

sufficient substance to warrant inquiry, why should Parliament prevent him from carrying it out? I see no reason why the racing clubs should be sacrosanct. For that reason I am not prepared to accept the amendment. I move—

That amendment No. 23 made by the Council be not agreed to.

Mr. O'CONNOR: I was hoping the Premier would give way on this particular amendment. The point he raised regarding Gilbert Fraser could happen anywhere in the State if a person's identity was mistaken. Those associated with trotting have an extremely difficult task to perform. This is because that sport, unfortunately, seems to attract a number of undesirable people who endeavour to do certain things which are illegal.

Those people become known to the racing and trotting authorities but they operate in such a way that it is difficult, and sometimes almost impossible, to stop them. A person could be accused of slowing down a horse and it would be easy for him to put up a case to show that he was not able to do his best. The stewards and the other people concerned with the racing game closely watch all the races and they do a good job in controlling the sport. I hope the Premier will accept the amendment.

Question put and passed; the Council's amendment not agreed to.

Mr. J. T. TONKIN: Amendment No. 24 seeks to add at the end of the schedule the words "Workers' Compensation Board, constituted under the Workers' Compensation Act, 1912." The amendment is self explanatory and I have no objection to it. I move—

That amendment No. 24 made by the Council be agreed to.

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

Mr. J. T. TONKIN: I move—

That amendment No. 25 made by the Council be agreed to.

This amendment also relates to the schedule and proposes the addition of the words "The Junior Farmers' Movement Council under the Junior Farmers' Movement Act, 1955." I have no reason to object to this addition. It does not necessarily follow that this organisation will be investigated. Apparently the Legislative Council feels the right to have an investigation carried out should exist.

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

Report, etc.

Resolutions reported and the report adopted.

A committee consisting of Mr. O'Connor, Mr. McPharlin, and Mr. J. T. Tonkin (Premier) drew up reasons for not agreeing to amendments Nos. 1, 10, 11, 19, and 23 made by the Council.

Reasons adopted and a message accordingly returned to the Council.

BILLS (6): RETURNED

1. Land Act Amendment Bill.
2. Mining Act Amendment Bill (No. 2).
3. Land Act Amendment Bill (No. 2).
4. Iron Ore (Mount Goldsworthy) Agreement Act Amendment Bill.
5. Suitors' Fund Act Amendment Bill.
6. Poseidon Nickel Agreement Bill.

Bills returned from the Council without amendment.

House adjourned at 9.52 p.m.

Legislative Council

Wednesday, the 8th December, 1971

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

QUESTIONS ON NOTICE

Postponement

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [11.02 a.m.]: I ask for leave to postpone the questions on notice until a later stage of the sitting.

The PRESIDENT: Leave granted.

BILLS (2): INTRODUCTION AND FIRST READING

1. Community Welfare Bill.
2. Aboriginal Affairs Planning Authority Bill.

Bills introduced, on motions by The Hon. W. F. Willesee (Minister for Community Welfare), and read a first time.

LEAVE OF ABSENCE

On motion by The Hon. J. Heitman, leave of absence for six consecutive sittings of the House granted to The Hon. F. D. Willmott (South-West) on the ground of ill-health.

PARLIAMENTARY COMMISSIONER BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 2 to 9, 12 to 18, 20 to 22, 24, and 25 made by the Council and had disagreed to Nos. 1, 10, 11, 19, and 23.

TRAFFIC ACT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from the 1st December.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [11.08 a.m.]: The Bill before us, and the one which is the subject of order of the day No. 9, are very closely allied. During the course of my remarks—whilst I do not intend to debate the measure to repeal the Road Maintenance (Contribution) Act—it may be necessary for me while speaking to the Bill before us to make reference to the Bill which is the subject of order of the day No. 9.

The measure before us provides for certain amendments to the Traffic Act in four particular ways. I have very little comment to make on items (1) to (3). Incidentally, as the Minister told us in his second reading speech, the items—if I might use the expression—are not mentioned in the order in which they appear in the Bill. He conveniently left the fourth amendment until last because it was the most important.

While I have really nothing very much to say about items (1) to (3), I would like to make some passing reference to item (3) which deals with crosswalk attendants. I will occupy just a minute or two on this matter to say that in common with, I am sure, all members in this House and with many hundreds outside the House, I see crosswalk attendants operating in a very satisfactory manner. I mention this with a certain degree of irony, because when I see pensioners conducting children safely from one side of the road to the other, holding out a "Stop" sign, pulling up the traffic, and saving a good many tragedies, if not lives, as a result of their activity, I am reminded of the debate which took place in this House many years ago when the Labor Party, then the Government of the day, refused to accept a proposition I submitted for the appointment of a Select Committee to inquire into the advisability of appointing pensioners or aged people to do this work.

The Hon. G. C. MacKinnon: You were the prime mover in establishing the system.

The Hon. A. F. GRIFFITH: I moved for the appointment of a Select Committee, but the Government of the day put it to one side. It was assisted in this matter by certain non-Labor members who apparently thought there was not much merit in the scheme.

I do not say this in any critical manner because I am pleased with the way these attendants have been able to assist substantially in the conduct of traffic and in the safety of children; but now, under this Bill, it is proposed to give these very people, whom some thought were not capable of accepting this responsibility, an added responsibility by bestowing upon them certain rights under the Traffic Act.

Having said that, I repeat I am happy these crosswalk attendants are doing such a good job, though I think they could have been employed a lot sooner in this work.

The Hon. J. Dolan: A lot of women are engaged in the work, too.

The Hon. A. F. GRIFFITH: I made no reference to males or females.

The Hon. J. Dolan: No, but many women are doing the work, and are doing it very well.

The Hon. A. F. GRIFFITH: I think the other night I mentioned something about females as against males and the Minister said that the word "man" includes woman under the Interpretation Act. I was including the ladies who are also performing this task.

The fourth amendment referred to by the Minister—and this is the important one—probably had its beginning with the following words which are to be found on page 12 of the Western Australian Labor Party's policy speech for 1971 under the heading "The Road Maintenance Tax":—

The Road Maintenance Tax, designed to make interstate hauliers contribute towards the upkeep of roads, has in practice turned out to be mainly a tax on people in the country. The more remote such people are from the metropolitan area, the heavier the burden they are obliged to carry. For example, people living in the Lakes Districts of the State who have not the advantage of subsidized transport available to others, are the hardest hit.

We undertake to abolish this most inequitable tax.

Should it be proved in practice that the abolition of the tax creates a situation inimical to the economy of the Railway Department, proper steps will be taken to safeguard railway revenue and protect the railways from unfair competition.

I repeat, that this Bill probably had its beginning in those words which were, I am sure, good news to certain people at the time. They would have been good news to a certain set of road transporters who at that time were, and who at the moment are, under certain conditions, paying road maintenance tax. The information imparted in the Labor Party's policy speech would have been good news to the transporter from the Eastern States who, prior to the passing of the Road Maintenance (Contribution) Act, paid nothing towards the upkeep of Western Australian roads; despite the fact that he was making his living substantially from the use of Western Australian roads. I suppose this Bill will still be good news to the very same man who, if this Bill passes, will again be in the position of paying nothing towards the upkeep of our roads.

I note that the Government has included an amendment to section 5 with the intention of providing for licenses to be issued in this State for commercial vehicles

which are operating in other than interstate trade. Perhaps I could stop there and return to the famous piece from the Labor Party's policy speech and repeat portion of what I read before, as follows:—

The more remote such people are from the metropolitan area, the heavier the burden they are obliged to carry. For example, people living in the Lakes Districts of the State who have not the advantage of subsidized transport available to others, are the hardest hit.

As I continue and as other speakers make their contributions to this particular debate we may be able to elucidate to some extent what the Bill will mean to the very people whom the Labor Party decided it would help if it were in a position to abolish the road maintenance tax. Under the present Act an Eastern States' transporter must obtain some sort of minimum license to operate in this State. However I want to examine the comment made by the Minister which is as follows:—

There has been some concern at the possibility of vehicles licensed in other States operating commercially in this State to the detriment of operators who license their vehicles in Western Australia. The proposed amendment to section 5 and the addition of section 5A is to require licenses to be taken out in this State where commercial vehicles are operating on other than interstate trade.

If we could bear those words in mind, and then look at clause 5 of the Bill, we will find that that proposed new section 5 reads as follows:—

5A. (1) Where a commercial vehicle of which the owner is not the holder of a valid vehicle license granted under this Act, is used on a road, the owner of the vehicle and every person so using the vehicle or causing or permitting its use, commits an offence.

Penalty: An amount equal to the fee payable for the issue of a vehicle license under section nine of this Act for the vehicle, for a period of six months, irreducible in mitigation notwithstanding the provisions of any other Act.

My first question to the Minister for Police is: What license fee will be paid by a transport operator who leaves any part of the Eastern States—be it Adelaide, Melbourne, Sydney, or Brisbane; it does not matter very much which part—with a fully laden truck, and moves across the Nullarbor Plain by road, or brings his vehicle across on the train—I do not think it matters which way he does it—and then travels from Kalgoorlie to the Port Hedland area where he drops his load? I am referring to the words "on other than interstate haulage" and I want to know what license fee will be paid by the opera-

tor to whom I have just referred. In what way will the provisions of clause 5 of the Bill cover such an operator?

We know the provisions of clause 5 might cover him if he starts to drop off part of his load here and there, and decides to pick up other goods. However, should he travel interstate, without unloading and reloading on the way, what revenue would the State derive from such an operator?

The Hon. Clive Griffiths: Nothing.

The Hon. A. F. GRIFFITH: Well, I believe it will be nothing.

The Hon. J. L. Hunt: What do they do now? They do not come through Perth. They go through Wiluna and then through the northern section of the State.

The Hon. A. F. GRIFFITH: I think some do.

The Hon. J. L. Hunt: A lot of them do.

The Hon. A. F. GRIFFITH: But some of these operators might already be in the percentage of those mentioned by the Minister who do not pay the tax.

The Hon. J. L. Hunt: It would be a big percentage.

The Hon. A. F. GRIFFITH: Mr. Hunt says there will be a big percentage; what percentage?

The Hon. J. L. Hunt: About a quarter.

The Hon. J. Heitman: It would probably only be those travelling to Paraburdoo.

The Hon. A. F. GRIFFITH: A quarter is 25 per cent. Would Mr. Hunt say that about 25 per cent. of these people purposely go that way to avoid the tax? Would he say that if they met no inspectors on the way, that 25 per cent. would still avoid the tax?

The Hon. J. L. Hunt: Quite a percentage of them would.

The Hon. A. F. GRIFFITH: If 25 per cent. avoid the tax could it be said that 75 per cent. would not avoid it? That must be said. So at least the State is collecting road maintenance tax from 75 per cent. of the operators. If the figures given by the Minister for Police the other night and those just mentioned by Mr. Hunt are correct—and there is not much difference between the Minister's statement and the guess made by Mr. Hunt—then surely the position is as I have stated.

So in that one respect I think the honourable member might concede we would be 75 per cent. better off. If I receive the answer I expect to a question I asked—

The Hon. J. Dolan: Not the answer you expect; you want figures.

The Hon. A. F. GRIFFITH: If the Minister answers in the manner in which I think he will answer—

The Hon. J. Dolan: I will do my best.

The Hon. A. F. GRIFFITH: —then I think he will tell us that the man who commences a journey in Adelaide, Melbourne, Sydney, or Brisbane and brings a semi-trailer load through to the north of Western Australia—or to any other part of Western Australia—will not pay a license fee as long as he does not operate intrastate.

That appears to be the purport of the Bill. We know that when the Government of the day imposed the road maintenance tax it was to collect a tax from those who were doing the damage to our roads; the roads for which we were paying. The interstate hauliers were paying nothing towards the maintenance of our roads. The first point I wish to make is that the present Government is prepared to give away that section of revenue.

At present the State collects licensing revenue from two main sources. The Government collects revenue from the ordinary license fees which are applicable to both private and commercial vehicles and it adds to that figure the road maintenance tax on commercial vehicles. Of course, it is known that certain concessions apply in certain cases, and I need not go into that aspect.

As far as the road maintenance tax is concerned we must not lose sight of the fact that all States of Australia, except Tasmania, impose the tax. I can remember when I introduced the road maintenance tax Bill while on the other side of the House. The Honourable Frank Wise, who sat in my present place, severely chided me when I indicated that a provision in our legislation was for an 8-ton axle load. He said it would not be very long before we brought the axle load down to four tons. However, we did not bring the figure down to four tons and we had no intention of doing so.

The Bill which is now before us provides minimum vehicle licensing fees which can, in fact, be related to axle loading. I think the tax in South Australia is imposed on the same basis as that which applies in Western Australia, but in all the other States, except Tasmania, the tax is based on a 4-ton axle loading.

I repeat: The previous Government believed that the road maintenance tax was a means of taxing, for road maintenance purposes, those persons who were using the roads and causing the most damage to them. Apparently it was not a bad thought.

As I have already said, each State adopted the same principle. A long way back in the scheme of things the States had to impose road maintenance tax, because it became a question of receiving matching moneys from the Commonwealth as a result of the imposition of this tax. I draw the attention of members to the fact that road maintenance tax has been retained by all the States which imposed it.

They still adopt the same method and have not moved to any other. Perhaps this is so because the Premiers of the other States did not make party-policy pledges in connection with the abolition of road maintenance tax as our Premier did prior to the last election.

People who were probably pleased prior to the last State election to learn that road maintenance tax would be abolished may have good reason to be displeased when they receive their license assessments calculated in accordance with the provisions in this measure. We all know the kind of thing that occurred prior to the last election, including the waving of banners on which was written, "Abolish road maintenance tax." I venture to suggest no question at all of any other tax taking its place occurred to the people of Western Australia. They thought only that the tax would be abolished in the event of a Labor Government coming into power. They did not dream for a second that legislation, such as this, would be introduced to replace it.

Perhaps I could read out a cutting from the *Sunday Independent* dated the 5th December. On page 19, it says—

In regard to the plight of the owner-driver truckie. My husband and I are finding it increasingly difficult to make a living in spite of the time and effort we put into our truck.

I phoned the Premier Mr. Tonkin on the morning of Thursday, November 25. I spoke to him of our plight and reminded him that I had heard him state at our first Owner-Driver Transport Association meeting that his first consideration would be the abolition of Road Tax and that there would be a full scale enquiry into the Road Transport situation.

His reply was, "But that was when I was Leader of the Opposition." This baffled me not a little and ended our conversation. Perhaps Mr. Tonkin could explain what he means.

One of our main worries is that we find it impossible to operate legally.

The transport company informed us to forget legalising our load as they had six desperate and unscrupulous truckies who would cart the load immediately.

The story continues, but I shall not read any more. I thought members may be interested in the part I have read.

The Hon. J. Dolan: Do you think that situation should be perpetuated?

The Hon. A. F. GRIFFITH: Which situation?

The Hon. J. Dolan: The situation where people have to operate illegally and six operators are waiting to operate illegally.

The Hon. A. F. GRIFFITH: The Minister for Police knows I did not say or insinuate anything of the kind.

The Hon. J. Dolan: I am merely trying to ascertain why you read it.

The Hon. A. F. GRIFFITH: The Minister for Police said on one occasion that he never interjects.

The Hon. J. Dolan: I am asking.

The Hon. R. H. C. Stubbs: I thought the Leader of the Opposition was talking about me.

The Hon. A. F. GRIFFITH: The Minister for Local Government is extremely well-behaved. What he does not know he does not tell us. However, that is an aside. I thought it relevant to mention the lady who said the Premier had replied, "But that was when I was Leader of the Opposition."

The Hon. J. Dolan: The Premier did not stop at that.

The Hon. A. F. GRIFFITH: I was quite fair and read what came afterwards. I thought the Minister may have read it for himself.

The Hon. J. Dolan: I did.

The Hon. A. F. GRIFFITH: I was quite certain that had the Minister read the article himself he most certainly would have read the next few words when he replied, particularly if I had omitted them.

The Hon. J. Dolan: I could tell the Leader of the Opposition more because I have received other correspondence.

The Hon. A. F. GRIFFITH: I suppose the Minister could. The lady in question has signed her name to the article which is public, anyway. I considered it of interest to quote the article.

I come back to the point I was making. I am sure that people who were paying road maintenance tax thought they would be free of it and not that there would be a substitution of this nature. If the Government is to give away the fairly substantial amount of money that has been collected from road maintenance tax it would be reasonable for a thinking person to say, "Surely the Government cannot afford to go without this amount of money in its Budget."

If that is the case, the honest approach for the Government would have been for it to say that it intended to abolish road maintenance tax but to substitute in its place the tax outlined in this measure. Had this been done not so many people would have been misled.

The people who will wake up if and when they receive their assessments are those who previously did not pay road maintenance tax because no provision was made for them to pay. As I said a few

moments ago, the people whose eyes will be opened the widest are the farmers, because they will pay considerably increased license fees.

The Hon. C. R. Abbey: Many of them have already received a very rude shock.

The Hon. A. F. GRIFFITH: Many have received rude shocks in more directions than one. This will be a very rude shock. The rudest possible shock is for a person to find he has to pay a bill which is much more than he originally anticipated. This applies particularly to those engaged in the rural industry because they already have enough hardships to shoulder. They will wonder what the future really holds for them.

The Hon. J. L. Hunt: Many people received a big shock when the road maintenance tax was first introduced, didn't they?

The Hon. A. F. GRIFFITH: They did.

The Hon. J. L. Hunt: Too right they did!

The Hon. A. F. GRIFFITH: I should like to tell Mr. Hunt that the people who received the shock were those who were driving on our roads and, if I may use a vulgar expression, ripping the guts out of them, while leaving it to the rest of the taxpayers in Western Australia to make good the damage they were causing.

The Hon. J. L. Hunt: We appreciate that, but I was talking about a shock in the first instance.

The Hon. Clive Griffiths: They did not have to pay until after they had done the miles. They were charged on the mileage.

The Hon. A. F. GRIFFITH: I do not mind Mr. Hunt's interjections. I often think interjections are helpful. However, if Mr. Hunt wishes to champion his cause he will have an opportunity to do so. I realise that in the section of the country which he represents he will not do himself much political damage, if any at all. However, those who represent other parts of the country may hold different views; those who represent farmers and the people who use commercial vehicles. When these people look at the schedule and work out what they will pay if the measure becomes law compared with what they have paid previously they will not be happy at all. I would point out that some of them were not, in fact, taxed previously.

The measure proposes to put to one side the present method of imposing license charges. The new method referred to in the legislation is concerned with aggregate weight, which means the weight of the vehicle plus the weight the vehicle is capable of carrying; it does not matter whether a vehicle carries that weight or more than that weight, aggregate weight still means the same thing.

In the schedule there is an assessment of license fees according to the aggregate weight. Having worked out a few of these, I know that the only people who will really show any great benefit from the abolition of road maintenance tax are the very big operators—those with large fleets of trucks, who will pay only \$10 for each semi-trailer, whose trucks will cart very large loads, and who are the very men responsible for all the damage to the roads. The further their trucks go and the more cargo they cart, the better their return will be. It surprises me that the present Government wants to think favourably about such people. It surprises me that the present Government should say, "We will let these people off but we will load this impost upon those who in many cases have not been paying road maintenance tax at all up to this point of time." Certainly these people have not been paying road maintenance tax; but they have been paying their ordinary license fees. Farmers will receive certain benefits by way of concessions.

Nowhere in the Minister's speech can I find any mention of the amount of money the Government expects to raise from the imposition of the licenses proposed in this Bill. The other day we dealt with an amendment to the Mining Act, which was said to be part of the budgetary provisions mentioned in the Government's Budget speech. Has the Minister stated in his second reading speech the amount of money the Government expects to receive under this Bill?

The Hon. J. Dolan: No.

The Hon. A. F. GRIFFITH: I did not think so. We know, from an examination of public accounts, the amount of money that has been received since the inception of road maintenance tax. We can obtain those figures year by year, and presumably we can obtain the figure to the 31st December, 1971.

The Hon. V. J. Ferry: More importantly, we can also ascertain where the money has been spent on roads.

The Hon. A. F. GRIFFITH: That is right. That is a good point. As the expression implies, road maintenance tax was intended to be raised for expenditure on roads and was intended to match certain moneys that were available from the Commonwealth. I think we are entitled to know the anticipated receipts.

I think I should also mention that there has apparently been a change of heart on the part of some who have read the proposition contained in the Bill. The Country Shire Councils' Association has stated, in effect, that it would prefer road maintenance tax to the new scale of fees.

I said a while ago that, if I could remember to do so, I would address myself to the question of the minimum weight

vehicle that attracted road maintenance tax. Clause 5 of the Bill says if a vehicle is engaged in other than interstate work it is subject to a license which will be by way of a penalty and which will represent half of the annual license fee, "irreducible in mitigation notwithstanding the provisions of any other Act." That simply means there can be no mitigating circumstances which will allow the commissioner to lessen the amount of the fine, which will vary according to the license fee. Sub-clause (2) of clause 5 reads—

For the purposes of subsection (1) of this section—

- (a) a vehicle license issued by another State or Territory of the Commonwealth shall not be regarded as a license granted under this Act; and
- (b) "commercial vehicle" means a motor wagon, tractor (prime mover type) or a trailer, within the descriptions respectively given thereto in the Second Schedule to this Act, of which the aggregate weight exceeds fifty hundred-weights.

What is an aggregate weight of 50 cwt., Mr. President? I am sure you could tell me this more quickly than I could calculate it because you are a farmer and you probably run all sorts of trucks on your property.

Let us say an aggregate of 50 cwt. would represent the load multiplied by two, so that the load part of the aggregate weight would be 25 cwt.—it could be a little more—and the weight of the vehicle would be 25 cwt. I do not think many commercial vehicles on the road weigh less than 25 cwt. Therefore, the aggregate weight of 50 cwt. is arrived at by allowing for a vehicle weight of 25 cwt. and a load weight of 25 cwt. Every truck that has a body weight of roughly more than half of 50 cwt. will attract this tax.

Is this not different from the provisions made by the previous Government in respect of an 8-ton axle load, and from the statement we heard that it would soon be lowered? I therefore think we can probably dismiss that matter at this point. Suffice it to say that nearly every vehicle on the road that is classed as a commercial vehicle will attract the tax.

I am sure a number of speakers will follow me—speakers from the Country Party benches who represent farming areas, as well as some of my own colleagues who represent farming areas. They will have comments to make about this legislation.

I conclude my remarks at this point of time by saying to the Minister that I want to know the amount of revenue received from the imposition of license fees in the year ended the 30th June, 1971.

The Hon. J. Dolan: For all vehicles?

The Hon. A. F. GRIFFITH: For commercial vehicles. We do not need to intrude all vehicles into this because there will be no change in the tax on motorcars. As I understand it, this tax is to be imposed on commercial vehicles registered in Western Australia. I also want to know the amount received to the 30th June, 1971, in regard to all vehicles—all vehicles—paying road maintenance tax. In other words, what amount was collected? This will enable us to have some regard for the money that will not be collected. I also want to know the amount of revenue it is anticipated will be obtained for a full year on the new basis of assessment of aggregate weight as shown in the schedule to this Bill.

It is common custom that the Government of the day when introducing a taxing measure invariably announces it is anticipated that the revenue raised from this source will be so much for the half year and so much for the full year. I am confident that the department would have been able to work out the amount of tax it expects to receive as a result of the new scale of charges. I am sure someone would know the answer to this question, but it is strange to me that I could find no mention whatsoever in the Minister's speech of the amount the Government anticipated receiving as a result of the change.

The Hon. J. Dolan: All I can say in general terms is that the Minister introducing the Bill in another place said it would be less than the money collected under road maintenance tax.

The Hon. A. F. GRIFFITH: It will be less?

The Hon. J. Dolan: Yes.

The Hon. A. F. GRIFFITH: I will not attempt to argue this point.

The Hon. J. Dolan: I could not quote amounts.

The Hon. A. F. GRIFFITH: It is very important that we should know approximately what amount of revenue will be obtained by this measure.

The Hon. J. Dolan: I say it will be less.

The Hon. A. F. GRIFFITH: I cannot accept that because in the first place we have been given no idea of the amount. However, whether it be less, or the same, or more, it appears to me that the people doing the damage to the roads should be the ones who pay. I know there are scallywags who are avoiding the tax, but they are doing their friends no good because those who are paying legally are paying for the damage caused to the roads by everyone. We must not forget that the people who are evading the tax are already collecting the tax from their customers in the amount charged for the transport of goods. I have no brief for those who are deliberately evading the tax.

The final point I wish to make is that the Government's new scale of charges will not be applicable to a very substantial extent to the interstate haulier. He will not pay tax provided he does not trade intrastate. Obviously the amount of money previously paid by the interstate hauliers will have to be paid by other people. License fees will rise very substantially in some cases.

I am sure people who read the Labor Party's policy speech with some pleasure—particularly those living in the remote areas—will find they are not now enjoying, as they had anticipated they would, the comfort expected from the pre-election promises.

THE HON. L. A. LOGAN (Upper West) [11.55 a.m.]: It is rather difficult to discuss this Bill because it contains two acceptable clauses in an otherwise unacceptable measure. Clause 8 deals with the appointment of officers to man crosswalks for children.

The Hon. A. F. Griffith: We should bear in mind there have been two other traffic Bills which could have contained these clauses.

The Hon. L. A. LOGAN: No-one will object to this clause as the provision of officers to man crosswalks has been a great success.

Clause 9 concerns the conditional license, and I feel this clause will likewise be acceptable to the House.

I would like to address my remarks to the remaining clauses of the Bill. In the Minister's second reading speech he said, "To replace road funds, consequent to the repeal of the Road Maintenance (Contribution) Act, . . ." I assume that if road funds are to be replaced a similar amount will have to be collected. Perhaps this is the answer to Mr. A. F. Griffith's question. If I remember correctly the amount collected under road maintenance tax last year was very close to \$4,000,000. Therefore, I presume, if we are going to replace the road maintenance tax by vehicle license fees, we will have to bring in almost \$4,000,000. The matching money from the Commonwealth must also be borne in mind.

The Hon. A. F. Griffith: An additional \$4,000,000.

The Hon. L. A. LOGAN: At the moment I think it attracts \$1,500,000 in matching money.

The Hon. A. F. Griffith: The road maintenance tax will mean a loss of \$4,000,000 to the revenue.

The Hon. L. A. LOGAN: The license fees will have to be increased to the extent of raising another \$4,000,000 over and above the license fees paid at the present time. Mr. Griffith appreciates this, but I am not sure how many other people do.

I cannot avoid referring to road maintenance tax when discussing this legislation. I would like to say quite categorically that the Country Party never at any stage stated it would repeal the road maintenance tax. The Country Party said it would repeal road maintenance tax if it could find a suitable alternative. There is a great difference between the two statements.

The Country Party committee made many attempts to find an alternative. Many ideas were investigated, including increased license fees. However, we could not find a suitable alternative.

I have never, personally, opposed road maintenance tax. I was a Minister in the Government when it was introduced. I have travelled all over this State and I have always upheld the principle of road maintenance tax, and I have not had many brushes with people in this connection. There has been controversy about road maintenance tax, but there is also controversy about the proposed alternative. In fact, there is much more controversy now than there was in regard to road maintenance tax. I believe we ought to look at the principle of the tax. The Minister tries to sidestep the principle. This is clear from his remarks in the second reading speech where he said—

It is difficult to find a basis of assessment which is simple and yet fair to all types of vehicles and operators, but it is believed that assessment on the basis of aggregate weight will generally be more equitable than the previous basis of tare weight.

That, without anything else, might sound all right; but when we consider the amount which will be paid after the changeover by the thousands of people who are not paying today, who can say it is a fair and reasonable alternative? To whose mind is it considered to be a fair and reasonable alternative? It is certainly not to my mind, nor to the minds of many thousands of other people. The principle of road maintenance tax is, of course, "pay-as-you-go." As a truck owner does each trip he pays his tax—or he is supposed to. Under this system he is required to pay cash on the knocker.

