suitably protected. The powers of the Act have been used also to protect the Derby town water supply, which is drawn from bores located within the townsite, from possible competition from adjoining landholders and also to prevent ingress of salt water resulting from uncontrolled pumping by these adjoining landholders.

There are 29 towns south of the 26th parallel which are dependent on underground supplies of water. These towns could suffer from similar competition and, in fact, problems are being experienced already. In this regard I make particular mention of Albany, in respect of the south coast supply source, where the position could become serious if controls are not instituted. Considerable concern is also felt with regard to supplies at Donnybrook, Dwellingup, Esperance, Geraldton, Mullewa, Northampton, Three Springs, and a number of smaller towns where supplies from underground sources are relied upon.

In addition, there are a number of areas south of the 26th parallel where protection measures are necessary to ensure the best use of valuable sources of underground water. This applies particularly in the arid goldfields areas. The Wiluna-Meekatharra area, which has some potential for irrigation development, is in this category; and there are also extensive areas of the coastal sand lands fringing the metropolitan area which are now being investigated and researched for water supply and irrigation purposes. Extensive private development of these areas could result in considerable competition for water. For this reason the State must have means of control where control is justified.

Other examples are the new nickel discoveries, including Poseidon which, when established, will require substantial water supplies. Generally, these mining areas are located in arid country south of the 26th parallel. It is essential that the Government should be able to exercise the same control over the nickel companies as has been possible over the major iron ore companies in the Pilbara.

The second object of the Bill is to allow the State to obtain information about the strata and water encountered in all wells sunk throughout the State. This will be obtained by requiring people who sink wells or bores to send the data to the Government. The information received will be collated by the Geological Survey Branch of the Mines Department and will considerably assist the department in its evaluation of the State's ground water resources. It will also put it in a much better position to advise individuals on the likelihood of finding water in any given locality.

Because of the uniformity of the strata in the metropolitan area, and because there is so much data already available for this area, a provision has been included which allows the Minister to exempt certain areas from the provisions of the Act. It is intended immediately to exempt the Metropolitan area.

The Bill also provides for an amendment to adjust an oversight which occurred in 1962 when the Act was amended to provide for "subterranean sources" to be included for pollution and right of entry purposes. At that time the section which deals with the Minister's powers to institute proceedings was not similarly amended and, accordingly, it is now proposed to adjust this oversight.

The problems associated with the supply by the Government of the water necessary for mining ventures in the Murchison area and other areas which have developed into large nickel fields will be most apparent. Without control to ensure that the water is used to the best effect, we would indeed be in trouble. To this end, I mentioned earlier that we were able to combine successfully with the iron ore companies in the Pilbara when they were building their railway lines and towns so that they could have the necessary water supplies. In turn we were able to regulate the supplies to the advantage of both the Government and the mining companies.

If other ventures are forthcoming in areas which are possibly more arid than has been the case in the past—especially to the north of the 26th parallel which is renowned for its large river flows during wet seasons—then surely we must expect to control the vitally important areas south of the 26th parallel. I commend the Bill to the House.

Debate adjourned, on motion by Mr. I. W. Manning.

House adjourned at 9.58 p.m.

Legislative Council

Wednesday, the 18th August, 1971

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

QUESTIONS (5): ON NOTICE

1. TRAFFIC

Morley Intersection Hazard

The Hon. V. J. FERRY, to the Minister for Police:

In the interests of road safety, will he have an officer of his Department examine the damaged section of road at the north-west corner of the intersection of Wellington and Camboon Roads, Morley, to assess what immediate action should be taken by the

appropriate Department or Local Authority, to rectify a dangerous situation for vehicle and driver which has existed for some weeks?

The Hon. J. DOLAN replied:

Yes. Immediate action has been taken to have the damaged section of road inspected, and appropriate action will be taken.

2. TOWN PLANNING

Perth Airport

The Hon. R. F. CLAUGHTON, to the Leader of the House:

Has the request by the Shire of Belmont for reference of Perth Airport Planning to the District Planning Committees, as contained in their letter of the 28th June, 1971, to the Metropolitan Region Planning Authority, been agreed to?

The Hon. W. F. WILLESEE replied:

No, but the Metropolitan Region Planning Authority is submitting a report on the subject for the consideration of the Minister.

3. STATE HOUSING COMMISSION

Vacant Houses in Country Towns

The Hon. S. T. J. THOMPSON, to the Leader of the House:

How many State Housing Commission houses are vacant in—

(a) the respective towns of the Lower Central Province; and

(b) Albany, Merredin, Manjimup and Kellerberrin?

The Hon. W. F. WILLESEE replied:

(a) Katanning—

One 2 bedroom. There are applicants but none to which this size of accommodation would be suitable.

One 3 bedroom. House under offer.

Kojonup—

One 2 bedroom. Under offer.

Narrogin—

Two 1 bedroom. There are applicants but none to which this size of accommodation would be suitable.

Two 2 bedroom. Under offer.

One 3 bedroom. Under offer.

Pingelly—

Two 2 bedroom. Under offer.

One 3 bedroom. Under offer.

Collie—

Forty-one 2 bedroom. No applicants.

Fourteen 3 bedroom. No applicants.

Cuballing—

One 3 bedroom. No applicants.

Wagin—

Seven 2 bedroom. No applicants.

Fifteen 3 bedroom. No applicants.

(b) Albany—

Seven 2 bedroom houses.

Five under maintenance.

Two under offer.

Ten 3 bedroom houses.

4 under maintenance.

Six under offer.

Six 2 bedroom flats and four 3 bedroom flats. All units have been offered to applicants but applicants elected to wait for other accommodation.

Merredin—

One 2 bedroom house and seven 3 bedroom houses. No suitable applicants—will be making offers to young married couples on waiting list.

Manjimup—

Five 3 bedroom houses. Under offer.

Kellerberrin—

One 1 bedroom house. No applicants.

Three 3 bedroom houses. One house under offer—no applicants for others.

4. INDUSTRY AND COMMERCE

Training

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

With reference to the reply to my question on Thursday, the 20th July, 1971—

(a) following the meeting of State Labour Ministers on the 6th August, 1971, will the Minister define the role of the State Department of Labour in regard to industrial training; and

(b) will this Government press the claim for a practising educationalist at Technical or Tertiary level to be included on the Steering Committee, to provide the obvious co-ordination so necessary for effective action in the industrial field of training?

The Hon. W. F. WILLESEE replied:

(a) The State Department of Labour is working in close relationship with the Technical Education Department

in the Training Programme. The prime responsibility of the Minister for Labour so far has been to press the Commonwealth for increased funds for Technical education to train additional sub-professional and semi-skilled workers, as well as to provide accommodation for block release training for apprentices.

(b) The six State Ministers for Labour at a conference held in Sydney on Friday, 6th August, among other things, pressed the Commonwealth for inclusion of Government representation on the Steering Committee and were successful in including Department of Labour representation with Education Department representation when the subject of Education is discussed.

5. ELECTRICITY

Darling Range Power Line

The Hon. G. W. BERRY (for The Hon. I. G. Medcalf), to the Leader of the House:

(1) Has the Minister for Electricity referred the matter of the Darling Range power line to the Minister for Environmental Protection in his capacity as Minister for Environmental Protection?

(2) Has the Minister for Environmental Protection called for any reports from any environmental experts concerning the proposals?

(3) If so—

(a) who are the experts; and

(b) what did such reports recommend?

(4) Have any alternative recommendations been made by the Minister for Environmental Protection or any other Government authority, and if so, which authority and what are the alternative recommendations?

The Hon. W. F. WILLESEE replied:

(1) No.

(2) The Minister for Environmental Protection has discussed the matter several times with the Director of Environmental Protection who is giving it close attention, but the Minister has not himself called for any reports.

(3) Answered by (2).

(4) Not by any Minister, but the Metropolitan Region Planning Authority has suggested a particular route.

USED GOODS AND MATERIALS BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. J. Dolan (Minister for Police), and read a first time.

FIREARMS AND GUNS ACT AMENDMENT BILL

Third Reading

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [4.43 p.m.]: I move—

That the Bill be now read a third time.

I would like to refer to the suggestion made by the Leader of the Opposition in connection with this Bill and say the requested machinery has already been set in motion to procure the Bills about which he inquired.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

STAMP ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.45 p.m.]: I move—

That the Bill now be read a second time.

In introducing this measure, Mr. President, I would mention that its purposes are threefold—

firstly, to repeal the exemption given to official short term money market transactions;

secondly, to extend the time for objections and appeals; and

thirdly, to remove doubts about the interpretation of an amendment of the Act which was passed in 1969.

Section 16 of the Stamp Act provides in subsection (2) that no stamp duty will be imposed upon any instrument which contains or relates to a transaction in the official short term money market.

This exemption—which is an important aspect in the explanation which I shall give members—was inserted into the Act in 1961 shortly after the market first commenced. The main reason for amending the law in this respect was because at that time receipts duties were imposed at a rate of 3d. per £100.

A difficulty encountered in the early period of operation of the market was that no official dealer would set up offices in Western Australia because of the requirement to pay receipts duties on an *ad valorem* basis. Members will appreciate that normal transactions involving hundreds of thousands of pounds, and often

for short periods, attracted very heavy duty. As a consequence this tax rendered their transactions unprofitable as dealers operated on very fine margins.

Accordingly it transpired that dealers carried out all transactions in the Eastern States where the duty was either on a flat basis or was not imposed at all. With offices not available in this State, it became difficult to arrange transactions at call because of the then delays in telephone communications with the Eastern States.

However, investments in this market by the State produce a substantial return to the Consolidated Revenue Fund from moneys which would otherwise be idle—only short term. It was, therefore, of advantage to the community generally to remove this imposition of stamp duty—and in any event it was not being collected—for the reasons aforementioned.

The exemption—to which I have earlier referred—was framed primarily to relieve dealers from duty imposed on receipts, but was drafted to give exemption to all instruments because there were a few dealings on the official market which attracted other forms of stamp duty.

The abolition of receipts duty has removed the main purpose of the exemption. Furthermore, however, it has come to notice that the exemption is being used to the disadvantage of locally-based merchant banks and is, therefore, anomalous.

As subsection (2) of section 16 of the Act now stands the exemption applies only to official dealers. Those are the dealers who have been approved by the Reserve Bank, which acts as lender of last resort, thereby giving gilt-edged protection to investors with these dealers.

