The Hon. I. G. MEDCALF: I move an amendment—

Page 3, line 27—Insert before the word "injury" the word "permanent".

I wish to explain that this amendment is not on the notice paper, but, on further comparison with the Bill as passed on the last occasion, I noted that this word was then inserted, and it was also in the original Bill. I believe it should be inserted because it ties in with clause 4(1)(b).

Amendment put and passed.

Clause, as amended, put and passed.

Clause 6: Savings—

The Hon. J. DOLAN: I intend to oppose this clause by way of principle. I am not going to debate it.

Clause put and passed.

Clause 7 put and passed.

Title put and passed.

Bill reported with amendments.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Receipt and First Reading

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

House adjourned at 1.16 a.m. (Wednesday)

Legislative Assembly

Tuesday, the 21st April, 1970

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

QUESTIONS (27): ON NOTICE

1. HOUSING

Manning: Flats

Mr. MAY, to the Minister for Housing:

(1) How many persons will be accommodated in the State Housing Commission flats being erected in Kelsall Crescent, Manning?

(2) What eligibility criteria will be utilised regarding occupancy?

(3) When will construction be completed?

(4) When will the flats be occupied?

Mr. O'NEIL replied:

(1) Twenty-four.

(2) These flats will be allocated to women over 60 years of age whose incomes do not exceed $20 per week and whose liquid assets do not exceed $600.

(3) and (4) May, 1970.

2. POLLUTION

Swan River

Mr. BATEMAN, to the Minister representing the Minister for Health:

(1) Is he aware that on the programme "Today Tonight" on Channel 2 sometime prior to the 23rd March, 1970, a spokesman for the Swan River Conservation Board had declined to give the names of firms allegedly allowing effluent to flow into the Swan River?

(2) If "Yes" will he advise the names of firms concerned and subsequent action taken against the offending companies?

(3) If he is not aware of the situation in (1) will he have the necessary investigations made and advise the names of the offending firms?

Mr. COURT replied:

(1) It has been board policy in the past not to reveal names of permit holders. This policy was reversed at the board meeting on the 12th March, 1970, and now the list is available to Press and other *bona fide* news media, and other approved bodies and persons.

(2) and (3) Under the Swan River Conservation Act 1958-66 the board grants permits for discharge of treated wastes—either directly to the river or through drains or other means by which the waste may finally reach the river.

Applications for permits to discharge treated wastes are examined and approved or disallowed, according to the merits and the information in the application which must include—

(i) type of waste;

(ii) quantity;

(iii) chemical analyses.

There are no offending firms; the 27 companies discharging do so as a result of the aforesaid applications and after investigation by the industrial committee of the board, a report from the inspector, and consideration by the full board.

3. TRAFFIC

Adelaide Terrace: Access

Mr. MITCHELL, to the Minister for Traffic:

(1) Is it a fact that traffic from Plain Street is to be denied access to Adelaide Terrace at certain times of the day?

(2) If "Yes" how is it proposed that the great volume of traffic using this road can gain access to the terrace and beyond?

(3) Is it not obvious to the authorities that if you deny traffic entry to the main thoroughfares it has the effect of creating chaos in the lesser streets?

(4) If Adelaide Terrace has become such an important point for traffic would it not be better to prohibit parking therein so as to provide a dual carriageway instead of at present being a single line of traffic on one of the major city outlets?

Mr. CRAIG replied:

(1) On the 13th April a "No Right Turn" ban into Adelaide Terrace was applied to south bound Plain Street traffic between the hours of 8 a.m. to 9.15 a.m. and 3 p.m. to 6 p.m. Monday to Friday. There is no right turn restriction at this intersection for north bound Plain Street traffic.

(2) South bound traffic in Plain Street can use Terrace Road as an access to the city.

(3) Right turn bans are applied at peak hours at many city intersections without necessarily creating severe problems elsewhere.

(4) Parking is prohibited in Adelaide Terrace during certain hours. It is a "clearway" and "No Standing" prohibitions are in force during peak hours.

4. CONCERT HALL

Cost to State

Mr. GRAHAM, to the Premier:

What is the commitment of the State in respect of the cost of the Perth City Council concert hall project?

Sir DAVID BRAND replied:

The Government has agreed to contribute dollar for dollar in providing the required finance for the project, subject to the Government's contribution not exceeding $1,350,000.

5. EDUCATION

Lake Gwelup Primary School

Mr. GRAHAM, to the Minister for Education:

(1) In view of housing development actual and in prospect, are there any plans to provide additional classrooms at Lake Gwelup Primary School?

(2) If so, will he give details?

(3) If not, will he arrange for a survey to be undertaken?

Mr. LEWIS replied:

(1) Yes.

(2) One additional classroom is to be provided at Lake Gwelup.

(3) See answer to (2).

6. HOUSING

Bunbury: Laporte Company

Mr. JONES, to the Minister for Housing:

(1) Is the Laporte company at Bunbury allocated a number of State Housing Commission homes for their employees?

(2) If "Yes" what are the arrangements between the company and the State Housing Commission?

(3) In the event of an employee purchasing a home allocated under the agreement and subsequently leaving the company is Laporte then granted another State Housing Commission home?

Mr. O'NEIL replied:

(1) No. Under the Laporte Industrial Factory Agreement Act, 1961, the State undertook to provide up to one hundred houses for occupancy by company employees. Special funds were provided by the Treasury.

(2) Houses are erected by the State Housing Commission and leased to the company which is responsible for rental repayments.

(3) No.

7. METRIC SYSTEM

Introduction

Mr. FLETCHER, to the Premier:

(1) Has he any knowledge of Federal intentions to introduce the metric system in Australia?

(2) If "Yes" will this be over an extended period?

(3) Again if "Yes" what is the anticipated date of full implementation in this State?

Sir DAVID BRAND replied:

(1) Yes.

(2) Advice received indicates that the programme aims at completing conversion within 10 years.

(3) No estimate can be given at this stage. It is likely, however, that a conference of Commonwealth and State Ministers will be held at an early date.

8. EDUCATION

Wundowie Junior High School

Mr. McIVER, to the Minister for Education:

Further to my question of the 14th August, 1969, regarding staff room at the Wundowie Junior

High School, will he advise when work will commence on extensions as promised?

Mr. LEWIS replied:

Work cannot commence until it is known what funds will be available for the 1970-71 financial year.

9. STAMP DUTY

Commonwealth Legislation

Mr. TONKIN, to the Treasurer:

(1) Since the Prime Minister stated that he would have legislation introduced for the purpose of enabling stamp duty on the sale of Australian manufactured goods to be lawfully exigible as from the 18th November, 1969, have any negotiations or discussions of any kind taken place between the Commonwealth and the State regarding the matter?

(2) If "Yes" was any consideration given to the point that the tax had not been imposed in Queensland and this fact may present an insuperable difficulty to the Commonwealth because it is unable to discriminate between the States in the matter of taxation?

(3) Has any indication yet been given by the Commonwealth that legislation with retrospective application is in the course of being prepared?

(4) If "Yes" has he been informed of the probable date of introduction?

Sir DAVID BRAND replied:

(1) Yes.

(2) Consideration was given to this point and appropriate provision is being made in proposed Commonwealth legislation to meet this situation.

(3) Yes.

(4) Not as yet.

10. NOISE

Control

Mr. BURKE, to the Premier:

(1) What is the nature and extent of the legislation at present under consideration regarding the need for control of noise?

(2) When is the legislation likely to be introduced?

(3) Who is conducting the inquiry?

Sir DAVID BRAND replied:

(1) to (3) The Government is seeking further information regarding legislative measures taken overseas to control noise. A decision on the introduction of legislation in this State will be considered when sufficient data is available.

11. EDUCATION

Teachers' Colleges: Autonomy

Mr. WILLIAMS, to the Minister for Education:

(1) Has the Government decided on a provisional timetable concerning the projected autonomy for teachers' colleges?

(2) If "Yes" what is the timetable?

(3) Is it intended that teachers' colleges become separate colleges of advanced education?

(4) Would the Tertiary Education Commission accept submissions from the staff of teachers' training colleges, as distinct from the teachers' union, when planning for tertiary institutions?

Mr. LEWIS replied:

(1) No.

(2) See answer to (1).

(3) No decision has yet been made.

(4) Yes: submissions from the staff of teachers' colleges would be welcomed by the Tertiary Education Commission.

12. EDUCATION

Bungaree Primary School

Mr. RUSHTON, to the Minister for Education:

(1) With the Rockingham Park precinct No. 2 housing estate underway, will the department extend the present building contract at Bungaree Primary School by another cluster of six classrooms making in all 18 permanent classrooms at this school?

(2) If "No" what provision is being made to accommodate the estimated number of students for beginning of the 1971 school year?

Mr. LEWIS replied:

(1) and (2) Fifteen permanent classrooms and two demountables, giving accommodation for 680 pupils, will be available at Bungaree to meet the estimated enrolment of 600 in February, 1971.

Depending upon enrolment figures at the beginning of 1971 a decision will be made as to whether to complete the last three classrooms at Bungaree primary school or to commence a new primary school in precinct 2.

13. DREDGING

Cockburn and Warnbro Sounds

Mr. RUSHTON, to the Minister representing the Minister for Justice:

With jurisdiction over the off shore between low water mark and the edge of the continental shelf

in doubt, does this mean the applications for dredging rights in Cockburn and Warnbro Sounds will be deferred until such time as control by the State or Commonwealth Governments over this coastal strip is resolved?

Mr. COURT replied:

Until it has been established whether Cockburn and Warnbro sounds were internal waters at the time of Federation these applications are unlikely to be finalised.

14. *This question was postponed.*

15. WATER SUPPLIES

Reservoirs: Storage

Mr. RUSHTON, to the Minister for Works:

(1) What quantity of water is held in each major storage reservoir servicing the metropolitan and country regions?

(2) Based on average years consumption how many months supply is held in each reservoir?

Mr. COURT (for Mr. Ross Hutchinson) replied:

(1) Present storage is as follows:—

(a) Mundaring Reservoir—8,758 million gallons.

(b) Wellington Dam—21,900 million gallons.

(c) Serpentine Dam (including Pipe Head)—23,203 million gallons.

(d) Canning Dam—7,911 million gallons.

(2) (a) Mundaring Reservoir: Equivalent of 15 months consumption.

(b) Wellington Dam: Equivalent of 18 months consumption.

(c) Serpentine and Canning dams: Total equivalent of 12 months consumption.

As summer has ended the periods quoted will increase with winter inflow.

Mr. Bickerton: Does that include the last lot of rain?

Mr. COURT: I do not think so.

16. MINING TENEMENTS

Mt. Manning Range

Mr. HARMAN, to the Minister representing the Minister for Mines:

(1) Is he aware that the area known as Mt. Manning Range is under consideration by the Minister for Lands following a recommendation by the sub-committee of the Australian Academy of Science?

(2) Is the area subject to a temporary mining reserve for iron ore; if so, how many acres?

(3) How many mining tenements have been granted since 1963 and for what acreage?

(4) How many mining tenements have been applied for since 1963 on which a decision is pending and for what acreage?

Mr. BOVELL replied:

(1) Yes.

(2) Yes. Temporary reserve No. 1971H containing 50 square miles.

(3) Three. Total area 900 acres.

(4) Eighty-seven. Total area 25,019 acres.

17. WATER SUPPLIES

Rates: Action against Teachers

Mr. BERTRAM, to the Minister for Water Supplies:

Will he refrain from taking any enforcement action against school teachers for non-payment of water rates by reason of the fact that the school teachers are still awaiting payment of certain allowances and marginal increases which were due for payment on the 1st January, 1970, and they are suffering financial embarrassment and inconvenience in consequence thereof?

Mr. COURT (for Mr. Ross Hutchinson) replied:

No, but school teachers owing water rates will be given the same consideration as any other debtor requesting time for payment.

18. HOUSING

Midland: House No. C341.45

Mr. BRADY, to the Minister for Housing:

(1) Is it a fact that house No. C341.45 in Ewart Street, Midland, has been empty for over three months?

(2) What is the reason for the house not being made available for occupancy by a one unit family as previously existed?

(3) When will the house be made available for renting?

Mr. O'NEIL replied:

(1) Yes.

