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

Ayes—14

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. N. E. Baxter	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. M. Thomson
	(Teller.)

Noes—13

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. D. Teahan
Hon. F. R. H. Laverv	*(Teller.)*

Majority for—1.

Clause thus passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 10.47 p.m.

Legislative Assembly

Tuesday, the 17th September, 1963

CONTENTS

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

HOUSE OF COMMONS

Presentation of Photographs to Legislative Assembly

THE SPEAKER (Mr. Hearman): Members will probably have noticed two new pictures hanging in the Speaker's lobby. These pictures of the House of Commons were presented to this House by the present Speaker (Capt. The Rt. Hon. Sir Harry Hylton-Foster, Q.C., M.P.).

I felt that in view of the quite considerable efforts that the present and immediate past Governments have made to complete Parliament House, it would be fitting if some token of our links with the Mother of Parliaments were visible in this building to mark the occasion.

Accordingly I wrote to the Speaker of the House of Commons asking if it would be possible to obtain a picture of that Chamber. The Speaker sent out a number of excellent photographs and I was so impressed with them that I asked if two might be made available. He readily agreed to send two enlarged photographs, and I expressed my thanks.

The Speaker of the House of Commons felt that in view of the fact that the present Speaker's Chair in the House of Commons was a gift from Australia, and is made from Australian timber, it was particularly appropriate that a picture of this Chair should be sent to an Australian Parliament.

I feel sure that all members of this House will join with me in expressing gratitude to the Speaker of the House of Commons for his generous gift of such fine photographs, which we are proud to possess.

QUESTIONS ON NOTICE

GOLDFIELDS SHIRES

Population

1. Mr. BURT asked the Minister representing the Minister for Local Government:

   (1) Approximately how many people lived in each of the following road board districts on the 30th June, 1936:—
   (a) Wiluna;
   (b) Meekatharra;
   (c) Cue;
   (d) Mt. Magnet;
   (e) Yalgoo;
   (f) Black Range (Sandstone);
   (g) Leonora;
   (h) Mt. Margaret (Laverton);
   (i) Menzies?

   (2) How many people lived in the same shire council districts on the 30th June, 1962?

Mr. NALDER replied:

(1) and (2)

	Population at the 30th June, 1936.	Population at the 30th June, 1962.
(a) Wiluna	7,000	300
(b) Meekatharra	2,000	1,100
(c) Cue	2,185	450
(d) Mt. Magnet	1,234	1,150
(e) Yalgoo	522	550
(f) Black Range (Sandstone) ..	906	150
(g) Leonora	2,360	1,250
(h) Mt. Margaret (Laverton)	1,800	200
(i) Menzies	1,679	500

SODIUM FLUORIDE

Recommended Daily Consumption

2. Mr. NORTON asked the Minister for Health:

   (1) What is the recommended daily amount in milligrams of sodium fluoride for—
   (a) an infant (under 12 months);
   (b) children (one to 12 years);
   (c) adults?

Quantity in One Gallon of Water

   (2) How many milligrams of sodium fluoride would be in a gallon of water which has had one part per million of sodium fluoride added?

Mr. ROSS HUTCHINSON replied:

(1) (a) and (b) 2.2 mg.
(c) 3.3 mg.
Note: 2.2 mg. sodium fluoride contains approximately 1 mg. of available "fluoride".

(2) 4.546 mg. of sodium fluoride (about 2 mg. of available "fluoride").

TRANSPORT FOR STUDENTS

Concessions on Trains and Buses

3. Mr. W. A. MANNING asked the Minister for Railways:

   (1) Are bus or rail concession fares granted to students travelling to and from school daily in the metropolitan area?

   (2) If so, what are they?

   (3) What concession fares are granted to students in country schools who travel to and from home weekly?

Mr. COURT replied:

(1) Yes, both on rail services and on buses operated by the metropolitan Transport Trust.

(2) No daily concession tickets are available on rail services; but concession monthly, quarterly, or

term tickets are available to all students as follows—

Under 18 years of age—one-third of adult rate.

Over 18 years of age—two-thirds of adult rate.

The Metropolitan Transport Trust advises that concession fares at half rate are available for students 14 years and over attending school on production of a scholar's permit, which is obtainable from the school.

A scholar's monthly ticket is also available to any scholar in receipt of no remuneration at 36 times half single fare.

(3) Where only train travel exists students can obtain weekend concession fares to enable them to travel to and from home at weekends.

On road bus services where no alternative rail service exists weekend concession fares are also available.

However, where both rail and road services operate the concession is available on the rail service only. Weekend concession fares are—

14 years and over—Single fare plus one-third for the return journey.

Under 14 years—Half the above rate.

V.L.F. PROJECT AT NORTH WEST CAPE

Freight on Cement

4. Mr. TONKIN asked the Minister for the North-West:

(1) Has the State Shipping Service reduced its charges for handling and transporting local cement for use at the U.S. Navy radio station in the north-west?

(2) If "Yes," will the State Shipping Service have to bear the loss of revenue involved or will the cost of the reduction be borne by the Treasury, directly?

(3) What is the amount involved?

(4) As it has been allegedly stated on behalf of Cement Sales that they had not changed their quote for the cement required for the radio base, how has the W.A. price been brought into line with the price of cement from outside the State?

Mr. COURT replied:

(1) and (2) The State Shipping Service has offered the customary concession for goods shipped in large quantities in containers. This amounts to £1 per ton and no loss of normal revenue for cargo handled in large quantities in containers is therefore involved.

(3) Answered by Nos. (1) and (2).

(4) The Government has no knowledge of the Eastern States quoted price.

It is understood the local suppliers have not varied their quote.

It is also understood that earlier Press references to lower Eastern States prices were incorrect when cement on a similar method of handling was compared.

AMBULANCE SERVICES

Establishment in Country Towns

5. Mr. HALL asked the Chief Secretary:

(1) Has he made a firm decision as to the implementing and establishing of Government ambulances in large country centres and towns?

(2) If not, has he abandoned the idea, or is it still his intention to implement the Government ambulance service in country towns?

Mr. ROSS HUTCHINSON replied:

(1) and (2) This service is being provided by the St. John Ambulance Association, subsidised by the Government. The association is operating in an efficient manner and I can see no reason why the existing arrangements should be varied.

HIGH SCHOOL HOSTELS

Location and Cost

6. Mr. HALL asked the Minister for Education:

(1) How many new hostels have been built at country centres by the High School Hostels Authority?

(2) What are the names of the towns where hostels have been built by the authority, and what was the cost of each new hostel?

(3) How many towns are there in this State where high school hostels are established, and what are the names of such towns?

Mr. LEWIS replied:

(1) Two.

(2) Merredin—£112,000.
Narrogin—£81,000.

(3) Seven towns—
Albany
Bunbury
Merredin
Narrogin
Geraldton
Northam
Katanning.

SECOND HIGH SCHOOL FOR ALBANY

Classification and Date of Commencement

7. Mr. HALL asked the Minister for Education:

(1) As provision has been made for the erection of a second high school at Albany by way of land acquisition, is it intended to build a three-year or five-year high school at that centre?

(2) When is it anticipated that the second high school will be built at Albany?

Mr. LEWIS replied:

(1) In the first place it will be a three-year high school and, as is customary, when numbers increase sufficiently a fourth and fifth year may be added.

(2) This is not known at present.

DENTAL UNIT IN KIMBERLEYS

Visiting Dentists and Length of Stay

8. Mr. RHATIGAN asked the Minister for Health:

(1) Further to my question, No. 9 of the 3rd September, when will the visiting dentists commence work in the Kimberleys, and what is the estimated time they propose to spend there?

Appointment of Second Dentist

(2) When does he anticipate that a second dentist will be stationed in the area?

Mr. ROSS HUTCHINSON replied:

(1) A visiting dentist left for Kununurra on the 11th September by ship. He will commence work on arrival and expects to remain until all outstanding dental work has been done.

(2) The matter is being explored, but no time of commencement can yet be stated.

HOUSING

Cloverdale-East Belmont Area

9. Mr. J. HEGNEY asked the Minister representing the Minister for Housing:

(1) How many State Housing Commission homes have been built in the Cloverdale-East Belmont area since January, 1962, to the 1st July, 1963?

(2) How many houses, including those now under construction, will complete the construction programme in the above areas?

Dunreath-Redcliffe Area

(3) How many houses are to be erected in the Dunreath-Redcliffe area?

Mr. ROSS HUTCHINSON replied:

(1) 236 homes.

(2) 199 for group construction plus 43 available for individual applicants.

(3) 13 completed, 14 under contract and a contract for seven to be signed within a few weeks.

SWAN PORTLAND CEMENT WORKS

Pollution of the Atmosphere

10. Mr. J. HEGNEY asked the Minister for Labour:

(1) Is he aware that residents in the Rivervale district still complain about the pollution of the atmosphere by cement dust coming from the Swan Portland Cement works?

(2) What action was taken following the presentation of a petition of 500 signatories to the Premier about five months ago, seeking relief from the cement dust nuisance in the Rivervale district?

(3) Will he advise whether the committee consisting of Dr. Snow, the Chief Inspector of Factories (Mr. Warman), and the principal Government chemist still functions?

(4) Do they make periodic inspections of the works with a view to mitigating the nuisance?

Annual Production, and Number of Employees

(5) How many tons of cement are being produced annually at the works?

(6) Has the production rate been increased in recent months?

(7) How many men are now employed at the works?

Mr. WILD replied:

(1) Apart from one report of dust being emitted during the relighting of the kiln, no further complaints have been made to the Factories Inspection Branch about cement dust at Rivervale since an additional dust collection system was installed at the cement works at the beginning of this year.

(2) Dust emission is checked at the cement works, and the assistance was sought of the Government Chemical Laboratories to examine the matter and assess the dust fall in the area after the additional collectors were installed.

(3) and (4) No, but the Minister for Local Government constituted a committee, comprising representatives of the Health Department, Town Planning Department, Government Chemical Laboratories, Public Works, Factories Inspection Branch, and the W.A. Branch of the Bureau of Meteorology, to inquire into air pollution in the Perth area generally. This committee has met on six occasions during the past 18 months.

(5) and (6) The figures of production are not available at the Labour Department.

(7) 132 male employees.

METROPOLITAN WATER SUPPLY

Substances Added

11. Mr. JAMIESON asked the Minister for Water Supplies:

(1) What are the substances, chemical and otherwise, placed in the water supplied to metropolitan consumers?

(2) What quantities of each are used?

(3) For what purpose is each of these substances included in the water supply?

Mr. WILD replied:

(1) (a) Chlorine.

(b) Copper sulphate.

(c) Calcium hydroxide (lime).

(2) (a) Chlorine is added to water drawn from hills sources between 0.75 and 2.0 parts per million.

(b) Copper sulphate is added to principal service reservoirs 1.2 parts per million.

(c) Calcium hydroxide (lime) is added to Serpentine Dam water 2.0 parts per million (last summer).

(3) (a) Destruction of bacteria.

(b) Prevention of algae growths.

(c) Adjust PH value of the water.

