Legislative Council

Tuesday, the 22nd April, 1969

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

BILLS (6): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Criminal Code Amendment Bill.
2. Administration Act Amendment Bill.
3. Offenders Probation and Parole Act Amendment Bill.
4. Fisheries Act Amendment Bill.
5. Dividing Fences Act Amendment Bill.
6. Poisons Act Amendment Bill.

QUESTION WITHOUT NOTICE

ALUMINA REFINERY (MITCHELL PLATEAU) AGREEMENT BILL

Tabling of Plans

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

Has he available the townsite plan and other plans in connection with the Admiralty Gulf and alumina development which he mentioned in his speech, because it is important that members who are prepared to speak on this Bill have access to such plans or copies of them? Perhaps the Minister overlooked the tabling of such plans.

The Hon. A. F. GRIFFITH replied:

If I did, I apologise. During the course of my second reading speech I am almost sure I made reference to the plans; and I remember laying a bundle of plans on the Table of the House. The only thing that may have happened—and if this is so I am extremely sorry—is this: I introduced the Lake Lefroy Salt Industry Agreement Bill at about the same time, and I was of the opinion that both sets of plans were included, but it could have happened that the bauxite agreement plans were left out. I will make immediate inquiries about the matter.

QUESTIONS (6): ON NOTICE

COMPENSATION FUNDS

Amounts Held, and Contributions

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

(1) What moneys are at present held in all funds administered under the—

(a) Cattle Industry Compensation Act, 1965;
(b) Pig Industry Compensation Act, 1942;
(c) Poultry Industry (Trust Fund) Act, 1948; and
(d) Foot and Mouth Disease Eradication Fund Act, 1959?

(2) From what sources, and at what rates, are contributions made to each fund?

(3) Is it envisaged that the existing rates of contributions to any of these funds will be varied in the foreseeable future?

(4) What upper limits of accumulated funds for each category are considered desirable before consideration may be given to a reduction in the rate of contribution to each of these funds?

(5) What compensation payments have been made from the Cattle Industry Compensation Fund since the amalgamation of the Dairy Industry Compensation Act, the Beef Cattle Industry Compensation Act, and the Milk Act in respect of—
(a) beef cattle; and
(b) dairy cattle?

The Hon. A. F. GRIFFITH replied:

(1) As at the 31st March, 1969—

	$
(a) Cattle Industry Compensation Act, 1965 ..	578,947
(b) Pig Industry Compensation Act, 1942	296,953
(c) Poultry Industry (Trust Fund)	80,122
(d) Foot and Mouth Disease Eradication Fund Act	Nil

(2) Cattle Industry Compensation Act—

Levy of 1/5th cent/dollar on all cattle sold for sale or slaughter up to a maximum of 25c/head, within South-West Land Division. Collections from the industry are matched by a Government contribution. Other minor sources of the fund are enumerated in section 23 of the Cattle Industry Compensation Act, 1965.

Cattle derived from outside this division are not subject to levy or to compensation.

Pig Industry Compensation Act—1/5th cent/dollar or part of a dollar over 50 cents of purchase money on any pig or pig carcass, up to a maximum of 50c/head.

Poultry Industry (Trust Fund)—One and 2/3rds cents on every 30 dozen cases of eggs sold to W.A. Egg Marketing Board.

(3) Cattle Industry Compensation Act—no change.

Pig Industry Compensation Act—increase in present levy is being considered.

Poultry Industry (Trust Fund)—no change.

	$
(4) Cattle Industry Compensation Act	750,000
Pig Industry Compensation Act	400,000
Poultry Industry (Trust Fund)	250,000

(5)

	Compensation	Testing	Travel	Freight	Total
					$
The 14th February to the 30th June, 1966	15,800	21,683	....	699	38,182
To 1967	30,277	53,435	145	1,126	84,983
To 1968	39,519	52,378	304	1,556	93,757
31/3/1969	80,018	49,677	851	3,528	133,604

It is not possible to separate payments between beef and cattle since precise records were not kept until the last year or two. It is considered that most compensation and testing costs would have been made for dairy cattle.

TEACHERS' COLLEGES

Students Selected

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

(1) How many students were selected for entry into teachers' colleges in each of the years 1965, 1966, 1967, and 1968?

(2) How many in each year subsequently withdrew?

The Hon. A. F. GRIFFITH replied:

(1) and (2)—

Year of Entry	Number Selected	Number of Withdrawals
1965	780	146
1966	930	203
1967	1,038	267
1968	1,343	450

NIGHT CLUBS

Compliance with the Health Act

3. The Hon. R. H. C. STUBBS asked the Minister for Health:

(1) How many night clubs are there in the metropolitan area?

(2) Are they subject to the requirements of part VI of the Health Act relating to public buildings?

(3) Do they all strictly comply with all of the requirements of the Health Act regarding—

(a) prevention of overcrowding;

(b) required ventilation to remove stale air and tobacco smoke;

(c) provision of fire escapes, panic doors, and the required number of fire extinguishers and fire fighting apparatus?

The Hon. G. C. MacKINNON replied:

(1) There are 20 night clubs in public buildings approved for that purpose.

(2) Yes.

(3) (a), (b), and (c) Yes.

There are, however, a number of other premises licensed as restaurants or eating houses by local authorities in which activities similar to those in night clubs may be taking place.

QUARRIES

Dust Counts

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

With reference to my question of Tuesday, the 15th April, 1969—

(a) why are dust counts in quarries not taken immediately after blasting when the dust is distributed in the atmosphere to adjoining houses and the dust counts can be 100,000 particles per cubic centimetre;

(b) (i) what is the percentage of accuracy of the konimeter; and

(ii) what instruments are used as a check of the accuracy;

(c) will the Minister table the readings of dust, collected from the monthly figures, as they relate to the quarries in Gosnells?

The Hon. G. C. MacKINNON replied:

(a) No purpose will be served by dust counts in quarries immediately after blasting.

(b) (i) The konimeter collects all the dust in the sample of air tested. There is a source of human error in

the counting in the region of plus or minus 10 per cent.

(ii) There is no instrument available to check the accuracy of the konimeter. Instruments are serviced and calibrated annually by professional instrument makers.

(c) The following figures were obtained with the C.E.R.L. Directional Dust Pollution Gauge on a site very close to Swan Quarries:—

Month	Facing Quarry	Background
October, 1968 ..	43	20
November, 1968	66	28
December, 1968	42	19
January, 1969	34	18
February, 1969	166	34

These samples contained dust from reclamation activities nearby as well as dust from the quarries. The figures have the meaning of the area obscured by the dust (in square centimetres) collected through an aperture of 100 square centimetres in a day of 24 hours of wind steady in a direction facing the aperture of the gauge.

SCHOOL CHILDREN

Transport Facilities

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

(1) Would he ascertain if the Minister for Education is aware that certain children of school age residing in Barfield and Gaebler Roads, Jandakot, are obliged to receive their education by correspondence because of lack of public transport to get them to school?

(2) Is he also aware that the children of one family are unable to receive their education by correspondence because their parents are unable to read or write English, and, as a consequence, in order to get the children to school the mother has to drive them a total distance of 44 miles each day?

(3) Is it not regrettable that children residing in the metropolitan area are unable to attend school because of lack of public transport?

(4) Is it beyond the ingenuity of the Government to find a satisfactory solution to the problem?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) No. The department has no knowledge of this family.

(3) Yes.

(4) The department has examined the situation and is making every effort to find a solution. However, negotiations with the Metropolitan Transport Trust to provide transport for these children have not, so far, been successful.

QUARRIES

Legislative Control

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

(1) What sections of an Act or Acts control the work in quarries, from blasting to crushing?

(2) Is work on Sundays, other than plant maintenance, permitted in quarries?

The Hon. G. C. MacKINNON replied:

(1) Explosives under regulations 44 to 60 and ventilation under regulations 132 to 158 of the Mines Regulation Act.

Crushing is controlled by the schedule and regulation 14 of the Clean Air Act.

(2) Yes.

CHIROPRACTORS ACT

Disallowance of Rules: Motion

THE HON. C. E. GRIFFITHS (South-East Metropolitan) [4.46 p.m.]: I move—

That Rules 10A, 10B and 10C made by the Chiropractors Registration Board under Section 18 of the Chiropractors Act, 1964, published in the *Government Gazette* on 12th November, 1968, and laid on the Table of the House on 25th March, 1969, be and are hereby disallowed.

Before explaining in detail my objection to the rules I have mentioned, I wish to take the opportunity to make one or two points very clear in the minds of members.

Firstly, I wish to make it abundantly clear that my actions have not been motivated by any desire to hinder the smooth working of the Chiropractors Act; on the contrary, it is because of my wish to see the Act work effectively, as it was the wish of those who supported it when it was introduced in 1964.

Secondly, may I say that I certainly mean no disrespect to the board, or its members, who made the rules. I simply disagree with their actions on this occasion because I believe that some of the rules are too stringent and all-embracing for the profession at this very early stage of its registration.

Thirdly, I wish to make it clear that I do not disagree with all the rules, but because of the complicated way in which

they are set out it is difficult, if not indeed impossible, to disallow some of them, and, at the same time allow the others to remain in their present form. My suggestion to members will be to disallow the rules with a recommendation that the board should, after liaison and consultation with those interested, submit a new set containing rules which are acceptable altogether; modifications of some others; and the total deletion of those which are completely unacceptable.

Before discussing the specific rules it is also important that I give a general outline of my thoughts and findings concerning the rules. When introducing the Bill in 1964, the then Minister for Health made some remarks which I will quote. They will be found in vol. 1 of *Hansard* for 1964, at page 649, and I quote as follows:—

> I suggest that this legislation before members will probably fall far short of perfection, but I ask them to appreciate that it tends to blaze the way, here in this State anyway; and to try to view it as a beginning.

The Hon. R. Thompson: What is the number of the page from which you are quoting?

The Hon. C. E. GRIFFITHS: It is page 649. Again, on page 650, the following appears:—

> I said at the outset of my introduction of the Bill that the legislation was a first attempt by a Government in this State to provide a vehicle to carry the practice of chiropractic along the road to success.

The Hon. F. J. S. Wise: Who was the Minister at the time?

The Hon. C. E. GRIFFITHS: The Minister for Health of the day.

The Hon. G. C. MacKinnon: The Hon. Ross Hutchinson.

The Hon. C. E. GRIFFITHS: To continue quoting—

> I do not for a moment—and I said so earlier—think the Bill will be found to be perfect; it will probably be far from it. Indeed, the measure does not endeavour to prevent people from practising some form of chiropractic, but it does reserve to the competent man the title, "chiropractor"; and it does give initial recognition to his calling, and it will enable the public to identify chiropractors as such. Finally, the legislation will provide a ground on which chiropractors can improve their circumstances and develop their profession.

Bear those remarks in mind. We now find at this early stage rules which are, in my opinion, far more stringent and all-embracing than any I can find contained in any legislation covering similar or allied professions. As the Minister recognised at that time, the public should be able to identify chiropractors as such, and he also recognised that the trail had to be blazed.

I am suggesting that these rules, if implemented at this early stage, will seriously hinder the blazing of the trail and, at the same time, restrict the public's opportunity to recognise and appreciate the profession of chiropractic. I say that this profession is still in its infancy as far as registration is concerned and, therefore, many people are not aware that there are qualified and registered chiropractors, nor are they aware of what is done in this profession.

Publicity is the only means of educating the public, and the board has not the resources to carry out this work. The rules I refer to, amongst other things, place stringent restrictions on registered members, and do not permit them to undertake any educational publicity whatsoever.

Therefore, I suggest that the position with regard to this profession is entirely different from that of similar professions that have been known to the public and registered for many years. When the original Bill was introduced it was also mentioned that one of its aims was to encourage the development of the profession; and I would ask: what better way to encourage chiropractors to seek higher and better qualifications?

It certainly is not very encouraging if the law, as contained in these rules, forbids a chiropractor to let the public know that he possesses higher qualifications or degrees.

At this stage perhaps I should point out to members that, as I have already mentioned, although I have been unable to find any similar Act which has all the rules in regard to publicity which apply to chiropractors, there are certain Acts which do provide for some of them. However, as I also mentioned previously, I believe the positions are entirely different. I shall mention just a few Acts in order to emphasise what I believe this difference to be.

First, let us take the Dentists Act and the Pharmacy Act. I believe that although under these Acts regulations similar to those to which I am objecting have been made, the professions that work under those rules have been with us and have been recognised by the public for many years. So there is absolutely no doubt in the mind of the public what the function of each profession is. I repeat: this is not the case with the newly registered profession of chiropractic.

Now let us have a look at the rules made under the Physiotherapists Act. All of the provisions, in one form or another, covering advertising, certificates, and the like, are in the rules to which I object. The difference there is that in order to attend a physiotherapist, patients must be referred by a doctor. In fact, I understand

it is against the law for a physiotherapist to treat a patient who has not been referred to him by a medical practitioner. This certainly is not the case with chiropractors.

Finally, I have here the Medical Act and the rules pertaining to it; and I cannot find any similar restrictions whatever. Indeed, I understand that none exist. However, I believe that the A.M.A. has a code of ethics that does contain similar regulations, and they are enforced by that association and not by the Medical Board.

It is interesting also for members to bear in mind that even if some of the other professions I have mentioned are not in themselves allowed to advertise, one has only to pick up a magazine or a newspaper and one will see the advertising that is carried on by the numerous drug houses which advertise treatments or drugs that can be obtained only from members of those professions. So, Mr. President, I repeat: the situation as far as chiropractors are concerned is quite different.

Now, let us have a look at the rules in question, and there are many of them. Rule 10A (1) states—

> A chiropractor shall not cause or permit any advertisement to be published relating to his profession or the practice thereof other than beyond an announcement of change of address, commencement or resumption of practice.

I will deal with that regulation first, although I feel I have already partly dealt with it in the explanation that I have given so far. I will simply add that restrictions such as this can and should be made only after full agreement by all the registered chiropractors concerned, and when they have decided that it is in the best interests of the public and the profession to do so.

I will say once again that this profession is still young; it is still not well-known; and I am convinced that an ethical form of advertising can and should be fostered by the board after consultation and liaison with the registered members.

The next rule, 10A (2), states—

> Every advertisement by a chiropractor shall be continuous without spacing or display and shall be in the type not larger than that used for the regular articles of the newspaper in which the advertisement is inserted and no more space shall be given to the advertisement than that required for its printing.

In my opinion that is certainly far too restrictive at this stage, and I would point out that even under the Physiotherapists Act regulations, the same sized type as that used in the leading article of the paper is allowed, and that type at least is a little bigger than the chiropractic board permits.

However, be that as it may, I would draw the attention of members to two articles that I came across in the newspapers and which relate to the activities of optometrists—and members surely agree that optometrists are in a similar profession to chiropractors.

I will hold these papers up for members to see and I hope everybody is able to see them. They will certainly be here later if members wish to have a look at them. I can find nothing objectionable about either advertisement in these papers in my hand, and again I suggest that if there were liaison between the board and members of the profession I am sure an acceptable size and type could be agreed upon. Rule 10A (3) sets out the form and states—

> (3) Advertisements shall not contain any information other than the following:
>
> A.B. (qualifications approved by Board) has commenced practice as a Chiropractor at..... Phone—Hours ; or
> A.B. (qualifications approved by Board), Chiropractor, has changed his address from..... to..... Phone—Hours ; or A.B. (qualifications approved by Board), Chiropractor, has resumed practice at..... Phone—Hours.
>
> The words "in partnership with....." or "as assistant to....." or "in association with" may be added where appropriate.

