

Legislative Council

Wednesday, the 2nd April, 1969

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

QUESTIONS (17): ON NOTICE PASTORAL LEASES

Conversion, Extension, and Control

1. The Hon. F. J. S. WISE asked the Minister for Mines:

- (1) Following the 1963 amendments to the Land Act, how many of the 1782 pastoral leases then in existence were converted to new leases expiring in 2015?
- (2) How many pastoral leases expire in the years 1982 and 2015 respectively?
- (3) Have all lessees of new or converted leases submitted plans for reasonable development in conformity with the Act?
- (4) How many plans submitted have been approved?
- (5) Has it been possible to keep an up-to-date check on the carrying out of the plans by all lessees to the satisfaction of the Pastoral Appraisal Board?
- (6) Is the Minister satisfied that reports of officers in the field indicate that improvements show that approved plans are being carried out in the majority of pastoral leases?
- (7) Have annual returns showing particulars of improvements carried out during the preceding year ended the 30th June been submitted by all lessees as the Act provides?
- (8) How many officers of the Lands Department deal solely with pastoral leases under part VI of the Land Act—
 - (a) in the field; and
 - (b) in the office
- (9) Will the Minister arrange to have an early report submitted to Parliament from the Pastoral Appraisal Board of the effective control of the use of pastoral leases under the amendments made in 1963 to the Land Act?

The Hon. A. F. GRIFFITH replied:

- (1) Of the 1,820 pastoral leases which were to have been converted, 1,249 have been converted to the extended tenure. If these leases were considered as station units, the present position is that, of a total number of 621 station units,

477 have been converted to the extended tenure. Whilst a detailed examination has not yet been possible of the remaining 144 units, the majority yet to be amalgamated and converted are awaiting receipt of duplicate Crown leases; conveyancing action is the responsibility of the lessees or their solicitors; or necessary resummptions. When appropriate action on each station unit is effected, the leases are converted without delay.

- (2) Of the 625 station units, 621 lessees have applied for conversion to the extended tenure and four lessees have indicated that conversion is not required.
- (3) Of the 477 converted station units, 355 improvement plans have been received, 67 are not yet due (lessees are allowed 12 months from conversion date to prepare and submit plans), and 75 are overdue. In the last-mentioned cases "follow-up" action is being pursued by the department.
- (4) Four. Examination of improvement plans was deferred pending completion of carrying capacity and improvement assessments throughout the entire pastoral areas. As the field assessments are now nearing completion the first batch of 13 processed plans are being currently examined by a subcommittee of the Pastoral Appraisal Board. These will be dealt with at the next meeting of the board.
A further 107 plans are undergoing preliminary investigation within the department prior to submission to the board.
A large number of plans has been approved for "partial" improvements to facilitate bank loans, pending finality of full improvement plans.
- (5) and (6) Until improvement plans are approved, or modified by the Minister, following a recommendation by the Pastoral Appraisal Board, field inspection of improvements effected in accordance with the plan is not required. To date, field staff have been fully engaged on the assessment of all pastoral areas to facilitate the investigation of improvement plans.

- (7) Statutory declarations have been forwarded to each lessee for the 12 months ended the 30th June, 1968. Declarations have been received from 267 stations and reminders have been sent to each of the 354 stations for which declarations are outstanding.

- (8) (a) Nine field—Six inspectors and three draftsmen.
 (b) Fifteen—Nine clerical officers and six draftsmen.
- (9) The Pastoral Appraisal Board submits a report of its activities which is included in the annual report of the Lands Department and tabled in both Houses of Parliament.
 Reassessment of rentals is in course of completion and will be submitted to Parliament as soon as possible.

BUS BAYS

Canning Highway

2. The Hon. R. THOMPSON asked the Minister for Mines:

In view of the traffic congestion on Canning Highway at peak periods, will the Main Roads Department provide bus bays at all bus stops to assist the flow of traffic between Canning Bridge and Fremantle?

The Hon. A. F. GRIFFITH replied:

The Main Roads Department has already installed a number of bus bays along Canning Highway between Canning Bridge and Fremantle.

The department will investigate the need to provide bus bays additional to those already constructed.

AGRICULTURAL COUNCIL OF AUSTRALIA

Meeting, and Tabling of Agenda

3. The Hon. J. DOLAN asked the Minister for Mines:
- (1) Was a meeting of the Agricultural Council of Australia held in Hobart during March, 1969?
- (2) Did the Western Australian Minister for Agriculture attend the conference?
- (3) Which officer or officers, if any, of the Department of Agriculture accompanied the Minister?
- (4) What agenda items, if any, were submitted by—
 (a) the Western Australian Department of Agriculture;
 (b) the Commonwealth?
- (5) Can a copy of the agenda submitted to the conference be tabled?
- (6) In view of their great importance to primary producers in Western Australia, will the Minister for Agriculture make a statement (excluding confidential matters) of the results of the conference deliberations?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
 (2) Yes.
 (3) The Director of Agriculture and the officer-in-charge of rural economics and marketing. Both officers had attended other meetings prior to the meeting of the Agricultural Council.
 (4) The Agricultural Council deals with items submitted by the Standing Committee on Agriculture which is composed of Directors of Agriculture and of Commonwealth officers and which meets prior to the council meeting.
 (5) and (6) The Agricultural Council discussions are of a confidential nature, and all statements emanating from the council are released only by the Commonwealth Minister for Primary Industry, or by agreement if any State Minister desires to make an announcement on any subject or matter of particular interest to his State.

EARTHQUAKE

Case for Financial Assistance

4. The Hon. N. E. BAXTER asked the Minister for Mines:

Would the Minister request the Premier to make available the file containing the case presented to the Federal Government for financial assistance for the damage resulting from the earthquake which occurred in this State on the 14th October, 1968, so that it could be laid on the Table of the House?

The Hon. A. F. GRIFFITH replied:

The file is in action but I have had copies made of correspondence with the Commonwealth which I now table for the information of members.

The correspondence was tabled.

OFFSHORE OIL WELLS

Inspections

5. The Hon. R. F. CLAUGHTON asked the Minister for Mines:
- With reference to the Minister's answer to my question on Wednesday, the 26th March, 1969, relating to oil well blowouts—
- (a) how many inspectors are appointed under the Act referred to;
- (b) how many inspections were made during the drilling of—
 (i) West Australian Petroleum's Gage Roads No. 1 well; and
 (ii) Woodside's Dampier No. 1 well;

Blowouts: Responsible Authority

- (c) in the event of an accidental blowout or leak occurring in an oil well off the coast adjacent to the metropolitan region, what assessment has the Government made of measures necessary to deal with this situation; and
- (d) what public authority would be responsible for handling the situation, and has it been advised of this responsibility?

The Hon. A. F. GRIFFITH replied:

- (a) Three inspectors.
- (b) (i) Three inspections were made of the *Jubilee* during the drilling of Gage Roads No. 1 well.
- (ii) The *Glomar Tasman* is to be inspected during the testing of Dampier No. 1 well in about a week's time.
- (c) In the event of an accidental blowout occurring at an off-shore drilling rig, the blowout preventors would be closed and then the drilling fluid weight increased to control the well.

All offshore rigs are equipped with at least three blowout preventors and have sufficient stocks of barytes on board to weight up the drilling fluid to control well pressure. The blowout preventors are tested weekly to ensure they are functioning correctly. The blowout preventors have closing and opening controls on the rig floor and also at a remote location. The drilling fluid is tested continuously for signs of gas. All casing is pressure tested after being cemented in the well and before drilling out of the casing.

In the event of an uncontrolled blowout, on a jack-up drilling rig such as the *Jubilee*, which could occur if the blowout preventors leaked or cratering occurred, the rig would be evacuated and expert assistance called in.

In the event of the rig being of the floating type, it would probably be pulled off the location.

- (d) The Mines Department is the public authority responsible for the approval or disapproval of any operations to be carried out in a blowout situation.

SHEEP AND CATTLE STEALING**Combating**

- 6. The Hon. G. E. D. BRAND asked the Minister for Justice:
 - (1) Can the Minister advise the House what steps are being taken to combat sheep and cattle stealing which appears to be rife throughout the State?
 - (2) Will the Minister make it mandatory for drivers of vehicles engaged in the transport of sheep and cattle to carry an authority showing—
 - (a) name of station stock loaded;
 - (b) destination;
 - (c) signature of owner; and
 - (d) number of animals in load?

The Hon. A. F. GRIFFITH replied:

- (1) Proposals for a new Act which is intended to incorporate both the Brands Act and the Droving Act with certain amendments is currently under consideration.
- (2) (a) to (d) All matters referred to are embodied in a proposed section of the new Act.

ROADS**Resealing: Reduction in Speed Limit**

- 7. The Hon. E. C. HOUSE asked the Minister for Local Government:
 - (1) In view of the increased mileage of resealing that is being carried out by the Main Roads Department, and the resultant loose metal that is exposed, resulting in an ever increasing percentage of windscreens being broken through flying metal from cars travelling at speeds above that required to prevent this, would the Minister consider a 35 m.p.h. speed limit for a short period till a road is considered reasonably compact, in addition to the 20 m.p.h. limit covering the actual work period?
 - (2) Could the Minister arrange through shire traffic inspectors and the Minister for Police, for extra surveillance of these sections of road by radar units and patrols?
 - (3) Is the Minister aware that from the 1st January, 1969, insurance companies will allow only one broken windscreen per annum before loss of no-claim bonus?

The Hon. L. A. LOGAN replied:

- (1) Owing to the extent of road works being undertaken in the State this is not practicable. If motorists are expected to observe speed limits, these limits should be realistic.

