, than, for instance, an ordinary transport service operating on land—either a rail system or a road system. It has its own peculiarities, some of which are directly related to the hazards of the sea.

It is felt by the Government that these complexities are such that no Minister, and no general manager, can divorce himself from his other activities sufficiently to sit down and give the detailed studies that are required for this service, particularly over the next few years.

When I introduced the Bill I said that we expect that in the first few years—I would say in the first three years at least—the commissioners will be heavily engaged on planning the future service. Therefore it is important that the general manager should operate as a general manager in the true sense of the word and be able to carry on the day to day administration of the actual freight operation itself.

The complexity of planning is related to the design of ships and the smooth operating of them. We will need to have some revolutionary ideas; I am certain the old conventional approach to ships will have to change. For instance, the attitude towards passenger traffic will have to be appraised, and the attitude towards special types of freight and the possibilities of back loading has to be considered. We will have to see whether it is practicable to design a ship which can bring minerals from the north to the south.

One case that I instanced to the Grants Commission is the study that is being given to the question whether some arrangement could be made with B.H.P. so that a ship having taken its freight to Darwin could come back to Yampi, pick up a load of ore and bring it, even as concessional freight, south, thus earning some revenue by carrying iron ore from Yampi to Kwinana. Under the present situation the vessel would normally sail with very little freight, if any, on the south-bound journey; because we cannot avoid the fact

that the more successful we are in our northern development programme, the more will be the tendency for freight in the form of building materials and day to day supplies to go from the south to the north and for the produce of the north to go to overseas countries rather than south; and this is a good thing for Australia.

Some might say the general manager could attend to this. I do not think he could. The retired general manager and the present general manager are firmly behind the idea of the commission being given this responsibility, because they know the day to day pressures they are under in the ordinary operations of the service. When I say "pressures" I do not mean pressures for concessions, but the pressures of the day to day business demands in running what is a big and complex business.

No Minister who has several portfolios, as we must have in this State of ours, could divorce himself from his other responsibilities; unless, for the sake of convenience, we created a special ministry, and a Minister who would devote the necessary time to the detailed planning in connection with the complex changes that are to take place.

For this reason alone it is considered that the commission is justified. At the same time we have insisted, of course, that there has to be a general manager, because we agree with all that has been said on the other side about the disastrous experience of the railways with the three-man commission. But there we had not only a three-man commission, but virtually three managers; and that will never work in any business. There has to be a general manager responsible for the day to day administration and management; and that is provided for in this legislation.

We looked further afield than this, although we felt that what I have said is sufficient in itself as a practical reason for wanting a commission. We looked at the experience of others; and one that comes quickly to mind is the National Airlines Commission which operates as its service the T.A.A. We also looked at the Commonwealth Coastal Shipping Commission which operates the Australian National Line. I think the success that has been achieved by these two services is due to the fact that a commission can operate more as a business undertaking than if a general manager is, day in and day out, responsible, by direct contact, to his Minister.

These two businesses—the airline which competes in a very big field of activity and in a major way; and the Australian National Line shipping service—would be businesses calling for the attention of very responsible boards if they were private concerns.

I do not think any man either could or should accept the responsibility of the normal direction of these enterprises, as

would be expected of a Minister in the case of T.A.A. and A.N.L. I do not for a minute suggest that the Government of the day, or the Minister concerned, should be completely isolated from these ventures; and it has been mentioned in the course of debate today that the Government has provided in this Bill for the commission without sidestepping responsibility by the Government or by the Minister. The fact remains, however, that a responsible commission will have the duty, within the provisions of the legislation, to care for the day to day operations of the commission and the planning of its future.

It has also been established that the enterprises under these commissions which have been allowed to function as business undertakings can operate more like normal trading concerns, and, we feel, with great advantage to the employees within those concerns.

We also have an added reason for this commission, and that is the peculiar relationship that exists between the States and the Commonwealth in respect of finance, and in our own case the peculiar relationship we have with the Commonwealth through the Grants Commission.

We feel that the Grants Commission which, in a general way, has endorsed the Williams report, will be able to deal more directly with the commission. It will, I think, take a great interest in its operations; and the planning that will be undertaken by the commission and the consultations that will take place will, I am certain, bring favourable results for the State and for the service.

It may be argued that it could only do exactly the same with the Minister and I suppose it could. If the Government so desired it could sit down and plan a new fleet and a new method of operation. However, it will be much more practicable to entrust the commission with this task in the knowledge that for the first three years it will be fully committed to the task, and in close consultation with the Grants Commission. It is an established fact that the more one is able to demonstrate to the Grants Commission what one is trying to do and convince it of the bona fides of the Government's objectives, the better are the results that can be achieved.

Despite what was said by the Deputy Leader of the Opposition, I am convinced that the borrowing powers provided in the legislation are worth while. All these borrowing powers have been agreed to in terms of the benefits that can be obtained in the future rather than in terms of their immediate value. As the Deputy Leader of the Opposition knows, there is a limit to the permitted amount that can be borrowed for these undertakings without obtaining the approval of the Loan Council. Without obtaining Loan Council approval I think that each authority can borrow up to £100,000. This does not mean to

say, of course, that that figure cannot be increased after the passage of time, or that approval cannot be obtained.