This, of course, ties in with the first two paragraphs and I feel it could be modified to some extent. Rule 10A (4) reads—

> (4) The number of insertions of any advertisement which may be inserted pursuant to this regulation shall not exceed the following unless the Board otherwise approves—
>
> (a) commencement of practice—twenty insertions;
>
> (b) change of address—ten insertions;
>
> (c) resumption of practice—after an absence therefrom of not less than four weeks—six insertions.

I cannot find anything objectionable about this rule. It is, as it should be, a little more liberal than some of the provisions in other Acts. Subrule (5) of rule 10A reads—

> (5) Where a chiropractor changes his address from one place to another in the same town, no more than one such change of address shall be advertised in any one year without

permission of the Board, and there shall not be more than ten insertions of any such advertisement.

I have no objection to the above and there is no need for me to discuss it further. I now come to rule 10B (1), which states—

10B. (1) A chiropractor may exhibit at the place at which he carries on his profession, plates bearing only his name, the word "Chiropractor", his approved qualifications, any registered business name and his hours of attendance. He may also exhibit such notice boards or illuminated signs as the Board may approve.

This is restrictive in the extreme and goes beyond some of the other rules. As I said previously, it is my belief that if a person has qualifications he should be encouraged to use them. There is also the fact that chiropractors are permitted to take X-rays, though no provision is made in the rule for that aspect. In order to give members an idea where this provision appears, I will read from the particular section of the Medical Act which gives chiropractors the right to use X-ray machines.

Section 21A(2) of the Medical Act states—

Subsection (1) of this section shall not apply to a chiropractor or a registered dentist who uses X-ray as an aid to diagnosis in the practice of chiropractic or of dentistry respectively.

This refers back to section 21A which precludes everybody except medical practitioners from using X-rays for diagnosis or examination. So we have the Medical Act making provision for and permitting a chiropractor to use X-rays; whereas on the other hand we have the rules making no such provision; nor is provision made for chiropractors to make it known to their patients that they are in fact permitted by law to take X-rays. I certainly object to this rule. Rule 10B(2) reads—

(2) Where the sign is exhibited on the ground floor level of any premises, the letters and figures shall not exceed 4 in. in size, and when exhibited upon floors above the ground floor level shall not exceed 6 in. in size.

I have no objection to this, nor has anybody that I know of expressed objection to it. Subrule (3) of rule 10B reads—

(3) A chiropractor shall not use any descriptive advertising other than that permitted by subrules (1) and (2) of this rule.

I disagree with subrule (1) and I agree with subrule (2). Subrule (3) will need to be modified accordingly. Rule 10B(4) states—

(4) A chiropractor shall not cause or permit his name and address and telephone number to appear in a telephone directory except in ordinary type.

To say the least this is an astonishing rule. No such provision appears under the Medical Act or the Pharmacy Act. I have a copy of the telephone directory and I will try to indicate to members just what application that rule will have. I hope they can see the telephone directory which I have opened at pages 72 and 73.

The PRESIDENT: For the sake of *Hansard* I would suggest that the honourable member describe the print, because otherwise it would be difficult to indicate what the honourable member may have in his mind. It would be a help if he could describe the print.

The Hon. C. E. GRIFFITHS: I will do that, Mr. President, but I would like members to take note of the fact that I have the book opened at pages 72 and 73—I refer to the pink pages of the telephone directory. I am now looking at the headings under the chemists, or the pharmacy section. Members will see on page 72, in quite outstanding block form the emergency services offered in the various suburbs by the pharmaceutical chemists. This is indicated in big black letters and refers to the various districts, and then in ordinary type the particular chemist who is offering an emergency service.

This is also on page 73. These large advertisements published by the chemists cover pages 72 and 73. They take up half of page 72 and half of page 73. There is a huge block advertisement which takes up a whole page of the telephone directory; it is in large black print designating the particular locality where the chemist's shop is situated.

We will now turn to page 163 of the pink pages of the telephone directory where, under the heading "General Practitioners," will be seen huge headings taking up two complete columns. This indicates emergency medical services. Once again, in the same huge black type, the districts are clearly indicated giving the names of the medical practitioners who are prepared to offer an emergency medical service. All this is illustrated in the telephone directory.

So, to say the least, I find it astounding that we should be asked to accept a set of rules for a profession that has been registered and recognised for only a few years in which the board in its wisdom has decided not to permit chiropractors to do what is being done by the medical profession.

On page 74 of the telephone directory members will find similar advertisements under the heading of "Australian Chiropractors' Association (W.A. Branch), Emergency Chiropractic Services," and so on.

The Hon. G. C. MacKinnon: Might I suggest that you say "my interpretation is" because in actual fact the chiropractors are identical with the medical practitioners.

The Hon. C. E. GRIFFITHS: I am pleased the Minister has interjected; I knew it would not be long before he did. However, I will not spoil the text of my speech by answering his interjection at the moment, I will answer it later.

I would like to draw the attention of the House to page 74 of the pink pages of the telephone directory, and ask members to bear in mind what I will say later in the course of my speech. This is a most unacceptable situation and for this reason alone I trust the House will reject the rules and ask the board to have another look at what has been done. Rule 10B (5) says—

> (5) Stationery used by a chiropractor shall not contain any headings other than—
>
> (a) the name of the chiropractor or chiropractors;
>
> (b) Registered Business Name:
>
> (c) "Chiropractor":
>
> (d) Qualifications approved by the Board:
>
> (e) Place of practice:
>
> (f) Hours of practice and telephone number.

Apart from the headings which are referred to in paragraphs (c) and (d)—"Chiropractor" and "Qualifications approved by the Board"—the other points referred to seem to be quite acceptable so far as I am concerned.

My objections to paragraphs (c) and (d) have already been expressed when I spoke of rule 10B (1), although there is no provision for a member to make reference to the fact that he is a member of the Australian Chiropractors' Association (W.A. Branch). I have some business cards with me which members may see later, which indicate the sort of thing to which I am referring at the moment. Rule 10B (6) reads—

> Except as provided in these rules a chiropractor shall not be a party to any form of advertisement or display relating to his profession as a chiropractor without the permission of the Board.

This in itself does not appear to present many problems, but when looked at in relation to some of the other rules, I feel it needs quite a lot of modification. However, I will say no more about that particular paragraph at the moment. I will now read what rule 10C (1) provides. It states—

> A chiropractor shall not describe himself by—
>
> (a) The title of "Doctor" or use any abbreviation of that title;

This is an interesting rule and it certainly intrigued me, particularly when we bear in mind the fact that the board which made this rule is the same board which decided upon the qualifications which will be acceptable and required before anybody is permitted to enter the profession of chiropractic.

For the information of members I will read these qualifications. Section 7 of these rules, published in the *Government Gazette* of the 9th May, 1966, states—

> 7. For the purposes of subsection (1) of section 20 of the Act, the prescribed qualifications are—
>
> (a) the successful completion of the full course of chiropractic at, and the holding of a final degree, final diploma or final certificate of—
>
> (i) the Palmer College of Chiropractic, Davenport, Iowa, United States of America;
>
> (ii) the Lincoln Chiropractic College, 633 N.Pennsylvania Street, Indianopolis 4 Indiana, United States of America; or
>
> (iii) the Canadian Memorial Chiropractic College, 252 Bloor Street West, Toronto, Canada; or
>
> (b) the successful completion of the full course of chiropractic at, and the holding of a final degree, final diploma or final certificate of, a school or college of chiropractic of which the curriculum is not less extensive and the standard of instruction not less high and the standard for the passing of examinations for the diploma, degree or certificate is not less high than that of one of the colleges referred to in paragraph (a) of this rule.

As I said, that is a rather interesting rule. I have a photostat copy of one of the certificates, diplomas, or degrees that are issued to those who in fact qualify under the requirements of the board. While I appreciate that *Hansard* cannot record this copy exactly as it appears I would like to hold it up for members to have a look at. If they contact me after I have finished my speech, I will show it to them.

This is a certificate of the Palmer College of Chiropractic, and it is similar to other certificates that I have sighted and which have been issued by the other two

colleges mentioned. The interesting thing is what is shown on the certificate. For the information of members, the certificate reads as follows:—

Palmer College of Chiropractic
Davenport, Iowa, U.S.A.

Know all men by these presents, that

.....

has completed the course of study prescribed by the Faculty of this College and is therefore awarded the degree of

Doctor of Chiropractic

with all the Rights, Privileges, Honors, and Marks of Distinction thereto pertaining here or elsewhere.

There is a seal on the certificate, or diploma, and it has been signed by several people.

The Hon. G. C. MacKinnon: I wonder what it costs them to get it printed?

The Hon. C. E. GRIFFITHS: That interjection would suggest that the requirements set out in the board's rules have no standing of any description.

The Hon. G. C. MacKinnon: It is up to you to prove that they have.

The Hon. C. E. GRIFFITHS: It is certainly not up to me to prove that they have. On the contrary, it is up to the Minister, at some later stage, to prove, in fact, that they have not. I made a resolution before I commenced my speech that I would not be sidetracked by interjections from anybody at all, and at this stage I certainly do not intend to break that resolution.

Upon taking and completing the specified courses mentioned in the rules as printed, and which I read, a person is presented with credentials in the form of a certificate similar to the one I quoted; and bearing in mind that the board stipulated the qualifications, and indeed named the precise qualifications, it seems paradoxical that it should now wish to disallow registered chiropractors from using a title or the degree that the completion of these courses confers.

It would appear to me that if the course that is stipulated is successfully completed a person should be expected, and indeed encouraged, to make known the fact that he is so qualified. Finally on this point, I would draw members' attention to section 19 of the Medical Act which reads as follows:—

> From and after the passing of this Act no person other than a medical practitioner shall be entitled to—
>
> (1) Practise medicine or surgery in all or any one or more of its branches; or to
>
> (2) Advertise or hold himself out as being, or in any manner to pretend to be, or to take or use the name or title (alone or in conjunction with any other title, word, or letter) of a physician, doctor of medicine, licentiate in medicine or surgery, master in surgery, bachelor of medicine or surgery, doctor, surgeon, medical qualified or registered practitioner, apothecary, accoucheur, or any other medical or surgical name or title; or to
>
> (3) Advertise or hold himself out, directly or indirectly, by any name, word, title or designation, whether expressed in words or by letters or partly in the one and partly in the other (either alone or in conjunction with any other word or words) or by any other means whatsoever, as being entitled or qualified, able, or willing or by implication suggest that he is able or willing or in any manner pretends to practise medicine or surgery in any one or more of its or their branches or to give or perform any medical or surgical service, attendance, operation or advice or any service, attendance, operation or advice which is usually given or performed by a medical practitioner.

Finally it states—

> Provided that this paragraph shall not apply to a person practising as a dietitian or as a chiropractor who gives advice or service to persons requiring dietetic or chiropractic advice or service.

That Act makes special provision for those who are chiropractors to use the title "doctor"; and I believe that is sufficient reason for the House to disallow the rule to which I refer.

I should now like to refer to rule 10C (1) (b) which reads as follows:—

> (1) A chiropractor shall not describe himself by—
>
> (b) In any other way describe himself or hold himself out to be other than a chiropractor, except with the consent of the board.

The Hon. R. F. Hutchison: That is all right.

The Hon. C. E. GRIFFITHS: I say it is restrictive and, as with 10C (1) (a), with which I have previously dealt, it should be disallowed. 10C (2) reads—

> (2) A chiropractor shall not—
>
> (a) Tout or canvass for patients;
>
> (b) Pay, or offer to pay, commission for the introduction of new patients;
>
> (c) Practise, or offer to practise, for donations in lieu of fees;
>
> (d) Depart from his scale of fees and charges except in *bona fide* necessitous cases.

Apart from (d) I think that part of the rule is very desirable, and I certainly have no objection to it. I cannot get either hot or cold about (d) which states that a chiropractor shall not depart from his scale of fees and charges except in *bona fide* necessitous cases. I think at least the matter should be discussed between the board, members of the association, and other members so that they can come to some amicable arrangement. However, as I said, apart from (d) I have no objection to 10C (2).

10C (3) Reads as follows:—

(3) Except with the written consent of the Board and subject to any conditions imposed by the Board a chiropractor shall not—

(a) Publish or distribute any information or literature concerning chiropractic.

That is far too restrictive in that it prevents the distribution of literature such as one or two articles that I have in my possession and which members may peruse at some later stage after I have completed my speech. These articles are literature put out by the Australian Chiropractors' Association and they make very interesting reading. If anybody is looking for something to read for a few minutes I have them here and he will find them, as I did, most enlightening.

These articles are typical of the literature that registered members and members of the association have in their surgeries. The literature is there for the edification of people who want to know more about chiropractic, and surely that is not unreasonable. Surely that was the original intention of passing legislation which required these people to be registered—to educate the public and make them aware of the benefits of chiropractic. For that reason I believe this part of the rules is far too restrictive.

I now come to 10C(3)(b) which reads—

Take part in any radio or television programme concerning chiropractic.

That is astounding and would be the most stringent rule that one could imagine. I certainly cannot find any other Act which includes a provision similar to that. I have inquired from other boards and associations, as well as members of other professions, but not one of them has been able to show me a similar rule or give me any reason which would indicate that such a provision is necessary.

Surely if a discussion on chiropractic is being arranged by a radio or a television station a registered chiropractic, without reference to anyone, should be able to appear and give his view on the subject. In my opinion, this rule alone should convince members of the necessity to support my motion. If ever there was an attempt to stifle freedom of speech this is it. One thing we in a democratic country treasure above all else is our freedom to express an opinion, without fear or favour, on any subject at all. This rule intends to take away that freedom—nothing else.

I can instance issues of the controversial nature which members of other similar professions have been able to discuss openly; they are not prevented by law from commenting on or, in fact, giving their opinions on these subjects. We frequently see where somebody has entered into a discussion on a television show, and the issue has been a controversial one. There are many such cases.

[Resolved: That motions be continued.]

The Hon. C. E. GRIFFITHS: I was saying that lots of controversial issues arise from time to time, but with the medical profession no restriction whatever is placed on any medical practitioner to prevent him from appearing on a television show to express his point of view.

The Hon. G. C. MacKinnon: You are kidding!

The Hon. C. E. GRIFFITHS: Someone has suggested I am kidding. I am certainly not kidding because this is a fact. It is a fact provided the information I have been given is correct; and I have no reason to disbelieve members of the profession and members of the board, etc., whom I have approached on this subject. I cannot understand why we in the Parliament of Western Australia should be asked to be a party to taking away the freedom of speech—something which we in this country have always treasured. Certainly I am not going to be a party to it and I am hoping that on this ground alone my motion will be unanimously supported.

Rule 10C(5) reads—

A chiropractor shall not give a certificate that is false, misleading or improper.

I have no objection to that, and I do not think anyone else has, either. Rule 10C (6) reads—

Modesty of patients must be respected at all times. Where it is necessary for female patients to undress, facilities must be provided for this to be done in private. Gowns opening down the back must be used for female patients if it is necessary for any clothing to be removed.

No-one would have any objection to that rule, and I certainly do not intend to object to it.

That concludes my detailed explanation of the rules which are the subject of this motion. However, I would ask members to bear with me a little longer as I would like to make some references to the liaison of the board with its registered members, a subject to which I have previously referred.

The Hon. H. C. Strickland: Do you know the total membership?

The Hon. C. E. GRIFFITHS: It so happens I do. At the moment in Western Australia there are 39 registered chiropractors, of whom 29 are actively practising in the profession.