- (2) Neither country local authorities nor the Commissioner of Police undertake these special activities.
- (3) Yes.

THIRD PARTY INSURANCE

Premiums

8. The Hon. J. DOLAN asked the Minister for Local Government:

- (1) Why is it that a pensioner of 75 years of age, earning nothing, and driving about 10 miles per week, has to pay the same third party premium as drivers—e.g., a commercial traveller—driving about 500 miles per week?
- (2) What approximate compensation would the pensioner get if disabled on the road?
- (3) What approximate compensation would the traveller get in the same circumstances?
- (4) Has any consideration been given to the proposition that insurance be charged according to mileage—e.g., increased petrol charge?

The Hon. L. A. LOGAN replied:

- (1) Accidents are not necessarily related to the miles travelled.
- (2) The amount would depend on the nature and extent of the injuries and the amount awarded by the tribunal.
- (3) As for (2).
- (4) Not to the knowledge of the Motor Vehicle Insurance Trust.

MANUAL ARTS CENTRES

Fire Control Equipment

9. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) What equipment is recommended for fire control in manual arts centres?
- (2) What authority was responsible for the recommendation?
- (3) Are all existing centres equipped as recommended?
- (4) What practising teachers have been consulted for their views as to the adequacy of the equipment supplied?

The Hon. A. F. GRIFFITH replied:

- (1) General fires—Carbon dioxide.
Machines—Carbon dioxide.
Electrical—Carbon dioxide.
Main switchboards — Carbon dioxide.
Oil heaters—Dry powder.
Fuels—Dry powder.
- (2) W.A. Fire Brigades' Board.
Last instruction dated the 1st August, 1968.

- (3) All new centres are equipped as above. Older centres are brought up to date as visited by officers of the W.A. Fire Brigades' Board.
- (4) Requests from practising teachers are considered and implemented or modified as deemed necessary to conform with recommendations of the W.A. Fire Brigades' Board.

NOXIOUS WEEDS

Norseman Check Point

10. The Hon. E. C. HOUSE asked the Minister for Local Government:

- (1) Would the Minister indicate if the Norseman check point for examination of vehicles and stock to prevent introduction of noxious weeds into the State is in operation?
- (2) If the answer to (1) is "No," when will the check point commence operation?
- (3) Does the Minister appreciate that it is possible for road transport to bypass Norseman because of other road routes available with particular emphasis on the Balladonia-Esperance and the Kalgoorlie Shire roads?
- (4) What additional steps are being, or will be taken, to prevent stock or secondhand machinery entering the State by road without examination?

The Hon. L. A. LOGAN replied:

- (1) The Norseman check point is not yet in operation.
- (2) The design and costs are being examined now.
- (3) and (4) Yes, these problems are under careful consideration to ascertain the best means and the extent necessary for control.

CLEAN AIR ACT

Dust Nuisance: Gosnells Area

11. The Hon. J. DOLAN asked the Minister for Health:

- (1) When did the Clean Air Act commence to operate?
- (2) Since then, what actions have been taken by the Air Pollution Council to control the dust nuisance at quarries in the Gosnells area, particularly when the overburden is being shifted by explosives?
- (3) Is the Air Pollution Council satisfied with the efforts being made by quarry operators to control the dust problem?
- (4) What operations—other than maintenance—are permitted to quarry operators on Sundays?

- (5) Is it permissible for drilling to be carried out at these quarries on a Sunday?
- (6) How many inspections of the Gosnells quarries have been carried out by the Air Pollution Council members since the 1st January, 1969?
- (7) Were any of these inspections carried out on a Sunday?

The Hon. G. C. MacKINNON replied:

- (1) The 2nd June, 1967.
- (2) Under a conditional license from the council, Swan Quarries Ltd. have installed dust arresting equipment on their quaternary crushing plant at a cost of \$25,000. No method of controlling dust in blasting is known.
- (3) Yes. They are co-operating with plans for further dust arresting equipment which will cost some \$30,000 to \$35,000.
- (4) Any operation other than blasting.
- (5) Yes.
- (6) None. But 11 visits have been made by officers under the Clean Air Act.
- (7) No.

CHILDREN'S HOSTEL

Kalgoorlie

12. The Hon. G. E. D. BRAND asked the Minister for Mines:

Will the Minister advise the House if any decision has yet been reached with respect to the erection of a children's hostel in the Kalgoorlie area to serve the accommodation needs of children from surrounding districts attending secondary schools?

The Hon. A. F. GRIFFITH replied:
No decision has yet been reached.

BUSSELTON SENIOR HIGH SCHOOL

Canteen and Covered Assembly Area

13. The Hon. V. J. FERRY asked the Minister for Mines:

- (1) Is it recognised that there is a need for a canteen and covered assembly area to be provided at the Busselton Senior High School?
- (2) As student enrolments continue to increase, and, further, as the region experiences long periods of cold, wet weather during the greater part of the school year, will consideration be given to the provision of a canteen and covered assembly area in the 1969-70 financial year?

- (3) If the answer to (2) is "Yes," when are tenders likely to be called for this work?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) Yes.
- (3) Not known at present. The work must first be approved and the necessary loan funds allocated.

PINJARRA HIGH SCHOOL

Staff Room

14. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) As the staff room at Pinjarra High School is already substandard for the present number of teachers, and in view of the fact that the school population is likely to increase further—
 - (a) does the Education Department plan to enlarge the staff room; and
 - (b) will it state when building will commence?
- (2) If the answer to (1) (a) is "No," will the department make an examination of the room with a view to effecting some improvement?

The Hon. A. F. GRIFFITH replied:

- (1) (a) and (b) No.
- (2) Yes.

TECHNICAL EDUCATION

Architectural Section Library

15. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) Is it a fact that the library of the architectural section of the technical education division at St. George's Terrace, has been moved?
- (2) If the answer to (1) is "Yes"—
 - (a) where is it expected that students in architecture at St. George's Terrace will have access to a suitable reference library;
 - (b) has it been determined that alternative libraries are adequately stocked for the needs of these students;
 - (c) is it planned to replace the books that have been removed, and if so, how soon will that be done;
 - (d) were the books removed with the approval of the head of the architectural section; and
 - (e) who was responsible for the decision to remove these books?
- (3) For how much longer is it considered that courses in architecture will be offered at the St. George's Terrace site?

The Hon. A. F. GRIFFITH replied:

- (1) No.
- (2) See answer to (1).
- (3) Until the end of 1969.

EDUCATION ACT: REGULATIONS

Revoking

16. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) Would the Minister advise the reason for revoking subregulation (4) of regulation 196 under the provisions of the Education Act published in the *Government Gazette* of the 6th February, 1969?
- (2) As the above amendment appears to conflict with that published in the *Government Gazette* dated the 12th November, 1968, will the Minister request the Education Department to clarify the matter?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) Subsection (2) of section 28 of the Education Act authorises the Minister for Education to determine allowances for students enrolled in teachers' colleges and to publish his determination in the *Government Gazette*.

In the *Government Gazette* of the 17th January, 1969, the Minister published a new determination of teachers' college student allowances, including the textbook allowances (similar to those published in the *Government Gazette* of the 12th November, 1968). This made subregulation (4) of regulation 196 redundant.

ACHIEVEMENT CERTIFICATE

Work Study

17. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) With reference to my question of the 31st July, 1968, relating to the Achievement Certificate—
 - (a) was the person/s who carried out the work study a trained research officer attached to the research and curriculum branch;
 - (b) if not, what was the officer's status in the department at that time;
 - (c) over what period of time were the field studies carried out;
 - (d) what subject areas were covered by the study;
 - (e) how many teachers were involved in the study;
 - (f) in how many schools were the studies conducted; and

(g) how long had these schools been conducting instruction under Achievement Certificate conditions?

- (2) Would the Minister supply to me privately or lay on the Table of the House, a copy of the work study project, the results it produced, and a copy of the submissions that were prepared from the results?

The Hon. A. F. GRIFFITH replied:

- (1) (a) and (b) The survey was undertaken by a superintendent who, though not a member of the research branch, is highly trained and qualified in research methods.

(c) to (g) The survey did not take the form of a field study. The nature of the exercise was to determine whether the Achievement Certificate scheme as outlined at the time would be functional within the existing staffing formula. A survey based on three representative high schools demonstrated this to be the case.

- (2) No work study of this type was undertaken. A summary of the survey appears in the Secondary Committee Report on pages 147-148.

BILLS (2): INTRODUCTION AND FIRST READING

1. Motor Vehicle (Third Party Insurance) Act Amendment Bill (No. 2), 1969.

Bill introduced, on motion by The Hon. L. A. Logan (Minister for Local Government), and read a first time.

2. Innkeepers Bill.

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

LAND AGENTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 1st November.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [4.54 p.m.]: When the Minister introduced this Bill he outlined its three main features, the first and most important being the creation and maintenance of a new form of insurance for members of the Real Estate Institute. He stated the second as being the raising of the standard of qualifications of future applicants for licenses, and the Bill outlines the rules which will govern future appointments as land agents. The third provision in the Bill would, the Minister explained, ensure a

better control over land agents' branch offices. A reading of the Bill clearly indicates that these are the three main points.

At the outset I would say I support the Bill in general principle. However, by amending certain sections and adding new sections, the measure will have the effect of practically rewriting the Act. Because of this, it is hard to compare the principles in this Bill with those in the Act. The Act contains several principles which, with the passing of this Bill, will possibly be redundant. Therefore I would suggest to the Minister that he look at this aspect because it would not be competent for me to place amendments on the notice paper when those amendments do not affect the sections of the Act being amended by this Bill.