The Hon. G. C. MacKinnon: In advance.

The Hon. L. A. LOGAN: Regardless of whether or not it is in advance, a truck driver must pay his license fee, whether he licenses his vehicle for six months or 12 months; and he must find the ready cash at that time, not after he has earned it. Is that a fair and reasonable system compared with the other? Is it fair that a man who seldom uses his vehicle—he may travel only 5,000 miles a year—should pay exactly the same as a man whose vehicle covers 50,000 miles a year? In my opinion that is not fair and reasonable;

and this opinion is shared by many thousands of others. It simply cannot be fair and reasonable.

I frequently travel along country roads, particularly in my province. If only members were aware of the volume of heavy traffic using the two roads to the northwest, they would appreciate that it is the owners of these vehicles who should be paying. Do not let us forget the principle is road maintenance. That is an important point which the Government has conveniently forgotten. Under the present system 95 per cent. of the amount collected in road maintenance tax is allocated to road maintenance, and the greater proportion of it goes to the country areas. However, under the proposed system the money collected will go to revenue and it need not be spent on road maintenance at all.

As far as I am concerned, there is a great deal of difference between those two principles. Even the cost of administration in regard to road maintenance tax is not deducted from the amount collected; that amount comes out of Consolidated Revenue because it is the decision of the High Court that money collected must be used for the purpose for which it is collected. But we have no guarantee that the money which will be collected under the proposed new system will actually be used to replace road maintenance tax. Why should not the people who are using the roads every day of the week, and carrying terrific loads, pay per mile for the damage they are causing, instead of forcing payment from thousands of others who do not even make a ripple on the roads? It is the heavy transport operators who are damaging the roads.

The only relief afforded under this alternative is to the big operator who operates his truck seven days a week. He will pay one license fee, and that will be the finish of it. He could cover 100,000 miles without any further cost as far as tax is concerned. So do not let us talk about this being a fair, reasonable, suitable alternative, because under this Bill it is nothing of the kind.

I might mention that only recently the Australian Local Government Association held a conference in Western Australia which was attended by delegates from all States. The question of road maintenance tax was introduced by the Western Australian delegates, who asked their Eastern States' counterparts what they thought about it. They did not have to wait long for an answer. They were told in no uncertain terms to forget about any alterations to the road tax system because local authorities in the Eastern States were quite satisfied with the revenue they were receiving.

It also seems strange that criticism which has been levelled at the proposed alternative has come from apparently unanimous decisions taken by various

organisations. Not only has the Farmers' Union criticised the proposal; it has also been criticised by the Pastoralists and Graziers Association. I think this is about the first time those two organisations have agreed on any particular aspect. The Country Shire Councils' Association as well as separate country shires and many other organisations are also opposed to this alternative to road maintenance tax.

I suppose the Premier thought he was doing a wonderful thing in trying to induce the Country Party to support this measure by granting what he called a concession to some farmers. Mr. President, I think if you consider the proposed concession you will find that in effect it is not a concession at all. If we examine the increase in the license fee, deduct one-third for the concession, and a further two-thirds for the concession on a second truck, we will find that in a large percentage of cases there will still be an increase in the license fee. However, the Premier forgot that we represent not only farmers, but every person whom we are elected to represent. Thousands of people will suffer under this proposal, quite apart from the farming community, and it is our job as legislators to consider the interests of all sections of the community—not those of one particular section. So as far as I am concerned, the Premier's bait was no good.

I suppose one could go on in this fashion for a long time. Mr. Griffith covered a great deal of ground, and I do not think there is a need for any repetition. However, I repeat again that we tried to find some alternative. The alternative suggested by the Pastoralists and Graziers Association this morning was examined by the Government and the Attorney-General to see whether it was an excise under Commonwealth laws. We were informed that it was an excise and that it could not be done in that manner. Therefore, there is nothing new in suggestions such as these. We have examined each and every one of them. I still maintain that the principle of road maintenance tax is a good one.

Might I ask a question of the Government? Recently it was stated that 30 per cent. of those who should pay road tax are avoiding payment. If the Government knows that 30 per cent. of the people who should pay are avoiding the tax, it must know somebody in that 30 per cent. who is avoiding it. If it does, why does not the Government prosecute him? It is the job of the Government to collect the tax. Of course, what is happening is that some of the operators have been undercutting one another. They have found they are running at a loss and so they cannot pay their road maintenance tax after having collected it.

However, if the Government can state that 30 per cent. of those who should pay are dodging the tax, it must know some-

body who is dodging it; otherwise how could it arrive at that figure? Therefore, someone is allowing people to break the law without bringing them to book.

The principle of road maintenance tax is similar to that of petrol tax. The person who uses the most petrol pays the most tax. If a person travels 100,000 miles he pays tax accordingly, and he pays much more tax than a person who travels only 5,000 miles. But under this proposal, irrespective of how many miles a truck travels, exactly the same license fees will be paid. As far as I am concerned that is not fair and equitable. Despite the fact that there are two clauses in this Bill which could be passed, it is my intention to vote against the entire measure.

THE HON. J. HEITMAN (Upper West) [12.10 p.m.]: Like previous speakers I intend to vote against this Bill, and like them, too, I agree that there are three proposals in the Bill that we could pass. I agree that it is quite all right for a court to impose limitations on a license; I think it is quite all right to allow the payment of the difference in license fees in accordance with the unexpired portion of the license when a vehicle that is subject to a concession in fees is disposed of; and I think it is quite all right to license people to police crosswalks, or to grant them limited powers to carry out their duties.

However, as previous speakers have said, we have had two other Bills before us to amend the Traffic Act so these three proposals could have been incorporated in either one of those amending Bills. I therefore think we will be doing a service to the community by voting against this Bill. The three other provisions I have mentioned can be inserted in another amendment to the Traffic Act.

I now want to deal with that part of the Bill which seeks to alter the system of imposing license fees on vehicles in substitution of the road maintenance tax. The license fee will now be assessed on aggregate weight instead of tare weight. I consider that as this Bill seeks to alter the taxing method to obtain more funds for the State from road users with a view to repealing the road maintenance tax I will, from time to time, be obliged to refer to the road maintenance tax.

In the past the licensing of a vehicle on tare weight was considered to be the weight of the vehicle, and the tare weight plus the manufacturer's load weight was the total load the vehicle could carry under the license that was issued for it. In addition, a 10 per cent. increase on the manufacturer's declared weight or the weight the vehicle could carry was permitted.

The staggering feature of this new method of licensing vehicles is that up to 50 cwt. the weight still comes under tare weight. In the past a vehicle that had

only a tare weight of 5 cwt. was subject to a license fee of \$8; but the license fee proposed in this Bill is \$11. In my opinion the load on any vehicle of that type which one would like to mention would not destroy the road in any shape or form. Even in this low range of weights the increase in the license fee is ridiculous when we consider the amount of damage such a vehicle would do to the roads.

Under this Bill, in each category, the tare weight increases by 5 cwt. In the case of a vehicle of 30 to 35 cwt., the license fee under the old system was \$40, and under this Bill the license fee will be \$46. The scale then jumps from 35 cwt. to 50 cwt., the license fee for such a vehicle being \$47. Under the old Act the license fee was \$74. Under the old Act the range of weights and license fees was—

Tare Weight		Fee \$
Exceeding cwt.	Not Exceeding cwt.	
30	35	41.00
35	45	60.00
45	50	74.00

Comparing this range of fees with that in the Bill it is realised that there are anomalies that could have been avoided if a little more thought had been given to the legislation.

As the Leader of the Opposition said, a truck that has a tare weight over 50 cwt. would not represent a very big vehicle in the tare weight range or in the maximum load weight range, because possibly it would mean only a one-ton truck, and that is about the same load the vehicle would be allowed to carry. The damage a one-ton truck would do to the road compared to that which would be done by a larger truck is hard to estimate.

I will now turn to the commercial vehicles used by members of the farming community. The approximate mileage covered by a farmer who has a truck would be 5,000 miles a year, unless, of course, he has a larger vehicle which he uses to carry his own super and wheat over long distances. So we find that a seven-ton truck with a tare weight of 4 tons 15 cwt., and a payload of 7 tons, with an allowable 10 per cent. concession, would come to the aggregate weight load of 240 cwt. In the past a farmer would pay a license fee of \$92 for such a truck. Under the new set-up the license fee will be one-third of \$343 which means that a farmer would still be paying an extra \$22.33.

If a farmer has to have a second truck—and many of them do because of bulk handling today—such a truck would be used mainly as a paddock truck or a field bin. The only time a farmer would put his second truck on the road would be during harvest for three or four weeks of the year. For that truck he would have

to pay 66 per cent. of the normal license fee of \$343; that is under the schedule in the Bill the farmer would pay \$228.60, an increase over the old license fee of \$54.60.

The Hon. J. Dolan: Are you taking into consideration that a farmer can license his vehicle for only part of the year, or are you working out the license fee on the full year?

The Hon. J. HEITMAN: I notice that in another amending Bill it is provided that a farmer can license a vehicle for part of the year.

The Hon. J. Dolan: Are you taking that into consideration?

The Hon. J. HEITMAN: No, because very few farmers with one truck would be able to license the vehicle for only part of the year. If they had a field truck that was licensed for only three months or six months of the year, they could be in danger of being picked up for driving an unlicensed vehicle. Therefore a farmer must license one truck for the whole year. On the second truck a farmer would pay \$57.22 for only three months of the year. He would then have to return the plates and pay another license fee plus new plates and excess charges for the truck to be licensed for three months in the following year.

This did not happen in the past. The fact that a farmer was granted a concession on his license fee did not permit him to license the vehicle for only three months. A farmer would license a vehicle for, say, the period from November to the end of January, but this would not cover his super carting.

The Hon. J. Dolan: He could license the vehicle for another three months. You are not considering that at all?

The Hon. J. HEITMAN: No. This is something new; something we did not have before.

The Hon. J. Dolan: He does have the right to license for only part of the year.

The Hon. J. HEITMAN: But this could not happen previously.

The Hon. J. Dolan: But it will.

The Hon. J. HEITMAN: We hope it will. I have not seen anyone try it out yet, because I do not even know whether the Bill has been proclaimed. Therefore it is proposed that there will be an increase even in the license fee of the farmer's vehicle. In the past we heard that the road maintenance tax affected the farmer a great deal. I have never claimed this to be so because I can quote a case of two farmers both of whom used about 200 tons of super a year and both of whom were about 120 miles from the super works by rail. One farmer had his super delivered by rail and his freight amounted to \$1,076.

He then had to cart it from the rail to his farm and provide some sort of apparatus, costing \$1,500, that would unload the super from the railway truck in bulk.

The other person carted his super phosphate from Geraldton to his farm. He used his own truck and was able to pick the super up and dump it in his shed at the other end. He paid \$320 in road maintenance tax.

We can see that under those conditions the truck operator is only paying the road maintenance tax for the damage that his vehicle has caused to the roads; but the person who uses the railways also helps to pay for the upkeep of the railways.

We have heard many cries from people, and even from Country Party members, about the poor farmers who have to pay all this tax. Let us consider the farmers in the Lakes district. They are not served by the railways, so everything has to be carted by road transport. They pay the road maintenance tax; but they are not paying for the upkeep of the railways. That is the big difference.

In the case I have just mentioned, it is cheaper for the farmer to undertake the carting and pay the road maintenance tax, than to use the railways. However, I do not advocate the abandonment of the railways service, because it serves the farmers.

The Hon. J. Dolan: They like the best of both worlds.

The Hon. J. HEITMAN: That is right. My leader has asked how much will be derived from the new taxes. I too would like to know this figure. I would like to know how much will be spent on the roads and how much will be paid into Consolidated Revenue.

About 58,000 more road users will be paying these taxes. I would like to know how much the commercial vehicles will be paying if the Bill is passed. I feel this is where the difference lies between the two scales of taxes. I know that some farmers who are carting their supplies on 8-ton trucks do not now pay road maintenance tax; but in many cases other farmers use the railways, and they help to pay for the upkeep of the tracks. I think that every person who has a commercial vehicle of any description will now be required to pay the tax, whereas under the road maintenance tax legislation only those with vehicles of over eight tons paid.

In respect of commercial vehicles, many owner-drivers point out that they were able to obtain licenses for half the fee. If they had a vehicle with a tare weight of 140 cwt. or seven tons, they paid half of the license fee of \$266, or \$133. The higher the weight the greater the amount that was paid. The same thing will happen under the new legislation.

The truck operators felt that in the past where road maintenance tax was charged they paid it as they collected the money. They did not collect it one day and pay it out the next. In some cases they paid monthly, and in other cases they paid three-monthly depending on the terms of the contracts. They could pay every three months, as long as they could prove that they did not receive the money until a certain time.

Transport operators like Bell Bros., Mayne Nickless, and others, paid their road maintenance taxes into the Transport Commission. The commission would send an account for the mileage covered, and now and again it sent out an inspector to check the books and wages sheets to determine the period involved and the mileage covered. These companies which comprised 50 per cent. of those who were paying road maintenance tax, in fact, paid 100 per cent. of what they owed. I heard the remark that the other 50 per cent. of the commercial users of the road paid only 20 per cent., but to me this does not sound feasible. It appears to be eyewash, because there is no proof. I have tried to obtain proof as to why the other 30 per cent. did not pay. If 50 per cent. of the operators paid 100 per cent. of the road maintenance tax due by them, and their total contributions represented 75 per cent. of the total amount collected in road maintenance tax, then surely the remaining 50 per cent. of the road operators must have paid more than 20 per cent. As far as I could see there were not that many road operators who escaped paying the road maintenance tax.

Let us consider the interstate carriers. In the past five years I understand that something like \$1,000,000 was obtained in revenue from them. Under the new set-up they can avoid payment altogether. They can carry loads from Melbourne, Adelaide, and Sydney to Western Australia without payment of the tax. Mr. Hunt has mentioned that many of them use the back tracks. From Kalgoorlie they travel to Wiluna, Paraburdoo, and other outback centres. Let us not think there are no inspectors to ensure road maintenance tax is paid, because there are inspectors in centres like Wiluna, Paraburdoo, and Meekatharra. Not many avoided the payment of the entire tax. I have been up there and I have made inquiries of the contractors and the carriers. I also saw the foremen of Bell Bros., Mayne Nickless, and T.N.T.; and I found out what went on.

There is the other side of the question of road maintenance tax. This relates to carriers who undertook subcontracts from the large operators. Many of them subcontracted at a pretty low price; and they did that to keep their trucks on the road. However, that is not sound business practice. They contracted at a low price in the hope that they would be able to pull

through by carting a couple of tons extra on each trip without paying road maintenance tax or license fees. They thought they would be able to get away with this, but they found that after paying the road maintenance tax the prices at which they had tendered under the subcontracts were not sufficient to enable them to carry on. That was how they got into trouble. These are the people who have been imprisoned for nonpayment; but they cannot afford to pay because they tendered too low prices. This is a business proposition, like any other, and if a person does not contract at the right price he will suffer.

I could go on talking about the new tax proposals for some time, but it would be without avail. The only way to handle the situation is to throw the Bill out before the fate of the measure to repeal the road maintenance tax is decided in this House. I feel sure that is what the electors whom I represent want me to do; therefore I will vote against the second reading.

THE HON. G. C. MacKINNON (Lower West) [12.28 p.m.]: If I might use the order in which the Minister has introduced this measure, I shall speak briefly on item 3 first; that is, the authority of the commissioner to appoint traffic inspectors.

From time to time the slightly aberrant behaviour of members of Parliament is reported to Kirwan Ward in his column in the *Daily News*. I think I might reverse the process, and refer to something he spoke of the other day. Some of us who have been to England have seen there the Western Australian equivalent of the "grey ghosts." I refer to the traffic meter inspectors who take over traffic duties from time to time during emergencies; and they seem to handle the traffic very well. Kirwan Ward made reference to this in his column the other day. I suggest the Minister might take this into consideration and allow the same practice to be followed in Western Australia.

I have seen a situation where a truck was jamming the traffic and blocking part of the road, and immediately one of these inspectors—and quite often it is a woman—moved into the traffic and organised the traffic flow around the obstructing vehicle; after which everything seemed to go along quite smoothly.

I do not imagine the people in England, who are called traffic wardens, are any smarter than those performing the duties in Western Australia. On the few occasions I saw traffic wardens working over there they were doing so very successfully and there was no trouble with tooting or bad tempers.

The Hon. J. Dolan: How long ago did you see this?

The Hon. G. C. MacKINNON: A couple of years ago.

The Hon. J. Dolan: It's a wonder you didn't do something about it.

The Hon. G. C. MacKINNON: Maybe the Minister is right, but the situation becomes worse each year.

The other three amendments in this Bill have been dealt with adequately and, of course, pale into insignificance alongside the major amendment which is designed to replace the road maintenance tax. I was delighted Mr. Logan spoke in his usual forthright manner concerning the allegation that the Country Party wants to get rid of the tax. As happens from time to time one or two members may have made some rather wild statements, but the policy is fairly clear.

The Government of Queensland is predominantly Country Party, and that State has the road maintenance tax. Endeavours have been made to find a suitable replacement, but so far none has been found.

I believe we ought to analyse just why we have this particular tax in the first place and why it takes the form it does. To start with, of course, the fundamental problem as with most of these matters is related to the Commonwealth-State financial arrangements. The Commonwealth is the major tax-collection agency on behalf of the people of Australia and the States are the major tax-spending agencies on behalf of those same people. The distribution from the collection agency to the spending agency is the problem. We must maintain the roads and find money with which to do so.

It is reasonable to expect that those who use the most should pay the most, whatever the particular exercise might be, and it is more reasonable in road usage than in any other field. However, as was the case with every other Government in Australia, the Country Party met with peculiar difficulties in its endeavours to devise a pay-as-you-use system. This is one of the problems of federation. In a unified system it is not difficult. All the vehicle tax components can be added to the price of petrol, diesel oil, or the like. In this country we are precluded from that solution by virtue of the Constitution. We just cannot do it; and so we must try to find some other method. The other method devised was the road maintenance tax.

Let us make no mistake about the fact that the decision contained in this Bill is absolutely a party-political decision. When it was found necessary to raise the money what did the Government do? The Governments in all the States went to their financial advisers and stated that they had to find matching money because of the financial arrangements made between the Commonwealth and the States, and the Governments asked their financial advisers to devise a way to obtain the matching money. The Governments of Queensland, New South Wales, Victoria, South Australia, and Western Australia each in turn

were given a solution to the problem by their highly-trained expert officers, and each Government was given the same solution.

At least do not let us fool ourselves and try to kid that every other solution was not attempted, because it was. I happened to be a member of a Government which introduced the present method, but this was done only after every other solution had been tried. This applied in each State because each Government submitted the same method.

Now an alternative has been proposed, and the reason for the alternative is only political. No other reason can exist because if this were a better method, the officers who recommended the previous system to the Government of that day, would have recommended this one at that time because, to the best of my knowledge, not one of those who worked out the present system has died, moved, or retired. The explanation is as simple as that.

Let us for a minute look at this business we call vehicle licensing. The only reason I can think of for the licensing of vehicles is to keep a record of the number of vehicles on the road, and the license fee therefore ought to cover the cost of doing this. In fact, it does contain a component which covers this particular statistical necessity; that is, the necessity to keep a record of the vehicles for a variety of reasons. Another component is a tax placed on a vehicle to pay for the maintenance of roads, and this can be called a road building and road maintenance component. At present the road maintenance tax and part of the license fee are considered to be revenue-producing measures; not much argument exists about that. Therefore, by putting all the load onto the licensing of the vehicle the situation is quite misleading because the actual licensing-need component in comparison with the tax-need component is pretty small. However, because of the Commonwealth-State financial arrangements it is necessary for us to devise a method by which to obtain matching money and, as I have said, every State in Australia devised the road maintenance tax method, not because the States liked it, but because no other alternative could be found.

The better solution would be to place the tax on the fuel used. This is done in Holland, or it certainly was before the last war. All the tax necessary was acquired from the amount charged for petrol, diesel, or other fuel used. In actual fact the statistical need for licensing a vehicle could be catered for at the local lolly shop provided the returns were forwarded. The owner of a lolly shop could accept the \$5 or so necessary to cover the work involved, and could issue a receipt and forward the information enabling the authority to punch the computer cards required by the Police Department. It does not matter really who collects the money. What

matters is that the revenue is available to maintain and construct roads. It is for the establishment and maintenance of roads that the fees set out in the schedule are necessary. The statistical work necessary for the licensing of a particular truck would not cost \$1,845. As a matter of fact, the amount involved would be the same as that for the licensing of a motor bicycle. In Holland all the tax components are included in the price of fuel.

The Hon. J. Dolan: We cannot do that because of the Commonwealth.

The Hon. G. C. MacKINNON: That is so.

The Hon. J. Dolan: We would love to be able to do it that way.

The Hon. G. C. MacKINNON: This is one of the drawbacks of federation, although federation has compensating advantages and I would hate our having only one Government. We would not see much of its members because we are so far away. However, we have grown up with this system, and we must devise another method to at least impose the charge on those who use our roads.

That, of course, is what the previous system did. As has already been mentioned by each member who has spoken up to date, that was the best alternative we could find. It is no good anyone standing up and saying that the proposed method will be better. It will be different from any other system operating in Australia and it cannot possibly be better.

Primarily, the proposed new system offends in that it is a flat charge. Whether an operator drives his vehicle a distance of only 1,000 miles a year—and for that reason he has to license it—or whether he drives the vehicle day and night he will have to pay that flat rate. The measure offends in that the fellow who does the damage will not have to pay the bill.

Only last week in Bunbury a young fellow, whose family I have known for many years, questioned me about the new system. I said to him, "Cut it out, you are one of the fellows who screamed about the road maintenance tax." He said that he did not know about the "damned fool method" which was to replace it. The person concerned carts a lot of sand. He usually buys a block of land and makes a track to the pit. He travels miles on that track carting sand and gravel.

At the other end of each trip he is usually filling an estate and so he does a number of miles within the boundary of the estate. The distance he actually travels along the roads is virtually negligible. He previously paid the road maintenance tax according to the distance he travelled and according to the damage he caused to the road. However, now he will pay according to the size of his vehicle.

The new system will affect those operators who cart timber and logs, as Mr. Ferry and Mr. McNeill would know. Quite often the timber carters have to cut their own tracks through valleys and up hills. They have to haul their logs through difficult terrain and along tracks which have cost nobody anything. Those operators might then run 10 miles along the road to the mill. Out of a total distance of about 40 miles they might run for only 10 or 15 miles along the roads. Previously they paid their proportion of road maintenance tax, but with the passing of this measure they will pay a license fee exactly the same as the fellow whose vehicle is running on the roads day and night.

I am referring to the type of operator which the famous American folk singer of country and western songs sings about in his song about the trucks which go rolling over the highways. In this State we have that type of operator and the trucks pound along the roads day and night. If there is the slightest weakness in the road in no time at all the road breaks away and the repairs are very costly.

The proposed system offends basically because it does not accomplish what it sets out to do and we are left with only one conclusion. The Opposition of the day, which had been opposed for too long in its belief, saw an opportunity to make capital out of the position, and as a consequence, it made a rash statement. The opportunity presented itself to make political capital.

I was in Forrest Place when some fellows stood there with placards. That demonstration was on behalf of people who had collected the money to pay the road maintenance tax but then, as Mr. Heitman so aptly told us, they needed to spend the money which they had raised and they found themselves in trouble with the law.

It always amazed me that such people received sympathy. I have never known sympathy to be extended to a person who did not pay his income tax. One could not find anything more harsh than the Taxation Department.

The Hon. J. Dolan: The honourable member means on those which it catches.

The Hon. G. C. MacKINNON: That department does not miss many people. I think the department works on the principle that everybody takes them for a few dollars so it increases the rate of tax to compensate.

The Hon. J. Dolan: We cannot dodge paying tax.

The Hon. G. C. MacKINNON: I know we cannot. The people I was referring to, who had gathered in Forrest Place, spoke of people who had spent the money which they had collected for the road maintenance tax. That was taxpayers' money and there was no reason for sympathy to be extended towards them.

The Opposition of the day saw the situation which had developed and realised that there was a group of people who would vote for the Opposition if the road maintenance tax were abolished. Now the Opposition is stuck with the situation. What we have before us is a considered political answer to a problem engendered not from reason, not from consideration of the State's finances, not as a solution to a problem, but as the way out of a rash statement.

Perhaps if the Opposition had had a little more confidence, and believed that in the fullness of time it would have won the Government seat anyway, it would not have made such a damned fool statement. That is what the position constitutes, and nothing else.

I would like to point out that in Bunbury, railway road vehicles have the contract for carting ilmenite. Those trucks do not pay vehicle license fees, but they do pay the road maintenance tax. With the passage of this legislation those vehicles will no longer pay the road maintenance tax, and neither will they pay license fees.

The Railways Department is in competition with private industry and it had to tender for the contract. Because the department does not pay license fees it has an extra advantage. I wonder whether the department will reduce the contract rate to the ilmenite company thus reducing the revenue to the State but allowing the ilmenite company to make extra profit. I know the answer to that remark so the Minister for Police need not make a note of it.

The Hon. J. Dolan: I was anticipating it.

The Hon. G. C. MacKINNON: The Railways Department has, in fact, loaded the price quite dishonestly to the ilmenite company because it could have cut the price by virtue of the fact that it was not paying license fees on its vehicles. I understand that in the Eastern States many Government-owned vehicles do, in fact, pay license fees and the road maintenance tax. That aspect might be worth looking at.

It must be quite apparent that I oppose the measure.

THE HON. S. T. J. THOMPSON (Lower Central) [12.47 p.m.]: It will be very difficult to talk to this Bill without being accused of tedious repetition. I have looked through the debates which appear in *Hansard* and I find that there are pages and pages of objections by members and contradictory statements by the Premier.

It is regrettable that three other provisions were included in this Bill, of which the main provision is to increase license fees on commercial vehicles. We have already dealt with two amendments to the Traffic Act during this session.

Mr. Heitman thoroughly covered the estimated cost, and quoted many figures to show how the increased fees will affect truck owners. I can substantiate what he said because I happen to have with me the renewal of the license for my truck. Despite the fact that farmers will receive a reduction of 66½ per cent. we will still have to pay more in our license fee.

The increased fees will not be the only impact on the farmers. The greatest impact in my area will be that the carriers will immediately increase their charges if we pass the legislation which is before us today. Livestock has been carted free of road maintenance tax. I might add, at this stage, that Mr. Heitman would not have heard many groans from the Country Party since the concession was granted. I think the concession has satisfied a great number of objections.

Of course the immediate reaction from the carriers will be over the increased fee to cover the cost of the additional license. I received a deputation from carriers in Katanning a couple of weeks ago. These carriers are not in a big way and will not gain anything by the abolition of road maintenance tax because the mileage they do is not sufficient. The biggest single factor for them is that they must find the hard cash to pay the license fee for six months. Another factor is that quite often one of their trucks is broken down or standing idle. Under the system of road maintenance tax this would not matter greatly, but it is a big factor when license fees enter into it.

This measure, if passed, would increase costs to everyone. I am referring not only to the farmers but to all people in country areas. This is an important factor.

I think Mr. J. T. Tonkin has said that the measure is a substitution; it is not a new tax but a substitution for one which existed previously. I consider it is entirely unacceptable to the majority of people in country areas. As I have said before, I regret that three items which are worthy of support appear in the Bill. In all the circumstances, we can do nothing but vote outright against the second reading.

Sitting suspended from 12.52 to 2.00 p.m.

THE HON. V. J. FERRY (South-West) [2.00 p.m.]: Mr. President, like other speakers, I find I am in favour of some of the provisions contained in the Bill before the House while at the same time I cannot agree to what I consider to be the main provision contained in the measure; that is, the proposed increased license fees for commercial vehicles.