These rules were passed by the board at a meeting held on the 21st August, 1968.

The Hon. G. C. MacKinnon: There are 28 registered chiropractors, but two have left so that leaves 26, of which number 16 are members of the association, and 10 are not.

The Hon. C. E. GRIFFITHS: I do not want to enter into a debate with the Minister on this.

The Hon. G. C. MacKinnon: I am only trying to be helpful.

The Hon. C. E. GRIFFITHS: I realise that, but the Minister's helpfulness involves a contradiction of the figures I gave and I feel it is incumbent upon me to make some explanation before I carry on with what I was about to say,

The board—and I presume this is where the Minister obtained his information—gave me the following information: the total number of registered chiropractors, on the day I asked, was 39. There was a total of 29 practising; the whereabouts of two were unknown; 12 were practising under the provisions of the grandfather section of the Act; and the balance were registered under the requirements I read out earlier. If these figures are wrong it is because the board supplied me with incorrect information.

I get back to what I was saying about the liaison between the board and its members. These rules were passed—not discussed, but, in fact, passed—on the 21st August, 1968. They were published in the *Government Gazette* on the 12th November, 1968. In a circular dated the 30th December, 1968, the board notified all registered chiropractors that these rules were in existence.

Bearing in mind that at this time of the year—the 30th December was the date on which the circular was written—many people are away on annual holidays as is the usual custom, it is reasonable to assume that many chiropractors did not receive any notification of this action until late January or even early February. Therefore, even though these rules were passed at a meeting of the board on the 21st August, 1968—and many discussions must have taken place prior to the date on which they were passed—some chiropractors were not notified of the fact for five months. In fact, the board did not see fit to circularise members of the profession for four months. This gives an inkling of the lack of liaison, or the need for liaison, to which I made reference in the first part of my speech.

I am given to understand—and once again I can only accept the word I am given—that no attempt whatever was made by the board to arrange a consultation, to effect liaison, or have a discussion of any description with any of the registered chiropractors either before the rules were made or during the discussions held prior to the passing of the rules on the 21st August, 1968.

As I understand the Act, although I may be wrong—the Minister might suggest I have been wrong before and am wrong now—it gives to the Western Australian branch of the Australian Chiropractors' Association the responsibility of nominating to the board two members. Therefore it seems to me that these members would be charged with a certain degree of responsibility to express the opinion of the general members of that association. I do not think it would be a bad idea if, for the benefit of members, I read the appropriate provision in the Act dealing with the two nominees to the board. Section 7 (2) (b) reads—

> two shall be persons who are engaged in the practice of chiropractic within the State and who, except in the case of the respective persons first appointed to office of member under this paragraph, are registered or entitled to be registered as chiropractors under this Act, nominated by the body known as the Western Australian branch of the Australian Chiropractors' Association;

That would indicate to me that there was a responsibility on these two members of the board at least to seek some opinions from the members of the association when the board was about to make rules such as these which bind all members. As I have said, I could be wrong. However, if we turn to section 7 (3)—and I am reading this only to fortify my argument that these people should be expressing at least the views, but not necessarily, the wishes of the members of the association—we find it reads—

> The nomination of the two members pursuant to paragraph (b) of subsection (2) of this section shall be made in the manner prescribed, but if no nomination or no sufficient nomination of persons for appointment as those members is made by the body referred to in that paragraph within fourteen days after the prescribed nomination day, the Governor may on the recommendation of the Minister appoint any person or persons, whether a chiropractor or not, as a member or as members of the Board as a representative or representatives of the body so referred to.

That, in my opinion, substantiates my belief that the two nominees appointed under subsection (2) (b) should be expressing at least the views of the association. Subsection (3) states that they shall be representatives of the Australian Chiropractors' Association. I cannot understand how anyone could construe subsection (3) otherwise.

The Hon. G. C. MacKinnon: I do not think it says that. It says that if there are no such people, then those put in their place shall be representatives. It does not say these two fellows shall be because they are members of the association.

The Hon. C. E. GRIFFITHS: I know that.

The Hon. G. C. MacKinnon: You are misleading the House.

The Hon. C. E. GRIFFITHS: I am not misleading the House. I am reading the Act. Furthermore, if when the Act was passed by Parliament it was agreed that section 7 (3) was necessary to allow these people to be representatives of that association, how come the people nominated by the association should not be representatives of the association? I just cannot follow that.

The Hon. G. C. MacKinnon: Can you answer a question for me?

The Hon. C. E. GRIFFITHS: I do not know.

The Hon. G. C. MacKinnon: How do you know they did not submit views? How do you know they were not outvoted by the other two and the chairman?

The Hon. C. E. GRIFFITHS: I did not say anything about their not having submitted views. Is the Minister speaking about the rules?

The Hon. G. C. MacKinnon: You were implying they had not submitted the views of the association.

The Hon. C. E. GRIFFITHS: Is the Minister suggesting they did, in fact, represent the members?

The Hon. G. C. MacKinnon: I am asking the honourable member how he knows enough to make this sort of statement.

The Hon. C. E. GRIFFITHS: I suggest that I have been given sufficient information to make me believe that the two members of the board, although they may wish to express the opinion of the association, or of any registered members, have been told that they do not, in fact, represent the association.

The Hon. G. C. MacKinnon: Fair enough!

The Hon. C. E. GRIFFITHS: I answer the Minister's question in that manner. Mr. President, I had written down a reminder in my notes; namely, to mention that I do not want to make an issue out of this matter.

The Hon. V. J. Ferry: I wish the honourable member would read it.

The Hon. A. F. Griffith: Did the honourable member have written down in his notes that he was going to speak for 25 minutes or for one hour and 25 minutes?

The Hon. C. E. GRIFFITHS: I never mentioned the time. I have to present this case because of its far-reaching effects.

I wish to return to the question of liaison. After receiving official notification some members endeavoured to make some inquiries through the association to which I have already referred and, in fact, they suggested that the board and the Australian Chiropractors' Association (W.A. Branch) should liaise with one another. For the information of members I should like to read a couple of letters which were written on this matter. First of all, I would like to refer to a letter of the 10th February, 1969, addressed to the Chiropractors Registration Board from the Western Australian Branch of the Australian Chiropractors' Association, and signed by the secretary of that association.

The letter reads as follows:—

> Gentlemen:
>
> I have been instructed by the meeting to ask permission for the following:
>
> Re: Board Rule 10B (4).
>
> We request that the A.C.A.—W.A. Branch be allowed to place a display block in the pink pages with the same headings as before. The chiropractors' names and addresses would be in ordinary type.

This is harking back to what I mentioned earlier in connection with which the Minister was anxious that I should talk. That letter was written to the board by the secretary of the association. The question raised was quite clear cut and there is absolutely no room for doubt as to what the association was asking. I will continue to read the letter which says—

> Re: Board Rule 10C (a).
>
> We request that the Association be given permission to restrict its own members in their adherence to this rule.
>
> Re: Board Rule 10C (b).
>
> We ask permission of the Board that our secretary, who is the official spokesman for the organization, be given permission to appear on T.V., radio, or to make statements to the paper, or to appoint a suitable representative to take his place, without having to request written permission of the Board for each indiviual matter.
>
> An early reply would be appreciated.

The board wrote on the 26th March in answer to the request for an early reply. The letter is addressed to the Secretary,

Australian Chiropractors' Association (West Australian Branch), and is signed by the registrar. It reads as follows:—

> Dear Sir,
>
> Your letter of 10th February was referred by me to a meeting of this Board held on Wednesday last.

I will interpolate here to say that the next point obviously indicates the reason for the delay in writing the letter. The letter continues—

> The Board had not previously met since 20th November last.
>
> Dealing with your enquiries in the order that they appear in your letter I am instructed to reply as follows:—
> (a) Re: Board Rule 10B (4).
>
> The proposed advertisement of the ACA—W.A. Branch—in the telephone directory, pink pages, was not permissible in that it was a contravention of Rule 10B (4).

Some suggestions have been made that this is not the case. In fact, the Minister says that I have misinterpreted the rule.

The Hon. G. C. MacKinnon: So you have.

The Hon. C. E. GRIFFITHS: If I have misinterpreted it, so has the board, and the board made the rule. While I am on this point I will finish reading the letter which says—

> (b) Re: Board Rule 10C (1) (a).
>
> It was considered that the Board had no power to give the Association the permission it was requesting.

I interpolate here to say that was permission to restrict its members in conformity with that particular rule. The letter continues—

> (c) Re: Board Rule 10C (3) (b).
>
> The Board felt that it could not give a "blanket" approval in connection with appearances on T.V. or radio, or statements to newspapers. The Board was prepared to consider any specific request in this connection which might then be dealt with on its own merits.

I remind members that the letter is prefaced with the comments that the board had just dealt with the letter which had been written on the 10th February; that the board had met on the Wednesday prior to the 26th March; and that was the first meeting of the board since the previous November.

Members can imagine the plight of a TV or radio station in endeavouring to organise a panel of people to take part in a discussion on some controversial issue that has arisen in connection with this profession when the board holds a meeting on the 20th November and does not hold another meeting until some time in the middle of March. In my opinion that is a most unsatisfactory state of affairs.

I refer back to the mention of the telephone directory, because this matter comes up again in a circular dated the 26th March, 1969. This is the supposed misinterpretation which I put on the rules a moment ago! The circular reads—

> Circular to all Registered Chiropractors
>
> Re: Telephone Directory Pink Pages.
>
> As entries in the Classified Telephone Directory—more commonly known as the "Pink Pages"—require to be renewed soon for inclusion in the 1969 Directory, the Board has asked me to make it clear that any entry other than the listing in small type of the name, address and telephone number of a Chiropracter (which it is understood is made free-of-charge by the P.M.G. Telephone Section) would contravene the Chiropractors Registration Board Rules (Rule 10B (4)).
>
> The continuation of advertisements in the Pink Pages require to be confirmed or cancelled by 5.00 p.m. on 18th April, therefore it is considered by the Board that this notice provides you with adequate time to deal with the matter.

Perhaps members should have another think as to whether or not I am misinterpreting the rules! Previously I referred to pages 72 and 73 of the pink section of the telephone book which clearly indicates that no restrictions whatsoever are placed on chemists, who are in a similar sort of profession. Certainly there were no restrictions on the type of advertising which the A.C.A. (W.A. Branch) specifically asked for when it definitely stated that the name of the chiropractor would be in small print. However, according to the board that would contravene rule 10B(4).

To emphasise this point, page 163 of the pink pages of the telephone directory contains a big two-column block which lists "General Practitioners." This is exactly the same type of advertisement sought by the association but when the association tried to have the matter clarified, the board said that it was not allowed.

I have mentioned several of these points in an attempt to indicate the lack of liaison; it is a lack of somebody talking to the members of the association—those people who have to live and abide by the rules. Surely some consideration should be given to their views and thoughts on the matter.

The Hon. G. C. MacKinnon: Tell us the name of the president and the vice president of the association.

The Hon. C. E. GRIFFITHS: I will read this letter, if the Minister does not mind.

The Hon. G. C. MacKinnon: They are Tunney and McNamara, two members of the board.

The Hon. C. E. GRIFFITHS: I know the members of the board. There is no secret about who is on the board, but it certainly has nothing to do with the point I am trying to make.

The Hon. F. J. S. Wise: Is there a legal practitioner on the board?

The Hon. C. E. GRIFFITHS: The Act provides for a legal practitioner.

The Hon. F. J. S. Wise: Who is he?

The Hon. C. E. GRIFFITHS: Mr. Ackland. To indicate the lack of liaison, I will read a letter which was sent by the association on the 13th February, 1969, to the Registrar of the Chiropractors Board. It reads—

> Dear Sir:
>
> I have been instructed by the members to voice their sincere concern regarding the following matters:
>
> (1) There still exists a public risk in respect to unregistered persons holding themselves out to be chiropractors and unqualified persons who are unregistered practising chiropractic.
>
> (2) Re: Qualifications—Board rule 10B(1).

I interpolate here to say that the second point constitutes a question asked by the association of the board. The letter continues—

> Does "approved qualifications" mean abbrevated qualifications or qualifications at length? Does this prevent the chiropractors, with their approved qualifications "Doctor of Chiropractic", from using the prefix Doctor or its abbrevation? If this rule does prevent any of the above, then the A.C.A.—W.A. Branch disapproves of this.
>
> Board rule 10B (5)—"Qualifications approved by the Board".
>
> This appears to infer that the Board could prevent a chiropractor from using such rightfully gained professional qualifications as B.A. We feel that this is not legitimately the business of the Board.
>
> Board rule 10C (a).
>
> We disagree with this as already stated above.
>
> 3. Rules relating to advertising:
>
> We feel that in certain circumstances, especially where a chiropractor is starting practice, he should be allowed to put in a display ad, the maximum being two columns wide by one inch deep, the contents to be restricted to name and abbreviated qualifications or qualifications at length, address, phone number, hours of practice, "chiropractor", the name of the clinic (or business name) and such terms as commencing practice, commenced practice, resumed practice to be used where applicable.

That comes back to what I said earlier. The association has asked, "Could we not use an advertisement of that size? Would it be objectionable? If so, why would it be objectionable to use an advertisement similar to the one used by the optometrists' association?" Indeed, I hope members will look afterwards at the advertisement inserted by the optometrists. The chiropractors' association has asked a simple question. Its members are not seeking to put anything else into the advertisement, but they wish to take advantage of what the rules, in fact, imply can be done. I stress this point, as it is interesting to read the answer which says—

> 4. Re: Bona fide necessitous cases—Board rule 10C (2) (d).
>
> Does the individual chiropractor decide the above? Does this prevent honorary work for various organizations?
>
> In conclusion, we request (1) that liaison and representation be established between the W.A. Branch of the A.C.A. and the Board, and (2) that a reply be made to this letter treating each topic and subsection fully and specifically.
>
> Yours sincerely,
> Secretary.

That was a rather lengthy letter in which some very pertinent and important questions were asked. It was answered by a letter dated the 26th March which, again, was written after the meeting. It is addressed to the Secretary, the Australian Chiropractors' Association, (West Australian Branch), and reads as follows:—

> Dear Sir,
>
> Your letter of 13th February was referred by me to the Board at its meeting last Wednesday.
>
> I have been asked by the Board to reply to the matters raised by you in your letter in the order that they appeared therein.
>
> (1) The Board's function is the administration of the Act and the regulations made thereunder.

That is simply a bald statement, which I cannot tie in with the first point raised by the association. Anyway, that is the answer. The letter continues—

> (2) Approved qualifications mean those qualifications which are approved by this Board.

The association went to great length to ask the board to go into elaborate detail or to give a definite explanation with respect to approved qualifications. Nevertheless, the board simply says—

> Approved qualifications mean those qualifications which are approved by this Board.

The Hon. R. Thompson: Which are in the Act.

The Hon. G. C. MacKinnon: Of course, they are clearly stated in the Act.

The Hon. C. E. GRIFFITHS: I continue to read the letter and the answer to question (2)—

> Rule 10C(1)(a) refers to the use of the title "Doctor".
>
> Rule 10B(5)—the Board has no comment.

The answer to question (3) is—

> The Board does not wish to comment.

The answer to question (4) is as follows:—

> To the first question the answer is "Yes", and to the second the answer is "No".

I have heard answers similar to those somewhere before. The letter then concludes with "Yours faithfully."