PUBLIC TRANSPORT

Profit or Loss for Years 1961-62 and 1962-63

12. Mr. DUNN asked the Minister for Transport:

What amount of profit or loss in the years 1961-62 and 1962-63 is attributable to the provision of public transport in the—

(a) Boya-Darlington-Glen Forrest-Mundaring and Swan View area;

(b) Kalamunda-Gooseberry Hill-Lesmurdie-Forrestfield-Wattle Grove-Maida Vale area;

(c) Carilla-Pickering Brook area?

Mr. CRAIG replied:

	1961-62	1962-63
	£	£
(a) Loss	17,933	16,647
(b) Loss	16,805	16,812

(c) Carilla-Pickering Brook area—not operated by M.T.T.

TUBERCULOSIS TREATMENT

Periodical Check-up of Patients, and Financial Reimbursement

13. Mr. TOMS asked the Minister for Health:

(1) Do patients who have received treatment for tuberculosis and been cleared by the Chest Hospital, have to report for a periodical check-up; and, if so, how often?

(2) Is provision made for indemnifying such patients for loss of wages occasioned during these tests, or subsequent loss of time, due to the severity of the tests with some patients?

(3) If the answer to No. (2) is in the negative, will be take steps to have this position rectified by reimbursing the patients so affected?

Mr. ROSS HUTCHINSON replied:

(1) Yes. At first every two or three months, then at progressively less frequent intervals, provided the patient's progress is satisfactory.

(2) Special tests may be required during the follow-up observation period, but these do not produce any after effects. Where it appears that loss of wages might occur, arrangements can be made, at the patient's request, for him to attend in non-working hours.

(3) Not applicable.

ORD RIVER DAM

Case for Commonwealth Financial Assistance

14. Mr. RHATIGAN asked the Premier: When does the Government propose to present a case to the Commonwealth Government for finance necessary for the construction of the main Ord River dam?

Mr. BRAND replied:

In early 1964.

COLLIER PINE PLANTATION

Size, Allocation of Sections, and Overall Plan

15. Mr. DAVIES asked the Minister for Lands:

(1) What was the size of the Collier pine plantation after all plantings had been completed?

(2) What area is now under cultivation?

(3) For what purposes have sections of the plantation been allocated?

(4) What are the areas of each of the parcels of land so allocated?

(5) When will the remainder of the area be available for allocation?

(6) Has an overall plan been developed for the remainder of the area?

(7) If so, will he make such plan available for the information of members?

Mr. BOVELL replied:

(1) 1,025 acres.

(2) 700 acres of pine.

(3) and (4)

Canning Location No.	Area a.	r.	p.	Purpose
1355	4	3	39	Ngal-a Mothercraft Home and Training Centre (Inc.).
1291, 1668, 1670	68	3	35	Department of Agriculture.
1911	6	1	19	Child Guidance Clinic.
1777	2	0	0	National Parks Board of W.A.
1787	1	0	0	State Electricity Commission.
1860	7	0	28	Home of Peace.
1878	8	0	1	Recreation, vested in City of South Perth.
1877	3	1	7	South Perth Municipal Depot Site.
1875	57	1	5	Forests Department.
1912	6	2	9	Child Welfare Department.
1779, 1858, 1913	18	2	35	Swan Cottage Homes.
1780, 1914	31	3	7	C.M.M. Homes.
1648	29	2	32	School Site.
1864	346	2	33	Technological College.

(5) Not until the pines, upon maturity, have been harvested. In special circumstances an area may be released by arrangement with the Conservator of Forests for the cutting of pine trees before they reach maturity.

(6) A tentative plan has been prepared for portion of the reserve only.

(7) When the final plan has been developed.

PROBATE

Classification of Estates in Excess of £20,000

16. Mr. GRAHAM asked the Minister representing the Minister for Justice:

(1) During the year ended the 31st December, 1962, how many deceased persons left estates valued for probate in excess of £20,000?

(2) Of these, how many in total fall within the general classification of farmers, graziers, pastoralists, agriculturalists, orchardists, and allied designations, including where prefixed with such as "formerly," "retired," "widow of," etc.?

Mr. COURT replied:

(1) 172.

(2) 73.

CEMENT

Capital City Prices

17. Mr. JAMIESON asked the Minister for Industrial Development:

What is the current capital city price of cement per ton to—

(a) Government;

(b) general public?

Mr. COURT replied:

Comparable prices for cement delivered central city area or f.o.r. capital city, are—

	Government Bagged	Government Bulk	Contractors Bagged	Contractors Bulk
Sydney	£ 13 8 9	£ 12 2 6	£ 13 8 9	£ 12 2 6
	Prices delivered Central Sydney to Government and large contractors. All less 2½%. 5-ton loads of bagged cement to builders and smaller contractors are priced at £16 6s. 6d. per ton reducing to £15 2s. 9d. per ton for loads over 15 tons.			
Melbourne	£ 10 5 6	£ 9 10 6	£ 11 2 0	£ 10 7 0
	Prices ex rail Melbourne. All less 2½%.			
Brisbane	£ 9 7 6	£ 8 15 1	£ 10 10 0	£ 9 9 3
	Prices delivered Central City Area.			
Adelaide	£ 9 5 6	£ 8 8 0	£ 10 6 0	£ 9 6 0
	Prices are per ton net for minimum loads of bagged, 2 tons to Government and 5 tons to Contractors. Bulk, both 10 tons.			
Perth	£ 12 15 0	£ 11 17 6	£ 12 15 0	£ 11 17 6
	Prices delivered Metropolitan Area. For loads less than 5 tons, prices delivered Metropolitan Area are 3s. per ton higher. All less 2½%.			
Hobart	£ 12 17 0	£ 11 15 7	£ 13 19 7	£ No price quoted.
	Prices F.O.R. Hobart.			

Comparable prices to the general public for a bag of cement purchased from a retail establishment are—

Sydney—15s. 3d.

Melbourne—9s. 10d.

Brisbane—10s. 6d. (delivered).

Adelaide—10s. 1d. (delivered).

Perth—12s.

Hobart—12s. 8½d.

STATE ELECTRICITY COMMISSION CHARGES

Effect of New Scale on Small Consumers

18. Mr. JAMIESON asked the Minister for Electricity:

Is it a fact that under the new scale of State Electricity Commission charges many small consumers will in effect be required to pay a greater amount for supply than before?

Mr. LEWIS (for Mr. Nalder) replied:

Some very small consumers will pay more.

It is estimated that ½% will pay nearly 6d. per week more and approximately 5% will pay less than 3d. per week more.

The average consumer will gain up to 4d. per week.

Consumers who use electricity for all purposes will gain more.

The following are examples:—

(1) *A very small consumer.*

Old Rates	s.	d.	New Rates	s.	d.
10 at 6·6d.	5	6	Service Charge....	10	0
40 at 2·4d.	8	0	50 at 2·3d.	9	7
	13	6		19	7

Increase : 5½d. per week.

(2) *An average consumer.*

	£	s.	d.		£	s.	d.
28 at 6·6d.		15	5	Service Charge....		10	0
472 at 2·4d.	4	14	5	500 at 2·3d.	4	15	10
	5	9	10		5	5	10

Reduction : 4d. per week.

(3) *An all-electric home.*

	£	s.	d.		£	s.	d.
30 at 6·6d.		16	6	Service Charge....		10	0
770 at 2·4d.	7	14	0	800 at 2·3d.	7	13	4
	8	10	6		8	3	4

Reduction : 6¼d. per week.

The new domestic rate will cost less to administer and therefore will assist towards making further reductions in the future.

QUESTIONS WITHOUT NOTICE

BURSARY TO GLEN PORTER

Use of Money

1. Mr. H. MAY: On Wednesday, the 4th September, I asked the Minister for Education the following question without notice:—

   (1) Is the Minister aware that bursary money at the rate of £80 per year is being paid to a Thomas Porter of 8 Derby Road, Subiaco, who is the father of Glen Porter, the boy concerned?

   (2) Does the Minister know, as reported to me, that this money is not being used for the purpose intended?

   (3) Can the Minister arrange for this money to be paid through some other channel whereby it will be used for the purpose intended?

   I think a simple question like that should have received an answer by now.

   Mr. LEWIS: I did have an investigation made into this matter and I was advised that I had no authority to do other than what was done because the regulation governs the situation. But I have had a further investigation made into this regulation—or, I am having it made now—with a view to having the regulation altered if necessary.

METROPOLITAN WATER SUPPLY

Substances Added

2. Mr. JAMIESON asked the Minister for Water Supplies:

   In view of the Minister's reply to my question on today's notice paper regarding substances placed in the metropolitan water supply being chlorine, copper sulphate, and calcium hydroxide, what has happened to the other substances which were referred to by the Minister for Health in his speech the other day—

   Mr. Ross Hutchinson: Why don't you ask me this question instead of the Minister for Water Supplies?

   Mr. JAMIESON: —when he referred to alum, caustic soda, and half a dozen others, if not considerably more?

   Mr. WILD replied:

   If the honourable member wishes to have an answer to that question he had better place it on the notice paper.

   Mr. Tonkin: No wonder I didn't know the substances in the water when they weren't there!

BILLS (2): INTRODUCTION AND FIRST READING

1. Iron Ore (Hamersley Range) Agreement Bill.

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

2. Totalisator Agency Board Betting Act Amendment Bill (No. 3).

   Bill introduced, on motion by Mr. Tonkin (Deputy Leader of the Opposition), and read a first time.

BILLS (2): THIRD READING

1. Criminal Code Amendment Bill.
2. Prisons Act Amendment Bill.

   Bills read a third time, on motions by Mr. Ross Hutchinson (Chief Secretary), and transmitted to the Council.

MOTOR VEHICLE DRIVERS INSTRUCTORS BILL

In Committee, etc.

Resumed from the 12th September. The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Craig (Minister for Police) in charge of the Bill.

The CHAIRMAN: Progress was reported after clause 2 had been agreed to.

Clause 3: Interpretation—

Mr. GRAHAM: The Minister has told us that the intention of this legislation is that those who instruct in the driving of

motor vehicles and who receive payment or other consideration for that service are the ones to be registered, and that there is no intention of going beyond. There were expressions of surprise and disagreement when I intimated during the second reading debate that there was provision in this Bill to allow every person in the State to be registered if the Minister so desired.

I think it was the member for Subiaco who delivered himself of some profound utterances as usual, and endeavoured to convince me—let me inform him, quite unsuccessfully—that what is written in this clause does not mean what it says. The Bill states—

> In this Act, unless the contrary intention appears—
>
> "driving instructor" means—
>
> (a) a person who

And then it goes on to state "for fee, reward" or any other consideration gives advice, instruction, etc., for the purposes of teaching a person to drive a motor vehicle; and it continues with paragraph (b), which reads—

> such other person or class of persons as may be prescribed.

If the intention of the legislation is to do what the Minister suggested, I submit there is no need for paragraph (b) which, upon the Minister of the day so prescribing, could embrace any section, or all sections of the community. It would make it impossible for a parent to teach a member of his family, or any individual to teach a friend, to drive a car, even if it were done on a purely friendly basis and the matter of payment or consideration did not enter into the scheme of things.