The first important clause which I believe requires amendment is clause 4, which deals with the eligibility of people to apply for a license. It stipulates the conditions which will apply and allows two years in which existing land agents and others operating within the industry will have an opportunity to become licensed. At the end of that time the new qualification provisions will be rigidly adhered to.

I believe that in some of the larger firms in the State, particularly the licensee companies, one of the members holds the license for the company concerned, and he may be associated with several eminent people in the business who are termed working directors. These people are active in the whole field of land sales. I am advised that there is a possibility that if these men were to apply in their present capacity they could not be accepted under the Act as it stands.

The provisos written into the amending legislation do not mention the specific term "a working director" and, as such, may not allow him to be accepted and registered as a land agent before the termination of the two-year period. It could happen that an employee of the firm, and of the director, could be granted a license under this clause. In fact, this situation has happened. I have submitted an amendment for the benefit of members and of the Minister, in particular, so that the position may be examined with a view to including this group of people with those who are to have the opportunity to be registered. I am bearing in mind, of course, that the right would cease with the termination of the provision.

I understand that the late Magistrate Blackwood commented from the bench on this point some 2½ years ago, and he said that he thought it was an oversight in the framing of the original legislation, but he was forced to adjudicate upon the matter under the Act as it stood.

I submit that no problems whatever would be created if the opportunity is given to these individuals who hold responsible positions to qualify, if they so desire, within the period allowed under the legislation.

The Hon. A. F. Griffith: Any one of those people could qualify under the Act as it now exists.

The Hon. W. F. WILLESEE: Perhaps, but I am told that there is some doubt on the subject and I referred to the late Magistrate Blackwood's remarks, because he must have felt some doubt, too. I admit that under the Act as it now exists one could read into it the probability of this group of people qualifying for registration. In fact, I read the Act that way. However, in view of the late magistrate's remarks, perhaps it would be a good idea to open the qualifications at this stage so that the matter may be put beyond doubt.

The Hon. A. F. Griffith: I will certainly have a look at the suggestion.

The Hon. W. F. WILLESEE: In view of the Minister's comments, I will not pursue that point any further.

Under the amendments which are proposed to the same section—that is, section 4—there is a passage which deals with the establishment of a fidelity bond. When we consider that under the existing legislation an amount of only \$4,000 is available to a person who is wronged by a defaulter, obviously the collective basis of insurance which is proposed will be a great improvement. In fact, the Real Estate Institute believes—not immediately perhaps, but in the long term—that it will be able to guarantee its members almost any figure as a result of the combined insurance system.

The Hon. A. F. Griffith: May I help you by saying, "not only a person who is wronged, but a number of persons."

The Hon. W. F. WILLESEE: I was about to say that the provisions of the Bill seem adequate to deal with an even greater calamity; there is a provision to prorate the quantum of payments over a period of years. Even if something were to happen in the early life of the legislation, once it becomes law, it is not envisaged that anyone will suffer as a result of the new proposed insurance.

The next item which I wish to mention is clause 7 of the Bill which broadly deals with advertising. I have had considerable correspondence on this subject and I have thought a great deal about it. Clause 7 sets out the principle of advertising which will be adopted under the new system.

When the Minister introduced the Bill, he said—

Clause 7 of the Bill introduces a new section 13A, under which every advertisement in writing made by a land agent or a land salesman in relation

to a land agent's business, must disclose the name and address of the licensee concerned.

I consider that the clause itself, and the two proposed new paragraphs (a) and (b) are elaborate in what they purport to do. To my mind the intention behind this clause is aimed at the person who is operating illegally in that he advertises, perhaps through a telephone number, but he is not a licensed salesman. The prime purpose of the clause seems to be intended to obviate that situation which is occurring. However, as I read the legislation, it goes much further than that and will interfere greatly with the existing system by which advertisements currently appear in the newspapers.

It is my view, as a matter of fact, that none of the current advertisements in the Press—whether they be advertisements inserted today or throughout other days of the week—will qualify under the provisions of this clause.

One of the main objections that could be taken to the practical application of this amendment is that it will bring about additional costs in advertising. To illustrate my meaning, I have taken a series of advertisements from the Press and I would like to quote from these. Without giving all the preamble one advertisement says, "For inspections telephone . . ."—and a telephone number is given. To my mind that type of advertisement is probably the main one aimed at by the provisions of clause 7. It is hoped that this type of advertisement will disappear completely.

The Hon. A. F. Griffith: That is similar to the one I had the other day when my phone rang and a voice said, "You have a block of land for sale." I said that I did not, but my telephone number had appeared in the paper as being the number to ring for the sale of a block of land.

The Hon. W. F. WILLESEE: That is interesting, too.

The Hon. A. F. Griffith: Obviously a misprint was made in the telephone number.

The Hon. W. F. WILLESEE: The next type of advertisement which I would like to mention is one which gives the registered business name. The one I have here was inserted by Milestone Agencies and the telephone number is given. That, too, is open to some questioning, I think.

The Hon. A. F. Griffith: Is there no address on it?

The Hon. W. F. WILLESEE: If the last advertisement had been worded similarly to the next one I shall refer to, I think it would be completely satisfactory. The one I am referring to was inserted by L. J. Hooker Ltd., 61 St. George's Terrace, Perth, Telephone No. 231045; and, in addition, an after-hours number is given. That advertisement has been inserted by

the head office of the company concerned. I do not see that this kind of advertisement is wrong in any way and I certainly do not see the necessity to include the name of the licensee in the advertisement, but that would be the condition as I read the proposed amendment.

As I see it, the licensee is just one person who is nominated to operate from the head office. In some respects he seems to me to be very similar to the registered officer of a company in that he is available for the purpose of transacting business. Of course, there must be a specific person of this type. However, the presence of a licensee in any of the big firms in Perth would not necessarily imply that one would deal with him on every material issue. Obviously, many salesmen undertake this work. To my mind, and as the Minister interjected, I think it would be quite sufficient if the advertisement were to include the name of the company, the address, the telephone number, and the material that is for sale.

In addition, if a company advertises in the suburbs, I think it would be quite sufficient if the advertisement carried the name of the company. For instance, I have an advertisement here which was inserted by the General Agency Company, Dalkeith. The advertisement gives the telephone number of the Dalkeith office and the after-hours number of the salesman who would be in charge of the agency. We should bear in mind that, in future, the staff of such agencies will only consist of men who are registered under the Act. In all probability they will be men who carry out responsibilities equal to those carried out by the licensee.

The Hon. A. F. Griffith: Your point is that the name of the actual licensee—that is, the person who holds the license for the General Agency Company—does not appear.

The Hon. W. F. WILLESEE: My point is that it need not appear.

The Hon. A. F. Griffith: I am conscious of this point and I intend to have a look at it.

The Hon. W. F. WILLESEE: In that case, I will not pursue the matter any further. Proposed new section 13A (1) (a) reads—

shall in the case of a license, contain the name of the licensee, the name under which he conducts his business of land agent and the address of the principal place thereof;

If a land agent complies with that provision, it should be unnecessary for him to name the licensee again when inserting advertisements in, say, a paper circulating in the Midland area.

Whilst I agree entirely with the principle behind clause 7, I think that its implementation, as it is worded, would be expecting too much. I am not sure that I have the complete answer, but it seems to

me that the situation would very nearly be covered if we were to amend the phrase "the name of the licensee" by adding the words, "or the appropriate branch."

We should bear in mind some of the big companies are very highly regarded in the way they conduct their business. They, themselves, are anxious to see the highest possible ethics maintained. With regard to the small man—that is, the registered agent who is operating on his own—I agree that in every case he should quote exactly where he is registered to operate from, such as, for example, the Mt. Hawthorn agency or the North Beach agency, etc. This person should have no latitude. If he moves out of his area, he should quote his residential office.

The Hon. A. F. Griffith: I am not concerned over the well-known land agents. In order to catch the fellow who is not well known and who might deprive a widow of her savings, we had to go about it in this way.

The Hon. W. F. WILLESEE: I am sure both sides of the House would be in complete agreement with the Minister on that point, but I do not think the Minister would wish to increase advertising costs in any way when that would not achieve any real objective. Nevertheless, this is the result as I see it. In fact, eminent people have pointed out to me that it could happen. It would certainly worry the larger firms which advertise extensively every day if they had to pay, say, an additional dollar for each advertisement. However, the smaller man plans even more closely than the larger companies. I am referring to the individual who is running his own business. I think the problem could be overcome quite simply and, at the same time, the principle of the clause could be retained.

The Hon. A. F. Griffith: I am anxious to establish that people who wish to deal in real estate will know with whom they are going to deal. They should not deal with some fellow over the telephone who may try to catch them.

The Hon. W. F. WILLESEE: All of this could be effected through a simple alteration to the present wording.

I have some comments to make with regard to auditing and perhaps the Minister, in his wisdom, may see fit to introduce some amendments in this regard into the legislation. The system of auditing written into the Bill which is the subject of discussion is not sufficiently strong enough. As I see it, the land agents will be subjected to an individual audit, which will be carried out of their own volition. The reports from the individual audit will be made available to the committee which is mentioned in clause 9 of the Bill. I would like to see the provision widened to require the person who is nominated by the committee to look into the affairs of a land

agent to be an investigator with the qualifications of an auditor; because, in all probability, that person would be looking into the affairs of an agent who is suspect.

I shall endeavour to show the difference between audit and investigation by referring to the offer and acceptance form which is used every day for every sale that takes place. Let us say a vendor approaches a salesman or a firm to sell a property and he says that he wants, for example, \$10,000 for it. A buyer comes along and he says to the agent, "I will offer \$8,000 for that property." The agent produces an offer and acceptance form and fills it out on that basis. Then merely the signature of the vendor on that acceptance form concludes the contract. Yet, as I said, it could be for \$2,000 less than the vendor wanted.

