tasks which were assigned to it. I merely say that in passing in answer to the erroneous view that is held by at least one member of this House.

The Hon. R. F. Hutchison: It is not erroneous.

The Hon. A. F. GRIFFITH: It is erroneous and, of course, quite false. I do compliment the Chief Electoral Officer and his staff and all the people who worked on the election throughout the State on the 20th February. This indeed was a completely new exercise in electoral reform in Western Australia, and I am quite certain that the task which was set the Electoral Department, headed by the Chief Electoral Officer, was performed with great care, and the result was quite outstanding.

I am sure there are some things that could be said by way of criticism. In fact, I have had some questions levelled at me and some letters of complaint have been written to me, but taking everything into consideration the task carried out by the staff of the Electoral Department on election day was indeed a credit to them. The procedure that was followed on that day will be the order of the day in future; namely, for the Legislative Council election to be held on the same day as the Legislative Assembly election.

Of course, it is pleasing to know that the electors of Western Australia, on the first occasion that adult franchise for the Legislative Council was the order of the day, showed such judgment that we on this side of the House were returned with more numbers than when we were returned under the previous franchise. Be that as it may, the numbers, no doubt, will change from time to time.

I thank those honourable members who spoke during the debate for their contributions. I repeat that, to the best of their ability, the Ministers will supply information to members on questions they have directed to them, whether they be in this House or in another place.

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.

BILLS (2): RECEIPT AND FIRST READING

1. Painters' Registration Act Amendment Bill.

   Bill received from the Assembly; and, on motion by The Hon. W. F. Willesee, read a first time.

2. State Housing Death Benefit Scheme Bill.

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

House adjourned at 11.34 p.m.

Legislative Assembly

Tuesday, the 19th October, 1965

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CONTENTS—*continued*

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

QUESTIONS (14): ON NOTICE

YORK HOSPITAL: OLD STRUCTURE

Use

1. Mr. GAYPER asked the Premier:

(1) Has any decision been made by the Government on the future of the old York Hospital?

(2) If so, what decision has been made and when will it be implemented?

Mr. BRAND replied:

(1) and (2) No decision has yet been made on the future of the old York Hospital. Investigations are continuing with a view to subdivision of the site for civil defence and historical purposes. As substantial structures are erected on the land, arrangements will have to be made for control and upkeep of these. The local authority has been requested to give consideration to the question as far as the matter affects it and a decision on the overall site will be made as soon as possible.

TECHNICAL EDUCATION AT BUNBURY

New School: Site and Construction

2. Mr. WILLIAMS asked the Minister for Education:

(1) As the present technical school at Bunbury has proved to be extremely successful and is considered to be inadequate in size for the numbers enrolled, could he advise whether it is proposed to build a new technical school to serve the region?

(2) If so, would he give any available details regarding—

(a) proposed location;

(b) acquisition of site;

(c) when construction would commence?

Mr. LEWIS replied:

(1) Yes.

(2) The acquisition of a suitable site is under investigation and until finality is reached no decision can be made as to when construction will commence.

BEER: ALCOHOLIC CONTENT

Position in Australia and Overseas

3. Mr. WILLIAMS asked the Minister representing the Minister for Health:

(1) What is the alcoholic content of beer (lager, ale, etc.) in the various States of the Commonwealth?

(2) Will he supply similar known information as in (1) with regard to overseas countries?

Effect on Keeping Quality

(3) Does the alcoholic content have any effect on the keeping qualities of beer?

Control by Legislation

(4) Is there any Statute or regulation which governs the maximum or minimum alcoholic content of beer?

Mr. ROSS HUTCHINSON replied:

(1)

	%
Western Australia	4.2
South Australia	4.0
Queensland	4.5
Victoria	4.2
Tasmania	4.2
New South Wales	4.1

In general the usually accepted figures for beers are:—

	%
Lager	3.5—4.0
Bitters	4.0—4.5
Ales	4.5—5.0

(2)

	%
Australia	4.2
England	3.8
America	4.2
Germany	4.4
Japan	4.3

(3) Yes, to some extent.

(4) No. State and Commonwealth law requires that a beverage must contain more than 2 per cent. alcohol before it is classified as an alcoholic liquor.

Effect on Road Accidents

4. Mr. WILLIAMS asked the Minister for Police:

(1) Does he and his department consider that the alcoholic content of beer has any great effect on road accidents?

(2) If so, what information can he give to support this?

Mr. CRAIG replied:

(1) and (2) There is no doubt that alcohol causes accidents. The proneness to accidents depends on the amount of alcohol taken.

PRE-APPRENTICESHIP TRAINING SCHEME

Students Enrolled and Trades Involved

5. Mr. WILLIAMS asked the Minister for Education:

(1) Since its inception, has the pre-apprentice scheme proved successful?

(2) What number of students are enrolled for this course in each technical school and in which trades?

Extension of Scheme

(3) Is it likely that there will be an extension of this scheme to other trades?

Rates of Pay and Enrolment Age

(4) What are the rates of pay in each year, including first year, at technical schools in the trades mentioned in (2)?

(5) What are the minimum and maximum ages for enrolment in these classes?

Accommodation Required

(6) Is it anticipated that extensions will be required to existing technical schools, or new schools constructed, to cater for this or any other pre-apprentice training schemes?

Mr. LEWIS replied:

(1) Firms employing apprentices from the carpentry and joinery pre-apprenticeship groups report most favourably on this form of training.

(2) Carpentry and joinery—24 pre-apprentices; and

Cabinet-making—7 pre-apprentices;

at Leederville Technical School.

(3) It is expected that pre-apprenticeship training may extend to other trades. The radio and TV trade has made provision for this form of training to start in 1966.

(4) While students are in the pre-apprenticeship group they receive no pay. During apprenticeship they receive—

Year 1—55 per cent. of basic wage.

Year 2—90 per cent. of basic wage.

Year 3—Basic wage plus £1 18s. 3d.

(5) 15 to 16 years of age on entry to classes.

(6) It is expected that some extensions may be required to accommodate the changes being made in apprenticeship training.

VICTORIA LOCATIONS 10773 AND 10774

Applicants and Allottees

6. Mr. GRAHAM asked the Minister for Lands:

(1) Who were the applicants for Victoria Locations 10073 and 10074 respectively?

(2) To whom were the blocks awarded by the land board?

Land Board: Personnel and Qualifications

(3) What are the names, occupations, and qualifications of the members of the land board in question?

Mr. BOVELL replied:

(1) If the honourable member is referring to Victoria locations 10773 and 10774, a list of 42 applicants is submitted herewith which it is requested be laid on the Table of the House.

(2) Victoria Location 10773 to Ronald Leo McMahon, of Box 62, Perenjori, W.A.

Victoria Location 10774 to James Arnett Goudge, Lawrence Herbert Goudge, John Terrance Goudge, and Adelaide Lillion Goudge all of Calingiri, W.A.

(3) Mr. E. E. O'Brien (Chairman—Retired Chief Inspector ex Lands and Surveys Dept. and formerly farmer, Morawa District).

Mr. N. G. Ranson—Chief Inspector (Lands and Surveys Dept.)

I might add here that I knew Mr. Ranson many years ago as a dairy farmer in the Rosa Brook area; and he also had close association until recently with the war service land settlement scheme.

Mr. S. T. Cannon—Farmer and President of the Shire of Perenpori, W.A.

The list of applicants referred to in (1) was tabled.

LEGAL PRACTITIONERS

Admissions to Bar, 1963-64 and 1964-65

7. Mr. HALL asked the Minister representing the Minister for Justice:

(1) How many law students studying at the University of Western Australia received their degrees and were admitted to the Bar for the years 1963-64 and 1964-65?

Country Districts: Number Practising and Inadequacy

(2) How many solicitors or barristers are operating in the towns of Albany, Bunbury, Geraldton, Northam, and Kalgoorlie, jointly as a partnership, and singly?

(3) Is he aware that persons living in the country towns referred to and other country towns are unable to get legal representation because of contract tie-up with shires and municipalities in the districts?

(4) In view of the legislation being enacted, which will enforce heavy penalties, relevant to traffic offences, will he undertake to have the matter investigated respective to legal representation at country centres so that justice can be correctly served?

Mr. COURT replied:

(1) Fifteen were admitted in the year from the 1st July, 1963. Twelve were admitted in the year from the 1st July, 1964. Degrees in each case were received at least two years previously.

(2) Albany—two firms each of two persons. None singly.
Bunbury—Two firms each of three persons. One singly.
Geraldton—Two firms each of two persons. Two singly.
Northam—One firm of two persons. One singly.
Kalgoorlie—One firm of three persons. Two singly.

(3) I am aware that legal representation may not be available locally in some country towns.

(4) No such undertaking can be given.

DRIVERS' LICENSES

Number of Holders 65 Years or Over

8. Mr. DAVIES asked the Minister for Police:

How many holders of current drivers' licenses are aged 65 years or over?

Mr. CRAIG replied:

The information is recorded separately only for drivers 70 years and over.

RAILWAY EMPLOYEES: TRAFFIC SECTION

Number and Resignations

9. Mr. DAVIES asked the Minister for Railways:

(1) How many locomotive drivers, firemen, guards, head shunters, and shunters were in the employment of the W.A.G.R. as at the 30th June for the years 1963, 1964, and 1965?

(2) How many of the above employees resigned in each of those years?

(3) How many employees under 21 years of age were guards, head shunters, and shunters as at the 31st December, 1964, the, 30th June, 1965, and the 30th September, 1965?

Guards: Number Undergoing Study

(4) How many employees were studying for guard's qualifications as at the 30th June for the years 1963, 1964, and 1965?

Appointments to Salaried Staff

(5) How many wages employees of the Traffic Section and covered by the W.A.A.S. of R.E. award were appointed to the salaried staff for each of the years ended the 30th June, 1963, 1964, and 1965?

Mr. COURT replied:

(1)

	Locomotive Drivers	Firemen	Guards	Head Shunters	Shunters
1963	671	603	455	112	218
1964	676	553	455	111	212
1965	667	520	445	100	200

(2)

1963	2	37	5	4	13
1964	4	47	4	6	37
1965	9	88	19	9	39

(3)

31/12/1964	Nil
30/6/1965	5 Shunters
30/9/1965	13 Shunters

(4)

	Wages Employees Voluntarily Studying for Guard's Qualifications	Wages Employees Studying in Departmental Time at Special Full-time Course
30/6/1963	19	18
30/6/1964	14	26
30/6/1965	3	24

(5)

30/6/1963	12 Adults, 4 Juniors
30/6/1964	13 Adults, 7 Juniors
30/6/1965	18 Adults, 8 Juniors

MINES REGULATION ACT BREACHES: PROSECUTIONS BY DEPARTMENT

Discrimination between Mine Managers and Employees

10. Mr. MOIR asked the Minister representing the Minister for Mines:

(1) In reference to answers to questions on Mines Regulation Act—Prosecutions Instituted, will he state the reasons for the discrimination in favour of the employer as revealed by his answers, that in five years 17 mine employees have been prosecuted for breaches of the

Mines Regulation Act and, although the department has been aware of serious breaches by the employer, no prosecution has been instituted during this period?

(2) Is he aware that mine managers have to demonstrate a full knowledge of the mining laws before they are issued with their certificates?

(3) In these circumstances, is it not strange that the only action taken against mine managers is to draw their attention to the relevant provisions of the Act which they have breached?

Mr. BOVELL replied:

(1) There has been no discrimination in favour of the employer. In the past five years only one case has occurred where prosecution of a mine manager has had to be considered. In this case, after serious consideration, it was decided to issue a stern warning to the manager concerned. This had the desired effect.

(2) The manager of a mine is not required to hold any certificates or demonstrate a full knowledge of the mining laws. The underground manager of every mine employing 25 or more men underground must be the holder of a First Class Mine Manager's Certificate of Competency. To obtain this certificate, the underground manager must be at least 25 years of age, have had at least five years' experience in mining, hold the Diploma in Mining from the School of Mines of Western Australia, and pass an examination in mining law.

(3) No. It is repeated that there was only one case in the past five years where prosecution of a manager had to be considered. In the case of employees, a prosecution has not automatically followed every breach of the Mines Regulation Act and regulations.

PNEUMOCONIOSIS: PREMIUM RATES

Inadequacy from 1952

11. Mr. MOIR asked the Minister for Labour:

(1) Will he state why the premium rates for pneumoconiosis were kept at such a low figure after the reduction took place in 1952 when it should have been apparent that the premium rates charged were not adequate to maintain a reasonable reserve in the fund?