Here again, if we can demonstrate, through this shipping commission, that there is an economic advantage to the Commonwealth by improving the operations of the service and by making more rapid advancement through the borrowing capacity, the approval of the Loan Council may be obtained to increase the limit and thereby speed up the day when these replacement ships can be provided. The fact that the borrowing capacity is limited to £100,000 without obtaining such Loan Council approval does constitute a restricting factor. But this legislation is designed not for the needs of today or tomorrow, but to give the State shipping Service some permanence and enable those responsible for its administration, from the commission down to the general manager, to plan accordingly.

Regardless of whether this borrowing power will be fully effective immediately or in 10 years' time, it is an advantage to have it in the legislation. Expressed another way, if we do not have the borrowing power there could be an opportunity within the State to take advantage of some money that becomes available, and we may even be able to get approval from the Loan Council, but not be able to use this opportunity if we do not provide for this statutory borrowing authority.

The last point I want to mention as to why the commission is justified, is the continuity of administration. It is true that Governments and Ministers come and go, and we hope that when the commission has established itself in the public mind as being a responsible and competent body, and has established itself in the minds of Parliaments and Governments as being an efficient and responsible body, it will, to a large extent, be allowed to function as a business or trading concern, and have some degree of permanence and continuity in its operations regardless of governments in office.

Dealing more specifically with some of the other points raised by the Leader of the Opposition, one of the facts he mentioned was in regard to fares and freights. He pointed out that they would be subject to ministerial approval. This was done deliberately because it was felt that Parliament would expect it and demand it as being a necessary form of control with a service which has to fill a peculiar role, such as this one does. It does not, of course, cut across the general directive as given to the commission which sets out the trading pattern it will endeavour to achieve. When I introduced the Bill I made it quite clear that this was not expected to be achieved overnight. On the contrary, we expect it will take some years to reorganise the service in order to give it a chance to trade better.

In respect of finance the Leader of the Opposition also referred to the £50,000 limit, imposed on the power granted to the commission to purchase assets and to dispose of them. The reason this figure was selected was to give the commission the necessary latitude and flexibility to acquire and dispose of the ordinary day-to-day type of gear and other types of assets the service will need, such as lifting appliances, and a host of other equipment which can be embraced by this £50,000. But with major commitments, such as the purchase of a new vessel, or the disposal of a vessel, I think it is only fair that the Government, or, in fact, the Treasury, should be consulted, because it must be borne in mind that the Government is a guarantor for the financial commitments of this enterprise.

Another point touched on by the Leader of the Opposition, both by interjection during my speech, and during his comments on the Bill, was the question of the possible future of the national line. The question of whether it is desirable to integrate our shipping service with the national line is something which we carefully considered at the time when Captain Williams was approached to make his inquiry; and, in fact, it was discussed with him at some considerable length. I think it is premature to contemplate this. The analysis which was done at the time disclosed that this would be premature and would not be to the advantage of Western Australia and the people who live in the north.

However, I have never ruled out the possibility that if we develop the north as we hope to, and if we develop an efficient shipping service, the time may arise sooner than many people think when we can make out a case that, in the interests of the people of the north and of the movement of increased traffic, this link should take place. Of course, we have to take into account the statutory powers and the directives of the Australian National Line. It would not accept, willy-nilly, a service which was going to be a heavy financial burden on it because under its powers, if it is directed to operate one of the services, it has to be recouped by the Commonwealth Treasury, and this would have a significant and salutary effect on the Treasury and on the Commonwealth if they were considering such an enterprise. However, this is something we can bear in mind not necessarily as a direct objective, but something which may, by the effluxion of time and the development and changing circumstances, be both desirable and, in fact, necessary.

The member for Beeloo raised the question of advertising a position should a vacancy occur on the commission. I do not know that the Government would normally advertise for people to apply to fill this

type of position. It is an entirely different matter to seeking a man to manage an engineering establishment or an ordinary trading establishment. I think the Government of the day, from time to time would, after deliberation, carefully select a man to fill any vacancy that occurred.

For instance, I think it would be a bad thing if all the members of the commission were men who had only experience of shipping. As with the Airlines Commission I think that with a body such as this there should be varied experience.

Mr. Davies: Will the commissioners have separate functions?

Mr. COURT: They will work as a commission. I think it is necessary to introduce a diversity of business and administrative experience to such a body, with a view to creating a balance of shipping experience, commercial experience, and so on. This is a matter which the Government of the day would, from time to time, take into account when making an initial appointment or when making a replacement when a vacancy occurred.

One of the difficulties, of course, is to obtain a man who does not have any vested interest. Some of the best men in shipping, and some of the best men in transport, from the point of view of straightout efficiency, would, of course, be unacceptable to Parliament and to most Governments because of their vested interests. This means that we have to select carefully those men who are completely free of any vested interest, but who, at the same time, are efficient in this type of work.

The member for Beeloo also referred to the fact that the Grants Commission had been mild in its criticism and its attitude towards the State in recent times; and, to an extent, this is true. However, we cannot ignore the facts of life, because the Grants Commission has had to advise us that it is placing a ceiling on our deficit. This is something that cannot be ignored. The Commonwealth Treasury feels rather strongly about this and is anxious that there should be some limit on the liability that it indirectly accepts.