It has been stated that this measure increasing license fees will enable the Government to raise funds to compensate for the loss of funds now being derived under the Road Maintenance (Contribution) Act. As one who took a very keen interest in the introduction of the road maintenance

tax measure in 1965 and one who undertook a good deal of study before it was introduced into the House and has followed the effect of that measure since that time, I have been quite amazed that the Government has attempted to bring in by way of substitution the measure we have before us today in an endeavour to raise funds for the Treasury.

The road maintenance tax was quite unpopular and still is unpopular in some quarters, but it has yet to be proved that there is a better system of raising funds for the maintenance of roads. Under the provisions in this Bill there is no guarantee that funds raised by way of increased license fees will in fact be spent on roads. That is the strong point in the other legislation whereby road maintenance funds derived under the Act are in fact spent directly on the roads. This point has been mentioned by other speakers and it is the main point of difference between the two tax-raising measures: there is no guarantee that the funds raised under this Bill will be spent entirely on roads.

I think it has been said at other times that it was thought the petrol tax introduced by the Commonwealth Government would cover many areas of expenditure on roads, but it has been the experience that in time the funds have been siphoned away from road purposes and we have not received the full benefit we were originally led to believe we would receive.

I have endeavoured to carry out a little research in the area I represent in the south-west corner of the State into the effect of the proposed new license fees, and I have come down heavily in favour of the retention of road maintenance tax. I do not go along with increased vehicle license fees. I have arrived at that decision not as a result of an attitude of "sour grapes" or anything of that nature, but on cold, hard statistics and calculations. My views in this regard have been somewhat strengthened by the present attitude of so many local authorities as compared with their attitude not many months ago. Quite a number of local authorities were adamantly against road maintenance tax contributions until recently, when they realised the present Government intended to change the system and they found it would not be to their advantage.

I have before me the minutes of the Manjimup Shire Council which contain a motion recently passed by the council. It reads—

That the Council press the State Government to retain the road maintenance tax as it is at present.

This resolution was forwarded to the Minister for Transport. I have mentioned just one shire council. There are many up and down the land which have come to the conclusion that the old system is infinitely better than the measures proposed in the Bill now before the House.

One of the great disadvantages of the proposed system of license fees is that it will give a decided advantage to the big transport operator as against the smaller transport operator. I want to say here and now that it has been my experience throughout my life that local transport operators make it their business to service the needs of their particular areas of operation or of their own home districts. An operator who lives in the area knows how to cater for the area's transport needs; he knows the commodities that have to be carried; he knows the people with whom he is dealing; and he knows the times of the year which will be rush periods in respect of various commodities—superphosphate, apples, livestock, and so on. I am concerned that the increased license fees will force a number of these private operators out of business or that they will be taken over. Their spheres of activity will certainly be taken over by the larger operators.

One particular operator has some 18 vehicles. Under the previous system of license fees and road maintenance tax he paid \$2,915.45 in one 12-month period. Calculating the fees payable under the provisions contained in the Bill before the House, he will be required to pay \$4,754—an increase of \$1,838.55 over what he has been paying until now. This increase of over \$1,600 in the running costs of the operator must and will be passed on to the local community he serves. In the main, this particular operator serves people associated with rural industries. To a lesser extent he is associated with commercial houses in the area. Therefore, the whole community will be paying the burden of these increased costs.

The Hon. J. Dolan: How many trucks did you say this operator had?

The Hon. V. J. FERRY: Some 18 vehicles of various types, including trailers. It has been pointed out to me that some of his vehicles will in fact be taken off the road because if a vehicle is not being used in the course of business it is not earning money for the operator. The big advantage of road maintenance tax contributions is that it is a pay-as-you-earn tax similar to pay-as-you-earn income tax. When one is earning money one does not mind paying tax quite so much, but no-one would like to pay a heavier license fee on a commercial vehicle and have it sitting in the yard for several months of the year just on the offchance that it might be required before the next busy season. The service during that busy period will therefore decrease.

I am aware that the bigger transport operators are not very concerned about giving personalised service to the local community. They are not very interested in part loads. They are more concerned

about having full loads for their vehicles rather than small loads to meet immediate needs. I have had related to me instances of bigger operators not delivering goods on time because they felt the loads that had been ordered were not quite large enough for their vehicles and they waited until other consignments were put their way to make up big loads, which were then delivered. When this happens with building supplies, of course building projects are hampered, and this is not good.

I want to refer now to the political element of this measure. Mr. MacKinnon mentioned that this was political legislation. Indeed, the abolition of road maintenance tax became a political issue prior to the last general State election. In its policy speech the Australian Labor Party undertook to abolish it. The United Farmers and Graziers Association undertook to abolish road maintenance tax, and I have a pamphlet in my hand stating this. There is no such statement in the Liberal Party policy speech prior to the last election because the Liberal Party has always honestly and realistically believed that road maintenance tax is the best way of raising funds in all the circumstances, despite the difficulties which attend it.

I was rather surprised to hear statements made that the Country Party was in favour of road maintenance tax. I find this hard to reconcile with the Country Party's statements prior to the last State election. I have in my possession here some Country Party literature. This particular card says, "The Country Party is the party that is right for you," and it then lists six points, including the abolition of road maintenance tax. The next card I have is from a different electorate and the same words appear, "abolition of road maintenance tax"—full stop! There is a further card with the same wording. If anyone doubts the authenticity of these publications, this card was authorised by A. T. Brendish, 11 Havelock Street, Perth. I understand Mr. Brendish is the State Secretary of the Country Party. It appears from this that the Country Party favoured the abolition of road maintenance tax prior to the last State election. There is no doubt this was a political issue.

The parties who favoured the abolition of road maintenance tax did not do themselves credit, and were not as honest with themselves as they might have been. I am happy to see that the Country Party now indicates it was wrong and realises that road maintenance tax is a better way of raising funds than the measures contained in this Bill. I commend the Country Party for its change of heart. However, at the time of the State general election the Country Party was not in favour of retaining road maintenance tax.

I would like to refer to the shire councils' attitude to this tax-raising measure, and I quote from a news item which

appeared in the *Albany Advertiser* on the 28th November, 1971. This article is headed, "Council's reply to Nalder," and it reads as follows:—

CRANBROOK: The Cranbrook Shire Council has decided not only to turn down Country Party Leader C. D. Nalder's request for information on increased costs to truck owners in the shire with the proposed higher registration fees but also to chide him.

In a letter to the council Mr. Nalder referred to the criticism levelled against the CP in its action in supporting the repeal of the Road Maintenance Act.

He said that he would use the information requested without mentioning the name of the shire in the CP's case against the Premier's suggested proposal.

At the monthly Cranbrook meeting on Friday councillors were apparently at one in the view that Mr. Nalder should have obtained details of the effects of the proposed increases in truck registration fees before voting out the Road Maintenance Act.

One councillor said that the CP's move to find out such details seemed to be a case of shutting the gate after the horse had bolted.

Another said that his inquiries had revealed that some truck owners in Cranbrook would find it virtually impossible to pay the increased registration fees as outlined in press reports.

A motion was passed to the effect that unless the CP could come up with a proposal which would be more equitable to farmers as an alternative to the Road Maintenance Act then the council would support the retention of the act.

I believe that the Country Party is prepared to vote against the proposed measures in the Bill in the absence of a suitable alternative. This may mean retaining the road maintenance legislation. I commend the Country Party for its attitude. I believe it should have been more realistic earlier this year.

I wish to return to the effect of the increased license fees on commercial vehicles in country areas. I will just briefly refer to the situation in the Augusta-Margaret River shire. I am reliably informed there are 22 vehicles in this shire which are subject to road maintenance tax. However, some of these vehicles transport livestock and the carting of livestock is exempt from road maintenance tax. If the road maintenance tax is abolished and the increased license fees take effect, these 22 vehicles will have to increase their cartage rates. This will reflect on the primary producer and as a result he will be considerably out of pocket.

Under the existing legislation, Government vehicles are liable to pay road maintenance tax. However, with the new proposals neither road maintenance tax nor license fees is applicable to them. This anomaly is of concern to the people in the country.

One contractor in the south-west corner of the State pays something in the order of \$4,052 annually for road maintenance tax and vehicle licenses. Under the new system it is calculated that he will pay \$7,509—an increase of \$3,457. This is almost a 100 per cent. increase which must be passed on to the local people. The license fees will be payable whether the vehicles are in use or sitting idle. This works against the concept of assistance to people in remote areas, and also against the concept of decentralisation, and it will result in a slackening of employment opportunities. I have been told quite clearly by some operators that they cannot afford to keep one or two of their employees on the pay-roll if these license fees come into effect. In the country the contractors frequently carry a surplus of employees during the slack periods and they will not have the continuous work to employ the extra men. The increased vehicle license fees will affect the contractors who are providing this service to the people in the country areas.

There is a great deal one could say regarding this measure, but I do not intend to take up too much of the time of the House. There are many newspaper cuttings which could be quoted to good effect. However, I feel sufficient has been said and I trust that the points I have raised further illustrate that the measure is ill-founded. I support the comment made by Mr. MacKinnon that the main provisions of the Bill are purely political.

I believe the Government feels it would like to throw away the alley tabby cat, but in its place it has grabbed hold of the tail of the tiger and I consider it is most dangerous for anyone to have a tiger by its tail. This is how this Bill appears to me, and I cannot support it.

Although it contains some provisions that are worthy of support—which could have been incorporated in other amending Bills that have been brought before the House—in view of the manner in which they have been introduced I believe the Bill is ill-founded and does not deserve to be read a second time.

THE HON. N. McNEILL (Lower West) [2.21 p.m.]: I make no attempt to hide my complete objection against this legislation, not only because of the material the Bill has introduced to the House, but also because of the motives that prompted the introduction of the whole measure. This is the feature that has upset me most in regard to the proposed legislation.

On many occasions we have heard a great deal said about politicians not being held in high regard by the community at large. One of the reasons for this is that many people consider that politicians do not keep faith with the people they represent and those who elect them. This Bill is a first-class example of something that encourages this type of thinking. I am disturbed because, obviously, it could create dissatisfaction in the minds of the people who sincerely believe that the alternative Government available to them in this State would be in a position to keep faith with the electors by implementing its election promises, with no deception being practised whilst they were being implemented.

The Government and the Premier have clearly stated that the road maintenance tax would be abolished and as a corollary to it no new taxation would be introduced to finance election promises. In defence of that statement which has been the subject of much criticism, the Premier has said, "Of course, the present tax which is sought to be imposed by this Bill—that is, an increase in license fees—is not a new tax but simply a substitution for the road maintenance tax." All I can say about that statement is that it sounds very similar to the interpretation placed by the Premier on the definition of a student and pupil.

To what extent is this increase in license fees a "substitution" to those people who should not be required to pay this increase in the first place? Further, is this increase in license fees also a substitution to those who will be paying increased license fees in the future but who, in the past, were not paying road maintenance tax? This is not a Bill that would encourage people to have high regard for their political spokesmen, especially people who had faith in those men whom they elected as their representatives and as their Government.

Although this seems to be practising deception, I do not think it is because, until now, the Government has not had an opportunity to practise deception; at least for the past 12 years. I agree with Mr. MacKinnon that, in fact, the Bill is nothing more than a political device that was introduced to secure the Treasury benches in the Parliament. Perhaps it was effective, but to what extent we do not know. My objections to this measure which seeks to increase the license fees for motor vehicles are quite basic and fairly simply stated. I object to the Bill on the grounds I have already outlined and I also object to it because it seeks to increase license fees, to increase taxation, and to spread that increase in taxation over a wide section of the community.

I have been intrigued with the discussion and argument that has taken place on the fact that this tax is more equit-

able because it will be paid by a greater number of people, but I do not know about that. One could easily use the argument in reverse. The tax would be of greater benefit if a smaller number of people had to pay it. In other words, we could eventually reach the point where nobody would be paying the tax. However, the argument that has been advanced is that this is a more desirable form of tax because it would be spread over a greater number of people.

It may well be argued that perhaps this increase in license fees that will be imposed on commercial users of motor vehicles is justified because these people are contributing to road damage to a greater extent than others, and therefore should be liable to pay their share of the cost of maintenance. However, there is a good deal of conflict on this particular issue. I believe the Premier has said that every motorist contributes to the deterioration of the road surface and therefore he must share some portion of the responsibility for road maintenance. However, he also went on to say that the private motorist is already bearing a considerable tax burden and he should not be called upon to pay an increase in license fees. There seems to be some inconsistency in that argument.

Also, by implication, it is suggested that commercial users of motor vehicles who have been brought within this new tax schedule are not bearing a considerable tax burden. Is that the implication?

The Hon. A. F. Griffith: In any case, the Government already has had a go at the private motorist. The surcharge has been increased from \$2 to \$5.

The Hon. N. McNEILL: In the event of this legislation being put into effect as a substitute for the road maintenance tax a curious anomaly will arise. Whereas, firstly, the Premier has claimed that all users of motor vehicles should contribute to repair the damage to the roads, this is beyond my understanding because the view held by the High Court was that there was a disparity in the amount of damage done to the roads by vehicles in excess of four tons compared with the damage done by other vehicles, and therefore such vehicles should be required to pay an additional margin for the extra damage that they cause to the roads.

In the event of this legislation being passed, we will eventually find that under the charges sought to be imposed, while the greatest amount of damage done to the roads will be caused by those who carry the greatest loads over long distances, they will contribute less per ton mile compared with what is paid by other users of the roads. The person who covers mileages of 5,000, 10,000 or 20,000 miles a year with his vehicle, in terms of a license fee will be paying more per ton mile than he would

be under the Road Maintenance (Contribution) Act. However, the big haulier who carts big loads over long distances, although he will be paying more in license fees in comparison with what he paid in road maintenance tax, may ultimately find that he will be paying less than he did under the old legislation.

If we consider the operator who carries large tonnages over big mileages, we must realise that the amount of tax he will pay for the unit load he carries per mile will be down to an absolute minimum. To me this is a very anomalous situation if we subscribe to the view that road damage should be paid for by those who are responsible for, or at least contribute to it. All sorts of arguments can be used but these will be used only in an endeavour to convince ourselves because all investigations were not ever seriously explored by the Premier in his endeavours to find an alternative system.

I do not wish to make any qualification concerning my attitude to the road maintenance tax. Particularly as a country member, I have never considered the road maintenance tax an acceptable one. Like most people I have always been on the lookout for an alternative and when a satisfactory alternative is available I will be glad to see the end of the road maintenance tax. In all these years not only in Western Australia, but also in the Eastern States, no satisfactory method has yet been devised.

I am giving not only my own opinion, but also that of the Liberal Party. I would like to convey to the House the view of the Liberal Party as stated in its policy because I believe it is important that it be made known. The following is from a Liberal Party publication:—

In view of the State's need for revenue to finance expenditure on roads and to provide for contributions from heavy interstate vehicles—

I interpolate here to say that interstate operators will not be contributing. To continue—

—and the Constitution which virtually precludes any other solution, the imposition of a Road Maintenance Tax is unavoidable. Since it is applied to vehicles of a capacity of eight tons or over, many farmers' vehicles are excluded. It is however, recognised that there are cases of disability and that these should be examined with a view to providing relief.

That is the attitude of the Liberal Party.

I would now like to refer to a few of the conflicting reports on this subject. I refer first to a report of what the Premier said, and which appeared in *The West Australian* on the 14th August, 1971, portion of which reads as follows:—

The new proposals would spread the burden of road maintenance charges more equitably.

I think I have examined that proposition—

"Every vehicle contributes towards the deterioration of the road surface and commercial vehicles cause most deterioration," he said.

"Commercial vehicles cause most deterioration". I wonder what his authority is for that statement because it does not agree with the opinion issued by the High Court which is reported in *The West Australian* on the 13th August. The former Minister for Transport said—

... that the High Court had ruled in the Eastern States that vehicles weighing more than four tons caused disproportionate damage to roads and that vehicles weighing less than four tons were paying enough for the maintenance of roads.

Considerable conflict exists in the opinions of the Premier and the High Court.

Mr. MacKinnon referred to the anomalous situation which will arise concerning contributions by Government vehicles. He instanced the fact that Government vehicles in the Bunbury area involved in the ilmenite operations will not be required to pay license fees although, at the present time, they are paying the road maintenance tax. This means that Government enterprises carrying industrial goods on the railway road services will be placed in a most advantageous position over commercial operators. In addition an increased income will accrue to the railway road services. This is also reported in an article in *The West Australian* of the 19th August, 1971, in which a Minister in another place is reported to have stated that the Western Australian Government Railways had paid \$56,635 in road maintenance tax last year.

The Government itself would be saved the necessity to pay the road maintenance tax with the introduction of increased license fees, but the road maintenance fund would not receive \$56,635.

I pass now to the attitude expressed by the Country Shire Councils' Association at a meeting in Bunbury which is reported in *The West Australian* of the 7th September, 1971, under the heading, "Keep road tax, say shires." The article indicates that the executive of the council wants the State Government to retain the road maintenance tax. Referring to the secretary (Mr. A. E. White), the article reads—

He forecast strong opposition by pointing out that the increase in licence fees would throw more of the burden of road maintenance on farmers. This was deplorable.

According to the Premier's pre-election statements and promises, the whole object of the exercise was to lessen the burden on the rural industry and farmers, and yet the secretary of the Country Shire

Councils' Association says, with considerable authority, that the reverse will be the case. He said—

The increase would help wealthy mining companies and highly organised interstate hauliers.

All I can suggest is that this Government, with its political philosophy, would make an extremely strange bed fellow with wealthy mining companies and highly-organised interstate hauliers. This is another example of the breaking of faith with the adherents of this Government.

My last quote from the Press is from the political notes in *The West Australian* on the 2nd September, 1971. The following is from the column contributed by the Government through Mr. J. T. Tonkin:—

The road maintenance tax was not only difficult to police. It also placed a heavy burden on the small operator, who had to make provision for it after meeting firstly the heavy routine responsibilities of hire-purchase payments and living costs,—

I weep when I read that.

The Hon. J. Dolan: By gee, you weep at a lot of things.

The Hon. N. McNEILL: To continue—
—and then the imponderables of damage by the rough going in isolated areas.

I would like to know what this legislation would do to those same people.

The Hon. V. J. Ferry: It would not help them.

The Hon. N. McNEILL: I imagine it will increase their burden. The small operator who is required to license his vehicles perhaps for small loads and mileages will not gain any benefit. After all, everyone surely must bear these routine commitments.

The Hon. V. J. Ferry: He must pay a heavy license before he sets out, too.

The Hon. N. McNEILL: That is exactly what I was about to say.

The present operator, whether big or small, must pay road maintenance tax on the basis of his turnover and haulage. What would be the effect of this legislation on the small operator who works only intermittently? He would not as now pay only as a result of the work he does. He would pay whether or not he worked. This does not seem to be a way of alleviating the burden in view of his other commitments.

In all the argument that went on I was one person who was personally involved with at least one case where a small-time operator could not or did not—whatever the case—pay road maintenance tax. That person found himself confined to Fremantle gaol, though not necessarily as a result of not paying the tax. I made some

representations to the Government at that time. I know the inside circumstances of cases like that which are not necessarily simply the result of the imposition of road maintenance tax. They may well be, but I knew in those cases there were other contributing factors. It was not necessarily the administration of the road maintenance tax legislation that caused this unfortunate happening. However the existence of road maintenance tax was blamed for it through the Press and news media. A great deal has occurred but what has been said is not an absolutely correct statement of the situation.

I come back to what I believe has been one of the best comments made in the debate: Mr. MacKinnon said that this is not an objective exercise on the subject of how to produce the amount of money necessary to maintain roads and serve the interests of road users in Western Australia, but simply a political device; nothing more. For this and other reasons upon which I could expound but which I have no intention of doing at this moment, I am opposed to the measure.

THE HON. N. E. BAXTER (Central) [2.42 p.m.]: At the outset I wish to say I intend to oppose the Bill. I do not want to go into many of the reasons outlined by other members. The main reason for my not supporting the Bill is that it would unfairly impose a tax on a large section of the community—and I refer to commercial truck owners. At the present time they are burdened with heavy costs in relation to primary industries and other businesses. The measure would impose a tax which primary producers could not pass on.

A great deal has been said about the policies of various parties so far as road maintenance tax is concerned. During his speech, Mr. McNeill quoted from the Liberal Party policy speech of the Leader of the Opposition (Sir David Brand). We know what the policy of the Labor Government was. Mr. Ferry, when speaking to the measure in an attempt, perhaps, to gain political credence for the Liberal Party, endeavoured to discredit the Country Party by referring to manifestos which were issued during the election campaign. He said the manifestos contained the straight-out statement, "abolition of road maintenance tax." He accentuated his statement by adding, "full stop."

I could produce many political manifestoes with bald statements such as that upon them. In almost every case there would be some qualification to these statements. Although the words "abolition of road maintenance tax" appeared on the pamphlets referred to by Mr. Ferry, it is a well-known fact that the Country Party has qualified its attitude towards the abolition of road maintenance tax over a number of years.

I shall quote from the policy speech of the Leader of the Country Party (The Hon. C. D. Nalder.) This received publicity through the Press and over the radio during the last State election. The statement has been agreed to by the parliamentary party and the executive party. It says—

We will also continue our efforts to find a satisfactory alternative to road maintenance tax.

In other words, road maintenance tax would be continued until such time as a satisfactory alternative was found. This outlines the policy of the Country Party.

I point out again that the statement which appeared on manifestos was not without qualification. As a party, we have spent a great deal of time in considering this issue and what could be done to replace the road maintenance tax. Our attitude has been that it must be a measure which provides a satisfactory alternative. It should distribute costs equitably so that responsibility for damage caused by motor vehicles is apportioned fairly.

This will not be achieved by the measure under discussion. It has been pointed out by members that some vehicle owners will pay an increase in license fees although they may, perhaps, travel only 5,000 miles a year. A similar vehicle could travel 50,000 miles in a year. The basis of license fees is inequitable because the person who travels 5,000 miles a year would cause very little damage to the roads compared with a person who travels 50,000 miles in the same year.

The number of alternative schemes which could be arrived at to replace road maintenance tax is quite limited. One would be a suggestion which was made to the previous Government; namely, a type of fuel tax. The mileage of the vehicle would be regulated to the amount of fuel used. Consequently the apportionment of tax on this basis would be much fairer.

Since the introduction of the road maintenance tax this has always been the policy of the Country Party. In fact, it is a well-known policy throughout the States. Consequently, Mr. Ferry's implication was not justified. It was not a question of a bald statement without any qualification, because the views of the Country Party are so well known. No-one puts out a great rignmarole of manifestos at election time. With those few words, I oppose the Bill.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [2.47 p.m.]: I wish to say one or two words on the measure. I shall refer in the first instance to the clause in the Bill which enables the Commissioner of Police to grant additional powers to crosswalk attendants. I have always greatly admired people who attend crosswalks outside schools and in other places.

The Hon. J. Dolan: May I interrupt for a moment? The purpose of the Bill is not to give additional powers but to take some away. There is quite a difference if the honourable member will read the Bill properly.

The Hon. CLIVE GRIFFITHS: Perhaps I should have said, "alter the powers."

The Hon. J. Dolan: It will take some away.

The Hon. CLIVE GRIFFITHS: I acknowledge that I should have said "alter" but the point I am making is not connected with that aspect. Over the years I have advocated that crosswalks should be attended and have endeavoured to persuade the department to appoint more attendants. Under this provision I hope the Commissioner of Police will see fit to make more use of crosswalk attendants. Numerous crosswalks outside schools for some reason or other do not qualify for an attendant under the complicated system used to determine whether the number of pedestrians and motor vehicles is sufficient to warrant an attendant. I believe there are places in the metropolitan area where a crosswalk attendant should be employed at least for a period in the day, even though few people and children may use the crosswalks.

I feel their use is warranted elsewhere, too. In peak traffic periods I often see policemen in Albany Highway engaged in directing children across crosswalks. In recent times a great deal of publicity has been given by the Superintendent in Charge of Traffic to putting more and more patrol policemen on our roads. I consider that policemen who, up to now, have directed children across crosswalks should be replaced by crosswalk attendants.

The Hon. J. Dolan: Very often the policemen are replacing crosswalk attendants who are away through illness. It is the reverse.

The Hon. CLIVE GRIFFITHS: The Minister keeps telling me what is happening; I suppose it will save him the necessity to answer questions when he closes the debate. The point I am making is that I think more emphasis should be placed on the use of private individuals as crosswalk attendants, rather than on the use of policemen. Whilst it may well be that occasionally a policeman is required to replace a sick attendant, I think we should perhaps build up a pool of attendants so that it will be unnecessary to use policemen for this work. I feel policemen are of far greater benefit to the community when working as patrol officers. I wished to make that point because I think crosswalk attendants perform a fantastic job. I believe that motorists, generally, respect their position, and I understand that in

the main they obey the instructions of attendants. We should explore this avenue to a greater extent.

I do not wish to say a great deal about the other provisions in the Bill, because people more expert than I am in this field have spoken on them. I refer to the portion of the Bill which increases license fees of certain motor vehicles. I do not wish to comment except to say that I am violently opposed to this provision, simply because it imposes an additional tax on people; a tax that certainly was never suggested by the Government when it promised to repeal the Road Maintenance (Contribution) Act.

Whilst I am not tickled pink about road maintenance tax, it is theoretically a much fairer method of collecting the necessary funds to spend on our roads. Theoretically the people who use the roads should pay the tax and, on that basis, probably we could not find a fairer system. However, I am far from convinced that everybody pays road maintenance tax. Contrary to what others might like to tell me, and I include the previous Minister for Transport, I am far from convinced that road tax is spread equitably amongst those who should pay it. From that point of view I am not terribly happy with road maintenance tax, although theoretically it is a fairer method.

However, under this proposed new system it is intended to make people pay in advance for the privilege of using the roads, whereas road maintenance tax is collected on a "pay-as-you-earn" basis. From that point of view I think road maintenance tax is far better so far as the operator is concerned. But there are other anomalies in the system of road tax which I certainly do not like. Perhaps I ought not to mention them at this stage because you, Mr. President, will shortly tell me to refrain from doing so. However, I want to say that increasing license fees for commercial vehicles spreads a tax onto people whom it was never envisaged should be made to pay it.

Certainly the Government will not win any friends as a result of this increase. Numerous people have come to me and expressed disappointment and horror at the thought of having to participate in this tax to the extent to which they will be asked to participate.

An issue which is raised fairly frequently by the Labor Party in regard to the unfairness of road maintenance tax is that it places an additional burden on those in the north or in the far-flung areas of Western Australia. From that point of view it would seem reasonable to assume that the Labor Party presumes this proposed licensing system will immediately bring about a reduction in freight rates to far-flung areas. I cannot follow how that could apply when in fact the people concerned, instead of paying as they earn, will be called upon to pay their license fees in advance.

Therefore, I cannot see that they will be able to reduce freight rates. No doubt the Minister will have an opportunity to explain to me how a decrease in freight rates will occur. That will be an interesting exercise. The freight rates to far-flung areas at the present time are probably well known to many of us. Should this measure become law it will be interesting to see the extent to which the freight rates will decrease as a result of it.

I simply wished to say those few words; but more particularly to commend those who are engaged as crosswalk attendants for the work they do, and to suggest that the Government employ more of them.

Debate adjourned, on motion by The Hon. D. K. Dans.

MARKETING OF LAMB BILL

Second Reading

Debate resumed from the 7th December.

THE HON. L. A. LOGAN (Upper West) [2.58 p.m.]: I daresay one could talk at considerable length in dealing with all the facets of a measure as important as that now before the House. However, I do not think that is necessary at this stage of the session. All I need say is that I support the measure. It is a form of orderly marketing which has been part and parcel of our thoughts for many years; and whilst it might contain a few gremlins, we will not get anywhere unless we make a start.