(2) As the S.G.I.O. is the sole insurer of this risk of the mining industry, was it not possible to have a suitable agreement with the employers on this point?

Increases

(3) Have the premiums been increased? If so—

(a) when were they increased;

(b) what was the amount of the increase;

(c) what amount of revenue will this represent;

(d) will this increase be sufficient to meet current liabilities;

(e) who authorised the increase in premiums;

(f) were any proposals previously submitted by the S.G.I.O. to increase the premium payments; if so, why were they rejected?

Mr. O'NEIL replied:

(1) The Premium Rates Committee appointed under the Workers' Compensation Act determines the maximum rates which may be charged. This committee is not required to give reasons for its determinations.

(2) No—the maximum premium rate is subject to fixation by the Premium Rates Committee. The S.G.I.O. charges the maximum rate permissible for industrial diseases.

(3) (a) Following a series of reductions in the premium rate from that prevailing prior to the 1st July, 1953—namely 80s. per centum—an increase was agreed to as from the 1st January, 1965.

(b) An increase of 20s. per centum was approved making the current rate 40s. per centum, as from the 1st January, 1965.

(c) The S.G.I.O. currently calculates that each 1s. per centum represents approximately £2,820 per annum. On this basis the increase in revenue should be in the vicinity of £56,400 per annum.

I would interpolate here for the benefit of the honourable member to say that the reason the word "currently" is used is that with a variation in the mining wages bill, each 1s. per centum could result in a different income annually.

(d) A current submission by the S.G.I.O. for consideration for a further increase in premium rates would indicate that at

least in the opinion of that office the current rate is inadequate.

(e) The Premium Rates Committee.

(f) Requests for increases on the 15th December, 1959, the 23rd September, 1960, and the 11th September, 1964 were declined. (A request for an increase on the 11th September, 1964, was agreed to in part). As stated in answer to question (1) above, the committee is not required to give reasons for its decisions.

At its next meeting, the Premium Rates Committee will give consideration to a request from the General Manager, S.G.I.O. for an increase to bring the maximum rate chargeable to 60s. per centum.

TRAINEE NURSES

Academic Qualifications

12. Dr. HENN asked the Minister representing the Minister for Health:

(1) What are the minimum academic standards required by Government teaching hospitals throughout Western Australia before trainee nurses may commence?

(2) Is any consideration being given to raising these present academic requirements; if so, why?

(3) Is it a fact that Junior music is acceptable as a subject, whereas art of speech is not; if so, why?

(4) Why is it considered necessary to have history or geography as a compulsory subject?

(5) Are languages such as Italian, French, German, Dutch, and Latin or other European languages acceptable?

(6) Have individual teaching hospital matrons discretion to vary the minimal required academic standards for entrance to nursing?

(7) As the noble profession of nursing has, in the past, always required for its members the humanitarian qualities of devotion to duty, commonsense, compassion, and compatibility, will he make sure that these basic requirements are not superseded by senior academic qualifications?

(8) Will he review the whole system of recruitment of nursing trainees in Western Australian hospitals, in view of the large numbers that are being rejected as unsuitable for training?

Mr. ROSS HUTCHINSON replied:

(1) A Third Year High School Certificate of the Education Department with passes in five subjects selected as follows—

(a) English.

(b) One of—
Arithmetic,
Maths "A", or
Elementary Maths.

(c) One of—
History,
Geography,
Social Studies "A", or
Social Studies "B".

(d) Two other subjects from the following list—
Science A
Science B
Physics
Chemistry
Biology
Physiology and hygiene
Home science
Art
A Foreign language
Music
Algebra
Geometry
History
Social studies or
Scripture,

or such other qualifications as the Nurses' Registration Board deems to be an equivalent or higher qualification.

Although the above is the minimum acceptable to the Nurses' Registration Board, schools of nursing give preference to applicants with higher educational qualifications.

(2) Yes—to meet increasing skills and demands of nursing.

(3) Yes. Art of speech is not considered a sufficiently wide subject. It is not accepted for matriculation, whereas music is.

(4) Student nurses today should have some social science in their general education on which to base their nursing studies for the understanding of their patients' needs.

(5) Yes.

(6) Individual schools of nursing may vary the entry standards for their own schools depending on the quantity and quality of recruits presenting themselves, provided they do not accept candidates below the minimum standard set by the Nurses' Registration Board—see (1) above.

(7) Yes.

(8) There is no evidence that there are large numbers being rejected as unsuitable for training bearing in mind that applicants for nursing with lower qualifications can train as nursing aides.

13. Mr. TONKIN asked the Minister representing the Minister for Health:

(1) Has he read the several letters recently published in *The West Australian* wherein correspondents complained that their daughters were excluded from entry to the nursing profession because their passes in the University Junior examination did not include the subject of geography?

(2) Is the position exactly as stated?

(3) What are the qualifications for entry to the nursing profession?

(4) In what way and upon what specific considerations were the compulsory subjects decided?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) No.

(3) A Third Year High School Certificate of the Education Department with passes in five subjects selected as follows—

(a) English

(b) One of:
Arithmetic
Mathematics "A", or
Elementary mathematics

(c) One of:
History
Geography
Social studies "A", or
Social studies "B"

(d) Two other subjects from the following list:
Science "A"
Science "B"
Physics
Chemistry
Biology
Physiology and hygiene
Home science
Art
Foreign language
Music
Algebra
Geometry
History
Geography
Social studies or
Scripture

or such other qualifications as the Nurses' Registration Board deems to be an equivalent or higher qualification. Although the above is the minimum acceptable to the Nurses' Registration Board, schools of nursing give preference to applicants with higher educational qualifications.

(4) The subjects were selected to ensure that candidates have the necessary basis on which to build attitudes, knowledge, and skills required of nurses and as an indication of a sufficient capacity to complete training.

PASTORAL LEASES: ORD RIVER AND TURNER STATIONS

Regeneration Scheme: Fencing and Return to Lessees

14. Mr. RHATIGAN asked the Minister for Lands:

(1) Has fencing been completed on the regeneration scheme on the soil-eroded areas of the pastoral leases held by Ord River Ltd. and the Turner Grazing Co. Ltd.?

(2) What was—

(a) the cost of fencing to the 30th June, 1965;

(b) the cost to the Government in salaries paid to departmental officers engaged on this project, and all other expenses incurred by the Government;

(c) the area of land involved, and when will the project be finished?

(3) Is it the intention of the Government to return this land to the present lessees and, if so, at what cost to them, and the total cost to the Government?

Mr. BOVELL replied:

(1) Yes.

(2) (a) £110,000.

(b) Salaries and allowances £59,000.
Other £70,000.

(c) 1,200 square miles.
It has been estimated that a team of workers will need to be kept on the project for another 10 years at an annual cost of £30,000.

(3) Lessees have applied for renewal of leases, but the future long-term use of the area remains for negotiation.

QUESTIONS (4): WITHOUT NOTICE

STUDENTS: EXCHANGE ON SCHOLARSHIP BASIS

Government Scheme: Investigation of Possibilities

1. Mr. HALL asked the Minister for Education:

In view of the answers given to questions asked by me on Wednesday, the 13th October, 1965,

pertaining to exchange of students within the Commonwealth or outside, would he be prepared to take the matter up with the Government with a view to implementing such a scheme emanating from this State, bearing in mind the impact of the news that Prince Charles is to be an exchange student with a student from the Geelong Grammar School, Victoria; and bearing in mind the goodwill that must flow from such an action?

Mr. LEWIS replied:

I am prepared to have this matter re-examined in order that I may determine whether there is any merit in the honourable member's suggestion. I would say that the fact that Prince Charles proposes to go to school in Victoria would have no, or very little, bearing on the matter.

BEER: ALCOHOLIC CONTENT

Reduction

2. Mr. GRAYDEN asked the Minister for Police:

Arising out of the replies which were given earlier to the member for Bunbury—

(1) Has any consideration been given to the desirability or otherwise of introducing legislation to reduce the alcoholic content of beer in Western Australia?

(2) If so, is the Minister in a position to comment on the matter?

Mr. CRAIG: I think this question should be directed to the Minister representing the Minister for Health.

Mr. ROSS HUTCHINSON: In reply to the member for South Fremantle—

Mr. Graham: The wrong football team.

Mr. Hawke: I think the alcoholic content should be reduced.

Mr. ROSS HUTCHINSON: in reply to the member for South Perth—

(1) To the best of my knowledge, no consideration has been given by Cabinet to a reduction in the alcoholic content of beer, although some consideration has been given to a reduction in the alcoholic contents of spirits; but no decision has been made to reduce the alcoholic content in spirituous liquors.

(2) I have no comment to make on the matter. If the honourable member has any particular question to formulate, he should put it on the notice paper and I will see that an appropriate answer is obtained for him.

WATER SUPPLIES IN COUNTRY AREAS

Disposal between Individuals: Legality

3. Mr. CORNELL asked the Minister for Water Supplies:

In a letter written recently to a constituent of Mt. Marshall, the Under-Secretary for Country Water Supplies had this to say—

In case you are not aware of it, Section 71 (2) of the C.A.W.S. Act makes it an offence for any person to dispose of water to another person, either directly or indirectly.

This is the gem of the assertion—

This, of course, covers stock held in the name of individuals or partnership. This means that water supplied to say "Bill Smith" must not be used for stock belonging to say "Bill Smith and Sons".

In view of this interpretation, all those farmers who have formed family partnerships—and I think some members of Parliament are in this category—are either wittingly or unwittingly breaking the Act. What has the Minister to say about this?

Mr. Tonkin: That would not matter to this Government.

Mr. ROSS HUTCHINSON replied:

I will take this matter up with the under-secretary and will discuss it at a later stage with the honourable member.

SUPERPHOSPHATE COMMITTEE'S REPORT

Missing Appendix

4. Mr. CORNELL asked the Minister for Industrial Development:

The report of the interdepartmental committee on superphosphate has this to say at page 36—

The map at Appendix IV shows the centres selected as possible locations for future depots.

Appendix IV is missing from the copy the Minister was good enough to supply to me and to the Merredin committee. Could it be made available to me and also to the committee?

Mr. COURT replied:

I am not aware of the actual appendix to which the honourable members refers.

Mr. Jamieson: It has been removed.

Mr. COURT: In which case it should have been referred to the Minister for Health. I will have a look at the question and let the honourable member know.

BILLS (2): THIRD READING

1. Painters' Registration Act Amendment Bill.

   Bill read a third time, on motion by Mr. Graham, and transmitted to the Council.

2. State Housing Death Benefit Scheme Bill.

   Bill read a third time, on motion by Mr. O'Neil (Minister for Housing), and transmitted to the Council.

ELECTORAL DISTRICTS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 14th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [4.57 p.m.]: It was expected that sooner or later the Government would introduce a Bill for the purpose of amending the Electoral Districts Act. If it had not been for the action of the Opposition in directing the Governor's attention to what was happening, it would have been later, and very much later. However, the Bill is here.

I am wondering how much reliance we can place on what we are told by Ministers when Bills are introduced, because I well remember that when the Electoral Districts Act Amendment Bill was introduced some years ago the House was informed that any future redistributions of seats would be automatic, and *The West Australian* came out with a leading article applauding this particular feature and mentioning it was its desire that in future this principle would never be forgotten.

We have lived to learn that it was not automatic at all; and it cost the Opposition a lot of money in order to establish in the court that as the Act stood there was an obligation upon the Governor to issue a proclamation once a report had been received by the Minister from the Chief Electoral Officer. There was no doubt about the judgment in the court; that obligation did exist. The Government sought to avoid it at the time by arguing that, although there may have been such an obligation, it was discharged by the proclamation which had been issued before the Hawke Government left office, and which was subsequently cancelled.

Whilst I never at any time accepted that view, I can see that there were some grounds for argument. But in the present case there are no grounds for argument, because the report of the Chief Electoral Officer had been issued and no action had been taken in the direction of advising His Excellency to issue a proclamation. So it was left to us to emphasise that the law was not being observed and that because it was not being observed, Her Majesty was being placed in the position of breaching her coronation oath, because she, upon accession to the Throne, had taken an oath to observe the laws of the realm; and the Government, in failing to observe the law, left Her Majesty in the position of not observing the law, which position, of course, was completely untenable.