We have to concede that the deficit of approximately £1,250,000—measured in per capita terms, of course—is greatly in excess of the deficit borne by the Railways Department even during its darkest times, when the deficit reached the figure of approximately £5,500,000 annually, and currently it is about £3,500,000. From a per capita basis for the population actually served, there is no comparison, plus the fact that the railways deficit has been fairly steady for some years now, whereas the deficit for the State Shipping Service is steadily going up.

Mr. Jamieson: The railways deficit increased a bit this year.

Mr. COURT: Not much, especially in the face of the very heavy costs that were accepted. I think it was a most commendable performance on the part of the commissioner and his staff. The deficit is down £2,000,000 compared to what it was six years ago, and in spite of cost increases of £3,000,000 per year, which makes a total improvement of over £5,000,000 per year.

The honourable member also referred to a trade ship. Whilst this sounds a worthwhile objective—and if a ship were lying idle it would be a good idea—I would like to think that we are never going to be in the position of having a ship with time on its hands to be able to wander around south-east Asia as a trade ship.

Mr. Jamieson: It might still be of some value.

Mr. COURT: The member for Pilbara and the member for Kimberley would be on my back "at the double" if they could not get a ship to operate around Derby and other ports to handle the freight that was offering, because it was absent on a trade mission. We buy these ships for the purpose of carrying freight and passengers along our coast, and if one is to be available to be refitted and to be sent out on a journey for anything up to 12 weeks, and then be refitted again to trade along the coast, we have a ship too many.

Nevertheless, if at any time, through seasonal conditions, it was possible to divorce a ship from the service for a period, I would agree it would be a wonderful thing to have a ship operating purely as a trade ship, especially if it were at the beginning of its life as the *Centaur* was during its goodwill mission to the Far East. The member for Kimberley referred to the voyage made by the Grants Commission on the *Kangaroo*. This was made at the request of the Government so that it could see at first hand the problems of operating the State Shipping Service along our coast, and arrangements were made for the general manager to travel with the members of the commission. As a result, I think they gained a better appreciation of some of the problems we have to face.

Despite this, the ceiling on the deficit has since been declared, and we cannot ignore this. The Deputy Leader of the Opposition, during his speech, placed most of his emphasis on the fact that the appointment of a commission was not necessarily needed. I agree with him, to some extent. It would be just plain silly to appoint a commission merely for the sake of having one; we would incur only extra expense and administration costs. I assure the honourable member that the decision to appoint a commission was taken only after carefully weighing the practical benefits that would be achieved. I have

endeavoured to enumerate some of these benefits which we consider to be real and which will make the venture worthwhile.

It is true that Captain Williams placed most emphasis on the shielding role of the commission, but we have gone beyond that a long way since we contemplated the appointment of the commission and, I might add, with the full concurrence of Captain Williams, after consultation with him on the relative merits of the commission. In this regard we were able to draw on his own practical experience, working as the chairman of a commission. There is a further advantage, even if one places some emphasis of this shielding role in the Government's legislation, because we have made it necessary for directed services to be highlighted in reports. This, I think, will bring about a sense of responsibility, in those who give these directions; and it is fair enough that the Parliament and the people should know what the cost of the directed services is from time to time.

This means a Government can give a direction, quite properly, under the Statute, and say that a service will be continued, or that it will be established, or expanded, and it will take full responsibility, even though the commission says, "We do not think this is a desirable service; it cannot be justified on economic grounds;" or perhaps it might give some other reasons.

But it makes the Government of the day responsible and it also means that, unlike some of the decisions made over the years—and there have been many, which involve special concessions, or special services—they will not get lost in the general morass of Government finance, and in the general deficit figure.

I have already dealt earlier with the comments on the borrowing powers, and I think those have a much greater significance than the honourable member imagines. In an expanding State like Western Australia, I feel the availability of funds within our own resources as a State will increase; and there is already a desire on the part of people to invest in enterprises which they feel could show some return to the State, particularly if the Government guarantees them. I thank members for their remarks and commend the Bill to the House.

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.

CATTLE INDUSTRY COMPENSATION BILL

Second Reading

Debate resumed, from the 21st September, on the following motion by Mr. Lewis. Minister for Education:—

That the Bill be now read a second time.

MR. ROWBERRY (Warren) [4.52 p.m.]: This measure before the House proposes to consolidate and amend a law providing for the testing of cattle for disease, and to establish funds for various other purposes. It also sets out to repeal certain Acts—namely, the Cattle Industry Compensation Act, 1960, and the Beef Cattle Industry Compensation Act, 1963—and to consolidate them into one volume, which is the legislation before us.

Members will see from a perusal of the Bill that it is merely an enactment to consolidate the Acts I have mentioned into one Act of Parliament. As the House has already had an opportunity to discuss and debate the legislation referred to in previous sessions, I do not intend to take up much time in discussing that legislation. I would, however, say that this Bill is a step in the right direction. It is a wise move to consolidate the two Acts into one Act of Parliament.