(2) and (3) A contract was let in February, 1970, for additions to be made to this house. It will be available for occupancy when these additions are completed.

19. BRIDGE

West Midland-Hazelmere

Mr. BRADY, to the Minister for Works:

(1) Has a commencement been made on the proposed bridge from West Midland to Hazelmere?

(2) If "No" what is the reason for the delay?

(3) When is it expected that the bridge will be available for vehicular traffic to relieve pressure off the Great Eastern Highway?

Mr. COURT (for Mr. Ross Hutchinson) replied:

(1) Yes.

(2) Answered by (1).

(3) Towards the end of June, 1970.

20. WHEAT

Quotas

Mr. GRAHAM, to the Minister for Agriculture:

Respecting wheat quotas for the forthcoming season—

(1) Will he make available a copy of the reports of the independent committee and the wheat quota committee containing their respective views and recommendations concerning the basis of allocation of quotas?

(2) If not, why not?

(3) What will be the basis of calculating quotas for those who recently purchased undeveloped freehold land and which is ready for a crop for the first time this year?

(4) If there is to be no allocation for these people, what are the reasons?

(5) As farmers are allowed to select the best five of the previous seven years delivery of wheat, does he agree that a farmer with a delivery record of five years or less should be entitled to discard at least one year, to cater for a year when perhaps there was some unusual or untoward circumstance responsible for a restricted delivery?

(6) If not, why not?

Mr. NALDER replied:

(1) and (2) The report of the independent committee of inquiry was not prepared for general distribution. However, I will be pleased to table this committee's report relating to wheat quota allocations. The wheat quota committee did not compile a report.

(3) and (4) People who purchased undeveloped freehold land before the 1st April, 1969, will receive base quotas on the specified rotation for the area multiplied by the potentially arable area multiplied by 11 bushels. The actual quota in 1970-71 will be 55 per cent. of this figure. Where the cropped area multiplied by 15 bushels is less than the calculated actual quota, it will be reduced to the lower figure. There is no provision for the allocation of wheat quotas to undeveloped freehold properties purchased after the 1st April, 1969.

(5) and (6) To establish minimum quotas, established farmers are permitted to use the best five plantings in the seven years 1962 to 1968 multiplied by 15 bushels per acre. New land farmers may take less than five years history into consideration to establish their quotas under certain circumstances.

The total pool of wheat available for distribution is fixed. The allocation of quotas on terms more liberal than those provided would have taken wheat quotas from other farmers. This was not acceptable to industry representatives.

Any unusual or untoward circumstances would be considered by the committee.

The report was tabled.

21. HOUSING

Bunbury: Laporte Company

Mr. JONES, to the Minister for Housing:

(1) Were Laporte at Bunbury allocated three brick homes in the Walliston area in exchange for three fibro homes in the Carey Park area?

(2) If "Yes" why were the transfers made?

Mr. O'NEIL replied:

(1) and (2) No. The houses were allocated under the provisions of the Laporte Industrial Factory Agreement Act, 1961.

22. EDUCATION

Kwinana High School

Mr. RUSHTON, to the Minister for Education:

Relating to Kwinana High School—

(1) What additional accommodation is planned for the start of the 1971 school year outside the present building contract?

(2) When will tenders for these buildings be called?

(3) How many students are—
(a) enrolled now;
(b) estimated for enrolment in 1971?

(4) How many—
(a) students attend;
(b) classes are conducted,
at the technical school held at the Kwinana High School?

Mr. LEWIS replied:

(1) Four classrooms and a prevocational centre.

(2) The work has recently been commissioned to a private architect and it is expected that tenders will be called about the end of May or early June.

(3) (a) February enrolment — 1970, 1,217.
(b) Estimated enrolment — 1971, 1,280.

(4) (a) 288.
(b) 18.

23. LITTER

Bag Holders in Cars

Mr. FLETCHER, to the Minister representing the Minister for Local Government:

(1) Is he aware that the Victorian Government was to be asked to make it compulsory for all cars to be fitted with litter bag holders (see *The West Australian* the 27th November, 1969)?

(2) Has he any information as to whether such policy was implemented?

(3) In any case, and in view of local authority concern regarding litter broadcast from vehicles onto road and highway verges, will he endeavour to have the Victorian suggestion implemented in Western Australia?

Mr. NALDER replied:

(1) No.

(2) No.

(3) Not as yet.

24. DAIRY FARMERS

Production

Mr. TONKIN, to the Minister for Agriculture:

(1) Did he see in Wednesday's *The West Australian* a statement referring to the dairy industry attributed to Primary Industry Minister Anthony and in which the Minister was reported to have said that he had already spoken to industry leaders and told them to put forward plans to deter farmers from increasing production?

(2) Does he hold a similar view with regard to the dairy industry in this State?

(3) Can he reconcile advising dairy farmers to refrain from increasing production with the appeals which are being made continually to dairy farmers to become more efficient or get out of the industry?

(4) How can the low income level of small dairy farmers be raised if they respond to a request to reduce production?

(5) Is he aware that butter to the approximate cost of $3,038,035 was imported from Victoria in 1968-69 and that as in 1967-68 this quantity was considerably more than the quantity imported for many previous years?

(6) What plans has the Government for assisting dairy farmers in view of the honourable Mr. Anthony's statement that control over dairy production was the sovereign right of the States?

Mr. NALDER replied:

(1) Yes. The Minister for Primary Industry was referring to the rapidly increasing production in those States which export large amounts of butter.

(2), (3) and (4) The State Government has not taken any action to discourage dairy production in Western Australia.

(5) Yes. Due to the short production season in this State, it is not possible to avoid some importation of butter and cheese. It is agreed that some reduction of imports could be achieved by higher production locally.

(6) The Government has already operated the Dairy Farm Improvement Scheme and subsequently the Dairy Farm Consolidation Scheme to help farmers produce at a higher and more efficient level. Further improvement will follow the application of the Commonwealth Dairy Farm Reconstruction Scheme.

25. *This question was postponed.*

26. WOOL

Method of Sale

Mr. McPHARLIN, to the Minister for Agriculture:

(1) Has he seen the report in *The West Australian* of the 14th April, 1970, where the chairman of the

Squatting Investment Co., Mr. J. S. Balderstone, has estimated that 80 per cent. of Australia's wool clip was now sold firm by wool traders before it was auctioned?

(2) Will he have investigations made to obtain further information of this allegation?

Mr. NALDER replied:

(1) Yes.

(2) Enquiries made from commercial interests in Western Australia indicate that the estimate of 80 per cent. of Australia's wool clip was now sold firm by wool traders before it was auctioned is substantially accurate.

27. EDUCATION

Annie Street School

Mr. TAYLOR, to the Minister for Education:

With regard to the Annie Street School, Hamilton Hill—

(1) When is it anticipated that current negotiations to acquire land to the west and adjacent to the present school site will be finalised?

(2) Will his department endeavour to expedite this matter so that the school Parents and Citizens' Association may begin its plan to level and grass the area before the full onset of winter?

Mr. LEWIS replied:

(1) and (2) The land concerned is lot 31 of approximately 2¾ acres. Negotiations to purchase have been completed but the owner is unable to give a transfer due to estate difficulties. The Crown Law Department is investigating the matter and probably a resumption by arrangement will be necessary to bring about finality.

BILLS (2): RECEIPT AND FIRST READING

1. Mining Act Amendment Bill.

Bill received from the Council; and, on motion by Mr. Bovell (Minister for Lands), read a first time.

2. Electoral Act Amendment Bill.

Bill received from the Council; and, on motion by Mr. Court (Minister for Industrial Development), read a first time.

PERTH MINT BILL

Third Reading

Bill read a third time, on motion by Mr. Bovell (Minister for Lands), and transmitted to the Council.

LOCAL GOVERNMENT ACT AMENDMENT BILL, 1970

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [4.50 p.m.]: I move—

That the Bill be now read a second time.

This Bill is designed to effect amendments to the Local Government Act which are considered desirable. Local government in Western Australia reflects the progress and development which is taking place in the State generally, and the legislation must be subject to continual revision to meet the needs of rapidly changing conditions and increased demands on the services provided by municipal councils. There have been amendments to the Act each year since it was passed in 1961, but on this occasion only the more pressing items have been included. It is anticipated that further amendments will be submitted for the consideration of Parliament in the session to be held later in the year.

Apart from formal provision to amend the title of the Act, the first substantive clause is to amend section 41 which prescribes the order of retirement of members of a municipal council. The Supreme Court of Western Australia recently determined the order of retirement of councillors of the Shire of Perth following an election at which all the councillors of the shire were elected, to provide that seven councillors will retire in 1970, and six in 1971. This is contrary to the intention of the legislation, which seeks to fix the term of office of members by requiring one-third of them to retire each year.

However, the judgment resulted from the phraseology of section 41 of the Act and it will be necessary, if the position is to be restored to enable as near as practicable one-third of the councillors to retire each year, for an amendment to give the Minister power to declare, prior to the nomination date of any election, the order of retirement from office of councillors to be elected at the forthcoming and any subsequent election. The amendment will not vary the determination of the Supreme Court but will provide for future retirements in accordance with the intention of the Act.

There is a minor consequential amendment necessary and additional to those already accepted in another place. This will be dealt with at the appropriate time in this House. It is required merely to provide correct grammatical form in the Bill as presently printed.

The next provision establishes a special basis of valuation for land held under a coalmining lease. It is believed that the operation of coalmines is so different from other forms of mineral lease that special provision should be applied. The council

of the Shire of Collie recently drew attention to the fact that under the existing provisions the valuation of coalmining leases is the same as that which pertained in 1904. The rental of such leases has not varied since that time and as the valuation is based on the rental, the coalmining companies are paying less in rates with every increase in valuation of the remainder of the district.

The council requested that consideration be given to having the rating of coalmining companies based on a similar valuation to that which applied to agricultural land in the locality. Both these suggestions are considered impracticable, but it seems reasonable that the Act should ensure that the coalmining companies contribute a reasonable sum as rates to the council.

The shire clerk has advised that in 1959-60, the rates from coalmining companies totalled $1,815.75 of a total levy of $51,413.20, whereas in 1969-70 the rate levied on coalmining leases was only $382.68 of a total levy of $88,726.96. The amendment provides for coalmining leases being assessed on a valuation of $5 an acre. The amendment, if it had been applicable to the 1969-70 year, would have resulted in a rate of $1,913.39 in lieu of $382.68. This increase is not unreasonable and its effect on coal prices will be negligible.

The final clause in the Bill adds a completely new provision to give effect to the proposals of a committee which was appointed to advise as to the proper method of valuation for the purpose of local government rating of leases and production licenses granted under special Acts and under the Petroleum Act.

The purpose of the appointment of the committee was to seek some alleviation of the impost of rates which would apply under the existing provisions of the Act, because the valuation based on 20 times the rental value could produce an astronomical figure resulting in a rate impost out of all proportion to the services provided by a municipal council. The committee recommended that because of the large size of many of the leases, they should be valued on an area basis with the valuation descending in scale as the size of the area increased.

The committee also recommended that those mining companies which have expended money in providing community amenities of a kind normally provided by a municipal council should have their rates reduced accordingly. The committee believed that it would be necessary for the companies concerned to elect to have the land valued on this basis.

The reason for this provision is that most of the agreements which have given rise to special leases specifically provide that rating shall be on the basis of the unimproved value—except as to any area which is occupied by a permanent residence. It is felt that the agreements cannot be varied by merely calling the valuation which is arrived at under a new system, "unimproved value." The intention of the agreements in question was that the valuations should be effected in accordance with the principles which were comprehended by the term "unimproved value" at the time the agreements were made.

The proposals contained in this clause have been referred to the various associations connected with local government and to the individual councils in which mining activities are taking place. Whilst there has been some opposition expressed, no satisfactory alternatives have been submitted to remedy what, at present, is an obviously inequitable situation. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Bickerton.

ELECTORAL ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5 p.m.]: I move—

> That the Bill be now read a second time.

The amendments proposed in this measure substantially are intended to improve the smooth running of the Electoral Department in order to give greater facility to the electors. The amendments now proposed come under three main headings. Firstly, those which are introduced for the purpose of accommodating within the Electoral Act certain procedural matters affected by the computerisation of the rolls.