No doubt the Government realised that situation, and so felt it had to get busy to bring a Bill to Parliament to give effect to a redistribution, and this is it! I listened very carefully to my colleague, the member for Beeloo, on this matter and I found myself in general agreement with his expressions of opinion, but on one matter I have a very different opinion and one of us is wrong. No doubt we will find out in due course which one is wrong.

It is an important point and it must be cleared up in order that we shall know where we are going. The basis upon which representation is decided in Western Australia is not on a basis of pure democracy; that is, one vote one value—which ought to be the ultimate objective, and maybe one day it will be—but it is upon the basis that two voters in the metropolitan area shall have the voting strength equal to one voter in the country districts.

I do not quarrel with that basis of representation in Western Australia, because this is a very vast State; the people in the outback have communication difficulties; their community of interest is different; and therefore I have no objection to their having a louder voice in the government of the country than the person in the metropolitan area. But I do object, most strenuously, to a person in Kelmscott being regarded as different from a person in Gosnells. That position is indefensible when we are speaking of the true representation of the people of Western Australia. In fact, whilst that position exists the title of the Bill is laughable.

If one has regard to community of interest; difficulty of communication; and distance from the capital city, what possible argument could there be for giving a person in Kelmscott twice the voting power of a person in Gosnells? The interpretation placed on the Bill by the member for Beeloo was that it was still left open to the commissioners to vary the area if they thought it advisable. In other words, the commissioners could extend or reduce the Metropolitan Area according to their wishes if they felt it was necessary. However, I find no such power in the Bill.

I believe all the Bill contains is a power to add or to subtract from the electoral districts within the area, but it does not contain any power to add or subtract from the metropolitan area as such, or the country districts as such. I come to that conclusion because, in the existing law, section 8 provides—

> In the exercise of the powers conferred on the Commissioners, but subject to the proviso to subsection (2) of the next preceding section, the boundaries of the several areas and Electoral Districts described in the Second Schedule hereto may be modified by the Commissioners by excising portions thereof, or adding other portions of the State thereto, and Electoral Districts may be designated or redesignated.

That is perfectly clear. The electoral commissioners may alter the boundaries of the several areas, and the several areas mentioned in the schedule are the Metropolitan Area, the North-West Area, and the Agricultural, Mining and Pastoral Area.

No such power is to be retained by this legislation, because it seeks to repeal that section and, in its place, to provide this section—

> Subject to subsection (2) of this section, in the exercise of the powers conferred on the Commissioners by this Act, the boundaries of the electoral districts contained in the Metropolitan Area and the Agricultural, Mining and Pastoral Area described in section four of this Act may be modified by the Commissioners by excising portions therefrom, or by adding other portions thereto and the electoral districts may be designated and redesignated.

To me that means that the power of the commissioners to modify districts is confined to electoral districts and does not extend to the areas. I want a declaration on this point from the Government. My reading of the Bill is that it fixes, until there is an amendment, the area of the Metropolitan Area for so long as the Act remain unaltered, and, irrespective of the change of population within that area —that is, an increase or decrease—and irrespective of an increase or decrease of the population outside it, the commissioners have no power to alter the boundaries of the area designated the Metropolitan Area and the area designated the Agricultural, Mining and Pastoral Area.

If that is so—and I have no doubt that it is so—it is a very important departure from the existing legislation, and the result will be that a smaller quota must be determined for the true Metropolitan Area than otherwise would be the case. Later on that could have an effect on the fractions and the seats to be allotted to each area. If we are honest about this situation we cannot find a just reason for treating the people who live between Gosnells and Armadale different from the people who live between Gosnells and Perth. What is 20 miles today with modern transport? It is only a matter of minutes. One can make a trunk line telephone from Perth or Fremantle to a person in Kelmscott or Gosnells just as easily as one can call a person in Subiaco.

What is the difference in community of interests? A large number of people who live in Kelmscott work in the city, together with members of their families. Their water rates and their electricity charges are the same as those paid by the people in the city; so what justification can there be for saying that people living so close to the capital city—such as at Kelmscott—shall be classified the same as the people who live in Albany, or who live in a town on the Great Southern, or on the goldfields, and that they shall have twice the voting power of the person who lives in the city proper?

If we believe in democracy and true government there is not a single argument to support this proposition. I would not hesitate to grant to people in the country districts, who have to travel long distances, who have communication difficulties, and so on, stronger representation; and two to one is very strong representation. However, to extend it to the people who live practically in the metropolitan area, within a few miles of the city, is, in my view, a patent gerrymander, and I assert it is done deliberately to achieve political advantage for certain seats, and as such cannot be upheld by any true believer in democracy.

Of course, if one wants to introduce a Bill purely for party-political purposes, this is the way to do it. Load the vote in certain areas to ensure that certain seats will remain with the Government! That has always been known as gerrymandering and, precisely, that is what this is! It is deliberately amending the law to remove from the commissioners their discretion to alter the Metropolitan Area and to make that area a fixed one and to limit it where it is. I register the strongest possible objection to that procedure. It is completely without justification, and cannot be defended on any score, except for party-political purposes.

So it ought to be known that that is the reason for the Bill: the reason that has been given by Governments down the ages who wish to use their numbers to gain political advantage. I felt that as the Act now existed it did not encourage the commissioners to make many alterations to the Metropolitan Area, but at least it gave them some discretion. This Bill, however, even takes that away and, in effect, it says to the commissioners, "Never mind what you think about the community of interests; about the distance from the

capital; about the communication difficulties. and so on. Never mind about that! We are telling you that this is the Metropolitan Area, and you have to make your seats within that area."

Why do we have a different idea of what the metropolitan area ought to be for electoral purposes compared to what it ought to be for other purposes? If one is thinking of the Licensing Act when one wishes to obtain a drink as a *bona fide* traveller, one's thoughts do not turn to Gosnells or to Kelmscott. The area is laid down wherein one can obtain a drink. If one wants to travel in a motorcar at a speed beyond that set in the area prescribed by the Traffic Act, one does not have to abide by the limit as far as Gosnells and then step on it when going through Kelmscott. Definitely not! One will see a notice near the perimeter of the metropolitan area prescribed in the Traffic Act advising one that that is the end of the metropolitan area.

But we will not see one of those signs at Gosnells. We will have to go the regulation distance from the city before we are free to exceed 35 miles per hour. When it comes to voting, however, it is a different proposition altogether. One is out of the metropolitan area for purposes of voting, when one gets to Kelmscott. Can anything be more ridiculous? I regard this as a blot on this legislation.

It is a pity that the Government, having been so reasonable about the majority of the provisions in the Bill, has had to fall down so badly with regard to this. Surely we are advancing as a democratic country, and surely we ought to get closer and closer to democratic principles, instead of getting away from them; and this provision does get away from them.

I am glad the Government has seen fit to write into the Bill words which purport to mean—and I put it that way, because one never knows where one is when it comes to the time to consider Statutes later on—that it will be obligatory upon the Government to have a redistribution within the time mentioned in this measure. I have a feeling here and now that somebody will find some way around this when it suits the Government to do so. However, there it is for the time being. I have not had the time to give it all the study I would like, but I am still sceptical about it all the same, having regard to a number of previous Bills that have been introduced, and assurances that have been given from time to time. There is no need to mention them now, but I could if I were requested to.

I agree with the member for Beeloo that there is no need to wait six months to start a redistribution going when it becomes obvious that the number of seats required are out of balance. Who benefits from that? It does not take the Chief Electoral Officer all that time to send the figures forward. He knows the disposition of the seats within a matter of hours. Why should he have all that time to send in his report? He might even forget to make it. If we give him six months it might slip his memory.

Mr. O'Neil: Under the present Act he does not have to make a report.

Mr. TONKIN: I think he does; but that is another point on which we could spend pounds arguing.

Mr. O'Neil: The amending Bill makes it incumbent on him to report.

Mr. TONKIN: But the period is too long.

Mr. Court: I do not think you will ever forget.

Mr. TONKIN: That does not make any difference, because the Government will take no notice. I would say that a much shorter time is requisite. When a member realises there is to be a redistribution he is entitled to know what his new boundaries are likely to be. They are not his property, of course; but if he aspires to remain in politics he should be given an opportunity, the same as anybody else who wants to take his seat from him, of knowing as early as possible what his new district will be, so that he can adjust himself to the new conditions.

He might realise after a redistribution takes place that he has no chance of holding his seat. Why not give him a chance to make some other arrangements to get out, instead of holding him in suspense, and giving him a shorter time to rehabilitate himself? I am talking now for members much younger than myself; those who might have left important jobs where there might have been a chance of promotion, in order to play their part in the government of the country.

I do not care how good a member might be, or how strong his personality, a drastic alteration in boundaries can deprive him of his seat. I would not care who went to Nedlands, he would have no hope of defeating the Liberal member in Nedlands. But I would invite the present member for Nedlands to come down and try himself in Melville. So areas do make a difference; and if there is a drastic alteration of boundaries, any area that might have been a safe seat for years for one party, could become a blue ribbon seat for another. Why delay that decision when it is obvious that it is going to take place because of a pending redistribution? Why not make it early?

Who loses if it is made early? On the other hand it is an advantage to a number of people. Since, to me, there does not appear to be any argument against it, though there is substantial argument for it, I would hope this might be done; that the decision will be made early. It seems to me that all that is required is

to give the Chief Electoral Officer a reasonable time to enable him to make the change.

Of course, I am not so naive as not to know the reason for this. It is to give a Government which has come back with a slender majority an opportunity to consider a gerrymander if a redistribution is imminent.

Mr. Brand: How can that be?

Mr. TONKIN: I will tell the Premier how it can be. The Premier can say to his Minister in charge of the Electoral Department: "Ascertain from the Chief Electoral Officer what the state of the rolls is; how many seats are out of balance." He could do that two or three days after the election. He sees a redistribution under the existing law is imminent and feels he had better change the law. So he decides to prepare legislation and get busy before the Chief Electoral Officer makes his report in six months. So he can have the law altered before the report comes forward thus making it unnecessary for him to make it on a new basis.

That, to me, seems to be the only reason why such a provision is included in the Bill. Do not tell me that it will take the Chief Electoral Officer six months to get this information to the Government!

Mr. Jamieson: It will not take him six hours.

Mr. TONKIN: It is obvious to me that this is to give a Government an opportunity to do something before it is obliged to do so; because it has irked the Government to be pushed into this Bill, and accordingly it wants time to manoeuvre and to think about it. That is the reason for this provision. That being so, of course, it can be expected that the Government will hang pretty tightly to the provision. It will not be able to advance much argument in favour of it, but nevertheless it will hang pretty tightly to the provision. If in fact the Bill does ensure that a redistribution will take place for certain when the requisite number of seats is out of balance, then it is certainly an advantage to be gained, and is to be welcomed. To that extent I approve of the provision.

I do not quarrel with the addition of an extra seat; I do not think it means a great deal one way or another. But it gets the Government off the hook with regard to taking a seat away from the country and giving it to the metropolitan area, as would have been inevitable under the existing legislation. That would have been unpalatable to the Country Party members of the Government and, accordingly, the Government followed the same practice as it did with the Ministers. Instead of taking a Minister away from the party with the lesser number it appointed additional Ministers. That is what has happened here. Instead of shifting a seat from the country into the metropolitan area, and retaining 50 seats, the Government says to the Country Party, "You can retain the numbers you have, but the figures show the metropolitan area should have another seat, so we will increase the number of members to 51."

That, of course, is the easy path, and that will attract the members of the Government, because they like the easy way out of these things. When they are in difficulty they like to take the easy way out. Whether it is the right way does not matter.

We can see what has happened with regard to the fixing of the Metropolitan Area. There is difficulty there. Instead of doing the right thing, the Government did the easy thing, and limited the Metropolitan Area. So that takes away the protest which would come from certain quarters about any proposal to apply properly the representation agreed upon. What does that matter? What does the principle matter, when it becomes a question of expediency?

I well remember the Deputy Premier in the McLarty-Watts Government when he was talking on the Electoral Districts Bill —he did not introduce it, of course—saying that it was important to put principle before expediency. He must have forgotten about that precept altogether when he was faced with the necessity of carrying out the law; because although he did give an assurance to the House that if the House failed to amend the law the obligation would be on the Government to issue a fresh proclamation, he argued most strenuously against that obligation and said it did not exist.