Therefore, to ensure that the Bill does as the Minister said it was intended to do, and in order to make absolutely certain that nobody other than those who are paid a fee for their services as driving instructors shall be embraced in the restrictions imposed by the regulations, I move an amendment—

> Page 2, lines 20 and 21—Delete paragraph (b).

Mr. CRAIG: The honourable member is correct in certain of his expressions, but entirely wrong in others. There is no question of making this wide open so far as prescribing persons who could be considered as driving instructors when no payment of a fee is involved is concerned. I think the main reason it is included is to make sure that an organisation such as the National Safety Council, which may in the future be in a position to have licensed driving instructors, is not involved with payment of a fee. There may also be an extension of this provision in country areas where, for instance, the Apex Club at Bunbury might take on the responsibility of teaching people to drive with the aid of a qualified tutor who had obtained a certificate from the National Safety Council. In that instance, too, there would be no desire to collect a fee.

However, there is no particular purpose in retaining the paragraph and I am quite agreeable to the amendment: The essential point is that we license everyone who acts as a driving instructor for a reward or fee. If it is felt that the paragraph is superfluous I agree to the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 4 put and passed.

Clause 5: Driving instructors required to have license or permit—

Mr. GRAHAM: If there is to be registration it is obvious that certain controls are essential; but I believe that in paragraph (b) of subclause (1) the Bill goes to excesses. If a firm or person is registered, or granted a permit to instruct in the driving of vehicles, surely it is sufficient if it has an advertisement which says, "Jones Driving School, 45 James Street, Perth. Telephone No. so-and-so. Inquiries to such-and-such a person between certain hours".

I think it is stretching it a little too far to ask a person in his advertisement—which could be little introduction cards, or posters, or signs, advertisements on the face of buildings, vehicles, and the rest of it—to have to go into particulars as to the type or class of vehicle in respect of which the person acts.

As a matter of fact, from a practical point of view I suggest it could be unworkable, because instructors at this imaginary Jones Driving School could have qualifications to cover all types of vehicles, in classes A, B, and C, if there be such categories. However, the particular instructor on the day may be qualified to teach only in respect of class A vehicles, and therefore the car in which he was tutoring somebody would not be telling the truth, if I can put it that way. I think the amendment I have on the notice paper, if agreed to, will still give the Minister all the power and authority he desires the Commissioner of Police to have to enable the legislation to work satisfactorily. Accordingly I move an amendment—

> Page 3—Delete all words in lines 17 to 20 inclusive.

Mr. CRAIG: If the honourable member reads paragraph (b) again he will see that paragraph (c) has been inserted to protect the individual being examined in regard to the class of vehicle for which he wants a license. Paragraph (b) definitely refers to advertising or notifying the public regarding the class of vehicle for which the instructor is authorised to teach.

A persistent individual who is unfortunate enough not to be able to gain a license in a conventional gear change type of motorcar could be led into taking instruction from an instructor who advertises that he will guarantee a license simply because he will carry out the tuition in an automatic transmission vehicle. I think the honourable member will agree that it is easier to learn to drive that type of vehicle as compared with the conventional gear change type. But the danger arises when the person finally gains his license, and buys a car with the ordinary gear change. There is a vast difference in the driving technique. That is the reason for the clause, and I would prefer to leave it as it is. Therefore I oppose the amendment.

Mr. GRAHAM: Perhaps the Minister should have given us some more information. I was only guessing, as I suppose most of us were, as to what classes of instructors there would be. As I said earlier, my immediate thought was that some instructors would have a permit to teach people anxious to learn to drive a car; but when it came to the matter of handling heavy haulage vehicles a person who might know all about the mechanism of a car could be hopelessly at sea as regards the heavier types of vehicles. What I want in my mind is a clear picture of the type of data it will be necessary for any instructor to have in his advertisements or notices.

Mr. Craig: It says that in the clause.

Mr. GRAHAM: What the Minister is talking about is somebody who has a permit to teach in vehicles of a certain type and who may exceed that authority. That is why I pointed out to him the wording of paragraph (b). If the license or permit states that Graham can teach driving in a vehicle—namely, a motorcar—where there is a manual gear change, surely the Minister has some authority over me in regard to paragraph (c)?; because if I were teaching in any other type of vehicle I would be contravening one of the conditions attached to my license or permit. It is unreasonable to expect any instructor to set out, in an advertisement or notice, the particulars of the classes of vehicles he is permitted to use for the purpose of teaching persons to drive. That is unnecessary and is a condition which should not be asked of any person in business. If an instructor desired to breach the Act he would do so in any case.

Being a servant of a firm an instructor may, in some cases, be qualified to teach a person to drive in a class A, class B, or class C vehicle. What is the position? The vehicle on which there is a notice displayed states that all classes can be catered for, but a person instructing and holding a class A permit only would have no right to instruct anybody in respect of a class B or class C vehicle. Therefore, the position would be that notices setting out the full classification the instructor could cover would have to be shown on every vehicle belonging to the firm. I think the clause, as printed, achieves nothing.

Mr. CRAIG: I think we are at cross purposes on this amendment. Paragraph (b) of the clause definitely refers to advertising. An instructor cannot advertise that he will teach a person to drive a certain class of vehicle unless he is qualified to do so. The position might arise where he has a new type of vehicle. I have already quoted a vehicle with an automatic drive as an example. We have heard about the jet turbine type of vehicle, and that could be the subject of the wording of another paragraph in the future. It could be that an instructor would not be allowed to teach in a vehicle of that type unless he were qualified to do so. In my opinion the amendment, as printed, is quite in order.

Amendment put and negatived.

Clause put and passed.

Clause 6 put and passed.

Clause 7: Application for license—

Mr. GRAHAM: In order to make a worth-while amendment I have stated certain figures in my amendment appearing on the notice paper. However, I now advise the Minister that I am not necessarily bound to those figures if he can present a case showing that they should be more or less. It is bad policy for Parliament to agree to a fee being charged without having any conception of the amount of the fee. If the Minister were prepared to consider placing a limit on the fee I would be quite agreeable. Actually, I have done this in my amendment because I have no idea how extensive would be the course for testing any prospective instructor; and, consequently, I have no idea whether £3 would be a fee sufficient for the issue of a license, and the fee of £1 annually for the renewal of it. I think I am correct in saying that a small charge of 10s. is made at present against persons who obtain a driver's license. That is, in addition to the annual fee.

Mr. Craig: That is so.

Mr. GRAHAM: One would expect that a person seeking to obtain an instructor's license would be subjected to a more thorough testing and for that reason I think a greater amount should be charged. We should bear in mind that an instructor, in addition to paying the fee for the special license which he will be required to hold, will be paying a fee for the ordinary driver's license in the same way as any other driver. Therefore,

in order to provide that Parliament shall prescribe some limit to the fee charged, I move an amendment—

> Page 5, line 8—Insert after the word "fee" the following passage: "which shall not exceed three pounds (£3) for a license and shall not exceed one pound (£1) for a renewal thereof."

Mr. CRAIG: During the second reading debate I mentioned that it was proposed to charge an annual license fee of £3. In suggesting £1 annually for the renewal of the license, the member for Balcatta must realise that more policing of these licenses will be required as compared to the policing of ordinary drivers' licenses. I do not think the fee of £3 is excessive when it is considered that in New South Wales, the annual fee is £3, and in South Australia the fee is £10 for a three-yearly period. If we provide in the legislation any adjustment in excess of £3, as suggested, an amendment would be required. I do not think it would be the intention of the Commissioner for Police or the Minister of the day to make an excessive charge. All that is sought is a simplification of the procedure, and therefore I must oppose the amendment.

Mr. GRAHAM: I am unable to follow the Minister's logic. He has told us what the approximate charges are to be. All I seek is for Parliament to make a limit.

Mr. Craig: If you adjust it to, say, £10, I will be agreeable.

Mr. GRAHAM: Do I understand that the Minister would be agreeable to a fee of £10 for the initial license and a fee of £5 for the renewal?

Mr. Craig: The renewal fee is supposed to be £3. If you fix it at £5 I will be agreeable.

Mr. GRAHAM: If the figures were to read £5 and £3, would the Minister be agreeable?

Mr. Craig: No; £5 and £5.

Mr. GRAHAM: My idea was that in view of the fact that the initial testing of the instructor would involve more time, the commissioner would be entitled to charge more at that stage because the renewal of the license would be more or less a formality.

Mr. Craig: No it wouldn't.

Mr. GRAHAM: Could the Minister enlighten me on this?

Mr. CRAIG: The testing is performed by the National Safety Council which, for a fee of two guineas, will examine an applicant and issue a certificate; upon which the Commissioner of Police will issue the instructor's license on payment of a fee of £5. After that, the annual renewal fee will be £3.

Mr. GRAHAM: I desire to recast my amendment, but before doing so I will ask for leave to withdraw the amendment I have already moved.

Amendment, by leave, withdrawn.

Mr. GRAHAM: What I now seek is to add the words "which shall not exceed £5 in either case" after the word "fee" in line 8. Would that be acceptable to the Minister?

Mr. Craig: Yes.

Mr. GRAHAM: I move an amendment—

> Page 5, line 8—Insert after the word "fee" the words "which shall not exceed five pounds (£5) in either case."

Amendment put and passed.

Clause, as amended, put and passed.

Clause 8: Tests and course of training required to obtain certificate—

Mr. GRAHAM: I am sorry I did not place my next proposed amendment on the notice paper. If the Minister will look at the last line on page 6 he will notice that a person will not be granted a certificate unless he has paid to the National Safety Council the prescribed fee for the tests or the course, because in clause 9 it is provided that the Commissioner of Police may cancel a license if any prescribed license fee is due and unpaid. If a person were remiss in paying the fee to the National Safety Council it would be the end of his license to instruct.

I do not know whether the Minister has given any thought to the fee which the National Safety Council should prescribe. My view is that such fee should be prescribed in the Act, by the inclusion of a new paragraph (c) to read—

> The fees which may be charged by the National Safety Council of Western Australia, or other prescribed body, shall not exceed £3 3s. for a test, and £10 10s. for a course of training.

As the National Safety Council, or other approved body, is an outside authority and not a Government department, and is to be given the right to charge fees, subject to the approval of the Minister, we ought to include in the Act the maximum fees which can be charged.

Mr. CRAIG: The prescribed fees will, more or less, be fixed by the National Safety Council. I do not want that body to feel it is being dictated to in this matter. The fee proposed is £2 for a test, but that amount will be governed by the experience of the National Safety Council in the carrying out of these tests. This is new legislation, and at present that body considers £2 would be sufficient for a test. I would not be agreeable to the maximum amount being prescribed in the Act. Whatever fee is charged by that body will be

subject to the approval of the Minister, and the Minister will give much thought, before approval is given, to what may be regarded as an exorbitant fee. The National Safety Council is most anxious to develop training along the lines suggested, and the lower it can keep the fees that are charged to the public, the greater will be the response.

Mr. GRAHAM: The principle involved in this clause is identical with the one in the previous clause, with a slight difference. The fee will not be a charge which is to be levied by a Government authority; yet in respect of the previous clause the Committee has agreed that Parliament should place a limit on the fee prescribed. It is proposed in clause 8 to issue a blank cheque to an outside body to charge what it likes.