There is no answer whatsoever to the concluding request for some liaison being established between these people. That aspect has been absolutely ignored. If the answers that were given are supposed to imply that the board is interested in or concerned about the views the registered members held I fail to appreciate them. At this point I would hasten to inform members that the Western Australian Branch of the Australian Chiropractors' Association sought an interview with the Minister for Health, and the Minister was very pleased to comply with the request and met its members. I was not present but I understand the Minister suggested that the association members should have a discussion with the board with a view to settling some of the points raised. I have been told today that the board has refused to see the members.

There is a great deal more I could say on this subject but I will refrain from doing so and apologise to the House for already taking up so much of its time. However, I would conclude by asking members to recognise that Parliament accepts responsibility for the rules and regulations that are laid on the Table of this House. It is therefore not unreasonable—indeed, I consider it is their duty—for members to move for disallowance of regulations if and when they find any with which they do not agree.

Members may not agree with the objections I have raised to these rules, and if they do not the rules will remain as the law already in force. But at least the merits and demerits of them will have been debated and we can accept the responsibility for them in the knowledge of what we have done with respect to this motion. Therefore I suggest that, whether or not members agree with all my points, if they agree with only some of them they should support the motion on the point I have raised; namely, that the board and the members should get together and draft an acceptable set of rules that will enable the profession to progress in the manner which was intended by the introduction of the original Bill, and which all members supported. I commend the motion to members.

Debate adjourned, on motion by The Hon. G. C. MacKinnon (Minister for Health).

Sitting suspended from 6.6 to 7.30 p.m.

LAND AGENTS ACT AMENDMENT BILL

Recommittal

Bill recommitted, on motion by The Hon. A. F. Griffith (Minister for Justice), for the further consideration of clauses 5 and 7.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clause 5: Section 7A added—

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

> Page 3—Delete new clause 5 inserted by a previous Committee.

When the new clause was moved it was accepted by the Committee. It requires that the Land Agents Supervisory Committee approve in writing such other place of business, of the holder of a license, appointed to be the registered office. In accepting that amendment I recall having advised members that I was not concerned with the initial approval of the place of business as a prerequisite to registration, because a police report had to be obtained. I said such report had to be submitted to the magistrate, and that consideration had to be given to it.

Whilst a police report has to be submitted to the court, it was not quite correct for me to say that the approval of the court was given in relation to the premises, because the principal Act does not provide for the distinct approval of the court. Actually the court has no discretionary power on the question of the office.

The situation in respect of premises is as follows:—

> Firstly, the initial license has to be considered by the court. Let us say it is granted by the court.
>
> Secondly, there is the question of the removal of those premises to some other location.
>
> Thirdly, there is the branch office of the original licensee.
>
> Fourthly, there is the possible removal of that branch premises to another place.

When I got down to looking at the Act in relation to the amendment that was made dealing with the removal of branch

premises, I found the amendment did not deal with the first or second instances which I have just related. I apologise to members for the misleading statement I made. As we do not single out other forms of businesses, and as we do not say that according to some power of the court—discretionary or otherwise—a particular business premises is all right, because the person concerned is conducting some other type of business besides that of land agent, we should not necessarily apply that to land agents.

As I mentioned at the time, other Acts of Parliament—such as the Health Act and the Local Government Act—dealing with requirements in respect of the occupation of premises cover the situation of a business in a place, at some stage of the proceedings.

We cannot leave the provision as it is, because it only deals with the removal of branch premises, and does not deal in a proper or a legal manner with anything else. In those circumstances it would be more appropriate to allow the Act to remain silent on the question of premises. After all, most land agents who are licensed would want to present to the public attractive premises to encourage people to go into them. Whilst there might be some dingy premises used, we cannot labour this point in the Act, particularly as it applies to the branches of an agency and not the principal premises.

The Hon. W. F. WILLESEE: The finding of the right wording and the right place to insert this clause was a major problem. It appears that when the new provision was inserted into the Bill it did not have the relationship or the effect that it was thought to have. The Minister was good enough to advise me of this problem, and he discussed it in detail with me.

From inquiries I have made I certainly question the efficiency of the clause, unless it can be effective in its application to the whole Act in respect of premises. In view of the fact there is a certain amount of jurisdiction implied in existing legislation exercised by other authorities, and in view of the fact that the original applicant is scrutinised closely before a recommendation is made to the board, I think sufficient control has been exercised in the past. For that reason the clause could be deleted.

Under this Act there is a tendency for the premises and for the businesses of these individuals to be improved. In the future we will probably see a continuation of such improvement.

Amendment put and passed.

New clause deleted.

Clause 7: Section 13A added—

The Hon. A. F. GRIFFITH: The amendments which are proposed to this clause are entirely different from the one just agreed to. In a previous Committee Mr. Willesee wanted to insert some words into this clause, but I said that they were redundant and that the situation was dealt with satisfactorily by other amendments in the Bill. When I examined the Bill further I found I was quite wrong. The words proposed by the honourable member were not redundant, and their insertion was necessary.

In saying that, I should point out that we should have gone one step further, because the words which the honourable member wanted to insert will apply to a licensee, but not to a land salesman. In this instance the business is conducted by the land agent, and the use by the land salesman of the address of the principal office or the branch must be the same, because the land salesman employed by the licensee could be, firstly, advertising from the principal place of business of the licensee or, secondly, from the branch.

The acceptance of the amendments to this clause would cover that situation in relation to the address of the branch office as applicable to a licensee, or the address of the branch office as applicable to the land salesman who uses that address. It would mean that an advertisement would carry the licensee's name, the name under which he conducts his business, and his principal place of address. Of course, his telephone number would also be shown. If the advertisement relates to the address of the branch office where the licensee's business is carried on, then it must be included.

The licensee or the land salesman, using either the first instance or the second instance, would apply. The provision must apply in both cases otherwise there would be a loophole in the case of land salesmen.

I move an amendment—

> Page 5, line 21—Insert after the words "and the address of the principal place where the licensee conducts his business of land agent or" inserted by a previous Committee, the passage—
>
> > the address of the branch office where the licensee's business of land agent to which the advertisement relates or is connected, is carried on, or.

The Hon. W. F. WILLESEE: The proposal I had in mind dealt specifically with the principle as it affected major companies and did not extend to land salesmen. This proposed amendment covers all possible loopholes and does exactly what I want it to do. If, after reflection by interested parties, we come up with something better than that which we started with, it is all to the good.

The Hon. F. R. WHITE: I cannot relate the preliminary statement of the Minister to the Bill. I would like an explanation

to see whether I am misinterpreting what is in the Bill.

The Hon. A. F. GRIFFITH: I do not think the honourable member has before him a copy of the reprinted Bill. He would have the Bill as it was originally introduced by me. I have a printer's uncorrected copy which contains the other amendments that were passed. When I moved for the recommittal of the Bill I referred to clauses 5 and 7. Clause 5 was a new clause inserted in the Bill. Clause 7 is the one that was originally in the Bill. This amendment is in respect of clause 7, which Mr. White would have in front of him.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): If the honourable member will refer to page 242 of his copy of the *Minutes of the Proceedings of the Legislative Council*, he will get the explanation he is seeking.

Amendment put and passed.

The clause was further amended, on motions by The Hon. A. F. Griffith, as follows:—

Page 5, line 24—Insert after the word "thereof" the passage—

or the address of the branch office where the licensee's business of land agent to which the advertisement relates or is connected, is carried on.

Page 5, line 29—Insert after the word "employed" the passage—

or that name and the address of the branch office where the licensee's business of land agent to which the advertisement relates or is connected, is carried on.

Clause, as further amended, put and passed.

Bill again reported, with further amendments.

AGENT GENERAL ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [7.52 p.m.]: I move—

That the Bill be now read a second time.

This Bill has been brought to Parliament to enable an increased salary to be paid to the Agent General. The Agent General's salary is fixed by the provisions of the parent Act and its amendments. The salary at present being paid was fixed at £3,000 sterling per annum by the amending Act of 1957 and it is therefore considered that the remuneration being paid, in respect of this appointment, is not in keeping with today's standard and has for some time lagged behind the rising costs of living and accommodation incumbent upon the holder of this position in London.

There is an increasing requirement for the Agent General in London to entertain. This arises from a widening of interests in the rapid development which has been taking place in Western Australia.

The attraction of substantial outside capital constitutes one of the State's greatest needs in the furthering of this development; notwithstanding a measure of success already achieved in this direction. One of the important functions of the Agent General is to interest business people and investors in the United Kingdom in the favourable prospects for investment which are offering in Western Australia.

As members are aware, the development of our resources imposes an increasing local demand on our limited pool of labour, particularly in respect of skilled labour. British migration constitutes an important prerequisite in helping to meet this demand. So it is necessary to encourage not only the right type of migrant to Western Australia, but also to be in a position to ensure that they are provided with the ready means of obtaining a factual and reliable forecast of conditions which they might expect to enjoy upon their arrival in this State.

Another important function of this appointment entails the inspection of overseas Government purchases as an assurance of satisfactory quality prior to acceptance for delivery.

This Bill accordingly proposes an increase in the salary payable to the Agent General. The salary is to be increased from £3,000 to £3,500 sterling per annum, with effect from the 1st July, 1969. It is further intended to provide, in respect of this appointment, an annual housing allowance of £1,000 sterling to be payable also from that date.

It is considered that these proposals will bring the emoluments accruing to this office to a figure comparable with that paid to Agents General representing other States of the Commonwealth. The increased salary and allowance now proposed will ensure continued representation in this important office by persons capable of fulfilling the required tasks in a manner satisfactory to Government. I commend the Bill.

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

TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th April.

THE HON. J. DOLAN (South-East Metropolitan) [7.56 p.m.]: The Trade Descriptions and False Advertisements Act,

which this Bill is designed to amend, had the original purpose of protecting the public, who were completely uninformed, from wrong trade descriptions, from false advertisements, and I would even use the words, "mere fraud."

In order to get the proper background I propose to let the House know the thinking of members of both Houses of Parliament over the years since this Act was introduced in 1936. I intend to make brief reference to what some of those gentlemen had to say. In *Hansard* of 1936, at page 422, we find that the Bill was introduced by the then Minister for Employment (The Hon. A. R. G. Hawke), who had this to say—

> This Bill seeks to establish a method of ensuring that goods sold to the public are true to label.

The leader for the Opposition had this to say—

> So far as I see, the Bill, speaking generally, is an excellent attempt to deal with a problem which, I realise, has for some considerable time been exercising the minds of those concerned in these matters. We are aware it is vitally necessary that when a person goes to buy goods he shall get that which he intends to purchase. It is no use to the buyer, nor can I see that it can be of any use to the honest vendor, that goods should be available for sale that do not comply with the description given to them or indicated by the label or otherwise. We should not expect to receive cotton goods when we ask for wool, as the Minister indicated, nor do we desire any substitute for an article we may require and may be prepared to pay for.

That was said in another place. When the measure came to this House we find that the Minister, when introducing the Bill, said—

> The proposed legislation will protect *bona fide* manufacturers of goods. That purpose is to establish a method of ensuring that goods offered to the public for sale are true to label; . . .

The leader for the Opposition at that time (The Hon. W. J. Mann) spoke in the same strain. He referred to a gentleman's experiences as follows:—

> The first thing he bought was pork sausages, and they were afterwards found to contain nothing but horseflesh chemically treated. His second purchase was wheaten bread, which contained less than 25 per cent. of wheaten flour. He bought fruit jam which contained no fruit whatever, but consisted of vegetable pulp and chemicals. He purchased coffee that was without any trace whatever of the true berry. Underwear he bought was made from wool. Men's outer garments sold to him as all-wool proved to contain less than 20 per cent. of that material.

He continued in the same vein.

The point is that goods, when bought, should be in accordance with the description on the label, and should live up to that label. I was particularly interested in the remarks of the next speaker, The Hon. J. J. Holmes. I often read the honour board at the football club in which I was interested, and I notice that J. J. Holmes was a patron for many years. He was a member for a northern province at the time and, of course, was keenly interested in wool. He had the following to say:—

> I do not think anyone disputes the fact that for many years Australia has been riding on the backs of the sheep. Woolgrowers have to face all kinds of serious problems. They have rayon and artificial goods generally to contend with. Traders are permitted to sell what are classified as woollen goods whereas they are nothing of the sort. The result is that genuine woollen goods are brought into disrepute. A man may buy a pair of all-wool socks or a pair of woollen trousers and they may fall to pieces.

And so he goes on. Further on he states—

> What the Bill aims at is to ensure that when traders submit articles as woollen goods they shall be woollen goods. I will indicate one instance of the trickeries of the trade. I shall mention no name and no place. I have it on the best authority that when a Wool Week was conducted in Perth some time ago, some traders took advantage of the position. The wool people were shrewd enough to guard against imposition. Before the Week commenced, they went around the shops and secured samples of material, together with particulars of prices. When the Wool Week was in progress, they went round again. They found that in some instances what was sold at 8s. 11d. a yard prior to the Wool Week was exhibited in conspicuous places as woollen materials, the price of which was 18s. 11d. a yard.

The Hon. L. A. Logan: The situation is no different today.

The Hon. J. DOLAN: Probably no different. Of course, over the years amendments have been made, but the attitude of speakers to the Act has not changed. They have been of the opinion, when speaking about trade descriptions, that goods should be true to label.

At page 1777 of the 1953 *Hansard* the then Minister for Labour (The Hon. W. Hegney), when introducing a Bill, had the following to say—

> As the name of the Bill implies, it is designed to prevent misrepresentations or falsity in advertisements or trade descriptions. It is primarily designed to protect the wool industry of Australia and the public.

At page 2590, of *Hansard* for the same year, The Hon. L. Thorn had the same opinion. He said—

> None of us agrees it is honest trading for shops to advertise garments as being all wool when, in fact, they are not. It is necessary in the interests of the purchasing public that such articles should be truthfully labelled.

At page 2752 of *Hansard* for the same year, the then Chief Secretary (The Hon. G. Fraser) had the following to say:—

> The object of this Bill is to prevent misrepresentation or falsity in advertisements or trade descriptions. It is primarily designed to protect the wool industry of Australia, and the public.

The Hon. L. Craig, at page 2871, makes the following comment with which I entirely agree. It is as follows:—

> Wool as a fibre for wearing apparel stands alone, and it is to the advantage of the opponents of wool to write it down and make it less important so that other fibres may loom larger in the minds of the people. The fewer safeguards provided, the more danger through the practice of branding inferior materials, containing 5 or 10 per cent. of wool, as wool, because in the end people will come to think that wool is not so good, and they might just as well buy any of the synthetics.
>
> If we are to maintain the high position that wool holds in the world today, we must do everything possible to ensure that wools marked wool are wool, no matter what the cost. It could easily happen that the larger manufacturers of inferior materials—there are many of them—could put a very small amount of wool into a fabric, brand it wool, and thus undermine this great industry.

It is the essence of this Act that if goods are described for the public, that description must be truthful and there must be no misrepresentation of any kind. Over the last week I have asked a considerable number of housewives what they refer to as pure wool, and they have told me that their belief is articles which contain wool; mainly sheep's wool, and nothing else.

If an article is advertised as being made of pure wool, or all wool, that is what the average housewife expects it to be. Can pure wool be 95 per cent. wool one day, under the definition of the Act and the next day if this Bill becomes law, can it be 80 per cent. wool? One statement must be true, and one must be false; we cannot get away from it. So we must be misrepresenting the situation somewhere. If one has a suit today which is labelled pure wool, the same label will apply if this Bill becomes law, but the meaning of the label will be completely different from what it was before the passing of the Bill.