I read recently where a learned jurist in the Old Country said that we should scrap all our legislation and go back to the Ten Commandments. I think there is a lot to be said for that idea. I have no doubt that if we did that the general public, and possibly this House, would spend more time upon the seventh commandment than any of the others, which deal with killing, stealing, bearing false witness, and coveting. However, that is by the way.

I have no quarrel with the Bill; indeed I support it most sincerely. I have been in consultation with the Farmers' Union, the representative of the people for whom this Bill was primarily drawn up, and it is in accord with its provisions. In fact the Farmers' Union says the desire in the first place was to have one Act covering all the cattle the owners of which had to be compensated. The desire was that one central compensation fund should be set up. However, agreement could not be reached with the suppliers and vendors of wholemilk, and because of that snag it was decided to have three separate funds operating. This Bill sets out to consolidate these compensation funds into one fund for the purpose of protecting the milk industry, and the people of Western Australia generally, from the incidence of disease—mainly tuberculosis—which affects cattle.

I said I agree with the Bill in principle. Having studied it to the best of my skill and ability, and having related it and compared it with the Acts it sets out to substitute, I have only one criticism to make, and that is with respect to the compensation which will be paid to the owners of animals which have to be destroyed because they are suffering from disease.

I brought this matter to the attention of the Minister for Agriculture several years ago: the fact that in the legislation at that time—that providing for beef or dairy cattle compensation—provision was made for only a set sum by way of compensation, no matter what type of animal had to be destroyed because of disease. The same amount of compensation was given to all owners.

I thought at the time, and I still think, that it was manifestly unfair. However, this Bill will correct that anomaly. It can be readily understood that an animal used for breeding purposes, such as a pedigreed bull or a pedigreed cow, would be a much more valuable animal than an ordinary cow or steer; its loss would be far greater to the owner when it was destroyed—and many of them have had to be destroyed—but the owner was still only paid the nominal sum of £30 or £40, even though he might have paid a great deal of money for the animal in question. That, however, will now be set right.

I want to ask the Minister a question about the amount of compensation payable to the owner of an animal that is to be destroyed. I will read the provision to which I refer. Clause 16 of the Bill states—

(1) The amount of compensation payable under this Act in respect of cattle destroyed, because the cattle are suffering from disease or are suspected to be so suffering, shall be the value of the cattle so destroyed as determined pursuant to the provisions of subsection (1) of section seventeen of this Act.

Subsection (1) of section 17 which is referred to reads as follows:—

The value of any cattle destroyed pursuant to the provisions of this Act shall be determined by agreement between the owner of the cattle and the Chief Inspector or inspector by whom the cattle were destroyed, and in default of agreement some competent and impartial person nominated for the purpose by the Minister shall determine the value.

I have no quarrel with this at all. It is fair and logical that, in the event of no agreement being reached between the chief inspector, or the inspector, as the case may be, some competent and impartial person shall then determine the the issue.

In clause 16 (3) we have this provision—

(3) Notwithstanding anything contained in this Act, no amount of compensation payable in respect of the destruction of any animal or of the condemnation of any carcass or portion of a carcass as unfit for human consumption, pursuant to this Act, shall exceed an amount recommended at least once annually by the Minister and approved by the Governor.

This is the relevant portion which I would like the Minister to explain—

... shall exceed an amount recommended at least once annually by the Minister and approved by the Governor.

Why is this necessary? We have the machinery whereby the Inspector and owner discuss the value of the cattle. We know these cattle are about to be sold, and we know the market values for that description of cattle; and if there is any argument, we have an impartial and competent person to arbitrate between the two opposing parties. So why is it necessary for the Minister to state a maximum by which the amount shall not exceed an amount recommended. How will the Minister know what the fluctuations of the market will be at the beginning of the year? Will he know the ramifications of the market? Will he know the values of certain types of cattle? This will depend on demand; and demand is something which cannot be accurately ascertained beforehand.

That is one of the drawbacks from which primary producers suffer. They have no certain method—despite income tax impositions—of assuming what their income will be, because it depends on the market demand for their product. So, when the Minister replies, I would like him to let us know why this has been inserted in the Bill. Has he no trust in his inspector, or no trust in the primary producer? I would not blame him for having no trust in the latter, but surely he should trust his inspector. Since he can bring in an impartial arbitrator, why is it necessary to impose limits beforehand on the value? This is something about which I would like some explanation.

Maybe it will be quite a simple explanation, but I should think the whole situation is adequately covered by the provisions of clause 16 (1) and clause 17 (1) of the Bill. If the Minister will explain to us the point I have just made, I will say nothing further on the Bill, except to add my commendation and support.

MR. I. W. MANNING (Wellington) [5.4 p.m.]: I desire to make a few comments on this measure. When cattle compensation was discussed in 1963—that is when the Beef Cattle Industry Compensation Act was introduced into this House—I forecast that a number of cattle owners would

contribute under more than one heading to the compensation fund, but would receive compensation under only one heading.