The fees come under two headings: the first is for testing, and I suggest £3 3s. shall be the maximum; and the second is for a course of instruction to driving instructors, and I suggest £10 10s. would be reasonable. If the Minister can prove the amounts I have proposed are insufficient I am prepared to increase them.

As this proposed amendment has not been included on the notice paper, I would ask the Minister to look into the matter and to confer with his colleague in another place. I shall confer with one of my colleagues in the Council to promote an amendment along the lines I have indicated. The Minister's representative will then be able to accept or disagree with the amendment when the Bill is before that House.

Mr. CRAIG: I am quite agreeable to the suggestion. For the information of the honourable member, the National Safety Council proposes to charge £15 15s. for a course to instructors who fail to pass the examination. This fee covers a 10-day intensive course of training, and is a reasonable one. I shall have the points raised by the honourable member investigated; and if it is considered that something should be done along those lines, then amendments can be made in another place.

Clause put and passed.

Clauses 9 to 13 put and passed.

Clause 14: Regulations—

Mr. GRAHAM: I cannot understand how the shocking provision in subclause (1) (b) has found its way into the Bill. It requires a person engaged in a lawful business to display on or in the motor vehicle used by him a photograph of himself for the purpose of identification. I indicated during the second reading that there were many people in this State who were charged with considerable authority, such as to stop vehicles, question people—and, in the case of police, to arrest people; yet none of those authorised persons is required to produce a photograph as a means of identification. In this provision it is proposed that driving instructors engaged in a lawful business shall display photographs of themselves as a means of identification. I would also point out that school teachers are not required to carry, or to produce photographs of identification, when they are sent out to country centres.

It should be sufficient for the driving instructor to display in or on his motor vehicle his license to instruct, or any other means of identifying himself. But I take the strongest exception to an instructor being required to exhibit a photograph for that purpose. I therefore move an amendment—

> Page 11, line 11—Delete the words "photograph of, or other."

Mr. CRAIG: I appreciate the reasoning of the honourable member when he objects to the display of a photograph in the car used for driving instruction, as a means of identifying the instructor; but that is not the real purpose of the provision. The real purpose is to include a photograph as an attachment to the license, and the photograph can be placed in the glove box of the car. There is no intention to prescribe that the photograph shall be on display for all and sundry. The main purpose is to have immediate identification of the instructor in whose name the license is issued.

I understand this is the policy followed in South Australia in respect of taxi drivers; and in some other States, in respect of road transport licenses where the keeping of logs is required. The drivers of the vehicles have to attach their photographs to the log books. I repeat that the main purpose of this provision is to have a ready means of identification of the driving instructor in whose name the license is issued. I oppose the amendment.

Mr. GRAHAM: I am not satisfied with the explanation of the Minister, because at present many people in the State are given wide powers and authority, but it is not necessary for them to exhibit photographs as a means of identification. Even if the words are deleted the Minister will still have the right to prescribe that photographs of driving instructors be taken and be attached to their licenses, because if my amendment is agreed to the provision will read—

> Regulations may be made for or with respect to—
>
> (b) the display on or in any motor vehicle used by a driving instructor for the purpose of giving instruction in the driving of the motor vehicle, of the license or permit held by the driving instructor and of any means of identifying him.

Of course, any means of identification will include the attachment of a photograph on the license. We should not prescribe specifically that photographs should be carried or displayed by driving instructors.

Mr. CRAIG: If the Committee considers that the inclusion of the words proposed to be deleted is distasteful, they can be removed, and the position can be overcome in another way by prescribing in the regulations the means of identifying the instructor. I am agreeable to the deletion of the words.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 11, lines 15 to 20—Delete paragraph (d).

This paragraph makes it possible for regulations to be issued regarding the method and manner in which an instructor may make known the fact that he is a driving instructor or is willing to give instruction in the driving of motor vehicles, and the place from which the business is carried on. Why would the Minister or the department want this power? Does it matter whether an advertisement is made by means of smoke signals, signs on tops of buildings, TV, large or small posters, or by any other means?

I believe it is going too far altogether if bureaucracy can tell a group of people engaged in business the method and manner in which they must advertise. If the Minister believes that certain controls are essential, such controls should apply to every type of advertiser and not merely to those engaged as motor vehicle instructors.

I think I mentioned during the second reading debate that it would probably be undesirable for all sorts of hoardings to adorn cars used for driving instruction; but if such hoardings on the roof of a motor vehicle are regarded as being improper or constituting a danger, surely the restriction should apply to all vehicles, and not only to those used by driving instructors. I will be very interested to hear the Minister on this point.

Mr. CRAIG: There is no reason at all why this amendment should be passed. The provision will give the commissioner some power to regulate the method employed by some of these driving instructors. No doubt the member for Balcatta has been to the Victoria Park traffic office and has witnessed the activities of some of the driving schools. They park their cars near the office, drawing attention to the fact that they are driving instructors by the advertisements on the vehicles.

There is no question of altering the advertising methods employed at present other than to give the commissioner some authority to more or less tell them that they cannot so park their cars. Admittedly there are certain parking regulations and so on, and local authorities have some power; but we know the type of advertising employed by some firms in other fields. They use parked cars, trailers, caravans, and so forth. However, there is no intention to interfere with any legitimate forms of advertising.

Mr. GRAHAM: The Minister has satisfied me that there is need for an amendment either to the Traffic Act or the regulations to control the placing of huge signs on parked caravans, trailers, or vehicles. Recently in Victoria Park a firm parked a whole line of cars on which were painted great big arrows pointing across the road to a certain place of business. If this practice is undesirable, then it is undesirable whether the advertisement concerns the sale of cars, hot dogs, or driving instruction. Whilst I have no objection to the principle, I say that the amendment should not be placed in this legislation. I am asking, therefore, that the Minister agree to this amendment. I would be the first one to support him in a reasonable proposition under the Traffic Act or the regulations, whichever the case may be.

Even if the Minister has certain limited intentions in mind, it is not the intentions of Parliament but the decisions of Parliament which are all-important. The point about this is that regulations may be made controlling the method and manner in which a driving instructor may advertise. If he had a harmless notice such as—to use the case I mentioned before—"Jones Driving School, 45 James Street, Perth", then the Commissioner of Police could tell him whether he could advertise and under what circumstances. But I suppose if he put a whole lot of other data that did not appertain to those points, he could still park his car where the Minister would not desire it to be parked. In any event, it is wrong.

I expected the high priest of private enterprise—the Minister for Railways—to pass a message to the Minister that this is too much of an interference with the rights of persons. However, any regulation regarding signs on vehicles should have general application and not be directed against one section. I therefore appeal to the Minister to approach this matter from an entirely different basis and agree to this amendment.

Mr. CRAIG: No; I am afraid I am still of the same frame of mind on this. There is a relationship, of course, between this and the earlier clause 5 which was agreed to by the Committee, referring to advertising, and which the honourable member endeavoured to amend. There is a definite relationship, and this provision is regulating the method and the manner. I think it is mainly the method with which the commissioner is concerned. One school might advertise that it would give

instruction in connection with a certain class of vehicle; but, in fact, it might have no authority to do so.

Mr. Graham: If you read further you will see it is only connected with the place and the fact that the person is a driving instructor.

Mr. CRAIG: Paragraph (d) has direct relstionship with the earlier clause. I cannot see any purpose in deleting this paragraph, because it does not do anything but give power to the commissioner to have some control over the method and manner in which the driving schools will advertise; and I therefore oppose the amendment.

Mr. DAVIES: I support the deletion of this paragraph mainly for the reasons mentioned by the member for Balcatta. If we place certain restrictions on advertisements by driving instructors, it is only right and proper that the same restrictions should apply to that kind of advertising which is now indulged in by other persons. What the member for Balcatta said is quite right in regard to the advertising of car sale establishments along Albany Highway. The traffic position is bad enough there now; and yet firms can leave cars outside all day. Apparently as long as they are stationary they can display these notices indicating that the establishments are open for business.

This seems to be the type of advertising the Minister fears will take place in regard to driving instructors unless the commissioner has some control. I cannot see that there is the slightest reason for the commissioner to be given special authority when under the provisions of the Traffic Act there are certain restrictions on this type of advertising. Further, the local authorities have some control over what shall happen in their streets.

I feel this is discriminating against driving instructors, and I cannot appreciate the tie-up the Minister claims exists between this provision and the one referred to by him. They are quite different, and to give this special power to the commissioner is unwarranted.

Amendment put and negatived.

Mr. GRAHAM: I move an amendment—

> Page 11, line 39—Delete the words "copies of a photograph of, or of other".

Members will appreciate that this is a complementary amendment to the one just passed.

Mr. Craig: As it is a complementary amendment, I am not opposed to it.

Mr. GUTHRIE: Before this amendment is passed, I would point out to the Minister and the member for Balcatta that it will be necessary to insert some words in lieu of the words to be deleted. I suggest that those words should be "any prescribed".

Mr. Craig: But the member for Balcatta is only moving for the deletion of words.

Mr. GUTHRIE: I know; but the draftsman referred it back to the words "copies of a photograph of, or of other means of identifying." He was referring to the photographs or to other means of identifying in paragraph (b). The words "copies of a photograph of, or of other" have now been deleted, and there has to be a regulating power in respect of means of identification. With due respect to the Minister, I feel that the language that is left in the Bill is not too clear. He can have a look at this, if he likes, with his draftsman, and have an amendment moved in another place, but from a quick look at the provision, I suggest that someone should move to insert the words "any prescribed" at the beginning of line 40.

Amendment put and passed.

Mr. GUTHRIE: I move an amendment—

> Page 11, line 39—Substitute the following words for the words deleted:—"any prescribed".

Amendment put and passed.

Mr. GUTHRIE: I have on the notice paper an amendment concerning damage that may be done to property, and injury to persons, in the activities of these people. All I am asking is that the Minister, in preparing regulations, shall have regulating power to require specific notification to the commissioner and such other persons as may be prescribed. I do not intend to elaborate on my amendment as I explained it at the second reading stage. I move an amendment—

> Page 11—Insert after paragraph (g), in lines 30 to 41, the following new paragraph to stand as paragraph (h):—
>
> (h) notification to the Commissioner and such other persons as may be prescribed by the regulations of any injuries sustained by any person or of any damage occasioned to any property during the course of driving instruction.

Mr. CRAIG: I am quite agreeable to accept the amendment. The matter has been the subject of some correspondence over the past few months, and it was felt that action could be taken under section 30 of the Traffic Act; but in that case, I believe, the driver of the vehicle is responsible to report any damage done to fences. The amendment proposed by the honourable member clarifies the position and it is acceptable.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [6.6 p.m.]: I move—

That the Bill be now read a second time.

This Bill is being introduced as a consequence of a decision of the Standing Committee of Federal and State Attorneys-General that legislation for the enforcement of judgments given in the United Kingdom, or in other countries that accord reciprocal treatment to judgments given in the Australian States be introduced in all States and by the Commonwealth in the Australian Capital Territory. The passing of this measure will facilitate the enforcement in other countries of judgments given in this State. Legislation of a similar character has been passed already by Victoria, Queensland, Tasmania, and the Commonwealth.