If we are to believe the experts an article could be something very different in quality. I repeat: The ordinary housewife believes that pure wool is sheep's wool, and that it is all wool. The main amendment in this Bill will turn the Act from a mechanism for protection from misrepresentation into a vehicle of statutory misrepresentation. I am almost tempted to use the word, "fraud"; misrepresenting an article and stating that it is something which it is not.

I examined some of the law books in our library—that is the extent of my legal training—and I believe that in general terms, and in parliamentary terms—and even in legal terms—the ingredients of "fraud at law," are five in number. They are: Firstly, misrepresentation of fact; secondly, the said fact must be false and made knowingly; thirdly, it must be made to induce someone to act to his detriment; fourthly, that person must so act; and lastly, the person must suffer loss or detriment. If one examines those five ingredients one will see that what is contained in the amendment is very close to conforming with all the five ingredients which I have mentioned.

I would like to comment on the second reading speech of the Minister when he introduced the Bill, because it contains statements with which I do not agree. The Minister said that the legislative amendments introduced through the Bill have been, or are being, introduced in every other Parliament in Australia by Ministers in charge of textile labelling. He said the legislation was the result of an agreement reached at a conference held in Queensland last year. The Minister went on as follows:—

> The amendment now proposed was requested by the Australian Agricultural Council and was supported strongly by the Australian Wool Board.

I think this is the third time in a fortnight I have referred to the Australian Agricultural Council. I have no desire to continue referring to it, but when it is referred to in the second reading speech made by the Minister, I have no alternative.

This council has discussed the matter, and the other States have acted and made a decision upon it. Eventually it has reached us in the form of legislation and this has been the first time we have known about

it. I first knew about it on Wednesday last when my leader asked me if I would take the Bill and examine it. We read that the purpose of the Bill is to enable the Australian wool industry to participate fully in and benefit substantially from a world-wide promotion of the sale of wool being undertaken by the International Wool Secretariat under what is known as the Wool Mark Programme.

At this stage I could ask: If pure wool is to have only 80 per cent. wool in future, who will get the benefit of the extra 15 per cent. from the fibres which are added? I have heard that many of the fibres are expensive and I think the only reason they are expensive is that they come from far away places. They come from the hills of Kashmir, the mountains of Peru, from the Andes, and various other places, and they cannot be compared in any way with wool.

There is a resemblance in that they can be made into cloth and into various garments, but to mix the fibres with wool and then say that the cloth is as good as the proper article—which is all wool—I think is questionable.

The amendment had been designed to permit the use of the definition of "pure wool" or "all wool" for textiles containing not less than 80 per cent. sheep's wool, and not more than 5 per cent. fibres other than specialty animal fibres; namely, mohair, cashmere, alpaca, llama, vicuna, and even camelhair. Those fibres come from beasts of burden and how any comparison can be made with wool I cannot imagine. I cannot believe that the quality of the article is not lowered by adding 20 per cent. of any of such fibres.

I believe that all Australians are proud of wool. The greatest compliment one could pay to anybody would be to say that he was, "all wool, and a yard wide." If this amendment is carried then in future we will not be too proud of ourselves if such a compliment is paid to us. In other words, we are only 80 per cent., and I think that is not good enough. If a person is a good supporter of anything he is generally referred to as, "a dyed-in-the-wool supporter." It follows that we will have to look for another description if we want to convey the same meaning.

The Minister said it is a fact that most major wool-producing countries permit the description "wool" to be applied to textile products resulting from a blending of sheep's wool and the specialty animal fibres which he mentioned. Legislation has been introduced in all the States to make this applicable—80 per cent. wool. The proposal has also been introduced in many other countries in the world, the exceptions being New Zealand, South Africa, Mexico, and Belgium. The Minister said that we are advised that legislation of a similar nature to that proposed in this Bill is to be introduced in New Zealand and South Africa and, further, that Mexico and Belgium also have the matter in hand.

There is an expression I have often heard and it looks as though we are trying to apply it here: "If you can't beat them, join them". If we cannot sell wool which will stand on its own feet and every other State in the Commonwealth passes legislation then we have to fall into line with those States. I think it is a false standard of morality that because something is done in another place, which might disadvantage us to some extent, we have to follow along the same lines.

I can appreciate that manufacturers of articles in this State may be at a disadvantage when compared with manufacturers in other States. It is hard to find out when these new cloths will be manufactured; I do not know how long it will be. It might be 12 months, two years, or five years before the machinery is geared to the making of these particular cloths.

I have always regarded second reading speeches made by Ministers as speeches in which reasons are given for the introduction of amendments. From what I can read in the speech made by the Minister on this occasion I think there are no reasons, but, generally speaking, they are excuses for introducing the legislalation. The Minister mentioned the dry cleaners associations, and said that the dry cleaners had advised that no real problems would be created in relation to dry cleaning, provided the animal fibres in question possessed characteristics similar to what would conveniently be regarded as wool, and this is the case in regard to the fibres mentioned.

Why do we have to go to the dry cleaners to establish whether a cloth or a garment produced with 80 per cent. wool will present any dry cleaning difficulty? What has that to do with the standard of an article or with the description of an article?

I think nearly every dry cleaner will advise that he accepts no responsibility for shrinkage or anything else. But this was another reason advanced by the Minister to bolster his argument with regard to the Bill. I think on examination we would find that if a garment was made up with 50 per cent. wool and the other 50 per cent. various other fibres, the garment would be very easily dry cleaned. There would be no trouble with it, and under those circumstances that is not a reason why we should accept the Bill. It is an excuse, and I regard it as such.

It is also said that research has been carried out by the Australian Wool Board to ascertain whether the inclusion of any or all of the specified animal fibres would produce an allergic reaction to the wearer. What has that to do with whether a garment is labelled "pure wool" or "all wool"

if it has only 80 per cent. wool in it? I am not allergic to wool and I have never known anyone else to be allergic to it. People are more likely to be allergic to the foreign fibres to the wool. Once again, I feel these are only excuses; they are not reasons.

Let me mention another couple of aspects in this respect. Australia grows the world's finest wool, and I have it on the best authority—and I will not go into that authority—that Australian wools are so good, not only because of the breeding of our sheep, but also because of our environment and climate, and the food that the sheep eat. I have been told that one of the reasons we can afford to export some of our top merino sheep is that those sheep will never produce in another country the wool they produce here.

However, in this particular instance we are told that we can introduce into a garment fibres of a lesser quality—they must be of a lesser quality, because the conditions in Australia are such that we produce the world's best wool—without any harm to the garment concerned, or any misrepresentation whatsoever. I would like somebody to explain to me how the amendment will help the woolgrower. If in future we use only 80 per cent. wool in garments in which previously we used 95 per cent., how will that help the woolgrower? Would not there be more wool needed to produce a garment, which contained 95 per cent. wool, than there would be to produce a garment containing 80 per cent. pure wool? Perhaps there is some other catch in it that I cannot follow.

The Hon. E. C. House: Yes, there is.

The Hon. J. DOLAN: Very well. I know the honourable member will tell us about it later. Suppose we extend this argument to other products. There are members in this House who represent dairying interests. I wonder what they would say if there was a proposal to alter the definition of, say, prime butter so that it could contain 80 per cent. butterfat, and the other 20 per cent. could be made up of animal or vegetable oils. I wonder whether members would agree to those percentages in regard to butter.

The Hon. N. E. Baxter: There is 20 per cent. water in butter now.

The Hon. J. DOLAN: I wonder what a Scotsman would say if he were told that the stuff he likes in a bottle was only 80 per cent. Scotch, and the other 20 per cent. was moonshine or poteen. He would be sick at the thought, and would not stop spluttering. What would happen if a person bought a bottle of pure olive oil, and then had it analysed and found it contained only 80 per cent. olive oil, with the other 20 per cent. made up of maize oil, peanut oil, or even sump oil to add a little colour.

I wonder if people confronted with those circumstances would be happy; because there is a relationship between the oils I mentioned and olive oil, just the same as there is a relationship between vegetable oil and butter. Those are the points I want to get down to. If this measure becomes law, a person who goes into a shop to buy an article which is labelled "pure wool" or "all wool," will be confronted with dishonesty and misrepresentation.

I would say that the average housewife does not know what the definition of wool is going to be. If she went into a shop to buy an article which was labelled "pure wool" or "all wool," and she was told that there was 20 per cent. of other fibres in the article, she would say, "I do not want that; I will buy something else."

The Hon. V. J. Ferry: In other words, she wants the good oil.

The Hon. J. DOLAN: I have a number of ties here and each of them has a different label. Some are wool and mohair, some are all wool, and there are others made from cotton, terylene, rayon, various mixtures, and so on. However, they are all truthfully labelled; and I say that the purpose of the Act when it was introduced in 1936 was to enable people to walk into a shop with confidence, knowing that an article with a brand on it was true to label.

If this amendment becomes law, in future people will find that woollen articles are not true to label; and I think the Act, instead of being an instrument for the protection of the public, will be a legal instrument for misrepresentation to the public.

We are going through an interesting month called the "wool month." Every day we can find in the paper advertisements with large headings such as "Australia—On The Move In Pure New Wool." In an advertisement I have here, we find—

> Rain, hail, or shine you'll be looking your very best, in this Pure Woollen showerproof.

The advertisements all boom wool; yet here we have a Bill to enable 20 per cent. of other fibres to be included in woollen garments. And so the newspaper goes on with all kinds of articles: "Wool Week". Members will notice the woolmark in this advertisement. However, when we see this label in future—provided, of course, the amendment is accepted—we cannot regard it as a true label. It does not matter whether the articles are blankets, rugs, or anything else. I went through some of the things at home and I was amazed at the woollen articles which have a greater reputation than any others for quality.

Last weekend Walsh's issued a special supplement to *The West Australian*, and it was thrown over my fence. The supplement booms wool and its wonderful qualities, and I agree with every statement that is made. I think we in Australia are very fortunate that we have such a marvellous industry, and the promotion of the wool industry is something that is most desirable. However, we will not promote wool by placing a false description or a false label on certain articles. That is not promotion. Sooner or later people will begin to distrust that label. They will say, "Well, it used to be 95 per cent. pure wool, allowing 5 per cent. for facings and other necessaries in woollen goods, but now it is down to 80 per cent. Perhaps in another couple of years, because of changing circumstances, and to suit other interests—but not ourselves—the percentage will be down to 70 and then to 50." Eventually, of course, we will go the whole way and instead of being proud of our woollen goods, we will, perhaps, regard them with a little scorn.

I conclude on this note taken from another of my law books, called *Tyssen's Elementary Law*. Tyssen, judging by his qualifications, was a pretty smart sort of fellow; he came from the Inner Temple of London, and was a barrister at law. This is what he has to say on pga e67 of this book—

> . . . on a sale, or contract from the sale of any goods to which a trade-mark or trade description has been applied, the vendor shall be deemed to warrant that the trade-mark is genuine . . .

Further on, the following appears:—

> The Act also makes it criminal for any person to forge any trade-mark or apply any false description to goods, or to sell or expose for sale any such goods, unless in the latter case the seller has acted innocently.

We cannot say that we are acting innocently. What we propose to do is printed in black and white in the Bill. Clause 3 (b) states—

> (2e) Notwithstanding any other provision of this section, the trade description for textile products which contain not less than ninety-five per centum by weight of wool and specialty animal fibres may, where the weight of wool is not less than eighty per centum of the weight of all fibres contained in the products, include the words, "Pure Wool" or the words, "All Wool", and if the words, "Pure Wool" or the words "All Wool" are so included, then the provisions of subsection (2b) of this section do not apply.

That is what we are faced with. I cannot go along with something which I know in my heart to be wrong. In future, an article in a shop labelled "pure wool" or "all wool" will not be true to label, and if anybody can tell me that it is true—that what is said on the label is actually meant, and is what a housewife thinks it means—then I am afraid that I cannot read, nor can I think.

If the honourable member who interjected a while ago can explain to me how something labelled "pure wool" or "all wool" can be only 80 per cent. wool and still have an honest trade description, then I will support the measure; if he cannot do so, then I must oppose it.

THE HON. E. C. HOUSE (South) [8.26 p.m.]: I am very pleased that this Bill has come before the House. I think it is high time the legislation was enacted in order that the public might know within reason that when they buy fibres, they are getting the quality article that is displayed before them. The wool industry, as most members know, was the backbone of the Australian financial structure right up until after the last war, and there is no doubt that had we not had premium prices for the Australian wool clip we would not have built up this country to the extent we have.

I think it is fair to say that Australian wool is almost unique in the world, and probably one of the reasons we need to promote wool as much as we do at the present moment is because there is just not enough wool in the world. In other words, if everyone wanted to be clothed in wool it would be impossible. So it is probably a good thing that synthetics appeared on the market at the time they did.

In recent years—since Sir William Gunn has taken such an interest in the affairs of the wool trade—the Australian woolgrower has been paying approximately 2 per cent. of the value of his clip towards research and promotion. This is really aimed at trying to instruct and encourage other countries in the world to establish their own wool plants and to produce woollen articles where their distribution centres will be.

This is of course, to encourage the use of wool in practically every country in the world, and I think we can congratulate the team behind this promotion and research for the job it has done, and especially the C.S.I.R.O. for the work it has done in trying to improve the wool fibre.

It is quite a business to change the habits of some of the other countries in the world, although we ourselves are certain in our minds that wool is probably the ideal fibre. It is hard to introduce other fibres into countries that have been using cotton, or mohair, and so on, since the beginning of time.

But we do know that wool has the distinctive feature of being resistant to both heat and cold, and this is probably where

it is unique. I would now like, if I may, to return to our own Australian scene where, as I have said, wool is one of the main articles of trade, not only of overseas trade but also of internal trade in the Commonwealth as a whole. This is where I think we have good cause for criticism.

I am sure that sufficient promotion and encouragement of the production of fibres generally in Australia has not been given to the industry. I could of course refer to the Albany Woollen Mills which has struggled right from the beginning of time. It has struggled mainly because it is using out-of-date equipment, and, for some reason or another, it does not appear to be be able to get to the head of the line; it is always on the end of the line and because of the machinery it is using, the articles it produces are generally very expensive.

Would not this be a golden opportunity for the promotion of this industry by the Commonwealth Government, or whoever else might be interested? Would it not be a golden opportunity for it to come in to try to modernise this industry for the welfare of trade in Australia generally? One could go a step further and perhaps encourage the Japanese to come in to buy the Albany Woollen Mills and make it one of the most modern plants in Australia. This would bring about a tremendous improvement and be good for Albany and the industry as a whole.

I now come to the articles made of wool that we seek in the stores of all the capital cities of Australia. One of the most difficult things to find is a woollen garment, whether it be a dressing gown, a pullover, a piece of cloth or, in some cases, even a rug. We know the retail industry of this State must, because of the benefits of overseas trade in wool, in its turn receive a great deal of help to its structure and its business. Once again this is having an effect. We know that when wool went to £1 a pound, the basic wage at the time rose by a £1 a week. This was good, because it meant sharing in the prosperity of the industry, and I am all for that.

I do not know whether it is because of the policy of particular stores, or of the board that controls them, but I do know it is a most difficult thing to secure the woollen article one requires. Let us for example consider the case of school and college uniforms. These days most high school and college students wear a uniform, but before these can be supplied the order must be placed for the necessary material. The uniforms cannot be made up until this is done. This is certainly one aspect of the industry of which Australia does not take full advantage.

I remember visiting a store in Adelaide and asking for a dressing gown. I was shown a synthetic dressing gown and on my asking the shop assistant whether he had any woollen gowns, he replied, "Oh, you want a woollen gown." He then took me and showed me some woollen gowns hanging on a rack. The same applies to other garments such as pullovers, socks, and so on. This is a very serious aspect and one to which we should give a good deal of attention. The woollen garments required should be there on demand.