With an increased sophistication of the money market in Australia, new forms of security have been introduced and dealings are not limited to the official dealers, but are also carried out by others such as merchant banks and finance organisations, which for the purpose of this explanation I shall describe as unofficial dealers. There is also the point, that the sophistication and extension of money market operations have made it impossible to isolate clearly official market transactions.

The commercial bill of exchange is one of the forms of security now used as security for loans and is discounted to raise funds. When dealers are quoting interest rates in open competition for business where commercial bills are to be used as security, the stamp duty plays a significant part in the rates quoted.

The rate of stamp duty on term bills of exchange is 10c per $100 or part thereof of the amount of the bill. This *ad valorem* rate has no regard for the term of the bill. As a result, a bill for three months attracts the same duty as a bill for 12 months, assuming both are drawn for the same amount. It is clear then that the shorter the term the higher the amount of duty becomes when expressed as a percentage of the principal.

The law, as now applying, results in interest rates quoted by unofficial dealers being inevitably higher—all other things being equal—than those quoted by official dealers. This comes about because the unofficial dealer needs to cover the cost of stamp duty as he is liable to pay it on the bill, whereas the official dealer escapes liability by virtue of the exemption now provided in the Act.

There are no provisions exempting official or unofficial dealers in Commonwealth stamp duty law and in that of other States in Australia, excepting Queensland. With that exception they are all on the same footing as regards this tax. The exemption was placed in our Act to encourage the development of the market in this State and in the main to remove the impost of receipts duties.

As receipts duties now no longer apply to any transaction the market is firmly established. But the exemption is now creating an anomalous situation between taxpayers and it is appropriate that it be repealed. The Bill now before members provides accordingly.

The second matter which I shall deal with is that allowing the extension of time for objections and appeals. A taxpayer is at present given the option of objecting under the provisions of section 32 of the Stamp Act, to the commissioner's assessment. Then, should he so desire, he may proceed to appeal to the court. Indeed, he may appeal direct to the court in the first instance. The period allowed in every case is 21 days.

The Act makes no provision for an extension of time being permitted, either by the court or by the commissioner. Consequently unless an objection is received or an appeal lodged within the time limit, the taxpayer loses his rights.

The Law Society of Western Australia has drawn attention to certain difficulties which arise as a consequence of this inflexible limited period.

The society has pointed out the instance of certain circumstances which may affect a particular case, such as a client being temporarily out of the State or the fact that the matter in hand may be complex, requiring considerable research. Because of the inflexible limitation of time required under the existing provisions of the Act, a legal adviser may not be able to obtain instructions or complete his research, and as a result the taxpayer finds himself precluded from seeking the remedies otherwise provided by law.

An examination of the periods allowed in other States discloses that these range from 30 days to 60 days. Indeed, the following periods apply under our other major tax laws:—

Probate duty: 28 days are provided with the right of the commissioner to extend that period.

Land tax: 42 days are allowed during which objections may be raised.

In view of these extended periods being available in other States and also under the taxing laws of our own State, and in recognition of the difficulties mentioned by the Law Society's representations, it is considered desirable that the existing periods permitted under the principal Act, the subject of this amendment, should be extended. Accordingly, the Bill provides for a change in the time limits from 21 days to 42 days.

The further addition proposed, empowers the commissioner to extend the period of 42 days to be allowed for objections, and also empowers the court to extend the period beyond 42 days in which an appeal may be lodged.

The next amendment with which I shall deal is introduced with the purpose of removing doubts arising from the 1969 amendment of the Act.

The Stamp Act was amended in that year to extend the duty of 1½ per cent. levied on hire purchase agreements to all forms of credit and rental business, subject to certain conditions.

A new section, numbered 112P, was added in 1969 to provide that where a person who is domiciled or resident in the State transacts business with a person carrying on a credit or rental business who is not a registered person, the person who is domiciled or resident in the State is required to make a note or memorandum in writing of the transaction and pay stamp duty at the prescribed rate. The section further provides that a note or memorandum is not required and stamp duty is not levied where the business transacted or offered to be transacted is with a person carrying on business outside the State in certain circumstances. These circumstances are as follows:—

Firstly, that none of the negotiations leading to the transaction of or the offer to transact business were carried on in the State; and

Secondly, that the amount obtained or the goods obtained by him were for the purpose of being wholly expended or wholly used outside the State.

A case which has recently come to the notice of the commissioner is that of a firm having borrowed from an Eastern States finance company a substantial sum of money. This money is to be expended partly by the borrowing company on developments being carried out in this State.

In this case the facts are that all the negotiations leading to the loan were made in the Eastern States—that is, outside the State of Western Australia—and that the company lending the funds is not a registered company within this State, but is engaged in the business of lending money.

It follows, therefore, that although the transaction can comply with one of the requirements for exemption—that is, all of the negotiations leading to the transaction being carried on outside the State—it does not comply with the second requirement that the money must be wholly expended outside the State. In this case the money is to be at least partly expended in Western Australia.

On being requested to comply with the law, the company claims that the requirements in section 112P are not cumulative, and if one is satisfied, then the loan is not subject to duty. The Crown Law Department—which department, of course, is responsible for the drafting of the laws in question—does not agree with this interpretation and states that, even as the law now stands, it is arguable that the requirements are cumulative and, therefore, the company is liable to duty.

This situation can be resolved only by seeking a court interpretation, and that is being done.

When the new Section 112P was enacted, it was based on legislation similar to that existing in Victoria. However, in that State's law the word "and" appears after a semi-colon at the end of the first requirement. This word does not appear in our legislation, but the intention was that the requirements were to be cumulative and both satisfied before a transaction could qualify for exemption.

Irrespective of the outcome of the case now being placed before the court for determination, it is desirable to remove any possible doubt as to future cases, and accordingly the Bill now under consideration provides for the insertion of the word "and" between the two requirements in section 112P.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

SNOWY MOUNTAINS ENGINEERING CORPORATION ENABLING BILL

Second Reading

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [4.56 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before members has been introduced at the request of the Prime Minister and will enable the recently constituted Snowy Mountains Engineering Corporation to carry out work for the State Government and for private organisations in Western Australia.

The request by the Prime Minister stemmed from the fact that the Snowy Mountains Engineering Corporation Act, which is a Commonwealth Statute passed in 1970, recognises that the exercise of its functions is limited to matters for which the Commonwealth Parliament has the power to make laws.

However, subsection (6) of section 17 of the Commonwealth Act expressly contemplates that the corporation may perform any of its specified functions in pursuance of an authority conferred by State law. Therefore, to enable the corporation to carry out work for our State Government or for private organisations within Western Australia, supporting State legislation is needed.

At the present time there is no specific project on which it is intended to consult with the Snowy Mountains Corporation. However, in the future there could well be major projects where the advice of this organisation would be of assistance.

During the years when the Snowy Mountains Water Conservation and Power Generation Scheme was in the course of construction, the Snowy Mountains Hydro Electric Authority built up tremendous expertise in a number of fields. Undoubtedly, if we had the facility to use this organisation in the future, should the particular occasion arise, it would be a great advantage.

The Hon. A. F. Griffith: Have you not had the opportunity to use the organisation before now?

The Hon. J. DOLAN: Not yet.

The Hon. A. F. Griffith: It is being used.

The Hon. J. DOLAN: Yes, up at the Ord River. The specialised engineering knowledge which the corporation has built up over the years is unique, and if we can readily take advantage of this for either State-sponsored projects or privately-sponsored projects, we should do so.

In the Legislative Assembly there was a suggestion that this legislation would have an effect on local consultants by taking business away from them. This is not the intention of the Government. If the local firms have the technical ability and experience to provide consultancy services, they will be used, and the Government would only resort to the use of the Snowy Mountains Corporation where the advice sought was unavailable from local sources.

As I have already stated, there is no particular project which will be referred to the corporation at this time, and at this stage there are no projects being contemplated which may go to this organisation for advice. The purpose of the Act is to enable the Government, if it so desires in the future, to take advantage of the facilities and specialist skills possessed by the corporation, without the necessity to prepare legislation and pass it through Parliament. Members will appreciate that this can cause delays which might be material at that time.

The Bill, as drafted, is straightforward, and does not need any explanation on my part. Accordingly, I commend the Bill to members.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

BULK HANDLING ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.59 p.m.]: I move—

That the Bill be now read a second time.

Mr. President, the main purpose of this Bill is to release Co-operative Bulk Handling Limited from the obligation of paying taxation on surplus income.

Before explaining the manner in which it is proposed this objective should be achieved, I think I should commend Co-operative Bulk Handling Limited on its outstanding achievements, which I believe compare more than favourably with those of similar organisations in other States.

As a consequence, the grain growers of this State—who are the shareholders—are advantaged in the superior service which they receive. But the creation and growth of this organisation and its ownership and retention by farmers have been achieved only at much sacrifice to themselves.

To date the amount of money loaned by growers represents capital of $37,138,000. Yet this method of financing—taken in conjunction with the policy of rebating any surplus to avoid heavy taxation—has been to the detriment of the company's financial position. Therefore, both the board of directors and the shareholders themselves are naturally concerned that the company should be given increased stability, whilst at the same time being able to look to diminishing future toll income.

In practice the company, which has been earning substantial surplus on income, has been avoiding payment of taxation, to a degree, by distributing practically all of these surpluses to shareholders in proportion to the business each has done with the company during a particular year. These annual rebates aggregate in excess of $10,000,000 over the past five years.

Under existing income tax legislation, profits of a co-operative company not distributed as a cash rebate, bonus debentures,

or shares are assessable income on which tax must be paid. In its avoidance of this taxation, as a matter of policy, the company has not accumulated significant reserve funds. Indeed such small amounts as have been retained as a provision for accumulated long service leave have resulted in tax payments commensurate with the amounts retained.

It is worthy of note that Co-operative Bulk Handling Limited is the only bulk handling authority in Australia which pays tax. Apart from South Australia, the other authorities—being Governmental or semi-Governmental—are exempt from taxation. The South Australian authority is exempt from income tax as a consequence of a decision of the Taxation Board of Review which made its decision on two factors incorporated in that company's memorandum and articles of association.

Firstly, the South Australian company is not permitted to declare a rebate or dividend, and secondly, in the event of its winding up, the assets are to be distributed to the Government of South Australia. As a consequence of this decision, the South Australian organisation has been enabled to accumulate funds, permitting in this season—for instance—a reduction in the rate of toll from 5c to 4c per bushel.