Since the passing of the legislation by the Commonwealth and the other States, the new laws have been closely scrutinised by both Mr. Justice Hogarth of the Supreme Court of South Australia and Mr. Justice Dean of the Supreme Court of Victoria. As a consequence, certain suggestions have been made and, though they contain no points of principle, they are considered improvements. As a result, the Standing Committee recommended that Mr. Justice Hogarth's suggestions be incorporated. These suggested alterations were included when this Bill was being drafted. They will have to be included by amending legislation in the other States, which have already passed the Bill, and in the Commonwealth legislation.

The matter of reciprocity in the enforcement of judgments of and in the Supreme Court, is dealt with at present under part VIII of the Supreme Court Act, 1935. However, that part provides only for the enforcement of judgments in this State that were given in the United Kingdom, in other parts of Her Majesty's Commonwealth, and protected and mandated territories that afford reciprocal enforcement to Western Australian judgments.

This Bill provides for the enforcement and reciprocal enforcement not only of those judgments but also of judgments of any other foreign country with which this State may enter into reciprocal arrangements.

The United Kingdom has been in a position to have operative conventions with foreign countries for the enforcement of civil judgments since the passing of the Foreign Judgments (Reciprocal Enforcement) Act, 1933. This Bill corresponds to that legislation.

Bearing in mind the present wide expansion of Australian trade, particularly with near Asian neighbours, and the prevailing use of air travel and other means of quick communication, which have fostered business relationships with other countries, it is considered essential that this Bill, which is much more comprehensive than the existing provisions of the Supreme Court Act, 1935, should be passed.

The provisions in this measure interfere in no manner with the Commonwealth Service and Execution of Process Act, which regulates similar situations as between the States of Australia. However, if we in Western Australia are to enter into trade and commerce to any extent, it is essential there be some means of enforcing judgments obtained in other countries against our own nationals and *vice versa*.

There are, nevertheless, some limitations on the types of judgments which it is proposed may be enforced. These are clarified in subclause (2) of clause 5, where it will be seen that the provisions in the Bill are not related to matrimonial matters, the administration of the estates of deceased persons, bankruptcy, the winding up of companies, lunacy, or the guardianship of infants. One good reason for the exclusion of these matters is that they relate largely to matters of status.

The main purpose of introducing the legislation is to facilitate the recovery of money judgments—i.e., recovery of a sum of money payable under a judgment—and that is the principal use to which it will be applied. There is, for instance, no reciprocity with Japan at present, but with the passing of this measure we will be in a far better position to bring about such reciprocity. The intention is to grant reciprocity, when required, upon the Governor-in-Council being satisfied that another country has much the same legal processes as ours, the same systems of enforcing judgments, and the same means of according justice between its nationals. It is even implied that foreign countries to which reciprocity is to be granted must uphold the rules of British justice at least to a practical point.

Clause 9, which contains useful provisions covering cases in which registered judgments must or may be set aside, is worthy of special note. It provides for the setting aside of a judgment in the event of the Supreme Court being satisfied that the courts of the country of origin had no jurisdiction in the circumstances, or that no notice of proceedings was given to the judgment debtor; or, if it was given, was not received in time to enable him to defend himself.

Other circumstances requiring judgments to be set aside are those where the judgment had been obtained by fraud or its enforcement was contrary to public policy in Western Australia. The provisions in

clause 10 clarify several important aspects concerning the interpretation of the jurisdiction of a foreign court.

Then in clause 14 we find the means by which reciprocal arrangements operate to allow a person from this State, who obtains judgment in our Supreme Court, to move that judgment to a foreign country. The provisions in the clause facilitate the movement of action through its provisions for the issue of certificates by the Supreme Court here. Under reciprocal agreement, they could be registered in a foreign country in order to enforce recovery against a foreign national.

It will be readily ascertained through a study of the Bill that its object is to give us a satisfactory procedure for the enforcement in this State of certain judgments given in other countries. It may be helpful to point out, in particular, that while part II initially deals with the reciprocal enforcement of judgments with the United Kingdom and declares what courts may be regarded as superior courts for the purposes of the legislation, there is provision for the extension of this part of the legislation being extended to any other Commonwealth country or any foreign country by Order-in-Council.

Debate adjourned, on motion by Mr. Evans.

DOG ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [6.13 p.m.]: I move—

> That the Bill be now read a second time.

This is a short Bill which was introduced by the Minister for Local Government and considered in another place. The measure contains only two operative sections. The first of these is devised to meet cases where dogs are found at large on days when the dog pound for the district is closed, or in cases where there is, in fact, no dog pound.

At present there is somewhat of a gap in the legislation, and the amendment now proposed will permit the Dogs Refuge Home to receive any dog found wandering at large on a day when the pound is closed, or where there is no pound, and then it has authority to deal with that dog in accordance with the provisions of section 19 of the Act.

The second amendment recognises the fact that people will sometimes take an unwanted dog and dump it down in a street or other place and simply abandon the animal, which then has to endeavour to find a home for itself. It can become diseased and can be a considerable nuisance. The amendment, therefore, proposes to make it an offence to abandon a dog, and fixes a penalty of £10. I commend the Bill to the consideration of members.

Debate adjourned, on motion by Mr. Heal.

Sitting suspended from 6.15 to 7.30 p.m.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [7.30 p.m.]: I move—

> That the Bill be now read a second time.

This is a short Bill containing amendments requested by the Barristers Board of Western Australia. In order to clarify the functions and powers of the board when an application is made by a legal practitioner for readmission to the bar, section 20 (b) of the principal Act provides, *inter alia*, that—

> No person . . . shall be admitted as a practitioner unless and until he has satisfied the Board and obtained from it a certificate that he is, in the opinion of the Board, in every respect a person of good fame and character and fit and proper to be so admitted.

Section 33 of the Act provides that every application for readmission by a practitioner who has been struck off the roll or suspended from practice by order of the Full Court shall be made to the Full Court "provided that the Court shall have no jurisdiction to hear such application without the production of a certificate from the Board that the rules relating to readmissions have been complied with."

It will be noted that section 20 relates only to "admissions", while section 33 refers to "readmissions", and the only certificate from the board which section 33 contemplates is that "the rules relating to readmissions" have been complied with. No reference is made to the requirements of section 20 (b). The Barristers Board considers, therefore, that there is considerable doubt as to whether it has jurisdiction to make a formal inquiry under oath as to the fitness of the applicant for readmission, and as to its standing to be represented by counsel at the hearing of the application by the Full Court. It has purported to amend its rules to permit of a proper inquiry into the fitness of an applicant for readmission, but there are doubts as to their validity and this amending legislation is necessary in order to clarify the board's jurisdiction in the matter.

It is in the interests of the public that the board should have power to make a full and searching inquiry into the acti-

vities of an applicant for readmission during the period between the date of his being struck off the rolls or suspended and the date of his application for readmission, and generally as to his fitness for readmission. It is also desirable that there should be consistency between applicants for admission and applicants for readmission in so far as inquiries made by the Barristers Board are concerned.

As I said initially, the Bill is only a small one. It has been already considered in another place, and I think it is a desirable amendment to clarify the powers of the Barristers Board of Western Australia in respect of applications for readmission as distinct from applications for admission.

Debate adjourned, on motion by Mr. Evans.

BUNBURY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 5th September, on the following motion by Mr. Wild (Minister for Works):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [7.35 p.m.]: When it was my duty and privilege to be the political administrator in charge of the Public Works Department of this State I considered the desirability of extending the borrowing powers of the various governmental instrumentalities and similar bodies. I was conscious that under the formula operated by the Loan Council, Western Australia fared very badly. Going back over past history, the basis of the formula, of course, was that during the war period the States were asked to restrict their loan expenditure as much as possible. Western Australia has always had the reputation of being an extremely patriotic State, and we did reduce our loan expenditure to the barest possible minimum. We built very few schools, classrooms, and other public buildings; whereas, in some States, there was little diminution in building activities.

The result of that trend was that when the formula was determined the actual loan expenditure of the States over a period of five years was used as the basis; and as we in Western Australia had deliberately reduced our loan expenditure, it meant that we fared very badly when the formula was finally determined. That seems to be a situation from which we cannot escape; because, in order to be in a position to obtain more loan funds, this can only be achieved by other States being prepared to relinquish a portion of the loan funds to which they themselves are entitled. Naturally enough, taking the selfish point of view, they are not prepared to do that, because they consider they have insufficient funds already, and so we have to battle on the best way we can.

In view of that situation we examined the position as it affected the Water Supply Department, the Fremantle Harbour Trust, and other like instrumentalities to see if it were possible and desirable to extend their borrowing powers. The advice tendered to me subsequently was that it would be against the interests of the State to do that. Firstly, it was considered that the money available to be borrowed in Western Australia was somewhat limited. The State Electricity Commission had been quite successful in its borrowing activities, but there were times when it was not always certain it would fill the loan which it sought, despite the fact that the State Electricity Commission has a particularly good name among the public of Western Australia and the rate of interest offered by it was comparatively quite attractive.

The advice tendered to me was that if we multiplied the number of authorities which would be appealing to the market for loan funds, overall we would not get a great deal of additional money, but we would make it more difficult for the State Electricity Commission to fill its loans; and there were times—of course the last one was not one of them because the loan was filled quite readily—when we were in extreme doubt as to whether the loan would be filled before the closing date, although arrangements had been made for underwriters to take up the amount of the loan which was not subscribed.

That was one of the main reasons why the Government of the day did not proceed with any legislative action to give borrowing powers to statutory bodies. The other reason was that the Loan Council still exercises control over the total amount to be borrowed, and it is not just a question of clothing the authority with borrowing powers and then believing that the amount of money desired will be raised, because the Loan Council itself determines the amount to be borrowed in each State and that includes amounts to be borrowed by local authorities.

So it should be perfectly obvious that the greater the number of bodies which are authorised to borrow, the greater will be the difficulty to be confronted by those who are already authorised to borrow, in raising the money which they require to raise. Also, as the availability of money is variable there could be times when there is plenty of money about to be borrowed and other times when it is very difficult to obtain, or competition for it will increase the interest rates so that the money becomes very expensive to obtain and to use. Therefore it is not an unmixed blessing to confer borrowing powers upon a State instrumentality or some established board.

It is against that background we must view the Government proposal. I have no objection to the proposal to clothe the Bunbury Harbour Board with borrowing powers to be used when it feels it expedient they should be used; but I must point out that in taking this action we could be making it increasingly difficult for those bodies, or any possessing borrowing powers, to obtain additional money; and, in my experience, there have been a number of times when local authorities which have been given permission to raise loans have found it somewhat difficult to obtain the money they required.

It would be interesting to know the source from which the Fremantle Harbour Trust has borrowed money over the last two years. It has made no public appeal. It has not endeavoured to raise money in the way the State Electricity Commission has done, and so I assume it must have raised it from, say, insurance companies, some superannuation board, or some organisation such as that from which money is readily available.

Those are two sources from which the State Electricity Commission has from time to time obtained the funds it desired to obtain, and I am very much afraid that if we go on clothing these various bodies with borrowing powers and so increase the competition for the limited amount of money available in Western Australia, that competition will inevitably increase the interest rates which, of course, will be against the economic operation of the various bodies which use the funds.