In a case where the vendor has a full understanding of what is going on he can refuse the offer and in that case he would not sign the acceptance form; or he can accept the offer. However, I am told there have been cases where people who were not well versed in the English language, or did not have much knowledge of what was going on were told, "Here is an offer; you can sign the acceptance form." The people to whom I have just referred would naturally think that it was an acceptance of the price they wanted for their property, and there have been cases where people have signed the forms without reading the documents closely. As a result, in the case I have just quoted, the vendor would find he had lost \$2,000.

The next move of the salesman is obvious. If he is the type of man who would resort to a practice such as that he would sell the property to a friend for \$8,000, then the property would be resold for \$10,000, and the two of them would pocket the \$2,000 difference.

The Hon. A. F. Griffith: That sort of thing might be the subject of a charge of a fraudulent trick.

The Hon. W. F. WILLESEE: If the vendor knew how to go about it and went to see a lawyer, probably that would be the result. However, I am advised this sort of thing has happened, although there may not have been a large number of cases.

The point I wanted to get at is that if we are looking into the question from the point of view of auditing it would be only natural to look at the agent's books to see whether he had received \$8,000 from one person, and how much he had paid out to the other person concerned. If the difference was his normal entitlement for commission then the procedure could be classified as perfectly normal, and everything would be all right. However, in the cases to which I have just referred that is

not the position, and if a person from the committee were clothed with the powers of an investigator he could call for all the papers in connection with a particular case. In addition, he could take statements from the vendor and other interested parties and in the case I have just instanced the investigation would probably show that there had been a defalcation of \$2,000.

I think it is very important, from the point of view of the organisation which controls the Act, that a qualified auditor be given the full powers of an investigator because, as I have pointed out, there is a difference between an audit and an investigation. If a person can merely audit books he would not be in a position to obtain information which would show irregularities of the sort to which I have referred; whereas if a person had the authority to make an investigation as well it would cover the whole position adequately.

Under the same provision the Minister is faced with the responsibility of deciding who shall pay for an investigation of the nature to which I have just referred. To me it should be self-evident. If a land agent is found guilty then he should pay all the costs involved. However, if he is given a clear report I think the committee should pay the costs. I do not see why the Minister, at any time, should be called upon to adjudicate on such a matter; he should not have to accept responsibility in such instances. To me the issue is clear-cut: If a report absolves the person concerned then the costs should be met by the committee, but if the committee believes he has done something wrong then the matter should end up in the courts. I see no reason for the Minister being loaded with the responsibility of adjudication in such instances.

In section 14A of the principal Act—and this provision is repeated in the Bill now before us—the qualifications of the persons who shall constitute the committee which has control of the Act are set out. One of the members of the committee is from the Real Estate Institute and the other two members are academic persons. I think it would be a good thing—and it would have been a good thing to introduce when the Act was first introduced—if some person engaged in the real estate business, but who is not a member of the Real Estate Institute, were appointed to the committee.

I am certainly very much in favour of the appointment of a member of the Real Estate Institute, but I still think some person who is engaged in the real estate business, but who is not a member of the institute, should be appointed to look after the interests of those who are operating in this line of business but are in the same position as he is in. This

would provide a greater balance, and when a non-member came before the committee he would know that his interests were being looked after. However, the provision to which I have just referred is already in the Act, and to have it altered would require action on the part of the Minister.

Section 14B of the Act deals with the procedures to be adopted by the committee when an inquiry is to be made, and in some respects I do not think the provisions set out are good practice, especially in legislation of this type. To begin with, the committee has reports regarding the person who is to be haled before it, and I would think there is a tendency to prejudice him and to believe that he has done something wrong when that may not be the case.

We say this sort of thing does not happen, and that certain safeguards have been written into the Act. However, I think it is a bad principle to place such a responsibility on a committee of this type. I think it would be sufficient if the committee, having examined the position, said that it looked a *prima facie* case and that there was something wrong; therefore, it would prosecute and take the matter to court. In that case all the rules of evidence would be enforced and the rights and entitlements of the aggrieved person would be maintained. The prosecution would be able to state its case based on the evidence it possessed and a judgement could be given.

The Hon. A. F. Griffith: But there is a lot of difference between suspecting that there is something wrong and having a *prima facie* case against somebody.

The Hon. W. F. WILLESEE: If one only suspects that there is something wrong one can take no action.

The Hon. A. F. Griffith: If one suspects there is something wrong then one can go out to get a *prima facie* case.

The Hon. W. F. WILLESEE: Only when one has a *prima facie* case can one do anything.

The Hon. A. F. Griffith: Of course.

The Hon. W. F. WILLESEE: One should not give a judgement at that point. However, what is in the Act has been in operation for some time and a judgement should not be given immediately after a person who is believed to have done something wrong has been interrogated. There is also the point regarding a reserved decision but that facet will disappear under the new provisions and I do not intend to develop an argument on that aspect.

Section 15G deals with the power of the committee to suspend or cancel a license, and there is a sharp difference between this provision and other sections. If there is any doubt about a licensee he is haled before a court, but where there

is some doubt about a land salesman he is taken before the committee and his only redress is to go to court. I think it would be better if a provision were written into the Act to the effect that every person should be tried under the same set of conditions—in other words, a court of law.

I would also point out to the Minister that there are alternative penalties. The alternative to the suspension of a license is a fine of \$500; but under the Bill, where action is taken by the committee, a fine of only \$20 can be imposed. It seems to me that there is a big difference in those two figures. Personally, I favour the larger figure and I think that a fine of \$500 would be more in keeping with present-day values.

The Hon. A. F. Griffith: The committee's ability to fine is purely to establish disciplinary action.

The Hon. W. F. WILLESEE: The court has the right to fine \$500 and the committee \$20.

The Hon. A. F. Griffith: I know. I would not give the committee the right to fine \$500, or to give any judgement of that type.

The Hon. W. F. WILLESEE: I do not think the committee should have any right to fine at all. That is what I am saying. However, I do not think there is any point in going over the ground again because the Minister has a clear understanding of what I am suggesting, even if he does not look very enthusiastic about my suggestions.

The Hon. A. F. Griffith: Your remarks have been very helpful.

The Hon. W. F. WILLESEE: I think it would be worth while if we tried to go over the whole Act and turn it out with a completely new look. If in drawing attention to anomalies that have occurred we can get something better it will be all to the good.

I do not think I can find any other fact worthy of note in regard to the Bill, but I would point out that in the Act we still retain the old currency figures. It probably is not material, but in the Bill we talk in terms of dollars and I hope that when the Bill is incorporated in the Act cognisance will be taken of that point and the whole matter will be cleared up. Undoubtedly the Bill is a good one, but I hope that in the Committee stage consideration can be given to some of the items I have mentioned; and, in particular, it would be appreciated if the Minister could see fit to alter the Act a little more than has been done by the Bill.

THE HON. C. E. GRIFFITHS (South-East Metropolitan) [5.29 p.m.]: I want to make one or two comments on the Bill, but in doing so I shall not take up too much time. My first comment is in relation to

clause 4 which the Minister said would have the effect of phasing out, over a couple of years, certain of the qualifications required for a license where the person concerned has for two years been a partner in a real estate business. I am referring to subsection (3) of section 4 of the Act, part of which reads as follows:—

Subject to subsection (4) of this section, if the Court is satisfied that the applicant—

and a little further down the following appears:—

has during the two years immediately preceding his application, acted as and carried out the functions of a land agent and been a member of a firm that is a licensee;

the court will, under certain circumstances, and on the payment of certain fees, issue a license.

The Hon. A. F. Griffith: These comments you are making are in relation to the Act, not to the Bill.

The Hon. C. E. GRIFFITHS: The Bill refers to the fact that this particular qualification will be phased out over a period of two years after the proclamation of the legislation. That is how I understand it. Am I incorrect?

The Hon. A. F. Griffith: Only partly.

The Hon. C. E. GRIFFITHS: I think I am on the right track, though it does not matter very much whether I am wholly right or not. The particular section of the Act which we are removing is one that has provided an avenue and an opportunity for people to become licensed land agents after carrying out the requirements set out.

I have very good reason to believe that, in the majority of cases, this part of the Act has not been used indiscriminately and it therefore makes people at least fairly qualified, from a practical point of view, anyway, to carry out the functions of a land agent.

Bearing in mind, however, that this provision is to continue for another two years before it is finally phased out, I am a bit concerned about what is being done now, and it is in this connection that I wish to speak. I refer particularly to the interpretation which is placed on the word "firm"; where a land agent has been a member of a firm.

The dictionary I have in front of me, unfortunately, does not agree with my idea of a firm, but nevertheless I daresay it is probably fairly right! For the information of members I will read what the *Concise Oxford Dictionary* says in defining the word "firm." It says, "Partners carrying on business"; and later it refers to, "A set of swindlers who obtain goods and do not pay." I do not think, however, that this particular definition was meant to relate to land agents.

Let us assume that the definition which is meant to apply is that of partners carrying on business; let us assume that for the purposes of this Act. For some reason or other, in this day and age people form other sorts of firms which, in my opinion, are not necessarily partnerships. The board which issues these licenses to land agents has for some peculiar reason decided that the word "firm" does not cover any organisation which is a company, a proprietary company, or any sort of company, except a straightout partnership.

I do not agree with that and I would like the Minister to have a look at it, because the interpretation of the word "firm" has, to my certain knowledge, created hardships. I feel it is purely a matter of convenience whether two people who want to go into business decide to form a partnership or a limited company, or whether they decide to go about it in some other way. As I have said, this is only a matter of convenience and there are several reasons why people do this sort of thing. It has nothing to do with their functions as land agents.