Mr. President, I think you and I can recall the opposition to some of the marketing boards which are in operation today. The same type of argument was used against all of those boards; the same type of people argued against them, and for the very same reason. It is a pity that we have not had orderly marketing for wool. We had an opportunity to implement such a scheme some 12 or 14 years ago. I am sure that the Commonwealth, as well as the wool growers, would be much better off today had orderly marketing of wool been introduced at that time. I think it is fair enough to say that it is impossible for a producer to produce while also doing his own marketing. We have so many producers so widely scattered, and it would be an impossibility for each to market his product from his farm.

Therefore it is essential that we establish some central marketing organisation which is capable of doing the job for the producer. That was what happened in respect of other marketing boards; and as Mr. Ferry has discovered since he has been Chairman of the Select Committee inquiring into the potato industry, that board has done a wonderful job. We can extend this to commodities like eggs, wheat, barley, etc. where orderly marketing applies.

As far as we on this side are concerned, we are 100 per cent. behind the measure before us. We know that problems will arise, and we realise that some of the producers will possibly have to change their production methods. Once producers begin to send lambs to the market on a weight and grade basis, it is perfectly certain that some of the lambs which are now being sent to market will not receive a high grading or a high price. So, some producers will have to alter their methods. I think this will only react to their benefit, because the better the commodity produced, the better it is for the producer in the long run, if the commodity is marketed in the right way.

I say that, because it is unfortunate in respect of the quality of lambs that are sent to market at the present time, in comparison with the quality of lambs that were sent to market four years ago, that the exact quality of lambs fetched three times as much four years ago as it fetches at present. Despite the increased costs to the producer he gets one-third of the amount that he received four years ago. However, we cannot see any benefit accruing to the consumer; in fact, the opposite is the effect, because the consumer is paying higher prices today.

I am satisfied that if the orderly marketing of lamb is managed in the right way it will prove to be of advantage to both the producer and the consumer; because instead of the variation in prices, as mentioned by Mr. Abbey yesterday in his very fair assessment of the situation, there will be little difference in the fluctuations from year to year or from week to week.

I pose these questions: Why should there be any fluctuations at all? Why should a producer who puts his lambs on the market this week under the same terms and conditions as the producer who puts his lambs on the market the following week receive \$1 or \$2 less per head?

Perhaps some incentive should be provided in respect of the marketing of early lambs, because it takes more to produce early lambs. I am certain these anomalies can be ironed out; and without the terrific fluctuations in prices everybody will be better off.

In those circumstances we on this side of the House have very great pleasure in supporting the measure. Some amendments appear on the notice paper, but at the moment I would not like to put forward more arguments than I have. I shall not commit myself for the present, but will deal with them in the Committee stage.

THE HON. D. J. WORDSWORTH (South) [3.05 p.m.]: This Bill comes before the House at a time when primary producers are receiving an all time low price for their products. I have mentioned this aspect to the House on numerous occa-

sions. Undoubtedly, the problems are manifest, but I wonder whether the provisions in the Bill will solve them.

In my view when conditions become difficult some people are inclined to turn to socialism to obtain a certain amount of help. This sort of proposal is often put forward by the more radical thinkers in our society; and it seems that the views of the older and more conservative people are not heeded. For that reason I want to discuss some of the difficulties which will arise in respect of this legislation, and to point out that it will not be easy to achieve the desired objectives.

First of all, a referendum of the lamb producers of this State was held. The purpose was to determine whether or not they wanted orderly marketing of lamb. I should point out that very few of the producers, in fact, actually voted in this referendum. I have made some research into this aspect, and I have asked a question in the House as to the number of producers who were considered to be eligible to cast a vote. The answer I got was that it was not known how many producers with more than 100 merino or cross-bred lambs would be eligible to vote. I have made some investigations, and the figures indicate that there are at least 10,000 producers in this State in that category. In actual fact only 20 per cent. of the producers voted. That being the case one wonders whether different groups were not exerting an undue influence in respect of this matter.

I have before me the circular that was sent to farmers. It contains some 10 points, the principles of which most producers will agree with. They relate to the method of acquisition, grade, payments, the setting of prices, exports, etc. The first sentence in that circular mentions the setting up of a marketing authority comprising a producer majority. This is one aspect that seems to have been lost. Whilst at the beginning a proposal might commence with the good intention of enabling the producer to market his own product, in the end he unfortunately loses control of his product. We see this trend in respect of other marketing boards.

The Leader of the House made some remarks on the effect of referendums, when we proposed the holding of a referendum in respect of the linseed producers. He said it was very difficult to arrive at a true result from a referendum. One would agree that if there was less than a 20 per cent. vote in a local government referendum the question would automatically be decided in the negative.

One thing which the Leader of the House said in the course of his speech rather perturbed me. He said that after the referendum it was necessary for the proposals to be developed in detail, and the responsibility for this rested with the Farmers' Union. I feel when legislation is

introduced in Parliament, it should come forward under the responsibility of the Government. In this case the responsibility seems to have been fobbed off onto the farmers' organisation. However, I hope that when the marketing of lamb board is in operation and difficulties are experienced, the blame will not be placed on the producer or on Parliament.

I would be the last to refuse to give support to a proposal for an increase in the price of farm produce. In fact, I am a large producer of lambs and have a very direct interest in what goes on in the orderly marketing of lambs.

I cannot believe that the Labor Party will support a measure which will lead to an increase in the price of food to the people living in the city. It is obvious the price will be kept right where they want it. It appears that a lot of hope is being placed in the fact that by taking over the wholesaling and exporting of meat the producer will receive more money. I wonder whether there is very much which can be passed on to the producer, and whether the marketing can be done any more profitably by a board.

Lamb can already be bought on the hook at carcass sales in Perth. A small butcher who cannot afford the time to spend at an auction can buy his meat dressed and he does not have to pay a great deal more than if he bought the stock live at an auction. From that we can get some idea of what the wholesalers are charging for their services. It has yet to be proven to me that their charge is exorbitant. There may not be more than the costs and a reasonable profit involved. If there were more profit a lot more people would be in the trade competing for business. This is one of the great things in which we believe: private enterprise and the right to compete.

The next matter is that of export prices. A lot has been said about the high profits which have been made out of the exporting of lamb. I will quote from a country newspaper, *The Albany Advertiser* of Monday, the 29th November. The article I will refer to is by a staff reporter and it is headed "The profit game in lamb and sheep marketing." The article reads, in part, as follows:—

Stirling MLA M. E. Stephens says that growers should not blame the lack of killing facilities for the low sheep and lamb prices in W.A.

A couple of days later Mr. Stephens replied to the article as follows:—

"The exploiters want us to believe that the low prices are caused by a shortage of killing works," he said.

But it was the exploitation and collusion that cut the income to the growers.

I think this sort of thing encourages attacks on private enterprise. The article goes on to state that the exporters are making \$1 a head, and I will quote as follows:—

... growers had been receiving 8 to 10c a lb for export lamb lines.

But the shippers had been getting 13c a lb for themselves.

This figure was arrived at after taking the killing and dressing cost of 4.5c a lb from the 18.5c a lb guaranteed by the Australian Meat Board alongside ship.

This guarantee was on lambs up to 36lb landed as carcasses in Britain during September, October and November, Mr. Stephens said.

After allowing 4 per cent rejections the shipper got 13c a lb. and his profit was about \$1 a lamb.

The article continues and quotes Mr. Stephens as follows:—

"I have been assured that there has been no hold up on the slaughter of lambs for export."

I do not know from where he obtained that information. I happen to be an exporter and I send my lambs to England. They are killed in my own name at Robb Jetty. This is a facility available to producers but, unfortunately, it is very hard to get one's stock processed. I disagree with the statement that there is no hold-up because there has been considerable hold-up. However, the facility is available to producers and one finds that it is not rushed as has been indicated.

The suggested rejection rate of lambs of 4 per cent. is ridiculous. Unfortunately most consignments of lambs are rejected at the rate of 20 per cent., and some at the rate of 30 per cent. This applies particularly to the lower grade lambs from the merino districts. Those are the lambs which are bringing 8c to 10c a pound. It was stated that the balance sheet of Patton Exports showed a profit of \$494,000. I do not wish to defend Patton Exports, and I find that most producers do not support the viewpoint of the exporters. However, I believe one should look at the situation in a genuine manner and I have found that in the next year the profit for the same company fell by half.

That was the year when the abattoirs were on strike. I also noticed that in that particular year the company handled between 750,000 and 1,000,000 sheep. Apart from the live lamb trade, the company handles cattle, and it also has a skin business. Even if the company did not have those other businesses, or if they were unprofitable, surely a profit of \$1 per lamb is ridiculous. It is obviously nearer 20c.

Because I export lambs in my name I study the market prices and one has only to look at the reports to find that New Zealand is also having trouble to the same extent. The Chairman of the New Zealand Meat Producers' Board (Sir John Ormond) commented on reports that the opening price to be offered by exporters would be between 9c and 10c a pound, compared with nearly 20c paid a year ago.

Unfortunately our traditional market in Britain is becoming over supplied and we are now looking to other markets. Fortunately for the New Zealand industry it has \$100,000,000 in reserve. That reserve was built up in past years and New Zealand intends to utilise the money in a lamb support scheme. I will also quote another report from the *Pastoral Review*. The article is headed "The Meat Export Trade in New Zealand," and is dated the 3rd November, 1971. It reads as follows:—

The image of New Zealand as a highly efficient producer of export meats came in for a fair tarnishing during October. Not unexpectedly, the industry has been well and truly caught up by high internal costs, notably wages, which, along with the steep rise in freight rates, resulted in one of the poorest opening schedules for many years. Farming leaders were in a state of alarm on learning that early lambs would be worth from \$4.20 in Hawkes Bay to \$3.67 . . .

The problem in relation to lamb marketing occurs not only in Western Australia, but elsewhere in the world. It is interesting to read remarks such as those I am quoting. The article continues—

Already in financial trouble, farmers have been quick to apportion blame and it seems that the freezing companies have been made the whipping boy for the situation.

So perhaps farmers all over Australia and New Zealand are alike. The article continues to illustrate some of the defects which the industry is facing and I feel it would not be out of place to repeat them during the consideration of this Bill. Firstly, I feel that everyone is aware of the huge outlay involved in keeping abattoirs up to the latest requirements regarding hygiene, particularly as it applies to the American market. In New Zealand there has been a wage increase of 28 per cent. As members must be aware, shipping freights for lamb have increased by nearly one-third.

In the case of New Zealand, this year's increase in costs has been 52c for a 30lb. lamb, and it is expected to rise to \$1.81 by next year. This is rather frightening. I can foresee that the farmer will face even more difficult times in the future, particularly when it is realised that the

United Kingdom is already applying a tariff on imported lamb. The first penny was put into force on the 1st July this year and another penny will go on on the 1st January next year, which means that much of the lamb leaving Western Australia will be subject to high levies or import duties.

It can be seen, perhaps, why many exporters are a little diffident about what they are paying even in exporting lambs. I do not think we can altogether blame them. Although the Meat Board has put a guarantee on price, I think we must be careful how we read it. For that reason the Director of Agriculture (Mr. Fitzpatrick) issued a special news bulletin on the 8th October, 1971, warning farmers that deficiency payments were based on an average price for Australian lamb on the United Kingdom market two weeks after the arrival of each vessel, and that the price was not a guarantee for a particular shipment of lambs. He said—

The Scheme would not necessarily make up the difference between the price at which a grower's consignment of lamb was actually sold and the guaranteed price.

If farmers make a study of this—which they must do if they have a board—they will find it will be a very difficult row to hoe.

I think most farmers are of the opinion—and I would be the last person to disagree with them—that the local consumption price should be higher than the export price. The reason given—which I think is a very good one—is that for three-quarters of the year the housewife pays a local cost-of-production price which usually gives the farmer about 20c to 25c. Why should the price be allowed to fall during the intermediate export period? I agree with the farmers. One of the objects of this Bill is to have an equalised price between local consumption and export; but, unfortunately, introducing this Bill as a State Bill rather than having it universally accepted throughout the whole of Australia, means that exports can come into this State from interstate, as they already do.

In the past, I have held lambs in January waiting for a price rise and meat wholesalers have brought lambs in from Victoria. I am afraid there will not be much of a lift in the home consumption price to enable the equalisation of the two markets until this becomes an Australia-wide measure. We already know it costs 2c to 3c to bring meat in. We can therefore lift the home consumption price by only, say, 2c; otherwise we will have meat being brought into this State at a time when we are trying to handle a glut.

I have already outlined some of the difficulties facing farmers who expect to add to their income by doing their own wholesaling and exporting as a board. The

other way in which the board hopes to raise the price is by regulating the quantity of lamb coming onto the market. This has been done to a lesser extent in the last few years at the Midland Junction livestock auction sales. Of necessity the numbers had to be restricted because the quantity of lamb coming in was higher than that which could be killed, but it is interesting to note what happened during that period.

Those who produced their lambs in drier areas were given access to the market before those who, it was claimed, were producing in a more favoured climate. I have experienced this because I have lived in Esperance. It has been to our considerable disadvantage to be told we were unable to market our lamb at peak periods. One wonders why one section of the community should be able to market lamb when the other is not. It will obviously cost those who have been prevented from marketing their lambs a considerable amount of money. Their feed deteriorates; their lambs go off; they might have to drench their lambs again and carry others over, which will be one of the difficulties when we try to restrict the number of lambs coming onto the market.

I think it is part and parcel of fat lamb farming—or, for that matter, livestock farming—to be able to market one's stock when one considers it necessary. One should not be forced to overstock. If we intend to use this Bill to regulate the number of lambs coming onto the market, it will be of undoubted disadvantage to certain growers. It will be very difficult for someone sitting on a board in Perth to do this.

Such restrictions will also have an adverse effect upon the quality of the lamb that will be sent to the market. One presumes different farmers will be told they can send their lambs at different times. I wonder what will happen when Joe Blow has a quota of 500 lambs for delivery in, say, February. The Bill actually states that the board must accept the lambs unless they are not suitable for home consumption or are diseased. What happens if all the producers have third-grade lambs? Do they still send them, or are they told they can only send first-grade lambs? Is the producer able to pick them out?

The actual grading of lambs is very easy when they are on the hook, but it is much harder when the lambs are in the yards. Only a very accustomed and experienced eye can grade lambs when they are alive in the pen. It would certainly not be possible to go to the expense of sending someone around to the farmers to sort out their sheep for them. I think the board will not receive ample quantities of each grade of lamb that is required. I read somewhere that it was anticipated there would be 140 grades of lamb. I find that a little hard to believe, but I can certainly

believe there will be 20 grades of lamb. If there are not ample quantities of each of those grades available, I think the producer could lose some of his market.

The housewife will go into a shop and ask for first-quality lamb. If she lives in Peppermint Grove where cost is not a limiting factor, she will probably demand the very best lamb. What will happen if the butcher has not been able to obtain any first-grade lamb from the board? Will he tell her the pork is good or will he sell her some third-grade lamb?

The Hon. W. F. Willesee: Would he do anything different from what he does today?

The Hon. D. J. WORDSWORTH: Today he can go out and find good lambs for himself and pay a premium to get them.

The Hon. W. F. Willesee: Don't tell me the jargon is any different today from what it was a year ago or what it will be tomorrow.

The Hon. R. H. C. Stubbs: His hand is just as heavy on the scales.

The Hon. A. F. Griffith: That sounds like a practised statement.

The Hon. D. J. WORDSWORTH: A good feature in the present system is that the person who produces quality lamb receives a good price for it. I wonder whether the same position will apply when the authority is established. How will the board determine the different prices for various grades of lamb? Will the prices vary all the time and will they depend on the meat which board members produce? Perhaps it will be a question of whether board members have southdowns or merinos.

A problem will definitely arise, I consider, over the filling of quotas. In talking with people charged with filling quotas at Midland or Robb Jetty I have learned that farmers often say their lambs will be ready at a certain time but when that time comes they find that only half the number are available. They ring the abattoirs and say that they do not have the number of lambs they expected and ask whether they can cancel space.

In effect, it will probably mean that the balance of these unfilled quotas will have to be filled by producers who live nearby and can deliver quickly. If nearby producers have not the lambs ready the quotas may not be filled at all. Let us hope this is something that can be overcome, but we should appreciate that such problems could arise.

Perhaps the establishment of the authority will mean that some low-grade lamb producers will find a market for their meat—perhaps a protected market where they will not face competition. I say this because I represent a new land district and despite the fact our sheep numbers are building up we have not been able to build

up a past history of fat lamb production. We already know from the reports submitted from the Farmers' Union that the object of the scheme is to reduce the number of lambs coming onto the market. I consider this would be extremely detrimental to the new land farming areas I represent, as without local abattoirs and with high freight costs, they have not built up a production record.

We have seen this happen with wheat. Farmers in my district failed to receive wheat quotas of any size. In fact, we were told we were not to grow wheat in a 21-inch rainfall area, because we could produce lamb and beef. It is remarkable how much beef is suddenly being run in the wheatbelt now in spite of the fact that farmers in that area have all the wheat quotas as well. The same applies with eggs, milk, and potatoes.

Perhaps this kind of thing would be all right in an agricultural community which has settled down but we ought to do something for our new land farmers. I shall mention the type of letter I am receiving from many farmers. This one comes from a new land farmer near Esperance who says—

Being in desperate straits and faced with financial ruin I am writing to you in the hope that you will move some mountains to cut some Government red tape. We have written to the Wheat Board Wheat Quota Committee . . .

The letter continues, but I shall not quote further. These are the difficulties farmers in new land areas continuously face. As I have said, the same thing applies with eggs. One producer in the area has several thousand birds but he has been told to slaughter all bar 141. The Shire of Esperance is investigating the troubles of poultry producers in the area and has written to the Minister. The shire explained to the Minister that the public demand fresh eggs and asked "Why should the people in Esperance pay extra freight and why should shopkeepers put up with broken eggs delivered by the railways?" The Minister replied—

I have had the matter studied and found that licenses issued to people in the Esperance district were done on the same basis as the rest of the State other than those operating north of the 24th parallel.

In other words there was no record of poultry keeping in Esperance as there was in the more established districts. We were told not to produce eggs in the same way as we were told not to produce milk or potatoes. With the advent of this measure I can foresee we will be told we are not allowed to produce lambs either. It is for these reasons that I have drawn attention to the restrictive nature of the provision.

We are told that one of the advantages of the measure is that we will be without the auction system. I am not a great supporter of that system except that it gives a producer with a premium product a premium price. Perhaps I should say it gives him the opportunity for a premium price, because at times we think we do not receive it.

I do not believe we should be too rosy-eyed over the prospect of reducing auction costs. Currently we are charged 5 per cent. by the stock firm for this service. With the service comes the financing of the stock account which has become an important form of finance to the fat lamb producer. If we eliminate the charge of 5 per cent. and send lamb direct to the board I wonder whether that finance will still be available from the stock firms. Perhaps the fat lamb producer, like the dairy farmer, will have to look elsewhere for finance. I am not suggesting the stock firm does not borrow the money from a prime lender somewhere else, but we must consider that once lamb is sent direct to the board we will either have to pay 5 per cent. for no service at all or we will have to find a new method of financing the fat lamb producer.

The Hon. C. R. Abbey: Under the Bill there is a provision for recognition of this problem.

The Hon. D. J. WORDSWORTH: There is provision for a lien to be held on stock but that is not the question. I hope a bank such as the Development Bank will take this matter in hand, because it definitely must be considered. I do not necessarily wish to support the stock firms but I am merely pointing out what will happen. Stock firms do serve a purpose even if we consider them a necessary evil.

The Hon. C. R. Abbey: At present they say they are losing money.

The Hon. D. J. WORDSWORTH: I think the last balance sheet of Elder Smith and Company shows that it received 85c profit for every \$100 turnover so stock firms can hardly be expected to finance farmers unless they receive something for it.

Another factor to be appreciated is the difference in lamb prices between the Eastern States and Western Australia. In the past farmers who have wanted to restock or increase their stock numbers have been willing to pay fantastic prices for breeding stock. We have seen two-tooth ewes bringing \$10 to \$14. It is little wonder in that climate that lambs have been worth a great deal more in Western Australia than in the Eastern States where breeding stock only brought half that price.

I remember when I was farming in the Eastern States some 10 to 15 years ago I received \$3-odd for export lambs, less

than the price we receive today in Western Australia. The very large increase in sheep numbers in Western Australia has bounced back on us a little now because farmers are trying to get rid of their excess sheep and this is having an adverse effect on the market. I do not think the board will be able to overcome the problem as sheep numbers are not static.

We must also appreciate that Western Australia is at a great disadvantage so far as population is concerned. After all, one-third of all the sheep in Australia are in Western Australia but we have only 1/13th of the population. Needless to say a greater percentage of our production will have to be exported rather than used for home consumption. This is an area in which the Eastern States has a great advantage over us. The greater majority of production in the Eastern States goes to the local market.

The Hon. I. G. Medcalf: Lamb prices are the same today.

The Hon. D. J. WORDSWORTH: The export lamb price is the same but mutton prices have fallen.

The Hon. I. G. Medcalf: I am only talking about lamb.

The Hon. D. J. WORDSWORTH: We see higher prices in the Eastern States in times of shortage. About two months ago I quoted to the House that lamb producers were receiving \$9 per lamb in Victoria. This higher price is possible because of the larger population in the Eastern States. We are not able to get this price in Western Australia because of our small population.

Mr. Abbey raised the point of companies tendering for live sheep. I agree wholeheartedly that this system seems to have been to the disadvantage of the producer in this State. We have seen stock firms tendering to fill overseas orders, and although they act as agents and as such have been paid a commission they have brought the price down in order to gain the order for their particular clients. I wonder why this section of the live-meat industry was not included in the scope of this board. I feel that this section would have been more suitable for the board's control than the dressed meat section.

The Hon. T. O. Perry: One step at a time.

The Hon. D. J. WORDSWORTH: It is disappointing we did not start off with the live-meat section.

I consider it would have been wise to conduct this pool on a voluntary basis in the first place. We are told that the mutton section will be on a voluntary basis and one wonders how that will succeed without compulsion, if compulsion is necessary for lamb. Surely what is good for one is good for the other. When there is such talk of being exploited by private

enterprise, one wonders why private enterprise is so good for beef and pork. Why do we not have compulsory boards for these two products?

The Hon. Clive Griffiths: If this Government stays in power long enough we will have boards for both.

The Hon. D. J. WORDSWORTH: I do not wish to run down the farmer in his efforts to obtain the highest price possible, but I wish to point out some of the difficulties he experiences, and I believe one of the major difficulties in this State is the shortage of abattoirs. This has been repeatedly pointed out in this House and it is interesting to note that in this debate it has been said it is lamb marketing exploitation that has depressed the price. Mr. Graham said at a meeting of pastoralists and graziers that he has been inundated with applications from people wishing to build abattoirs. I hope this is correct because within a day the Minister for Agriculture came back and said the forecast was for an abattoir shortage. I hope Mr. Graham will tie up some of these people who wish to build abattoirs.

The Hon. I. G. Medcalf: Did you say "forecast"? It is a pretty stale forecast!

The Hon. D. J. WORDSWORTH: Perhaps the Minister just wished to make a statement after Mr. Graham's sweeping announcement. Why is it so many people desire to build abattoirs and yet they will not come to the party? I say again, much of the reluctance is due to the Government's interference with private enterprise. As a Government we have put money into the Midland Junction Abattoir and the Robb Jetty Abattoir, and the Government's main concern is to protect them from competition. This is why it attempts to confine private abattoirs to the export trade, and to force them outside a 25-mile radius of the city. The Government has to be willing to take a few more risks in its own interests.

One difficulty the farmer has to overcome is the publicity in rash articles in so many of the glossy magazines. These articles advocate orderly marketing and stress the money which can be saved.

Sitting suspended from 3.46 to 4.02 p.m.

The Hon. D. J. WORDSWORTH: Before afternoon tea I was referring to some glossy magazines and the articles which appeared in them. Unfortunately, I was not, as some members seem to think, referring to *Playboy*, but rather to the *Australian Country* magazine which is probably the most widely read magazine in Australia. It is rather interesting to read in that magazine an article entitled "R.A.M. flexes its muscles." "R.A.M." means the Rural Active Movement. That organisation promises \$104,000,000 to lamb and mutton producers. This is brought

about, of course, by the poor marketing conditions at present. I quote from the article—

To try to correct the situation and rehabilitate primary industry, RAM has drawn up proposals for a statutory meat marketing authority, which it claims will save the lamb and mutton producer \$104 million a year and stimulate his production.

I do not wish to go into this very deeply. It is not necessary for one to have a great amount of intelligence to see that the article is completely false and that it does not go deeply or accurately into the problem. One of the interesting comments contained in it is as follows:—

RAM's proposals put the running cost of the six State Meat Boards at \$10 million.

So perhaps one might consider that when one is trying to obtain some idea of the cost of the board. I checked quickly to see how that organisation came up with a figure of \$114,000,000. The calculations were based very conveniently on a 36 lb. lamb which retailed at \$14.30. Reasons were given as to how the price was jacked up to that figure. Then, it showed, the surplus lamb not consumed locally was exported, and 23c had to be deducted from the price, being based on a 12 per cent. surplus going to export. Of course, the guaranteed price of 19c for a 36 lb. lamb was received. The interesting thing is that there was not one single reject; every lamb was suitable for export; every lamb weighed exactly 36 lb.—none were over and none were under. Also, of course, the 19c guaranteed price was received in every instance; there were no second or third-grade lambs at 18c or less.

The Hon. G. C. MacKinnon: Where did you say they got that price?

The Hon. D. J. WORDSWORTH: In England. The lambs were exported to England and the guaranteed price of 19c was received.

The Hon. J. Dolan: I take it that would have been the average price.

The Hon. D. J. WORDSWORTH: The Government does not guarantee 19c; that is the point. The Government guarantees all the lambs which arrive in England at a particular time, and the guarantee is 19c for first-grade lambs, with a reduction for second and third grades.

The Hon. I. G. Medcalf: That is the net price after a reduction for freight?

The Hon. D. J. WORDSWORTH: It is the gross price and the freight, killing, and insurance charges, etc. have to be deducted. I am afraid if this sort of proposition is not examined thoroughly, and one merely reads the headlines, one begins to think that we will make a fortune out of lamb

marketing once we have statutory marketing. I think this is most unfortunate. Not only are organisations like this expressing such views, but also I notice the well-known Dr. Henry Schapper spoke forth in a similar vein. After his effort involving, "Get big or get out" I would have thought that perhaps some farmers might be a little suspicious of the views of the academics on the matter.

Before closing I feel I must quote some remarks on the latest solution to the abattoir situation. I refer to the U.F.G.A.-T.L.C. proposals for the building of two abattoirs. As politicians, many of us may remember the United Farmers and Graziers Association candidates who stood throughout country districts at the last elections. The association produced a single pamphlet. I have endeavoured to obtain some of the principles of that association so that we may know more about it. I think most members will recall that the members of that association who stood for election lost their deposits. So as a political party it certainly did not have very much strength. We could best describe the members of the association as a well-intended group of people. One of the features of their campaign was that each candidate was required to sign his resignation before he got in. The resignations were held by the president, to be used at a later stage. Fortunately he did not get to the stage of being able to use them.

The Hon. I. G. Medcalf: They did not give them a suicide pill?

The Hon. D. J. WORDSWORTH: No, that is reserved for the T.L.C. Upon looking through the proposals of the U.F.G.A., I find that some are fairly well meaning. The members of that association want to abolish the means test and probate duty; they want better finance for education; and they want the pension to be equal to the basic wage. An interesting point arose: how do they consider these items were going to be paid for? Included in the pamphlet was an article of questions and answers from which I endeavoured to work out how the organisation would obtain the money it needs to put into effect its proposals. As far as I can see the idea is to print a little more.

One wonders how the association claims to be able to build an abattoir with the T.L.C. A prospectus was issued bearing the names of Mr. D. W. Cooley, as president of the T.L.C., and Mr. S. J. Rogers, as president of the U.F.G.A. Those bodies propose to build an abattoir at a disused flax mill at Boyup Brook. I am sure that site is subject to extensive flooding, and it is some 300 yards above the swimming pool in the river.