If I may be permitted to refer to the metropolitan water supply, I would point out that prior to the establishment of the Loan Council, the Metropolitan Water Supply, Sewerage, and Drainage Act gave the Minister power to borrow. It was a power which, to my knowledge, had not been exercised; but, nevertheless, the power existed. But the Premiers' Conference, which determined upon the setting up of the Loan Council, and the legislation which followed, under which it was done, took away those borrowing powers, or restricted them; and therefore the various departments carried on with the amount of loan money which could be made available by the Treasury.

I do not know that the Bunbury Harbour Board contemplates any very great extension of work which would require it to raise additional funds outside what could be made available by the Government. I do not know that any evidence in that direction has been submitted to the House. But if the Government feels it is desirable that the board should have these powers, then I suppose we should agree to provide them; but in the knowledge that the Loan Council will determine the total amount which can be raised in Western Australia and that we will, by our own action, be taking steps which could result in increased competition.

I well remember that in the discussions I had, first with Mr. Edmondson, who was in charge of the State Electricity Commission, and subsequently with Mr. Jukes, the fear was always expressed that it would not continue to be as easy for the State Electricity Commission to raise its loans in the future, as it had been in previous years.

Mr. Ross Hutchinson: The last one was filled very easily, wasn't it?

Mr. TONKIN: It certainly was. But I can remember one occasion when I was Minister when we had our fingers crossed because things were not going too well with the loan, and it looked at one stage as if proportion of it would be left with the underwriters. So that possibility is always there; and it is more likely to be there if we increase the number of authorities which can appeal either to the public or to various firms and organisations for loan moneys.

I know that in past years the State Electricity Commission has almost invariably obtained large subscriptions from insurance companies and similar institutions. If we have bodies like the Fremantle Harbour Trust, the Bunbury Harbour Board, and the Albany Harbour Board coming on to the market and looking for these funds, then it is natural that those with money to lend will expect to obtain more for it.

So we would be putting a pressure on interest rates, and that would be detrimental to the general economy. If one gives any time at all to a consideration of how the use of borrowed money becomes more and more expensive compared with the use of funds supplied by the Government, one will not be so keen about borrowing money if it can be obtained elsewhere. But, of course, if it becomes a matter of choice—either to go without the funds one requires or to go on to the market and borrow them at an increased cost—then, according to the urgency of the work it is desired to do, so is the course of action determined. I feel that with bodies like the harbour boards and water supply departments, the power to borrow is one which should be used with some caution, and only when it is absolutely essential that the additional money be obtained because it cannot be obtained from the loan funds available to the Treasurer. With those few remarks I support the Bill.

MR. WILD (Dale—Minister for Works) [7.50 p.m.]: I would like to thank the Deputy Leader of the Opposition for his observations on this Bill. What he has said is quite factual. Due to the voluntary restrictions which Western Australia

placed on itself in the war years we are in a very unfortunate position, and we have lagged far behind South Australia. The money position at the moment, however, seems to be very much better than it has been for some years.

The Deputy Leader of the Opposition asked where the Fremantle Harbour Trust got its money from. I would like to tell him that it was able to get this money from outside the State. Last year it was offered as much as £1,000,000. As we all know, it is a business organisation—or tries to be so—and because of the construction of the large terminal, and the administrative offices which are being built, the trust felt that it could not take all the money that it could have got. So it decided to take £250,000 last year, and £200,000 the year before, from outside sources. The trust did not have to go on to the market for this money.

Members know that a land-backed berth is in course of erection at Bunbury, and this year the Treasurer is allocating about £200,000 for the job. That amount could, of course, be utilised for schools, hospitals, and other essential works in, perhaps, the country areas. So with the availability of this freer money which is about today the Government decided to examine the position and to give the board borrowing powers.

Those borrowing powers are, of course, subject to the Treasurer. If the money market tightens the Treasurer will no doubt say, "On this occasion we will not let these authorities borrow so much." So that could offset the position outlined by the Deputy Leader of the Opposition when he said that if everybody is after money, and it is scarce, the interest rate will go up. The question of borrowing from outside is still controlled by the Treasurer.

I would like to point out that last year was the first year for some time that local authority borrowing reached the limit allowed by the Loan Council. That was brought about by the small private country water schemes which the Government persuaded local authorities to establish, in order to supply this commodity to the areas concerned. But the Treasurer informs the Government—and he surely is in a position to know—that the next time he goes to the Loan Council meeting he will be able to get the percentage of local authority borrowing increased. At the moment Western Australia gets only 3½ per cent. of its money by means of local authority borrowing, but the Loan Council is not averse to allowing States to borrow in greater proportions than they are at the moment.

The Treasurer indicated his confidence in being able to get that 3½ per cent. lifted to 4, or even 5 per cent., the next time he visits Canberra and attends the Loan Council meeting. These authorities, to which we are asking the House to give borrowing powers, will in the main at this point of time be able to borrow money privately. It will not be necessary for them to go on to the market for it.

As I have already said, a land-backed berth is to be built at Bunbury, for which about £200,000 will be allocated. But the time is not far distant—indeed it may be required in the next 12 months—when a second land-backed berth will have to be built. The same thing applies to Albany, which will be the subject of another Bill very shortly.

As the member for Albany knows—and I said this when I met the council down there—it is my opinion, and the opinion of my departmental advisers, that we will want a second berth at Albany probably within the next two to three years. This will mean more money. With borrowing powers provided the Treasurer will be relieved of the obligation of having to make loan funds available for this purpose. These funds could then be used for the building of schools and hospitals, and the provision of water supplies in the country areas.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

ALBANY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 5th September, on the following motion by Mr. Wild (Minister for Works):—

That the Bill be now read a second time.

MR. HALL (Albany) [8 p.m.]: Like the previous speaker, the Deputy Leader of the Opposition, I find we have in our hearts and souls some feeling of apprehension about this measure if the Government allows the whole of the borrowing to be done by a particular body. We want to make sure the Government will expend very wisely the wealth it will receive from the Loan Council.

This may appear a little parochial, but I would point out that Bunbury has not paid any interest or sinking fund for years. I would say that this type of expenditure, if it keeps recurring, will be to the detriment of the other ports in the State. We know that Geraldton, Albany, and Esperance are anxious to develop their harbours and berthing accommodation forthwith; but if this continual drift of finance is allowed to continue I do not feel we can be justly satisfied with the results of that continual expenditure. If we go back through the balance sheets over many years we will

find there has been a continual drift in the finances through that particular channel.

I realise that the Albany Harbour Board wishes to expand. There is justification for the berth extension; and with the reclamation of the foreshore the board could lease the reclaimed land and obtain revenue to stimulate its finances. One can quite understand the board's attitude, and I am in accord with that procedure; but I would like to have an assurance from the Minister regarding the leakage of funds that has already taken place by allowing Bunbury to borrow money. I feel that harbour board should be more reasoned in its expenditure. I would like the Minister to have a careful look at that, as there is justification for expansion in Geraldton, Albany, and Esperance. Those outports must have consideration.

I do not think any of us could justify the continual drift with regard to dredging and the non-payment of interest or sinking fund. The Albany Harbour Board has met its dues and we can be justly proud of the good job it has done. If the Bunbury Harbour Board is going to continually pour money down the drain, the Government must look seriously at that angle.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

STAMP ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 5th September, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. HALL (Albany) [8.7 p.m.]: The Bill before the House is rather commendable as it aims to reduce the stamp duty fees from 2d. to 1d. in the pound. I think the Department of Agriculture is to be congratulated on its reduction of reactors. We find also that the department has been able to accumulate its funds and invest £20,000. Unfortunately the Minister is not in his seat, but I would like to know at what rate of interest this £20,000 has been invested and whether an assurance can be given that the money will be returned to the particular fund from which it was invested.

I mention that because today we are going through a different phase with regard to beef and cattle. As members know, that industry has been developed chiefly on whole milk and butterfat, but I think we are going to enter into a new field with regard to beef production. Therefore we will have to have the maximum funds with which to develop that new phase.

Recently I asked questions of the Minister regarding the slaughtering of female beasts. I think we can all view the position in a serious light. If we overslaughter, we will find ourselves in rather a horrible mess later on when we try to stabilise the beef industry. Perhaps the Minister could tell us how the £20,000 has been invested and what the rate of interest is.

It is also commendable that it has been found possible to raise the amount of compensation payable from £35 to £40 per head. However, that is little enough when one thinks of the proposition of replacing female stock. I keep emphasising that point; because after studying the reports, I do not think the figures reveal the position as shown to me by the replies of the Minister. We will have to look carefully at the position of female stock in the beef industry and I think £35 to £40 is too little to replace that particular line of stock.

Today we are developing markets with our Asiatic neighbours and we aim to try to market butter oils and fats. This measure as it affects that primary industry is commendable and has my support.

MR. NALDER (Katanning—Minister for Agriculture) [8.10 p.m.]: I thank the honourable member for his contribution to this debate. He has been asking a number of questions with reference to the slaughter of female stock, and I can assure him this matter has been kept well to the fore. It has been discussed on every occasion I have been at meetings of the Agricultural Council and it is likely that the member for Merredin-Yilgarn had the same experience when he was attending those meetings. This matter was considered on every occasion because it was thought that some action might have to be taken to see that the females in the beef and dairy sections of the industry were not overslaughtered and so produce a shortage of breeding stock.

That position has righted itself throughout the Commonwealth. As a matter of fact, during the last two years—I am sorry I have not the figures to give to the House—this matter has been taken off the agenda of the Agricultural Council. Even in our own experience in Western Australia last year we had an over-supply of breeding cattle. The same position applied in the Eastern States, so it was not necessary for the Agricultural Council to consider this aspect any longer. We have caught up with the demand. I mention that because it is just as well for the House to know we have been watching this situation very carefully.

A very serious shortage has developed in the sheep section of the industry; but that is another subject, and I do not want to speak on it at this moment. I refer to it in passing, because it is something we have to watch from time to time to see that whatever we do we preserve the breeding stock as best we can because of the demand in that particular section. We have reached the stage where it is necessary to reduce the amount of money that is being used for compensation.

Mr. Rowberry: What about paying more for diseased stock?

Mr. NALDER: Representations were made by the Farmers' Union and that matter has been attended to. Last year the maximum was £35 and it has been increased to £40. As mentioned by the member for Wellington last year, this matter was considered necessary and we agreed that it was a fair and reasonable approach. I think everyone would agree that in a case of compensation it is not possible to pay full value, but we are paying as near to replacement value as is possible.

Mr. Rowberry: You could not replace a pedigree bull for that.

Mr. NALDER: That matter has been attended to. In the case of a sire that has to be slaughtered, £100 compensation is being agreed to, which is in some measure a figure that will help to compensate anyone who loses a stud animal. That is the position; and we are trying to keep within a reasonable measure of the actual cost. This is a matter that is being considered from time to time by the industry and we are prepared to consider any request that comes forward. We do not want to build up a huge sum of money; we just want to have sufficient to cover a situation that could develop. That is the reason why it has been considered necessary to reduce the figure which is mentioned here.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

PIG INDUSTRY COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 5th September, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. H. MAY (Collie) [8.17 p.m.]: I have studied the Bill and the comments of the Minister for Agriculture. It is pleasing to know that the compensation fund is so well established that the Minister is able to make these amendments. The first amendment concerns the deletion of the interpretation "prescribed", and the second affects the payment of compensation, resulting from the buoyancy of the fund. The Minister stated that the two amendments were at the request of people in the industry.