The history of the three schemes at present operating has proved that in some instances cattle owners are contributing to all three current operating funds but have the opportunity of receiving compensation under only one heading. The testing of cattle for tuberculosis has had a very successful history in this State and goes back to 1933, but the first big move to really tackle this problem was the introduction of the Bill by the then Minister for Agriculture who is now Deputy Leader of the Opposition. This was in 1946; and it came into full operation during the year 1947-48 when 12,899 cattle were tested, 23 per cent. reacted, and compensation to the amount of £48,740 was paid.

To indicate the success of the scheme, in 1963-64, 19,182 cattle were tested and 0.72 reacted, requiring a sum of £5,805 to be paid in compensation. The fund today has a sum of £38,237 standing to its credit. In 1960, when the dairy cattle industry compensation fund was introduced, we saw the testing for tuberculosis extended into what was termed the butterfat areas. Here again the scheme has proved to be very successful. During last year, contributions to the fund were £7,791, while £8,065 was paid out; and that fund, which also has a reserve fund attached to it, has £68,000 standing to its credit.

In 1963, the testing of cattle for tuberculosis was extended to beef cattle in the South-West Land Division which, in itself, included all cattle, because the contributions to this fund were collected under the Stamp Act through the sale of cattle. Therefore, irrespective of whether cattle were dairy or beef cattle, they had to come within the ambit of the provisions of the Beef Cattle Industry Compensation Act.

Last year we saw a contribution of £98,430 paid into that fund and the sum of £21,026 was paid out. That fund today has a credit of £73,776. So that serves to indicate the sum of money held in reserve for payment of compensation for cattle destroyed for tuberculosis is in a very strong condition indeed and ample money is held in reserve for any future compensation purposes.

This would indicate, of course, that the contributions collected have been a little more than necessary, but I think the Government and the industry were well aware of this at the time these measures were first introduced, so they were readily agreed to. It is commonsense now that we should take this question a step further and that these three Acts should be consolidated. The first move towards consolidation came in 1946 when the two funds current at that time—the vendors' fund and the

dairymen's fund—were amalgamated. Now we are going a step further with the amalgamation of these three current funds.

I say again that this is a very common-sense move, because it does include all cattle infected. This is because the contributions to this fund are collected under the heading of sales of stock. Therefore I commend the Minister for bringing the measure in at this stage. If you remember, Mr. Speaker, I forecast earlier that this is what would happen; and I am pleased indeed that we have progressed to this point.

I think that in the future we will see a steadily decreasing number of reactors to T.B. tests and the general upgrading of the health of the cattle—both beef and dairy—right throughout the length and breadth of the south-west portion of the State in particular. I commend the legislation to the House.

MR. LEWIS (Moore—Minister for Education) [5.11 p.m.]: I wish to thank the Member for Warren and the member for Wellington for their general support of the Bill. In his remarks, the member for Warren mentioned he was glad to see that the question of compensation is now one to be decided, in the first instance, by mutual agreement between the owner of the cattle and the inspector. I would remind him that this provision was also in the Beef Cattle Industry Compensation Act, which was No. 78 of 1963. He will find this out if he refers to section 15 (1), and the relevant portion in the Bill now before the House is lifted from the Beef Cattle Industry Compensation Act.

In regard to compensation the member for Warren referred particularly to the provision in the Bill which is as follows:—

(3) Notwithstanding anything contained in this Act, no amount of compensation payable in respect of the destruction of any animal or of the condemnation of any carcass or portion of a carcass as unfit for human consumption, pursuant to this Act, shall exceed an amount recommended at least once annually by the Minister and approved by the Governor.

As I am merely the acting Minister for Agriculture, I have to say frankly that I do not know why this provision was inserted in the Beef Cattle Industry Compensation Act of 1963. However, it has been lifted from that Act; and the relative portion is subsection (3) of section 14.

Mr. Rowberry: Was the whole of that section lifted?

Mr. LEWIS: Practically.

Mr. Rowberry: Under the old Act, a certain sum of money was set aside for compensation, but now the compensation is the current market value.

Mr. LEWIS: Let me quote the relevant section, which is subsection (1) of section 14 of the Beef Cattle Industry Compensation Act, and which states—

The amount of compensation payable under this Act in respect of beef cattle destroyed because the cattle are suffering from disease or are suspected to be so suffering shall be the value of the cattle so destroyed as determined pursuant to the provisions of subsection (1) of section fifteen of this Act.

Mr. Rowberry: What is subsection (1) of section 15 of the old Act?

Mr. LEWIS: I will deal with that if the honourable member wishes; but first of all I will quote subsection (3) of section 14 of the Beef Cattle Industry Compensation Act, which reads as follows:—

Notwithstanding anything contained in this Act, no amount of compensation in excess of an amount recommended at least once annually by the Minister and approved by the Governor shall be payable in respect of the destruction of any animal destroyed or of the condemnation of any carcass condemned as unfit for human consumption pursuant to this Act.

So the honourable member will see that that is almost a repetition word for word of subclause (3) of clause 16 of the Bill. I have not had time to check it, but I think it is almost word for word with subsection (3) of section 14 of the Act.

Subsection (1) of section 15 of the Beef Cattle Industry Compensation Act reads as follows:—

The value of any beef cattle destroyed, pursuant to the provisions of this Act, shall be determined by agreement between the owner of the cattle and the Chief Inspector or inspector by whom the cattle were destroyed; and in default of agreement some competent and impartial person nominated for the purpose by the Minister shall determine the value.