Secondly, there are several amendments which will align some existing procedures with those currently operative in other States and under Commonwealth legislation.

Finally, there are a few amendments such as the provision for a ballot for the position of names on the ballot paper; an alteration in appointment of issuing officers for postal ballot papers; and authority for rolls used in an election to be included with other papers, which may now be statutorily destroyed after an election when the seat is no longer in doubt.

It has been arranged that an updated computer print of the roll will be produced at intervals of approximately six months or when required. As there will be only three copies of the computer print, it would not be practical to make these available for inspection or purchase by the public under the provisions of section 33. It is therefore desirable to insert into section 4 of the Act a new definition and this will make it clear that a computer print of a roll as issued

to a registrar, cannot be construed as a printed roll available for inspection and purchase by the public. Rolls will continue to be printed by the Government Printer at times to be decided upon, and these will be available for sale as required by the Act.

Another amendment deals with supplementary rolls, because with computer production of rolls a necessity for the printing of supplementary rolls will be reduced to a minimum. There is also an amendment to bring the maximum penalties for non-enrolment into line with those which may be inflicted under the Commonwealth Electoral Act.

Another amendment will remove a legal doubt as to whether existing provisions in the Act concerning alterations made to the electoral roll, consequent upon the renaming or renumbering of houses in any street, as carried out by a municipality, are satisfactory.

There is a requirement in the Act that the Clerk of Writs shall cause notice of his intention to issue the writ to be sent "by telegraph" to each registrar. Several registrars are located in the Electoral Department in Perth and, as a consequence, it is unnecessary to advise them by telegraph of the issue of a writ. Under the proposed amendment, registrars will be advised forthwith in writing of the issue of a writ.

As affecting nominations, the section that provides that nominations may be telegraphed is to be repealed and some requirements for nomination amended. The amendments sought are aimed at removing any doubt in regard to what is meant by the passage "and the contents are communicated by telegraph" as appearing in section 80 or by the word "notice" referred to in section 81.

A doubt has been accentuated by the present practice of telephoning the contents of telegrams to addressees. A returning officer should not be uncertain as to whether or not he should accept telephonic advice regarding a telegraphed nomination or notice of lodgement of deposit. With present day mail services, the provision for a nomination to be telegraphed is considerad to be unnecessary. Neither this provision nor that requiring the deposit to be lodged other than with the returning officer appears in the electoral legislation of other States or in the Commonwealth Electoral Act.

As mentioned earlier, it is proposed to provide that the order of the names of the candidates, as they shall be placed on the ballot papers, shall be determined by ballot. The ballot will be carried out by the returning officer at the place of nomination immediately after the close of nominations.

The section dealing with voting by post is to be amended. The distance of seven miles stated in the first requirement for eligibility for application for a postal ballot paper is to be reduced to five miles from the nearest polling place. This will bring the distance into conformity with the Electoral Acts of the other States and of the Commonwealth.

A new ground for application similar to that applying to Commonwealth elections is to be inserted and will cover members of religious orders or persons whose religious beliefs preclude them from attending at a polling place or from voting during the hours of polling on polling day, or throughout the greater part of those hours. Further, it is proposed to include, as additional issuing officers, the assistant clerks of local courts, electoral registrars, and an officer of the Electoral Department appointed in writing by the Minister to issue postal ballot papers. On the other hand, it is proposed to delete the provisions for police officers, and town and shire clerks or their assistants to act as issuing officers.

Whilst the services of some of these persons have been availed of to a greater degree in by-elections, they received few applications for postal ballot papers in the last two general elections and it is considered that adequate provisions otherwise exist for the issuing of postal ballot papers by returning officers and clerks of local courts, apart from the Chief Electoral Officer himself and staff of his department.

Members, generally, will appreciate, I imagine, that with all the people who are entitled to issue postal ballot papers, the requirements of the Electoral Office are that they shall all be circulated with the necessary information. Experience has shown that in general elections little use is made of the assistance which is available from these officers, but the Electoral Office has to collect all the information back again once the elections are over, and this does not serve a very effective purpose.

The next amendment is complementary to an earlier one and requires that the names of candidates are to be listed on ballot papers in the same order as that determined by the returning officer's ballot.

A further amendment limits the time for the production to a candidate of the rolls used at an election. The limitation is considered necessary as the Act already provides that all books, documents, and papers, used for or in connection with any election, may, when the election can no longer be questioned, be destroyed by the Chief Electoral Officer or, with his approval, by any returning officer or registrar. The rolls are to be included in the material to be destroyed.

The Chief Electoral Officer is required, within the prescribed period after the close of each election, to send or post to each

elector who fails to vote at an election, a notice calling on him to give a valid, truthful, and sufficient reason why he failed to vote. It is now proposed to include a provision enabling the Chief Electoral Officer to refrain from sending such notice when he is satisfied that the elector is dead, was outside the State on polling day, was ineligible to vote at the election, or had a valid and sufficient reason for failing to vote, as these aspects are not currently covered by the Act. The electoral legislation of most other States and of the Commonwealth includes provisions similar to those proposed in this amendment.

It is intended also to bring maximum penalties for failure to vote into line with those provided under the Commonwealth Electoral Act as I have previously mentioned.

The Act is also to be amended to effect the banning of the use, during the hours of polling at any election, of any loudspeaker or any other apparatus or device for the broadcasting or dissemination of any matter intended or likely to affect the result of the elections. The Broadcasting and Television Act provisions of the Commonwealth prohibit dissemination of propaganda from midnight on Wednesday preceding polling day. This amendment also includes a provision prohibiting within those hours the making of any public demonstration having any reference to the election. Similar provisions appear in the Constitution Acts Amendment Act of Victoria.

It is appropriate, I consider, that Parliament should be asked to consider these amendments which have been drafted to facilitate the smooth running of the system, and on that note I commend the Bill to the House.

Debate adjourned, on motion by Mr. Tonkin (Leader of the Opposition).

MINING ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [5.11 p.m.]: I move—

> That the Bil be now read a second time.

In order to assist members to have a fuller appreciation of the purpose of this measure, I should, I think, Mr. Speaker, preface my explanation of the contents of this Bill with a brief outline which will show the unprecedented upsurge in mining activity which has led to the introduction of this measure.

Western Australia, today, is experiencing one of the greatest periods of mineral development in our time. I believe the 1960s will go down in history as one of the most interesting and important decades in the exploitation of our mineral resources. The list of companies now engaged in the search for minerals reads like a *Who's Who* of mining organisations of the world.

This great surge forward can perhaps be best demonstrated by mentioning figures which indicate the value of mineral production. For instance, in 1953, the value of mineral production in this State was just over $38,500,000; in 1958 it rose to just over $41,000,000; in 1959 it was $44,000,000; in 1966 it was almost $76,000,000—nearly double the 1959 figure; in 1967 it rose to $148,500,000; in 1968 it almost doubled itself again and increased to $259,500,000. In 1971 it may be expected that the value of mineral production in Western Australia will be in the order of $400,000,000.

As all members are aware, the exploration for minerals, for many years confined in the main to the then recognised areas of mineralisation, has over the past few years been directed to many other parts of the State. The south-west mineral field, which includes the metropolitan area and the near metropolitan area, and extends down through Bunbury and Albany, has also become highly attractive to mineral exploration.

Pegging has taken place in many parts of the State previously untouched and, in fact, this has inflamed the feelings of many of our citizens as a result. It is also true that our mineral development has brought us great benefits and has largely contributed to our general welfare and the economy of the State.

To give members some idea of what has taken place, I would like to quote some figures relating to the pegging of, or application for, mining tenements in the past five years. In 1966 the number of applications was 1,656; in 1967 it rose to 3,982; in 1968 it was 8,298; in 1969, 24,084; and up to the 31st March, 1970, 8,113. From these figures, it is apparent that in the past 12 months there has been a very marked increase in mineral activity and in applications for mining tenements, mostly mineral claims and mining leases.

Indeed, the overall percentage increase for 1969, based on the 1966 figure, is 1,354.35 per cent. This is a colossal and unexpected growth, and when we hear people say that the Minister for Mines and his officers in the Mines Department should have been able to anticipate this state of affairs some years ago and avoid allowing these arrears to accumulate, such comment, in view of the figures I have quoted, appears as just nonsense. I do not think that anybody could really be expected to have anticipated this upsurge.

It means that in addition to the number of temporary reserves in existence, there are a further 40,000 mineral claims currently in some state or other of processing; that is, granted, being processed, or awaiting hearing before warden's court, and that sort of thing. The 40,000 claims

represent 12,000,000 acres of country. Again, anybody who suggests that the Minister for Mines has stopped mining as a result of his imposition of a temporary ban on the pegging of mineral claims needs to think again, because there is a great deal of work to be done with regard to these claims.

The pegging of claims and leases has been so heavy that it has not been humanly possible to cope expeditiously with all the applications received from companies, syndicates, and prospectors, and, as a result, a considerable backlog has occurred.

Few members would realise, I think, what is entailed in the processing of each application. I am advised that the majority of the titles applied for are mineral claims and mineral leases of 300 acres each. Each one is approximately one-third the size of King's Park. The boundaries are measured out in various ways by applicants when pegging. Some use theodolites and tapes and are reasonably accurate. Others just use the jeep speedometer and many merely step out distances, and no two men take the same sized step.

In the areas of intense activity where pegging is adjacent to, around, and often over, other peggings, one can imagine the difficulties experienced by Mines Department officers in their endeavours to transfer accurately onto official plans to be made available for inspection by the public, the boundaries of these varied assortments of peggings and accompanying descriptions. If this work is not done meticulously, the official plans cannot show the public, nor indeed, departmental officers themselves, what land is held and what land is available. Inaccuracies in the boundaries of a title can lead to subsequent trouble and litigation and, as we know, some of these titles could contain significant mineral deposits.

We hear some people say "grant them all," but this is a most irresponsible attitude and, in these important matters, departmental officers cannot be careless in their activities.

That aspect of processing, while a most important part of the work, does not constitute the only formidable task facing relatively few qualified officers in the processing of such a large number as 40,000 claims. Each application has to be carefully examined in order to ascertain what roads, reserves, railway lines, water catchments, etc. may be affected. Each application has also to be entered into head office and outstation title registers, and Government authorities such as the Railways, Water Supplies, Lands, Forests, and Public Works Departments, have to be advised of encroachments so that any protective conditions they may require, in the public interest, may be inserted in titles at the time of granting. All these things must be in order before a title is granted. It is often too late afterwards.

I want to interpolate here to say that I am not, as members know, the Minister for Mines, but I am the Minister for Lands and the Minister for Forests, and in this regard I want to state that the Minister for Mines and his department have been very co-operative in the exercise of their duties. They have at all times referred the proposals to the Lands Department and the Forests Department, and there has been close liaison between the departments.

I desire to record these aspects in *Hansard* in order to have clearly on record the extent of the problems which the Mines Department staff are up against. Many of the trained staff, unfortunately, have been lost to mining companies which are prepared and able to pay very attractive salaries to trained and professional men. Replacements have been difficult to obtain. The Minister in charge of the department has made it clear that he has no wish to stand in the way of anybody who is able to obtain a better position. Nevertheless, the department has suffered considerably because its trained personnel have knowledge which is of great advantage to so many people who are anxious to employ them when they leave the service of the department.

The pegging of mineral tenements reached such proportions that the Minister was forced early in the year to close down temporarily on the pegging of claims and leases on Crown land, with the exception of prospecting areas and coal leases. Additionally, the Minister had hoped to be able to cause a cessation of pegging on private land, but there was doubt whether he had power to prevent applications for mining tenements in respect of private land in the State, so was unable statutorily to do anything in this regard. As a consequence, applications on private land have continued to be made.

Although the Minister for Mines has received some criticism for the action taken, which action I might add had the backing of the Government, many people, including mining people, have expressed the view to him personally that the correct thing had been done. This "close down" period has enabled the Mines Department to concentrate on processing the accumulated applications and now, due to the untiring efforts of Mines Department personnel, that task, to all intents and purposes, I am advised, has been completed. I think it appropriate to mention that the Minister, when introducing this measure in another place, availed himself of the opportunity of thanking them and acclaiming their untiring efforts. On behalf of the Government I endorse what was said by the Minister in another place.