In our own State, Co-operative Bulk Handling Limited recently approached the Commissioner of Taxation to ascertain whether an alteration to its memorandum and articles of association would secure exemption under section 23(h) of the Income Tax Assessment Act.

The commissioner indicated qualified acceptance depending upon the facts and law operative if the proposal were proceeded with. The company's solicitors recommended, as the best means of achieving this, the amendment to the Bulk Handling Act which is now before members—this preferably to an alteration to the memorandum and articles of association.

On the passing of this measure, then, the company would be in the same position as South Australian Co-operative Bulk Handling Limited.

No part of the surplus could be distributed to the growers, but to offset this the directors have in mind recommending a reduction in the rate of toll at the outset. As funds are accumulated, there is no doubt that substantial reductions would be possible in future years.

The proposal was placed before shareholders at the annual general meeting held in March of this year, at which 101 of the 102 shareholders present voted in favour of the resolution.

Debate adjourned, on motion by The Hon. L. A. Logan.

CLEAN AIR ACT AMENDMENT BILL

Second Reading

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [5.05 p.m.]: I move—

That the Bill be now read a second time.

This amending Bill specifically extends the scope of the principal Act to encompass sandblasting operations carried out other than on scheduled premises licensed as sandblasting works.

The amendments to the principal Act, as now proposed, emanate from representations of the Air Pollution Control Council established under part II of the Clean Air Act.

Notwithstanding that the council already controls sandblasting operations where premises are regularly used for that purpose, it is concerned that no suitable powers are contained in the principal Act for the control of a considerable health hazard associated with sandblasting—in particular when carried out by the mobile contractor who uses portable equipment.

The mobile operator frequently undertakes work in the close vicinity of other workmen who are thereby exposed to the fine silica dust given off. In fact, dry sandblasting is especially dangerous. Because it is easier and cheaper it is a process which is chosen by some operators.

Clause 3 of the Bill inserts a new part—"Part IVA. Sandblasting Operations." Members will see that in clause 4 "sandblasting operations" are defined to refer to those operations which take place other than on scheduled premises. As already mentioned, sandblasting which is carried out on fixed locations is already controlled.

The principal effective feature of this amending legislation is contained in clause 5 of the Bill. This clause adds a new section 39B to the Act which requires a person who intends to carry out sandblasting operations as defined in clause 4 to secure a permit from the Clean Air Council. The usual provisions are made for the manner of making the application and for the withdrawal of a permit should an operator be convicted of an offence against the Clean Air Act relating to sandblasting.

The Bill amends the regulation-making section 53 to enable suitable regulations to be made for prescribing safety factors to apply to sandblasting operators. Amongst the controls now envisaged is the prohibition of dry sandblasting, excepting in special circumstances or in defined areas. Controls will be applied also to the type of equipment and the methods to be used in these operations. Sandblasters will be required to obtain permission in specified circumstances before operating in prescribed areas or if they desire to use certain methods.

The amendments now proposed are intended to come into operation on a date to be fixed by proclamation in order to allow sufficient time for persons who will have to secure a license to make application, and for the council to frame regulations.

Debate adjourned, on motion by The Hon. G. C. MacKinnon.

ANATOMY ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.03 p.m.]: I move—

> That the Bill be now read a second time.

The principal Act, passed just over 40 years ago, provided for the establishment and regulation of schools of anatomy and authorised the practice of anatomy at those schools.

The Act has been amended only once since 1930 and that was when Act No. 20 of 1946 empowered the Commissioner of Public Health to receive bodies of deceased persons for despatch and to despatch such bodies to approved schools of anatomy outside the State of Western Australia.

The necessity for that amending Bill came about through the agreement of university authorities in Adelaide to accept medical students from Western Australia, provided that bodies could be supplied from Western Australia for purposes of dissection. This agreement was occasioned by the closure of the doors of universities in Melbourne and Sydney which could no longer accommodate medical students from Western Australia.

I mention these few interesting aspects concerning the principal Act which is one of those pieces of legislation which is of little concern to persons other than those associated with university medical courses.

The purpose of the Bill now before members is to amend section 20 of the principal Act, which at present merely states that the provisions of the Act may not be construed to extend or to prohibit any post-mortem examination of any human body required or directed to be made by any competent legal authority.

The section as now proposed to be re-enacted will not only clarify but will also define the respective fields covered by the Anatomy Act and by other legislation.

By way of explanation, I would mention that situations arise from time to time wherein coroners, medical teaching authorities, and the medical profession are uncertain as to their position under the principal Act. A purpose of the original Statute of 1930 was to make lawful, subject to certain stringent safeguards, the use of human cadavers for the teaching of anatomy.

It was at no time intended that the Act should apply in a case where the coroner had specific jurisdiction, nor was it intended to interfere with the performance of autopsies by doctors where permission had been given by the next of kin or person lawfully in possession of the body.

A further factor was introduced into this sphere with the passing of the Tissue Grafting and Processing Act of 1956. That Act provided for people who desired to donate organs after death for use in corneal transplants and other medical applications.

Consequently, I feel it will be clear that the Bill now before members provides that the position in relation to the Anatomy Act will be clear by stating that nothing in that Act shall extend to or prohibit the procedures to which I have referred and I commend the Bill to members.

Debate adjourned, on motion by The Hon. G. C. MacKinnon.

MOTION: POSTPONEMENT

Point of Order

The Hon. A. F. GRIFFITH: I rise on a point of order and would ask leave of the House to explain my reason for doing so.

The PRESIDENT: Does the House give permission to the Leader of the Opposition to make an explanation on a point of order? There being no dissentient voice, the Leader of the Opposition may proceed.

The Hon. A. F. GRIFFITH: I regret to say that, inadvertently, the House has committed a breach of Standing Order 174. I feel more than responsible because I approached the Leader of the House and asked him if he would be good enough to postpone the motion which appears on the notice paper in the name of The Hon. G. C. MacKinnon. Mr. Willesee consented and, accordingly, moved that the motion be postponed to a later stage of the sitting. Standing Order 174 states—

> If a Member or some other Member on his behalf fails to rise and move a Motion of which he has given notice, it shall be withdrawn from the Notice Paper.

I have been told by you, Sir, in consultation that we are now in a difficult predicament and it looks as though the motion will disappear from the notice paper. That was not my desire, and I am sure it was not the desire of the Leader of the House. I ask that the motion be reinstated in order that Mr. MacKinnon may, in the proper form and in accordance with Standing Order 174, move for its postponement until the next day of sitting.

The Hon. R. F. Claughton: Could not this be covered under Standing Order 117?

The Hon. A. F. GRIFFITH: I have considered that Standing Order, but it states that Ministers may arrange orders of the day.

The Hon. R. F. Claughton: It says, "The mover of any motion."

The Hon. A. F. GRIFFITH: No, it refers to orders of the day and not motions.

The Hon. N. E. Baxter: Standing Order 161 will cover it.

The Hon. A. F. GRIFFITH: That does not cover the situation because the member desiring to change the day for which he has given notice of motion did not move to do so.

The PRESIDENT: I would point out that this is a motion and not an order of the day.

The Hon. W. F. WILLESEE: I am grateful to the Leader of the Opposition for pointing out this fact, because we would not want to lose any advantage as a result of what has been done. A fairly wide interpretation can be placed on Standing Order 174. I regard myself as much a member of this House as anyone else and, as such, I feel I was entitled to do what I did. With all respect, however, I accept the situation.

President's Ruling

The PRESIDENT: I would like to make it clear that in agreeing to this being done, regard must also be had for Standing Order 161. This means that the motion in the name of Mr. MacKinnon will be placed on the notice paper for the next day of sitting.

The Hon. A. F. GRIFFITH: What I want to bring about is that the notice of motion which has been improperly and temporarily postponed until a later stage of the sitting be, in fact, reinstated to enable Mr. MacKinnon to move that the motion be made an order of the day for the next sitting of the House. I move—

> That leave of the Council be given for Notice of Motion No. 2 to be placed on the Notice Paper for the next sitting.

The PRESIDENT: A notice of motion cannot be regarded as an order of the day. It must be moved as a notice of motion for the next day of sitting. Seeing there is this slight indecision I still feel it would be desirable to restore the motion to the notice paper. The Leader of the Opposition has moved that this be done and if there is no dissentient voice I will have the notice of motion restored to the notice paper.

The Hon. G. C. MacKINNON: Is it now in order for me to move that the motion in my name be made an order of the day for the next sitting of the House?

The PRESIDENT: It cannot be made an order of the day, but it will be restored to the notice paper and the honourable member will be able to move his motion when it is called.

Question put and passed.

VERMIN ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government) [5.18 p.m.]: I move—

> That the Bill be now read a second time.

The purpose of this Bill is to restore, retrospectively to the 1st July, 1951, the principle of the aggregation of contiguous parcels of land in the assessment of the vermin rate. This amendment, together with that amending the Noxious Weeds Act, will correct a deficiency which has existed in this legislation for many years past. As I proceed members will realise that the present disability came about through an oversight caused by successive amendments to the principal Act over an extended period.

The disability came to light when a ratepayer owing outstanding rates queried the validity of the assessment on the grounds that the Act did not provide for aggregation of contiguous parcels of land less than five acres in area.

Although, during the last session of Parliament, vermin rates were abolished, with the effect that as from the 1st July, 1970, no rates have been levied, there remained a large number of assessments outstanding and the collection of rates continued during the financial year 1970-71. Arising from the single objection which was made, a close examination of the Act revealed that the claim by the ratepayer had some substance—and indeed there had been some deficiency in the Act since as far back as 1943.

It is desirable, I think, that I should recount to members the progression of events which led to the oversight which I have mentioned.

In 1943 the Act was amended to enable a ratepayer who had enclosed some of the parcels of land he owned with rabbit proof fencing to qualify for a rebate of the then existing vermin rate.

In the process of providing this concession the definition of "holding" was changed and the principle of aggregation removed.

The removal of the principle of aggregation had little significance at that time for the reason that the exemption level was for holdings of 160 acres or less.

A few years later, in 1946 to be precise, the effect of the 1943 amendment had no significance at all, because the exemption.

was removed altogether, with all land becoming subject to vermin rates, irrespective of area.