Here again, I think that is word for word copied from the Beef Cattle Industry Compensation Act. So, while I cannot say at this time without some research why that provision was inserted in the Act in 1963, there is apparently no objection to it.

Mr. W. A. Manning: Wasn't it because of the falling market value? There were big fluctuations at that time.

Mr. LEWIS: I would not hazard a guess. I would like to investigate the position fully before stating why it was done. Since there has been no objection in the intervening period I would expect that it has not operated against the interests of the cattle owners, and I suggest the same will obtain in the future.

I do not even know whether the Minister has duly done what the Act stipulates: that he should declare the maximum, approved by the Government, once annually. I do not know whether there is, indeed, a maximum amount of compensation set, or otherwise.

Mr. Rowberry: Has it ever been declared?

Mr. LEWIS: As I say, I do not know. I do not know whether there is any objection to this set-up; but if an owner were subject to compensation and did not receive the full or fair value because of some fixed maximum below that value then I would assume that we would have heard about it through members representing the areas or through the department itself. However, I have no knowledge of any objection raised, and therefore I suggest we can safely proceed by adopting something which has been in a previous measure and on which this measure is based.

Question put and passed.

Bill read a second time.

In Committee, etc.

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Lewis (Minister for Education) in charge of the Bill.

Clauses 1 to 15 put and passed.

Clause 16: Amount of compensation—

Mr. ROWBERRY: I listened carefully to the Minister representing the Minister for Agriculture when he explained this clause, and I appreciate the difficulties he is working under. It is not very good logic to assume that because something is good in one Act it should be accepted in another. For instance, in the old days people mostly died when they had appendicitis, whereas now a fairly simple operation saves their lives.

As there are members representing primary producers and suchlike in this Chamber, and others who are actively engaged in the industry, and they are quite satisfied with the clause as it stands, then I must bow to their superior knowledge. I consider I have done my duty by bringing it to the notice of the Committee.

Clause put and passed.

Clauses 17 to 26 put and passed.

Clause 27: Statements on sales of cattle—

Mr. LEWIS: I move an amendment—
Page 13, line 13—Delete the word "purchaser" and substitute the words "Commissioner of Stamps".

I would point out that this fund is contributed to by the Treasurer in equal proportion to the normal contributions of the cattle owners. In order to determine the amount the Treasurer should contribute to

the fund provision is made in the Stamp Act for a special stamp to be printed and affixed to account sales. It is the purchase price of those stamps—the amount that is purchased—that is evidence to the Commissioner of Stamps, and so to the Treasury, of the amounts the growers have contributed, and hence an equal amount has to be found by the Treasury.

In practice stamps are not affixed, in the main, to account sales. The amount is deducted by the livestock agents and the like and this amount is sent by cash to the Treasury on account of the cattle compensation fund, and it is recorded. So the number of these specially printed stamps for this purpose is restricted for private deals as between one grower and another, and is strictly limited. It has been agreed by the Treasury and by the industry that it is better to have a statement made, as between one private buyer and seller or between stock agents and the Commissioner of Stamps and that the statement of sale be sent to the Commissioner of Stamps, not to the purchaser. Hitherto the statement was sent to the purchaser with the stamp affixed; but to avoid unnecessary cost incurred by the manufacture of the special dies for these special stamps, it is agreed that in the case of private transactions the ordinary duty stamp may be affixed and the statement of the transaction sent to the Commissioner of Stamps.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 28 and 46 put and passed.

Schedule put and passed.

Title put and passed.

Bill reported with an amendment.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

MILK ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 21st September, on the following motion by Mr. Lewis (Minister for Education):—

That the Bill be now read a second time.

MR. ROWBERRY (Warren) [5.31 p.m.]: This Bill is consequential upon the Cattle Industry Compensation Bill which we have just been discussing; and because of that I have no desire to speak to this measure at length, except to say that with the presentation of these two Bills the dairy farmer, or the supplier of milk, will now

have justice done to him in comparison with the other owners of dairy and beef cattle; because prior to this enactment the milk supplier and the butterfat producer had to pay double. That is the reason why they were reluctant to join in the overall compensation plan which was envisaged in the Bill we have just disposed of. Now butterfat and whole-milk producers, as well as milk vendors, will pay only once. Prior to that they were paying a levy on butterfat, a levy on whole-milk produced, and also a levy on cattle which were sold.

This was manifestly unjust, and I do not blame these producers for their attitude in refusing to join a consolidated fund, as was suggested a few years ago, until justice was done to them. I also commend the idea of holding a certain amount of this compensation fund in reserve. Only £10,000 will be paid into the central fund and the remainder will be held by the Milk Board for the purpose of further protecting the general public, the consumers of milk, and also whole-milk producers. I think this is a most admirable aspect of the Bill.

I also wish to pay a tribute to the Department of Agriculture for its efforts to reduce the incidence of bovine tuberculosis, and I kept my remarks on this matter until this Bill. As was mentioned in the House a short time ago, the scheme to control bovine tuberculosis was inaugurated in 1946 because the dangers from tuberculosis, or the chances of being infected by bovine tuberculosis are greater with the ingestion of milk than with the ingestion of meat which has been infected by tuberculosis.