The Hon. A. F. Griffith: Is this the one that is to be built on borrowed Euro dollars?

The Hon. D. J. WORDSWORTH: Yes, and perhaps guaranteed by the State Government.

The Hon. I. G. Medcalf: Will it be subject to investigation by the environmental protection authority?

The Hon. L. A. Logan: How much will the T.L.C. contribute?

The Hon. D. J. WORDSWORTH: I think its members will contribute \$100 each.

The Hon. V. J. Ferry: How much will the T.L.C. get out of them?

The Hon. D. J. WORDSWORTH: That is more to the point. According to this prospectus the co-operative retains 1c per pound which should help to fill its coffers. The enterprise has objects. The first object is to—

Establish abattoirs to export standards in the first place at Boyup Brook and immediately thereafter at a point near the Port of Fremantle.

The second object is to—

Acquire as many outlets as are necessary in both city and country areas.

I wonder whether they will actually acquire these and if they will use Hawke-like tactics in declaring other outlets black.

The Hon. A. F. Griffith: They will have the ombudsman after them.

The Hon. D. J. WORDSWORTH: Anyway, the co-operative has good intentions.

The Hon. W. F. Willesee: Let everyone have their little bit of fun.

The Hon. A. F. Griffith: Don't tell me that you don't have any fun!

The Hon. W. F. Willesee: It is a long time since I grinned.

The Hon. D. J. WORDSWORTH: The co-operative has very good intentions. One of them is that it will pay cartage on stock. The farmer will not have to pay any cartage on his stock. The co-operative will also pay all the freight on meat delivered by the abattoirs to shops. It will take 1c from the farmers and it will obviously increase the cost of meat to the consumer by adding another 1c a pound to the price charged butchers.

It has been suggested that the money obtained from the collection of this charge will be used to pay the union 1c a pound for every pound its members slaughter and also provide the money to pay 1c to the members of the U.F.G.A. The interesting point is that the co-operative expects to be able to obtain Government money, and the members of the U.F.G.A. will get 2c more a pound for their meat than the rest of the producers for an outlay of \$100 each as subscription.

The Hon. R. Thompson: Will it be able to obtain Government money or a Government guarantee?

The Hon. D. J. WORDSWORTH: What is the difference?

The Hon. R. Thompson: There is a fundamental difference, and you know it.

The Hon. D. J. WORDSWORTH: There is an interesting clause set out in the prospectus under the heading of "Failure" which says that should the project fail, no matter what the reason—whether it is the result of indifferent Government policies, or for some other reason—the member will be free of any further liability. Obviously, this must have been written after the general election. The actual paragraph reads as follows:—

Should the project fail, no matter what the reason, whether it is the result of indifferent Government policies, widespread disease, national or State economic collapses, etc.,—

The Hon. R. Thompson: Apparently they realise that there may be a change of Government some day and that it will fail.

The Hon. I. G. Medcalf: The Government will then pay the loss on the guarantee.

The Hon. D. J. WORDSWORTH: That is probably correct. It is interesting to note from this prospectus that even the subscription will not be a loan. This particular paragraph continues—

As a farmer may invest in say a motor cycle or a JAY-AR firefighter—

I wonder what a JAY-AR firefighter is. Perhaps the president of this organisation manufactures JAY-AR firefighters.

Under the heading of "Prices, costs, returns" the following appears:—

The United Farmers and Graziers Association of W.A. has found . . . it is unable to establish accurate figures on costs and returns.

Further down the following is set out—

Nevertheless . . . with educated guesses and assessments . . .

I ask you, Mr. President, what sort of a prospectus is this?

The Hon. S. T. J. Thompson: How will it pay the 2c a pound more to its members?

The Hon. D. J. WORDSWORTH: Perhaps we will find that out later.

The Hon. A. F. Griffith: Do you think that prospectus fulfils the requirements of the Companies Act?

The Hon. D. J. WORDSWORTH: As the Leader of the Opposition is a greater expert than I am on the Companies Act, perhaps his views would be appreciated:

The Hon. A. F. Griffith: I am no expert, but I will be surprised if it does.

The Hon. D. J. WORDSWORTH: I have not found the usual balance sheets—

The Hon. A. F. Griffith: They might be the usual imbalance sheets.

The Hon. D. J. WORDSWORTH:—or profit and loss accounts. There is one rather significant part of this prospectus which occurs towards the end under the heading of "Obvious advantages." Talking about the venture, the following appears:—

It will help us to take over the export of live sheep.

I wonder what is meant by that. Perhaps they will use the T.L.C. partners to declare the ships black. One really wonders whether we are not getting back to the old question of why the Labor Party is supporting this Bill and why it has considered this proposal. It is the old principle of the socialisation of industry, production, distribution, and exchange. No wonder the Government is sitting back watching this Marketing of Lamb Bill go through, because if passed, it will involve the unions in the killing of lambs; they will probably take over the Midland Junction Abattoir and the Robb Jetty Abattoir on the same score as the Boyup Brook venture.

The Hon. W. F. Willesee: "Unions" is a terrible word, is it not?

The Hon. D. J. WORDSWORTH: I will refer to the T.L.C. if the Leader of the House prefers. Anyway, the results will be the same.

The Hon. W. F. Willesee: It is a shame for people to band together to get something for each other.

The Hon. D. J. WORDSWORTH: I wonder where it will finish up. We used to hear a great deal about the nationalisation of banks. The Labor Party wanted to take over the banks and nationalise them. I wonder if the Government wants to do the same with the meat industry. Is it not trying to introduce a scheme of worker control, because this is how it appears to me? However, I will not continue in that vein. I believe that the farmer should have the right to market his products in a co-operative manner, but I do not think it is absolutely necessary that we should be forced into accepting compulsion. I think there is a place for private enterprise in marketing, but I think it has to be guarded from becoming monopolistic. At the same time, it has to have a favourable climate in order to survive.

The Hon. R. Thompson: I think that was the reason for the Bill; that private enterprise had failed the farmers.

The Hon. D. J. WORDSWORTH: I think I have endeavoured to point out that private enterprise in regard to the marketing of meat should be looked into.

The Hon. R. Thompson: Why does not private enterprise build some abattoirs?

The Hon. D. J. WORDSWORTH: I think it would, on equal terms with the Government. I think one of the reasons it has not built abattoirs is that we try to

confine private enterprise to the export market; we will not allow it to operate on the local market.

The Hon. R. Thompson: They have had 100 years to do it; they are only making excuses.

The Hon. G. C. MacKinnon: The problem has not been in existence for 100 years.

The Hon. W. F. Willesee: No, 98 years.

The Hon. D. J. WORDSWORTH: I repeat that I do not believe we should impose restrictions by introducing quotas which exclude certain sections of the community. I am referring particularly to the new land farmer. I consider he deserves a place in the industry and the Government should ensure he gets it. I believe that Australia should have a higher home consumption price, but I do not consider that producers should be prevented from growing meat for the export market but they must be willing to accept the export price. I think there are good prospects for lambs in certain countries. We have had very good sales in the Middle East and with our first live shipment to Europe. Also, the Canadian market could well be developed. I am willing to support the Bill provided certain amendments are considered.

THE HON. I. G. MEDCALF (Metropolitan) [4.20 p.m.]: I regret that I cannot raise any enthusiasm for this Bill. I have listened with great interest to the comments of the various speakers in this debate, particularly those who have supported the Bill, in an endeavour to find out why I should give it my support. I must confess with regret that I have not been convinced by any of the arguments I have heard in favour of the measure.

I am aware that the case in support of the Bill rests largely on one factor: The very poor prices which farmers have been getting for their stock. To me that is a very convincing reason for agitating for reform and for action to be taken. Naturally in such a situation I can well understand that the farmers concerned will turn to any remedy which is offered, and which may appear to solve their troubles.

I do not want to minimise the low prices that have been paid for stock, because I have emphasised this aspect on previous occasions. But I will not weary the House by repeating my earlier remarks that prices for stock have been lamentably low due primarily to the shortage of abattoir facilities. This has seriously jeopardised the farming industry; and jeopardised it to such a degree that the industry has reached a stage of acute financial depression.

As I have said before, this is a very serious matter for the whole State. Even those who have nothing to do with the farming industry will find they are affected

in one way or another by this lamentable state of affairs. I regret that I am repeating some of my previous remarks. One thing I hate is tedious repetition, but at times I suppose it is necessary. I cannot overemphasise the fact that this disgraceful state of affairs was brought about primarily by the lack of abattoir facilities; and therefore the lack of incentive to develop markets and to provide additional facilities has brought the stock producers to their knees.

In this situation they naturally turn to any apparent remedy. I can well understand this; I extend my sympathy to them; I could be on side with them; and I could be saying the same things as they are saying, except that I know very well that before I am prepared to turn to a remedy I would want to know that, in fact, it was a real remedy. One does not seize hold of the first medicine bottle on the shelf when one has a headache; one reads the label carefully and makes sure that one has the right bottle. That is the problem as I see it here. From a number of comments made by members in this House, it seems that they doubt whether the right bottle has been selected on this occasion.

A referendum was conducted on this question. I go along with the theory that if the people most concerned conduct a proper referendum and a definite conclusion is reached, it has a very persuasive effect on me. If the people in the referendum are the producers and they come to a certain firm view one way or another, and the majority has voted in a certain way, it has an important bearing for me.

In this instance a referendum was held, but unfortunately I understand there were certain defects in its conduct. If I am not right no doubt I will be corrected. I understand the referendum was conducted by the Farmers' Union and not by any official organisation or by the Government. Of course, it was conducted during the term of the previous Government, some time in 1970.

The Hon. C. R. Abbey: Are you sure that statement is correct?

The Hon. W. F. Willesee: It was held in August, 1970.

The Hon. I. G. MEDCALF: The referendum arose from agitation by the meat section of the Farmers' Union which presented to the growers the reasons why a marketing authority should be constituted.

The Hon. S. T. J. Thompson: That was from the Department of Agriculture.

The Hon. I. G. MEDCALF: If that is so then I have misread the reference, and I apologise for the incorrect statement. I was merely passing on information that had been supplied to me. I understand

the case for the referendum was given, but not the case against it. Is that a fair way to conduct a referendum?

The Hon. S. T. J. Thompson: The pastoralists' association put the case against the referendum.

The Hon. I. G. MEDCALF: That kind of referendum would not hold water if it were put to the test in the Arbitration Court, the members of which came to Western Australia recently to inquire into the conduct of a ballot in the Transport Workers' Union. It takes a very serious view of these matters. There would be a danger of the referendum in question not being accepted, on the ground that it was not validly conducted.

As a result of the referendum, 1,760 producers voted in favour and 228 producers voted against the proposal. About 600 producers failed to vote. In round figures about 2,600 made up the total of those to whom referendum forms were sent.

The Hon. D. J. Wordsworth: One only had to apply to obtain a form.

The Hon. I. G. MEDCALF: I understand that 14,000 people were eligible to vote in the referendum, but only 2,600 bothered to write in and obtain forms; and out of that number 600 failed to vote. So, a total of 2,600 producers decided this matter for 14,000 of them; in other words, the referendum was not a compulsory one, but a voluntary one. I believe only one side of the question was put. Nevertheless, a referendum of sorts was held.

The case against the referendum was put later in the piece by the Pastoralists and Graziers' Association. It has continued to maintain that it does not accept this legislation. It still maintains at the present time that it is opposed to the Bill, and contends that the measure will not benefit the industry. It represents the farming community and not the meat interests.

The remedy which has been put before us seeks in reality to cut out the middleman. It is a fairly old remedy. That is what the Bill provides. It means that somebody will have to finance the trade if we cut out the middleman. Who is to be the financier on this occasion? Is the financier to be the grower, the producer of livestock, or the Government? Certainly it will not be the middleman. At present the transactions are carried out *del credere* where the agent sells and there is a guarantee of payment. All that will go overboard, and some new system will have to be arranged. Either the grower or the Treasury will have to provide the finance; and if the Treasury provides the finance then I suggest interest will be charged. I may be wrong, but I think the Treasury must charge interest.

The Hon. C. R. Abbey: It should be only on the initial capital, surely.

The Hon. I. G. MEDCALF: Clause 15(2), which is a guarantee provision, reads as follows:—

(2) The Treasurer on behalf of the State may guarantee, on such terms and conditions as he thinks fit, the repayment of any moneys borrowed by the Board under this Act, and the payment of interest thereon.

The marketing experience of many people in the trade will be thrown aside and consequently we must have faith in the board which will replace that marketing experience.

When someone was speaking earlier I referred to a comparison of the price of lambs in Western Australia with the price in the Eastern States. In many ways it is rather curious to realise we are to have a lamb marketing board, because the prices have dropped not in connection with lambs, but in connection with other sheep; that is, mutton and hoggett. The prices of lambs in this State were relatively stable until the last two or three months, in comparison with the prices in the Eastern States. I have here the official figures for the last three or four years and they show quite clearly and without doubt that the Western Australian lamb prices compare very favourably with the prices obtained in the main abattoirs in the Eastern States.

For instance, the price of first and second quality export lamb per pound in January, 1968, at the Homebush abattoir in New South Wales was 21.8c, while in Western Australia it was 21.5c. The price in January, 1969, in Homebush was 16.7c, and in Western Australia, 15.5c. In January, 1970, the price in New South Wales was 17c and in Western Australia it was 20.6c; while in January, 1971, the price in New South Wales was 14.1c and, in Western Australia, 16.1c. I chose those figures at random from the top line.

The following are the 12-monthly average prices per pound ending in June:—

Year	New South Wales	Western Australia
1968	21c	21c
1969	17.5c	18.7c
1970	17.6c	21.9c
1971	15.4c	17.4c

As the referendum was held in August, 1970, it was clearly not held because our prices were at a disadvantage in comparison with the prices in the Eastern States as was definitely the case with mutton. Yet we are to have a lamb marketing board; and that is the point which has troubled me. Why has lamb been singled out?

The Hon. C. R. Abbey: Is that a statistical reference or a report?

The Hon. I. G. MEDCALF: I was quoting from the official records of the Australian Meat Board for 1971. This is the point which merits consideration. I could

not say the same about mutton because the prices for mutton were below the prices obtained in the Eastern States. I have been saying that for a long time now and I have said that something should be done about mutton. It consequently strikes me as strange that in respect of lamb we have been doing fairly well up to June of this year. I admit that prices since then have dropped, as they have in the Eastern States.

Under this Bill competition will be virtually eliminated. Am I wrong in that contention? Will that not occur? Will we not cut out competition with an over-riding board through which all lambs must be sold? Does that not mean we will cut out buyers' competition? We will substitute something else because we will market the lambs ourselves through the one organisation. I do not know of one instance where a comparatively small community competing with other communities has been able to achieve higher prices as a result of cutting out competition. Perhaps someone can correct me by telling me this has occurred, but I have not heard of it.

History is studded with examples of monopolies being established in the hope of gaining more, but the objective has not been achieved. It is a pity we cannot achieve what we want in this way because it would be far more convenient. However, I do not believe we will achieve our desire under this Bill.

We must not price ourselves out of the market by increasing our overheads and overloading them. This is something which must be watched very carefully. The board must work to a very strict budget, and how will this be ensured? How will waste be prevented? I hope some way will be devised. Perhaps the Government auditor or someone else will be able to step in and take a hand. Perhaps even the ombudsman will come to our rescue. I certainly hope someone will.

I am indicating the points which cause me misgivings, and I certainly hope that the waste will be eliminated and the overheads will not be overloaded, because the more the overheads are loaded onto the price the greater will be the resistance from the buying public. The meat industry faces competition from chicken sales which have zoomed in recent times because the price has dropped and it has become a commodity the average man can afford.

The Hon. C. R. Abbey: And because of the sales promotion.

The Hon. I. G. MEDCALF: And because of the lower price compared with the price of, say, 10 years ago. The price has been reduced and the average person can now afford chicken whereas previously it was a luxury.

The Hon. A. F. Griffith: Mr. Abbey said that chicken has been promoted and it has been by private enterprise.

The Hon. J. Heitman: It's finger lickin' good!

The Hon. I. G. MEDCALF: In addition meat faces competition from fish. The buying public are not prepared to pay more than a certain amount for what they want. They have a certain amount of money and when it is spent it is gone; but they will endeavour to get as much value as they can for it. This is why the over-heads must be controlled in the organisation; otherwise I am afraid the grower will not gain any benefit. The competition can be eliminated and the board will be relied on to sell the product, but the board cannot load its product onto the domestic market. It must go right out and sell the product overseas. Will the board be able to do this? I hope so because I want the growers to get more too.

This solution for Western Australia tends to ignore our small domestic market and the board is expected to get the business. Private enterprise has had to fight for overseas markets—really fight—and it has been precious hard to obtain them. In this instance competition will be experienced from other areas which produce stock. If Western Australia does not supply a shipload of sheep at the right price, the overseas markets will go to South Australia for it. Alternatively, they will go somewhere else.

Representatives of various businesses overseas have had to fight hard for their markets. I instanced a case recently where orders were available which people had fought for and obtained but could not fulfil because of the lack of abattoir facilities. This has happened quite often. Undoubtedly there are markets but it is necessary to go out after them. If our people do not go out and secure them someone else will.

If we eliminate competition in Western Australia it will still exist overseas. We can insulate our own economy, but we cannot do anything about what goes on outside our own boundaries. I believe that had we had the killing facilities available we would not have this problem now because, with killing facilities, we would have stimulated the overseas markets. As I have said before, that is the key to the whole problem.

I go one step further than that and say that we should have shared the business. The Government abattoirs should have been prepared to share business with other abattoirs. Even if it meant a temporary loss in the finances of the abattoirs the Government should have been prepared to share, because healthy competition between Government and private enterprise usually results in the public good. One particular monopoly, whatever it is, does not result in the public good. This applies whether it be a monopoly by the Government or by a private group. The public good is best served by competition. For this reason I believe we should have

allowed competition between abattoirs and we should allow it in the future in respect of the domestic market.

It would not be proper for me to stand here and merely be critical of the Bill without suggesting some alternative. I have always maintained it is not adequate for a legislator merely to be critical—whether he is critical of the Government, a plan, or a Bill—unless he is prepared to say what the alternatives are.

My alternative is to suggest that we should have established more killing facilities in the past, but we should do it even now. It is not too late although it is late enough. We should go ahead and allow private enterprise to enter the field. We should not restrict private enterprise or establish a Government monopoly.

I believe a Select Committee could well look into a matter such as this. In my opinion this is a fitting subject for a Select Committee and I am rather surprised that some of our country members have not, in fact, moved for a Select Committee into this industry. It does surprise me because if ever there were a subject on which the public and Parliament need more information it is the meat industry.

At the last possible moment deputations of meat exporters and others have waited on members of Parliament and written letters. We have been told facts which we did not really appreciate before. Of course this means we have not had enough information. In fact I am sure not enough information was in the hands of the Government when this legislation was prepared.

I consider a Select Committee should have been appointed to study this aspect. I do not believe it is too late to appoint such a committee. I sincerely hope at some stage in the near future someone with more intimate knowledge of the problems of all sections of the meat industry will move accordingly. Such a motion would certainly have my support.

A matter such as this should be researched properly. I tried to find out how much the lamb industry, which is the subject of the Bill, was worth to the farmers of the State. The nearest estimate I could obtain was \$15,000,000. This means that the board will take over a \$15,000,000 enterprise. If you, Mr. Deputy President, or I were sitting on a committee deciding whether to buy a \$15,000,000 enterprise I am sure we would have a feasibility study made or obtain a report from someone who knew something about the industry. I am sure this would be the case if our own money were involved.

The Hon. A. F. Griffith: We may put out a prospectus.

The Hon. I. G. MEDCALF: I am sure we would obtain a complete report from investigating accountants or auditors as to

the feasibility to ensure we knew what we were doing. We would want to know that we could sell our products and not cut the throats of the very people we want to buy that product. We talk about the lack of killing facilities but it seems to me as if we are killing the buyers. An industry worth \$15,000,000 to the farming community is an industry that merits the appointment of a Select Committee to investigate the best way to deal with it.

I would like to be corrected if I am wrong in this but the only feasibility study I have heard of was one carried out by the Department of Agriculture two years ago. Is there any other feasibility study?

The Hon. C. R. Abbey: The department did two. The economic section did one.

The Hon. I. G. MEDCALF: As I have said, the only one I have heard of was one carried out two years ago. I was told that the people concerned recommended against this proposal. Is that wrong?

The Hon. N. McNeill: I will elaborate for your benefit later on.

The Hon. D. J. Wordsworth: It is not available.

The Hon. I. G. MEDCALF: I believe this information ought to be available. We should have a feasibility study and the opportunity to examine it. This should not be on the secret list. Is this the way to go into business?

To tell the truth I regret I cannot support the Bill for these reasons. I know the legislation will become law because I have heard what other members have said. I also know the legislation is the result of a measure of desperation. Indeed I can understand that desperation because I sympathise with growers who are receiving shocking prices. I am sure other members believe I am telling the truth when I say I cannot see this measure as the solution because I have not become convinced it has any merit.

THE HON. S. T. J. THOMPSON (Lower Central) [4.47 p.m.]: After listening to the previous speaker I cannot help but agree with some of his remarks. However, I must try to clarify some of the comments he made regarding the referendum.

So far as the referendum is concerned I see it in an entirely different light from Mr. Wordsworth. Farmers were asked to register; in other words, to be placed on the roll. I assume 14,000 farmers would have been eligible according to the figures given by the two members who have spoken previously; one said 10,000 and the other 14,000. We were invited and given every opportunity to register. However, many people, including myself, did not register. I did not register because I have not been interested, and never thought I would be interested, in selling lamb for slaughter. Thousands of others were in the same category as myself.

To my way of thinking the 2,600 farmers who registered would be the ones interested. They would have had something to do with the industry. The fact that this number of votes was received out of a total of 2,600 when the referendum was held was not a bad result. To my way of thinking obviously the interested people have made the decision on this occasion.

The Hon. I. G. Medcalf: In all 14,000 were eligible.

The Hon. S. T. J. THOMPSON: I was eligible but I was not interested and there would be many others like myself. Although this was the situation last year possibly the figure of 2,600 could be doubled next year because of the number of people who have gone in for breeding fat lambs. It is not possible to buy a British-breed ram for love nor money in the country today because they have been snapped up. People who have never bred fat lambs before will have cross-bred lambs next year. I am prepared to admit this will be a problem.

This debate has come 12 months too late. All parties were asked before the election if they would support this proposition, and all parties were prepared to support the lamb marketing scheme. However, we should have had all the available information then. Why was this information not made available earlier? Were the exporters so complacent and making so much profit they did not realise they were killing the producer? How long, Mr. Abbey, has the Farmers' Union been pressing for this scheme?

The Hon. C. R. Abbey: For a few years.

The Hon. S. T. J. THOMPSON: The Farmers' Union suggested scheme after scheme but they were not acceptable.

The Hon. G. C. MacKinnon: The union rejected a few of them themselves.

The Hon. S. T. J. THOMPSON: Yes. The union is now putting up a very good case. However, attention should have been paid to this matter long ago and perhaps now the farmers would not be clutching at straws.

This authority will face many problems, but every attempt at organised marketing has faced difficulties in the initial stages. Unfortunately, many producers will say, "Look at the potato growers. Potato growers have organised marketing." They will also say, "Look at the whole-milk producers." However, it must be remembered that these producers are marketing only for home consumption and they are on quotas from the beginning. These boards have been very successful for their respective producers.

I had these few comments to make regarding the referendum. People who voted at this referendum were genuine producers who were interested enough to take steps

to become registered and cast a vote. It is my own fault I did not vote, and probably there were 10,000 others like me.

I intend to support the Bill. It is our policy to support organised marketing wherever possible and I see no reason to change that policy at this time. Certainly difficulties will have to be overcome and the board will have many problems. Perhaps the cutting out of the middleman will cover up some of the leeway lost in lamb marketing.

THE HON. N. McNEILL (Lower West) [4.53 p.m.]: During the debate I have noted a considerable divergence of opinion from outright support for the legislation through the various degrees to outright opposition. I must confess I find myself somewhere in the middle of this wide arc.

I wish to indicate that I support the Bill, but in so doing I express some misgivings at the nature of the legislation itself. I am prepared to support the Bill because it gives effect to an expression of opinion by the people who are most vitally concerned about the situation which has developed. These people are entitled to this legislation. However, I can foresee many practical difficulties in the application of the methods spelt out in the Bill.

The creation of a statutory authority for compulsory acquisition and marketing of lamb has been agreed to by all parties—this has been referred to already during the debate. There were some qualifications on the agreement, but the three major parties were agreeable in principle. I like to add that point because we did not know any detail until this Bill was brought before the House and I can state that on behalf of the Liberal Party. Support was given also because there was a commitment towards the establishment of a marketing authority by the previous Government.

I find my greatest misgivings in the legislation itself. There are three particular clauses which will be extremely difficult to implement. The first is clause 16 of the Bill which deals with the powers of the board and the regulation for control of the delivery of the supply of lamb. We do not really know how many suppliers of lamb there are in Western Australia. It has been suggested there are 14,000 suppliers, but we do not know. This information should have been contained in the explanation of the Bill given by the Minister.

The Hon. D. J. Wordsworth: There is no record as there was for wheat marketing.

The Hon. L. A. Logan: If they had all applied we would have known the number.

The Hon. N. McNEILL: That is right, but it does not alter the fact that this is now Government legislation. It is not a voluntary scheme which some organisation is promoting—it is the Government's scheme and it has the full backing of

authority. As Mr. Medcalf said, once the investigations were carried out the information should have been made available for the guidance of everyone concerned. It is not only the producers, the meat and allied trade, and the exporters who are involved, but also the consumers. There are so many unknown elements involved that it becomes very difficult to make an objective decision.

For many years I was a lamb producer, although I am not involved in this field at the present time. I would like to see every opportunity made available for the producer to receive his share of the profit. I am prepared to accept this legislation in the hope that the producer will benefit. As I said, I do entertain some doubts. I feel the export market has been emphasised without sufficient interest being given to the home market. In the last 12 months we have seen a severe downturn in prices and this is particularly applicable to the lamb trade.

At 11.45 a.m. one Saturday my wife went to the local butcher to buy the weekend joint of lamb. We know the butcher quite well and he said, "You would do that to me. I bought in two carcasses of lamb thinking they would be sufficient for the weekend and you are the first person to buy a joint of lamb from me." The butcher was jokingly saying that he would have to cut into the carcasses which would otherwise remain intact. This happened in an inner suburb, at a well-patronised butcher's shop, and at a time when lamb is one of the cheapest commodities on the market.

The Hon. J. Dolan: Was poor promotion the cause of that?

The Hon. N. McNEILL: Perhaps it was poor promotion; I do not know the answer to that. How has such a situation arisen that a quality article at a very competitive price is not being bought by the local consumers?

The Hon. G. C. MacKinnon: Everyone bought at every meat hall in the city.

The Hon. N. McNEILL: This is one of the situations. I would like to be convinced that legislation such as this will alter such a position, but no matter what situation is corrected, the fact is that customers are not buying lamb even although it is cheap. Does this mean that if meat is more expensive more people will buy it? I do not know the answer.

My main purpose in speaking to the Bill was, firstly, to draw attention to three clauses which are of particular concern to me. I have referred to only one so far. In regard to the second I wish to add to the comment I made by interjection whilst Mr. Medcalf was speaking. The controversial point that concerns me is contained in clause 19. This clause seeks to establish that the board shall be, virtually, the only slaughtering authority for lamb in the State. This clause really makes the Bill.

The other clause that concerns me is clause 22 which provides the methods by which the returns to producers shall be assessed. I think that particular point should be carefully considered because the payment of administration costs, returns to producers, and so on will depend entirely on the operations of the board. I will quote only a portion of clause 22 to the House, as follows:—

... in respect of the lambs so delivered on the basis of the net proceeds of the sale of all the lamb products of the same classification or grade obtained from lambs delivered to the Board during such periods as are determined by the Board for the purposes of this section, ...