However, from the 1st July, 1951—which is the pertinent date on which the provisions of this Bill hinge—an exemption of land of 10 acres in area was introduced and then, as from the 1st July, 1964, this area was reduced to five acres. Consequently from the 1st July, 1951, the question of aggregation has at this point become important.

I say "at this point" for the reason that prior to 1943, and in succeeding years up to the repeal of rating in 1970, successive commissioners have in fact applied the principle of aggregation of contiguous holdings and rates have been paid by all ratepayers on this basis. Here I emphasise that the basis has been accepted over that entire period by all ratepayers, excepting the one who recently objected.

It is submitted that it would be an impossible task at this point to attempt reassessments over a long period of years, even if it were possible to locate the persons to whom any reduced assessments might apply. This, also, is quite apart from the financial result of such action which could well mean either the cessation of vermin protection—which is unthinkable—or the possible reimposition of the rate at this stage.

In either event, it is clear enough—by virtue of subsequent amendments and the continuation of the practice of aggregation—that it was not intended to remove this principle in 1943, with the result that has subsequently transpired.

Accordingly, the Bill now before members proposes to restore the principle of aggregation to the Act retrospective to the 1st July, 1951. The effect of this will be that the law will conform with what in fact has been the actual basis of rate payments since that date and up to the time when the levy was discontinued.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

BILLS (6): RECEIPT AND FIRST READING

1. Offenders Probation and Parole Act Amendment Bill.

   Bill received from the Assembly; and, on motion by the Hon. R. H. C. Stubbs (Minister for Local Government), read a first time.

2. Administration Act Amendment Bill.

3. Property Law Act Amendment Bill.

4 Wills Act Amendment Bill.

   Bills received from the Assembly; and, on motions by The Hon. W. F. Willesee (Leader of the House), read a first time.

5. Industrial Arbitration Act Amendment Bill.

   Bill received from the Assembly; and on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), read a first time.

6. State Electricity Commission Act Amendment Bill.

   Bill received from the Assembly; and, on motion by The Hon. J. Dolan (Minister for Police), read a first time.

NOXIOUS WEEDS ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government) [5.30 p.m.]: I move—

That the Bill be now read a second time.

This brief Bill, amending the Noxious Weeds Act, is complementary to the current Bill introduced to amend the Vermin Act and is introduced for precisely similar reasons.

Some of the rating provisions under the Vermin Act are imported by reference into the Noxious Weeds Act. Actually, the Acts provide that one assessment may be issued for both rates and this was practised by the rating authorities.

It will be noticed that the provisions in this Bill are retrospective to the 30th June, 1964, only—and this is for the reason that the rating provisions operated from that date. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

NATIVES (CITIZENSHIP RIGHTS) ACT REPEAL BILL

Second Reading

Debate resumed from the 17th August.

THE HON. F. D. WILLMOTT (South-West) [5.32 p.m.]: This small Bill has one purpose only; that is, to repeal the Natives (Citizenship Rights) Act of 1944 and the amending Acts passed by Parliament since and listed in the schedule to the Bill. The Act is "an Act to provide for the acquisition of full rights of citizenship by aborigine natives."

The original Act was introduced into this Parliament in 1944 and its provisions were fairly severe. It made it a rather tough proposition for an Aboriginal to obtain a certificate of citizenship. First of all he had to make application and then appear before a magistrate and satisfy him of certain things, the main items being that he had left tribal life and was not suffering from certain diseases; that is, leprosy, syphilis, and yaws. I think there were other conditions, but those to which I have

referred were the main ones. Not many Aborigines would like to appear before a magistrate and go through the whole rigmarole.

But, subsequently, amendments were introduced on four occasions; in 1950, 1951, 1958, and 1964. They were aimed mainly at the removal of the severest of the discriminatory provisions of the Act, although it was still a tough proposition for an Aboriginal to obtain citizenship rights.

The 1950 amendment provided for the inclusion of the names of the children on the certificate, and, of course, for the purposes of identification the citizenship certificate had to bear a photograph of the Aboriginal, as is the case with passports. One of the main ideas of the certificate in those days, and even today, seems to be that it gives the holder the right to drink and, so that the Aboriginal could be identified as the person holding the certificate, a photograph was included on it.

The 1950 amendment did not make it mandatory for the names of the children to be included on the certificate. This was left to the discretion of the magistrate. The names of the children remained on the certificate only until they reached the age of 21 years and then the names were automatically removed and the children no longer had citizenship rights, which was a rather peculiar situation.

Under the amendment made in 1951 a board was established to take the place of a magistrate who had been the sole arbitrator in the granting of the certificates of citizenship. The board comprised a representative of the police, a representative of the local authority concerned—usually the chairman or his nominee—and a magistrate. The representative of the local authority was included because it was thought that the local people in the area in which the Aborigines lived would know the applicant's background and habits. If a magistrate sitting in Perth had to decide about the citizenship rights of an Aboriginal from Gnowangerup, he would know nothing of the Aboriginal's background and this was the case prior to the establishment of the board, which was the main reason for the 1951 amendment.

The 1958 amendment made it mandatory that the names of the children be included on the certificate. As I said, prior to that the matter was left to the discretion of the board or a magistrate. In addition to making it mandatory that the names of the children be included on the certificate, the amendment deleted the proviso that the children's names be removed when they attained the age of 21 years. However, that is all the amendment did, and this was a rather peculiar situation. The children's names remained on the certificate after they reached the age of 21 years, but no provision was made for the children to be granted citizenship rights.

The 1958 amendment also repealed section 7 of the Act, this being the section which provided for the revocation of citizenship rights under certain conditions; that is, if an Aboriginal was convicted of drunkenness or if he contracted one of the diseases to which I have already referred. They were the main reasons for the revocation of the citizenship rights, but any time the board considered an Aboriginal had become a person not fit to hold a citizenship certificate it was revoked. As I have said, that provision was repealed under the 1958 amendment.

All the amendments eased the rather severe provisions of the original Act, and the last amendment to be made was introduced in 1964, the sole purpose of which was to ensure that on attaining the age of 21 years a child whose name had appeared on its parents' certificate would be automatically granted citizenship rights; and that is the present situation.

When introducing the second reading the Leader of the House stated that as from the 1st July last year all restrictions involving drinking rights for Aborigines were removed and that was the sole remaining purpose of the Act. I think one of the most unfortunate aspects of the whole situation is that all too often people have regarded citizenship rights for Aborigines as merely a license for them to drink liquor. I think most people who have had anything to do with Aborigines agree that this was not in the best interests of the Aborigines; but, unfortunately, that has been the case very often and not enough attention has been given in the past to an explanation to the Aborigines of the other advantages of citizenship.

When we realise the original legislation was introduced in 1944, which is only 27 years ago, we must agree that we have been moving fairly quickly with our improvements. It was only in 1964 that a child received automatic citizenship rights at the age of 21 years if its parents were the holders of a certificate. From that date, because of pressure from various sources, successive Governments have been forced to make these amendments regarding citizenship faster than should have been the case in the best interests of the natives. This was, as I said, mainly because of pressure from various sources which was often exerted with the best intentions, but with very little knowledge of the actual situation. So we have been forced into progressing too fast; but we have had no option. I do not blame any Government for this.

The fault lies mainly in the fact that perhaps 50 years ago attempts should have been made to provide for the ultimate

citizenship of these people; but, unfortunately, in those days no-one seemed to give any thought to the matter and then the stage was reached where things had to be done in a hurry, not always with the best results.

I remember some years ago I submitted a proposal under which citizenship rights could have been granted on a better basis and under which the Aborigines would have been better prepared to make use of the rights granted to them. However, I do not intend to repeat the details of that proposal as I made it some time ago when the adoption of the methods I suggested could have been contemplated.

Successive Governments have been forced to do something because they could not allow the pressure to build up without taking some action. If they had, by now the Aborigines would have become simply the playthings of politicians and many others who try to exploit them. There have been many examples of this in the past and I think the Leader of the House would be aware of some of them—perhaps all; I do not know.

The news media cannot claim to be completely blameless in the development of the attitude of the public to the Aboriginal population. All too often the news media has highlighted the extreme views and it has had the tendency to push those views instead of giving more prominence to the views of the normal person who does not hold extreme views in either direction. It is these extreme views which have built up and are still building up a situation which may create some problems for us in the future.

I do not think anyone would for one moment dream that the repeal of this Act will sweep all our problems under the carpet. It will not; in fact, it will create some problems of its own. Even in this session we had a slight glimpse of what some of the problems might be on the occasion when a member in this House referred to one area of the State where the white population is starting to feel that they are being discriminated against in the matter of education. I believe this situation has come about, partly at least, because we are trying to make up to the natives for our neglect on the educational side in the past. This is one factor which is likely to cause some problems in the future. By trying to rectify the mistakes of the past we could create problems in the future.

It is a reasonable supposition that when native people are equal as citizens with everybody else they should be regarded in that way and be subjected to exactly the same laws and provisions as everybody else. Many people are starting to feel that this should be the case and they are beginning to express their feelings. Anybody who knows anything about the situation will realise that this, in itself, will create problems. We are certainly not sweeping our problems away by the repeal of this legislation. I wholeheartedly agree that the Act is redundant and should be repealed, but it certainly will not wipe out all our problems.

I have no complaint with the intentions of the measure. However, I will voice some complaint as to the method of introducing the Bill. I do not want the Leader of the House to think I am offering criticism for its own sake, because I am not doing that. I consider the Minister who introduced the legislation should have given more background because it is such a controversial question, has been a controversial question over many years, and will continue to be a controversial question. Also, we have quite a number of new members in this House and a great many new members in another place. Had more background information been given two things might have been achieved. Firstly, it would have created an atmosphere in which there would be a great deal more debate on the Bill. I think this could only be beneficial because far too many people today are not saying what they think on this matter.

This, in itself, is bottling up trouble. The more this question is brought out into the open, the more it is debated and aired, the better it will be for everybody in my humble opinion. I may be wrong in saying that, but I believe open discussion may diminish the problems. Also, it would have given new members a background and insight into problems with which we shall be faced from now on. I keep repeating that we will not sweep problems away by the repeal of this Act. I am sure anybody who has had much to do with this will agree we are creating problems. They may be different problems, but problems nonetheless and at least some will be difficult to handle.