The Bill provides that full market value shall be paid for pigs suffering from or suspected to be suffering from disease. In the case of stud pigs, whose market value is higher, compensation shall also be paid at a higher rate. The present Act provides that the full market value of pigs which are destroyed and then found to be free from disease is £24; but for pigs which are destroyed and then found to have been suffering from a disease, breeders are paid only three-quarters of what is termed the market value; namely, £24.

These amendments provide that all pigs, whether or not they are diseased, will be fully paid for under a somewhat different system. The market value of commercial pigs varies from time to time, as does the market. The old provisions created a certain amount of readjustment because the market value of commercial pigs varied from time to time. Under the amending legislation it is intended to incorporate a provision which exists in the Eastern States. The maximum amount of compensation is to be a sum recommended at least once annually by the Minister and approved by the Governor. The Minister will not be stifled by a set amount which, under the existing Act, is £24. That is the maximum.

I think the Bill is a good one. I notice, from the figure which the Minister gave us, that the fund appears to be in a sound position. It is a good thing for those people in the pig-raising industry that whenever their pigs have to be destroyed on the assumption that they are diseased, they will under the new legislation receive a reasonable market price whether or not their pigs are found, on examination after they have been killed, to have been diseased. The approval of the Governor is, of course, necessary.

This is a small Bill, which I commend to the House. I have much pleasure in supporting the second reading.

MR. KELLY (Merredin-Yilgarn) [8.20 p.m.]: I desire to make one or two points in connection with this Bill. While it is pleasing to realise that the fund has reached a very sound position over a period of years, I am wondering why the Minister has now made up his mind to fully compensate when, in all probability, this could have been done several years ago. We find that the pig industry compensation fund has, over a period of 4¾ years, increased to the extent of only £2,273.

Mr. Nalder: If you remember, we reduced the amount payable a couple of years ago.

Mr. KELLY: Yes; I recall that the Minister did reduce the amount to a small degree. But the fund was increasing very rapidly up to that point and the reduction was a very small one. I would like to know why, during that period, the fund increased by such a small amount. In 1959 the pig industry investment reserve stood at £60,000. It has now increased to the extent of a further £40,000 in 4¾ years. Has this increase, from £60,000 to £100,000, resulted from an added impost, or has there been no draw on the reserve fund?

Mr. Nalder: At that time there was a greater number of pigs being handled.

Mr. KELLY: A greater number of destroyed pigs or pigs for slaughter?

Mr. Nalder: Pigs for slaughter.

Mr. KELLY: Those were the only points I wished to clarify.

MR. NALDER (Katanning—Minister for Agriculture) [8.23 p.m.]: The member for Collie wanted to know why it was thought desirable to pay compensation for stud pigs. The stud pig breeders approached me and put forward the suggestion that it was necessary to give some consideration in cases whether stud pigs were found to be diseased and had to be slaughtered. As members know, stud pigs are, in most cases, higher-priced animals. The approach is considered to be a reasonable one, because stud pig breeders pay a higher contribution. As the pig is sold, each pig breeder, irrespective of the breed or the price of the pig, pays so much into the fund; and, in the case of a stud pig, it is generally a figure double or three times as much as for an ordinary slaughter pig.

It is therefore considered quite reasonable to increase compensation for such pigs. The measure has resulted from an approach by the pig breeders' association of Western Australia.

The member for Merredin-Yilgarn wanted to know the reason why a greater amount was paid. During the period he mentioned there was a glut in the number of pigs, as the honourable member knows. Huge numbers of pigs were being slaughtered, which helped to increase the compensation. It was felt that because of its buoyancy the fund would easily be capable of withstanding this added expense. Because of this, payment of additional compensation would not be a heavy draw on the fund.

It was also felt that the compensation figure could be decided upon by the Minister and approved by the Governor without the necessity, as on other occasions, of bringing the matter before Parliament. Under the proposed legislation the process would become automatic.

The measure is considered advisable, and the member for Collie has recommended that the House should support it. I am happy to know that the honourable member is in favour of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BEE INDUSTRY COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 5th September, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [8.30 p.m.]: I wish the temporary Leader of the House would advise members on this side as to the procedure he proposes to adopt for postponing items in order that we might have reasonable opportunity to organise our members. I suggest it is quite a simple matter for the Acting Leader of the House to pass the word, even if only verbally, to say certain items are to be postponed and other items are to be brought on out of their turn.

Mr. Nalder: I am sorry that information was not passed on.

Mr. HAWKE: This Bill has to do with the Bee Industry Compensation Act, and this is an amendment which the Government wishes the House to approve of in connection with it. The parent Act provides for the payment of compensation to beekeepers in certain circumstances; and as a result of the operation of the provisions of the parent Act it has been found some alterations are required, and those alterations are set out in the measure which is now before members for their consideration. The title of the Bill is for an Act to make better provision for the eradication of diseases and pests among bees, the orderly conduct of the industry, and the improvement of the products of beekeeping.

In the first place in the Bill there are a number of interpretations of various names and titles. Provision is also made for the appointment of inspectors, and those inspectors are to be given wide powers of inspection, and additional powers over and above the normal power of inspection.

Mr. Nalder: This one is the compensation Act. The one you are dealing with has been passed.

Mr. HAWKE: Oh! I was relying upon my deputy on my right. It did not appear to me to be quite the one that is required.

Mr. Nalder: It is No. 18 on the file.

Mr. HAWKE: As I started out to say, before the Minister helpfully interjected, the Bill before us provides, I understand, for the payment of compensation in certain circumstances, and for compensation to cover claims which are at present not provided for in the existing law. As far as I have been able to study this Bill it appears to have some merit, but having been stung slightly already in my endeavour to operate in place of the member for Geraldton, and having now seen him come into the Chamber, and seeing him also anxious to get into action—

Mr. J. Hegney: He is stung too!

Mr. HAWKE: —I think I will make way for him and find a copy of the appropriate Bill and have a more careful look at it.

MR. SEWELL (Geraldton) [8.35 p.m.]: I wish to tell members that I have no intention of being stung by this Bill or anything else. However, the Minister clearly outlined in his second reading speech the proposals contained in the measure, and what he proposed to do. The legislation has been introduced to re-enact portions of the old Act and also to repeal certain sections which are no longer necessary. Section 13 of the principal Act is to be amended in the following manner:—

> by repealing and re-enacting subsection (1) as follows:—
>
> > (1) Subject to this Act the amount of compensation payable out of the Compensation Fund to a beekeeper whose property, as referred to in section twelve of this Act, has been destroyed or disinfected as therein mentioned, shall be—
> >
> > (a) the value of the property at the time it was so destroyed; or
> >
> > (b) the lesser amount of the amount of the expense incurred by the beekeeper in having the property so disinfected or an amount equal to two-thirds of the value of the property at the time it is so disinfected.;

As the Act stands it does not matter how legitimate a beekeeper's claim may be, he can claim, as I understand it, only two-thirds by way of compensation for any destruction that might take place as a result of departmental instructions. If the Bill is passed a sum up to the full amount will be paid by the department as compensation for hives, colonies, or anything connected with the keeping of bees if destruction takes place. I have much pleasure in supporting the second reading.

MR. NALDER (Katanning—Minister for Agriculture) [8.37 p.m.]: I just want to say I am sorry that the Leader of the Opposition was not informed about the postponement of certain items on the notice paper. Also I wish to apologise to the member for Canning. The two items on the notice paper in which he is interested have been postponed for a reason. Unfortunately, it is one of those things which happen from time to time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

RURAL AND INDUSTRIES BANK ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [8.42 p.m.]: I move—

> That the Bill be now read a second time.

This Bill is mainly concerned with enabling the Commissioners of the Rural and Industries Bank of Western Australia to issue and handle debentures in the modern manner, so that the bank can make further contributions to the State's progress, including the field of housing. It also provides for the issuing of inscribed stock.

The principal Act is being amended to leave no doubt that the bank can act as agent for the Government of the State. That is important because the bank is now associated with current negotiations with the Midland Railway Company of W.A. as the nominee of the Government.

The bank has played an important role in housing in Western Australia. The funds it has already found for home building have assisted in stimulating all sections of the building trade, and in widening the outlet for building materials. The Government has been associated with the bank in four 100 small-home plans. These schemes have solved the problems of 417 former home seekers. Over the last six years the bank has lent £8,560,000 for the building, acquisition, or renovation of homes in this State. The commissioners feel that if they have access to more funds from the public they will be able to assist home building, and the building industry, even further.

This year debentures to the amount of £100,000 can be sought without in any way upsetting the Loan Council's semi-governmental allocation to this State. Even though the interest rate the commissioners may have to pay will leave very little, if

any, margin to cover administration expenses, they are keen to obtain these funds and put them out in housing as a service to the community.

Debentures, and the interest coupons which are usually attached to them, are bearer documents, and all the risks and disadvantages of such documents go with them. The modern investor prefers to have his investment recorded in registers set up for this special purpose, and is satisfied to know that he has what is termed "inscribed stock". Like debentures, inscribed stock can be negotiated on the Stock Exchange and enjoys the same terms, interest rates, etc., as the associated or relative debenture issue. The second schedule, which is part of this present amendment, sets out in three parts exactly how it is proposed that debentures and inscribed stock shall be issued, transferred and redeemed by the bank.

Section 6 of the principal Act is amended by deleting the interpretation "Minister". This amendment appears at the request of the Crown Law Department. The term "Minister" is adequately defined in the Interpretations Act of 1918-1962, section 4, and it is unnecessary for it to appear in other legislation.

At the present time section 26 of the bank Act limits the bank's funds to £12,000,000. The debentures or inscribed stock which the bank is to issue in fulfilment of the Government's negotiations with the Midland Railway Company would certainly mean that this now outdated ceiling of £12,000,000 would be exceeded.

The main sources of bank funds are firstly from appropriations by Parliament, and secondly by the raising of debentures or inscribed stock as this measure proposes. It will be seen that debentures or inscribed stock cannot be raised without the consent of the Governor in Executive Council. Therefore, with such a large and effective measure of control in the hands of Parliament or the Governor, any ceiling figure is redundant and, accordingly, should be abolished.

The Bank Act as it now stands gives no power to the commissioners to borrow from another bank despite inter-bank borrowing being an established and common practice. It is considered desirable for the Rural and Industries Bank to have power to borrow from the Reserve Bank, in exactly the same way as is enjoyed by the trading banks.

Generally, such borrowings would be of a very temporary nature arising from the necessity to keep all funds gainfully employed on a day-to-day basis, and it is proposed to enable the commissioners to conduct the bank's business on these lines.

It has always been accepted that, through the institution of delegated agencies, the bank can act as agent for the Government in its Government agency department. It has been found, however, that the limitations of delegated agencies are too restrictive, and sections 46 and 70 of the principal Act are being amended to permit the bank to act as nominee or agent for the Government in either the rural or the agency department.