I interpret those words to mean that a person will not necessarily be paid for his lambs, but only for his lamb products when he delivers to the board on the same basis and in comparison with the same classification or grade obtained from lambs delivered to the board. In other words, it is a completely equalising process and the return to the producer, of course, will only be that amount of money that is left after all the other deductions have been made.

I think this could have a serious effect on the production of a quality article as was pointed out by an earlier speaker in this debate. In other words, even though we may have a weight-and-grade system in operation, will there be a true incentive for the production of a quality article? I would like to be assured on that point.

One could embark on considerable debate on the whole question of quality and the effect this has had and is having on the total lamb market. I will now refer to the report that was referred to earlier and produced by the Department of Agriculture. Mr. Medcalf said that there was a departmental investigation, and by way of interjection it was stated that two investigations had been held. This may be true, but my understanding of the situation was, and still is, that the Farmers' Union prepared what might be regarded—for these purposes, at any rate—as a report on the introduction of a statutory lamb scheme in Western Australia. This report was submitted to the Department of Agriculture for its consideration. In other words, the department reported on the submission and it was that report, made in March, 1969, which I asked the Minister to table yesterday; that is, on the 7th December. I am grateful to the Minister for being prepared to lay that report on the Table of the House, and I am more grateful to him for the comment he made when placing the report before us. This report, on the lamb industry in Western Australia, was only on a submission that had been made. In this report, of course,

some observations are made on the industry in this State as well as on the lamb and sheep industries throughout Australia.

I would now like to refer to that report inasmuch as there may be some misconception in regard to it, because Mr. Medcalf said that the Department of Agriculture had either rejected it or condemned it. I think it was words of that nature that he used. I would like to quote what the Minister said when he tabled the report. He said the report was submitted in March, 1969, on the basis of work that was carried out in late 1968 or 1969. We do not know the nature of the work but perhaps these were the reports that were mentioned by Mr. Abbey by way of interjection when he said that two inquiries had been held. The fact is we do not have that information available to us. The Minister made the following comment:—

In submitting this report for tabling attention is drawn to certain of its aspects.

The report was submitted in March, 1969, on the basis of work carried out in late 1968 and early 1969. The report examined a fundamentally different proposal which incorporated a levy on lamb produced in the "off peak" period of production and disbursement of this levy on lamb produced in the peak period of September, October and November when lamb prices are at their lowest level.

Such a levy would have negated attempts to bring about a more even spread of lamb production over the year, which is considered necessary for the effective development of markets.

No such levy arrangements are envisaged in the Marketing of Lamb Bill now before Parliament. Producers would be paid an equalised price for prescribed grades of lamb as a composite of wholesale and export prices for specified periods during a season.

Further work has been carried out by the Rural Economics and Marketing Section on this matter but no reports have been prepared for publication.

In view of the fact that we have legislation before us which presumably is of vital concern to a very valuable industry in Western Australia, it is a matter of some regret that we do not have available to us the results of that work. The final comment made by the Minister was—

The Section supports the current proposal.

I would like to examine that comment for a moment because, as a result of it, it is held that the Department of Agriculture has changed its opinion on the proposal. It was held that the department was against the proposal because it

was based on a levy, and because the legislation is not based on a levy the section is now in favour of it.

I have gone to some trouble to study that report and I would suggest that if members have not read that report of March, 1969, they would be well advised to do so because it is a very interesting document. On page 23 of the report the following appears in what is described as the conclusion to the report:—

The construction of a price schedule for lamb, taking into account all the relevant factors, would be an extremely complex task for the managers of the authority. However, even if this could be achieved satisfactorily for a year or two, the operation of a guaranteed price at an acceptable level to producers would encourage heavily increased production, and an increasing proportion of this would have to be sold overseas at prices below the guaranteed price.

I can start from that point to examine all the implications of what this would achieve. Already mention has been made by other speakers of the influence of the export markets; the prices we are able to gain on the export markets; the prices at which lamb is being sold even in New Zealand, and what influence that would have on the price here. The board will also have to take into account the seasonal glut conditions as we have known them in this State. In fact, a tremendous number of factors would have to be examined before we arrive at a price schedule, but we must bear in mind that the whole basis and objective of this legislation is not just to control lambs and lamb marketing for the sake of controlling them; it is not just to establish the board for the sake of having one, but the legislation seeks to achieve certain things in order that a more satisfactory price will be available to the producers and, presumably, the produce will be made available at a reasonable price to the consumer.

This means, of course, that in order to be satisfactory; because it is introduced on the basis of a referendum that has been held—and I do not intend to elaborate on the question of the referendum, because it has already been dealt with—it is satisfactory to the producers, but what is more important is that a satisfactory price is an incentive price, and an incentive price encourages more production. In this case what happens when we have more production? What happens to the equalising price? Does the authority then say, "We must cut down the price. It is encouraging production and we are embarrassed with this"? There are many considerations that will have to be taken into account.

The Hon. W. F. Willesee: Supply and demand would take over.

The Hon. N. McNEILL: With all due respect to the Leader of the House, this is one of the contentions; that is, one does not reach an "equilibrium" price.

The Hon. W. F. Willesee: You never can.

The Hon. N. McNEILL: No, that is quite correct; it never can be reached, because it is always on the move, particularly as it becomes a man-made mechanism. How do we obtain all the contrivances that will maintain a satisfactory price without upsetting production and without upsetting the consumer price and, yet, at the same time, yielding an adequate price to the producer? It will be most difficult, as I have suggested.

I will not oppose the Bill on these grounds. I am merely pointing out that this is one of the obstacles that must be taken into account. Another factor is that mention has been made of production. I notice that Mr. Syd Thompson used the word "quotas." I have looked through the Bill and through the Minister's notes trying to find the use of the words "production control" or the word "quotas" and I cannot find them.

The Hon. G. C. MacKinnon: You are a year too early.

The Hon. N. McNEILL: The report I have in my hand, of course, deals with this question, but I am not going to quote it. Instead I will make my own speech on this point. I find it extremely difficult to understand how we will maintain what we describe as all these artificial conditions without exercising control over production.

The Hon. S. T. J. Thompson: Two other boards often quoted by farmers are controlled by boards.

The Hon. N. McNEILL: I take the point that has been made by Mr. Syd Thompson in his interjection. I would like to point out that I was not taking him up on that point. The fact is that he is the first person to use the word "quotas", and even though he uses it in relation to other industries, I use it in relation to this one, because perhaps not sufficient notice has been taken of this and not sufficient significance has been attached to it by the growers of Western Australia. Are they amenable to the situation that there is to be production control in order to supplement this legislation and in order, adequately, to achieve this objective; that is, to maintain a satisfactory price?

The Hon. I. G. Medcalf: I think the authority would have power to bring in a quota under clause 16(7).

The Hon. N. McNEILL: I am grateful to Mr. Medcalf for that interjection. I would be surprised, of course, if there were not some provision but what is even more important to me is: Are the people who

are so interested in the advancement of this legislation aware that this point could be one of the consequences? I do not think there is sufficient awareness of it. However, if we are obliged to have production controls, I can refer to another report on the whole question. I take this opportunity to inform Mr. Medcalf that I agree with him wholeheartedly on the question that there should be an inquiry. As he said, this could be a fitting subject for a Select Committee to inquire into. However, we have not had the problem in question to cope with only in Western Australia, but in the Eastern States and throughout the lamb industry in the whole of Australia there has been a continual expression of discontent because our experience in Western Australia has been repeated in the Eastern States.

We know the Australian Meat Board is very concerned about this matter as are the other State industries. They have been looking at this aspect for some time to see whether it is practicable to introduce a lamb marketing system for the whole of Australia.

It is my understanding that with all the facilities at its disposal and with the backing of the Commonwealth Government available to it the Australian Meat Board has not found in favour of a statutory lamb marketing scheme. Yet it would seem that if we are to have a scheme it would be better for it to operate on a national rather than on a State basis.

The Australian Meat Board, however, has made a detailed study and investigation of the matter and has decided against promoting such a scheme. The Graziers Association of Victoria has also made a fairly detailed examination of the position and it made its report through a meat industry subcommittee in March of 1971. As I have said this body made a very close study of all the implications associated with this matter and what it is really trying to do is to see whether there is justification for such a scheme. In spite of all the study that it has carried out however, the Graziers Association of Victoria has failed to achieve that end.

Why the subcommittee prepared its report, I do not know, and I cannot say for certain whether the association actually received and adopted the report. The fact remains, however, that in the summary of its conclusions it found against the introduction of such a scheme.

In saying what I have it may well perhaps be taken that I am expressing my condemnation of the whole matter. I do not want to convey that impression, because I want to make an acknowledgment of the great efforts made by the Farmers' Union as a primary industry body—and particularly the meat section—in an endeavour to resolve the situation.

The fact that I do not agree with what that body has come up with, and the possibility that it will not satisfy all our requirements, is perhaps inconsequential. The fact is that this body has done a tremendous amount to try to resolve a very difficult situation. It is very easy to be critical of any actions that might be taken but we must acknowledge the great work done by the Farmers' Union.

I do think, however, that the Farmers' Union would have merited a great deal more assistance had it been able to get together both its official and unofficial sources. It has, however, at least made the effort.

So we find the Farmers' Union has carried out these investigations and come to the conclusion which I have mentioned, even if this has not also been the case with the graziers subcommittee of Victoria and the Australian Meat Board. It is also possible that other people have found in the same way.

This does not necessarily mean that our Farmers' Union is wrong, but I do think it illustrates the great difficulties which could well be encountered. Once again this does not necessarily mean the scheme will fail.

I hope it does not, because if it does it will have a serious effect on a tremendous number of lamb producers throughout the industry and that of course is not what we want.

I would like to wish the legislation success, although I think there will need to be a pretty close study of its operations and implications before the Bill is actually put into operation. This will be necessary to see whether we can remove some of the gremlins that are contained in the legislation.

There are certain amendments on the notice paper—particularly one which is to be moved by Mr. Heitman—with regard to the constitution of the board itself. At the moment I am prepared to support these amendments because I think they are desirable. I will leave my other comments until the Committee stage of the Bill.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.20 p.m.]: I thank the seven speakers who have contributed to the debate. Their remarks have ranged over a very wide arc and covered many aspects of the Bill; indeed some of them are too wide for me to reply to at this moment.

I reiterate that the basis of the Government's Bill is contained in the wording I used at the beginning of my second reading speech when I said—

Lamb producers in Western Australia have understandably expressed dissatisfaction with lamb prices and incidentally also other aspects of lamb marketing in recent years.

In particular they have been concerned with the prices obtained for lambs from sale to sale and even at different periods during the same sale. Producers have questioned whether the existing marketing system is the most expeditious one for today's needs and whether it is in the producer's best interests. Similar concern exists in other States.

I then went on to quote the proposals of the Farmers' Union and ultimately the referendum figures. I do not think I need reiterate the points raised for and against the Bill. They have been well elaborated and I trust the measure will be carried at the second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Members—

The Hon. J. HEITMAN: On behalf of Mr. Willmott I move an amendment—

Page 3, line 18—Delete the word "five" and substitute the word "four".

The Hon. W. F. WILLESEE: I have a note which is appropriate to this amendment. It reads—

It is the intention of the Government to move an amendment to the Western Australian Marketing of Lamb Act to provide that the General Manager of the Board remain as an *ex officio* member of the Board but have no voting power. It is considered that this is a more satisfactory arrangement than the proposal by Mr. Willmott, as this marketing board will be dealing with a highly perishable commodity, the handling of which will require a high level of market expertise. It will be essential that the Board be fully informed at all meetings on the current market position so it is in the best situation to make the best decisions for the industry.

While it would be expected that any reasonable board would ensure that the General Manager was always present to advise it, an adviser is not in a position to speak freely at a board meeting and it is Parliament's responsibility to ensure that the best possible arrangement for the functioning of the board is provided for. If the General Manager is an *ex officio* member of the board, without voting powers, he would be entitled and required to attend board meetings. He would have an equivalent right with other members to be heard and join

in discussions and would therefore be in a position to fully inform the board on the current market. While it may be argued that the General Manager of a board is not a member of many marketing boards, it should be recognised that in many cases the Chairman of the board is, in effect, the Chief Executive. A case in point is the Western Australian Milk Board where, in effect, the "General Manager" of the Board is not only a member of the Board but its Chairman. It is common practice for private industry to have a member of the board who is the Managing Director.

It is intended that this Board be an efficient business organisation, fully informed of industry trends and while the Government has agreed to accept an amendment that the General Manager not have voting power, it is obviously undesirable that he be placed in a position where he can be excluded from a meeting or not be invited to comment on an important issue on which he would be the best informed person.

The Hon. J. HEITMAN: I cannot accept the view expressed by the Leader of the House on this amendment. How many times do we see a board of directors which has a manager to whom the board might say, "You can be an *ex officio* director of this board and have the same say as other directors," while not giving him a voice or a vote? This is not good enough. The manager of the board should be selected, and in the case of the management of the lamb marketing board he should have the right to hire and fire. It should have full confidence in its manager otherwise it would not be possible for this matter to progress.

If we take away the voting right from the manager and make him a member *ex officio* of the board, I cannot see how it could possibly work. The directors of the board should have full power for consultation and decision and as they are the decision-making authority of the lamb marketing board, the manager should be there to advise them on all things necessary.

The Hon. N. McNEILL: I would like to support Mr. Heitman. This is not an absolute obligation. The fact that precedents exist does not make the case of the Minister any stronger in relation to the manager being a member of the board.

In an instance like this where there is no prior experience in the operation of a board—and in actual fact we are bringing four or five people together for the first time and even though the manager may be, and probably is, a very experienced person—it does not make it an absolute obligation that the manager shall be in fact a voting member of the board.

I agree with Mr. Heitman that there are considerable advantages in having it the other way around. The board is the policy-making authority and as the Minister said the manager is in fact the executive officer and it is he who should carry out the policy.

It does nothing for the administration of the board if we have a person who is charged with the job of carrying out the policy while giving the board the power to exercise that authority; in other words to have a vote in the making of the policy. We should divorce the executive power from the policy-making power.

The Hon. W. F. WILLESEE: I cannot entirely agree with the remarks put forward. If we create an interest in the person who is in an executive position of responsibility he is basically responsible for what is being done. If there is a man sitting in at meetings as an adviser he is in a position which is not conducive to the conduct and running of the business. He merely advises in an abstract way.

But if we have a man closely associated with the responsibility of running the organisation and the responsibility for his own action and the advice he gives to a particular group, we would then have efficiency. I can quote no better example than company law and company practice where this occurs so frequently.

The Hon. N. McNEILL: The board, as a group, has the responsibility to see that the manager does his job. Where the manager becomes one of the voting members of a group of five people, of which a quorum is three, it means that when only a quorum is present, of which he is one of the members, and the board has to make a decision affecting the efficiency of the manager, he is able to vote on his own capacity? I do not think that is good enough.

It may well be that under other provisions in the Bill there are to be two producers and two other persons on the board, in addition to the manager. Any two other persons might be absent when the matters under discussion are those implemented by the manager himself. The Bill, as it stands, is asking for that crucial person to be one of the three voting members. He would be sitting in judgment on his own capacity.

The Hon. W. F. WILLESEE: I do not want to persist with this argument; I prefer to leave it to the Committee to decide. It is obvious we will not see eye to eye on this issue. However, a member of the board will hold a responsible position and if he is not present at a meeting the responsibility is his. The assumption that because he is an executive officer and is available when required, and he has a greater strength, is not relevant to the principles of this Bill.

The Hon. J. HEITMAN: I do not think this argument applies. What will happen if the manager is not up to standard? Surely in a small board such as the one proposed the manager should not be *ex officio* with voting rights, and also be a member of the committee.

The manager will give advice which will be considered by the committee, and the committee will then give the manager permission to go ahead. It is on the head of the manager to do the work. I do not think it is a matter of having more voting power when someone else is not present. It could be a case of sickness.

The Hon. W. F. Willesee: The meeting could be adjourned in that case.

The Hon. J. HEITMAN: I feel we would be doing the right thing by leaving the manager off the committee. It would help the board of directors to run the lamb marketing authority efficiently.

The Hon. L. A. LOGAN: I do not know what all the argument is about because the board will have the authority to appoint the chief executive officer; that is, the manager. The executive officer ought to be present at all meetings of the board. The amendment on the notice paper will take away his vital voting rights. I am prepared to leave him on the committee. What is the good of holding a meeting if the manager does not know what is going on?

The Hon. D. J. Wordsworth: Does the honourable member believe that the board will be a producer-controlled board?

The Hon. L. A. LOGAN: It will be producer controlled.

The Hon. J. Heitman: There will be only two producers so how will it be producer controlled?

The Hon. L. A. LOGAN: The chairman will have only an ordinary vote. By taking away that vote the set-up will not be altered.

The Hon. J. Heitman: His argument should be good enough to convince the board without the weight of votes.

The Hon. L. A. LOGAN: He will be in a similar position to that which applies where a chairman of directors attends a board meeting.

The Hon. A. F. Griffith: Does the honourable member know of any company where that applies?

The Hon. L. A. LOGAN: Many companies have a managing director and a chairman of directors.

The Hon. A. F. Griffith: Does the honourable member know of many big companies where the chairman of directors is a paid servant of the company?

The Hon. L. A. LOGAN: I am not talking about that; I am talking about the managing director; they are two different

people. The chairman of directors is usually paid a director's fee. Some directors' fees are higher than the amounts paid to the staff. That money comes out of the profits.

The Hon. J. Heitman: We hope it will not come out of the profits of the lamb marketing scheme.

The Hon. L. A. LOGAN: I support the Bill as it is, subject to the amendments proposed at a later stage.

The Hon. N. McNEILL: Mr. Logan has overlooked the fact that if the manager, who is an executive member of the board, is not entitled to vote on any question, he could attend a formal board meeting of three persons and only two of those three persons will be entitled to vote.

The Hon. J. Dolan: Clause 13 states that the Governor may appoint a deputy. If the principal or his deputy is not present they deserve what happens.

The Hon. N. McNEILL: I do not think that argument is valid. That clause is to cover the situation where a person will take leave of absence. My argument may be academic and perhaps hypothetical but we are talking about the equivalent of a board of directors so surely it would be possible to call a board meeting at which only three persons could be present. One of those persons could be the manager who would not be entitled to a vote. Very important decisions could be made by the board with only two members voting and I do not think that is satisfactory.

The Hon. W. F. WILLESEE: We are back to where we started and I have already replied to this question. Two people should not be absent from an important meeting. I oppose the proposed amendment.

The Hon. F. R. WHITE: I would like to compare this situation with local government, where there is the elected body—the council—which is the executive body with a shire clerk who is a paid servant. The shire clerk is required to attend council meetings to advise when requested. If the shire clerk were a member of the local authority the situation would often arise that he would be doing most of the debating. The other members of the authority would be overwhelmed by his knowledge and would not be able to put him back in his place. The situation we are discussing would be similar. A paid executive should be present purely to advise and should not be a member of the board.

The Hon. A. F. Griffith: Is it not a fact that in the case of a shire there are eight, 10, or 12 members?

The Hon. F. R. WHITE: There can be nine, 13, or 15 members.

The Hon. A. F. Griffith: That is right. In this case a very limited number would be voting.

The CHAIRMAN: Order! Mr. Griffith will have an opportunity to speak.

The Hon. C. R. ABBEY: Mr. White has put the position in a nutshell. Many of us have had personal experience with local government and it would be quite untenable if the shire clerk were a member of the shire council. If the amendment is agreed to four members of the board will be able to vote. In this case it would be wrong to have a manager who could implement his own decisions.

I think the manager would be happier if he were carrying out the functions of the board rather than having to participate in the discussions. I support the amendment.

The Hon. W. F. WILLESEE: I do not think local government can be compared with the situation we are discussing. The executive officer in local government works to a policy directed from the shire members, or he works within the ambit of the Local Government Act. He is silent at meetings unless called upon to speak. That case envisages a very different situation altogether, of a man pursuing an active part in the running of a business with which he is associated. He is in a situation similar to that of a managing director who is also the manager of an organisation. He sits in at meetings in that capacity. In my opinion that type of situation does not apply in this instance.

Amendment put and a division taken with the following result:—

Ayes—13

Hon. C. R. Abbey	Hon. N. McNeill
Hon. G. W. Berry	Hon. I. G. Medcalf
Hon. V. J. Ferry	Hon. F. R. White
Hon. A. F. Griffith	Hon. R. J. L. Williams
Hon. Clive Griffiths	Hon. D. J. Wordsworth
Hon. J. Heitman	Hon. W. R. Withers
Hon. G. C. MacKinnon	(Teller)

Noes—13

Hon. R. F. Claughton	Hon. L. A. Logan
Hon. D. K. Dans	Hon. T. O. Perry
Hon. S. J. Dellar	Hon. S. T. J. Thompson
Hon. J. Dolan	Hon. J. M. Thomson
Hon. Lyla Elliott	Hon. W. F. Willesee
Hon. J. L. Hunt	Hon. R. Thompson
Hon. R. T. Leeson	(Teller)

Pair.

Aye	No
Hon. F. D. Willmott	Hon. R. H. C. Stubbs

The CHAIRMAN: The voting being equal, the question is resolved in the negative.

Amendment thus negated.

Clause put and passed.

Clauses 8 and 9 put and passed.

Clause 10: Proceedings of the Board—

The Hon. W. F. WILLESEE: I move an amendment—

Page 6, line 36—Add after the word, "thereat" the passage, " , but the manager or his deputy is not entitled to vote on any question".

By way of explanation I state that when clause 6 was being debated in the Legislative Assembly the Minister for Agriculture acceded to representations made by the Leader of the Country Party that the manager of a board such as the one proposed should not have voting rights equal to those of other members. It was submitted he would be a man with special knowledge of the industry and would not want to be worried about the normal running of the board. As a consequence, he would be free to carry out the directions that were given him by the board, and it was considered quite unreasonable for the manager to be given full voting rights.

The Hon. J. HEITMAN: After losing the last amendment, I feel we must support this one. It was interesting to hear the explanation of the Leader of the House, which was that the manager of the works would not want to be tied down with the everyday business of the board. This is exactly what we tried to tell him previously. I must say half a loaf is better than no bread at all, and it is better that the manager should not be allowed to vote than that he should have voting powers and also be an *ex officio* member of the board.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 11 to 19 put and passed.

Clause 20: Exemptions—

The Hon. W. F. WILLESEE: I move an amendment—

Page 12, lines 22 and 23—Delete the passage, "person who slaughtered the lamb, or by his family" and substitute the passage, "owner, his family or employees".

In support of this amendment I have these comments to make: Clause 19 of the Bill makes unauthorised slaughtering an offence. Clause 20 makes provision for exemptions, one of which permits a lamb to be slaughtered when it is slaughtered principally for consumption by the person who slaughtered the lamb or the family of the person who slaughtered the lamb. In view of the necessity for the previous amendment, the opportunity was taken by the draftsman to recommend a slight change in the wording of paragraph (a) of clause 20, purely in the interests of clarity. The effect of the amendment is that paragraph (a) will read—

(a) the lamb is slaughtered principally for consumption by the owner, his family or employees;

The Hon. A. F. Griffith: In order that I may be sure what is being done here, can the Leader of the House give us an example of this? I have not had the opportunity to check it; nor has anybody else, apparently.

The Hon. W. F. WILLESEE: It is proposed to delete the passage "person who slaughtered the lamb, or by his family" and substitute the passage "owner, his family or employees".

The Hon. I. G. Medcalf: What happens if the lamb is slaughtered by a friend of the owner?

The Hon. W. F. WILLESEE: If he were a good friend of mine and a good friend of Mr. Medcalf, we would agree to his slaughtering it.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 21 put and passed.

Clause 22: Payment for lambs acquired by Board—

The Hon. N. McNEILL: For the purpose of drawing attention to subclause (6) of clause 22 on page 15, I wish to highlight a situation that might arise. Subclause (6) reads—

Where the Board has accepted delivery of any lambs and the proceeds of the sale of all lamb products obtained therefrom are less than the expenditure of the kind referred to in paragraph (a) of subsection (3) of this section in respect of the lambs, the amount of the deficiency is recoverable by the Board from the person by or on whose behalf the lambs were so delivered as a debt due to the Board, in any court of competent jurisdiction.

I do not know whether the reference to paragraph (a) of subsection (3) means the board has in fact taken delivery. The conditions under which the board will accept delivery have already been prescribed in the Bill. The board having accepted that responsibility, I think it is necessary to highlight the fact that if there is any loss in the operations of the board it will be a charge against the growers and against the person who delivers the lamb to the board.

The Hon. A. F. Griffith: The grower delivers the lamb alive; you are saying at that point the board accepts the lamb?

The Hon. N. McNEILL: That is right, under all the conditions prescribed; but if in its subsequent dealings the board suffers a loss—

The Hon. W. F. Willesee: Basically, the board would be selling as an agent.

The Hon. N. McNEILL: I do not know. I was under the impression the board became the sole authority—

The Hon. A. F. Griffith: It is total acquisition.

The Hon. N. McNEILL: Yes. The board accepts delivery and the producer supplies in good faith, surely in the belief that it amounts to a sale to the board and he

will receive a return for it; but subsequently he finds the board has suffered a loss in its operations.

The Hon. A. F. Griffith: Perhaps you can answer this question. The board takes the lambs and they are slaughtered; if, after slaughter, they are inspected and rejected, what happens then?

The Hon. N. McNEILL: I do not know what happens.

The Hon. A. F. Griffith: The farmer will want to know what will happen.

The Hon. N. McNEILL: That is why I have risen on this point. It is not only in the case of rejections. It also depends on the operations of the board. The operations of the board depend so much on the confidence and good faith of all parties concerned. When a farmer has delivered in good faith and confidence, he is faced with a subclause like this, under which he can have a debt held against him in any court of competent jurisdiction.

The Hon. W. F. WILLESEE: I do not profess to know the answer to this question. The board accepts on trust the carcasses or the stock that are sent to it. A farmer would not send in a commodity on which he did not expect to receive a return. In the first instance, except in very drastic circumstances, I think it is most unlikely he would sell at a loss. It is reasonable to say that, having entrusted the commodity to the board, he must take the consequences, whether they be good or bad. Mr. McNeill is talking about a loss, but if there were a handsome profit of an unexpected nature the farmer would receive the benefit of it because he would accept the cheque for it.

The Hon. J. Heitman: That is something we have never heard of.

The Hon. W. F. WILLESEE: It did happen not so long ago.

The Hon. N. McNEILL: I could draw a parallel with what the Leader of the House has said. He said the transaction could show a very handsome profit for the farmer; therefore the profit would be disbursed back to the grower. If we compare it with the operations of an agent acting for private enterprise, let us say Mr. Wordsworth, who is a lamb producer of some note, supplies lambs of absolutely first-class quality that might command premium rates on the market; the board might accept them but somewhere in its operations it might suffer a real setback which becomes a costly exercise and shows a loss in the total operations of the board.

The point I am making is that had Mr. Wordsworth sold his lambs under a private enterprise system he would have had a claim against the person who purchased them from him, because he would have received a request at a certain price, and

the purchaser would be required to pay for the lambs irrespective of whether he suffered some other breakdown elsewhere in his business. This does not happen in the case of a board; so Mr. Wordsworth, like everyone else, would be required to share a proportion of the loss.

The Hon. W. F. WILLESEE: I quite agree with Mr. McNeill if it were a case of the board being the purchaser; but where the board is not the purchaser and the lambs are sold through an agency, surely he has the right to sue if there is any negligence.

The Hon. N. McNEILL: I am not implying negligence. I am talking about the entire operations of the board. It has been said that we already have this in price averaging, with which I agree. As Mr. Willesee says, the board will be acting as an agent in the delivery of the lambs; but it is a compulsory scheme and nobody has a choice.