I have come to the conclusion—and I do not think I am wrong—that today there is more animosity between our native population and the rest of the population of this State than there has been in the past. I believe that an animosity has built up which was not present at one time. I know a great deal has been said about the expressions we have used from time to time in talking about native people, but many of these were not intended as insults; it is merely the way we talk. On more than one occasion I have been referred to as an old bastard and I have never been provoked, by its use, into a fight or into taking someone to court, because it is not the kind of expression a person uses in referring to another unless they are good friends or, perhaps, spoiling for a fight.

The Hon. T. O. Perry: It is a term of endearment.

The Hon. F. D. WILLMOTT: It is common usage and simply the way we speak to one another. Some of the expressions applied to natives have been used in this sense; they have not been meant as an insult and nor are they meant in any way to lower the dignity of the native. I repeat: it is simply the way in which we express ourselves. Perhaps it indicates a lack of knowledge of English on our part; I do not know, but we have drifted into it.

I am sure that had more background been provided when the Bill was introduced, this would have engendered more debate on the subject to the benefit of all concerned. I support the measure.

THE HON. W. R. WITHERS (North) [5.50 p.m.]: Mr. Willmott has already mentioned that the Natives (Citizenship Rights) Act is "An Act to provide for the acquisition of full rights of citizenship by aborigine natives."

In the past, wise and respected men have made laws and enacted legislation that has proven unsuitable or unrealistic in the light of experience. Mr. Willmott has referred to some of the points on which a magistrate would have to satisfy himself before granting citizenship rights to an Aboriginal. One of the points on which a magistrate had to satisfy himself was the standard of living of the Aboriginal. The Aboriginal had to prove that he was civilised. If the magistrate thought that the native had the degree of civilisation necessary, he was granted citizenship rights. This is a hard yardstick to apply to anyone.

Secondly, a magistrate had to satisfy himself that the Aboriginal did not have leprosy, yaws, granuloma or syphilis. There may be many interesting ways of contracting these diseases, but the disease which interests me is granuloma. For a start, it is not a disease. Granuloma is something that can be caused by disease but one form of granuloma—namely, Hodgkins Granuloma—is not infectious. In fact there is a greater prevalence of Hodgkins Granuloma among Caucasians than among natives. Is it right that a person should have been denied citizenship rights because he had Hodgkins Granuloma? According to the Act, he could have been denied citizenship rights or could have had his citizenship taken from him. Is it right that a dark-skinned person who could contract a disease, such as syphilis, from a white person should have his citizenship rights revoked when, in fact, the white person who passed on the disease could remain a citizen?

We must ask ourselves what our policy is in this State and in Australia with regard to Aborigines. Should we have total integration with equality for all or should we have separate development with respect for each other's way of life? No Government in Australia has yet had the intestinal fortitude to make either decision.

If we select the first course, we will not require any departments or laws with discriminatory policies. Education programmes would have to be established for under-privileged people in social, technical, pre-school, primary, secondary, and tertiary levels of education regardless of skin colour.

If we select the second course, we would have apartheid and a double standard. At this point in time we have a conglomeration of both policies that shows discrimination and does not give equality to all Australians. I will now give two instances to support this statement. I have already mentioned the first, namely, discrimination against the non-Aboriginal in education and housing, but mainly in education.

The Hon. R. F. Claughton: Is it discrimination against the white or discrimination for the Aboriginal?

The Hon. W. R. WITHERS: It is discrimination against the non-Aboriginal, for the simple reason that non-Aborigines in the north and isolated areas throughout the State cannot afford to educate their children to secondary standard whereas the Aboriginal is given this opportunity free of charge. Consequently, it is discrimation against the non-Aboriginal.

The Hon. R. F. Claughton: If the whites earn sufficient they are able to send their children on. You cannot say they are all denied this.

The PRESIDENT: Order! The honourable member will have his opportunity to make a speech.

The Hon. W. R. WITHERS: Thank you, Mr. President. I still say it is discrimination against the non-Aboriginal. The second case which I would like to mention occurred on Sunday. I am still a justice of the peace and I was called to attend eight cases in the Kununurra court. One case was a children's court case and the other seven concerned Aborigines.

The situation was that three Aborigines had been arrested for drinking in the street at ten past twelve on the Saturday. No justice of the peace was available on Saturday to hear the case and I was asked to attend the court on Sunday for this purpose. Two of the Aborigines in the group of three had sufficient money to pay bail. The third Aboriginal did not have sufficient money and could not arrange bail; he was gaoled. When the case came up, the two who went out on bail did not front up and accordingly, I estreated their bail, which was quite small—$4 each. The third Aboriginal who had to face the court stood before me and pleaded not guilty.

One policeman gave evidence and said that he saw the Aboriginal remove a bottle from the vicinity of his mouth and hand

it to one of the other two. Apparently when the natives were arrested they made certain admissions to the police, but this evidence is not admissible under the Native Welfare Act. I then asked the Aboriginal whether he would give his evidence on oath and he said, "No, I will not." I know this man attends church frequently and he would have told the truth had he given his evidence on oath. I then looked at the evidence and found I had to dismiss the case, because even when the second policeman was called to give evidence he said that he had not seen him drinking, but simply removing the bottle from his lips.

After the case was dismissed the Aboriginal admitted to drinking in the street. He knew of this law. Had he been a white man he would have been charged and if honest he would have been convicted. In this case the Aboriginal was dishonest in one respect but honest in another, because he would not take the oath on the bible.

I think this kind of thing is extremely wrong. These people should have equal rights and be treated in the same way as every other person.

I would like to comment that an Aboriginal can no longer revert to his old ways because he must abide by our society's law. If he abides by our society's law he cannot have his own tribal laws, because the two conflict.

If we give an Aboriginal land rights which would permit him to live as he did before, it would mean he could live, hunt, and survive on that land until his children drift to the fringe of society again. The way of life that the Aboriginal enjoyed disappeared forever with the advent of the Caucasians to this country.

I have great respect for the Aboriginal leaders who have advocated this way of life. They believe they can go out to these settlements and live as they lived before. Several members of the Aboriginal community hope to do this, and they are extremely sensible men. I believe this principle can only work under a commune system. The Aborigines must be educated to the point where they can depart from this commune system when they are ready to be absorbed into our society; when they are educated to cope with the demands of modern society.

It must be remembered that the bush Aboriginal has a complex culture. To say he has no culture is incorrect; and I will prove this.

It should be recorded in history for everyone to read that the Aboriginal has an extremely complex culture. If this were taught to children, and particularly to the Aboriginal children, they would have pride in their ancestry.

The Aborigines were the first to use plastics; they were using plastics when our ancestors were using flint and stone. The Aborigines developed heavier-than-air missiles. They could control the flight of these missiles when we were getting excited about flying box kites. They have been using these missiles for thousands of years.

In 1934 the white man discovered the lamina flow aerfoil. The cross section of the boomerang is a lamina flow aerfoil.

The Aborigines had the most sophisticated genetic planning system that has ever been developed by any race. This system is also very complex.

The Aborigines developed trade routes over 2,000 miles in length in a land that had no indigenous beasts of burden. To do this they developed a message stick that could be used as a diplomatic passport through foreign tribal territories. Their war weapons were designed for wounding and not for killing, showing that they had a greater sense of racial survival than the Europeans and Asians.

I have now said enough. I hope this Bill will be another step towards a policy that is humane and clear cut. I support the Bill.

Sitting suspended from 6.05 to 7.37 p.m.

THE HON. L. D. ELLIOTT (North-East Metropolitan) [7.37 p.m.]: When the Minister for the North-West introduced the Natives (Citizenship Rights) Bill in 1944 he stated at that time that Western Australia was leading the rest of Australia in native legislation and regulations and that all the other States and the Commonwealth had copied the Western Australian legislation and regulations.

I think it is a pity that we are now lagging behind the other States in removing discriminatory legislation from our Statute books. The previous Government had to be threatened by Mr. Gorton the former Prime Minister, and Mr. Wentworth, the former Commonwealth Minister in charge of Aboriginal affairs, that if the States did not take action the Commonwealth would. Mr. Gorton was quoted in *The West Australian* of the 20th January, 1971 as saying—

> . . . that W.A. and Queensland had been told to abolish within two years all laws discriminating against Aborigines.
>
> He said that the Commonwealth would take action if the two States did not abolish discriminatory laws within that time.

In *The West Australian* of the 23rd May, 1970, Mr. Wentworth had this to say—

> "I would hope that the Commonwealth will not be compelled to bring down legislation in order to invalidate some sections of State laws,"

I am pleased that this will not be the case now because it would have been a sad reflection upon this State had we been forced into line by the Commonwealth on such a matter as racial discrimination.

I believe the people of Australia demonstrated quite clearly in May, 1967, that they were opposed to any legislative discrimination against our Aboriginal people when they voted overwhelmingly to remove from sections 51 and 127 of the Commonwealth Constitution all words which provided discrimination against Aborigines. In the referendum held at that time 319,823 Western Australians, or 80.95 per cent., and 5,183,113 Australians, or 90.77 per cent., voted in favour of the proposed amendments to the Constitution.

So at that time a very large majority of Australians indicated that they wanted Aborigines to be counted as Australian citizens. Why should they not be treated like any other human being born in this country? The attitude of some people appears to be that we must save the Aborigines from themselves; that if they are allowed to drink alcohol without any restrictions it will be detrimental to them. I might agree that alcohol is harmful to some people and its effects are degrading, but it is not only Aborigines who are adversely affected by alcohol.

The Prisons Department report for the year ended the 30th June, 1968, shows 759 non-Aboriginal convictions for drunkenness, and we do not have any special laws to protect those non-Aboriginals who cannot handle drink except, of course, to deal with them when they become a nuisance. There is always a great deal of emphasis placed upon the Aboriginal's inability to handle drink, to live in a home decently, and to remain in a job; and aspersions are cast upon his intelligence. However, how many people stop to think about the underlying causes for many of these problems or the fact that many of the inadequacies to which I have referred are not peculiar to the Aboriginal race?

I wonder how many members in this Chamber can say they have never been approached for help by European constituents who have got themselves into hopeless situations through their inability to handle their financial and personal problems. For example, practically daily we see people who are about to be evicted from their homes because they cannot pay the rent or maintain the home in a reasonable manner. Because of human frailties we are faced with a whole range of human problems. At election times we see thousands of informal votes cast because the people are incapable of exercising their franchise intelligently; and these are not all Aboriginal people.

Finally, I would like to quote two articles from the United Nations Declaration on the elimination of all forms of racial discrimination. Article 4 of that declaration reads as follows:—

> All States shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination.