So it is little occurrences like that which have shaken my faith considerably over the years, and I accept with the greatest of caution statements made by Ministers in explaining Bills and assurances so glibly given. Under the existing law a redistribution is required; and this Bill, if passed, will ensure that a redistribution takes place, but on a somewhat different basis.

I very much doubt whether there has ever been an occasion previously in the State's history when members generally had so little idea about what is likely to happen under such legislation. Generally it has been possible to assess the situation reasonably accurately and to feel that it favours this side, or that it favours that side, in certain areas. But it would be difficult now for anybody to make a very firm statement as to what the real result of this will be.

I think that is a good thing. I think it is one of the points in favour of the legislation: that it cannot be said that it was, generally, deliberately framed to achieve a certain result. The only exception I make is with regard to the fixing of the boundaries of the metropolitan area,

and giving people who are really in the metropolitan area twice the voting power of people within the boundaries mentioned. That is the bad blot, in my opinion, and cannot be defended in any way. It is patently a gerrymander and, for that reason, must be regarded as detracting from the merits of what otherwise might be characterised as reasonable legislation.

I support the Bill in the hope it may be possible to effect some amendments that the Government would agree are right and proper in order to do the right thing; and that the Government might be prepared to make amendments in order to achieve a better Bill.

MR. COURT (Nedlands—Minister for Industrial Development) [5.31 p.m.]: I thank the two members for the contribution they have made to the debate on this Bill, which is important to all members of Parliament; and; in fact, even more important to the public who elect members of Parliament.

I want to challenge the honourable member who has just resumed his seat—the Deputy Leader of the Opposition—with the fact that there are no shrewd or smart intentions under this legislation. The Minister for Justice, when assisting in the preparation of the notes, went, I think, as far as he humanly could to make sure that the provisions in the Bill were clearly stated. He discussed them with me, because of the Premier's insistence that this was a particular type of legislation that should be clearly enunciated; and I do not think, having re-read my notes, and having heard both members speak, that the Government has failed in any paricular to make it clear what the legislation intends.

First of all, I wish to deal with the remarks of the member for Beeloo, who went through the Bill in a studious way—obviously he had studied it very carefully—to give the House his impressions on what he thought it was intended to do. In the main he summarised it fairly and effectively; and there is only one point I wish to make clear so there will be no misunderstanding. I refer to the point on which the Deputy Leader of the Opposition dwelt at some length, taking a slightly different line from that taken by the member for Beeloo. I refer to the question of clause 5 and the metropolitan boundaries.

There is no secret in this; and there is no attempt by the Government to try to mislead as to what this legislation intends. The commissioners shall use the boundaries for the metropolitan area as were set out in the *Government Gazette* dated the 14th December, 1961. The particular provision says—

> It shall regard—
>
> 1. The metropolitan area as the area described as such in the final recommendations of the commissioners published in the *Government Gazette* dated the 14th day of December, 1961.

If there is any suggestion that this might not be the Government's intention, I want to make it clear it is the Government's intention, so as to have a firm starting point for the whole operation of the machinery of this legislation, that the Metropolitan Area will be those boundaries.

The honourable member would be on safer ground in making the allegation of gerrymandering—I am refering to the Deputy Leader of the Opposition and not to the member for Beeloo, who did not make it—if the Government had, at the same time, brought in a provision which said that this is the metropolitan boundary and this is the number of seats for all time that will be in it. That has not been done; nor is it the Government's intention. The Government has tried to set out in clear terms the boundaries for what is known as the Metropolitan Area; and the number of seats within this area will be determined by the commissioners. This is fair enough, when we have regard for the peculiar electoral system we have followed in this State for many years.

I think it is just as well I should refer to this, because one cannot divorce comments I have to make on this point from the other remarks made by the Deputy Leader of the Opposition. He dwelt at great length on the person who lived in Gosnells as distinct from a person living in Kelmscott. That is a position which will exist anywhere where there is a boundary, whether it be fixed by Statute or fixed by a commission. Neighbours can live side by side and one can be in a particular area while the other can be in another area. It does not matter whether one is fixing a road transport license, or anything else, there is a point at which there is an argument; and one person feels he should be treated in the same way as his neighbour. That is one of the facts of life which we have to face up to. I think the honourable member is on very unsound ground when he raises this issue with such emphasis and in such exaggerated and extravagant language, because the whole of our electoral system, which he has acknowledged as being rather necessary at this point of the history of Western Australia, is based on a series of areas.

I respectfully invite the attention of the honourable member and the other members on that side of the House to the fact that if we did not have this peculiar system there would have been quite a few times when they would not have been the Government, because if one follows this to its logical conclusion, one has to follow it right through to the north where there have been three Leglislative Assembly

members at one time and three Legislative Council members representing a mere handful of people.

In fact, I think it is fair to say that until recently the whole voting strength of the three electorates in the north —as set by Statute and not at the discretion of the commissioners—would not have equalled that of one of the rural seats. The electorate numbers have been as low as 1,400 and 1,200. I remember that at one stage the three together did not equal one country seat. So if the honourable member wants to speak of the fellow who lives in Kelmscott as against the fellow who lives in Gosnells, or any other part of the State for that matter, the proposition has to be carried to its logical conclusion.

I acknowledge the professed policy of his party is "one vote one value." As I was a member of a staunch Labor family, I remember having this recited to me when I was a small boy. But let us face it: Over the years, because of the peculiar problems of this State, it has suited Governments to have a system which I think, by and large, has not been a bad one. It contains special problems, but there might come a day—there will surely come a day because of a greater intensity of development—when it will be possible to progressively change. But I would not like to suggest—and I am sure the honourable member would not suggest—that now is the hour to abandon this system, having regard to population, distances involved, and the economic factors, which are so vital to us at this point of time.

I think it is quite improper of the honourable member to impute wrong motives on the part of the Government. I want to go back and emphasise, because I would not like any misunderstanding on the part of the member for Beeloo regarding the interpretation of the metropolitan boundary, that it is the intention of the Government, as I said in my notes, that the Metropolitan Area shall be the particular area that was defined in the *Government Gazette* to which I referred.

The member for Beeloo referred to the name of the Bill. Of course, many Bills come down here and we are inclined to question whether they are aptly named. However, after giving this matter serious thought, it was not felt the name was so erroneous as to warrant any amendment. I think it summarises the intention or the desire of the legislation. The honourable member also referred to the clumsy names used in respect of the areas—and I emphasise "areas" as distinct from "districts." I tell him quite frankly that we felt one of these names was rather clumsy; but try as we would, we could not get a better name which would be accurate and not subject to criticism.

Mr. Jamieson: What about using the word "pastoral"?

Mr. COURT: I can assure the honourable member we gave serious thought to this; and I point out we had to have regard for the great mineral development that will take place in this area within a short space of time.

Mr. Jamieson: We have mineral development in the metropolitan area.

Mr. COURT: I would draw the attention of the honourable member to the fact that within a short space of time we will have a huge development of the Ashburton and Pilbara, which will be of great worth to the State and the nation, and production could run into astronomical figures. It would be as erroneous to try to alter the name of the Mining, Agricultural and Pastoral area as to try to put the general brand of "pastoral" on this area.

Mr. Hawke: I think you should put the word "Area" between the North-West and Murchison.

Mr. COURT: I think the hyphens separate them already.

Mr. Hawke: At present it is North-West-Murchison-Eyre Area. I think it would be better if it were "North-West-Eyre-Murchison Area."

Mr. COURT: The reason why it is in its present form is that it is a logical geographical progression. These names will not be used very often; it is the names of the electorates that one has to know, and they are well understood. There is no restriction on the commissioners in the naming of electorates—that is, electoral districts as distinct from electoral areas; and they can use names which they regard as appropriate.

Mr. Hawke: They are clumsy to express and could easily be changed.

Mr. COURT: I agree it is not euphonious.

Mr. Hawke: You should not bring the trumpet in!

Mr. COURT: It is not something everybody has to remember; and I do not think it does any great harm as it is.

Mr. O'Neil: You should have called it "The Rest."

Mr. COURT: That may have been a most apt description, because there is a lot of it.

The other point the honourable member raised was in connection with the time for the Chief Electoral Officer's report and he, together with the Deputy Leader of the Opposition, felt that the time provided in the legislation was excessive. The Government gave this matter a lot of thought, having regard to the general framework of the legislation. I might add that the draftsman, the Minister, and the Government generally went through the drafting and the objectives of Bills drawn up by

successive Governments over recent years and it was felt that to enable the Chief Electoral Officer—I might add this has his complete support—to be able to get in the whole of the reports—the statistical data in particular takes quite a long time —from all of his returning officers a longer time should be allowed in order to prevent his being under any pressure.

Most members think of him as running through a list of figures with the use of an adding machine or a computer and arriving at a result. In the final analysis, the figures he has to produce are done that way; but in order to have the best figures and the most reliable information available to the department and to the Government of the day, it is important that he should have time to study and collate the whole of the statistical data which comes in in respect of the electorates —and this does not come in in five minutes. Having regard to experience over the years, and the advice of the Chief Electoral Officer, it is considered desirable to allow him more time for this information to be collated.

The Deputy Leader of the Opposition tried to paint the picture that this was a form of delaying tactics by the Government. If he studies the figures—and this is something which he is quite competent to do—he will realise that this is not so at all. Had the Government wanted to use a delaying power, it would not have included six months and three months in this legislation. The period would have been something entirely different from this. It could have swung the time till the next session of Parliament.

Mr. Tonkin: That would have been a bit blatant, wouldn't it?

Mr. COURT: There was no intention of manoeuvring at all. The idea was to let it fall in a simple administrative way, bearing in mind that this is something that will be administered by Government after Government. It is felt that this is a desirable way to handle it. The Deputy Leader of the Opposition implied that this would be done by a Government which wanted to have a look at the figures "behind the curtain." He emphasised that this would be done by a Government with a small majority and one which wanted to alter the law. I emphasise to the Deputy Leader of the Opposition that a Government with a small majority just is not in a position to alter the law. It would be necessary to have a majority of three before attempting an amendment of that type. It would not be a practical proposition to use this information as a form of gerrymandering, as he implied. Under the legislation we have brought down, the last people to profit would be a Government with a small majority. A Government with a big majority does not have this worry. It could alter the law in any way if it felt it was not a good law. I think the argument of the Deputy Leader of the Opposition collapses on that score.

I think I have dealt with most of the points raised. The Deputy Leader of the Opposition, of course, could not resist the temptation to get on to his old favourite—proclamations—and went so far as to imply that if it had not been for the agitation of the Opposition, this Bill would not be here now. Of course, we could never convince him to the contrary; but I assure him that the Bill would have been here regardless of the comments from the Opposition. The Bill is an argument for the good sense of the Government in its interpretation of the law. There was a time when the Leader of the Opposition and his deputy pleaded with this House that a certain amount of commonsense had to prevail in the implementation of a proclamation. I feel that the Leader of the Opposition will say that I cannot quote what he said 12 years ago.

Mr. Hawke: I never said that.

Mr. COURT: You told me that the other night when I referred to something you had said.

Mr. Hawke: You said "cannot", and you are so wrong.

Mr. COURT: The other night you said that I could not quote what was said by the Government 12 years ago, or words to that effect.

Mr. Hawke: Words to that effect. You have the facts wrong. I was talking about a different matter. You are being slippery about this.

Mr. COURT: The Leader of the Opposition should have a look in *Hansard*. The amendment, as we see it, is good and sound. The particular amendment dealing with the proclamation procedure should be music to the ears of the Deputy Leader of the Opposition. He will have to find another issue to worry about.

Mr. Tonkin: There is no lack of issues!

Mr. COURT: I think he will have some other issue to worry about. Of course, it will relieve the monotony as far as we are concerned.

I have not missed any points. At least I did not intend to. I have indicated to the member for Beeloo that I want him to understand the clear definition of the metropolitan boundaries and, also, that the Government feels the present timetable for the presentation of the report should remain.

Question put.

The SPEAKER (Mr. Hearman): I wish to advise the House that a constitutional majority is required for the passing of this motion. In the event of my hearing a single "No" I will have to call for a division. I have counted the House; and

there being more than 26 members present and no negative called, I declare the second reading carried by the requisite constitutional majority.