The "close down" period has also enabled the Minister to give some thought to certain amending legislation to our existing mining law, in order to help to better control the position.

This Bill is now introduced as a starter to a more general revision of the Act to take place once circumstances permit. Here again I might emphasise that this is a start to a review of the Mining Act and, in the time available, it has not been humanly possible, of course, to make all the amendments which may be considered necessary. However, if the House accepts this Bill, on the understanding that a further review of the conditions of mining in this State is being undertaken, this should be a satisfactory position as it applies now.

I shall now summarise its contents in the order in which it was drafted, and explain to members the reasons necessitating the amendments.

In the past, prospecting concessions of various sizes have been granted under the provisions of sections 276 and 277 of the Act. These sections are quite brief and impose no statutory obligations on the holders. The Minister, if satisfied with the application, would temporarily reserve the area applied for and then authorise the applicant to occupy it for such a period, and on such conditions as he thought advisable, with the right to the applicant to apply for renewal.

Over the long period of years before this now unprecedented upsurge occurred, this was a satisfactory method of encouraging the exploration of many isolated areas which existed in the State. Going back as recently as 1959-60, I think it is safe to say that, even in those days, the number of mining companes operating in Western Australia could be counted on the fingers of both hands. Whether or not that is so, I do not know, but that is the opinion of my colleague, the Minister for Mines.

Mr. Moir: I think he is a bit wrong there.

Mr. Tonkin: Did you not check it?

Mr. BOVELL: It is certainly no exaggeration to say that they were very few indeed. That, perhaps, qualifies the statement made. It is equally true, however, to say that, as a result of the policies that have been employed, Western Australia is now well on the world map from the mineral point of view. It is well known and well credited as being one of the highly mineralised areas of the world where excellent opportunities exist for mineral development.

We are quite satisfied that sections 276 and 277, as at present standing, have been put to very good purpose, and, in fact, their provisions have substantially assisted in generating necessary interest in many parts; this resulting in discoveries of major deposits of iron, bauxite, nickel, etc., and the consequent influx of companies and prospectors from all over the world bringing with them their mining knowledge. In connection with some of the agreements that have been introduced by the Government surrounding mineral exploration, mention has been made of the great benefits that would be brought to Western Australia and, indeed, are now being brought to Western Australia as a result of such agreements.

Here I might add that this mining upsurge is of great advantage to Australia as a whole with regard to the balance of international payments, and so on. It has been, from a national point of view, a very great benefit, especially in view of the problems confronting our mining industry.

These companies have also brought with them capital and enthusiasm so necessary in the mining industry, and there are still a number of current dealings in temporary reserves and the Minister could well use again the facilities which these sections provide.

At the same time, it is thought desirable to be able to provide a more appropriate prospecting title to encourage people to explore the more remote areas which, while prospective, show, as at this point, no obvious indications of payable deposits.

Accordingly, there is provided in the Bill a new part VB entitled "Exploration Licenses." The provisions in this part will enable the Minister, by notice in the *Government Gazette*, to call for applications for areas not exceeding 100 square miles for a term of three years over available land as defined in the Bill. These licenses will bear a fee of $8 per square mile, and the Bill details the qualifications and work required of successful applicants. Applications will be dealt with on their individual merits. Obligations detailed, together with any additional conditions thought necessary and the area allocated, must be formally accepted by the applicant. At the end of each year, the applicant must furnish a complete report of operations and an audited statement, giving a detailed account of expenditure during the year.

Security for the due performance of the obligations and conditions can be required to be lodged at the outset. The license will give an exclusive right to search for all minerals excepting petroleum and will permit the holder to peg and apply for normal productive titles covering the deposits located within the license.

While the maximum area of any one license is 100 square miles, there is no set minimum, so that small syndicates or individual prospectors can apply for lesser areas. For that matter they can apply for the full area.

It is proposed that all such licenses will be on a rectangular basis on the meridian, so that there will be no difficulty or doubt as to the boundaries. This factor has caused departmental authorities some trouble in the past.

The Minister has power to vary conditions, to cancel for non-compliance with obligations, and to resume any area required for public purposes, without compensation. If, during the term of the license, any mining tenement or existing right of occupancy in relation to a temporary reserve that was in existence within the boundaries at the time of granting expires, it may be incorporated by the Minister within the license.

Where necessary, as for example in the case of a mineral occurring in laterites, the Minister could grant more than one contiguous license.

The next major amendment deals with private property. The discovery of bauxite and titanium sands, particularly in the south-west portion of the State, resulted in farms and private properties being overrun by peggers and, as I am well aware, has caused distress and embarrassment to owners.

Clause 13 of the Bill clearly sets out the type of private land which cannot be granted or occupied for mining purposes without the written consent of the owner. The term "land under cultivation" is now defined and this should help to clarify what was previously difficult of interpretation.

Before any miner can enter private land for the purpose of marking out a lease or claim, he will, as at present, have to obtain from a warden a permit to enter, and, in addition, he will now have to provide the warden with information which will better enable him to identify the land before issuing the permit. The warden may now include such conditions in the permit as he thinks fit.

Through the introduction of this measure, the Minister proposes to alter the state of affairs which exists at the moment in relation to an application for a permit. At the present time, it is common practice for a person to present to the warden an application for a permit to enter private land. There might be a large number of locations on that permit. In future, however, individual permits will be restricted to land which is held in one ownership, so that a miner who wants to enter private land will not be able to take a document along with him which permits him to wander all over the entire district. In the interests of the property holder, the Mines Department will seek more information in this matter.

This Bill requires that the holder of the permit of entry must hand a copy of the permit to the occupier upon his initial entry on the land. If the occupier is absent, he must place a copy in a prominent position on the occupier's dwelling, if there is one. The permit holder must also send within 48 hours, by registered mail, a copy to the occupier's last known address. I think this is important because sometimes there may not be a dwelling on the land. If the occupier is not the owner, the holder of a permit must, in addition, mail a copy to the owner. This should ensure that private property owners and occupiers will early be aware of the presence of miners on their land and can then take such action under the Act as is necessary to protect their rights.

Of course, there is the farmer who does not mind entry to his land, because such entry might turn out profitable for him; but even so, he wants to know about entry being made. The provisions we are seeking to include will ensure that farmers do know about such entry.

Section 154 of the Act clearly provides that copies of applications for mining tenements must be given to private owners and occupiers affected. This section is broadened in the Bill to provide that the local authority must also receive a copy, as it has certain powers under its own Act relating to quarrying, etc. The Minister here is fulfilling a request from many local authorities that they be informed of such activities in connection with private land. We cannot undertake to inform them in relation to Crown land because they have no power over such land; that power, of course, resides in the Minister for Mines.

Another worry recently experienced by private owners has been the expense caused them in having to attend the warden's court in order to object to the granting of mining tenements affecting their land and improvements.

Clause 20 of the Bill authorises the warden, if he considers it proper to do so, to order the applicant to pay the objector, who is the owner of the land, such sum by way of costs as he thinks fit. In recommending a mineral claim to the Minister, the warden does not make a judicial decision and the Minister's legal advisers inform us that, therefore, the awarding of costs does not come within the power of the warden under the Act at present. Accordingly, the Government proposes to give him this power to award such costs by way of recompense to the farmer in his approach to protect his interests before the warden's court.

It has been inevitable in the mining rush that some indiscriminate pegging should take place and that areas which should be held sacrosanct in the public interest have been included.

Clause 21 authorises the Minister to take protective action immediately this occurs by refusing the application forthwith, without having to await the outcome of a warden's court hearing. I think this

is a matter which will interest conservationists and it might be of some help if I were to read the appropriate clause. Clause 21, in seeking to add the new section 267A, states—

> Where the Minister is of opinion that an area to which an application for a mining tenement relates should not in the public interest be disturbed, he may by notice served on the warden, to whom the application has been made, refuse the application irrespective of whether the application has been heard by the warden.

And furthermore—

> Notwithstanding anything contained in this Act, upon service of a notice given by the Minister under subsection (1) of this section, the application to which the notice refers ceases to have any effect for the purposes of this Act.

The Minister's hands have in the past been tied. Anyone, for whatever purpose he had in mind could peg a prominent piece of land in the community. Because it has now to come before a warden, where evidence has to be adduced and the objections taken, the matter is *sub judice* and the Minister has not been able to take any action about it, though well knowing that such an application should not be granted. In these circumstances, given the power to which I am referring, the Minister for Mines will be able to put a stop to this sort of thing at a very much earlier stage.

Clause 22 requires an applicant for a mining tenement within a pastoral lease to serve the pastoralist with a copy of the application within 48 hours of its lodgement. Pastoral leases are Crown land under the Mining Act and miners have previously been free to enter, peg, and mine without reference to the pastoral lessee. With the great influx of miners on these leases, improvements have often been affected and the service of this notice will enable an early approach by the pastoralist to the applicant and, if necessary, to the warden's court.

I mentioned earlier that, during this year, the Minister reserved Crown land from occupation for mining purposes. This was done under the provisions of section 276. At the same time, the Minister exempted from the reservation applications for coalmining leases and, in particular, applications for prospecting areas, so that people who were prospectors by livelihood would still be able to peg a prospecting area. This was done purposefully in the interests of the small prospector.

Doubts have been expressed subsequently in some legal circles concerning these exemptions. Clause 23 of the Bill gives effect to the Minister's intentions and removes any doubt about the validity of the reservations. The effect of clause 23 is to reserve from occupation all Crown land, which was previously reserved earlier in the year, but to permit applications for mining tenements for coal and applications for prospecting areas.

Exploration licenses may be granted over the reserved land under the Mining Act in respect of areas of land not exceeding 100 square miles as from time to time are advertised in the *Government Gazette*. The holder of an exploration license may, during the currency of the license apply for and be granted mining tenements in respect of all or part of the land within the license. No other applications in respect of the reserved land are of any effect.

The clause also enables the Minister to release progressively the land from the reservation. This is done in the following manner:—

(1) The land ceases to be reserved on the expiration of an exploration license.

(2) Mining tenements granted in respect of the land within the exploration license to the holder of that license also cease to be reserved.

(3) In the event of the early termination of the exploration license, the land concerned ceases to be reserved by notice published in the *Government Gazette*, or if another exploration license is granted over the same land, then on the expiration of that license.

Subclause (6) of clause 23 enables land that has been reserved, and which is not then the subject of an exploration license, to be released at any time from the reservation by notice in the *Government Gazette*.

Once the land is freed from the reservation by any of the means which I have outlined, the land becomes Crown land under the Mining Act and available for the granting of mining tenements pursuant to the Act. As Crown land, it will, of course, still be available for the granting of exploration licenses in accordance with the provisions of the new part VB.

With the passing of this measure into an Act, the Minister is anxious that people interested in the mining industry should be able to return fully to exploration of the State's mineral resources.

I hope this remark will not be misinterpreted because it does not mean that the Minister intends to permit the whole State to be overrun indiscriminately. It means exactly what it says and it is to be hoped that no misinterpretation will be placed on its intention.

The Chamber of Mines of Western Australia has requested the Minister not to lift the ban on pegging until this

legislation has been enacted, and it is intended to respond to this request because it is necessary and common sense to retain the position as at present, until the Minister is empowered statutorily to safeguard the position.

There has been some conjecture as to the process to be employed in order to reopen Crown land for prospecting, so I will endeavour to give members some idea of how this will be done.

There are certain areas of very intense activity in the State—where pegging has taken place on a scale never before contemplated. In these areas, it is not possible to grant exploration licenses, and the Minister intends in the near future to release these areas and open them up for pegging of claims. I say it is not possible and perhaps it is not desirable. It is not possible, because there has been so much pegging going on in these areas, which are referred to as "areas of intense activity," that it is very doubtful whether 100 square miles could be segregated for the purpose. Perhaps it is not desirable, because there is no desire to inhibit in any way regular and genuine practices of exploration and exploitation of the mineral wealth of the State. The Government is anxious because of advantages which accrue to the people of the State to see this done to the best extent possible—certainly not to an extent beyond reason nor to the danger of the people themselves, but wherever it is possible, this should be done.