Article 6 reads—

> No discrimination by reason of race, colour or ethnic origin shall be admitted in the enjoyment by any person of political and citizenship rights in his country, in particular the right to participate in elections through universal and equal suffrage and to take part in the government. Everyone has the right of equal access to public service in his country.

I support the Bill.

THE HON. G. C. MacKINNON (Lower West) [7.43 p.m.]: I have been interested to hear the many comments that have been made during the debate on this Bill in the matter of discriminatory laws and it has long been my belief that there is a great deal of hogwash talked about discrimination in legislation; because a tremendous amount of legislation on the Statute book is in fact discriminatory. For example, we discriminate in favour of slow learners. We discriminate in favour of mentally retarded children, and we discriminate in favour of many groups in the community who are disadvantaged in one way or another.

As an ex-member of this House once told me, there is no doubt that because the Aboriginal people have never planted a seed nor tethered an animal in the whole history of their life in Australia, they now find themselves ill-equipped to deal with the sophistication of modern society.

They are not unique in this, because that is the situation which confronts many peoples of the world who find themselves quite suddenly, in terms of history, thrust into close proximity to other peoples of quite different cultures. So, quite frequently discriminatory legislation becomes essential for the protection of such people, and the mere fact that legislation is discriminatory does not mean it is necessarily bad or necessarily good. It depends entirely upon the legislation.

Much of the legislation which has been passed in Australia was legislation discriminating in favour of Aborigines, in order to assist them. Statistics can be quoted in support of all sorts of things which might help prove that a particular country treats its people well, or treats them badly.

Very frequently such statistics can be misleading in the extreme. With due deference to Mr. Dolan who quoted some statistics the other night with regard to hangings in South Africa, they were misleading in the extreme.

The situation in Australia is that all the laws, regulations, and everything else that are passed in respect of Aborigines completely detribalise them; they remove them from the culture which Mr. Withers mentioned; they remove them from the discipline which their tribal lives hold over them; and they remove them from the influence of their elders, and their tribal laws and customs which have been ingrained in them, just as we have had many of our customs and ideals ingrained in us.

As an example, and referring to the statistics quoted in respect of hangings in South Africa, the judges in that country find themselves in a tremendously invidious situation because they are appointed in the same manner as our judges; they are held in the same high esteem as our judges; and they have the same tremendous freedom of our judges. However, they find themselves in this situation: often when they try a native and find him guilty they make inquiries—as our own judges frequently do—into the character of the convicted person, and seek the views of people who might speak for or against him. Frequently the leaders of the tribe of the convicted person are the first to see the judge. Often they will say "This man is guilty. What will you do with him?" The judge might say, "I was thinking in terms of 15 years' imprisonment." The tribal leaders might say, "Don't waste your time, because even if you leave him in prison for 20 years he will be a dead man as soon as he is released, as that is our law."

That is the very problem which is being experienced in New Guinea right now. Last week we read of a case where some judge handed down a decision which was abhorrent to our cultural background. In this judgment he exonerated certain natives for committing the crime of cannibalism, because in the eyes of these people this act did not constitute a crime.

In some parts of the world people have been fairly successful in retaining their tribal culture, their tribal discipline, and their tribal laws; and gradually superimposed upon all this is the law and culture of the white man.

I know there are members in this Chamber who have spoken to the elders of some of the tribes in the northern parts of this State, and have seen the elders deplore, with tears in their eyes, the lack of discipline of the tribe over the young natives, which has been brought about because we as a people have done nothing to keep the tribe, the culture of the Aborigines, and the discipline of the elders intact.

Had we introduced discriminatory laws which helped in bringing this about they would have been good discriminatory laws. There is nothing good in saying to a people, "You must behave like white people, and automatically forget the 30,000 or 40,000 years of your heritage. You must automatically forget all your wonderful legends and the wonderful stories which have been handed down to you from father to son." We cannot ask them to forget the fantastic things which have kept them alive in a barren and hostile land. There is nothing marvellous in doing that.

On one occasion when I was up north I saw a solitary Aboriginal sitting on a rock, with a few bands of red wool around his head, whittling at something or gazing into space. I wondered at the grandeur of that man; at the way in which he seemed to be a part of the environment. He seemed to have sprung ready-made from the rock and soil on which he sat. I wonder whether it would be a good thing if we said to him, "Be a white man."

As a people we should weep at the thought that we have done so little to cherish a heritage which is so unique and to preserve a people who are so unique—a people for whom, as Mr. Withers said today, no-one can turn back the clock.

There is nothing inherently wrong with the concept of discriminatory legislation. As members of Parliament we find there is discriminatory legislation in our book of Standing Orders which affects us, because we operate under privilege; yet we do not hear of people writing to the newspapers complaining about this. Although it is discriminatory legislation, yet it is highly desirable legislation. The situation might arise at any point of time where it is necessary for us to invoke privilege, so that we can speak with honesty; and it would be quite impracticable for us to do that outside of Parliament. Apart from being impracticable it could prove to be very expensive.

So, there is nothing inherently wrong in discrimination. It is the way in which discrimination is applied that can be wrong. We have all become so terrified of being considered discriminatory that I fear—as Mr. Willmott indicated in his speech—we are not perhaps quite courageous enough to do what the situation in many cases warrants should be done. Quite frankly I do not know what ought to be done in our own case.

I am aware that some members of this Chamber who have been up north and have seen the problems confronting the Aborigines are placed in exactly the same position as I am. It appears that the only people who know, without any doubt, the

way in which Aborigines are to be treated are those who have not gone too far from St. George's Terrace! It would be difficult to imagine a more lovable people than our Aborigines; that is, when we see them in surroundings outside of their camps and the degraded situations in which they are found. In their natural environment it would be difficult to find a more lovable people. They seem to be so eternally happy, so eternally grateful, so completely lacking in pretentions, so completely simple in their enjoyment of life, and yet so rich in their culture.

Mr. Withers has mentioned their genetic laws; and surely in the conditions in which these people found themselves those laws were without equal anywhere in the world. They controlled the population at the level the country could support; they controlled the population without inbreeding, crossing, or any other undesirable traits; and they did this for thousands of years.

The mysterious aspect is that most of them did not appreciate the connection between copulation and conception, yet their complex laws and rules applying to birth control were far more effective than those which any modern nation has been able to formulate.

On one occasion I was talking to an old Aboriginal at Derby. Perhaps Mr. Willesee can supply me with his name.

The Hon. W. F. Willesee: Albert Barunga.

The Hon. G. C. MacKINNON: He told me how sad it was that the young men did not appreciate the dangers of inbreeding or producing half-breeds. It took me a while to realise what he was saying. He was not talking about the half white and half black people, but about the wrong type of black people or the wrong caste, tribe, or group intermarrying. This was a very serious matter to this intelligent and likable old man, who deplored—and I think with justice—the loss of the tribal discipline about which I spoke. So, I believe it behoves those who are confronted with the problem and those who may, from time to time, have to deal with it to be realistic. I do not believe that the people of Australia as a whole really appreciated what they were doing in respect of the referendum about which Miss Elliott spoke. I believe their heart was in the right place, and they adopted the concept that they wanted to do more than had been done for the Aborigines.

I do not know what the answer is, but I know that we have not found it as yet. Having set ourselves on the path of saying, "Integrate with no option", I do not believe that we must pursue this course to its inevitable conclusion right now. I think we should pursue this course with a great deal more understanding than we have in the past. I believe there is still a need for discriminatory legislation to discriminate in aid of, or to assist, these people.

I believe there is such a need, particularly educationally, to discriminate in their favour. We all realise how difficult it must be for a native child who wants to do homework but whose facilities to carry out this task consist of a kerosene box and lamp. I might be out of date in mentioning a kerosene box, because there are none up there these days. Often the only facility to enable the child to do his homework is the light from the lamp stand in the camp, or the flickering light from the camp fire. This is a handicap which requires legislation to discriminate in favour of that child, in order to assist him to just read a book. Even in the reading of a book there are problems.

Those children cannot do the same as white children and turn to their mothers and ask for assistance. It is probable that the mother cannot read. I can remember going down to a billabong behind the hospital at Fitzroy and seeing 20 or 30 small boys and girls swimming and having the time of their lives. It took me ten minutes of concentration before I was able to follow the conversation of those children, because they talked in a manner which was half tribal and half English. That manner of speaking must make their school work terribly difficult.

I repeat: when we talk about discriminatory legislation we must be careful because we will find, more and more, the need to assist. Integration is a difficult programme but for our country it is the correct approach. It is a course from which we cannot deviate. We must not be afraid of the word "discrimination" because, as I have already said, it can be inestimably in favour of those for whom we discriminate.

THE HON. S. T. J. THOMPSON (Lower Central) [8.02 p.m.]: I rise to support the Bill. I have listened carefully to the speeches that have been made, and we have heard a lot about Aborigines. I hope that this legislation—which is a follow up of the legislation which affected the South-West Land Division some years ago—does not create the same problems. We find ourselves in a very awkward situation regarding the handling of the Aborigines.

In his primitive early life the Aboriginal spent his time, mainly, hunting. Idleness is the greatest problem associated with Aborigines in the South-West Land Division. There is nothing for them to do, and very few of them have jobs. It is a depressing sight to see Aborigines, day after day, sitting in the railway bus shelters in the main country towns. Any money they do get is spent, usually, in

the hotels, which is also very depressing. The standard of the Aborigines is deteriorating because of their lack of occupation.

I hope that in the northern part of the State we will find some way to occupy these people so that they can retain their self respect. As I have said, there is very little opportunity for the Aborigines to maintain their self respect in the country towns. They seem to be able to get money from somewhere; from child endowment or from various handouts. However, this does not help them; they merely continue to deteriorate further every year. If this trend is allowed to continue all kinds of problems will be created in Western Australia. I hope the present legislation will prevent the Aborigines in the north from deteriorating to the stage reached by those in the south.

The Aborigines in the north are nearer to their cultures whereas in the southern areas very few of the young people would know anything about Aboriginal culture. We as a Government, and as parliamentarians, have a great responsibility to provide some form of occupation to allow the Aborigines to retain their self respect, and enable them to integrate.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [8.05 p.m.]: I thank members who have spoken to the Bill for what they have said. The different approaches made to the problem have emphasised in a variety of ways where the problem really lies.