I repeat, however, that great hardship is being created by the stringent interpretation of the word "firm," and if the Minister thinks otherwise he can put me right on the subject. I certainly cannot understand it.

I have had a good look at the Act and there is no interpretation of what a "firm" is supposed to be and, therefore, I think it reasonable to assume that the definition of "company," which is contained in the same dictionary from which I have quoted, should be taken to be the definition of "firm." Among a multitude of other definitions it defines a "company" as "partners not named in the title of a firm." Because of this it is easy to assume that a "company" is indeed a "firm."

If the Minister has not a firm knowledge of what I am talking about, I would like him to have a look at this particular interpretation and inform me if and where my reasoning happens to be off-beat. I merely wanted to make those few comments in the hope that the Minister would have a look at the matter.

I would now like to give members the benefit of my experience—and this relates to clause 5 of the Bill—because I feel these practices are certainly not to the credit of land agents; though clause 5 will, however, probably eradicate the particular practice to which I refer.

One of my constituents was approached by letter by several land agents asking whether he would consider selling his property. He was particularly interested in this because, as it happened, there was an order from the Town Planning Department saying that the property could not be used and, accordingly, my constituent

was interested to see whether somebody would purchase it to enable him to get out from under. But that, however, is a different story.

Because these several land agents wrote to him, he approached me and said, "I am not allowed to use my land, yet here I have a spate of letters from land agents asking me whether I would like to sell." He added that he doubted the validity of the information saying he was not allowed to use his land, and asked me whether I would make some inquiries for him.

I took several of these letters and rang the telephone number on the first letterhead. I said I had been approached by this particular gentleman who had asked me to contact the land agent concerned and inquire whether his offer was without obligation. I also asked what the gentleman in question might expect to get for his land.

The prospective buyer rushed away, opened a few drawers, and returned and said that he might expect to get X number of dollars. He never mentioned anything about the land being reserved for public open space. I thanked the land agent and said I would pass the information on.

I then got caught up with something else, but a little later I rang the number on the second letter and said I was speaking on behalf of this particular gentleman. Members will appreciate my astonishment when I say that, on being put through by the girl on the switchboard to a number which appeared to serve an entirely different set of land agents, I found I was speaking to the same fellow to whom I had spoken previously. I certainly considered this a very serious state of affairs.

The Hon. A. F. Griffith: Was he still poking around in the drawers?

The Hon. C. E. GRIFFITHS: I did not get very far with the conversation because, once again, I was stuck for words, and I did not know quite what to do.

All jokes aside, however, I do feel that this is a most unsatisfactory state of affairs indeed, and I can see all sorts of implications and overtones developing if land agents are permitted to carry on numerous businesses under numerous names whilst having their telephones directed into the one office. This sort of thing could result in all sorts of unsatisfactory, unsavoury, and unjust transactions in relation to innocent people who might believe they are placing their properties in the hands of two or three different agents while, in fact, it is being handled by the one agent.

For this reason I think clause 5 is worthy of support. Clause 7 also appears to cover this angle, because it relates to advertising on the letterhead which, in the case I mentioned, did not give me any indication that I was ringing the firm to which I had spoken before.

In conclusion, I would like the Minister to have a look at clause 4 of the Bill in its application to the Act, with a view to giving some more definite interpretation of the word "firm" to enable it to be used for at least the remaining two years of the life of the legislation in a manner more consistent with present-day practice.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [5.42 p.m.]: In replying to this debate I feel it is unnecessary for me to say much more than to thank Mr. Willesee and Mr. Clive Griffiths for their remarks. My approach to this matter has been with the intention purely and simply, to improve the circumstances as they concern the public and under which land agents operate.

While there are people who do things which they should not, I daresay the great majority of people obey the letter of the law. On occasions, however, we do find some elderly person or other individual who is left lamenting because of the dishonest practices indulged in by land agents. Accordingly, this Bill is introduced to tighten up the law as it relates to the qualifications necessary before a land agent can obtain a license and, indeed, it seeks to place greater emphasis on the qualifications that it is necessary an applicant should have.

I would like to say at the outset that I will be very happy indeed to have a look at the suggestions made both by Mr. Willesee and Mr. Griffiths. Recently I had representations made to me, personally, in relation to the question of advertising, and I can assure the House that whilst it is not my desire to add a much greater cost to the lot of the land agent in respect of advertising, I do regard it as a small price to pay for each advertisement—be it \$1 or any other sum—if the public is to be supplied with information as to who is acting for the land agent in order that the prospective purchaser, or seller, may be able to establish early in the piece with whom he is dealing. By this method those who are employed in purchase transactions will not be left lamenting after the transaction has been completed. If this result is achieved it will be a small price to pay.

The Hon. W. F. Willesee: If it were essential I would agree with you, but not if it is unnecessary.

The Hon. A. F. GRIFFITH: Maybe we have gone a little too far, and maybe there is some halfway mark at which we can arrive to reach a satisfactory conclusion. In regard to the name of the licensee having to appear, I rather think what we had in mind was to establish the name of the particular company. I will not mention the name of any particular company, but if it happened to be, say, the ABC Company, and it was well known, one would immediately establish in one's mind the *bona fides* of that firm if one saw an advertisement. One knows that

the *bona fides* of well known firms is in most cases, beyond doubt. However, when one experiences the sort of thing that Mr. Clive Griffiths spoke about, an undesirable state of affairs is reached; and that is the kind of situation that the Bill aims to try to overcome. I do not say that these people have criminal intent in their minds, but experience does show that people sometimes do go down the drain.

As I indicated, by way of interjection to Mr. Willesee, I was involved in an incident the other day. I answered my own telephone and a voice said to me, "You have a block of land for sale." I said, "Not I." Then a voice said, "Is that such and such a number?" I said, "Yes, but I still have not got a block of land for sale." The voice said, "The telephone number is in the newspaper." I said, "I am sorry, that must be a mistake, but I still have not a block of land for sale." With that, the person commented that there was nothing that could be done. However, if it were a prerequisite that the telephone number had to be accompanied by the name of the vendor, or the agent for the vendor, it would have been a simple matter for the person ringing me to identify the person who was advertising.

These are the points we intend to look at. I repeat: I am quite happy to look into these matters. I will do what I said I would do with another Bill, and not ask for the Committee stage to be dealt with tonight so that I may examine the comments made and, if necessary, place on the notice paper some amendments that might deal with the situation. I will also examine the amendments which Mr. Willesee has already placed on the notice paper.

Question put and passed.

Bill read a second time.

BILLS (6): RECEIPT AND FIRST READING

1. Exotic Stock Diseases (Eradication Fund) Bill.
2. Cattle Industry Compensation Act Amendment Bill.
3. Poultry Industry (Trust Fund) Act Amendment Bill.

Bills received from the Assembly; and, on motions by The Hon. L. A. Logan (Minister for Local Government), read a first time.

4. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill, 1969.
5. Brands Act Amendment Bill.

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

6. Reserves Act Amendment Bill.

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

STANDING ORDERS COMMITTEE

Consideration of Report

Report of Standing Orders Committee now considered.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair.

The CHAIRMAN: Members have a copy of the report of the Standing Orders Committee which was presented to the House on the 26th March. The purpose of this Committee is to consider the recommendations in the schedule to the report, on pages 4 and 6. The first recommendation is in connection with Standing Order 4, and is as follows:—

- (a) Delete the word "may" in line 6 of paragraph (c) on page 30 and substitute the word "shall"; and
- (b) Delete the word "may" in line 6 of paragraph (e) on page 31 and substitute the word "shall".

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next amendment is to Standing Order 35. It is as follows:—

Delete the Standing Order and substitute the following:—

35. The Assembly shall be advised by message of the appointment of every Standing Committee.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next amendment is to Standing Order 36. It is as follows:—

Delete the word "entered" in lines 1 and 2, and substitute the word "recorded".

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next amendment is to Standing Order 60. It is as follows:—

Delete the detail following the passage "routine:—" in line 3, and substitute the following:—

- (a) Presentation of Petitions;
- (b) Presentation of Papers for Tabling;
- (c) Giving notices of questions and motions;

(d) Asking questions without notice;

(e) Questions on notice;

(f) Motions without notice; and

(g) Motions and Orders of the Day as set down on the Notice Paper.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

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

Delete the words "and motions" in paragraph (c).

In the time that I have been here I have observed the processes. On occasions we will, in accordance with the way the Standing Order is now worded, have a petition presented. It is usual for the honourable member presenting a petition to acquaint the President of the fact and the President will, in accordance with the procedure, give that honourable member preference for the presentation of that petition. The next thing that happens, in accordance with Standing Orders as they are now written, is the giving notice of questions and motions. As we all know, what happens is this: I, or one of the other Ministers, may get up and give notice of a Bill. That Minister will sit down and somebody else will get the call from the President and he will give notice of a motion. Somebody else will claim the attention of the President and he will give notice of a question; and then a Minister may come in and give notice of another Bill, and so on.

When the *Minutes of the Proceedings* for the previous day are recorded we get this mix-up of a question, a Bill, a question, and so on. The Standing Orders Committee with its recommendations has very largely sorted this out but, I think, only to a limited extent. I suggest that if my amendment is accepted we will have an order for the day's proceedings. First of all we will have the presentation of petitions, if there happen to be any. Then the President will say, "Are there any papers?" and these will be tabled by Ministers. Then we come to (c) which, if amended, will allow Ministers to remain seated knowing that notices of questions will be asked for. They can, I hope listen intelligently to them. Then the President will call for notices of motions for leave to introduce Bills, and the Ministers, as well as any other members, if they so desire, can give notice of Bills.