The Hon. A. F. Griffith: The board shall acquire all lambs.

The Hon. N. McNEILL: That is right. I wish to make the point that some anomalous situations could well arise. This is compulsory acquisition.

Clause put and passed.

Clauses 23 to 31 put and passed.

Title—

The Hon. A. F. GRIFFITH: The Leader of the House moved an amendment to clause 10(3) to the effect that the manager or his deputy is not entitled to vote on any question at a meeting of the board. That amendment was passed. However, clause 10(1) states that at a meeting of the board, three members constitute a quorum. I consider that the words, "entitled to vote" should be inserted before the word "constitute." If that is not done, three members, including the chairman, could be in attendance at a meeting, and two of those members could hold the voting power of the whole board.

The manager or his deputy could be one of the three members present at the meeting. There would be a quorum, but the manager or his deputy has no voting entitlement, so the other two members could carry the day.

The Hon. J. Dolan: Or they could deadlock.

The Hon. A. F. GRIFFITH: Yes. I think the words "entitled to vote" should be inserted in clause 10(1). I might mention that I did not notice this; it was pointed out to me.

The Hon. W. F. WILLESEE: I thank the Leader of the Opposition for pointing out this error. At the appropriate time I will move to recommit the Bill.

Sitting suspended from 6.05 to 7.30 p.m.

Title put and passed.

Bill reported with amendments.

Recommittal

Bill recommitted, on motion by The Hon. W. F. Willesee (Leader of the House), for the further consideration of clause 10.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

Clause 10: Proceedings of the Board—

The Hon. W. F. WILLESEE: I move an amendment—

Page 6, line 28—Insert before the word "constitute" the words "entitled to vote".

Amendment put and passed.

Clause, as further amended, put and passed.

Further Report

Bill again reported, with a further amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. W. F. Willesee (Leader of the House), and returned to the Assembly with amendments.

QUESTIONS (5): ON NOTICE

1. STRATA TITLES

Necessity for Amending Legislation

The Hon. G. C. MacKINNON, to the Leader of the House:

- (1) Does the Attorney General admit that the Strata Title legislation was introduced to allow individuals to own and control units in blocks of flats and the like, and that such owners were to have a share in the control of the grounds and allied facilities?
- (2) Is he aware that investment companies are buying up units in blocks of flats in order to rent these as investments?
- (3) Is he further aware that such investment companies are actually securing more than fifty per cent. of control, thus negating the rights of individual owners to maintain a standard according to their desires?
- (4) Is he aware that section 18 which reads in part—

"(2) The unit entitlement so endorsed determines

(a) The voting rights of a proprietor . . ."

is allowing bulk owners of units to neglect maintenance of buildings, lawns and the like, to the detriment of the appearance and value of the units, whilst increasing the net value of the return from the rents of units leased?

- (5) Does he believe that this Act should be amended to protect the investment and welfare of the individual owner?

The Hon. W. F. WILLESEE replied:

- (1) The purpose of the Act was to facilitate the subdivision of land in strata and the disposition of titles thereto.
- (2) No.
- (3) Answered by (2).
- (4) Answered by (2).
- (5) The Act provides for the issue of separate titles in respect of each strata. There should be no restriction on the rights of persons to buy and sell units.

2. This question was postponed.

3.

EDUCATION

Country High School Hostels

The Hon. F. R. WHITE (for the Hon. J. M. Thomson) to the Leader of the House:

- (1) What were the number of applications received for the Special Educational Grant which has been available during 1971 to parents of students accommodated in country high school hostels?
- (2) What is the total amount paid under this special grant?
- (3) As this grant is to cease as from the end of this school year, what assistance is contemplated by the Government to meet the similar priorities confronting parents for 1972?
- (4) What, if any, is the total outstanding debt for non-payment of fees to country high school hostels for—
 - (a) this calendar year;
 - (b) 1970; and
 - (c) 1969?

The Hon. W. F. WILLESEE replied:

- (1) A total of 226 applications was received.
- (2) \$14,273.
- (3) For 1972, the Government has approved of increases in the boarding away from home allowance. The increases range from \$50 to \$90 per annum according to the zone of residence.

- (4) The only outstanding amounts brought to the notice of the Country High School Hostels Authority are—

- (a) \$2,026.
(b) and (c) Nil.

4.

UNIVERSITY

Adult Education

The Hon. G. C. MacKINNON, to the Leader of the House:

- (1) Would the Minister request the Senate of the University to—
- (a) reconsider its decision to cease presentation of full year Adult Education tutorial classes;
 - (b) advertise the positions now vacant in the Department of Adult Education; and
 - (c) retain the services of the Director for a period giving him authority to plan a programme for 1972 covering city and country work?

- (2) Would the Government, in conjunction with the University, plan to extend the Adult Education facilities in Western Australia?

- (3) Would the Government not agree that the Technical Education Department being orientated towards trade training, is unsuitable for the suggested take over of Adult Education?

The Hon. W. F. WILLESEE replied:

- (1) (a) The University has not decided to cease presentation of all full year adult education tutorial classes. However, current staffing problems indicate that a limited programme only may be offered in the early part of 1972 but this position should be rectified for 1973.
- (b) It is expected that the position of Director of Extension Service (to include the University's adult education activities) and two other staff vacancies in the Department will be advertised in the very near future. Appointments will be made at the earliest possible date.
- (c) The present Director of Adult Education who will be retiring at the end of December has in fact not exercised an executive role since 30th September when, at his own request, he relinquished these duties to concentrate on preparing a report on adult education in Western Australia. The programme for 1972 is already well advanced.

- (2) Yes. One of the first tasks of the new Director of Extension Service, when appointed, will be to consider, in consultation with the appropriate Government departments, ways and means by which adult education may be maintained and extended in this State.

- (3) The Hon. Member's question suggests that the Technical Education Division is taking over adult education *in toto*. This is not so. The Technical Education Division is assuming responsibility in 1972 for mature age matriculation classes and language classes. These are areas of education in which the Division has successfully established itself over the past few years and it is logical for the Division to assume full responsibility for them.

5.

LOCAL GOVERNMENT

Federal Financial Assistance

The Hon. L. A. LOGAN, to the Leader of the House:

- (1) What recommendations will the Premier make to the Federal Government to ensure that Western Australia receives its full share of the \$2 million per month proposed for local authorities?
- (2) Will the Government contact all local authorities in the State to ascertain if they can suggest some projects which will not only relieve unemployment, but create employment?

The Hon. W. F. WILLESEE replied:

- (1) and (2) Enquiries are currently being made in Government Departments and other sources for the purpose of obtaining information to be used in deciding the allocation of moneys to be made available.

Treasury officers are at present in Canberra for the purpose of discussing with representatives of the other States and the Commonwealth the formula to be adopted for the distribution of the funds promised by the Commonwealth Government.

PARLIAMENTARY COMMISSIONER
BILL*Assembly's Message*

Message from the Assembly notifying that it had agreed to amendments Nos. 2 to 9, 12 to 18, 20 to 22, 24, and 25 made by the Council and had disagreed to Nos. 1, 10, 11, 19, and 23 now considered.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

The CHAIRMAN: Amendment No. 1 made by the Council, to which amendment the Assembly has disagreed, is as follows:—

Clause 5, page 4, line 9—Insert after the word "Governor" the words "on the recommendation of Parliament".

The CHAIRMAN: The Assembly's reason for disagreeing to the Council's amendment is as follows:—

The Assembly disagrees with this amendment. Although it is in line with the New Zealand Statute there is only one Chamber in that Parliament. A deadlock could arise here and no appointment could be made if agreement could not be reached between the Government and the Legislative Council.

The Hon. W. F. WILLESEE: I move—

That amendment No. 1 made by the Council be not insisted on.

The reasons for this are contained in the message from the Legislative Assembly.

The Hon. I. G. MEDCALF: We should not agree to the proposal of the Legislative Assembly. It is true there is only one House of Parliament in New Zealand, but that has nothing to do with the appointment of a parliamentary commissioner. In my view he should be appointed by Parliament; and that is the point at issue. The fact that we in Western Australia have a bicameral Legislature is a cause for congratulations. It will not necessarily mean there will be a deadlock, but the reasons of the Assembly presume that the Council will not agree with the suggestion of the Governor. It is not, in fact, the suggestion of the Legislative Assembly. It is the Governor who makes the appointment, on the recommendation of Parliament. It is true that a difference of opinion between the Council and the Assembly may arise; but this seems to emphasise the need for a candidate for the position of ombudsman to be of the highest possible calibre.

I indicated earlier that I could not concede that the appointment of a man of the required calibre and integrity would be the plaything of party politics because such a game would be like playing with a stick of gelignite. The effect of this amendment is to emphasise that we believe the appointment should be made by Parliament thus indicating that the appointee is commended by both Houses irrespective of politics. If it is felt that we will use this appointment as a plaything of party politics, the same view must be taken in regard to anything we discuss.

The ombudsman is being granted extraordinary powers, virtually the same powers as Parliament because we are appointing him as our adviser. Is this Chamber not equal in importance with another place? Are we not as entitled to have a say in this appointment? I believe we should insist on this amendment.

The Hon. A. F. GRIFFITH: First of all, I want to take exception to the reasons given by the Legislative Assembly for disagreeing with this amendment. Mr. Medcalf touched upon this, but I propose to delve into it a little deeper. The reasons, in part, read—

A deadlock could arise here and no appointment could be made if agreement could not be reached between the Government and the Legislative Council.

I would not have minded had reference been made to a deadlock between the Legislative Council and the Legislative Assembly, because this Chamber is part of Parliament. However, the Legislative Assembly has presupposed that the Legislative Council will not agree to the appointment of the person recommended by the Government. The first part of the reasons reads—

Although it is in line with the New Zealand Statute there is only one Chamber in that Parliament.

It appears that had there been two Chambers in that Parliament, this amendment would have been acceptable to the Government. Last night I heard the Premier say—

The parliamentary commissioner is to be an officer especially appointed by Parliament to probe injustice.

He used those words on at least two occasions in my hearing to emphasise the importance of the appointment to be made. If the Premier has in mind that the parliamentary commissioner is to be an officer of Parliament especially appointed by Parliament, then surely Parliament and not the Government or the Legislative Council should approve his appointment. It is quite wrong to presuppose that the Legislative Council will be opposed to the Government nominee. Something like 25 or 26 amendments were moved to this Bill.

The Hon. L. A. Logan: There should have been more.

The Hon. A. F. GRIFFITH: Of that number, 20 have been accepted by the Government. Only five have been disagreed with and returned to us. I do not consider the Government should presuppose that this appointment will be a contest between the Government and the Legislative Council. The appointee will have added strength and prestige—and heaven knows his duties will be extremely responsible—if the Governor were to make

the appointment on the recommendation of Parliament. Consequently I hope the Minister will change his view and realise that this Chamber is part of Parliament.

When we debated the Pacminex legislation it was stated that the Legislative Council was part of Parliament and my word, how we had that drummed into us. We want it to be part of Parliament on this occasion.

The Hon. W. F. WILLESEE: I do not think that the Legislative Assembly had any idea of any conflict with the Legislative Council when it moved to disagree with this amendment. The position is that the appointment must be a Government appointment. The Premier's idea is that the appointment should be the responsibility of the Government.

The Hon. A. F. Griffith: The Government is to appoint a parliamentary commissioner?

The Hon. W. F. WILLESEE: That is true. He will be called a parliamentary commissioner.

The Hon. A. F. Griffith: I do not see it.

The Hon. W. F. WILLESEE: Last evening the debate on this issue centred around the possibility of the Legislative Council being in conflict with the Legislative Assembly.

The Hon. A. F. Griffith: What foundation has the Government for presupposing that?

The Hon. W. F. WILLESEE: Not any, but the principle behind this is that it is to be a Government appointment.

The Hon. A. F. Griffith: You ought to call him a Government parliamentary commissioner.

The Hon. W. F. WILLESEE: I could find good reason to agree with that.

The Hon. A. F. Griffith: Or a Labor Government parliamentary commissioner.

The Hon. W. F. WILLESEE: Come on.

The Hon. A. F. Griffith: That is what it will mean.

The Hon. W. F. WILLESEE: We are trying to debate this on an ethical basis.

The Hon. A. F. Griffith: That is quite ethical.

The Hon. W. F. WILLESEE: I do not think so. The question is whether the Government or Parliament makes the appointment. I am supporting the submission of the Government, but it is for the Committee to decide.

The Hon. A. F. GRIFFITH: The commissioner will be appointed for a certain period. By the time that period elapses, a change of Government could well have occurred, and a change in the composition of this House; but it will still be Parliament which will make the appointment. I

simply say, not in any derogatory sense, that if the Government appoints this man he should be called a Government parliamentary commissioner or a Labor Government parliamentary commissioner. The Government wants us to say that this is a good Bill, but I am blessed if I can bring myself to say that, although I have supported the second reading. The Government wants us to support the Bill which is for the appointment of a parliamentary commissioner. If he is to be a parliamentary commissioner, then surely it is not unreasonable to suggest that Parliament should make the appointment.

I do not believe the Legislative Council will do anything but confirm the appointment of the man recommended by the Government because I think the Government must choose well because of the importance attached to the appointee's duties. The eyes of Western Australia will be on the man because the appointment will be a completely new innovation in our State. Consequently I do not think the Minister and his Government need fear what the Legislative Council might do. On the other hand, if the Government were to recommend a man totally unacceptable—and this is most unlikely—then Parliament could have a say in respect of the matter.

The Hon. R. F. CLAUGHTON: I opposed this amendment when it was moved and I have heard no reason to change my opinion. Having listened to the Leader of the Opposition I am of the opinion he is making a play on words. If the office was to be that of an ombudsman, I wonder whether this amendment would have been requested.

The Hon. A. F. Griffith: Some people call the Narrows Bridge the bridge of the golden west or some such name, but it is still known as the Narrows Bridge.

The Hon. R. F. CLAUGHTON: This appointment should be made by the Government in the same way as the Government appoints judges. I find it very difficult to visualise what processes would be adopted within Parliament to make this appointment. If the appointment is to be made on the recommendation of the Government, why not make the Government responsible for its choice?

This would be instead of bringing it to Parliament and perhaps making us responsible for a choice we have not really made.

The only alternative I can see is that candidates would be nominated within the parties. I consider this would be quite unworkable and I hope the Committee will reject the amendment this Chamber previously made to the legislation.

The Hon. I. G. MEDCALF: I think too much is being made of this issue by the Government. Quite frankly I consider

the Government is becoming concerned and seeing shadows where they need not exist.

The Hon. R. F. CLAUGHTON: It is the other way around.

The Hon. I. G. MEDCALF: The shadows possibly could be nonexistent, but I shall tell you, Mr. Chairman, for the benefit of Mr. Claughton, why it is not the other way around.

Under the measure we have already given Parliament certain powers, duties, and functions in respect of the parliamentary commissioner. For example, his duties cannot be terminated except by both Houses of Parliament. It is stated in clause 6 that his appointment can be terminated by the joint agreement of both Houses of Parliament. His duties are laid down in a measure which will have been passed by both Houses of Parliament. The bodies which he can investigate are set out in a schedule agreed to by both Houses of Parliament. If the schedule is to be added to, it is to be by both Houses of Parliament. Rules which will govern his conduct and other matters laid down in the measure must be approved by both Houses of Parliament.

The Hon. R. F. CLAUGHTON: Isn't it the same thing when we appoint a board?

The Hon. I. G. MEDCALF: The parliamentary commissioner will be adviser to both Houses of Parliament and, in addition, he can be called upon to answer any specific inquiry by either House of Parliament or by a committee of either House.

It seems to me, therefore, he is a parliamentary commissioner without a doubt. I cannot see why there should be an objection except on the narrow ground the Government is afraid the Legislative Council may use this as a plaything of party politics. I for one would like to say I would never have such an intention and I believe that would be the view of other members in the Chamber.

Question put and a division taken with the following result:—

Ayes—9

Hon. R. F. Claughton	Hon. J. L. Hunt
Hon. D. K. Dans	Hon. R. T. Leeson
Hon. S. J. Dellar	Hon. W. F. Willesee
Hon. J. Dolan	Hon. R. Thompson
Hon. Lyla Elliott	(Teller)

Noes—16

Hon. C. R. Abbey	Hon. I. G. Medcalf
Hon. G. W. Berry	Hon. T. O. Perry
Hon. V. J. Ferry	Hon. S. T. J. Thompson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. Heltman	Hon. F. R. White
Hon. L. A. Logan	Hon. R. J. L. Williams
Hon. G. C. MacKinnon	Hon. D. J. Wordsworth
Hon. N. McNeill	Hon. W. R. Withers
	(Teller)

Pair.

Aye

No

Hon. R. H. C. Stubbs	Hon. F. D. Willmott
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Question thus negatived; the Council's amendment insisted on.

The CHAIRMAN: Amendment No. 10 made by the Council, to which amendment the Assembly has disagreed, is as follows:—
No. 10.

Clause 19, page 15, lines 27 and 28
—Delete the words "may determine whether".

The Assembly's reason for disagreeing to the Council's amendment is as follows:—
No. 10.

The Assembly disagrees with this amendment. Its effect is to restrict the Commissioner in obtaining information to the very limited field of whether or not a person may be represented by counsel.

The Hon. W. F. WILLESEE: When the amendment was considered by the Committee previously I accepted it. However the matter was reconsidered in another place and it was thought fit to disagree with the Council's amendment. Some confusion is obvious if we read what occurred during the discussion in another place. I shall abbreviate what was said in the Legislative Assembly. The Premier said—

I am prepared to tell another place that we will agree to the amendment subject to the deletion from the amendment of the word "and."

The Chairman said—

The word "and" is not in the amendment.

A member said—

It is in the Bill.

Whereupon, another member said—

I think the amendment is designed to ensure that any person at any inquiry or investigation may be represented by counsel.

The Premier said—

Why would the commissioner want to make any inquiries as to whether a person should be represented by counsel? The purpose of this amendment is to take away from the commissioner the right to determine whether or not a person may have counsel.

A member said—

That is right.

The Premier said—

I would have no great objection to taking away from the parliamentary commissioner the right to determine whether or not there should be counsel . . . I think it would meet the position if we deleted all the words after "fit."

A member interjected and said, "Or put a full stop after 'fit'".

The Premier said—

Put a full stop after "fit" and delete all the words that follow?

The same member said, "No; leave it separate."

Another member suggested that two sentences should be made of it and that a semi-colon be inserted after the word "fit" and the word "and" deleted. Another member said—

A semi-colon would be no earthly use at all. Punctuation is not recognised in the interpretation of Statutes. There are no definite rules about the use of punctuation. Some people use semi-colons and some use commas, and so on. If Parliament wants to be accurate it must use words, not punctuation, to say what it wants to say.

The Premier said he was afraid that knocked it, and moved that amendment No. 10 made by the Council be not agreed to. I, too, move—

That amendment No. 10 made by the Council be not insisted on.

The Hon. I. G. MEDCALF: When this was discussed earlier at the Committee stage I did not say a great deal because the Leader of the House indicated he would accept the amendment. Members will find reference to that in *Hansard*. Nevertheless, I appreciate the position in which the Leader of the House finds himself. It is no fault of his that the Assembly will not accept the amendment. It has nothing to do with him as he can speak only for himself as Leader of the House, and not for the Legislative Assembly.

It now appears necessary for this matter to be debated at some length, which I am quite prepared to do except that I considered it fairly fully when I spoke to the second reading. Perhaps I should reiterate the point at stake here. By deleting three words the effect of the amendment will be that any person under investigation may himself decide whether he needs, or wants, to be represented by counsel in the investigation. Had we left in the three words, the decision would be left to the parliamentary commissioner as to whether a person under investigation shall have counsel. That is the simple effect of the amendment.

Instead of the parliamentary commissioner having the right to decide whether I—or anyone else under investigation—am to have legal advice, I shall have the right to decide just as I have now on any other matter. That right would have been taken away by the wording of the measure.

The intention of the Legislative Assembly was to take away that right and deny people under investigation the opportunity to appoint their own counsel. Instead people would have been compelled to ask the parliamentary commissioner whether or not counsel could appear for them.

If a very wise man is appointed parliamentary commissioner—and I hope the appointee will be wise—undoubtedly he would say, in a proper case, that a person could have counsel. However, I do not see why we should take away from a person

a right which he now enjoys. If liberties about which we talk really exist in our community why should we take away the right a person now has to obtain legal advice if he wants to obtain it? A person may want the benefit of legal advice. On the other hand, he may not want it at all. This may be an academic point, because in many cases an individual may not want legal advice.

I can visualise there could be many cases when the parliamentary commissioner is investigating a department and, in the course of that investigation, he quizzes a person in that department or authority. That person could well decide he will answer questions himself and will not engage anyone to advise him. However there may be other occasions when a person may incriminate himself over something or think that he is going to incriminate himself. Is he to ask a parliamentary commissioner whether or not he can be represented by counsel? The parliamentary commissioner may smell a rat if a person wants legal advice. He may think the person is trying to hide something. On the other hand, he may not draw that inference.

I believe it is extremely important a person under investigation should have the right to be represented by counsel if he wants to be. There is no compulsion about it. Why should an individual have to go to the parliamentary commissioner and ask whether or not he can be represented by counsel? The parliamentary commissioner may ask the reason. Is the individual to say, "I have been doing something I should not do and I need counsel?" This is an extremely invidious position in which to place anyone.

It does not happen in any other field. We have talked of this right for a long time; indeed, I have heard members of the Government, including Mr. Ron Thompson and others, talk extremely well upon this subject. A person should not have to incriminate himself but should be entitled to obtain advice if he wants it. The prosecution should have to prove its case and anyone who is inquiring about an individual should have to establish the facts.

As I said, I do not think it will happen in many cases. The whole point at issue is whether an individual must ask a parliamentary commissioner if he may engage counsel or whether we are to maintain our ancient rights and allow the individual to decide for himself whether he does, or does not, want counsel.

The Hon. W. F. WILLESEE: In view of the voting on the previous amendment, I intend to test the Committee again. It seems obvious to me that the Committee is of the same frame of mind as it was when it made these amendments available to the Assembly. I am not entirely clear what is meant by the Assembly's Message.

I interpret that the disagreement is because of the belief that a commissioner would be restricted in his duties if he had to say whether or not a person should be represented by counsel. The Legislative Assembly apparently believes that the commissioner would be restricted.

The Hon. A. F. GRIFFITH: I have no objection to the Minister's testing the feeling of the Committee; that is his prerogative and the prerogative of every member who wishes to divide the Chamber. However, I point out to him, as Mr. Medcalf has pointed out, that the feeling of the Committee has already been tested. This amendment was passed on the voices, if my memory serves me correctly.

Mr. Medcalf made only brief remarks at the time as we had the concurrence of the Government. If the words are reinserted in the Bill a person could be deprived of a simple right. Any person arrested by a policeman can ask for his solicitor to be present and he is not obliged to answer any questions until he is charged with an offence. Therefore, I feel it is reasonable that the person concerned should be the judge of whether he should be represented by a solicitor.

The parliamentary commissioner could say to someone, "I want to ask you some questions." That person might say, "Very well, what about?" When the commissioner informs him of the matter to be investigated the person could say, "I would like my solicitor present." The commissioner could then say, "I will not permit it."

I cannot understand the Legislative Assembly changing its mind. This is one of the first principles we are supposed to live by—freedom of choice for a man to get advice if he is interrogated. I submit that "interrogated" could be the word applying in this particular case. I really do not know what all the words Mr. Willesee read out to us mean, except it seems clear there was considerable confusion in the minds of the people in the Assembly. There are one or two lawyers in the Assembly and I believe I could pick out words which came from a lawyer's mouth.

The Hon. W. F. Willesee: Lawyers or school teachers or both.

The Hon. A. F. GRIFFITH: There could be confusion in the minds of some of the lawyers in the Legislative Assembly. However, there is no confusion in my mind. A man must be free to say, "I would like to consult my solicitor." He should not have this simple liberty taken away from him. I am amazed that the Government would oppose this freedom of choice.

The Hon. R. J. L. WILLIAMS: I have heard the word "amazed" used. I want to state briefly and categorically that I am horrified at these words. Perhaps some members of the Committee did not have the benefit of watching Senator McCarthy

in operation. If they did they would realise we will create a monster if we do not insist on this amendment. God forbid that we should allow a man to browbeat and bully witnesses with the full concurrence of Parliament!

A scream went around the world when Senator McCarthy's campaign was at its height. I would not like to think this socialistic party of Western Australia will do exactly the same thing. It is horrifying to think in this day and age and in this State of Western Australia a person would be denied the right to choose whether or not he is represented by counsel. I am amazed to hear sentiments of this nature coming from the Government. We would be out of our minds to agree to this message.

Question put and negatived; the Council's amendment insisted on.

The CHAIRMAN: Amendment No. 11 made by the Council, to which amendment the Assembly has disagreed, is as follows:—

No. 11.

Clause 25, page 21, line 5—Add after the word "report" the words "and in any case he shall not make any defamatory statement concerning any person".

The Assembly's reason for disagreeing to the Council's amendment is as follows:—

No. 11.

An ombudsman should have at least the same protection as a Royal Commissioner under the Royal Commissions Act. The amendment would inhibit the Parliamentary Commissioner in his endeavours to remove injustice.

The Hon. W. F. WILLESEE: I would like to add that I agreed to this amendment at the second reading of the Bill. However, apparently the Assembly felt the ombudsman should be protected in the same way as a Royal Commissioner is protected under the Royal Commissions Act. The Assembly feels the ombudsman should not be inhibited in his investigation and that he should have complete protection from the outset. I move—

That amendment No. 11 made by the Council be not insisted on.

The Hon. A. F. GRIFFITH: The kindest thing I can say is that the Government's attitude is not fair to the Ministers in this Chamber. The other night I heard the Leader of the House say, "I am instructed that I can accept this amendment." He now has to say, "I will not accept this amendment." I do not desire to debate this on its merits; I simply repeat it is not fair.

The Minister told us there were certain amendments he could accept and certain he could not. This amendment was acceptable and it was passed on the voices. I disagree with the motion moved by the Leader of the House.

The Hon. W. F. WILLESEE: On reflection I think it is reasonable for the Government to change its mind on its approach to this problem. I had outlined the issues in connection with this legislation. However, the Assembly is entitled to take a different view, particularly when it sees the return of the legislation with the amendments. It possibly looked to be a simple issue at the time.

I do not think there is much wrong with the principle that the ombudsman should have the same protection as a Royal Commissioner.

The Hon. A. F. GRIFFITH: That is not the situation as I understand it. The amendment which I moved and which was accepted in Committee said that the parliamentary commissioner should not make a defamatory statement concerning any person. It has nothing to do with other provisions in the Bill which give the commissioner the rights and purpose of a Royal Commissioner under the Royal Commissions Act. The lawyers can tell us how simple it is to make a defamatory statement. All we sought was to put the parliamentary commissioner in a position where he should not make derogatory comments in respect of the man he had investigated. Otherwise, a man's future could be adversely affected as a result of such a report. To my mind this situation has not changed and it has nothing to do with the powers of a Royal Commissioner.

Question put and a division taken with the following result:—

Ayes—9

Hon. R. F. Cloughton	Hon. R. T. Leeson
Hon. D. K. Dans	Hon. R. Thompson
Hon. S. J. Dellar	Hon. W. F. Willesee
Hon. J. Dolan	Hon. Lyla Elliott
Hon. J. L. Hunt	(Teller)

Noes—16

Hon. C. R. Abbey	Hon. I. G. Medcalf
Hon. G. W. Berry	Hon. T. O. Perry
Hon. V. J. Ferry	Hon. S. T. J. Thompson
Hon. A. F. Griffith	Hon. J. M. Thompson
Hon. J. Heitman	Hon. F. R. White
Hon. L. A. Logan	Hon. W. R. Withers
Hon. G. C. MacKinnon	Hon. D. J. Wordsworth
Hon. N. McNeill	Hon. R. J. L. Williams
	(Teller)

Pair

Aye

No

Hon. R. H. C. Stubbs	Hon. F. D. Willmott
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Question thus negatived; the Council's amendment insisted on.