It so happens that I am the Minister in charge of native welfare in this State at the present time. I have now travelled through most areas where there are concentrations of natives, and I have yet to find an area where there are not several problems to be overcome. Also, I have yet to find a simple solution.

Mr. Willmott took me to task for not making a more detailed speech when I introduced this measure. While listening to the honourable member I thought he was right.

The Hon. F. D. Willmott: I did not take the Leader of the House to task very harshly.

The Hon. W. F. WILLESEE: I thank the honourable member for that consideration. However, I regarded the measure in simple terms, and for what it is. I had merely lifted a ban on one quarter of the Aborigines in the State. The ban on the other three quarters of the Aborigines in the State had already been lifted previously. I disclosed that decision in simple terms.

The debate which has taken place demonstrates a deep interest in the problems that exist with regard to natives. In some cases we are pushing ahead too fast; there is no doubt about that. Mr. Willmott uttered a great truth when he said we should have tackled this problem 50 years ago. However, it is in this age that we are trying as forcefully and as quickly as possible to overcome that lack of foresight. We are not achieving our objective easily, and in the process we are creating a number of difficulties for many people—not all of them associated with the natives themselves.

I agree with Mr. McKinnon that we must go ahead with the situation now. We must, as soon as possible, give to the native children of today opportunities which were not given to their parents. If we are able to do that we will have achieved something. We must help the children move forward, and this is not possible if they are compelled to learn in conditions outlined by Mr. McKinnon.

The Native Welfare Department will constantly endeavour to close the reserves, but in closing the reserves care must be taken. The parents have to be moved from an area in which they are reasonably satisfied. A number of the natives are, possibly, bush people and they are not too badly off on the reserves. A certain amount of welfare is available to them but I am afraid not very much can be done to help them during the rest of their lifetime.

We talk in terms of transitional homes to help thees people and give the children better opportunities, but the provision of such homes creates problems in the towns. The local shires receive complaints from the ratepayers. Also, it is often found that the homes are not of a standard equal to those occupied by the white people, and all sorts of complaints are received. In the last week I have even received a petition from an area where I was able to build a few homes.

There is a lot of give and take associated with this problem, and it will not be solved easily. I am of the firm belief that housing should be a major priority, having regard to the basic concept of the oncoming children. One of the problems—of which I was not previously aware—is the growth rate of the people. At present it is higher than that of any of the other nationals in Australia. If we do not come to grips with the housing situation in the next four or five years it will be too late. Before the situation gets better it will get worse, and there can be no shirking of our responsibility.

The Hon. J. M. Thomson: Would not family planning be a solution?

The Hon. W. F. WILLESEE: I think that is inevitable. There is no doubt that there must be education combined with family planning. However, we must remember that the natives had family planning but they have lost it.

We have the situation in the country where the elders desire to live the type of life they have lived previously. As was

pointed out by Mr. MacKinnon, it is not possible for them to live that type of life because it would not be possible for them to now exist in the areas in which they once lived.

So we have all types of development in stages from a variety of contributions. I suppose the Mowanjum Mission would be the best example. That mission would be one of the most advanced of its kind, but it has run into a great number of problems because the young men are moving away and all that is left of the tribe are the elders and the young children. This is a problem with which we must persevere.

It is all to the good that we should be hearing so much about natives at the present time. I certainly have not heard so much about them in all my previous life. Many people are becoming interested, and even if the interest is critical—which it frequently is—it is still of some benefit.

As Mr. Withers said, the people living in the north are beginning to notice the situation and the educational opportunities now afforded the Aboriginal children are more evident. I would point out that Commonwealth money is being used. The grants are made available by the Commonwealth and, in fairness, the Commonwealth is trying to make up the lag as quickly as possible. The Commonwealth Government knows the situation cannot persist, and if it is possible for the children to obtain higher education from the money available this would be a very good thing indeed.

I am sure this situation will not last for very long. The parents want their children to receive education. It must be borne in mind that on some of the stations the children who will receive the benefit have a white father. That father will be very pleased to take advantage of any educational opportunities available to his children. It would not be possible for such a person to educate his children on the income he receives. I know of individual cases where that applies. Because there is no means test I think it is fair to say that some people who should not receive assistance are in fact being assisted.

We have discussed the missions at Commonwealth level, and the Commonwealth is investigating that situation. However, I think the idea is a good one, when one bears in mind that the Commonwealth has not long come into the field of native affairs.

The Commonwealth department is hopelessly limited as regards funds. It sees a need and is doing what it can where it believes it can do something quickly. I am behind the Commonwealth Government as regards this particular form of education. I do not think it will be a continuing matter. I think the Commonwealth Government intends to write it off in a short time.

Mr. Syd Thompson mentioned the question of employment. We looked into that matter together in his electorate recently. The same situation applies to many other electorates. If we provide houses, we find we cannot provide employment in the area. Action must be taken at that level. I believe that if we can provide better housing in a town where there is employment, rather than providing poor housing in a town where there is no employment, we will be taking positive action. If we can provide better housing as well as employment, then we should take such action. In the metropolitan area, where there are employment opportunities for many natives, we cannot house them quickly enough. We have a big problem.

The Hon. S. T. J. Thompson: Create employment where the houses are built.

The Hon. W. F. WILLESEE: If I could do that, I would not be here. I could continue at some length but my remarks would be consistently negative. I do not want to foreshadow the future, but in the new legislation we are trying to incorporate a line of positive thinking and we will pick up many of the points that have been raised here tonight.

For instance, how should we make education available to natives? We find that education in the home is just as important as education in the school. That has been recognised in our society for many years. When we take people away from their homes and give the Government of the day so little for their assistance, support facilities fail. Whilst we now recognise many of the problems, we are not doing very much about them. We should place responsibility where it more directly lies so that we do not have the buffer of the welfare department. For instance, the case of a deserted wife—of any colour—should come under a section of a department.

I think we should adopt a more positive line of thinking, rather than making handouts to which so many people object. It may not be a handout in one case, but it may be a handout in another case. Let us hope the word "handout" disappears. Let us also hope the word "native" disappears to a great extent.

I sincerely thank members for their approach to 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.

Sitting suspended from 8.22 to 9.10 p.m.

POTATO INDUSTRY

Inquiry by Select Committee: Motion

Debate resumed, from the 10th August, on the following motion by The Hon. V. J. Ferry:—

> That a Select Committee be appointed to inquire into and report upon the Potato Industry in Western Australia and to make such recommendations as are considered desirable to encourage greater productivity and expansion of the industry, including processing and export trade opportunities, with view to bringing further benefits to growers and the general public.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [9.10 p.m.]: The Hon. V. J. Ferry, in moving for a Select Committee to inquire into the potato industry, covered in great detail many aspects of this important industry. However, at no point in the chain from the producer to consumer was the honourable member able to specify and substantiate a weak link in the board's activities. The organised potato industry in Western Australia is much admired by our other primary industries and is looked at with envy by the industry in other States.

Over the years this industry has been closely examined from top to bottom and at no time have radical changes been indicated. On the other hand, there is a present need for assistance, examination, and reconstruction of our other primary industries and this would not seem to be the time nor the place to expend our energies on our healthy and viable potato industry. No social injustice has been indicated and future problems of the industry would be technical in nature and, as my later comments will indicate, are already receiving considerable attention by those responsible for the industry.

Potatoes rank with wheat and rice as one of the world's leading food crops. In Western Australia, potatoes are the main vegetable crop and have a gross value of over $5,500,000 annually. As a food, potatoes are one of the cheapest sources of carbohydrates, but they also furnish appreciable amounts of protein, vitamins B and C, as well as some minerals. The average annual *per capita* consumption of potatoes in Western Australia is approximately 100 lb.

Since the W.A. Potato Marketing Board came into operation in 1948, potato growers have had the benefits of a stable industry and a steady and remunerative price for their crops. The stability of the industry has been important to the development of south-west towns and associated facilities and amenities.

In many places, potatoes were the pioneer crop. The high return per acre for this crop has offset the cost of clearing heavily-timbered land which otherwise could not have been developed for fruit growing or dairying.

In view of the importance of potato production to the State, it is essential to maintain the viability and efficiency of the industry to serve both growers and the public to the best advantage. Constant review to this end is desirable and necessary.

In requesting a Select Committee, the honourable member has stressed the need for greater productivity and expansion of the industry and this, indeed, is a desirable objective. However, it will be agreed that opportunities for increased production and expansion of the industry are directly related to increasing sales on local markets for fresh and processed potatoes and the development of export markets for 'ware and seed potatoes.

With respect to the local market for fresh potatoes; consumers in Western Australia have enjoyed for many years a continuity of supply of potatoes at reasonable prices. On only one occasion since 1949 has the W.A. Potato Marketing Board found it necessary to import potatoes from the Eastern States.

Prior to controlling production and marketing it was usually necessary to import potatoes during the period June to September.

Western Australia is the only State in the Commonwealth which is entirely self-supporting as regards seed and 'ware potatoes. Reference to Commonwealth statistics of retail prices shows that Western Australian housewives pay a lower price than the Australian average price for potatoes. I am in possession of a graph of retail prices which clearly illustrates this point. It also indicates wide fluctuation in the average Australian price, no doubt due to periodic shortages in the Eastern States.

The needs of the increasing population in Western Australia are being met by increasing as necessary the licensed acreage. The important aspects of local sales promotion are a constant supply, good quality, and a reasonable price. By comparison with other States, these criteria are being met satisfactorily.

The matter of processing has been raised. However, the Marketing of Potatoes Act does not give a mandate to the W.A. Potato Marketing Board directly to undertake operations which are in the nature of manufacture or changing of the product. Further, the constitution and personnel of the board do not indicate that it would be an appropriate function for the board to undertake. The capital and expertise required for such operations would be better provided by a separate organisation.

The board, however, fosters and assists the expansion of industries involved in the manufacture of potato products, provided locally grown potatoes are used.

One local company is expanding rapidly —it is currently using approximately 1,000 tons of Delaware potatoes per annum for the manufacture of crisps. This company operates in very close co-operation with the board and uses nothing but locally grown Delaware potatoes purchased through the correct channels. Its planned expansion programme provides for the usage of 3,000 tons per annum within the next three years.

The net return from sales to processors is far in excess of normal export returns and second only to those of sales to local merchants. Therefore, production will be geared to meet the increasing demand from this source.