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 4 amended—

Mr. HAWKE: When the Minister was replying to the second reading debate I suggested that he might consider taking the word "Eyre" from its present position in line 27 and placing it between the words "North-West" and "Murchison". I think the present wording is very clumsy. The Minister said, when replying to my suggestion, that this term will not be used by many people by way of verbal expression. Nevertheless, it will be used by some. A lot of people will read this Bill and it seems to me that by a very simple method we can take out the verbal clumsiness which at present exists.

The adoption of my idea would mean that the line would read, "North-West-Eyre-Murchison Area". That would make it clear and take away the ugliness which is evident when one reads the line aloud. It is ugly and crude in verbal expression, so why not make it smooth by making the alteration I suggest?

Mr. COURT: I cannot agree to the suggestion of the Leader of the Opposition.

Mr. Hawke: All right; sit down. I have finished.

Mr. COURT: It is not a very important matter and it is one to which we gave a lot of thought. However, few people will use the expression. How many people use the one we have at present?

Mr. JAMIESON: When the Minister dealt with my interjection on the matter of renaming that particular section "pastoral area", he set off on various trips along the railways of the north-west. If he considers all that to be factual, there will still be thousands of square miles of pastoral area compared with hundreds of square miles devoted to mining. It is essentially a pastoral area; and although mining takes place there, it has always taken place in the north-west. At one time it was a principal goldmining area, but it has always been referred to as the north-west.

If the area is to be renamed, then obviously the name should be simplified. The descriptions "agriculture" and "mining" describe something. Also, "metropolitan" describes something, but the term "North-West-Murchison-Eyre Area" describes nothing. A clear definition would be more suitable. The Minister said that the term would not be used very much. Irrespective of that, I would say the easy way out is the best way out.

This matter is not of vital importance, and I would suggest that when the Bill reaches another place the term could be clarified. It would be far easier to say "those representing the pastoral area" than "those representing the 'North-West-Murchison-Eyre Area' ". I suggest that further consideration be given to "Pastoral Area". It would clearly define those areas in the north and in the outback of the State.

Mr. COURT: I do not want to disappoint the honourable member, but I can assure him that this has been very carefully considered and it was thought desirable to use the specific names. It will mean something to people and I think it will become more appropriate with the passage of time.

"North-West" is clearly understood, and has been for many years—both politically and otherwise. Also, "Murchison" is clearly understood, and we want to retain it. "Eyre" is the best name for the balance of this particular area as distinct from a district. If we were to just brand it "pastoral" we would be misleading ourselves, because changes are taking place.

Mr. Jamieson: Hundreds of square miles are being affected with the mining development, whereas "pastoral" covers the thousands of square miles involved.

Mr. COURT: What does it matter? If we take the other areas named "mining" and "agriculture", we can use the same argument. There are diversities of activities in this instance, but we are keeping to this nomenclature. I feel that the brand put on it—"North-West-Murchison-Eyre Area"—clearly defines what is intended so far as the area is concerned. If it were a matter of districts, I think there would be room for more argument, because the term would have to be used often, and the particular member would have to bear the title.

Mr. HAWKE: On second thoughts, I think it is my duty to Parliament to make the wording of legislation as smooth as is reasonable. Therefore I move an amendment—

> Page 2, line 26—Insert after the word "North-West" the word "Eyre".

Subsequently, I will move for the deletion of the word "Eyre" in line 27. I hope the Government will not declare this a vital point.

Mr. COURT: I want to point out that the present sequence of the names is correct.

Mr. Jamieson: Why not run them the other way?

Mr. COURT: That has been suggested but it is a complete reversal of the situation which has existed for a long time.

We have always known it as the North-West-Murchison area. This matter has been reasoned out. The Leader of the Opposition makes light of it, but I think it is good as it stands.

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

Ayes—19

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Kelly
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Rhatigan
Mr. Fletcher	Mr. Rowberry
Mr. Graham	Mr. Sewell
Mr. Hall	Mr. Toms
Mr. Hawke	Mr. Tonkin
Mr. J. Hegney	Mr. Norton
Mr. W. Hegney	*(Teller)*

Noes—25

Mr. Bovell	Mr. Hart
Mr. Brand	Mr. Hutchinson
Mr. Burt	Mr. Lewis
Mr. Cornell	Mr. Marshall
Mr. Court	Mr. Mitchell
Mr. Craig	Mr. Nalder
Mr. Crommelin	Mr. Nimmo
Mr. Dunn	Mr. O'Connor
Mr. Durack	Mr. O'Neil
Mr. Elliott	Mr. Rushton
Mr. Gayfer	Mr. Williams
Mr. Grayden	Mr. I. W. Manning
Mr. Guthrie	*(Teller)*

Pairs

Ayes	Noes
Mr. May	Mr. Runciman
Mr. Curran	Dr. Henn

Majority against—6.

Amendment thus negatived.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Section 8 repealed and re-enacted—

Mr. JAMIESON: I thank the Minister for his clarification of this, and also the Deputy Leader of the Opposition for his contribution, but I still think that legally an interpretation of the new powers would be somewhat confusing because they are all grouped under the one new section. New subsection (2) clearly applies only to Murchison, and defines it. New subsection (1) refers to the boundaries of the electoral districts contained in the Metropolitan Area and also the Agricultural Mining and Pastoral. Therefore the commissioners could assume, if the fact is not more clearly stated, that they have a prerogative to make certain variations as they become necessary from time to time.

Indeed, I would think it most desirable that they should have this authority, because in the past there has been a tendency to follow the local government boundaries, and in the eastern suburbs of the metropolitan area some of these boundaries have been changed considerably in recent times. Unless they do it it will mean in effect that what were the boundaries at the time of the last distribution, when the boundaries of the Metropolitan Area were set, cannot be deviated from.

The Minister must know of the changes that have taken place in the industrial area of Welshpool; and, if he is not careful, there will be a complication in regard to the boundaries of the local authorities, particularly the Canning Shire Council whose boundaries, basically, are my boundaries. Therefore I think the commissioners must be given some scope in regard to alterations; otherwise they could find themselves in a lot of trouble in so far as defining the areas are concerned. We know what happened in South Australia, and the same thing could happen here if the commissioners are not given the necessary power.

I would prefer that the commissioners be given the right to enlarge the Metropolitan Area by moving the boundaries. The Minister said they did not have this power. The new section is not clear and I think it would be better if the details were set out in three separate subsections instead of two. Scope should be given to the commissioners to alter the boundaries instead of having to adhere to a hard-and-fast boundary that has already been fixed. I instance the case of High Wycombe. I would imagine that that suburb is less than eight miles from this building, as the crow flies, but it is included in the country area. The State Housing Commission has also developed an area at Forrestfield and the same applies there. Those suburbs are outside the Metropolitan Area, according to the Act; but, nevertheless, they are suburbs which should come within that area.

Adjustments will have to be made to the boundaries because of the rapid development which is taking place, particularly in areas like Welshpool. Most of the land on the west side of Welshpool has been taken up, and naturally the workers engaged in the industrial complex there will have to buy land on the east side; but that, according to the Act as it is now, will be classified as being in the country. That is a ridiculous situation.

Mr. COURT: I am not quite sure whether the honourable member is seeking powers for the commissioners to vary both the boundaries of the districts and the boundaries of the Metropolitan Area. I have made it clear that it is the Government's intention through clause 5 that the boundaries of the Metropolitan Area as such are defined. However, so far as the boundaries of districts within the Metropolitan Area are concerned, this clause gives the commissioners the power to fix the boundaries, and, having arrived at their quotas, they will proceed as quickly as they can to work out the boundaries of the districts and to designate them.

This clause gives the commissioners ample opportunity to show their usual good sense in dividing up the areas into the electorates that they think are appropriate. We have our normal rights in

respect of these districts once they have been declared. I feel we have ample power, and the fact that we mentioned the three areas in one subsection of new section 8 does not weaken it at all. It makes it very clear and simply states that the commissioners have the power to fix boundaries for districts within those areas, and surely that is our intention once we accept the principle that is in clause 5.

Mr. JAMIESON: I do not think the Minister got the full gist of what I was saying. I will instance a specific case: Newburn Road is on the eastern boundary of the Metropolitan Area, and is the boundary of the Belmont Shire Council. Because of the railway complex there the boundary for the Belmont Shire Council is to be brought further west but electorally the other side of Newburn Road is in another area, and it would be too ridiculous to suggest that people the other side of the railway line, whose interests are allied to those living on the opposite side, should have to be placed in another electorate, because the boundary is set on Newburn Road. The commissioners will have no latitude under this, and so I suggest to the Minister that it is not as easy as it appears. He should have some regard for the growth on the eastern fringe and the changes that are taking place because of the development in those areas.

Sitting suspended from 6.15 to 7.30 p.m.

Clause put and passed.

Clauses 9 to 12 put and passed.

Clause 13: Section 12 amended—

Mr. JAMIESON: The provision in clause 12 (b) on page 8 will have the effect of possibly making the time between redistributions much longer in the future, although on this particular occasion eight districts were out of balance after six years. This provision might have been met on that occasion, because under the new method of arriving at the quotas the determination is made as at the time of the general election. In the future it might not be possible to comply with this provision, unless a motion was passed by both Houses requiring that a redistribution take place. In the future we could expect periods up to nine years—or even longer—before redistributions took place. At times this will be a good move, and at other times it will not. If in the future some electorates become ridiculously out of balance then it will be incumbent on Parliament to make a move before the time specified.

Because of the changing nature of the electorates through industrialisation, one district might be reduced to 3,000 voters while another might be increased to 20,000. It would be absurd to have such a great difference in two metropolitan districts. The member representing the first electorate would be sitting back and not having very much to do, while the member for the second electorate would be run off his feet. Parliament should be made aware of what is proposed in this clause. It might or might not be wise to have a longer period specified between redistributions, but the safeguard is to enable a motion to be moved by both Houses for a quicker redistribution.

Referring to the amendment in my name, the matter was dealt with by the Minister during the second reading, when he indicated he was not happy with the proposal. He said that many statistics were required to be available to enable the Chief Electoral Officer to make his report. That is not the case, because he is only called upon to give consideration to the rolls which are made up for the particular general election. The member for Mt. Marshall interjected that there was no reason why the Chief Electoral Officer's report could not be made before the election as the rolls have to be prepared within the statutory time prior to that election. With the facilities which are available to him the Chief Electoral Officer should be able to ascertain the number of districts out of balance. This is not a complex problem.

The direction to the Chief Electoral Officer is very clear. He has only to make a determination on the figures before him relating to the rolls for the last general election as to whether or not eight seats are out of balance. It is very simple for him to work out the number from the figures.

The period of six months specified in this clause would enable the Government to manipulate the Chief Electoral Officer. If the Government wants a longer period it should include it in a subsequent paragraph of this clause. The Chief Electoral Officer should be cleared of any complicity in the action of any Government in the future. I move an amendment—

> Page 8, lines 22 and 23—Delete the words "six months" with a view to substuting the words "thirty days."

Mr. COURT: I would like to comment briefly on the remarks of the honourable member leading up to his amendment. He said that the effect of the provisions before the House would be to slow down the number of redistributions. That is true, and was made clear when the Bill was introduced.

Mr. Jamieson: It might or it might not.

Mr. COURT: I agree. It is not certain that redistributions will be slowed down. With the State changing so rapidly it could slow down redistributions. This is accepted by most experienced political parties and political workers. It is not a new or novel principle, because in some of the legistation introduced in the past there has been reference to this factor. For instance, I have before me a Bill which was introduced by the Labor Government in 1954, and in clause 9 there is a very clear

indication that an attempt was made to slow down the redistribution procedure; and for good reason, because when we have quick changes in electorates it is not only disconcerting to the members representing those electorates, but also inconvenient to the local people.

It is desirable to bring in machinery which is more realistic, and more in keeping with practical experience and with what most members want. The amendment seeks to delete the period of six months, and to insert a period of 30 days. We are opposed to the amendment, as I indicated during the second reading. It is easy enough to say the Chief Electoral Officer can submit a return within minutes and even before an election; but that is not factual. One has to be guided by the experience of these officers. It is felt they should be given a longer period in which to submit a return. It is true that the basis of their approach is the actual rolls at the time when the election is held, but nevertheless the statistical information that is given contains a wealth of information about the accuracy of the rolls as tested at the elections.

The electoral officer is entitled to have such information before submitting a report to the Government. We should bear in mind this provision is not framed for the benefit of any particular Government, but for any Government and for whoever administers the legislation.

It seems to be overlooked completely that the Chief Electoral Officer does not have to wait six months. If he can complete the return and get the statistical data out in a shorter time, he is entitled to do so.