A friend of mine visited America recently and before he left he asked somebody what he could buy in Australia and send back to the people in America from whom he had received so much hospitality; he wanted to send back something they would remember. He was told to buy a woollen rug, because it was most difficult to buy one in America. I do not think I need mention the advantages that might accrue from developing such a theme.

I think it is a good thing that we should label woollen garments. I know Mr. Dolan is waiting patiently for me to explain why I think it is all right to have an article which is only 80 per cent. wool labelled pure wool. It is true it is not pure wool; indeed the suit I am wearing at the moment is 80 per cent. wool and 20 per cent. mohair. I buy this particular material because, like other members, I am generally either sitting in my car or at my desk, and the material in question does not crease to any great extent.

The Hon. J. Dolan: How is it labelled?

The Hon. E. C. HOUSE: I had the suit made up. It was labelled 80 per cent. wool and 20 per cent. mohair. I knew what I was buying. I have a genuine pure wool suit which is a bit of a nightmare because of the way it creases after I have been sitting for a few hours. It has its disadvantages.

The woollen industry has a long way to go in this respect and it was at one time not thought desirable that it should have any relationship whatever with synthetics. If synthetic manufacturers want to mix small quantities of wool with their products that is their business, but the wool trade does not want this and, therefore, it is stipulating not less than 80 per cent. I think this is a good thing, because we will have synthetic articles for all time.

As long as these articles are labelled, people will know what they are getting, and I, for one, can see nothing wrong with that. Admittedly a garment labelled 80 per cent. wool is not pure wool, but it is a compromise and as such it is acceptable. I do not doubt that many other commodities are also adulterated. It is possible that one such commodity is whisky and another could be fuel. Yet these commodities are sold as a particular brand. I do not know whether I have answered Mr. Dolan. Perhaps he is still not too happy about the whole thing.

The Hon. J. Dolan: I do not think you are happy either. I think it should be labelled 80 per cent. wool and 20 per cent. of the other product.

The Hon. E. C. HOUSE: As long as it is labelled 80 per cent. wool I am sure the product will satisfy the average customer, and we in the wool trade can accept the compromise along those lines.

I do not think sufficient trouble is taken to promote and emphasise the quality of wool. There is no doubt that a woollen garment has a particular look about it; that a person looks dressed when wearing a woollen garment as compared with a synthetic garment. Above all, wool is reasonably fire resistant and this is something the public should fully understand.

There is no doubt about synthetic materials; a child wearing a dressing gown, or a young girl wearing a flimsy dress, has only to stand near a flame and the garment is likely to go up in smoke. Wool, on the other hand, does not readily burn, and we should make more of this feature in our advertising; people should be made aware of the insurance and protection they derive from such a feature.

We should also consider the use of wool for car seats. Most car seats are covered with vinyl, which is almost unbelievably hot, sticky, and messy. I do not know how we put up with it. At the moment I am sitting on a lambswool seat and this makes all the difference. There is no reason at all why car seats should not have wool incorporated into them.

Mention has been made of pure wool and the need to mark such material. I think we must appreciate the tremendous range of our own fibres within the trade itself. One can go from mohair to silk in wool, which in itself can create many problems, particularly if it seeks to be as distinctive as wool. These materials can be used in carpets and in finer dresses; they can be used in lighter suits for milder climates.

There is a tremendous range of fibres which make up the entire woollen trade, and there is no doubt that if we wish to preserve our woollen industry in Australia we must improve the quality of our product. We cannot go on preparing clips and raising sheep that have a low quality count in wool; something which is almost goat's hair and which makes up into a coarse-fibred article. There is no doubt that we can produce a fine type of clip, and maintain this premium product. With the possible exception of the wetter lower south-west areas, there is no place in the State where the finer clip cannot be grown, and we should make a feature of this aspect.

There is not much more I wish to add. I am pleased to have had this opportunity to speak to the Bill, and I hope it will do something to encourage the industrial angle in our State—that is, the woollen mills and so on, the retail trade and the wholesale trade. At the moment it seems we are almost ashamed of the articles we produce for sale in the shops.

THE HON. C. R. ABBEY (West) [8.44 p.m.]: I naturally support the Bill, and I was very glad to see the interest taken by Mr. Dolan. He has raised some quite controversial points which should be thoroughly examined. As a woolgrower I see a great deal of benefit which might be derived from this measure.

We have the situation where the latest trends in the treatment of wool are providing some tremendously good materials which do not shrink or crease. There are, however, very few of these available to the public. Unfortunately the manufacturing and the retail trades have not so far taken the point and are as yet not pushing these lines to the extent they should. This is possibly due to too conservative an attitude in the manufacturing and retail industries as they affect the wool trade.

Those sources have a very conservative approach. Unfortunately, they treat wool as a luxury fibre, and, unfortunately, too, it is becoming that to a degree, because of the total fibre produced in the world wool is down to something like 8 per cent. Therefore, an article made of pure wool is almost in the luxury class, although the producer does not receive a luxury price for his product.

The uniform approach—and it will be uniform throughout the Commonwealth—to the branding of woollen goods cannot do anything but good. Mr. Dolan referred to the 80 per cent. and 20 per cent. and, on the surface, that certainly appears to be an undesirable feature. However, it is well known by those who have studied all the aspects of the question that a small quantity of other fibres, as Mr. House pointed out, is usually an advantage—provided only a small quantity of other fibres is used. A situation where, say, 70 per cent. synthetics and only 30 per cent. wool was used would be most undesirable, and in my view in that case the synthetics would not be improved.

Up to date the situation as regards the labelling of textiles, particularly wool, has been chaotic and the Bill is a real attempt to set down certain standards that are acceptable to the wool industry, the producers, the manufacturers, and the end users of the products produced. So far the wool industry has resisted promoting articles or cloths that have anything less than 100 per cent. wool, because the industry has felt that as it provided the major portion of the funds, and in some cases all of the funds, used for promotion, its industry should be the one to receive all the benefit. However, we have to be

realistic and it is obvious that producers' organisations generally have now accepted the fact that a small proportion of synthetics is an advantage and will improve the product, provided it is only a small proportion. As a result, it is fair and reasonable to use woolgrowers' promotion funds for the purpose of promoting the new proposals.

I think every member would be aware of the woolmark emblem. It has really taken on. It is a protection for the customer and one that is freely recognised now that it is becoming so widely used. The emblem is becoming something of a mark of quality so far as manufacturers are concerned. Indeed, many Japanese firms are almost fighting to use the woolmark emblem and they take the view that it is an acceptable method to distinguish their garments.

Personally I support the concept because I think we have to be realistic. Although, as Mr. Dolan pointed out, the "pure wool" designation, as provided for in the legislation, is a little misleading, I am sure the public will be well informed of the situation and of the fact that they are getting 80 per cent. wool, which is a major portion of the fibres used. I am convinced that in the future the proposal will become acceptable and, with few exceptions, will provide for a quality product.

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [8.50 p.m.]: This Bill has certainly created a type of debate different from what I expected when I introduced the legislation, and I am sure all members have been interested in what has been said. I shall endeavour, with my limited knowledge of the subject, to answer the one real question asked by Mr. Dolan. The honourable member asked me why we had to follow the other States. He said that this legislation was the first he had heard of the proposal. Perhaps he had not heard of it until last week, but that is not to say that the matter has not been mentioned previously. I think he will find that it has been mentioned.

The Hon. C. R. Abbey: Many times.

The Hon. L. A. LOGAN: What would be the situation if Western Australia said, "We are not going to join in with the rest of Australia or the rest of the world. We are going to stick on our own and every article branded 'all wool' or 'pure wool' must be 100 per cent. wool"? We would not get very far. We have to look at the situation in a realistic way. Mr. Dolan also queried the reference to the dry cleaners, and to allergies.

The Hon. J. Dolan: The Wool Board said that certain people are allergic to wool.

The Hon. L. A. LOGAN: If one intends to promote an article which is to be marked "all wool" one would want to make sure that when it was put on the market it would not contain any properties to which certain people would be alergic. Surely that would be the first thing the scientist would work out. That would be the logical thing to do. Why promote an article which, as soon as some person wears it, will cause him to develop lumps or some other allergy? Unless this sort of thing was ironed out first it would be of little use promoting the article. One might as well give its promotion away before one starts.

The honourable member also referred to the woolmark. This legislation deals with the woolmark promotion. It is not possible to have two woolmarks; there can be only one. Because of the research undertaken, and the experience of the Wool Secretariat, it has been proved that a product conforming to the requirements set down is the article which will sell the most wool. Therefore it is possible to have only one woolmark and that is why a figure of 80 per cent. is laid down.

If it was stipulated that the wool content had to be 100 per cent. the number of articles which could be made from a cloth of that top quality would be limited, and I venture to say that as a result of the experience gained the article now provided for will be the best of its type in the world. Those concerned have gone out of their way to promote it. However, if it is desired that only wool of top quality can be used, and that when labelled "all wool" the cloth must contain 100 per cent. wool to produce suits which will not crease, people will have to pay a lot for them. It would not be possible to sell them on the ordinary markets of the world—certainly not as easily as it is to sell suits made from cloth containing 80 per cent. wool. I have the brand "woolmark" on my suit and it is also marked "pure new wool." I do not know what "pure new wool" means. It is not "all wool" or "pure wool." It is "pure new wool" and the label has the woolmark on it.

The Hon. J. Dolan: New wool is wool that is being used for the first time.

The Hon. L. A. LOGAN: As the label has the woolmark on it I am satisfied. That is why it is necessary to legislate in this regard—to make sure that when the woolmark is used the purchaser knows what he is getting, and that the woolmark complies with the law. One could talk about mohair and camelhair. I suppose it would be possible to use a certain amount of camel hair because there are still a few camels left in the State, and we could send fellows up to shoot them!

The Hon. J. Dolan: It would be very expensive.

The Hon. L. A. LOGAN: In some places camels are vermin and in those instances camelhair would probably be cheap. However, I have seen different types of sheep

and what they are covered with could almost be classed as hair and not wool. What is wool, after all?

The Hon. J. Dolan: It is the covering on a sheep or a lamb.

The Hon. L. A. LOGAN: In my opinion it is possible to get hair from some types of sheep. However, one could go on arguing the point in the way Mr. Dolan argued. The Australian Agricultural Council, which is composed of representatives from all the Australian States, together with the Wool Secretariat and the Wool Board, and the scientists who have carried out research into the matter, have come to the conclusion that this is the right way to go about dealing with the problem. They believe that by this means we will be able to market a good quality product—one which it will be illegal to depart from if the woolmark is used. Also, the public will know exactly what they are getting, and the same situation in regard to labelling will apply throughout the world.

I agree with Mr. House. I always wanted to know why the Wool Board fought against using a certain percentage of terylene, or some of the other synthetics. When I was in America in 1963 almost every American male was wearing a suit made of a synthetic cloth. They certainly did not look as good as the one I was wearing, and I said to the Australian Trade Commissioner in Chicago, when he was taking me to the airport, "Why don't you convince the American people to put a certain percentage of wool in their cloths? Then we would have an assured market forever." He replied, "Mr. Logan, when you are prepared to spend as much money on the promotion of wool as these fellows are on the promotion of synthetics you will get somewhere."

That is why the fight has been on—because of the millions of dollars that have been thrown into the promotion of synthetic fibres. Therefore, we have to do something to promote the sale of wool. As a result, the Wool Board and the Wool Secretariat believe that this is a counter to the promotion of synthetic fibres. A cloth with the woolmark brand might not be of the same quality as a cloth made from 100 per cent. wool, but at least it is good and it is a mixture that is readily available and saleable. That is the point at issue, and I do not think we can get away from it.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 4A amended—

The Hon. J. DOLAN: I listened very closely to what both Mr. House and Mr. Abbey had to say, and I agreed with everything they said about wool. However, my argument is about the fact that we are labelling something falsely—it will cut right across the Trade Descriptions and False Advertisements Act. I have no quarrel with putting synthetics with wool if it will improve the quality. However I do believe we should label goods correctly and not with a false description by which housewives will be taken in.

I intend to oppose the amendment in the Bill because the Act as it stands requires that goods be labelled properly. If a woman buys an all wool dressing gown, she wants to know that it is all wool, and nothing will convince her of this if it is only 80 per cent. wool. The brand should be true and in accord with the Act.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [9.1 p.m.]: I move—

That the Bill be now read a third time.

THE HON. F. R. H. LAVERY (South Metropolitan) [9.2 p.m.]: I want to support Mr. Dolan's earlier remarks concerning branding.

I listened to a very interesting broadcast a few mornings ago, in which a person known in Scotland as the most efficient manufacturer of woollen garments was being interviewed. He stated that he deals only in lamb's wool and makes one trip per annum to Australia particularly to buy nothing but fine merino lamb's wool. He was asked several questions on the matter, and emphasised the fact that no other country, Africa included, produced the same high-class wool Australia did. I thought members would be interested to know this.

THE HON. E. C. HOUSE (South) [9.3 p.m.]: I think we can all appreciate Mr. Dolan's feelings on this matter, but as far as the wool trade itself is concerned, it is only too pleased with the proposal for 80 per cent. wool. If the woolmark is placed on the brand, it will be of immense benefit to the industry as a whole. After all, we must learn to live together—the synthetics and wool—and I think we have given in to them a little by allowing the 20 per cent.

However, we must get as much promotion and publicity for wool as we can and if we did not allow even 1 per cent. of synthetics in an article, then we would be on the losing side. We must be able to state that an article is of woollen quality, with all due respect to Mr. Dolan for the point he has made. I know he made it very sincerely and it is, indeed, quite an important one.

I feel at a disadvantage tonight because I thought that this Bill would have been dealt with last week. I did not know it was still on the notice paper and consequently I have done no preparation whatever.

The Hon. L. A. Logan: You didn't do too bad.

The Hon. H. C. Strickland: You did a good job.

The Hon. E. C. HOUSE: However, I do think we are fortunate that as long as we can go along with this 80 per cent.-20 per cent., the housewife will not be detrimentally affected. We are in trouble with many industries including the wheat industry—in this we are suffering from over-production—the mutton and lamb industry, and eventually we could be in trouble with the beef industry. I feel that with wool we have unlimited scope throughout the world to make it of premium quality at a premium price, almost like the Rolls Royce in the car field. I am sure the woolgrowers can look forward to very beneficial results from this promotion and research and from the woolmark itself.

Question put and passed.

Bill read a third time and passed.

POLICE ACT AMENDMENT BILL, 1969

Receipt and First Reading

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

BILLS (3): RETURNED

1. Mining Act Amendment Bill, 1969.
2. Inspection of Machinery Act Amendment Bill.
3. Mines and Machinery Inspection Act Repeal Bill.

Bills returned from the Assembly without amendment.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th April.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [9.7 p.m.]: When introducing the Bill the Minister referred to the amendments therein as being minor ones, although he then said that one of the amendments has been brought about as the result of a Supreme Court decision and that another is, in the view of the board, necessary to give full expression to Parliament's general intention in regard to section 21A of the Act. References were also made to correspondence which had apparently taken place with a lawyer member of Parliament.

From these fairly vague references, I endeavoured to ascertain the basis of the Bill, but did not have any success. Although the Minister stated that the lawyer concerned had dealt with the department in a private capacity, he was not in a position to indicate the basis for the amendments.