These areas are substantially the present known ultra-basic portions of the State and in due course, maps will be produced for public scrutiny indicating the particular areas of interest.

These areas will, in fact, be considerable, and will provide the incentive necsesary for people to return to prospecting and pegging. The release of this land for pegging will, in due course, be notified in the *Government Gazette* and, of course, all mining registrars in the State will be notified.

Elsewhere on the land reserved by clause 23 of the Bill, it is intended to call applications—probably progressively—for exploration licenses in accordance with the new sections contained in this Bill. Perhaps I should at this point make further comment. I do not want the people of the State to gather the impression that, with the exception of the ultra-basic areas, the entire State is to be cast wide open to indiscriminate pegging.

I think, as has been the practice over the years, it is very necessary that discretion be left with the Minister for Mines concerning the manner in which he administers the Mining Act in relation to the new section providing for exploration licenses and in relation to sections 276 and 277 which, over the years, have been the main prospecting titles which so many people have held.

As pointed out earlier, the basic difference between the new form of exploration license and the ordinary temporary reserve under section 276, is that section 276 gives no real title and implies no statutory obligation. It does not lay down satisfactorily the commitments of the holder in relation to the programme of work he has to do. When members examine the Bill, they will see these obligations by the holder will become statutory obligations.

In the first instance, the holder will be obliged to work. He will have to expend his money in exploration and report to the department, and his holding will, as in the case of a temporary reserve, be subject to cancellation if he does not fulfil his obligations.

While these remarks conclude the explanation of the Bill, it is desirable, I am sure, for me to make some reference to the regulations because, although they are not contained in the Bill, it is a matter of public interest, and I should repeat for the information of members in this House, and of the public in general, the comment made by the Minister for Mines in this direction in another place.

On the matter of pegging mining tenements, which come under the mining regulations, the Minister has been informed that there are instances of people who have continued to peg Crown land under the Mining Act after the ban was imposed in the hope of gaining advantages over others. The story has it that as soon as the ban is lifted, these people will simply have to rush in and make application for such claims. In fact, all sort of stories have reached the ears of the authorities about this sort of thing and, perhaps, have reached the ears of members in this Chamber.

The present method of pegging a claim is not entirely satisfactory and when the land to which I have referred is released, the Minister intends, at the same time, to revise the method of marking of claims. This means a revision of the requirements of regulation 147, which will be effected in the normal way by production of a new or amended regulation. The Minister intends also to give attention to regulations dealing with labour conditions. At the present time these are considered to be not realistic.

As I informed the House in the earlier part of my remarks, there are over 40,000 mining tenements in existence, most of which are mineral claims. The regulations at present provide that a mineral claim shall be manned by three men per 100 acres or part thereof, which means nine men per 300-acre mineral claim, and on the number of existing claims, even though some may now be amalgamated, there are not sufficient people in the industry to fulfil this provision.

There are regulations which provide for amalgamation of claims and for machinery being used to a stated value to offset some manning provisions, but these need attention. The Minister intends to amend these regulations to make them more realistic. He will direct his attention to arriving at a composite proposition involving a combination of men, equipment, and monetary expenditure. I think members, particularly those representing goldfields electorates, will appreciate the necessity for this being done.

While he wants to be realistic about the difficulties of labour conditions, the Minister for Mines also wants to make it clear that it is his intention to see that mining tenements are, in fact, worked in accordance with the new labour conditions, not forgetting that the provisions which exist for exemption from labour conditions will still prevail. Wardens in wardens' courts will be able to grant these exemptions in their discretion.

Before concluding my remarks, I desire to express my appreciation to members for their indulgence, but I think the extent to which I have endeavoured to explain the measure now presented for consideration may be gauged only by its importance to the community in general. The Minister for Mines desired that I should convey as much information as possible to the members of this Assembly in my second reading speech; and if my speech has been somewhat lengthy it is because of the objective of the Minister for Mines to keep members as fully informed as possible.

In summing up the position, I would say that I believe the Minister for Mines is attempting here to give attention to the things considered necessary under the Mining Act to remove to the greatest extent possible the aggravating sections, particularly in respect of private property. The Bill will give greater credence to the rights of the property owner in relation to the occupancy of his land, bearing in mind that in this State the minerals on land alienated after the 1st January, 1899, belong to the Crown and the Crown is, in effect, the people of the community. I must have regard for that.

The Minister has found in his experience over the past 10 or 11 years that it is necessary to have elasticity of policy to be able to exercise discretion in the administration of the department. If we want our country successfully explored for the minerals that are in the ground—and there is no doubt that Western Australia is very fortunately placed in this respect—we have to have a satisfactory partnership between Government and private enterprise, with the Government of the day giving the miner the right to explore under certain terms, conditions, and obligations; the company in turn, fulfilling these conditions and obligations, and running the risk of having the ground taken away from it if it fails to do so.

When concluding his remarks in another place, the Minister commented that perhaps this Bill will not be everybody's answer and it may not give everybody the satisfaction they hoped for, but it is considered to represent a major step in the right direction. Here again, I mention that the Mining Act is under review, and I commend this Bill to the House and ask for its favourable reception.

Debate adjourned, on motion by Mr. Moir.

NURSES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th April.

MR. BATEMAN (Canning) [5.52 p.m.]: I notice that the Minister handling this Bill is not in the House at the moment.

Mr. Court: I will be handling it for him.

Mr. BATEMAN: However, I have read through the second reading speech of the Minister for Health in another place and the Minister for Works in this House, and the principles involved in the Bill are both reasonable and proper. The Nurses Registration Board is a comparatively new board and I feel it should receive the same benefits as other boards—such as the Wheat Board, the Egg Board, the Health Education Council, and many other boards—which come under the jurisdiction of the Public Service Act.

All the servants of those various boards are entitled to the same privileges and benefits to which public servants are entitled, and I think it is reasonable enough to say that the Nurses Registration Board should also be brought under the Public Service Act.

If I may digress for just a moment, Mr. Speaker, I wish to mention that I have always considered the nursing profession as being the most dedicated and honourable of all professions. I feel we should do all in our power to make the nurses' lot happier and to assist them in any way possible with respect to advantages.

I feel sure that by bringing the Nurses Registration Board within the ambit of the Public Service Act, we will give the staff of the board a greater feeling of security and promote better efficiency and loyalty. This will be of benefit to the nursing profession, generally.

There is very little else to which I can refer in regard to this Bill other than to repeat that the principles involved are both reasonable and proper and, as such, I have no hesitation whatsoever in supporting the Bill.

MR. FLETCHER (Fremantle) [5.54 p.m.]: I have been asked to see if I could find anything in this Bill which might cause concern to the board or the nursing profession. On analysis, I find that the first amendment relates to section 15 of the principal Act, which refers to the conditions under which nurses work and are trained. The amendment brings the secretary of the board under the umbrella of the Public Service Arbitration Act rather than under the umbrella of the Industrial Arbitration Act, as Act No. 27 of 1968 originally provided.

The second amendment places the subsection designation "(1)" after the section designation "17", and then creates a new subsection (2) which makes the Nurses Registration Board of Western Australia a Crown instrumentality.

Section 17 of the Act gives the board the authority to enter into arrangements in respect of an agreement between the board officers or employees regarding pensions, superannuation, and sickness or family benefits. There is no compulsion on any member of the board or any employee to become a contributor for the benefits I have mentioned. We passed the original legislation in 1968, and it took all of 1969 for the board to be established. I discovered from a phone call to the secretary of the board that it has been functioning as from the 1st January, 1970.

I have one query which the Minister might be able to answer. Section 17 states that the board, having regard to the desire of its officers and employees, may enter into and carry out an agreement with any person for the purpose of providing superannuation, etc. I wonder whether or not this could relate to any person other than a member of the board; for example, an administrator, or some other member of the staff, of a hospital. That is the only query I have. I see nothing to object to in the amendments and, consequently, I support the Bill.

MR. BRADY (Swan) [5.57 p.m.]: I did not intend to speak to these proposed amendments, but because a number of things have been brought to my notice since the amendments were introduced into another place and then into this House, I feel disposed to issue a warning to all and sundry that the nursing profession is greatly alarmed at the operations of the board.

The SPEAKER: Order! This has nothing to do with the subject before the Chair. The honourable member is not going to turn this into an Address-in-Reply speech.

Mr. BRADY: Well, Mr. Speaker, I will deal with matters concerning the board contained in the amendments, because I believe they have to be referred to in order that justice may be done.

As I see them, these amendments will give the board powers to give superannuation benefits to the staff of the board, and to me this is an anomaly because nurses—as I understand the position—are not entitled to superannuation. Consequently, I think the nurses, generally, feel they have not been taken sufficiently—

The SPEAKER: Order! That is far enough.

Mr. BRADY: I would hope that the board might have given consideration to giving superannuation benefits to the nurses.

The SPEAKER: Order! I have drawn your attention previously today, and on other occasions, to this matter. You will kindly keep to the rules of debate. It is not your privilege to change the Standing Orders of this Parliament. The particular clause in this Bill declares that the board shall be deemed to be a department within the meaning of the Superannuation and Family Benefits Act—that and no more.

Mr. BRADY: In bowing to your ruling, Mr. Speaker, I have no alternative but to agree that that is the intention of the measure. I always understood, however, that when legislation was before the House it enabled a member to make reference to the particular portion of the Act to try to clear the air in regard to how amendments would ultimately work out. That is what I was about to do when you, Sir, advised me that I was transgressing.

Far be it from me, after 21 years in this House, to try to bypass the rules and regulations governing debate here. It is my desire to keep within them as far as possible. At the same time, however, when I am advised that certain people in the nursing profession are not happy with the way the board has arranged these amendments or with the setting up of the board in the first place, I feel I am entitled at least to point out to the House that there is grave concern in the nursing profession.

The SPEAKER: Order! I have already told the honourable member that he cannot get it in that way.

Mr. BRADY: I understand there are two amendments in this Bill. I do not want to be responsible for the staff of the board losing the benefits of superannuation, and, that being the case, I am prepared to support the amendments in the Bill. The amendment contained in clause 3 of the Bill states—

> (2) For the purposes of subsection (1) of this section and the Superannuation and Family Benefits Act, 1938, the Board shall, on and from the date of the coming into operation of this Act, be deemed to be such a Crown instrumentality as is referred to in the second paragraph of the definition of "Department" in section 6 of that Act.

I have a copy of the Act and I find that section 6 of the Superannuation and Family Benefits Act defines "department" as follows:—

> "Department" means any department under the administration of a Minister of the Crown in the Government of the State and includes the Agricultural Bank of Western Australia, every State trading concern, the Fremantle Harbour Trust Commissioners, every harbour board and every Crown instrumentality the employees whereof are remunerated with moneys (other than grants) appropriated by the Parliament of the State to the purpose of such Crown instrumentality.

From those words I take it that the Nurses Registration Board that has been set up will now be enabled to arrange superannuation for the staff which it is to employ. I understand, however, that while that provision is in the Bill the employee does not necessarily have to take out superannuation if he does not wish to do so. That is also referred to in the Superannuation and Family Benefits Act.

I accordingly have no objection to that aspect. The amendment enables the board to provide superannuation if the staff desire it and it also permits the staff to decline to take out superannuation if they wish.

As I see it, the other amendment appears to deal with something that happened after the original board was set up. Apparently since the original board was set up there have been certain negotiations carried out, and, as a consequence, these enable the staff members of the board to be covered by the Public Service Arbitration Act rather than by the Industrial Arbitration Act. As this is necessary for the purposes of the amendment, I am prepared to accept it in that form, and I trust its provisions will be sufficiently wide to cover the staff of the board.

I do not think there is anything else I can say in regard to the amendments. I am a bit disappointed, as you will appreciate, Sir, that I am precluded from dealing with other aspects of the nursing profession, because, as I have already said, I know there is very great concern at the moment in regard to the operations of the board. I support the Bill.

MR. COURT (Nedlands—Minister for Industrial Development) [6.7 p.m.]: I thank the members for Canning, Fremantle, and Swan, for their support of the Bill. We will have to wait for another occasion before we hear the remarks of the member for Swan which were unrelated to the Bill.

Mr. Brady: You may have the nurses on your back before the member for Swan gets a chance.