The CHAIRMAN: Amendment No. 19 made by the Council to which the Assembly has disagreed is as follows:—

No. 19.

Schedule, page 26, line 33—Delete the words "The Police Force of the State and".

The Assembly's reason for disagreeing to the Council's amendment is as follows:—

Experience has shown in New Zealand that an inquiry into the police as distinct from the Police Department

may be necessary; hence the provision in the New Zealand Statute for both "The Police Department" and "The Police."

The Hon. W. F. WILLESEE: I move—

That amendment No. 19 made by the Council be not insisted on.

The reason given by the Assembly seems succinctly to show what is intended. Reference has been made to the result of inquiries conducted by the New Zealand Ombudsman—when the question does arise at times—into the activities of the members of the Police Force rather than the whole department. The Legislative Assembly has seen fit to return this amendment to the Legislative Council for further consideration on the ground that the existing part of the legislation is not sufficiently comprehensive to meet the purpose of the legislation.

In view of the explanation given by the Assembly for its disagreeing to this amendment I ask the Committee not to insist on it.

The Hon. A. F. GRIFFITH: The other evening I moved for the deletion of the words "the Police Force of the State and" after the matter had been fully debated and as a result of the vote taken the words were deleted from the schedule. This is not one of the cases where we need spend much time on what happened in the Legislative Council because we know the way we voted and the Government did not agree with my point of view on that occasion.

New Zealand, the country which has similar legislation, and on which this Bill is based, is not the same as Western Australia. New Zealand has only one Government. It has its own Navy, Army, and Air Force and for all I know it may have its own militia. In other words, it is a self-contained country with those forces to support, and it has them to call upon in the event of there being any national necessity for that to be done.

In Western Australia, however, we rely absolutely on the Police Force to maintain law and order in our community. The passing of my amendment meant that the individual members of the Police Force have been removed from the schedule. We had already deleted the commissioner and the deputy commissioner from the schedule, but we wanted to leave in the next man in line. I do not know who he is but I do not think it matters. There cannot be much difference in the importance of the authority between the commissioner, the deputy commissioner, and the next man in charge. If the words that have been deleted are reinstated that man will be subject to investigation by the parliamentary commissioner together with other members of the Police Force. Apparently the parliamentary commissioner is to inquire

into and put right administrative injustices. The Premier's own words were that he shall probe into administrative duties.

The other evening I think we were told to beware that we did not create a situation similar to that which prevailed in Victoria a while ago where certain members of the Police Force, to say the least, were involved in undesirable practices. However, if such a situation did occur in a minor way in Western Australia the Police Act, the regulations under this Act, and the disciplinary action that is in the hands of the commissioner to impose penalties when complaints of that nature are made, are available. If it happened to be a matter of the gravity of the situation that occurred in Victoria, I do not think it should be investigated by the parliamentary commissioner. It should be the subject of a Royal Commission appointed by the Government.

I am serious when I say that that is the true situation. Because we do not have any of the forces that they have in New Zealand such as the Navy, the Army, and the Air Force, and we rely on the Police Force as being the custodians of law and order, we therefore have to rely on the third man in charge all the way down to maintain certain confidences, otherwise the Police Force could have considerable difficulty in maintaining law and order on our behalf. I do not think I need go any further than that.

There is no question that the Police Force, particularly the C.I.B., has to maintain, in Western Australia's interests and in the national interests, extremely confidential information which it should not be obliged to disclose to anyone with the possible exception of the Government of the day when the occasion arises.

So I hope the Government will consider this matter a little further and realise that the Police Department can be investigated because it is left in the schedule. If the parliamentary commissioner discovers there is anything wrong with matters relating to members of the Police Force, those matters that cannot be corrected by disciplinary action of the Commissioner of Police could be corrected, I am sure, as a result of strong Government action.

As Mr. John Williams said the other evening there is no doubt that many people will be lodging complaints to the ombudsman about the Police Force. Many of these complaints will be frivolous in regard to which the ombudsman will take no notice, but no doubt he will receive many complaints about the police. I therefore think it would be far better to leave the Police Force of the State to be subject to any inquiry by the parliamentary commissioner at least for the time being until we learn more as a result of experience. The Police Department as a whole should

be left open to inquiry in the same way as other departments in the schedule will be subject to investigation.

The Hon. F. R. WHITE: Mr. Griffith has struck the keynote of the function of the parliamentary commissioner; that is, he has to investigate administrative injustices. In my second reading speech on this subject I quoted portion of a report I made to the Commonwealth Parliamentary Association. One paragraph in that report sets out the full functions of the New Zealand Ombudsman. I intend to requote that report to the House. The paragraph reads as follows:—

As an officer of Parliament, he enables Parliament to reach out and place a restraining finger upon an erring administration or to raise a warning hand to it. As a result many departmental recommendations to Cabinet are more carefully considered before the recommendation is made because they can be scrutinised elsewhere.

This is the essence of the appointment. The powers to be given to the parliamentary commissioner go far beyond those possessed by the New Zealand Ombudsman. I support the Leader of the Opposition.

The Hon. W. F. WILLESEE: I have a remark made by the Premier which in effect states that from time to time questions arise where people are not satisfied with the actions of the police and in the interests of the Police Force it could very well be that an inquiry by an ombudsman would do much to clear the Police Force from any suspicion, whereas an ordinary departmental inquiry will leave the matter undetermined so far as the public is concerned. Basically this is the complete answer to the matter.

The Hon. R. J. L. WILLIAMS: If I read the title of the Bill correctly I think the Legislative Assembly is a little off beam. The title states that the appointment is for administrative investigations and for the investigation of administrative action.

We have left in the Police Department which is the administrative branch of the Police Force. The Public Service list dated 1971 printed on Friday, the 24th September, devotes six pages to the Police Department. Under the heading of "Police Department" we have listed the commissioner, the secretary, the assistant secretary, the clerk for internal audit, the Minister's office, typists—stores, clerical and relieving staff, and so on.

Even to one as simple as I am, this means that the people referred to consist of the administration within the Police Department; they are still liable to investigation. If this is not the case the title of the Bill is incorrect.

Since precedents have been quoted may I refer to the British Parliamentary Commissioner Act, 1967, which states in section 5 of schedule 3 that matters not subject to investigation include—

Action taken by or with the authority of the Secretary of State for the purposes of investigating crime or of protecting the security of the State . . .

The Premier has embraced the New Zealand legislation, section 17 of which states in part—

17. Disclosure of certain matters not to be required—

(1) Where the Attorney-General certifies that the giving of any information or the answering of any question or the production of any document or paper or thing—

(a) Might prejudice the security, defence, or international relations of New Zealand (including New Zealand's relations with the Government of any other country or with any international organisation), or the investigation or detection of offences;

There appears to be a big bubble about not including members of the Police Force. The administrative actions of the Police Department can be investigated and this is what the Bill is designed to do.

Question put and negatived; the Council's amendment insisted on.

The CHAIRMAN: Amendment No. 23 made by the Council to which amendment the Assembly has disagreed, is as follows:—

No. 23.

Schedule, page 27, lines 27 to 30—
Delete the words,

Western Australian Trotting Association constituted under the Western Australian Trotting Association Act, 1946.

Western Australian Turf Club constituted under the Western Australia Turf Club Act, 1892.

The Assembly's reason for disagreeing to the Council's amendment is as follows:—

No. 23.

Both the W.A.T.A. and the W.A.T.C. receive substantial sums of money from the T.A.B. These bodies are under Government control to some extent by having to get their by-laws approved. They have the power to remove persons from their racecourses without being obliged to justify their actions and they can deprive a person of his livelihood.

The Hon. W. F. WILLESEE: The Assembly's reasons for disagreeing stem from the fact that the turf club and the trotting club receive substantial amounts of money from Government sources and these clubs also have tremendous powers on their race courses with regard to the rights of individuals who can be removed from particular premises; and people can be deprived of their livelihood within the jurisdiction of either of these organisations.

Accordingly I move—

That amendment No. 23 made by the Council be not insisted on.

The Hon. A. F. GRIFFITH: It is undeniable that the turf club and the trotting club receive substantial money through the T.A.B., but the country racing clubs and trotting clubs also receive money from the T.A.B. and they are to be left to continue to make the same decisions which the turf club and the trotting club make under their Acts. Both the Western Australian Turf Club Act and the Western Australian Trotting Association Act provide the two organisations concerned with certain authority in relation to the conduct of the sport which they control. In fact they are, in essence, *semi quasi* judicial organisations and they have the authority to discipline, to fine, and to do a number of things under the provisions contained in their Acts. That is why I ask the Committee to move these associations out of the schedule.

The Hon. L. A. Logan: Are they not incorporated bodies?

The Hon. A. F. GRIFFITH: I imagine they would be. It is possible for the parliamentary commissioner on inquiry to upset a decision made by the turf club or the trotting club or by some country turf club or country trotting club. I do not think that is right.

For example there could be complaints about lost betting tickets, as I mentioned the other night. There could be complaints over matters which these two organisations have the authority to determine legally, but it is now proposed to bring in somebody else to indicate that the decision that might be made is not the correct one and that it should be the subject of an inquiry by the parliamentary commissioner. All sorts of things could happen by the time the commissioner investigates the matter and makes his recommendations.

I do not think it is right that the parliamentary commissioner should have authority to upset decisions which have been legally made by these two organisations and for that reason they should be left out of the schedule.

The Hon. W. R. WITHERS: I previously voted against the deletion of this clause and it was my intention to cross the floor again. The reason I did cross the floor was that both these organisations receive money from the T.A.B.

Once again, however, my leader has given a very rational analysis and I feel it would not be fair to include these organisations in the schedule while at the same time excluding the country clubs who also receive money from the T.A.B.

The Hon. A. F. Griffith: A number of other sporting clubs receive money from the Government and these are not included.

The Hon. W. R. WITHERS: That would be so. For that reason I feel we should insist on our amendment.

The Hon. R. F. CLAUGHTON: We have not yet arrived at a satisfactory basis to exclude bodies from the schedule of the Act. Two grounds may be applied in this particular case—one is that the bodies concerned receive money through the T.A.B. and if we apply this formula alone it would mean that a large number of other organisations would also be affected even though they receive only small grants from the Government.

Even though these two organisations are constituted under an Act of Parliament the two of them together provide a basis which does not apply to a large number of other organisations which receive Government assistance. The turf club and the trotting club have power to remove persons from the racecourse without being obliged to justify their actions. They can go so far as to deprive a person of his livelihood. These are both serious circumstances.

The Hon. A. F. Griffith: Is that a power given to them by Parliament?

The Hon. R. F. CLAUGHTON: I would think so. The by-laws would be made under an Act of Parliament. This is experimental legislation and I think we can quite safely, on that basis, include the two concerns. If it is found that their inclusion is unworkable, and the Act does not work in the interests of the two clubs, they can be removed from the schedule at a later stage.

This is the basis I feel the Opposition would have used had it been on the Government benches. In fact, I saw this method used on a number of occasions while in opposition.

The Hon. CLIVE GRIFFITHS: I intend to reaffirm the stand I take on this particular question. I support the inclusion of the two clubs in the schedule. The powers granted to the two clubs are so far reaching that individual rights to earn a living can be affected. The people who sit in judgment are also engaged in exactly the same functions as the individual whom they are judging.

The Hon. G. C. MacKinnon: Not necessarily so.

The Hon. CLIVE GRIFFITHS: Perhaps, not necessarily so.

The Hon. G. C. MacKinnon: The honourable member has just contradicted himself. Perhaps he will tell us about the W.A. National Football League.

The Hon. CLIVE GRIFFITHS: That is not in the schedule.

The Hon. G. C. MacKinnon: That is my point.

The Hon. CLIVE GRIFFITHS: I am sure the Chairman would not permit me to discuss the W.A. National Football League. We are discussing the trotting and racing clubs. Those clubs have the right to suspend people, and the persons concerned have no right of appeal.

The Hon. J. Heitman: That is not quite right, is it?

The Hon. CLIVE GRIFFITHS: They have a right of appeal to the same individuals who imposed the sentence in the first place. However, if those same individuals decide that they are not prepared to listen to the appeal they do not have to listen to it. At least a private citizen has the right to appeal to a higher court if he feels aggrieved in a civil action. I will vote to keep these organisations in the schedule.

The Hon. L. A. LOGAN: I think we ought to know what the definition of "authority" means under this Bill. We are not setting up a private detective which seems to be the opinion of some members. We are setting up a parliamentary commissioner to deal with administrative action taken on behalf of certain Government departments and other authorities. The definition of an authority is one which will exercise delegated powers within legislative powers. Therefore, the racing and trotting clubs do not come under this Bill and they do not have any place in the schedule.

Question put and negatived; the Council's amendment insisted on.

Report

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

MARKETING OF LINSEED ACT AMENDMENT BILL

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Addition of section 3A—

The Hon. N. McNEILL: I move an amendment—

Page 3, line 12—Insert after section designation 3A the subsection designation (1).

The amendments on the notice paper in my name should really be discussed as one because, in fact, they are consequential and comprise one total amendment. If you will permit me, Mr. Chairman, I will give an explanation to cover both amendments.

It will be recalled that I gave notice of my intention to move amendments of this nature. The purpose is simply to provide an opportunity for growers of seeds which are to be declared as coming under the provisions of this Act, an opportunity to hold a referendum. The Minister indicated that the power was already available to the Cabinet and the Minister to hold a referendum without the necessity for this provision being included in the Bill.

I think the Minister missed the point because three alternatives are available and each has been suggested during the debate. In the first instance, there is the opportunity to delete this entire clause. The Bill will then only have application to rapeseed. In other words, linseed and rapeseed would be the only two seeds covered by the Statute.

That was considered undesirable because there could be other seeds which could be included with the full consent of the growers concerned. It would then be unnecessary and undesirable to amend the Act because of the delay which might be somewhat crucial in the operations of the industry when it was necessary to bring other seeds within the scope of the Act.

The second alternative was discussed in another place and it was to the effect that before a seed could be declared it should be the subject of a referendum. There was some misunderstanding at the time and the amendment which was adopted in another place was construed as one of discretion; that a referendum was optional. I have received advice that this is not the case.

The third proposition is that in the event of there being a proposal by the Minister that a seed be declared, and before it becomes the subject of an Order-in-Council by the Governor, those who are opposed to the inclusion of their particular seed can request a referendum to be held. In the event of the referendum being granted by the Minister it would then be necessary for the referendum to be held and for a majority of growers to be in favour of the proposal.

In these circumstances the seed could be declared. I emphasise that the purpose of this amendment is simply to write this opportunity into the Statute in order that all growers and all people interested in the industry may be fully aware that they have the opportunity for a referendum available to them if they so wish.

The Hon. W. F. WILLESEE: I can only repeat what I said in my second reading speech—

... there is provision for Cabinet or a Minister of the Crown to arrange

through the Attorney-General to carry out a referendum on any issue which is considered to be of sufficient magnitude. In recent times referendums have been carried out in relation to the establishment of a linseed marketing board, a lamb marketing board, and the introduction of egg quotas for the egg industry.

If the power exists already through the Minister, it is felt this amendment is unnecessary. The difference between the honourable member and me is that I want to leave the Bill as it is and leave the right in relation to a referendum to the Minister in charge of the legislation, whoever he may be at any time; whereas the honourable member wishes to write it into the Bill. I think the issue is as simple as that, and for that reason I oppose the amendment.

The Hon. D. J. WORDSWORTH: I wish to point out one thing. This is one of the big things the industry is complaining about. It does not want this Bill to be confined to oil seeds and lupins. It does not want quotas to be put in in any way. This is the wish of the growers and, as far as I can see, of the board itself. The inclusion of this amendment highlights this fact.

The Hon. N. McNEILL: In view of the comments made by the Minister and Mr. Wordsworth, perhaps I should proceed a little further. This matter involves something rather symbolic of political philosophies. The Minister's statement—which has certainly come from the Minister for Agriculture—was that the difference between our two views was whether it should be written into the Statute that the growers shall have an opportunity to ask for a referendum or whether the matter should rest with the Minister. There is certainly a big difference in our opinions because the linseed board, like any other board of this nature, is the subject of a request by the growers and by the industry itself. In point of fact, it becomes their own board.

Under these circumstances, I believe we should perpetuate their right, just as an endeavour has been made to recognise the majority producer representation on these commodity boards. If we are to distinguish who shall have the power to say whether or not a referendum will be held, should it be confined to the Government or the Minister or should it also be available to the person for whom the board is being set up and at whose behest it is being set up? When the board is set up, does it become a Government board? I do not think that is the intention. It comes under a Statute because it involves the handling of public money, and so on.

There is something symbolic about this matter, and I believe it should always rest with the growers whether there should be

a referendum. Mr. Wordsworth has indicated it was the wish of a section of the industry that this Bill should be confined to oil seeds. I would not be unfavourably inclined to limit this amendment to oil seeds only and to exclude any other seed. It is the use of the words "any other seed" in this Bill to which I object. Whatever may be said by the present Minister or by the Minister at any other time, with the best will in the world the intentions of one Government and another Government might differ. It is the law that carries on; not necessarily a Government or a Minister.

If my amendment is carried, it could be limited to oil seeds because, in the event of any seed other than an oil seed being the subject of a proposal, the opportunity would be available to the growers of other seeds to seek a referendum and give expression to their views through the ballot box. The Statute would then be limited to such oil seeds as the growers wished to have included.

Mention of the industry brings me to the organised part of the industry which has been very active in seeking this particular Bill; that is, the Farmers' Union. I would like to quote the communication I have received from the Farmers' Union of Western Australia. It is in the nature of a motion which was carried by the small seeds section at an executive meeting held on the 18th October, 1971. The resolution reads—

That we request that it be written into the proposed amendment to the Linseed Act provision for a referendum of growers before the Governor declares an additional seed under the Act.

That very clearly states the position of the Farmers' Union. This is the organised section of the growers, and I believe it is a completely representative section of the growers of small seeds.

In view of the fact that the request for this legislation has come from that quarter, I am rather surprised that the Government has not been prepared to make the allowance and accept this amendment which would allow the provision to be written into the Bill. I hope the Minister can see his way clear to accept this amendment.

Amendment put and a division taken with the following result:—

Ayes—17

Hon. C. R. Abbey	Hon. T. O. Perry
Hon. G. W. Berry	Hon. S. T. J. Thompson
Hon. V. J. Ferry	Hon. J. M. Thomson
Hon. A. F. Griffith	Hon. F. E. White
Hon. J. Heitman	Hon. R. J. L. Williams
Hon. L. A. Logan	Hon. W. R. Withers
Hon. G. C. MacKinnon	Hon. D. J. Wordsworth
Hon. N. McNeill	Hon. Clive Griffiths
Hon. I. G. Medcalf	(Teller)

Noes—9

Hon. R. F. Cloughton	Hon. J. L. Hunt
Hon. D. K. Dans	Hon. R. Thompson
Hon. S. J. Dellar	Hon. W. F. Willesee
Hon. J. Dolan	Hon. R. T. Leeson
Hon. Lyla Elliott	(Teller)

Pair

Aye

No

Hon. F. D. Willmott	Hon. R. H. C. Stubbs
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Amendment thus passed.

The Hon. N. McNEILL: I move an amendment—

Page 3, line 18—Add the following subsections—

(2) In order to determine whether a proposal that a seed be declared a seed for the purposes of this Act is favoured by the producers of the seed concerned the Minister may arrange a ballot of those producers to be held at such time and in such manner as the regulations prescribe.

(3) Where a ballot of producers held under this section results in a majority of votes against the proposal the seed shall not be declared a seed for the purposes of this Act.

This amendment is consequential upon the amendment that has just been agreed to. I do not think I can give any further explanation which would be of advantage to the Committee.

Amendment put and passed.

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

Page 3, line 18—To add after the proposed new section 3A a new section to stand as section 3B as follows:—

3B. (1) The Governor may by Order in Council published in the *Gazette* declare that any seed grown or to be grown for local refining or processing in Western Australia may be exempted on a year to year basis from the provisions of this Act provided that such seed is the subject of a contract with a local processor.

(2) A local processor for the purpose of this section shall be a person whose sole or principal refining or processing works is situated in Western Australia.

Members may recall that I made a plea that we should not destroy the only oilseed refining industry in Western Australia; namely, that run by Refnoll Pty Ltd., which is a small company 90 per cent. owned by members of the farming community. It employs 19 people at Jandakot. In the year 1970-71 it took 2,000 tons of rapeseed out of the total State production of 2,400 tons and the remaining 400 tons went to export. In this respect I feel we should make an exception to our compulsory pool arrangements.

I do not want the amendment to be misunderstood. This is not a compulsory exemption. The amendment deliberately recognises the principle of a compulsory pool, which is the intention of this Bill. Under the amendment, the Governor may use his discretion, and he is not required to make any declaration. The matter is left entirely in the hands of the board administering the compulsory pool. It is not obliged to take any notice of the proposed new section 3B.

I would not like this Bill to be passed without our giving to the board the power and the opportunity to keep this local industry operating not only because it employs 19 people and is a secondary industry based on our own primary industry, but also because it processes such a high proportion of our rapeseed crop. The amount of rapeseed grown will increase every year, and I understand the company is hoping to get 5,000 tons this year. If we destroy a local industry and remove a market for rapeseed, especially in view of the uncertainties of marketing in the future, can we as legislators honestly say to our electors that we have done a good job?

The Hon. T. O. Perry: Will the company be able to handle an increased crop?

The Hon. I. G. MEDCALF: There is nothing to say it will not. The company has never been consulted about plans, and there has never been a referendum of rapeseed growers. This Bill resulted from a deputation of one group of rapeseed growers. I am informed that the Linseed Marketing Board, which is to take over the administration of this measure under a new name, has never considered the question.

I hope and pray the company will be able to stay in existence. It has struggled along for three years and has made losses every year. It would be a disservice to the company and to the growers of rapeseed who are selling to the company, either by contract or through the voluntary pool, if the company went out of the rapeseed refining business. The managing director told a deputation—and I was a member of it—that the company will not be able to continue in rapeseed under the conditions of the compulsory pool. One of the reasons given is that the pool will result in a rise of \$8 a ton in overheads, and the company has never made \$8 a ton on its product. It cannot buy rapeseed from the Eastern States owing to the freight factor, and so the company proposes reluctantly to go into another commodity which would be imported from overseas.

I would like to explain this amendment because I do not want it to be misunderstood. It states that the Governor may by Order in Council declare that seed may be exempted.

The Hon. L. A. Logan: That is not the board, that is the Governor. It might be better to have it so that the Governor may, on the advice of the board, declare any seed.

The Hon. I. G. MEDCALF: That did not occur to me; I am prepared to concede that it might be better and I have no objection to it. The amendment clearly gives the board power to declare that rapeseed grown for local refinement or processing in Western Australia—note that it must be refined here—may be exempted on a year-to-year basis. It is not indefinite; it is only from year to year. The board may review this policy each year. But at least we will keep the industry going and that is what I am trying to do. The seed must be the subject of a contract with a local processor, otherwise it may not be declared exempt. The amendment then includes a definition of a local processor. For these reasons I have been so bold as to place the amendment on the notice paper, knowing that it might be misinterpreted as an attempt to sabotage the compulsory pool, which it is not.

The Hon. W. F. WILLESEE: I would like to read the following statement to the Committee:—

Due to the concern of members about the ability of the local processor to continue, discussions were arranged between interested people on Friday December 3. At this meeting it was agreed that a local oil crushing industry was desirable and it was recognised that the processor must be able to get a firm price for oil seed by October of each year. The processor was made aware of the provisions of Section 20 (2) which would permit him to make arrangements with individual growers early in the growing season, through the Board, for particular types of rapeseed to be grown for particular markets which he had access to. In some cases it may be necessary to provide premiums to obtain seed of a particular quality and Section 20 (2) would permit such premiums to be passed on to the individual growers over and above the general pool prices as has already been done in the case of wheat. Where bulk quantities of different types of seed were being produced segregation would be possible. In any consideration of marketing of special types of rapeseed on overseas markets, sufficient quantity must be available to permit bulk handling and to ensure cheap freight rates. It was also recognised that the processor would require seed supplies between December 1st and September 15 of each year and that it was important that he receive regular supplies so as to ensure continuity of

processing. The availability of supplies from pool supplies would, however, save him considerable capital expenditure on additional storage facilities. It was pointed out that the maximum charge by Co-operative Bulk Handling for handling the 1971/72 crop would not exceed \$5.20 per ton. In addition, there would be a small Grain Pool charge of possibly 40 cents per ton. The problem of credit for the processor was also discussed and it was pointed out that other Western Australian users of grain from the Wheat Pool and Barley Board are required to pay prior to delivery, whereas the processor receiving linseed has been able to obtain his supplies before payment which is required within five days of receipt of invoice, which, in effect, amounts to 7 to 10 days after receipt of the seed supplies.

Broadly, the meeting could see no reason why the processor would go out of business through the establishment of the Compulsory Rapeseed Pool. Although it was recognised that there had been some administrative difficulties during the current year there seemed to be no reason why those could not be overcome through discussion between the Board and the processor in future.

In reply to the specific question raised by Mr. Medcalf, the Minister for Agriculture is now aware that the local refining company must sign contracts by November of each year. The Minister is well aware of the different varieties of rapeseed which are available and that some users require different types. While it is recognised that overseas buyers can leave the local market and concentrate elsewhere, it must be accepted that individual growers are in a poor position to contact overseas groups and that a compulsory pool is in a much sounder position to undertake marketing than a voluntary pool which is the only real alternative. It is recognised that Eastern States growers are processing oil seeds and the State would look seriously at any concrete proposal for the establishment of an Australian wide Board. It is difficult to see why the pool will have any effect on access of Western Australian growers on Eastern States markets which is precluded normally where Eastern States growers can supply their own market because of the high interstate freight rates. The question on the effect on the local processor has been dealt with previously. The record of the Grain Pool which is the marketing agent for the Linseed Board is extremely satisfactory in its ability to sell grain overseas. This does not mean that the marketing expertise of the Board and

pool could not be improved, but there is every reason to believe that producers will achieve better results in the long term through pooling than through any individual selling arrangements.

In view of that statement, I oppose the amendment.

The Hon. I. G. MEDCALF: I do not know what meeting was referred to in the Minister's statement, and I have not seen a copy of his statement. I do not know whether the meeting was with Refinoll, or with the board, or who was present. I do not know whether Refinoll has had any opportunity of commenting on the meeting. I would like to hear the Minister's views.

The Hon. W. F. WILLESEE: I have here certain notes relating to a meeting between Messrs. Norwood and Thomas, Refinoll; M. J. Lane, Co-operative Bulk Handling; J. W. O'Neill, Grain Pool of Western Australia; H. E. Elliott, Chairman of Linseed Marketing Board; and E. N. Fitzpatrick, Director of Agriculture, on Friday, the 3rd December, at 10.00 a.m. I intend to treat these notes as semiconfidential. If Mr. Medcalf would like to see them I am prepared to make them available.

The Hon. I. G. MEDCALF: I would welcome the opportunity to study those notes. If the representatives of Refinoll have agreed to this and it is a joint statement to the effect that they are satisfied with the arrangement, then it suits me. I would like the Minister's assurance that that is so. I am happy to see them remaining in the industry. If the Minister says that Refinoll has joined in the statement well and good, otherwise the matter might be adjourned to enable me to study the notes.

The Hon. W. F. WILLESEE: I am not in the position to say the minutes I have referred to are a joint statement. As the honourable member is unaware of this meeting having taken place I ask that progress be reported and leave be given to sit again.

Progress

Progress reported and leave given to sit again, on motion by The Hon. W. F. Willesee (Leader of the House).

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [9.47 p.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. tomorrow (Thursday).

Question put and passed.

House adjourned at 9.48 p.m.