Opportunity is being taken also to permit the bank to act as nominee or agent for any customer or person and to hold property on trust for such a person. This will give the Rural and Industries Bank clients the same facilities as are available to customers of the trading banks.

Debate adjourned for one week, on motion by Mr. Hawke (Leader of the Opposition).

RURAL AND INDUSTRIES BANK ACT AMENDMENT BILL

Message: Appropriation

Message from the Lieutenant-Governor and Administrator received and read recommending appropriation for the purposes of the Bill.

BUSH FIRES ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [8.50 p.m.]: I move—

That the Bill be now read a second time.

A Bill to amend the Bush Fires Act, as honourable members will recall, was laid aside during the 1962 session because of disagreement between the Legislative Council and the Legislative Assembly and failure of a conference of managers of both Houses to agree.

Public opinion generally indicates acceptance of the principles. However, there is sharp difference of opinion relating to clause 68 of the 1962 Bill, which imposes a penalty on local authorities should they not carry out the provisions of the Bush Fires Act.

It will be recalled that this amendment was one of the two which resulted in the ultimate defeat of the 1962 Bill. The Government has since given careful consideration to all aspects, and the Bill is now resubmitted with the exclusion of clause 68.

Under the Local Government Act the penalty against local authorities which, in the opinion of the Governor, are not carrying out their local government responsibilities, is dismissal under section 156 (1) (a) and (b), which reads—

> 156. (1) Where, in the opinion of the Governor a council is not properly carrying out—
>
> (a) local government in the district of the municipality; or

(b) the powers conferred and duties imposed upon it by an Act;

the Governor may by Order dismiss the council.

It will be noted that under paragraph (b) the powers of dismissal extend to the powers conferred and duties imposed by an Act. This means that action under section 156 of the Local Government Act could be taken against a local authority which fails to carry out the powers conferred and duties imposed under the Bush Fires Act.

Mr. Bickerton: You have capitulated.

Mr. Jamieson: You have given in to the Legislative Council.

Mr. BOVELL: No; and the least members say about that the better. We were all advised what was the result of the conference of managers. I would emphasise that there were two differences of opinion which resulted in the defeat of the Bill, and only one principle is being omitted in this amending Bill.

This would appear to be a cumbersome method of dealing with local authorities for breaches of the Bush Fires Act. However, local authorities are co-operating in carrying out their responsibilities relating to bush fires, and no such action is contemplated or anticipated. I would add that the Bush Fires Board has concurred in the omission of clause 68 which appeared in the 1962 Bill.

It would appear that because of seasonal conditions fire hazards could be extremely dangerous during the coming summer and the additional precautions which the measure will provide should result in added fire prevention and protection.

In view of all the circumstances it is now considered desirable that the legislation be enacted in amended form as indicated. Proposals in the Bill were, of course, explained in detail during the 1962 session of Parliament. However, in order to refresh the memories of members, I desire to recapitulate the principles involved.

It is proposed to increase the membership of the Bush Fires Board from 10 to 13, by including as additional members—

(a) a person nominated by the Commissioner of Police;

(b) a person nominated by the Associated Sawmillers and Timber Merchants of W.A.;

(c) an additional nominee by the Country Shire Councils Association.

This will give effect to recommendation No. 2 of the Royal Commission on Bush Fires.

Mr. Graham: What about the pure water society?

Mr. BOVELL: In principle, the 1962 Bill sought to carry out the recommendations of the Royal Commissioner. Seeing the honourable member has interjected, I might say this was a recommendation made by the Royal Commissioner, and it was accepted in principle by the Legislative Assembly during the 1962 session.

It is proposed to include bushfire control officers and members of the Police Force among those authorised to enter land to inquire into fires which may have occurred. Under present legislation these officers have no authority under the Act to carry out such a function.

Present legislation permits local authorites to postpone for a period of up to 14 days the final date of the prohibited burning times declared for their districts. Frequently, when the declared final date is reached, weather conditions are favourable for burning, but several days later severe weather conditions may recur. It is therefore proposed to allow a local authority to reimpose the prohibited burning times after the expiration of the prohibited burning times declared for the district by the Governor.

It is considered that, to enable special protective burning and other protective measures to be planned and carried out by adjoining owners or the Forests Department, the 1st September would be the most suitable date for the lodging of applications for burning, for developing, or for clearing land, as landowners should know of their need to burn by this date. An amendment of this nature would give effect to recommendation No. 10 of the Royal Commission on bushfires, and an amendment to the existing legislation is proposed in this Bill.

The Bill also makes provision for the recovery of costs by a bushfire brigade from the person responsible for lighting a fire which later escapes from his property. The person shall be liable to pay to the local authority at the request of its bushfire brigade, a limited amount as recoup of expenses incurred by the brigade in extinguishing the fire. Such expenses may be recovered in any court of competent jurisdiction.

Setting fire to the bush during a bushfire emergency period is a most serious offence, yet no specific penalty is provided in the Act. It is thought most necessary that an amendment be sought, providing a specific penalty for such a breach.

To encourage additional protection where virgin blocks adjoin a railway reserve it is provided in the Bill that the occupier of adjoining land may set fire to the bush on his land for the purpose of reducing or abating a fire hazard, in lieu of for the purpose of protecting his pasture or crop.

At present there is no way of ascertaining whether a person who has set fire to the bush had a valid permit, other than by interrogating all bushfire control

officers appointed by the local authority. This Bill therefore proposes to make it compulsory for a person who has set fire to the bush to produce to an authorised officer his permit to burn.

Section 18 of the Act states that where the fire hazard forecast is "dangerous", a person who has received a permit to set fire to the bush shall not burn on that day. It is considered desirable to extend this prohibition to persons desiring to light cooking or camping fires in the open, and the Bill provides that, unless the written approval of the local authority has first been obtained, a fire for such purposes shall not be lit in the open air on any day on which a "dangerous" fire hazard forecast has been issued by the Bureau of Meteorology.

Members will recall that severe dangers have arisen from time to time because of fires lit in lime and brick kilns. It is proposed, therefore, that restrictions similar to those applying to the burning of charcoal during the restricted burning times shall also apply to burning for the production of lime.

At Wanneroo the burning of lime has caused considerable fire danger, and it is the practice of the chief fire control officer to order the fires to be extinguished unless precautions are taken, although in fact the Act does not specifically authorise this action. The same problem could also arise in regard to brick kilns, and this Bill also proposes restrictions similar to those applying to the burning of sawdust at a timber mill.

There seems to be no reason why spark arresters could not be fitted to tractors operating in orchards or when passing through areas of severe fire hazard, but in some cases there may be problems in arranging a vertical exhaust system. Provision is made in this Bill that the local authority could at its discretion exempt tractors operating in orchards from the requirement of having a vertical exhaust system.

At present a fire lit for the purpose of destroying an animal carcase may be lit at any time of the day during the restricted burning times or during the prohibited burning times, without any notification to any person. However, it is considered desirable that such fires should be lit only between the hours of 6 o'clock and 11 o'clock in the evening, and that notice of intention to burn shall be given to neighbours prior to lighting the fire. An amendment to this effect is included in the Bill.

Fires have been caused by incinerators which are operating in areas of dead grass or other inflammable material, or whilst situated against wooden buildings. The Bill provides that such incinerators may not be lit within six feet of any fence or building, and that a space of six feet from the incinerator must be cleared and kept cleared of all inflammable material. The local authority may approve in writing of any distance less than six feet being substituted for the distance of six feet in either case.

Section 34 (1) (a) of the Act refers to the "owner or occupier of land which abuts upon Crown land." The Bill proposes to exclude from the term "Crown land" all lands set apart as roads or land previously set apart as roads but now closed, as this section of the Act is obviously not intended to apply to such land.

It is considered also that the provisions of this section do not correctly express the intention that the occupier of land adjoining a reserve or vacant Crown land may construct a firebreak on such land not more than 10 chains from his boundary, and may also protectively burn the bush between his boundary and the firebreak. The Bill proposes to amend this section so as to clarify its intention as to the width of the firebreak.

The question of damage to tyres of brigade and privately-owned vehicles has been a problem for some time, and this legislation proposes to authorise a local authority to expend portion of its ordinary revenue in recompensing the owners of vehicles for this type of damage.

At present local authorities are required to determine the seniority of their bushfire control officers, and the most senior has been regarded as the chief fire control officer. However, it is preferable that the positions of chief fire control officer, and the deputy, be named in the Act, and the Bill contains such a provision. It also removes the mandatory requirement to prescribe the seniority of the remaining control officers.

Efficiency is necessary for the declaration of a district as an "approved area." Prevention and protection measures are regarded as equally important as the fire-fighting efficiency of brigades, and an amendment to this effect has been included.

The Bill also includes a redraft of that section which extends certain immunities to various officers carrying out their duties under the Act. There is some doubt now as to whether the intended full immunity is extended to the officers concerned.

It is also desirable that local authorities be included in the provisions relating to certain documents being accepted to cover the cases of prosecutions taken by local authorities.

Another amendment proposes that published notice of registration of the appointment of a bushfire control officer in the *Government Gazette* be accepted as proof of the appointment, as it is considered that the production of the *Government Gazette* would be the simplest proof available.

To bring the Bush Fires Act into line with other Acts administered by local authorities, it is proposed that production in court of the rate book showing ownership of land be deemed to be sufficient evidence as to ownership of that land.

Courts have required that evidence must be supplied in person by a member of the staff of the Bureau of Meteorology. This is costly and most inconvenient when prosecutions are heard in country centres, and the production in court of a certificate issued by the Bureau of Meteorology as to the fire-hazard rating on a certain day should be deemed to be sufficient evidence. The Bill proposes such an amendment.

To give effect to recommendation 15 of the Royal Commission, bushfires advisory committees have been set up in many districts to assist the local authority; and to give a greater backing to their establishment it was thought desirable to include a provision in the Bill regarding such committees.

I desire to again record on behalf of the Government and myself, as the Minister administering the Act for the time being, unqualified appreciation of and thanks to local authorities, members of voluntary bushfire organisations, wardens, farmers, forestry and police officers, and the rural community generally, for their co-operation in matters relating to bushfire prevention and control.

I would like to emphasise that since the Bill was introduced last year a number of people—and the member for Merredin-Yilgarn whilst speaking on the debate last year—have made some helpful suggestions. However, this Bill is merely the basis of recommendations of the Royal Commission, and it is desired that other amendments be considered at some later date, although I do not know when that will be. It is deemed a vital necessity to get this legislation on to the Statute book before the coming season because it is anticipated that there will be a dangerous fire hazard throughout the rural areas.

Mr. Graham: Before you resume your seat, is the second of the controversial points raised by another place touched upon in this Bill?

Mr. BOVELL: No. There is no amendment whatever.

Mr. Graham: That is unfortunate.

Mr. BOVELL: I repeat that the only alteration in this Bill as accepted by the Legislative Assembly is the deletion of clause 68, dealing with the imposition of a fine on local authorities. That is the only alteration in the Bill as it was accepted by the Legislative Assembly during the 1962 session.

Debate adjourned, on motion by Mr. Rowberry.

House adjourned at 9.8 p.m.

Legislative Council

Wednesday, the 18th September, 1963

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