Mr. COURT: I think we will follow the line very rightly suggested by the Speaker. Apart from the other comments that were made, the only query raised was that by the member for Fremantle which deals, really, with the first amendment; that contained in clause 2. To consider the query raised we must go back to the principal Act. The honourable member queried the words "and such other persons as the Board considers necessary for the effective exercise of its powers and functions under this Act. . . . ". in section 15 (m) of the Nurses Act.

I submit that if those words were not there we could have a host of anomalous situations and almost every session the Government would be coming down with another amendment because some other person had been found who should be entitled to coverage under the legislation; one who would be intended to be covered by the amendment we have before us. Accordingly, I cannot see any real objection to this.

I should have thought the honourable member would support the idea. I cannot imagine the board bringing in somebody who had no relation to this profession or to the functions of the board. I for one would be prepared to let the board use its good judgment. I thank members for their support, and I wish we had more Bills like this.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

LOCAL COURTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th April.

MR. BERTRAM (Mt. Hawthorn) [6.10 p.m.]: I support this Bill. It is not a very momentous measure. It merely seeks to do two rather minor things, one of which is to make good what appears to have been a slip that ocurred in the 1921 amendment to section 47B (1) of the Local Courts Act where there is a passage that currently reads, "Chamber of Magistrates". This is to be corrected to read, as everybody knows it should read, "Chambers of the Magistrate."

The other proposed amendment is to section 107 of the Local Courts Act. The position is that, in theory at any event, when a person is aggrieved by a local

court decision and consideration is being given to an appeal, he needs to be aware of the contents of the Local Courts Act and the Local Court Rules, and of the Supreme Court Act and the Supreme Court Rules. He may then proceed with the substance of his appeal.

In any event the Supreme Court Act provides that people aggrieved with the decision of the local court magistrate must direct their appeal to the Full Court of the Supreme Court. Similarly an appeal from a single judge of the Supreme Court goes to the Full Court of the Supreme Court.

We have been told that the rules of the Supreme Court are undergoing renovation and the desire is to make uniform the procedure for appeals both from a local court and from a single judge of the Supreme Court to a Full Court of the Supreme Court.

This seems to be an excellent idea, and that being the total extent of what is being attempted I support the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

Sitting suspended from 6.15 to 7.30 p.m.

BUILDING SOCIETIES ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Neil (Minister for Housing) in charge of the Bill.

The amendments made by the Council were as follows:—

No. 1.

Clause 9, page 6, lines 14 to 16—Delete the words "each of the directors of the society has approved in writing the making of the advance" and substitute the words "the making of the advance has been first approved at a meeting of the committee of management of the society".

No. 2.

Clause 10, page 6, line 17—Insert after the word "amended" the paragraph designation "(a)";

No. 3.

Page 6, line 19—Add after the word "depositor" the following—"; and

(b) by deleting the words, "during his nonage" in line 5 and substituting the words "until he is eighteen years of age." "

Mr. O'NEIL: The Legislative Council has requested the concurrence of the Legislative Assembly in respect of certain amendments to the Building Societies Act Amendment Bill. Members will recall that during the debate on this measure I gave an indication to the Deputy Leader of the Opposition that I would give consideration to an amendment to clause 9 of the Bill, relating to the requirement in the measure that before a loan could be made to officers of a society, consent in writing to that loan had to be obtained from all of the committee of management.

The Deputy Leader of the Opposition raised the point that that was hardly necessary and that surely the only requirement need be for such approval to be given at a meeting of the committee of management of the society. This amendment was, in fact, moved in another place and appears in the schedule of amendments now before us. I suggest that we agree to it.

The second point relates to the age at which a person may vote at a building society meeting. Members will recall that the member for Mt. Hawthorn attempted to amend the provision but, unfortunately, we had passed the appropriate stage when the Bill was before the Committee. Therefore, he was denied the opportunity to move accordingly. This again has been done in another place and that amendment, too, appears in the schedule of amendments. I move—

That the amendments made by the Council be agreed to.

Mr. GRAHAM: Let me first of all express my appreciation to the Minister. It is indeed heartening to members of the Opposition, who find themselves being in a minority on every vote, to find there are occasions when some notice is taken of submissions made by them. The Minister was good enough to indicate in two cases that he would give consideration to the submissions and have appropriate action taken in another place. That has been done, and I thank him for it.

There are just two observations I would like to make: One is I think there is some rather clumsy drafting in respect of the first amendment sought by the Legislative Council. The Legislative Council's proposal is to use the words, "has been first approved at a meeting"; whereas the

Act states "except by special resolution." The proposal in both cases is identical and I believe that identical terms should be employed. It does not in any way alter the sense, but I should think that a number of people ranging from the legal fraternity to laymen would wonder why the expressions used are different. However, the amendment before us conforms with the view earlier submitted and therefore I accept it gratefully.

In respect of the second point—namely, that raised by the member for Mt. Hawthorn seeking to establish the point that a person can do certain things if he has attained the age of 18 years—I am pleased that the proposal has been accepted; but, as I have said on previous occasions, instead of bringing our legislation up to date in a piecemeal fashion we should do it in one fell swoop. To my knowledge, during the life of this Parliament, it has been done on three or four occasions and we have made the age of responsiblity, or the age of adulthood, 18 years instead of 21.

Why does not the Government make a decision that 18 is the age of adulthood and, accordingly, apply it in respect of all matters whether it be voting, access to licensed premises, the making of wills, the undertaking of contracts, or anything else?

The CHAIRMAN: Order! I think this is getting a little away from the amendment.

Mr. GRAHAM: It is not, Mr. Chairman. The age at which certain transactions can be undertaken has been reduced by the amendment from 21 to 18. While agreeing with what has been done I make this appeal to the Government: instead of our having to deal with so many different pieces of legislation to provide for this principle, surely it could introduce an all-embracing provision to cover all aspects of our legislation. I have no objection to the amendments and I trust the Committee will agree with them.

Mr. TONKIN: I have noted with satisfaction, and indeed appreciation, the change of attitude of the Minister with regard to the acceptance of amendments to a Bill. On a recent occasion I found it necessary to tell the Minister that I objected strongly to his stating that he would not accept any amendments. This is a welcome change of attitude and I express my appreciation of it.

Question put and passed; the Council's amendments agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

STANDING ORDERS COMMITTEE

Consideration of Report

Report of the Standing Orders Committee now considered.

THE SPEAKER: The Standing Orders Committee's report has been submitted and, in accordance with the custom we established some years ago, I will remain in the Chair but the consideration of the report will be treated as a Committee matter.

New Standing Order 50A—

> 50A. Whenever it is resolved "That the House at its rising do adjourn to a date to be fixed by Mr. Speaker", the Speaker, upon the request of the Leader of the Government or his Deputy for the time being, shall direct the summonsing of the House for a certain day and hour.

Mr. W. A. MANNING: I think the schedule of suggested amendments to the Standing Orders needs very little comment from me, because underneath each proposal there is an explanatory note which members will have perused.

I would like to point out that this proposed new Standing Order provides for an occasion when the Speaker should have some guideline regarding when he is to call the House together after it has been moved that the House at its rising adjourn to a date fixed by Mr. Speaker. In certain circumstances it becomes incumbent on the Speaker to direct the summonsing of the House for a certain day and hour. I move—

> That new Standing Order 50A be adopted.

Question put and passed.

New Standing Order 106A—

> 106A. A Question, on notice, may be put to the Speaker relating to any matter of administration for which he is responsible.

Mr. W. A. MANNING: This new Standing Order provides an opportunity for members to place on the notice paper a question to the Speaker relating to any matters for which he is responsible. I think this will be a decided improvement and of benefit to all members. I move—

> That new Standing Order 106A be adopted.

Question put and passed.

New Standing Order 298A—

> 298A. Whenever a Bill introduced in one calendar year completes its passage through both Houses in a subsequent calendar year of the same Session the Chairman of Committees may—
>
> (a) if the Bill completes its passage in the Assembly after the year appearing in the Short Title and Citation and

the Speaker shall thereupon request the Council to approve of such alteration, or

(b) if the Bill completes its passage in the Council approve of any alteration to such year made by the Council and the Speaker shall thereupon so advise the Council.

Mr. W. A. MANNING: The necessity for this new Standing Order has been brought about as a result of the divided sittings, one part of the session taking place in one year and the other part in the subsequent year. This has involved the changing of the reference to the year in the titles to Bills. Up to now we have had to go into Committee to consider an alteration but this Standing Order will give authority to the Chairman of Committees to take the necessary action in the two instances set out. I move—

That new Standing Order 298A be adopted.

Question put and passed.

New Standing Order 405A—

405A. When the House is not in Session and a vacancy occurs on a Committee, the Speaker or, in his absence, the Deputy Speaker, may, in consultation with the Leader of the House, appoint a Member to fill the vacancy until an appointment can be made by the House.

Mr. W. A. MANNING: The necessity for this new Standing Order has arisen because of the time between two Parliaments. Some members may perhaps have retired and others have been defeated and on occasions this has affected the membership of standing committees. At the present time there is no authority to appoint other members from this House to the standing committees. This proposal will make provision for vacancies to be filled. I move—

That new Standing Order 405A be adopted.

Question put and passed.

Standing Order 55—

Lines 2 and 3: Delete the words "for two consecutive months in any Session"' and insert in lieu the words "for one entire Session".

Mr. W. A. MANNING: This amendment has been brought about by the necessity to cover members for leave of absence for a period longer than two months because of the time which elapses between the two sittings in one session. The proposal is to cover members and to leave no doubts as to their right to continue as members. Accordingly, I move—

That the amendment to Standing Order 55 be adopted.

Question put and passed.

The SPEAKER: I would remind members that these proposals will not come into operation until they have received the approval of His Excellency, the Governor.

PLASTERERS' REGISTRATION BILL

Second Reading

Debate resumed from the 8th April.

MR. GRAHAM (Balcatta — Deputy Leader of the Opposition) [7.45 p.m.]: This Bill was introduced by the member for Belmont last year and, for reasons which we understand, it has had only one airing since then. At the outset I want to say how disappointed I was with the negative attitude adopted by the Minister for Works, who handled this Bill on behalf of the Government. He seemed to consider the Bill was some sort of socialistic scheme conceived with the idea of interfering with free enterprise. Of course, that is so much tommyrot.

There is a great deal of legislation in the Statutes of Western Australia which is designed to protect certain interests, and also the public. Members would be aware of legislation affecting many primary industries, and legislation protecting the railways. They will also be aware of legislation designed to cover certain professions, trades, and other interests of that nature.

Because of the attitude of the Minister I decided that it might not be a bad idea to give a little history; a forerunner to the introduction of this legislation. In June 1964, the Master Plasterers' Association of Western Australia—and I do not know how socialistic it would be—made an approach to me following a rejection by the then Minister for Works (Mr. Wild) in October, 1963, and again in April 1964, of its request to have a system of registration to ensure that only those persons who were qualified should be permitted to engage in the trade of plastering. The then Minister rejected the arguments which were submitted on the grounds that the plasterers have very little contact with the general public.

In August of that year, 1964, the operative plasterers' union—that is to say, the trade union covering those who work in the industry—wrote to me indicating that it supported legislation along these lines. In that same month I informed the masters' organisation, as well as the trade union, that it might not be a bad idea to wait until after the 1965 elections; that there could be a change of Government and if there were then sympathetic consideration would be given to their pleas. However, it is history that there was no change of Government.

Mr. Bickerton: Very close, though.

Mr. Rushton: Not close enough.

Mr. GRAHAM: The result indicated that the public was not as well informed as it might have been. There was no change of Government but there was a change of Minister. In 1965 the Minister for Works—the present incumbent—received a deputation from the trade union. However, the deputation later received an unsatisfactory reply from the Minister.

In March, 1966, the Minister for Works—the present Minister—received a deputation from the Master Plasterers' Association, and the Minister rejected their advances. In September of the following year, 1967, the Master Plasterers' Association again wrote to me and in October—the following month—some five or six members of the association waited on me in my office. We had a general discussion but nothing developed.