A recently established local company is about to commence production of chipped and peeled potatoes for sale to hotels, restaurants, etc., in the raw state, for which there appears to be a good potential, and it has successfully sought the advice and assistance of the board.

I am also informed that the board is currently negotiating with one of the major processing concerns in New South Wales regarding the establishment of a factory in Western Australia which is expected to use about 1,600 tons of potatoes in its first year of operation. In recent years this company has manufactured its produce in the Eastern States and exported the finished article to Western Australia; thus we have derived no benefit. However, we are confident that they will commence operations in Western Australia in November this year under an arrangement that will be most advantageous to the local potato industry. The company is conducting research into other processed lines and intends in due course to market many other varieties of processed potatoes.

In all its dealings with processors, the board's first requirement is that local produce be used exclusively, and the industry works in close co-operation with the Department of Agriculture to ensure that suitable produce is available for its purposes.

I would like now to mention the potential of the export market for potatoes. Due to price fluctuations and cost of freight, production of potatoes specifically for the Eastern States has never been an economically sound proposition. While sporadic shortages occur from time to time in the Eastern States, resulting in very high prices, these are generally due to adverse weather conditions and cannot be predicted or allowed for in our planting programme.

Overseas exports offer little promise because of our high cost structure which cannot be altered within acceptable limits of change to our entire economic structure. On the other hand, prospects for profitably exporting seed potatoes are more favourable.

Ceylon and Mauritius are currently supplied with approximately 2,000 tons of Western Australian seed potatoes per annum. Export sales to these and other markets—such as East and West Pakistan and South Africa—are limited by supplies of seed of the size and quality required, rather than by lack of demand. Large tubered varieties, such as the local Delaware, produce a limited quantity of small-sized seed.

Expansion of the export seed trade is being fostered by the board, and importing seed countries are being encouraged to take our large-sized tubers which can be cut into sets prior to planting.

In view of the foregoing record of the potato industry there is no justification for the appointment of a Select Committee.

The operations of the Potato Marketing Board since its inception in 1948 have come into prominence on many occasions because production and marketing of potatoes are matters of great interest to the public. As previously indicated, the board's record is a good one and it has served well the interests of the growers, the trade, and the consumers.

In 1949 a Select Committee of the Legislative Assembly inquired into the activities of the Potato Marketing Board, and in 1955 a Royal Commission investigated at great length the following aspects of potato marketing:—

> The methods and present facilities of marketing, and whether, in the public interest, the Board system of marketing should be continued.
>
> The distribution from the producer to the consumer, with particular reference to handling, storage, and losses due to deterioration during marketing.
>
> The analysis of the wholesale and retail prices setting out the remuneration of all persons, agents, firms, or marketing authorities in the marketing and distribution from the producer to the consumer, and whether all these handling costs are justified.
>
> The influence of seasonal production upon quality and the retail price.
>
> The basis used in granting and reducing licenses to grow potatoes.

The Royal Commission was also appointed to recommend any proposals for—

> More efficient methods of marketing;
>
> Ensuring an adequate supply of products of good quality to consumers;
>
> Ensuring reasonable margins for distribution and sale between producers and retailers, and a fair price to the consumer.

These inquiries attracted considerable public interest and evidence was pursued in great detail. However, to the board's

credit it has been emphasised that its activities have been in the best interests of the State, its continuation has been supported and after consideration of the Royal Commissioner's report, no action was deemed necessary except to change the basis of relationship between the board and Alex Murray Pty. Ltd.

At the present time the potato industry in this State is in a very healthy position—the growers' returns have been stable, the trades margins preserved, and adequate supplies of good quality potatoes are available to the consumer.

Should any honourable member have doubts of this being a true picture of the situation I would refer him to the *Economic Survey of the Australian Potato Industry* published in October, 1967, by the Bureau of Agricultural Economics, Canberra.

I have with me a graph from this publication which clearly illustrates the stable returns of producers in this State relative to Eastern States' growers.

By comparison, all other primary industries are facing major problems, some of which are critical to the survival of a proportion of producers and necessitate governmental action for financial assistance and reconstruction. It is surprising, therefore, that a motion for a Select Committee to inquire into the potato industry should be made at this time.

Although a lot of ground was covered in the speech supporting the motion, no evidence was submitted to justify such a course of action, particularly when there are so many other matters relating to our primary industries which will require attention.

The Government is well aware of the need for statutory marketing authorities to keep abreast of the changing needs of industry in production, transport-handling, and marketing, and is already giving priority to the needs of other industries relating to eggs, meat, and dairying.

Consideration will also be given, in turn, to the need for changing the constitution of the Potato Marketing Board to broaden its membership and improve its expertise. In fact, the Government has already taken steps in this direction to give better representation of the local market sector as regards the needs of the retailers and consumers.

The Government will see that the efficiency of the potato industry is maintained and that consumers continue to enjoy a quality product at a reasonable price. Should this latter situation cease to exist, the Government will then immediately undertake an examination of margins and retail prices. I therefore oppose the motion.

THE HON. W. R. WITHERS (North) [9.24 p.m.]: Mr. President, I have here some letters concerning potatoes and their quality in the north. I would like to read a few excerpts from the letters I have received from people who retail potatoes.

From Kununurra I have this comment—

> We are purchasing ours (potatoes) from South Australia at a landed cost of 9.5 cents per pound. This is for washed and prepacked 1st grade, the quality of these leaves very little to be desired.
>
> One of the main reasons we have changed to South Australia is that they are delivered within five days of marketing, subsequently one does not suffer heavy losses due to rot and withering.

A letter from another business house in Kununurra contains the following comments:—

> All of our spuds come in from South Australia along with our onions, pumpkin, fruit and vegetables. The only W.A. fruit we buy is on the well known taboo list applicable to supplies from the Eastern States consisting mainly of apples and pears.
>
> We are quite satisfied with Adelaide potatoes. They are in the main fairly good quality, although we have received some not in first class condition and this usually happens at the period between the digging of crops.
>
> The price fluctuates a bit, but this is no great problem.
>
> I can see no reason why we should buy W.A. spuds—the main disadvantage they have is the extra handling and delays they endure whilst on the way to us by sea.

A letter from Broome reads—

> (1) 45% just make the grade of 2 oz.
>
> (2) 25% are so badly machined as to make them unsaleable.
>
> (3) Then we do have the rotten to contend with.
>
> These potatoes, if graded and sorted into large and small sizes, would be greater appreciated, as the purchaser could nominate the potato he wanted such as a bag of 6 to 8 oz. potato.
>
> In this way all machine cut potatoes would be eliminated.
>
> As you know I buy bags of 140 lbs., anything smaller is useless to me and these potatoes are unwashed, simply, washed potatoes do not handle well in this climate.
>
> But do we have to have such dirty ones to handle, I keep a pair of gloves for customers, we are a self service.

No, we do not buy from S.A. All our Potatoes come up marked "Clean Delaware Potatoes Sound" packed by the marketing board of Western Australia. Sometimes they are marked Grade I.

For this type of Potato the price could be a little lower.

Are green Potatoes safe to eat, because we have been getting quite a few of these too.

That has been framed as a question to me which I have not been able to answer. Possibly some of the experts could advise me.

The Hon. N. E. Baxter: You can cut the skin off and take the green off.

The Hon. W. R. WITHERS: Thank you. The next letter, also from Broome, contains the following comment:—

Grading of potatoes is non existent and they sometimes range from 1 oz. to 1¼ lbs. each—greater uniformity if not too costly would help. Quality could be described as fair with only a small percentage of rot—however they are of very poor "crisping" quality.

Price we know is governed by the board—but freight on them is a killer.

The Hon. J. L. Hunt: What are the dates of those letters?

The Hon. W. R. WITHERS: The 16th August, 1971, the 17th August, 1971, the 4th August, 1971, the 30th July, 1971, and the 3rd August, 1971. I wrote to various people throughout the electorate and asked for their comments on potatoes.

The next letter is from Halls Creek and reads as follows:—

Potatoes have always been a problem but to compensate I have maintained a fairly high price and low stock.

I buy at about 5c lb. Perth and sell at 15c lb. Halls. Buying price is fairly constant at 5c and quality is usually pretty good except from now on when the heat starts to affect them. Landed at Halls they would be between 9-10c lb. At times when the ships have been late I have had potatoes from Geoff Warnock (S.A. spuds) but I suppose only about 15 bags all told.

Cooler potatoes are no good up here as they go black inside once taken out of refrigeration. Over the wet we just don't eat potatoes. Hope this is something to help you.

I have merely quoted from the letters. I do not know enough about the potato industry to make any further comment except to say that I have had complaints—particularly from Broome—about the quality of potatoes. I feel that if we can improve the industry in this State, possibly we might be able to convince some of the people in the north—who are at present buying South Australian potatoes—that they should buy Western Australian potatoes. Of course, that is providing the transport system can lower freight charges and deliver the potatoes in a better condition.

Debate adjourned, on motion by The Hon. L. A. Logan.

House adjourned at 9.32 p.m.

Legislative Assembly

Wednesday, the 18th August, 1971

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

ADDRESS-IN-REPLY

Acknowledgment of Presentation to Lieutenant-Governor and Administrator

THE SPEAKER (Mr. Toms): I desire to announce that, accompanied by the member for Mirrabooka (Mr. A. R. Tonkin), the member for Boulder-Dundas (Mr. Hartrey), and the member for Darling Range (Mr. Thompson), I waited upon His Excellency the Lieutenant-Governor and Administrator and presented the Address-in-Reply to the Speech of His Excellency the Governor in opening Parliament. His Excellency the Lieutenant-Governor and Administrator has been pleased to reply in the following terms:—

Mr. Speaker and Members of the Legislative Assembly,

I thank you for your expressions of loyalty to Her Most Gracious Majesty The Queen, and for your Address-in-Reply to the Speech with which His Excellency the Governor opened Parliament.

QUESTIONS (42): ON NOTICE

1. ROAD MAINTENANCE TAX

Non-payment: Imprisonment

Mr. O'CONNOR, to the Premier:

How many persons have been gaoled for non-payment of road maintenance tax in Western Australia since its inception?

Mr. J. T. TONKIN replied:

In reply to the member for Mt. Lawley—

Mr. O'Connor: I cannot hear you.

Mr. J. T. TONKIN: It does not matter whether you hear the first bit or not.

Sir David Brand: Don't let's get at cross purposes so early!

Mr. Graham: It's usually knock-off time!