If one studies the Minister's speech and looks at the Bill as presented, and endeavours to compare it with the Act, it is possible to see a continuity of thought. However, my point is that the Bill is being taken very much on trust, and as at any time a Bill dealing with town planning is an important measure, it must be carefully scrutinised so we are completely *au fait* with what is taking place and the reason it is taking place. We must also analyse the effect the amendments will have when they are in force.

I would appreciate it if the Minister, when replying to the debate, could go into some detail regarding the basic material used in the drafting of this measure.

THE HON. I. G. MEDCALF (Metropolitan) [9.10 p.m.]: I have been interested in this Bill because although it deals with a number of slightly disconnected matters in relation to the Act, except for clause 4 they are basically connected. However, I would like particularly to refer to clause 2 and in this regard I feel I may be able to offer some background material.

Section 20 of the Town Planning and Development Act provides that a person shall not—and I want to emphasise the next phrase—without the approval of the board, do certain things. For example, he cannot lay out, grant, or convey land, or subdivide, lease, or grant a license for a term exceeding 10 years, or sell land or grant an option of purchase except as a lot or lots.

If I could just summarise the main portion of that, it is that a person shall not do certain things without the consent or approval of the board. That is the existing provision of the Act under section 20, and that was construed by many to mean that if in an agreement to sell land a provision was inserted that it was subject to the approval of the board, it was perfectly legal provided the board subsequently gave its consent.

There were two schools of thought about this. One maintained the view that an agreement made subject to the approval

of the board was legal if the board subsequently approved; but the other school maintained that that phrase in an agreement did not do anything, and that an agreement which had not in fact been approved was not assisted by the phrase, "subject to the approval of the board." The authority for that was a 1928 High court case, George v. Greater Adelaide Land Development Company, reported in the *Commonwealth Law Reports*. It was decided then, in a somewhat similar situation, that making the agreement subject to the approval of an authority—in that case I think, the Adelaide City Council—gave it no legality it did not have before, and therefore it would be illegal to execute an agreement in such form as it was contrary to an Act.

This was a pretty stringent provision and was interpreted liberally over the years by people who had the opinion that where town planning was concerned this phrase "subject to approval of the board" would possibly be all right.

It was held by the late Mr. Justice D'Arcy a year or two ago, in the light of the High Court case to which I referred, that it was still illegal to enter into a contract with such a condition. If a person entered into a contract to sell land except as a lot or lots, without the approval of the board, then the contract was illegal. This occasioned the passing of the 1967 amendment.

That is the background. The particular High Court case to which the Minister referred was another case, heard in about 1966, in which the facts were quite different. In that case, a large shopping centre had been erected at Melville and the original developer had sold the property to one, Hughes. Before the property was sold, a number of leases for periods of 10 years were entered into by the original developer and the property was sold subject to these leases.

Shortly after the new owner took possession, some of the tenants gave notice or left the premises. They left the new owner high and dry; simply walked out and said that they did not propose to go on with their leases. Hughes, the new owner, sued the tenants under their contracts of lease with the original developer, and he sued them for the balance of rent owing under the terms of the lease less the rent which he had been able to recover after he had relet the premises. In other words, he minimised his damages and sued for his loss.

One of the defences raised by one of the tenants in this case was that the lease not having been approved by the Town Planning Board was illegal. One would think at first glance that it could not be illegal, because it was a lease for 10 years only, but the lease contained a clause which said that at the conclusion of the lease, the tenant may hold over and, if he held over after the end of the term on a license to use the premises, he would hold over as a monthly tenant.

Because of the existence of the license which was the holding over—it was just one clause in the lease—the tenant claimed that the contract was illegal because it contravened section 20 of the Town Planning and Development Act on the grounds that it was a lease for a period of 10 years, but contained a license which would extend the term beyond that 10 years. There were many other grounds. Many defences were put up, and this was only one of them.

The court held that the lease and the license were in the alternative in this section and that it was not possible to add on the term of the license—albeit for such a short period as a month—to the 10-year term and thereby say that one had a lease extending for more than 10 years, or a lease with a license extending for more than 10 years. The court held that it did not breach section 20; therefore the lease was not illegal; and therefore the tenant had to pay the rent.

That was the decision of the court. From a town planning point of view this particular case did not really have any great significance at all. It was only a technical defence which was raised in order to try to avoid liability under the lease.

The effect of the amendment in clause 4 is to bring in a license such as that—and there could be other forms of license—and to bulk the license in with the lease so that in a similar situation one would add the license for, say, the extra month onto the 10-year term. If one had a lease for 10 years with a license, one would now have to obtain the approval of the Town Planning Board.

That is really the basic reason behind the amendment in clause 4, as I understand it, based upon the Minister's reference to that case.

THE HON. L. A. LOGAN (Upper West—Minister for Town Planning) [9.20 p.m.]: I am indebted to Mr. Medcalf for his explanation of the Bill. I could not describe it in the same manner as he did, but I only wish to say in simple terms that the intention of the measure is to make sure that the lease and the license, bulked together, are only for 10 years. It will not be possible to have a lease for nine years and a license for three years which, combined, would go past the 10-year period. In effect, they are being bulked together so that, together, the period is not more than 10 years. Is that correct?

The Hon. I. G. Medcalf: Yes.

The Hon. L. A. LOGAN: With regard to the second part of clause 2, it has been found with respect to a person

purchasing subject to certain conditions that the contract was going on *ad infinitum*. The purpose of the provision is to be sure a timetable—a period of six months—is in the agreement between the owner and the purchaser to ensure that the purchaser is not strung along for an indefinite period. To my mind it is fair enough that there should be a terminal date for the person who is doing the contracting or purchasing.

Clause 3 provides an amendment to subsection (1) of section 20B. Members will recall that the Act was amended in 1967 by the addition of a new section 20B which allowed, non-retrospectively, the conclusion of an agreement to sell a portion of an unsubdivided lot if the agreement was made subject to the condition that the Town Planning Board's approval of the subdivision was first obtained. All that is proposed by the present amendment is that not only an agreement to sell, but also an agreement to lease, will be subject to the same conditions; that is, the same conditions will apply to a person who leases as apply to the person who sells.

The last amendment in the Bill is more of an administrative nature than anything else. At the moment the plans of subdivision for a lot or lots have to go to the Town Planning Board for the chairman to sign a second time. This is unnecessary and is a waste of time. Consequently, it is proposed to take the stipulation out of the Act in order to speed up subdivisional procedures.

I think that covers the situation. Although the amendments are minor they are fairly important within the overall structure of the Town Planning and Development Act. I trust that members are satisfied. I have tried to do my best to explain the purpose of the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Town Planning), and transmitted to the Assembly.

MECKERING DISASTER

Inadequacy of Relief: Motion

Debate resumed, from the 3rd April, on the following motion by The Hon. N. E. Baxter:—

> That in the opinion of this House, the contributions by the State and Federal Governments to provide relief to the people of the State, particularly Meckering and surrounding districts, for losses suffered as a result of the earthquake disaster which occurred on 14th October, 1968, were totally inadequate, and requests both Governments to reconsider the problem and make further greater contributions; furthermore, this House registers its disapproval of the assessment, allocation and distribution of the Lord Mayor's Relief Fund.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.25 p.m.]: When Mr. Baxter concluded the speech he made when introducing the motion I thought to myself that I probably would not have to make the speech I am about to deliver; because, Mr. President, you will recollect that when you put the question that the motion be seconded there seemed to be a reluctance in the Chamber actually to second the motion moved by the honourable member. If support for Mr. Baxter's motion can be adjudged from the reluctance demonstrated to second the motion, then I cannot see the motion getting very far. However, it was seconded in order that some further debate could take place and it is now my task to offer some comments in connection with the motion moved.

It is as well for me to enlighten Mr. Baxter on some points. Indeed, I think that if he had had full information on some of the points, perhaps he might have altered considerably the tone of his motion.

I want to make it quite clear that I had no personal association with the event which took place in the State on the 14th October last year, and the facts I am about to relate to the House have been supplied to me by those who are in a position to supply the information as the opportunity has been given to them to make a study of the speech made by Mr. Baxter.

It is perfectly true to say that the people of Western Australia undoubtedly will remember the occasion of the 14th October for a long time to come. Each and every one of us has personal experiences related to the day in question; namely, where we were, what each one of us was doing, and that sort of thing.

The last time I personally remember anything of the same nature—and it certainly was not as significant a shake as this one—was during the war, in 1941. At the time I was with an R.A.A.F. unit at Geraldton, which town suffered fairly badly from the earthquake which occurred in that year.

I have been informed that until 1954 when an earthquake occurred in Adelaide, the comprehensive household policy issued by insurance companies did contain a clause covering earthquake damage. In the following year the clause was removed from all policies. Possibly those who were

insured were notified of this change. Probably the companies then endeavoured to have their clients pay an additional premium to cover earthquake. However, I am sure it is appropriate to say that earthquake insurance was, to say the least, quite a difficult commodity to sell in Western Australia in the light of the comparative lack of past experience in regard to earth tremors. As I have said, the known record of earthquakes of a major nature was probably limited to the one which occurred in the State in 1941.

In latter years the earthquake clause has been reinserted in comprehensive household policies, particularly in the metropolitan area and perhaps because of competition. In some instances earthquake insurance had been taken out, either accidentally or otherwise. I must confess that I checked with my own insurance company after the earthquake in order to find out whether I had earthquake insurance. Fortunately I had.

So did many other people check their policies. It was also fortunate for me that although the effect of this earth movement was felt over a very wide area, the house I own in Perth did not suffer any great damage. However, where earthquake insurance had been taken, accidentally or otherwise, it was still limited to the cover taken for fire insurance, and in regard to the area about which the honourable member has raised his complaint, one can still see the remains of the damage done to many of the brick or stone structures and the timber-framed asbestos houses as one passes through Meckering.

Fire insurance, of course, usually takes place on the basis of about 60 per cent. of the replacement value of the building. I do not know whether I have any right to say this, but this is my understanding of the position: that people do not usually insure—at least this is so in the case of a brick building—to the full value. It is accepted that it is extremely difficult for a house of brick or of masonry construction to be completely destroyed by fire. The farm and townspeople may have put their policies away, as was suggested by Mr. Baxter. This possibly took place and some had probably forgotten about them.

No-one was to blame and those who researched the basic causes came up with the answer to treat all claimants alike after the first assessment of damage was made. I think this is a fair approach. The second examination concerned the investigation of complaints and anomalies. This is governed by reports properly channelled to the administrative authority. Mr. Forrester, the President of the Farmers' Union, spoke of sweeping statements of condemnation which are easy to make particularly when the writer does not substantiate them. But a little more of that later.

The second examination is again stressed in *The West Australian* of the 28th February, 1969, in a statement issued by the Lord Mayor who said—

> All Meckering residents who had been allocated building blocks in the townsite would receive further consideration. The committee would also consider additional building grants in cases of inadequate financial resources.

For the information of Mr. Baxter I must say at the outset that Mr. Gabbedy is not chairman of the Lord Mayor's Distress Relief Fund; he is Chairman of the Government Relief Advisory Committee, appointed by the Premier, and he has occupied this position in an entirely voluntary capacity since March, 1960. As members know, he is a commissioner of the Rural and Industries Bank, and his services were made available free of cost by the chairman of his bank.

The committee comprises Mr. H. Hewitt, the permanent Treasury representative, and a third member who is appointed only for the particular disaster and whose qualifications are pertinent to the type of damage sustained. This means the third member would be different and be appointed according to the type of disaster. In this case Mr. Arthur Smith, Senior Architect of the Public Works Department Architectural Division, was appointed in relation to damage to buildings. He was the third man.

This committee, as its name implies, is responsible for the immediate relief of distress, and in this particular regard no limit is placed by the Treasurer on the expenditure the committee authorises. The committee calls on such Government departments as it deems necessary for aid either as it relates to personnel, or advice, and proceeds as quickly as possible to prepare a report of the total damage, its extent, and recommendations for its rectification.

I am relating all this to indicate to the House that, contrary to the thoughts of Mr. Baxter, a great deal was done by this committee. It went into the question as quickly as conceivably possible after the event had occurred. Not only was the action of the committee taken as soon as possible thereafter following the event, but it was necessary for the committee to follow this up, because history has it that the action of an earthquake is not in fact a single movement on one day in particular; it is followed by a number of earth shakes, not necessarily of the same severity, though even with a lesser severity of a greater consequence, as a result of the first quake.

This report to which I am referring was submitted for the information of the Government and it was subsequently placed before the Lord Mayor's Distress Relief Fund Committee. It must be realised, and

I am sure it is realised, that the Lord Mayor's fund committee is a purely voluntary organisation.

The Lord Mayor's Distress Relief Fund Committee was formed in January, 1961, when the Lord Mayor of Perth requested a group of competent, experienced, and public-minded businessmen to assist him in the distribution of subscriptions by the public for the Dwellingup fire victims.

I well remember the Dwellingup fire. I remember the day on which it took place. I was due to leave for Japan at the time. I have forgotten what day of the week it was, but two days later the Premier sent me posthaste to Dwellingup to see what the housing needs of the area were, because I was Minister for Housing at the time. I relate this because it was a terrible sight to see. We drove through the forest area very often trying to move fast enough to beat a falling tree and in an endeavour to be sure that it fell behind us.

Mr. Gabbedy is an *ex-officio* member of this committee as is also the Under Treasurer of the State. The Government Relief Advisory Committee is authorised by the deed of trust under which the Lord Mayor's Distress Relief Fund operates as the sole body to investigate claims and recommend payments.

On the 15th October Mr. Gabbedy did not suggest that a local committee be formed at Meckering. This was a request and followed a procedure which had been in existence over eight other disasters, and, as on all other occasions, it functioned particularly well.

The Hon. N. E. Baxter: Did you say Mr. Gabbedy did not suggest it be formed?

The Hon. A. F. GRIFFITH: I did. I talked about this to Mr. Gabbedy himself who told me that was the case. Is there any reason in the mind of the honourable member to doubt the truth of the statement?

The Hon. N. E. Baxter: Only the fact that I was there at the time.

The Hon. A. F. GRIFFITH: When he said it?

The Hon. N. E. Baxter: Yes.

The Hon. A. F. GRIFFITH: What the honourable member is saying is that Mr. Gabbedy is capable of telling me an untruth.

The Hon. N. E. Baxter: You can take it that way, yes.

The Hon. A. F. GRIFFITH: This is a pretty poor state of affairs. Here we have a man whom we all know and who has served on a committee of this nature for a long time.

The Hon. J. Dolan: He is an outstanding citizen.

The Hon. A. F. GRIFFITH: I was told on the 15th October that Mr. Gabbedy did not suggest that a local committee be formed at Meckering; that this was a request and followed the procedure which had been in existence over eight other disasters and, as in all other cases, it functioned particularly well.

The advisory committee is distressed to read the second paragraph of the letter written by Mr. Partridge, secretary of the Meckering Citizens' Distress Committee. Presumably the letter was addressed to Mr Baxter.

The Hon. N. E. Baxter: Yes.

The Hon. A. F. GRIFFITH: One cannot but wonder why it was not taken up until the 3rd April; why it did not find expression until then. What happened to this letter in that period of time; between the date it was written and the 3rd April, the day this motion was moved? One would think that this letter would be conveyed to the committee so that it might have an opportunity to investigate its contents. But I believe this was not done. Was it the opinion of the Meckering committee, and was it written under its direction; or was it a private opinion?

I think that is quite important in considering this aspect. I do not know the position; Mr. Baxter might know; I am afraid I did not see the letter because it was addressed to him.