In January, 1968—the election year—the Master Plasterers' Association again approached me, and once again I suggested it await the outcome of the general elections which were then imminent, on the ground that there could be a change of Government which would at least investigate sympathetically its claims; and, secondly, if there were not a change of Government the Opposition—that is to say, the Parliamentary Labor Party—would give consideration to the introduction of a private member's Bill. Once again—and members are aware of this—the result of the election was disappointing.

Mr. Bickerton: Very close, though.

Mr. Bovell: That is all a matter of opinion.

Mr. GRAHAM: Well, disappointing to the Opposition. Let us stick to the Bill and not pontificate on the result of the election or the merits of one side *versus* the other.

In May of last year, 1969, the Master Plasterers' Association further approached me and I suggested that it should wait upon the Leader of the Opposition to state its case where, I felt, it would receive a fair hearing. That approach took place on the 15th May, and it was then agreed that a Bill be introduced, as it was in October last year, by the member for Belmont. That is the proposition which is before us at the present moment.

It will be seen that the representations which were made to elements of this Parliament were spearheaded by the Master Plasterers' Association, for which reason there can be no suggestion of this being a socialistic plot. The purpose of the legislation is to protect the interests of the public. I might say, here and now, that this is a concept which, unfortunately, is somewhat foreign to the outlook of this Government.

The present Government can claim credit for certain activities and for interesting certain organisations and companies in promoting certain interests in different directions, but in the matter of looking after the ordinary people of the community the Government has been a complete failure.

Mr. Cash: That is utter nonsense.

Mr. GRAHAM: If the member for Mirrabooka has something to say he should speak up.

Mr. Cash: That is utter nonsense.

Mr. GRAHAM: We are used to this sort of thing from the member for Mirrabooka; he would not know. He is a person who was elected to the Commonwealth Parliament. The public experienced him for three years and then unceremoniously booted him out. I would hazard a guess that the same thing will occur at the forthcoming election.

The DEPUTY SPEAKER: Order! The member for Balcatta must refrain from personal remarks.

Mr. GRAHAM: Well, I would expect that as I have the floor, and as you, Mr. Deputy Speaker, are so concerned with the rights of individuals, surely he who is addressing the Chair is entitled to some protection, and he who interjects should be put in his place instead of the reverse being the case.

As recently as 1967 the South Australian Parliament passed legislation not only for the registration of plasterers, but also for the registration of the whole of the building industry: that is to say, not only builders, large or small, but all other trades comprising the building industry whether they be carpenters, bricklayers, plumbers, or plasterers. That legislation was accepted by the Legislative Council in South Australia where Labor holds four seats out of 20. So the legislation providing for the registration of every facet of the building industry was approved by the Liberal Party in South Australia. That gives some idea of how far behind the times is this Liberal Party dominated Government in Western Australia.

I well recall Sir Robert Menzies saying that Western Australia was two years behind the rest of the Commonwealth of Australia. I could give very many examples in respect of legislation where this State, under Liberal Party domination, is not two years behind the rest of the Commonwealth, but 20 years and, indeed, 50 years.

Mr. Lewis: Two hours, only.

Mr. Cash: That is still nonsense.

Mr. GRAHAM: We get this monologue, as it were, from the member for Mirrabooka. If he has something to say, let him stand up and say it.

Mr. Bickerton: How would you know he was standing?

Mr. GRAHAM: Yes, how would I know whether he was standing up?

Mr. Cash: That is an old joke, I am afraid.

Mr. GRAHAM: The member for Mirrabooka is very courageous when he is sitting in his seat. We infrequently hear him make a contribution of some sort when he is game to stand on his feet. He is one of the snipers of this Parliament.

I repeat: The Builders' Licensing Act of South Australia covers every trade and every building operation in every part of the State of South Australia, except in connection with buildings being erected solely for the purposes of primary production. The position in that State is that unless one has a general builder's license, which equates with our builder's registration or a restricted builder's license, which applies to all trades—but to only three trades in Western Australia—it is an offence for a person to carry out any one of the many building activities. In respect of this the penalty is $500 if a person represents himself as being capable of performing any of those trades. If, in fact, he does work for which he is not licensed, then he renders himself liable to a penalty of $750.

That legislation, Mr. Deputy Speaker, has been approved, I repeat, by a Chamber of the South Australian Parliament which is completely dominated by the Liberal Party, which, of course, has associations with the Liberal Party in this State.

Mr. Cash: The same applies in all States, the Commonwealth too.

Mr. GRAHAM: That merely indicates that there is a lack of affiliation or cohesion; that there is an entirely different concept in South Australia from what there is in Western Australia. I hazard a guess that in time Western Australia must catch up to South Australia in connection with this matter. You would not permit me, Mr. Deputy Speaker, to mention adult suffrage for the Legislative Council. For a period of more than half a century the Liberal Party upheld the property vote, but in due course the vote was obtained.

The DEPUTY SPEAKER: Order! The honourable member will keep to the subject.

Mr. GRAHAM: Surely I am, Mr. Deputy Speaker. The burden of my remarks is that this Government is old fashioned; that the Government is behind the times. In order to make that point I have been seeking to give one or two examples, and I could give about a dozen or 20 more, which I shall do on some future occasion.

It will be seen, therefore, that the penalties which are proposed in this Bill, which was introduced by the member for Belmont, are comparatively mild when compared with what obtains in our sister State, just across the border. The Bill lays down that there shall be a penalty for an offence, on the first occasion, not exceeding $200. A second or subsequent offence will bring a penalty of $400 to $600. I repeat: This compares or, more properly expressed, contrasts with the situation in South Australia where the penalty is $750.

I must mention that when a sister Bill was before this Parliament, the Painters' Registration Bill, the present Minister for Education moved—and he was successful in this respect—that there be a penalty of $20 for a first offence. This shows the irresponsibility of certain members of this Parliament.

I am aware of a certain painting contract worth some thousands of dollars. That painting contractor thumbs his nose at this Parliament and at this Government, because a contract of those dimensions, which involves him in a maximum penalty of $20, makes a laughing stock of this place. So when he was confronted by the Painters' Registration Board he did the obvious thing and laughed at it. I do not think that to allow a situation of those proportions to exist does credit to the members of this Government or those who support it.

The prime purpose of this legislation is to protect the public from shoddy or substandard work. In other words, it is designed to ensure that in the long term those who perform the trade of plastering shall be those who are qualified and experienced in this trade. Is there anything wrong with that? Is there anything wrong with setting up an authority comprising those who have a knowledge of the industry, an authority which has representation from the various interests, and the prime purpose of which is to protect the interests of the public? Is there anything wrong with that? That is the concept; that is the objective.

I have already said there are many pieces of legislation in which we ensure that this sort of thing shall be done; but, for reasons best known to himself, the Minister for Works was adamant that it should not apply in this case. In the course of his remarks he suggested that there were very few examples indeed of poor and substandard work having been performed. One hates to criticise a Minister in his absence, but if he cared to peruse his files of the cases which have been cited, and of the instances given by those who waited upon him and his predecessor, he would be aware of the fact that it is not a rarity for there to be most inferior work done by people who are completely unqualified in this trade. Yet the Minister states that this Bill is restrictive and unnecessary. I wonder how he developed that thought?

I would like to quote from a Liberal Minister who had something to say in 1964 when he was waited upon by the Plasterers' Union in September of that year. In his notes this appears—

> HONOURABLE MINISTER stated that as the deputation probably knew the Master Plasterers had come in deputation last year. . . . The Hon. Mr. Wild had been nearly convinced on that occasion; the only thing he had against registration was that no one wanted any more controls than were absolutely necessary, although he recognised that in some of these things they just had to have them.
>
> The Hon. Minister had been in favour of the registration of painters because he was aware that anyone with the paint and a brush could set himself up as a painter prior to the introduction of the Act and there had been a lot of shoddy work. He supposed the same could be said of the plastering industry. The Painters' Registration Act seemed to be working satisfactorily.

Yet we find the Minister for Works indicating the other evening that there had been shoddy work and that the Painters' Registration Act had not been working satisfactorily. I think the Minister said the first thing that came into his mind, without any regard whatsoever for the facts of the situation.

Subsequently, on the 12th May, 1965, the present incumbent of the office of Minister for Works wrote a letter to the Master Plasterers' Association of W.A. I ask members to note this, because it is in complete disharmony with what he told us the other evening. He stated this—

> Recently I received a deputation from the Operative Plasterers and Plaster Workers' Federation of Australia requesting that legislation be introduced to provide for the registration of plastering contractors.
>
> There appears to be a number of reasons which make the introduction of legislation desirable.

Here let me interpolate that this is the same Minister who saw no virtue whatsoever in the Bill introduced by my colleague, the member for Belmont. The Minister suggested that approaches be made to certain people, and he further said—

> The case would be considerably strengthened if the Employers' and Employees' Associations could reach agreement and present a unified approach.

Of course, they have done this very thing. He went on—

> I think it would also assist your case if the Master Builders' Association of Western Australia were favourably inclined to the registration of plastering contractors.

Again I interrupt to say: Of course they are in favour of it. I quote the Minister again—

> I would like to emphasise that this suggestion of mine for a concerted approach does not indicate in itself that I can agree to the introduction of legislation. It would, however, mean that the chances of a favourable conclusion being reached would be considerably enhanced.

So we see the present Minister for Works indicating that there is considerable merit in the suggestion that if only the two principal parties involved would get together the prospect of the Government's doing something would be considerably enhanced, and generally he gave his blessing to the suggestion. Now he pours cold water on any proposition that there should be protection for the trade.

The purpose of the legislation, apart from protecting the public, is to ensure competency. There is no question of a closed shop in this. Every person who has qualified as a plasterer would be entitled to be registered under the provisions of this Bill. What is the rhyme or reason for parents having their sons indentured to a particular trade, and those youths serving their several years of apprenticeship on a very miserable wage scale, and successfully qualifying by passing the examinations set by the appropriate authority, and subsequently seeking to establish themselves in business, only to find that any person—you, Mr. Deputy Speaker, or I—can set himself up and call himself a plasterer and indeed engage in the work? This is nonsensical, and of course it has the effect of discouraging young people from becoming apprenticed to this particular trade.

I say therefore that everybody who has served an apprenticeship and who is qualified is eligible to be registered, and can become registered virtually automatically. Who is left? Only people like you and me, Mr. Deputy Speaker, who know nothing whatsoever about the trade, or very little; and, of course, we are the ones who cause all the trouble. There is an opportunity to make an easy dollar, and that is all there is.

The ones who suffer are, perhaps, the builders directly, but certainly ultimately those for whom houses and other premises are being built. Surely if one goes to have some dental attention one is entitled to assume that those who perform the operation are qualified people. That would apply in many cases. Why not, therefore, in respect of the various aspects of the building trade—indeed, other trades as well?

I say, therefore, that the attitude of the Government in the rejection of this Bill is grossly unfair to those young men who have served their apprenticeships, who

have studied, trained, practised, and qualified. There is no future for them because anybody at all is able to set up in the business and call himself a plasterer, or master plasterer; and the Government goes along with that.

It is interesting to note here, incidentally, that now, since the painters' registration legislation was passed, there is a 50 per cent. increase in the number of apprentices, compared with the number at the time the legislation first came into force, some seven or eight years ago.

I wonder what influences are at work to cause the present incumbent of the position of Minister for Works to be so hostile to the suggestion, when he and his predecessor showed some affection for, and leaning towards, the registration of plasterers. The Minister stated—and apparently this is Liberal Party policy—that there should not be registration of any sort whatsoever unless danger to the public or danger to the health of the public was involved. Apparently either of these was the criterion that had an influence on the Government in its approach to such a proposition.

Incidentally, those words appear in legislation not only in South Australia but in the United States of America, but with a very important omission. In California there is a large document covering this subject, and it says that the legislation is also designed for the welfare of the public. The Minister for Works was not interested in that aspect. He felt that the public health or danger to the public was the criterion. Nevertheless, we have legislation that gives protection to accountants, lawyers, auctioneers, inquiry agents, employment brokers, hairdressers, licensed surveyors, land agents, and so on. In how many of those trades and professions can it be truthfully said that there is legislation for licensing or registration on account of the danger to the public or in the interests of public health? These are merely catchcries uttered by the Minister for Works. They do not bear examination. Like many Ministers of the Government, whatever occurs to him at the moment he regards as being sufficient.