Mr. Tonkin: A wink is as good as a nod to a blind horse.

Mr. COURT: I do not know whether the honourable member is speaking from experience.

Mr. Tonkin: Certainly I am.

Mr. COURT: It is not our experience. This is one feature of government in which we have been very well served.

Mr. Tonkin: There was nothing illegal about the action.

Mr. COURT: Sometimes morals come into the question, and we have regard for morals in spite of what the honourable member says. The fact is that the Chief Electoral Officer can submit his report when it is ready. If he can do it as easily as has been claimed, then it can be done within 30 days.

Mr. Jamieson: I can find out within three hours, and perhaps you can in 30 minutes.

Mr. COURT: I do not set up myself as an authority on the electoral law and on the submission of returns. I consider that a longer period should be allowed. In those circumstances the Government of the day can use the other provision, as the circumstances dictate. It has to have a proclamation issued in not less than six months nor more than nine months, and that is the crucial factor in the whole of the legislation.

Mr. TONKIN: The Minister seemed to be irked when I suggested that a wink was as good as a nod to a blind horse. I want to make good my contention, because I can recall an occasion when a certain Minister commenced a minute to the Solicitor-General by asking if there was any way in which the Government could avoid its obligation under the Electoral Act; and the Solicitor-General found a way. That was a pretty strong wink.

It is idle for the Minister to suggest that if a period of six months is provided a way will not be found to indicate that the Government is in no hurry to receive the report. This would not be illegal; and I do not say it would be immoral.

Mr. Brand: What would be wrong with that?

Mr. TONKIN: If the legislation provided that the officer concerned could take up to six months to submit a report he would be entitled to take that time, in order to suit the Government.

Mr. Brand: What would be wrong with that?

Mr. TONKIN: That is our objection. Such a period of time should not be provided, because there is no need for it. It will only provide unnecessary time to the Government to manoeuvre to its own advantage.

Mr. Court: How can the Government manoeuvre?

Mr. TONKIN: By delaying the receipt of the report. The time would then inevitably be put back to the time of the redistribution. It would enable the Government to have sufficient time to avoid a session of Parliament and deal with the matter during the next session.

Mr. Court: You have misunderstood the situation.

Mr. TONKIN: I have not misunderstood the situation at all. This provision would enable the Government to have a six months' delay before it received the report, and a further three months after that. That is nine months, and could be the end of the session.

Mr. Brand: What would happen if we decided to do what the Labor Party wanted to do—have two sessions a year?

Mr. TONKIN: These "ifs" and "buts" and suppositional questions admit of all sorts of answers. I am saying what could occur under the deliberate provisions of the Bill. I do not consider the Minister has advanced a very cogent argument to support the provision of six months. I

am yet to be convinced it would take any electoral officer, worth his salt, six months to get the report to the Government. Therefore why give him six months? If it is a question of fact and there are eight seats out of balance, why should not the Government be told when they are out of balance and not six months afterwards, unless it has the six months in for an ulterior purpose?

If it is intended to have a redistribution when eight seats are out of balance and, in fact, eight are out of balance, there ought to be an obligation on the Government forthwith to get busy about a redistribution. But, of course, if it wants to provide time in which to manouevre to its own advantage it will introduce a principle like this so that nothing need be done. It is not the first time. I can remember when a certain member retired from this Chamber in order to enter the Federal Parliament; and although the Statute is quite clear on the matter and the intention of the Constitution Act is that a district should not be left an inordinate time without a representative—

Mr. J. Hegney: Six months.

Mr. TONKIN: —the Government of the day made no attempt to hold the by-election, but held the matter over until the next general election because that suited it. And that was a Liberal Government; and that was the action I mentioned earlier when I said the Minister, when he referred the matter to the Solicitor-General, asked whether there was any way in which the Government could avoid its obligations. With those examples before us, can I be blamed if I suspect that that is the purpose behind the time placed in this Bill?

Mr. COURT: I am afraid I cannot follow the logic of the argument of the Deputy Leader of the Opposition. He has worked on the supposition—and I do not blame him for searching for reasons for legislation being introduced—that the Government is putting this provision in the Bill to have some room to manoeuvre. That is the phrase he used. This argument, of course, falls to the ground when we follow it to its conclusion, because he says the Government could delay this and run the full nine months and then the session would have concluded. If the Government wanted to manoeuvre a thing, that is the last thing it would want to manoeuvre, because after the session is over it has to wait for the next session and, in the meantime, the machinery is automatic.

We hoped, in introducing this series of provisions, that it would command the support of the Opposition as well as of the Government because it does remove this running sore that has existed for a long time. We argued with the Labor Party when it was in Government and the Labor Party has argued with us since we have been in office; and I think that so far as it is legally possible it has now been interpreted in very clear terms and in a practical way.

The honourable member referred to this wink being as good as a nod, or some expression of that nature. I just wonder what sort of wink or nod there was to the Chief Electoral Officer to rush up that report almost before the ink was dry on the election results in 1959. It must have been done in record time.

I think we should leave the provision as it is in the Bill and let the Chief Electoral Officer, any time within the six months, make his submission to the Government of the day.

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

Ayes—18

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Kelly
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Rhatigan
Mr. Fletcher	Mr. Rowberry
Mr. Graham	Mr. Sewell
Mr. Hall	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. Norton *(Teller)*

Noes—24

Mr. Bovell	Mr. Hart
Mr. Brand	Dr. Henn
Mr. Burt	Mr. Hutchinson
Mr. Cornell	Mr. Lewis
Mr. Court	Mr. Marshall
Mr. Craig	Mr. Mitchell
Mr. Dunn	Mr. Nalder
Mr. Durack	Mr. O'Connor
Mr. Elliott	Mr. O'Neil
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Guthrie	Mr. I. W. Manning *(Teller.)*

Pairs

Ayes	Noes
Mr. May	Mr. Williams
Mr. Curran	Mr. Nimmo
Mr. Hawke	Mr. Crommelin

Majority against—6.

Amendment thus negatived.

Mr. JAMIESON: There may be some confusion on this clause. The Minister mentioned nine months in total before the proclamation must be issued forthwith and the Deputy Leader of the Opposition said something the same. The Minister in his introductory speech said that the proclamation must be issued forthwith after the expiration of six months from the date of the preceding general election or three months from the date the report is submitted, whichever is the later date. If that is the case I should imagine the time of necessity must be six months and not nine months. The provision is found in proposed new subsection (2a) (b).

Mr. Court: It could be not less than six months and not more than nine months.

Mr. JAMIESON: The Minister said forthwith after the expiration of six months.

Mr. COURT: The Bill provides that in practical effect the proclamation must be issued not under six months from the last election nor later than nine months. The reason for this wording is quite obvious when we make an analysis of it, because we have to provide for a situation when the Chief Electoral Officer puts the report in early, as members opposite think he will. We must have a datum point on which to reckon so there is no uncertainty. It is a minimum of six months and a maximum of nine months.

Clause put and passed.

Clauses 14 to 17 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

CONSTITUTION ACTS AMENDMENT BILL (No. 2)

Second Reading

Order of the day read for the resumption of the debate, from the 14th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

Question put.

The SPEAKER (Mr. Hearman): This question requires a constitutional majority. I have counted the House, and we have just got a constitutional majority. I declare the second reading of the Bill carried.

Question thus passed.

In Committee, etc.

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

FISHERIES ACT AMENDMENT BILL

In Committee, etc.

Resumed from the 14th October. The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Works) in charge of the Bill.

The CHAIRMAN: Progress was reported after clause 7 had been agreed to.

Clause 8: Section 5D repealed and section substituted—

Mr. W. HEGNEY: I have two short amendments to this clause. They are not vital to the Bill, but they involve a definite principle. I think the Minister will accept the amendments—at least I hope he will. The clause deals with the management of the committee, and it provides for the chairman to have a second or casting vote. I think the days have passed when a person conducting meetings of this sort should have a casting vote.

Incidentally, in recent years this Government was instrumental in amending the Constitution of the Legislative Council so that where previously a person might have been entitled to 10 votes—if he owned property in each of 10 provinces—now, no matter what property he owns, he can exercise only one vote. In addition, the Constitution of Western Australia provides that all parliamentary representatives shall be elected on an adult franchise basis.

Some years ago this question arose, and the Minister of the day was democratic enough to accept an amendment. The Marketing of Eggs Act contains, in section 15, the same wording as I propose to insert in this Bill; and that means that where there is an equality of votes, the question shall be resolved in the negative. The same principle applies in section 18 (4) of the Milk Act, and also in section 14 of the Marketing of Potatoes Act. Those are three Acts that I have taken at random, and other Statutes contain the same principle. The Minister would be well advised to accept my amendment, so that if there is an equality of votes on any subject the question shall not be resolved in the negative.

Paragraph (e) is bound up with paragraph (d) of the proposed new section, and if my amendment is accepted, then paragraph (e) will become superfluous. I move an amendment—

Page 7, line 12—Insert at the end of paragraph (d) of subsection (5) of proposed new section 5D the words "and if the numbers are equally divided on any question, such question shall be deemed to be resolved in the negative".

ROSS HUTCHINSON: Provision is made in the Bill to deal with the position if there is an equality of votes, because the chairman is to have a casting vote. There are some obvious advantages in a provision of this kind. It enables a decision to be made. Frequently nothing is done if a question is resolved in the negative.

However, I do not intend to pursue this matter at length. The member for Mt. Hawthorn has advanced reasons why it is not good for a man to have two votes—a casting vote in addition to a deliberative vote—and it is not the Government's intention to hold the matter up. The honourable member has been most persuasive and we will not oppose his amendment.

Amendment put and passed.

Mr. W. HEGNEY: I move an amendment—

Page 7, lines 13 to 19—Delete paragraph (e) of subsection (5) of proposed new section 5D.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 9 to 13 put and passed.

Clause 14: Section 9 repealed and re-enacted—

Mr. HALL: This provision was included in 1947 when it was smuggled through by the Leader of the Country Party. It gives power to local authorities to govern the destiny of some of our fisheries.

The Government should realise that the control of our fisheries should come under one authority—the Director of Fisheries and Fauna and his department. It is only fair that he should have control over the fisheries of the whole of Western Australia. If there are any abuses of the Act the director can get people to assist. I refer members to the proposed new section 9. It is perfectly clear that that provision grants the Minister power to control the destiny of fishing. However, in subsection (2) of this proposed new section permission will be granted to any council or municipality to publish by-laws for the control of fishing. Under the heading "Complaints by Witnesses" appears the following on page 9 of the report of the Honorary Royal Commission appointed to inquire into and report upon the Fisheries Act and its application to the crayfishing industry in particular:

> The control of fishing grounds, particularly the closure of inlets, bays, and estuaries, was strongly criticised by witnesses who maintained that there was a serious loss of fish due to the present policy and provision of the existing legislation, which, in their opinion, had in some instances been responsible for the death of large numbers of fish. Your Commission recommends that the Government give earnest consideration to the repeal of Section 213 of the Local Government Act and investigate the restrictions which apply at present to estuaries on the southern coastline.

On referring to section 213 of the Local Government Act, one finds that it provides—

> A council may so make by-laws—
>
> (a) for the purposes for which regulations may be made under paragraphs (b) and (c) of section six of the Fisheries Act, 1905, and for which proclamations may be made under sections nine and ten of that Act, but so that the application and effect of by-laws made by a council under the authority of this paragraph are restricted to Western Australian waters vested in or under the control of the council;

That section, in effect, means that each local authority is a separate Fisheries Department interwoven with the State Fisheries Department. In addition, another section was incorporated in the Local Government Act by the Leader of the Country Party at the time which had reference to the Gnowangerup Road Board in particular. The section then went on to state that a local authority could issue permits for any prescribed length of net and gave power to a local authority to prevent a fisherman from crossing reserves from which he earned his livelihood.

The Fisheries Department would not be desirous of taking anything away from any municipality or council by way of revenue, and I do not think it would want to take over any tourist activities controlled by any local authority. It would desire, purely and simply, to control all fishing activities which rightly should come under its jurisdiction, and therefore I move an amendment—

> Page 9, lines 22 to 38—Delete subsection (2) of proposed new section 9.