We in Western Australia can consider ourselves extremely lucky that the incidence of tuberculosis which is caused by bovine tuberculosis is very slight indeed. I consider this is due in part to the excellent climate, which permits our milk-producing animals to be out in the open air, enjoying all our sunshine, in contrast to the milk-producing cattle in other parts of the world where they are stall fed and kept indoors almost the whole of their lives. In those cases the beneficial effects of sunshine in the prevention of bovine tuberculosis are not apparent.

In support of the Bill, and in conclusion, I would commend it with this rider: that we should express our appreciation of the efforts of the Department of Agriculture in the matter of reducing the incidence of tuberculosis both in cattle and in human beings.

MR. RUNCIMAN (Murray) [5.35 p.m.]: I would briefly like to support the Bill. It is quite correct to say that those who have been whole-milk suppliers and butterfat producers have been subscribing to three funds; many whole-milk suppliers also supply butterfat and have

been paying into the beef fund as well. It is as well to remember that the beef compensation fund has been in existence for only two years. When this fund was established it was considered that the whole-milk farmers and the butterfat producers would contribute something towards the beef section so that a fund could be established from which payments could be made immediately, because it was not known at that stage how much TB there would be in the beef herds.

Apart from small pockets in the State the incidence of tuberculosis in these cattle has been remarkably small. From the testing that was carried out last year only .2 per cent. were found to react and so it can be seen that the incidence is not very great. It is also worth mentioning that in 1947, when the first testing for TB was carried out in this State, the percentage of reactors was 23 per cent., and the latest figures indicate that that percentage has dropped to .3 per cent. So there has been a wonderful improvement. With butterfat producers the percentage is .33 per cent., which indicates that in the three sections the percentage of reactors is almost the same.

As regards the compensation fund which is held by the Milk Board for the whole-milk producers, the bulk of it will be retained by the Milk Board and used for the benefit of the industry. It is as well to remember that not only do farmers subscribe to this fund but also the treatment plants and milk vendors pay into it; and as the funds will be used by the Milk Board they will benefit the whole of the industry.

The board first had its premises in St. Georges' Terrace but it had to move from there to East Perth. It now has power to borrow money, and an area has been purchased on Stirling Highway where it is intended to build offices in keeping with the importance of the industry. It is also proposed to build a laboratory; and in carrying out this work the bulk of the fund—something like £28,000, or thereabouts—will be spent. It will be for the benefit of the industry as a whole and the scheme has the approbation of the whole-milk producers. I have much pleasure in supporting the Bill.

MR. LEWIS (Moore—Minister for Education) [5.43 p.m.]: I wish briefly to thank the member for Warren for his support of the Bill, and particularly for the rider he added in which he commended the Department of Agriculture for its efforts in materially reducing the incidence of tuberculosis. I also wish to thank the member for Murray for his remarks commending the Bill.

As I think I pointed out on the second reading of the Cattle Industry Compensation Bill, these measures will bring all cattle owners, whether they are dairy farmers or beef producers, on to the same basis inasmuch as they will pay into only one fund, and at the same rate. As I

also pointed out on that occasion, the rate for the time being will be no more than ½d. in the pound value of the animal produced, or on the value at which it is assessed if it is condemned. Hitherto, as has been pointed out, the dairy farmer, whether he was a whole-milk producer or a butterfat producer, has had to pay so much per gallon of milk produced, or so much per lb. of butterfat, as well as contribute towards the cattle compensation fund, or the beef industry compensation fund when he sold an animal or it was condemned. In future there will be only one fund to which they will contribute and from which they will be paid when an animal is disposed of. I also wish to endorse the remarks made commending the department for its vigorous efforts in almost getting rid of tuberculosis in cattle.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

PUBLIC WORKS ACT AMENDMENT BILL

In Committee

Resumed from the 21st September. The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Works) in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 1 had been agreed to.

Clauses 2 and 3 put and passed.

Clause 4: Section 29B added—

The CHAIRMAN: I wish to draw the attention of members to a printer's error in clause 4 on page 3, line 11. The word "at" should read "as." The correction will be made by the Clerks.

Mr. TONKIN: I have an amendment on the notice paper to incorporate in this clause. When speaking on the second reading I indicated my reasons. One of my objections to what is being done is that this will have retrospective effect which could be very serious on a number of persons, because it may deprive them of an existing right which, at the time, was considered fair and just.

The amendment foreshadowed by the Minister will go a long way towards meeting my objection about the price to be paid for land which is resumed, and where it is proposed to give it back. But it appears to me to miss entirely the point that a major change is being made by the Government, inasmuch as under the law as it now stands, where land is resumed for a specific purpose, and is not used for that purpose, there is an obligation on the Government to return it.

That is being altered, and the Minister's amendment does not affect that point. It is being altered to say that where land is being resumed for a specific purpose the Government may change its purpose. In that case it puts no value on the land at all, and does not offer it back. I do not think that should be done at this point without preserving the existing rights which may be there at the moment.