Had the letter been addressed to the proper authorities I am sure there would not have been any reason for the honourable member to take up the time of the House unnecessarily. The matter would have been dealt with. I will say now, and will probably do so again during the remainder of the remarks I want to make, that maybe mistakes are made from time to time but the actions of this committee have been very prompt. Its members have given up a great deal of their personal time to attend to the needs of the people, and I think it ill behoves a member in a situation like this not to make a letter of this type available to a committee which has the task of looking into what has taken place so that it can examine the contents of the letter.

I am informed that a similar committee was set up in York and that this committee and the Government committee have met several times to discuss problems with the citizens of the town to the mutual satisfaction of both committees and to the benefit of claimants of earthquake damage.

I think it is not unfair that I should pose the question to Mr. Baxter as to whether this is within his knowledge: Was it so—since Mr. Gabbedy's word seems to be in doubt—that a similar committee was set up in York and that this committee did confer with the central committee to the satisfaction of both? Would Mr. Baxter deny this?

The Hon. N. E. Baxter: That is possibly right, at least so far as York is concerned.

The Hon. A. F. GRIFFITH: At least we have established the fact that the York end was attended to satisfactorily. I quote from a letter dated the 28th February, addressed to Mr. Gabbedy as chairman, from the Secretary of the York Relief Committee. The letter reads—

> I am directed by the chairman, Councillor R. W. Lawrance, and all the members of the committee, to convey sincere appreciation for the painstaking and unrelenting work by yourself and all officers of your staff to meet the emergency caused by this disaster.

Mr. Baxter inquiries why the advice of the local committee was not sought in the distribution of the money from the Lord Mayor's fund.

These local committees are used effectively as liaison committees, as they understand each citizen's problems; and, in this way they are able to convey those problems to and from the Government committee. I am told that Mr. Partridge did a particularly fine job of work, and he has been commended by the chairman of the Government Relief Advisory Committee; but the Government Relief Advisory Committee was not asked to meet the local committee in the discussion of local citizens' problems.

The local committee is not in any way blameworthy as, whilst the fate of the future townsite was in the melting pot, there were few problems that could satisfactorily be solved. We all know the trouble that was gone to in connection with the siting of the townsite. My colleagues, the Minister for Local Government and the Minister for Works, know a great deal about this.

The Hon. L. A. Logan: I sure do!

The Hon. A. F. GRIFFITH: I am sure we all know the indecision, or the masterly effort, that was demonstrated in respect of the choosing of the site. The only part I played in that was that I sent a geologist to look over the area to give his advice on the resiting of the town for the obvious reason that the position should be at a place where the possibility of future earthquake damage, was considered to be at minimum.

However, the history of the resiting of the town and the meetings that went with it have been made public property through the newspapers and other media and I do not think there is much to be gained by going through any more of that. Eventually, this problem was resolved only through the intervention of the Government Relief Advisory Committee, at the request of the Government. That ultimately brought it to a head.

The Hon. L. A. Logan: I finalised it myself. I issued the instructions.

The Hon. A. F. GRIFFITH: I have been asked to make Mr. Baxter aware of the discretion permitted the Meckering local committee in the alleviation of distress. Within certain limits it was given entire discretion, where and when people needed immediate help, to make payments without reference to the administrative authority. This action is a measure accorded each local committee in each local disaster. In respect of the Commonwealth's gift of the huts from the Northam Army camp, they were given free of cost to the State by the Commonwealth. Irrespective of what idle talk there has been, no statement was made that these huts were to be given free of cost to the people concerned, although the chairman of the Government Relief Advisory Committee stated that he hoped they would be. This wish was not possible; and the $500 charged each farmer was only part of the total cost of the transport and re-erection of these buildings.

The Commonwealth Government is blamed for many things, but we must be quite frank in stating that its attitude towards national disasters has been most consistent. It has stated again and again that it is not a free insurer, to which principle this Government has repeatedly subscribed. I think we have to subscribe to this principle as surely no Government can be a free insurer! There is a responsibility upon all of us who own property and possessions to take care of these by way of insurance. It makes me think of the man who insures his property to the hilt, but never takes out a cent of insurance on his own life, although it is his earning capacity that pays the premiums in respect of the insurance on the property he owns.

The $50,000 contributed by the Commonwealth Government was for the relief of immediate distress, as was also the matching grant of our Government. The Premier did state that further moneys would be made available; and this will be the case as and when it is recommended by the Government Relief Advisory Committee. Discussions with the committee convince us that it has the situation well in hand.

Rightly, it takes the view that each person's application for assistance, and the manner in which it is handled, is confidential to the claimant, but it is agreeable to discuss in detail any case in which the inquirer holds the written authority of the claimant.

It would appear that perhaps this set of circumstances has not altogether prevailed, because the honourable member was able to state cases to us of owner A and owner B, and what happened to owner A and to owner B, without any names being mentioned at all. I would like to

pose these questions to the honourable member: Did he personally make any representation on behalf of anybody to the committee? Did the honourable member write to the committee? Did he submit the name of any person who was in the circumstances which he recited to us when he moved his motion, in order that the committee could investigate the matter? Surely these questions are deserving of answers! Mr. Baxter, are they not deserving of answers?

The Hon. N. E. Baxter: I will answer when I reply.

The Hon. A. F. GRIFFITH: I am always anxious, if I am able, to supply answers to questions like that at the time, because the story gets nicely filled in. However, I will have to let this matter rest because I know you, Sir, do not like interjections.

The honourable member's complaint is that payments were made too early, or too soon. He should be well aware of the claims made during December which culminated in a public meeting in Meckering early in January, at which the Lord Mayor, members of his committee, and the Government Relief Advisory Committee promised that payments, which had been withheld for the reasons given by the honourable member in his speech, would then be made available.

There is as yet no specific instance of wrongful assessments or payments. Although there have been letters and statements saying that such assessments have been carried out wrongly, or overpayments have been made—which have been followed up immediately by the Government Relief Advisory Committee—not one person has yet come forward who is prepared to state the name of the person concerned so that the case may be investigated at first hand.

This is not an authoritative statement made by me; it is information given to me by the committee, and I feel sure I can rely on its advice. I feel sure the information I have given to the House would not be contrary to the facts.

If the honourable member is prepared to state the names of the people whom he considers have been overpaid, or underpaid, or there are such other circumstances which should be examined, Mr. Gabbedy has assured me he will immediately investigate them personally. He feels quite certain that the Lord Mayor would be a party to such investigation. However, it is a long time since the 14th October—a long time, indeed—and if these complaints have been coming forward, I am of the opinion that it was the duty of the appropriate member of Parliament to take them up on behalf of his electors and have them dealt with in the right place at the time they were made. I can only repeat that I am told the committee has not received any complaints concerning this matter.

I think it would be fair to say that if the names of those people—I have heard this sort of thing—who have had treatment more generous than they should have had are to be made known, it would be reasonable also to give the name of the informant so that the matter can be properly investigated. In the meantime, it strikes me—I think it will also strike other members of the House—that a lot of suspicion is being placed on the situation that has prevailed.

Here we have a very hardworking, public-spirited, public-minded committee, which has come under a veil of criticism. I do not think it is fair. I think it is far better to come out in the open and say, "I know that so-and-so got more money than he should have done out of the Lord Mayor's Distress Relief Fund and that he was given extraordinarily generous treatment." The Public Works building and furniture assessors are probably amongst the most skilled in this profession in Western Australia.

Possibly the honourable member and other critics are not aware that the main earthquake was through some of the oldest settled districts in the State. I am not sure, but the honourable member may be aware of this. There are houses in the area—so I am told—up to 100 years old, some of which are built of mud bat or stone.

An assessor must decide what damage is the result of old age, inferior workmanship, poor maintenance, and, in fact, the earthquake. He is not out to please the applicant. This is axiomatic. He is out to do justice, but with instructions to lean towards the aged and needy. With the unprecedented demand for renovation work, quotes must go up, and they would cover all "make good" items, whether as a result of the earthquake, old age, and/or maintenance.

The assessors have been employed in previous disasters and, naturally, there has been some questioning of their assessments, but in all cases they were subsequently rectified on the spot with discussion between the claimants, the local committee, Public Works representatives, and the Government committee. I think there may have been loose statements made about this sort of thing, but I am not sure of this. I have heard it only as the result of conversation.

May I inform the House that all members of the Government Relief Advisory Committee and their co-opted staff have done this work under stress. The hours have been long and, in many cases, they have been carrying out their own duties in conjunction with the committee work. This has been possible only by their working days being long and by their working on weekends.

It seems a paltry act to record the remarks of an assessor who is alleged to have said "I am fed up and have had it." But it is a serious statement then to say that the assessor "did a cursory assessment of the property and away he went." I think this is very important in the scheme of things; and it is so easy, as I said earlier, when one does not have to supply the facts to say, "I am told this was said," and "I understand this was the case."

Matters like this cannot be allowed to rest, and the authorities will ask that they be investigated if required. Public charity is at stake and idle statements can do a tremendous amount of harm and I want to know, again, whether the name of the informant will be supplied so that a full investigation into the situation can be made.

I trust I have now made it clear to Mr. Baxter and the House that the Lord Mayor's Distress Relief Fund Committee is an autonomous body with considerable experience in the manner of distribution of relief. Its policy in respect of payments for earthquake damage is in line with that given in all other disasters, and it eventually met with the approval of all concerned.

The resettlement of Meckering will continue for some time, but the Government's committee has its finger on the pulse of the whole situation and if left alone I am confident it will find the answer to this disaster as it has done in the past. However, it has to be allowed to continue to do its work, and if there be complaints, and if there be suggestions such as those that have been made during this debate—and the sort of suggestion that I have heard in other quarters—then let us get down to tin tacks and let somebody say that "Bill Jones is a scoundrel because he got too much." The word "scoundrel" can be left out if one likes, but give the committee an opportunity to see whether any of the suggestions are true.

The Hon. N. E. Baxter: You would not expect me to name people in the motion.

The Hon. A. F. GRIFFITH: I would not expect the honourable member to name them for various obvious reasons, and I do not think I need say any more on that.

The Hon. N. E. Baxter: Fair enough.

The Hon. A. F. GRIFFITH: I think the honourable member could have told the committee that these accusations were being made, and surely it is not too late to do it now.

The Hon. N. E. Baxter: I will explain later why I did not.

The Hon. A. F. GRIFFITH: I do think, in fairness to the people who are having these allegations made against them, that unless one is prepared to say who these people are one should remain silent, and let the committee get on with its job. I am quite serious about this. It is not as if the committee has any axe to grind; the committee is not motivated by any false attitude. The committee is there, as it has been when previous disasters have occurred, to do a job for the people who have had the misfortune to suffer as a result of the disaster.

The Hon. N. E. Baxter: I do not think the committee had any axe to grind at all.

The Hon. A. F. GRIFFITH: I am not saying that the honourable member did say that; I am merely making a statement. Let me retract the word "statement." The committee has nothing else in mind and nothing else to do but to perform its task of looking after those people who are injured as a result of this disaster, or any other disaster, and pay out the moneys raised by the Lord Mayor's Distress Relief Fund from public subscriptions within the ambit of its powers. Nobody would deny that.

It is regrettable that these matters have to be aired without full knowledge of the background. Public confidence can be shaken and it will be to the detriment of the spirit which, in the past, has made Western Australia such a splendid good-neighbour State, as far as Australia is concerned.

I am advised that there have been more unsolicited letters of appreciation received during this particular disaster with respect to the distribution of funds than have been received over all previous disasters. The Government Relief Advisory Committee and the Lord Mayor's Distress Relief Fund Committee are naturally delighted with these letters in appreciation of their efforts which would have otherwise gone unnoticed.

I can understand the feeling of the members of this committee when they are criticised without an opportunity being given to them to look into the matter when it is suggested that the committee has not acted as properly as it should have done.

May I point out to the honourable member that I understand the insurance companies prefer to pay, where possible, not on assessed damage, but on the actual making good of the damage so that there can be no further dispute later on. The Government Relief Advisory Committee is well aware of this procedure. It is also aware that if something is not done immediately there could be a great drop in the people's morale. The members of the committee move into an area immediately with, in their experience, sufficient staff, and their opinion is difficult to challenge. These men know their job and they have done the job before. They form a committee which is unique in Australia as to composition, authority, and experience.

The members of the committee were aware that further tremors could occur—perhaps one could say, would occur—and that these tremors would continue to cause

damage to the houses still standing and, naturally, in a great many cases, reassessment would be necessary. This is one of the purposes for which local committees are set up; that is, to see that there is a direct line of communication from the person who considers he has been wrongly assessed.

It might be interesting to members to know that there were 27 tremors of 3.5 or worse on the Richter scale after the fateful day of the 14th October. These occurred on 19 days, the last tremor being recorded on the 30th January. I asked one of my geologists about this phase, and he told me that Perth could have suffered considerable damage, and probably greater damage, on the second occasion if the incidence of the second quake had been near to the incidence of the first quake. This would apply particularly to Perth because of the composition of the ground. The geologist explained to me that the first shock could loosen the foundations and other shocks which followed could, in fact, be more severe than the original shock because of the loosened foundations.

To me this only adds weight to the fact that it is necessary to wait and see, in the light of experience, because reassessments would have to take place in those cases as a result of other movements. I did not know until I inquired that there were 27 tremors following the one on the 14th October. Opinion has it that the work of the assessors has not been fully appreciated and if anything has been lacking it has been in the line of communication from the complainant to those responsible.

Earlier in my remarks I think I mentioned that in emergencies or disasters such as this one invariably mistakes and errors are committed. Mistakes must occur, but what is the percentage of mistakes measured against the 900-odd claims that were investigated? The greatest mistake of all is that they have been permitted to boil over at local level. They could still be resolved by being brought, in an earnest manner, to the attention of the people vitally concerned.

That concludes my remarks on this situation, and what I have endeavoured to do is to relate to the House what has taken place; what the local committee did; what the Government Relief Committee did; and to the best of my ability to defend its actions, because I think it acted quite properly. The Government Relief Committee certainly worked very hard, and I venture to suggest that its work is still not yet complete. I can only say again that I think it behoves every one of us, if we hear of circumstances that can be referred to the committee concerning the predicament or hardship of any claimant, to bring them to the notice of that committee.

However, I cannot see the value of this motion, because all it suggests is that certain things are wrong. I think it has a tendency to put, in the public mind, a damper on the work of these committees—the Lord Mayor's Distress Relief Fund and the like—and I do not think this is what Mr. Baxter set out to do. Therefore I do not propose to support the motion, and I am bound to say that in view of the apparent lack of enthusiasm for the motion moved in its original form I think it should be defeated.

Debate adjourned, on motion by The Hon. F. R. White.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.12 p.m.]: I move—

> That the House at its rising adjourn until 2.30 p.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 10.13 p.m.

Legislative Assembly

Tuesday, the 22nd April, 1969

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

BILLS (6): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Criminal Code Amendment Bill.
2. Administration Act Amendment Bill.
3. Offenders Probation and Parole Act Amendment Bill.
4. Fisheries Act Amendment Bill.
5. Dividing Fences Act Amendment Bill.
6. Poisons Act Amendment Bill.

ACTS AMENDMENT (SUPERANNUATION) BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Brand (Premier), and read a first time.

QUESTIONS (29): ON NOTICE

PERPETUAL POOLS PROMOTIONS

Definition of Offence

1. Mr. BERTRAM asked the Minister representing the Minister for Justice:

   Would he define the offence referred to by the Premier in his answer on the 16th April, 1969 relating to Perpetual Pools Promotions?