I repeat that there is no health or safety factor involved in regard to the 10 or more trades or vocations which I outlined a few moments ago. The Minister said he did not believe the Bill would give protection to the public. In any event, he told us it was unnecessary and was unaligned with the principles of enterprise that motivate the Government. Fine words! In this case it is the enterprise of the unqualified to engage in the trade that enjoys the affection of the Minister for Works.

Strangely enough, it is a free enterprise organisation which has been the principal advocate of this step. I hazard a guess now that it is only a matter of time before a Government and the Parliament pass legislation to give a guarantee to the public that where it is decreed that a course of training is necessary to qualify for a trade or profession, nobody but those who are trained or qualified shall be permitted to practice that trade or profession. That day is coming, but this Government is antiquated in its outlook and views. Since the Painters' Registration Act was passed, the Minister has been contemptuous of its advantages to the public.

I would point out that in the seven years that Act has been in force the number of complaints of faulty and shoddy work has grown from 26 in the first year to no less than 203 last year, and the number of complaints that were sustained—in other words found to be warranted upon investigation by the Painters' Registration Board—increased from 11 in the first year to no less than 158 last year. Further, the Painters' Registration Board has been responsible for no less than 390 cases of work being put right by the contracting party. It has done this on behalf of the members of the public who have complained, and without additional cost to those people who had been on the receiving end of the shoddy work. Yet it has been suggested to us that legislation of this nature is not worth while and will serve no useful purpose.

In each of the 390 cases remedial action was taken by the Painters' Registration Board. If that board had not been in existence the members of the public who had been offended against would have been left lamenting. So surely that Act, which has been referred to as pioneering legislation and the first in Australia, has proved itself to be worth while. As it has been highly commended by everybody and anybody who has had any association with the legislation, surely it is logical to assume the experience would be similar in what I call the sister trade; namely, the plastering industry.

I want to emphasise that in each of the 390 cases I have cited, action was taken by the Painters' Registration Board; the action was not taken in the way suggested by the member for Floreat, who obviously does not understand the Bill we are now considering. In his opinion the proposed plasterers' registration board could do nothing but give a warning. I hope now that he and the other members who had a misguided concept of clause 20 of the Bill will fully appreciate how mistaken they are.

The clause provides that the proposed plasterers' registration board shall not only take corrective action against any offending plasterer, but that it shall also be empowered to cancel his registration which, in the aggregate, amounts to being a stern deterrent. It is therefore designed to ensure that plastering contractors will

carry out a thorough and efficient job. All those tradesmen who are qualified and confident will have nothing to fear. Only those who specialise in performing a second-rate job will incur the displeasure of the proposed plasterers' registration board.

The Minister told us there was no need for the proposed board. I wish the Minister for Housing were present, because I want to cite an example of shoddy work which illustrates the need for such a board. If the Minister, or any other member of this Chamber, cares to make an inspection of the building situated at 35 Camberwell Road, Balga, he will find there is a block of State Housing flats erected on that site and that the ceiling in flat 3, a three-bedroomed unit which was occupied for the first time only a few months ago, has fallen.

I called there a week or so ago and, to me, it was a shocking state of affairs. I found there a woman, the mother of two children, who was expecting to go to hospital to have another baby at any moment. The great bulk of the plaster from the ceiling had fallen upon that luckless woman. Following on her confinement, a piece of plaster about five feet square fell upon the cot of her new-born babe. Fortunately at that time the baby was in the pram.

I had been called to this block of flats because not only was the ceiling in this flat in a deplorable condition, but so also were the ceilings of other flats in the same building. From the time the complaints were made a period of three months elapsed before plasterers visited the premises to effect repairs. Whilst I was making my inspection the plasterers who were doing the job said that obviously the men who performed the work originally were incompetent and did not know what they were doing. The ceilings to which the plaster had been affixed had not been treated with Bondcote, a bonding coat, and therefore there was nothing to which the plaster could adhere.

Further, apparently very little plaster had been mixed with the lime and sand, and therefore the ceiling was being held together with practically nothing but lime and sand. On inspecting the flat next door I found the ceiling was almost as bad and that the same position applied to a number of flats in the block. All the housewives occupying the flats were fearful of what would happen next. Several tradesmen were on the job when I was there but they did not know who I was. They said that the only way to cure such a state of affairs was to have some system of registration of plasterers to ensure the men performing the work were qualified and competent and therefore knew what they were doing. If such men could not stand up to a test, appropriate action could be taken against them.

Mr. O'Connor: Who did that work?

Mr. GRAHAM: I do not know the name of the contractor. I only know that the work was performed for the State Housing Commission. As for there being no danger to the health of the people in that particular instance, I point out that upon my report to the State Housing Commission it removed the occupants from the flat in question and transferred them to a motel at the commission's expense, not only on the ground of danger to the family but also on the ground of the menace to the health of the family, which existed because of the dust, falling plaster, and so on. This work was done under the administration of the Minister's Government, yet the statement is still made that there is no need for any protection for the public, or an assurance that there shall be a reasonable standard of work performed.

So I ask again: What is the purpose of having trades? What is the need to insist upon youths of this community undergoing instruction and training to become qualified if this Government will allow anybody to engage in this particular trade?

In this instance the State Housing Commission, which makes millions of dollars profit annually, would think nothing of the few hundred dollars that was involved, but if a person of limited means who was building his own home for the first time, and possibly for the last time, in his life, was confronted with similar circumstances, what chance would he have of taking the offending plasterer to court? He would be one of those who would not have that sort of money. People in his category are not prepared to run the risk of losing the case on a technicality or some other legal consideration. Therefore they become the victims of the lack of protection against faulty tradesmen, because this Government will not allow such protection to be given.

Therefore every organisation or person associated with this trade, whether employer or employee, or those who have an affiliation of some sort, say that legislation along these lines is necessary. They say that such legislation is desirable in order to protect the qualified tradesmen; in order to provide a future for the apprentice; in order to protect the public who, on many occasions, are suffering on account of unsatisfactory, shoddy, and inferior work. Everybody connected with the trade feels that something of this nature should be done.

This is not pioneering legislation, because Statutes of a similar nature are already in force in this State and in other

parts of the world. Yet, for some unaccountable reason, this Government states that such action is not warranted. I repeat that I want to ask what influences are at work on this Government. The whole purpose and intention of the legislation is to look after the interests of the people; particularly the less affluent, the less educated, and the poorer sections of the community. The purpose of the legislation is to protect them from those who batten upon them by performing inferior work; and, at the present time, when there is so much building activity and when one is lucky to obtain the services of a tradesman, a paradise is created for those who specialise in shoddy work.

The arguments put forward, the representations that have been made, and the facts of life that have been presented to us today commend this legislation. Therefore I hope and trust—although I do so in vain—that the members who sit on the Government side of the House will have a conscience in this matter and will vote accordingly to do something to protect the public from those who offend by performing shoddy work in the plastering trade, in the same way as protection has been given to the public with the registration of painters. I hope the Bill will be agreed to.

Debate adjourned, on motion by Mr. Norton.

BANK HOLIDAYS BILL

Returned

Bill returned from the Council without amendment.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th April.

MR. TONKIN (Melville—Leader of the Opposition) [8.29 p.m.]: The purpose of this Bill is to provide for the updating of pensions according to the movement of the price index of 1969. This is a laudable objective. We on this side of the House have no objection to the Bill.

It will be recalled that last session the Government introduced a substantial amendment to the Superannuation and Family Benefits Act which provided for the updating of certain pensions and involved the Government increasing its share of the pensions covering 20 units. In doing so the Premier departed from previous practice, because he provided for the consideration of any increase in the consumer price index.

He undertook to amend it in the future when a further movement took place in the consumer price index. So this Bill is really a fulfilment of an undertaking which was given by the Government when this question was up for consideration previously.

I repeat that it is only the Government's share of the first 20 units of pension which became eligible for updating previously, because pensioners who were holding more than 20 units received the benefit of a non-contributory unit scheme which was introduced at that time.

The figures mentioned by the Premier show that the consumer price index for 1969 has risen by 3.62 per cent, for Perth, and the purpose of the Bill before us is simply to apply that increase to the existing pensions, and to the pensions of persons who became eligible for pensions for the first time in 1968. The increases will date from the first fortnightly payment of pensions in January this year.

The cost is estimated at $50,000 in this financial year. I assume that the Treasurer knows from where he will get the money, otherwise he would not contemplate spending it. So, as we are in complete accord with the proposals involved, and as it is a fulfilment of a previous undertaking, we go along with it 100 per cent.

I took the opportunity of ascertaining from the Civil Service Association whether it was satisfied with the proposals in the measure, and I was informed that it saw no cause for objection. In those circumstances I support the Bill.

SIR DAVID BRAND (Greenough—Treasurer) [8.32 p.m.]: I would like to thank the Leader of the Opposition for his support of the Bill. It is a simple measure and is one which I believe belongs to our day and age. In recent times the Government has made staunch endeavours to improve the general conditions which apply to the Superannuation and Family Benefits Act of this State.

I believe that no Superannuation and Family Benefits Act is complete without the legislation being drawn up to provide for meeting the increased cost of living which, in these days, continues to rise each year throughout Australia. When a person has made contributions voluntarily or compulsory under the scheme, and has put enough aside to provide for his old age, then it is, indeed, a very sad state of affairs that he should find that in a few years inflation and the growing loss of his fixed income have frittered away the security he enjoyed.

I assure the Leader of the Opposition that we have the money earmarked for this purpose; and I hope also the money to be earmarked for similar Bills, if that is necessary.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Sir David Brand (Treasurer), and transmitted to the Council.

House adjourned at 8.36 p.m.

Legislative Council

Wednesday, the 22nd April, 1970

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

QUESTION WITHOUT NOTICE

MINISTER FOR MINES

Birthday Greetings

The Hon. W. F. WILLESEE, to the Minister for Mines:

Is the Leader of the House (the Minister for Mines) aware that today, being his birthday, those of us in the Chamber wish him many happy memories of this occasion? I could possibly add to the question that the Bill we discussed last night has nothing to do with what I think at this moment!

The Hon. A. F. GRIFFITH replied:

I am very glad of both of the thoughts expressed by the honourable member, and I would like to thank him and also my parliamentary colleagues in the House very much for the remarks which have been made in connection with my birthday. I hope to have a similar question asked of me, in a year's time!

QUESTIONS (3): ON NOTICE

1. FARMERS

Financial Problems

The Hon. F. R. WHITE (for The Hon. E. C. House), to the Minister for Mines:

(1) As the Minister for Agriculture is aware of a serious financial problem existing in the rural community, and far greater than generally appreciated, would he agree that this has been caused by—

(a) falling prices of wool and meat;

(b) restriction on wheat production; and

(c) revaluation of farm land and country town sites?

(2) If so, would the Minister give some statement on the action he proposes to take?

The Hon. A. F. GRIFFITH replied:

(1) The Minister for Agriculture is aware that some farmers have financial problems due to the incidence of drought, falling prices of wool and, seasonally, of meat and to the restriction of wheat production. There is less significance arising from revaluation of farm land and country town sites which have been revalued on the basis of sales effected.

(2) All these factors, together with other associated problems, are receiving day-to-day attention by the Government.

Already action taken by the Government which is of assistance has been—

(a) Virtually eliminated land tax on developed properties in country towns.

(b) Reduced electricity charges in country areas.

(c) Announced reductions in country water rates to operate from the next rating year.

(d) Undertaken a review of probate duty for consideration when the 1970-71 Budget is framed.

2. WATER SUPPLIES

Shortage at Carnarvon

The Hon. G. W. BERRY, to the Minister for Mines:

At what stage are the investigations being undertaken to solve the serious problem of water shortage for plantations in Carnarvon?

The Hon. A. F. GRIFFITH replied:

The Public Works Department is investigating the water potential of the sands of the Gascoyne River from Carnarvon to a point some 12 miles upstream of Rocky Pool. Drilling upstream of Rocky Pool is complete and work is proceeding downstream.

Drilling to test a deeper aquifer is in progress between Rocky Pool and Kennedy Range.

Investigations are following recommendations by Sir Alexander Gibb and Partners and are expected to take a further 12 months.