It could be that 15 years ago the Government resumed my land for the purpose of building a school. It has no intention of building that school, and it just holds on to the land. Under the existing Act it may not use that land for any other purpose; and, when it is content to do so, it must offer it back to me at the price at which it was resumed, because it cannot fulfil the original purpose. But the Government is now altering the legislation to provide that land which was resumed, say, from me, 15 years ago, for a school and has not been offered back to me, even though the Government has no intention of building a school on it, may now, at the option of the Government, be used for any other public work; and I do not get the chance of getting it back at all. That deprives the people of existing rights and I think it is bad legislation.

I have an amendment which will preserve the position so far as people with existing rights are concerned. It does not give them their land; they still have to demonstrate that they are entitled to get it back. The argument was introduced the other night, with regard to certain land, that it was resumed under the State Housing Act, and therefore the person who owned it has no claim under the Public Works Act for its return. That could be, though personally I do not agree. If it is so then that person is not entitled to get the land back at his price; but if he is entitled to get it back at this moment we should not deprive him of that right.

My proposed amendment simply attempts to preserve any existing rights, and not to interfere with the position in the future. To insert the proviso in the clause it is necessary to insert the words "subject to the proviso" at the commencement of the clause, and then to insert the proviso at the end of the clause.

During the second reading I said this reminded me of what occurred recently in the Federal Parliament in relation to IPEC. A certain party was about to test before the Privy Council its right to do certain things, and there was to be a judicial determination. To prevent the adjudication from taking place the Commonwealth Government amended the law, and that had the effect of depriving that party of its right of action. That is precisely what will happen in the case which I have referred to where at present the

person concerned believes he has a right of action and is in the process of testing that right; but if this legislation goes through he will not have the opportunity to have an adjudication as to whether or not his right of action exists.

If the Government wants to change the policy for the future it has a right to do so, but by introducing this Bill it should not take away from someone a right which exists. That is my strong objection to this legislation.

Mr. Ross Hutchinson: Proposed section 29B is subject to any existing option.

Mr. TONKIN: Only those which are granted.

Mr. Ross Hutchinson: This is really subject to any existing option. This refers to any option granted under the Act.

Mr. TONKIN: I do not read it that way. The option is there to be exercised.

Mr. Ross Hutchinson: Until a decision is made.

Mr. TONKIN: When a decision is made then the option is granted.

Mr. Ross Hutchinson: It might not be granted.

Mr. TONKIN: Then this will not apply.

Mr. Ross Hutchinson: It may be refused, because the land is wanted for the same or for another purpose.

Mr. TONKIN: As I interpret his remarks, the Minister is endeavouring to establish that this legislation will not deprive anyone of his existing rights.

Mr. Ross Hutchinson: I am not saying that.

Mr. TONKIN: I thought the Minister was. If this legislation goes through in its present form it can deprive persons of rights which exist at the moment, and which without this legislation they may be able to establish and obtain recompense.

Mr. Ross Hutchinson: I agree; but this will make the whole system more workable compared with the past.

Mr. TONKIN: I do not disagree with that at all. This is possibly a desirable feature of the legislation. Instead of allowing some authorities to stall and hold on to land, in the hope that something will turn up to allow them to use it for some other purpose than that for which it has been resumed, this will make them arrive at a decision at the end of a certain period. That is a good feature, but it does not deal with the point which concerns me; that is, up till now certain things have occurred where, if the people had had their just due, they would have had returned to them land which had been resumed for specific purposes, but for which it was not so used.

I recall reading in the newspapers about a case which was put up to the Minister by the Shire of Perth. That local authority admitted to the Minister that it had resumed some land for a specific purpose; that it did not want to use it for that purpose but for some other purpose; but that the law would not allow it to do so. That was a fair statement that this local authority had no intention of using the land for the purpose for which it had been resumed. When it arrived at the decision not to use the land for the purpose for which it had been resumed, it was the duty of that local authority to give the land back to the person from whom it had been resumed at the price at which it was resumed. It did not do that; instead, it asked the Minister to introduce amendments to get it out of a fix, so that it would not be under an obligation to give that land back.

The CHAIRMAN (Mr. W. A. Manning): The honourable member has two minutes to go.

Mr. TONKIN: I could not agree to this clause without endeavouring to preserve for the persons concerned their existing rights. My principles are well known. I am a socialist, and here I am asking a private enterprise Government to make certain payments to private individuals for land which was resumed on behalf of the State, but I am meeting resistance in connection therewith. To explain my position I say that a socialist can be completely fair. He works along certain principles, but they are principles of common justice and fairness.

I do not care who a man is or what he owns, as a matter of principle, if I think he is getting a raw deal I will fight for him to see he gets a just deal. I think it is a raw deal to introduce legislation deliberately framed in some instances to allow people to avoid existing legal obligations and to allow them to do what they wanted to do for a long time but which the law would not previously allow them to do. Because of that, I move an amendment—

Page 2, line 8—Insert after the figure (1) the words "Subject to the proviso."

Progress

Progress reported and leave given to sit again, on motion by Mr. Ross Hutchinson (Minister for Works).

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [6.1 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 5th October.

Question put and passed.

House adjourned at 6.2 p.m.

Legislative Council

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