Then, following the notices of motions for leave to introduce Bills, we would come to (e), giving notices of motion, being distinct from notices of motions to introduce Bills. You, Mr. Chairman, gave notice this afternoon of a motion you propose to move; and the fifth item on the

day's proceedings would provide the opportunity for you to move for such a motion.

When all that is done we get to the point of answering questions without notice, under (f), or item 6. Following that we would have questions on notice—or the answers to those questions. Then there would be motions without notice—as Standing Orders provide that certain motions can be moved without notice—and we would then proceed to the Orders of the Day.

In fact, the only suggestion I make with regard to this set of amendments is to provide some difference in the method of giving notice of intention to introduce a Bill and giving notice of intention to ask a question. I am separating them into various categories.

I think this would save embarrassment to a Minister who wishes to give notice of a Bill but does not want to do so in front of a member who wants to ask a question. I do not want to cut across the recommendations of the Standing Orders Committee, but I do feel that this could be an improvement on the recommendation of the committee and, accordingly, I have moved the motion in my name on the notice paper.

The CHAIRMAN: I think we should deal with the paragraphs of the amendment in sequence.

The Hon. F. D. WILLMOTT: As a member of the committee I want to say that the intention of the committee was to make the Standing Order a little clearer. At some time every member in this House has seen the confusion which arises with regard to the stage at which a member should ask a question. Our aim was to sort this out and the amendment moved by the Minister would make the position a little clearer. I agree with the amendment.

The Hon. W. F. WILLESEE: I have in front of me details showing how the break up would apply if the Minister's amendments were accepted. To me they clarify the position and I certainly support them.

Amendment on the recommendation put and passed.

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

Insert paragraphs to stand as paragraphs (d) and (e) as follows:—

(d) Giving notices of motions for leave to introduce Bills;

(e) Giving notices of motions;

Amendment on the recommendation put and passed.

Recommendation, as amended, agreed to. *Sitting suspended from 6.7 to 7.30 p.m.*

The CHAIRMAN: The next amendment is to Standing Order 63. It is as follows:—

(a) Delete the word "order" in line 1, and substitute the word "sequence"; and

(b) Delete the words "Notices of Motion and" in line 2.

The Hon. F. D. WILLMOTT: I move—
That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next recommended amendment is to Standing Order 90. It is as follows:—

Add after the word "question" in line 4 the following:—

"Questions shall be delivered when the President calls for Notices, but questions supplementary to those answered at the particular sitting may be delivered at the Table, in writing, up to one hour after the time fixed for the meeting of the House."

The Hon. F. D. WILLMOTT: I move—
That the recommendation be agreed to.

The Hon. A. F. GRIFFITH: I agree with this suggestion. It will assist members, particularly; because when a question answered on a Wednesday gives rise to a further question to be asked on the next day, Thursday, that further question is not usually answered until the following Tuesday. So this recommended amendment will enable a member—within reason—to obtain an answer on the Thursday following the original question asked on a Wednesday.

The Hon. F. J. S. WISE: This really means that, although members may rise in their places and give notice of intention to ask a question on the following day, they also have the alternative of submitting supplementary questions without giving notice at all.

I did not realise that the amendment to Standing Order 60 had been passed before the tea suspension. There are not many Houses of Parliament in Australia which put the responsibility upon members to give notice of questions. Indeed, the other House in this Parliament does not require notice of questions. The questions have to be submitted to the Clerk by 4 p.m., I think, on the day of sitting preceding the day the questions are to be answered.

I am not sure where this procedure has its origin, but I have discussed it through the years with some of the gentlemen who have been in this House and I think it has its origin in a sort of distinctive action by the Legislative Council—an

action different from that of the Legislative Assembly. I wonder if the Standing Orders Committee considered the angle of wholly dispensing with the need to give notice of questions? We are making arrangements for supplementary questions to be asked—not necessarily supplementary questions, but additional questions. And those questions may be on subjects entirely different from those of which notice has been given.

The Hon. A. F. Griffith: That part is not clear to me.

The Hon. F. J. S. WISE: Well, it is not clear in the opposite direction either.

The Hon. A. F. Griffith: Well, it ought to be made clear.

The Hon. F. J. S. WISE: Yes; I am wondering whether the representative of the Standing Orders Committee handling the motions could clarify the points I have raised.

The Hon. F. D. WILLMOTT: The committee did have a look at the question of dispensing with the necessity to give notice in writing, but the general consensus of opinion was that it was preferable to let the position remain as it is. The main reason taken into consideration was that it very often gave members a chance to get some advance publicity of a question.

The Hon. F. J. S. WISE: You don't get publicity on the questions; you get it on the answers.

The Hon. F. D. WILLMOTT: That is not entirely right. I think there have been times when members have achieved publicity. I think the Minister would agree that in this place many questions are asked which are not addressed to departments represented by Ministers in this Chamber. So it does give the Minister in charge of the House an opportunity to know something about the question early in the day, and I think this is an advantage to him.

The Hon. F. J. S. WISE: The procedure of giving notice of questions and the Minister handling them immediately is not in accordance with practice. Ministers in this place, and in the other place, are extremely busy once the bells cease ringing, and if they are listening to questions asked, they are listening with one ear cocked. This is because some members are accustomed to asking belligerent questions, and the Minister wants to know what is going on. However, innocent and simple questions go unnoticed by Ministers until they read the answers. That has been the practice for 60 years.

I do not think there is anything in the point raised by Mr. Willmott. I can see no advantage whatever accruing to the House or to members, or any easement of the worries of the Minister by adhering to the old system.

The Hon. A. F. GRIFFITH: Unless I am interrupted by somebody whispering in my ear—as, unfortunately, happened yesterday afternoon—I listen with interest to the questions that are being asked, because they are mainly asked with regard to my own portfolios, or to those of Ministers in another place, and, I listen particularly, to those asked of the Premier. For the time being I represent the Government in this House and questions on Government policy are usually answered by me; so generally I listen to the questions being asked. I find it no hardship.

With regard to the suggestion of the Standing Orders Committee, I think the emphasis is on questions supplementary to those answered at the previous sitting. So I think it would be out of order for a member to place on the Table any question pertaining to a new matter. It would have to pertain to a matter to which the member concerned had already addressed himself.

Lately I have felt that we ought to have a member for questions, and I could appoint Mr. Stubbs, or maybe Mr. Cloughton, who is fast qualifying for this position. Some members ask many questions and others not so many, but I have no objection to listening to them. I think the way that the amendment is worded definitely fixes the question as being one supplementary to a question already asked.

The Hon. F. J. S. WISE: I think there is great advantage in any parliamentary system where there are two Houses in having a similarity with regard to matters of procedure. With a simple question like this, I think it would have been an advantage if we could have conformed to the Australia-wide rule, and which applies in another place. However, I am not prepared to move in any way to upset the committee's recommendation.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The amendment to Standing Order 91 reads as follows:—

Delete the words "entered on" in line 6, and substitute the words "recorded in."

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The recommended amendment to Standing Order 100 reads as follows:—

Insert after the word "member" in line 1, the words "other than a Minister".

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next recommended amendment is to transpose Standing Orders 116 and 117.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The amendment to Standing Orders 123-137, in chapter XV, reads as follows:—

Substitute for the words "leaving out"; "leave out"; and "left out" wherever appearing in this Chapter, the word "deleting"; "delete"; and "deleted" respectively.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The recommended amendment to Standing Order 160 is as follows:—

Delete the word "party" in line 4.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

The Hon. J. DOLAN: While I agree that we do not divide according to parties, I feel the word "side" should be inserted in place of the word "party," because as it is now, the word "party" could apply to something else in the sentence.

The Hon. A. F. GRIFFITH: Mr. Logan has said he considers this to be bad English, but I do not think so, because it is clear to me. In this Chamber we do not necessarily divide on party lines, but Standing Order 160, as it now stands, indicates that we do. The Standing Order reads—

The President shall state the Question to the Council, and direct the "Ayes" to proceed to the right of the Chair, and the "Noes" to the left, and shall appoint one Teller for each party.

The Hon. J. Dolan: For each of what?

The Hon. A. F. GRIFFITH: For the "Ayes" and the "Noes."

The Hon. J. Dolan: One side is the "Ayes" and the other side is the "Noes."

The Hon. A. F. GRIFFITH: I am prompted to make, not very seriously, another comment on this. I sometimes wonder about the question of divisions. I know that you, Mr. Chairman, when you are in the Chair are able to listen clearly with both ears and you decide the question on the loudness of the voices. You are not able to decide the question on the number of voices. So what it really amounts to is that if five people can call louder than 10 you decide in favour of the five.

The Hon. F. J. S. Wise: There might be a lot of merit in that.

The Hon. A. F. GRIFFITH: There could be, depending on which side one is on. However, when the President is in the Chair he might have his wig covering one ear more than the other and sometimes does not hear a call as clearly as you do, Mr. Chairman, and I would point out to Mr. Wise that there may be some advantage in that. I am absolutely sure that you, Mr. Chairman, and the Deputy Chairmen give a wrong decision on occasions which causes me to divide the House.

The Hon. F. J. S. WISE: One thing is certain and that is that the word "party" is completely inappropriate and it should not be used. It is not necessarily a division on party lines. It could be a mixed division, and we cannot have one teller for each party.