Mr. ROSS HUTCHINSON: Despite the rights or wrongs of what the member for Albany has pointed out, his amendment would not right the matter in any way. Instead, it would make the situation worse than confounded. This is a typical situation and perhaps can be dealt with in another place. I will convey to the Minister for Fisheries the comments made by the honourable member, but I can assure the Committee that the proposed amendment has no value and I oppose it.

Amendment put and negatived.

Clause put and passed.

Clauses 15 to 43 put and passed.

Title put and passed.

Bill reported with amendments.

JENNACUBBINE SPORTS COUNCIL (INCORPORATED) BILL

Second Reading

Debate resumed, from the 13th October, on the following motion by Mr. Lewis (Minister for Education):—

> That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [8.19 p.m.]: This Bill proposes to dissolve the Jennacubbine Racing Club and vest any remaining assets of that club into a Jennacubbine Sports Council which will be formed by the passing of this Bill into law.

The land upon which the racecourse was established will, in due course, be passed over to the control of the proposed sports council which will organise and promote various forms of sport, including football, tennis, basketball, hockey, and other similar activities.

I could not expect every member of the House to know the exact location of Jennacubbine, but it is some eight miles north of Northam and is represented by the Minister for Education. Its community,

even though it does not contain any electors of mine—being some two miles outside my northern boundary—is a very good one, particularly in the sporting sphere. From time to time I have had the pleasure of visiting Jennacubbine to watch sporting events being held there. Naturally its population is small, but it is indeed surprising and pleasing to see the way the people of this locality join together in various types of sport.

It has a good football team and an excellent hockey team. In fact, I think the woman goalie in the hockey team would be one of the best in the State. She certainly fills the space in the goal square adequately, as the Minister for Education would know, and she plays a most vigorous game of hockey.

Mr. Cornell: A fairly good all-round player.

Mr. HAWKE: However, there is another reason why I am happy to associate myself with this legislation. The last time I participated in a foot race was at this Jennacubbine sports ground.

Mr. Rowberry: Did you win?

Mr. HAWKE: This was a match race. The Eastern Districts Railway Employees' picnic was on.

Mr. Lewis: You did not race the horses there?

Mr. HAWKE: I could have beaten some of them. One or two mischievous members of the picnic committee decided there would be a match race held between Douglas McCrae, a railway engine driver of some considerable capacity—at that time located at York—and myself, as member for the Northam district. McCrae was 40 years of age. I was eight years older. I cannot allow members time to work out what my age was at that time, but it was agreed I should receive a yard handicap for each year of the difference in our ages. I insisted the race should be run over 50 yards because I thought that distance might be as far as I could run. However, my opponent insisted the race should be over 100 yards. I tried to compromise that the race should be over 75 yards, but failed.

Mr. Lewis: I hope the race was downhill.

Mr. HAWKE: No; it was not, and at that time, in the middle of summer, the Minister can imagine how hard the ground was—it was like concrete. The race started and at 75 yards I could hear the footsteps of Doug McCrae pounding close behind me, and thought that was the end of the race. However, at 85 yards I could hear the sound of his footsteps retreating, so I staggered over the line and created history. It might even be that that great sporting event—17 or 18 years ago—planted a small seed at Jennacubbine which is now developing and taking shape in the formation of this sports council which is to supersede the old Jennacubbine Racing Club, and I am sure we all rejoice that this change is taking place. I support the Bill.

MR. LEWIS (Moore—Minister for Education) [8.31 p.m.]: I thank the Leader of the Opposition for his delightful reminiscences while speaking in support of this Bill. I can only hope that when this sports council is duly constituted, and sports are again held on the ground the Leader of the Opposition will be given an opportunity to exhibit his prowess in this field.

Mr. Hawke: I challenge you!

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.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 13th October, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. TOMS (Bayswater) [8.35 p.m.]: Members who were in the Chamber in 1960 will recall that when the Road Districts Act and the Municipal Districts Act were repealed, and the Local Government Act was brought into force on the 1st July, 1961, during the debate every speaker mentioned that with the amalgamation of these Acts it would be necessary for amendments to be brought down from time to time. This has proved to be the case, because since that legislation was passed each year there have been about 30 amendments to that particular Act. Now, again, we have a Bill before the House which contains about 19 amendments.

The first amendment is to section 10 of the Act. It also applies to sections 30, 533, and 624A of the Local Government Act and deals with the minimum vote that will be required in order to have a poll declared valid. It is also interesting to note that when this Bill was introduced in another place, the percentage of the electors required at the poll was 10 per cent. It was, however, amended in that Chamber to 20 per cent. I notice that it is the Government's intention to reduce the particular percentage of voters at the poll to 10 per cent. There is an amendment on the notice paper to that effect. No doubt some little problem has arisen somewhere and the Minister has decided to try once again to amend that particular provision with a view to making the figure 10 per cent.

I could of course suggest to the Government that there would be an easy way to get over this difficulty by having compulsory voting at local government elections. If this were done there would be no doubt about getting a 20 per cent. poll, or possibly more, if there were an attendant penalty.

Section 10 deals with the method of election of the mayor or president; that is, either by the full vote of the electors or the councillors themselves. There is another provision which has reference to the calling for a petition to the Minister when sufficient ratepayers petition the Minister to have a poll on any particular section.

The third amendment deals with the method of valuation in a district, and there again a poll is necessary. The final amendment deals with the provision for loans when a sufficient number of ratepayers require a poll to decide whether a loan will take place or not. I have no objection to this amendment. As I have said, it would appear that the Government wishes to make sure that at least 10 per cent. of the electors cast their vote to have a poll declared valid. That is a rather small percentage of the ratepaying section of the community, particularly as it will be deciding the fate, as it were, of the whole district.

It could, nevertheless, be argued that everyone has the right to vote, and it is a matter of their exercising that particular right. I will not deal with every amendment in the Bill, because some are minor amendments dealing with machinery matters. I will, however, deal with those I consider important.

In clause 6 it is proposed to give a member the right to nominate a time for his resignation. At present the time lapse after a resignation is made at a council meeting is a maximum of 105 days; and in a particular district where there may be only one ward member in a particular ward that ward would be without representation for that period. It is a good move to allow a councillor to notify his council that at a certain time he proposes to resign a particular office. It will enable the shire or municipality to put into effect the machinery to hold an election immediately after the date expires, so that the ward may be properly represented. I do not think anyone will quarrel with that provision, and I am happy to support it.

A rather interesting amendment in the Bill is that to section 174. At present a councillor cannot speak or vote on any particular item in which he may have an interest. I am not terribly keen on some of the wording proposed in the new subsection in clause 8, because I doubt very much whether anyone will be able to qualify what it shall be. At the moment the section says that where a trivial matter is being discussed, a person can have his say, as it were. The following clause, however, indicates that upon the vote of a council a member can speak on any item, but still cannot vote. It gives the member an opportunity to give the council the benefit of his knowledge, but it debars him—and rightly so—from voting on a question in which he has a direct interest. But on the majority vote of the council he can be entitled to speak on almost any question. I think that will probably be the method adopted all through, so as to put beyond any doubt the question of there being a trivial matter before the council. I do not know whether the first part of the amendment is necessary. I would have preferred only the latter part.

Another section to be amended deals with the removal of objects on road verges, and gives the council power to do that without having any liability claimed against it. This is something that many local authorities have looked forward to. Even though power has been given them to remove, the Act is to be amended in such a way that any liability for such removal will not be with the council. It will be easier for councils to do these things without there being any chance of a repercussion.

The majority of the amendments are simple machinery amendments. One of them concerns the amendment of one word in order to put it right. I will now deal with the final clause of the Bill, because I believe all the others are provisions requested by local authorities as being necessary for the better working of the Act.

The final amendment contained in clause 20 seeks to add a new section 691A. This will give the council power to confer upon any person the title of honorary freeman of a municipality. Whilst our party does not believe in titles being conferred on people, I do not think this would cause any concern or disagreement, because our own Ministers have the title of honourable conferred on them by Her Majesty when appointed to office

I cannot see any objection to the clause, because it gives a municipality a right to confer on any citizen who has done anything remarkable for the district—and it would have to be remarkable—the title of honorary freeman of a municipality. This will not confer any extra privileges becaues if such people are ratepayers they will still have to pay their rates. They will also be liable to all taxes.

Mr. Guthrie: Are they entitled to a free drink?

Mr. TOMS: I have heard a lot about the three per cents. they take off at the council, but I think that every three per cent. a councillor gets he is well and truly entitled to. My experience is that he has a

fair amount to put up with from ratepayers, from time to time—both real and imaginary complaints. I support the amendments proposed in the measure and at this stage I support the second reading.

MR. RUSHTON (Dale) [8.46 p.m.]: Generally speaking, I am in accord with the Bill. However, I rise to speak because I disagree with the 20 per cent. inserted in the Bill in another place. Therefore I seek support for my amendments; and I will submit facts which I think should be borne in mind when these amendments are considered in the Committee stage.

As we all know, councils of shires, municipalities, towns, and cities, have a responsibility to their electors; and members undertake their duties in an honorary capacity. It is in the interests of local government to retain the best possible relationship between shires and the electors; and electors could justly claim that the 20 per cent. required under this measure is an undue barrier. I will quote cases to prove or support my claim that 20 per cent. is too harsh and that 10 per cent. would be preferable.

At this stage I should add that while we basically have free elections, on principle I feel there should be no restriction. However, I have been present at many debates by local government on this issue. Therefore I am aware of the debates and the discussions, and the support for this issue. I am in accord with 10 per cent.; and it is my intention to move amendments accordingly.

I wish to quote a few figures I have been able to obtain from local government in regard to referendums. As complete records are not kept I have not been able to secure many figures; and I did not wish to press for more, because it would have been inconvenient for contact to have been made with the various shires. As all members know, there is a regulation which permits local authorities to destroy these figures three weeks after a referendum. A referendum was taken at Mandurah, where 1,165 votes were cast. There were 742 votes for and 423 against, representing 16 per cent. of the shire, which won that referendum. Under this Bill, that referendum would have been declared invalid, but it would have had the same result. A referendum was held at Mundaring where 821 votes were cast, with 380 for and 436 against, 17 per cent. of the shire. The shire lost the referendum; but under this measure the shire would have won it because there were only 17 per cent. votes cast. There are approximately 4,900 people on the roll.

At Belmont, I understand, there are approximately 10,000 on the roll. A referendum was held and 302 votes were cast, of which 92 were for and 192 against, representing three per cent. This referendum was lost by the shire, but it would have been won under the amendment inserted in the measure in another place, and under the amendment I am suggesting.

There was another referendum at Trayning; and on the roll there were 400 electors; 246 votes were cast, with 151 for and 91 against, representing 61 per cent. The shire won its case.

I would lay claim to have the most up-to-date knowledge on referendums as one took place at Armadale on Saturday. Out of approximately 4,500 electors, 230 votes were cast, 83 for and 141 against; and the shire lost its case. The votes cast represented 4.6 per cent.

I have listed these figures to emphasise that in the country, where we have a limited number of electors because of the paucity of the population, we have good voting figures. It is easy to contact members. Even on the telephone one could contact sufficient to obtain the necessary percentage. But it is different in the city.

I would refer to Melville; and the Deputy Leader of the Opposition would know more about this than I. There are approximately 30,000 electors in the town; and under my amendment 3,000 would be sufficient to obtain an opinion. To require 6,000 electors to vote is unduly harsh; and, as I proved with the figures I quoted, would be almost unattainable. In fact, it would place a barrier before the electors which they could not climb.

The mover in another place considered the 20 per cent. requirement as a reasonable minimum, but I feel sure members will agree with me when I say that this point of view does not give full consideration to the facts relating to both country and metropolitan voting. When one considers the honorary nature of local government, the administrative purpose of local government, and the requests from the Local Government Department and the Local Government Association for 10 per cent., after full debate by many good people on all aspects of making too large a restrictive hurdle for the electors, I feel members will agree that my point of view has substance.

I seek the acceptance by the Minister of my amendment; and I will seek the support of members at the Committee stage.

MR. NALDER (Katanning—Minister for Agriculture) [8.53 p.m.]: I thank members who have spoken in support of this measure. As the member for Bayswater has said, amending legislation will be brought down every year for a number of years in order to consolidate the large Act which was passed a few years ago.

With reference to the percentage required as far as the vote is concerned in a referendum, the Minister in another place accepted the proposition put forward and left it to the House to decide.

Members of the House, in their wisdom, felt it would be quite practicable for 20 per cent. to be required for a referendum to be carried. The member for Dale has submitted good reasons why he considers 20 per cent. is too high a figure and why it would be preferable to revert to 10 per cent.