Although the word "each" is not used as a simple pronoun, it still could be implied that parties are involved, and parties are not involved. It is simply a question of people in Committee voting as they wish on a question. I do not think it is necessary to be finicky, but clarity is important. Instead of the words "each party," I would prefer to see the words, "for both the 'Ayes' and the 'Noes,'" and that would overcome the whole problem, because that is what we are seeking. I am not very concerned about putting a full stop after the word "each," but I think it is not pure English.

The Hon. J. DOLAN: I think the original purpose in putting the word "party" in the Standing Order was that some clarification was needed for the two sides. I think it would be more acceptable if the words "Ayes" and "Noes" were used instead of the word "each." "Each" is one of those words which should always have something attached.

The Hon. A. F. Griffith: Surely if you read this its meaning would be clear to you?

The Hon. V. J. FERRY: I do not profess to be a great authority on the Queen's English, but to me the amendment, as proposed, is perfectly clear. We are implying two things: that there are "Ayes" and "Noes," and we are appointing tellers to carry out the counting. I intend to vote for the amendment as it stands.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next Standing Order dealt with by the committee was 183. The committee recommends as follows:—

Delete the words "leaving out" in line 2, and substitute the word "deleting".

The Hon. F. D. WILLMOTT: I move—
That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next recommendation relates to Standing Order 197. The committee has recommended the deletion of this Standing Order.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next amendment is to Standing Order 198. The committee has recommended—

Delete the passage “; but any such Committee may at any time order the Bill to be reprinted as amended” in lines 4 and 5.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: Standing Order 210 is the next one and the committee has recommended that it be deleted.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next Standing Order affected is 227. The committee has recommended as follows:—

Delete the word “omitted” in line 5, and substitute the word “deleted”.

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: Standing Orders 333 to 343 are also the subject of amendment. The committee has recommended as follows:—

333 to 343. To transfer in volume to (Chap. XXVII) appear as Chapter XII (after Standing Order 36).

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

The Hon. F. J. S. WISE: Could one of the members of the committee elaborate on the reason for this amendment?

The Hon. F. D. WILLMOTT: It is simply to make the Standing Orders flow more freely for the benefit of a new member coming into the House. He may establish that we are dealing with the tabling of papers and it will be found that if we transpose these Standing Orders dealing with the tabling of papers to the

place proposed, the Standing Orders will flow more easily in accordance with the daily procedure adopted in this House, and thus a new member will find them easier to follow.

The Hon. A. F. GRIFFITH: May I inquire: What is the reference to “Accounts and Papers may be ordered to be laid upon the Table,” appearing in Standing Order 333? We have another Standing Order which provides that anyone quoting from papers can be requested to lay them on the Table of the House. I can recall one instance of this being done. When a Minister rises to his feet, as he does every day, and says, “I desire to lay these papers on the Table of the House” is it taken to be in order when they are so laid? Nobody actually orders such papers to be laid on the Table of the House.

The Hon. F. R. H. LAVERY: I can recall making a speech on the other side of the Chamber and quoting from the rules of the Australian Labor Party. When I sat down Mr. Murray, who was a member of the Council at that time, and who was sitting on this side of the Chamber, asked that the document be laid on the Table of the House, and I was so ordered to lay it upon the Table.

The Hon. A. F. GRIFFITH: That circumstance is covered by Standing Order 342. I learnt a lesson myself not to quote from papers that one does not want laid upon the Table of the House. The initial words of Standing Order 333 appear to set out a different procedure from the ordinary tabling of papers, so what situation does this Standing Order cover?

The CHAIRMAN: As I understand it, if the House passed a resolution that papers and accounts in control of the Minister in charge of the conduct of Government business shall be laid upon the Table of the House, the Clerk then indicates that to the member having the conduct of Government business. This arises when a substantive motion is moved in that respect. Apparently it is an old Standing Order which has not been used for quite a long time.

The Hon. A. F. GRIFFITH: I think papers can be laid upon the Table of the House as a result of a substantive motion. The order is contained in the substantive motion. It has never been used during the time I have been here, and to me it appears to be redundant.

The CHAIRMAN: Apparently the reason the Standing Order has been included is to give the House authority to order that papers and accounts be laid upon the Table of the House. I am given to understand by the Usher of the Black Rod that these words are contained even in Statutes, and apparently the Standing Order has been framed in a similar way.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: Standing Order 406 is the next to be amended. The recommendation of the committee is as follows:—

406.

- (a) Delete the words "The following" in line 1, and add after the word "Motions" also in line 1, the words "and Questions under the following Standing Orders"; and
- (b) Delete the passage commencing with the paragraph designation (a) in line 5 on page 96 to the end of the Standing Order, and substitute the following:—

64—Postponement of Business.

140—Previous question.

179—First Reading.

199—Reporting progress when consideration not concluded.

209—That this Bill do now Pass.

265—That the Chairman do now leave the Chair.

266—Dilatory Motions.

297—Presentation of Report of Select Committee.

355—Withdrawal of Strangers.

383—Personal explanation.

397—Whether member be further heard when directed by President to discontinue speech due to irrelevancy or tedious repetition.

407—That the Council do now divide.

409—That this debate be now adjourned.

415—Suspension of Member.

The Hon. F. D. WILLMOTT: I move—
That the recommendation be agreed to.

The Hon. F. J. S. WISE: Although we are in Committee, I am sure that in a general sense you, Sir, will allow me to indulge in a very wide comment on the Standing Orders. It seems that under this recommendation I am furnished with the opportunity to say what I wish in regard to the great deal of work which is still necessary to be done to the Standing Orders.

I would like to congratulate the members of the committee on the work they have done, following their scrutiny of the Standing Orders. My object in rising is to draw attention to something which is still required to be done as quickly as it practicable; and that is a review to be made on how to overcome deadlocks between the two Houses. It could not be expected that a committee sitting as this one did, with the task of scrutinising each Standing Order in detail, would engage itself over

a long period and would undertake a lot of research to face the problem that is constantly before us in the case of deadlocks.

There are some members present, and even some of the newer members of more recent years, who have experienced the seriousness of arriving at decisions between the two Houses in the case of deadlocks. Some members here have even lived through many Governments in this State, have served in several Governments, and have experienced not only the difficulties associated with deadlocks, but also the unsatisfactory set of rules controlling Parliament in overcoming such situations.

Some years ago a very fine piece of work was done by the Clerk of this Parliament (Mr. Roberts) when he prepared a report which was circulated at that time. Since then there have been no quarrels between the two Houses as such, but it is a very necessary matter for us to face up to what is required in order to overcome such situations. I recall, at the time when Mr. Roberts made that great effort, making the comment that I would like to see this achieved before I left Parliament, but I am afraid I will not. I would like to provoke something to assist it on its way. I am rising deliberately to provoke thought in the minds of members so that they will read up on some of the difficulties that have occurred, even from the time when this State imposed its own taxation.

I was a Minister in four Governments at that period, and I know that the troubles we experienced then were very serious. They do not become matters which bring confidence to the public mind in regard to this institution of Parliament. Surely as members, one of our objectives is to keep in the public mind a healthy respect for this institution, because once the respect for Parliament passes we are in a very serious decline.

I raise this matter quite deliberately on the broad recommendations before us in the hope that some members will express their views on it. Without any desire, other than to meet the circumstance that is very disturbing when it occurs with no way of overcoming it, I would like to see the subject faced up to in the very near future.

The Hon. F. D. WILLMOTT: I thank Mr. Wise for raising this matter. I think his appeal to members to give thought to it is very timely, and I am sure they will do this. I would like to point out that the committee has not lost sight of this matter, because at the commencement of its report the following appears:—

The Committee—

- (b) has agreed to request the Standing Orders Committees of both Houses to meet jointly

at a suitable time to discuss certain aspects of the Joint Standing Rules and Orders; and

- (c) has agreed to examine suggestions from members of the Committee regarding amendments which appear desirable to the Constitution Acts Amendment Act relative to Money Bills, with the view to submitting recommendations to the appropriate authority for consideration.

I think the matters raised by Mr. Wise are contemplated in that part of our report.

The Hon. A. F. GRIFFITH: I would like to make one or two comments concerning this matter.

The CHAIRMAN: I have let this matter go further than I should have done. Members will have the opportunity to discuss this aspect on the adoption of the report, when the opportunity for full discussion will be available.

Question put and passed; the recommendation agreed to.

The Hon. F. D. WILLMOTT: The amendment to Standing Orders 372 to 421 is as follows:—

372 to 421 (Chap. XXXII). To transfer in Volume to appear as Chapter X (after Standing Order 59).

I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next Standing Order that was considered by the committee was 412. The recommendation of the committee is as follows:—

412. Delete the words "a Count Out" in lines 1 and 2, and substitute the words "want of a quorum."

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

The CHAIRMAN: The next recommendation of the committee is as follows:—

422. Delete the word "any" in line 2, and substitute the word "a".

The Hon. F. D. WILLMOTT: I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

Report

THE HON. F. D. WILLMOTT (South-West) [8.10 p.m.]: I move—

That the report be adopted.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.11 p.m.]: I would like to take the opportunity to thank the members of the Standing Orders Committee for the work they have done in presenting this report to us. As a result of the remarks of Mr. Wise, I am prompted to say that I saw a reference in paragraph (c) of the report to the question of the desirability of examining the Constitution Acts Amendment Act in relation to money Bills. I remember Mr. Wise asking me a question last year which was framed along these lines: Would I submit to the Law Reform Committee a proposal that it examine various aspects of the Constitution in regard to the responsibilities of members in relation to the expression in the Constitution of "office of profit under the Crown." I have that file on my table, but I have not referred it to the Law Reform Committee because I find this is a very difficult task to hand over to that committee to perform. There are many matters which might be regarded as political in dealing with such a question.

I have satisfied myself there should be some other avenue for examining this proposition, for the very reason that various sections of the Constitution contain things political in which it might be quite beyond the competence of the Law Reform Committee to become involved; therefore I have not sent the file on.

In the same context I do agree that an examination should be made of the difficulties that arise between the two Houses. I can remember—as I am sure Mr. Wise can—standing as the meat in the sandwich a year or two ago when the President gave some rulings and delivered some words to us which caused us some consternation, on one side or the other. As a result of that the Government lost the Bill on that occasion.

The Hon. F. J. S. Wise: That was a good thing.

The Hon. A. F. GRIFFITH: It is a matter of opinion whether that was a good thing. It would be a good thing if we could resolve these difficulties. With the greatest respect I think this task might be even too difficult for the Standing Orders Committee.

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

The Hon. A. F. GRIFFITH: I say that with the greatest respect to the Standing Orders Committee. The questions involving the Constitution and the law relating to the Constitution are very difficult ones indeed. However, I would like members to know that this file remains on my table as a constant reminder to me that something has to be done.

Mr. Wise will be here for quite some time, so he might see some improvement in the situation. I am still thinking of how we can arrive at the desired conclusion. We

can do so by appointing an *ad hoc* committee of members; we can do it perhaps by appointing a Select Committee of both Houses; but whatever we do I think this matter has to be handled by people who are very competent in this particular field, in order to follow up the work that was done by the Clerk (Mr. Roberts) some years ago. I resume my seat with the statement that so far as I am concerned in my mind this matter has not lost its importance.

THE HON. F. J. S. WISE (North) (8.14 p.m.): The reference by the committee to the subject which has agitated my mind and to which reference has been made by the Minister prompted me to think that the Standing Orders Committee would not necessarily be the body to handle this very difficult subject. The Standing Orders Committee will appreciate that. I respect its members not only for the work they have done, but also for analysing the Standing Orders. However, this is a separate subject.

It is a subject within the Standing Orders in part, but more within the Constitution Acts Amendment Act. Many of the provisions apply only to members, with certain limitations, but others affect what may be done in either House, or both Houses of Parliament. I have definitely in mind a course of action which I intend to take either this session or the next unless someone is anxious to beat me to the gun. I intend to take this action in order to obtain the views of both Houses on the subject.

The Minister expressed very closely the thoughts I have on the subject. The matter needs review from people experienced in the conduct of the business of Parliament—the Ministers, and, although I have not very much to say in support of senior people because I prefer the younger ones, there are times when there is no substitute for experience. We could, I am sure, select experienced people from both Houses, irrespective of any party interest or affiliation, including senior men of Government, to have a look at this proposition. That is the level to which I would elevate the matter in order that it might be satisfactorily settled for all times.

We have no answer, only confusion, when our Houses are in deadlock. The day may never come when our taxing rights will be returned to us. We gave them to the Commonwealth on the understanding that they would be returned, but we have tested that in the courts of Australia, and I suppose some Premiers have been quite pleased that the rights have not been returned.

The Hon. A. F. Griffith: Not speaking too personally!

The Hon. F. J. S. WISE: But they were to be held by the Commonwealth Government. The situation is that we may never

have our taxing rights—as far as income and other taxes, which are controlled by constitutional matters are concerned—returned to us. However, we have very important problems in relation to money Bills which will be never ending unless we face the situation. Nevertheless, without any threat, but simply as a suggestion, let me say that I propose to do something in the matter before very long.

Question put and passed; the report adopted.

Presentation to Governor

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) (8.19 p.m.): I move—

That the amendments to the Standing Orders agreed to by the House be submitted to His Excellency, the Governor, for approval.

Question put and passed.

PLANT DISEASES ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) (8.20 p.m.): I move—

That the Bill be now read a second time.

The first amendment in this Bill relates to fruit-fly baiting polls. The existing time limits within which such polls shall be conducted have been found difficult to comply with in some cases. The preparation of the rolls and the technical description of the areas and their publication, particularly for large polls as in the metropolitan area, present many problems in relation to the short time allowed from date of delivery of the request to the Minister to the polling date.

Under the Act, the Minister may direct a poll to be held on a day not less than 21 days nor more than six weeks after receipt of the request. This Bill proposes that these times be altered to not less than 28 days and not more than eight weeks, respectively.

Another amendment seeks to establish more clearly the right of the committee administering the particular fruit-fly foliage baiting scheme within a district, to have the power to bait only in such manner and with such materials as authorised by regulation.

This amendment is necessary because some baiting scheme committees have not carried out fruit-fly baiting in accordance with the regulations. Some experimented in their own manner and, only after rather costly failures, adopted the procedures laid down. Therefore, to remove any doubts as to what constitutes a baiting and spraying programme, it is desirable that fruit-fly committees be fully aware as to the manner and materials prescribed in the appropriate regulations.

The last amendment requires fruit-fly baiting committees to present audited accounts and a balance sheet to the Minister at the end of each financial year, concluding on the 31st August.

The lack of statutory provision for governmental supervision of baiting scheme finances has been raised in discussion with local authorities. For the reason that a large section of the public contributes to baiting schemes, which are financially assisted in their initial stages by a Government subsidy from trust funds, it is considered appropriate that an annual return should be submitted by baiting committees. The establishment and operation of each fruit-fly baiting scheme hinges on the provisions of the Plant Diseases Act, together with the technical advice and assistance of the Department of Agriculture; and bearing in mind the sources of finance, it is reasonable that a financial return and balance sheet should be furnished.

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

OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

Assembly's Amendments

Amendments made by the Assembly now considered.

In Committee

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

The CHAIRMAN: The amendments made by the Assembly are as follows:—

Clause 1, Page 1, lines 8 and 14—Delete the figures "1968", where appearing and insert in lieu the figures "1969".

The Hon. A. F. GRIFFITH: I move—

That the amendments made by the Assembly be agreed to.

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

Report

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

FISHERIES ACT AMENDMENT BILL

Assembly's Amendments

Amendments made by the Assembly now considered.

In Committee

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

The CHAIRMAN: The amendments made by the Assembly are as follows:—

No. 1.

Clause 1, page 1, lines 8 and 12—Delete the figures "1968", where appearing and insert in lieu the figures "1969".

No. 2.

Clause 5, page 3, line 14—Delete the figures "1968" and insert in lieu the figures "1969".

No. 3.

Clause 7, page 4, line 19—Delete the figures "1968" and insert in lieu the figures "1969".

The Hon. A. F. GRIFFITH: I move—

That the amendments made by the Assembly be agreed to.

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

Report

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

CRIMINAL CODE AMENDMENT BILL

Assembly's Amendment

Amendment made by the Assembly now considered.

In Committee

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

The CHAIRMAN: The amendment made by the Assembly is as follows:—

Clause 1, page 1, line 8—Delete the figures "1968" and insert in lieu the figures "1969".

The Hon. A. F. GRIFFITH: I move—

That the amendment made by the Assembly be agreed to.

Question put and passed; the Assembly's amendment agreed to.

Report

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

ADMINISTRATION ACT AMENDMENT BILL

Assembly's Amendments

Amendments made by the Assembly now considered.

In Committee

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

The CHAIRMAN: The amendments made by the Assembly are as follows:—

No. 1.

Clause 1, page 1, lines 8 and 12—Delete the figures "1968", where appearing and insert in lieu the figures "1969".

No. 2.

Clause 2, page 2, line 13—Delete the figures "1968" and insert in lieu the figures "1969".

The Hon. A. F. GRIFFITH: I move—

That the amendments made by the Assembly be agreed to.

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

Report

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

DIVIDING FENCES ACT AMENDMENT BILL

Assembly's Amendments

Amendments made by the Assembly now considered.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

The CHAIRMAN: The amendments made by the Assembly are as follows:—

Clause 1, page 1, lines 8 and 12—Delete the figures "1968" where appearing and insert in lieu the figures "1969".

The Hon. L. A. LOGAN: I move—

That the amendments made by the Assembly be agreed to.

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

Report

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

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.34 p.m.]: I move—

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

In moving this motion, Mr. President, I would like to point out that I indicated last week that the House would sit on Thursday morning rather than on Thursday afternoon. Naturally we will sit tomorrow as long as necessary in order to

deal with the business on hand. However, bearing in mind that a notice of motion is to be moved, it may not be necessary to sit after lunch; but, if it is, the House will adjourn as soon as practicable after lunch.

Question put and passed.

House adjourned at 8.35 p.m.

Legislative Assembly

Wednesday, the 2nd April, 1969

The DEPUTY SPEAKER (Mr. W. A. Manning) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (52): ON NOTICE GOSNELLS SCHOOL

Additional Rooms

1. Mr. BATEMAN asked the Minister for Education:

What is the anticipated date of commencement of the two extra rooms to the existing Gosnells School and when is it anticipated work will begin on the West Gosnells School?

Mr. LEWIS replied:

Gosnells—approximately June, 1969.

West Gosnells—approximately July, 1969.

EDUCATION DEPARTMENT

Miss Valma Waddingham: Position Occupied

2. Mr. LAPHAM asked the Minister for Education:

(1) What position does Miss Valma Waddingham occupy within the Education Department?

(2) Is she occupying that position on a permanent basis?

(3) What responsibility allowance does the position carry?

(4) Is this type of position normally advertised when it is vacant?

(5) Was this position advertised to allow qualified teachers the opportunity of selection; if not, why not?

(6) What qualification does Miss Waddingham possess?

(7) Does she expect to complete any qualification this year?

(8) Were more highly qualified and experienced teachers available for the position?

(9) If so, why were they not selected?

(10) Is she in fact advising teachers with longer experience and higher qualifications?