I have discussed this with the Minister for Local Government, and he has agreed that the proposition of the member for Dale is reasonable and is prepared to accept his amendment if it is carried here. When it reaches another place it will be up to the Minister there to influence members that 10 per cent. is a more reasonable figure. Because of this situation I am prepared to accept the amendments to be submitted by the member for Dale.

Question put and passed.

Bill read a second time.

In Committee, etc.

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 10 amended—

Mr. RUSHTON: I move an amendment—

Page 2, line 6—Delete the word "twenty" and substitute the word "ten."

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Section 30 amended—

Mr. RUSHTON: I move an amendment—

Page 2, line 32—Delete the word "twenty" and substitute the word "ten."

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 6 to 14 put and passed.

Clause 15: Section 33 amended—

Mr. RUSHTON: I move an amendment—

Page 7, line 9—Delete the word "twenty" and substitute the word "ten."

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 16 and 17 put and passed.

Clause 18: Section 611 amended—

Mr. RUSHTON: I move an amendment—

Page 8, line 9—Delete the word "twenty" and substitute the word "ten".

Mr. TOMS: I have not taken the opportunity of speaking to these amendments, but now we come to the last of this particular type. I hope that the position which the member for Dale perhaps presumes is not justified, and that a local government would have a higher percentage than 10 per cent. voting on particular items. It is possible that this low figure of 10 per cent. could make a decision for the whole of the district. However, recent figures have indicated that 30 per cent. or 40 per cent. of the electors have been voting, particularly in the metropolitan area. There does seem to be an awakening to the fact that local governing authorities mean something.

Amendment put and passed.

Mr. RUSHTON: I move an amendment—

Page 8, line 15—Delete the word "twenty" and substitute the word "ten."

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 19 and 20 put and passed.

Title put and passed.

Bill reported with amendments.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 13th October, on the following motion by Mr. Court (Minister for Railways):—

That the Bill be now read a second time.

MR. BRADY (Swan) [9.5 p.m.]: Since the Minister introduced this Bill I have had a look at it; and, as the Minister said, it is only a small Bill. However, it has some very important provisions in it, and I feel that members should hear a few comments from me in regard to what it purports to do.

First of all, the Minister made it clear that the Railways Department, as such, is not the department to handle minerals, and that this could well be done by another department of the Government; namely, the Mines Department. The Bill sets out to add to section (4) the following provision:—

(3) All the property of The Midland Railway Company of Western Australia Limited that was transferred and assigned to the Minister on the first day of August, nineteen hundred and sixty-four, by the Company acting by its liquidator, shall be vested in the Minister on behalf of Her Majesty.

(4) Subject to subsection (5) of this section, the Minister may, in addition to any other powers conferred on him by this Act, sell dispose of or otherwise deal with, on such terms and conditions as he thinks fit, any of the property referred to in subsection (3) of this section which is no longer required for the purpose of a Government railway.

And then the next subsection goes on to provide that this land shall be transferred from the Minister for Railways to the Minister in charge of mining, without the usual transfers, and that the Titles Offices shall have regard for the terms of this Act.

Another portion of subclause (5) reads as follows:—

> The Midland Railway Company of Western Australia Limited, shall by force of this subsection cease to be vested in the Minister and without the necessity of any transfer or conveyance in respect thereof shall become the property of the Crown, subject to any estates, interests or rights (if any) duly granted by that Company in respect thereof.

So it seems that everything with mineral rights which the Midland Railway Company transferred to the Government Railways will now be transferred to the Minister for Mines, where it is felt that this is required.

With regard to the powers which the Minister has to dispose of properties which are not required for railway purposes, whilst I desire to see the Minister and the Government with those powers, I would like to make some comments upon what this might really mean. I think the Minister will agree with me that when the Midland Railway Company's property was transferred to the Government Railways, the Government not only took over the railway line as has been laid down in the Midland Railway Act, but also took over freehold land which the Midland Railway Company had bought. So there is not only railway property to dispose of; there is other titled land which was taken over. In fact, the Midland Railway Company, prior to taking over, did call for members of the public to lease some of its land on a 99 years' title.

It may not be generally known that the Midland Railway Company actually gave the Trades Hall people at Midland Junction the area of land where the Trades Hall was erected in 1925. Also, while negotiations were going on in regard to the Government taking over the Midland Railway Company, the company undertook to hand to the Country Women's Association the block of land immediately next door to the Trades Hall. I mention this because it is the Municipality of Midland, and at the moment there are some major activities taking place in what was previously known as the Midland Railway Company's property. There must be at least 30 or 40 acres of land between Helena Street and the West Midland railway station which the Minister for Railways, in his wisdom as Minister and with the approval of the commissioner, may deem it necessary to sell, dispose of, or lease.

I would point out that until this property was transferred to the Government the Municipality of Midland was able to get rates and taxes from the Midland Railway Company on the land. I think, of course, that the Government should make up to the municipality some of this money which has been lost in rates. I understand that the town planning authorities have provided for the widening of the Great Eastern Highway through Midland to the hills. It could be that some of this land which is now being handled by the Minister for Railways could easily be used for main road purposes. Whatever the Minister deems fit to do about the Midland area, I hope he will have some regard for the Municipality of Midland, as such, and what will be in the best interests of Midland as a whole.

I know the Minister visited Midland last February, and I think that on that occasion he said the Main Roads Department had been planning to approach the Railways Department, and there could have been one or two other departments interested in this land. The land in Midland opposite the Midland Town Hall could probably be the most valuable land in the whole of the Midland Municipality. It would seem that the municipality should get some benefit from that land. Apart from that, we know that the Midland railway extended from Midland to the Greenough flats; in other words, it went to Walkaway. When the line was originally put through about 1884, it was referred to as extending from Helena Vale to the Guildford flats.

The point I want to make is that even if the railway had continued normally as a railway activity, there could easily be quite a demand from outside interests for the use of railway property. We all know that in various parts of the State oil companies are building sidings with a view to having bulk depots. We also know that Co-operative Bulk Handling wants sidings for cereals. A number of other organisations are looking around for sidings, and within the next five or 10 years there could be a big demand for railway property.

I hope the Minister will have regard, first and foremost, for the railway requirements because railway requirements cover a huge part of the activities of the State. The crossing of rivers, the building of wharves, the making of tankers, and a number of other activities are covered by railway activities. Under the Government Railways Act some regard must be had for the provisions of the Public Works Act and in that Act there is a comprehensive reference to what the railways are obliged to do.

We know that immediately after the Midland Railway Company handed over its interests to the Government, one of the oil companies struck natural gas, and a potential oil field was found at Yardarino. We also know that along the Midland railway line some very valuable deposits of coal have been found, and in the vicinity of

Mingenew it is understood there are some fine deposits of iron ore. Therefore it would seem that by and large the Minister will have a big responsibility to carry with the passing of this amending Bill and he will have some important decisions to make when people make approaches about some of the land involved.

My own humble opinion, as a member of the community and a member of Parliament, is that the Minister should make sure that land which is now possessed by the Crown for railway use shall not be sold but, at the very most, only leased. The trends in Western Australia indicate that valuable railway land is now under the control of the Commissioner of Railways, and I think it is desirable for the Railways Department, in its own interests, to hold this land for as long as it can. Secondly, if it is necessary to dispose of this land, the price obtained for it should be offset against the cost of taking over the Midland Railway Company: and this would mean a reduction in the takeover cost of that line. We know that at present moves are afoot to increase railway freights, passenger fares, and charges for a number of other services conducted by the railways, in order to assist with increased costs. But I think it would be wrong if this land which was taken over for railway purposes by the Railways Department were sold and the money obtained for it allotted to Consolidated Revenue instead of being offset against railway costs.

I support the Bill because I believe it is necessary that the Minister should transfer these rights to the Mines Department rather than have the railways handling mineral rights. I have much pleasure in supporting the Bill.

MR. COURT (Nedlands—Minister for for Railways) [9.19 p.m.]: I think the honourable member for his comments and support of the Bill. I appreciate his interest in the Midland land if the land concerned is actually at Midland itself and the honourable member can be assured that its future use is being carefully planned by the Main Roads Department, the town planning authorities, and the railways and there will be consultations with the local authority. It must be appreciated, however, that this land is freehold land which was actually bought by the railways as part of the Midland Railway Company transaction. It is not land that was acquired by resumption or by transfer as Crown land, as is the case with a good deal of railway land.

The point the honourable member made about land being disposed of on a leasehold basis is thoroughly understood and it is railway practice, of course, to lease as much of its land as it can for commercial purposes, particularly if it is to the type of tenant who generates railway freights. This will be more and more the objective of the commissioner as is the case with railways overseas where it is found that railway land is at a premium for this particular purpose.

Mr. Brady: Some of it could be used for railwaymen's houses, too.

Mr. COURT: This, of course, has some disadvantages as the honourable member knows. We have had a lot of trouble in regard to the standard guage railway, where people have claimed that their houses are, or will be, too close to the railway. Also, I have had complaints from people who have had houses near the railway line for 40 or 50 years.

Mr. Brady: There must always be permanent-way men and other railway staff.

Mr. COURT: True, but I hope the honourable member will remember this when he makes protests about people's houses being too close to the railway line.

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.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 13th October, on the following motion by Mr. O'Connor (Minister for Transport):—

That the Bill be now read a second time.

MR. GRAHAM (Balcatta) [9.23 p.m.]: I do not think there is anything particularly controversial in this measure, although I must admit that on a first inspection of it I was under the impression that an attempt was being made to undermine some of the authority of the Commissioner of Police. Subsequent reading of the Bill, in conjunction with the parent Act, has satisfied me that there is no attempt to do that.

Broadly the Bill seeks to widen the scope of authority of the Taxi Control Board, which operates in the metropolitan traffic area. There are a couple of important responsibilities which it has and one is to ensure a reasonable state of cleanliness of the vehicles which are used by taxi operators. Secondly, it has a responsibility to see that the vehicles are mechanically sound, as far as can be ascertained. Here I hasten to add that the inspectors of the Taxi Control Board will not have the power to make their own decisions and condemn vehicles or order them off the road, but simply to order these vehicles to report, with a minimum loss of time, to the traffic authorities, who, in the metropolitan area are the Commissioner of Police and his officers. I see nothing wrong with that principle.

It is proposed that the 10s. fee which is charged at the present time, ostensibly to meet the cost of the registration of taxi operators, and to pay for the identity discs they have to wear, is to be increased to a maximum of two pounds. As I said, it is 10s. at the present time and the Minister informs me that there is no intention to go beyond that figure in the foreseeable future. As a considerable fee of some pounds is paid on taxis annually, I wonder as to the real necessity for this; and here let me state, on behalf of many aggrieved taxi operators, my objections to the type of disc that they are called upon to wear. They are large metal objects that are not things of beauty, or anything like it; and, in my view, it is completely unnecessary for them to have to wear these discs on their clothes, particularly in the summer-time when the taxi operator wears no coat but a shirt quite often of light fabric.

Whilst the discs are not particularly heavy, they are rectangular in shape and they have a dragging effect. When a person gets in and out of a car, helping passengers or moving their baggage and that sort of thing, it is possible for the discs to be caught and, accordingly, damage is caused to wearing apparel. Surely something neat and refined would meet the purpose! As members are aware, today the practice is for lapel badges to be very much smaller than was the case only a few years ago, and I think it is a needless indignity to inflict upon those who are seeking to earn a living in a particular way the compulsory wearing of large discs which, no doubt, most of us have seen. I am sure the Minister could give attention to this matter and any change along the lines I have indicated would be welcomed by the people directly affected.

I now have one or two comments in regard to the Bill. In the first place, according to the Act, a person who wishes to become a taxi operator must satisfy the authorities that he is of good repute and is a fit and proper person to operate a taxi car. It is now proposed, by this Bill, to insert the words "if a natural person" so that it will read that the applicant is of good repute and, if a natural person, is a fit and proper person to operate a taxi car.

I wonder how many members would know who is a natural person and who is not a natural person in the matter of being of good character, repute, and the rest of it? There must be some reason for these words appearing; but to the layman, in any event, the reason seems a little obscure. Even to those laymen who have been handling legal documents for many years the meaning is obscure, and it would be appreciated therefore if the Minister would indicate clearly, for the purpose of the record, exactly what is meant by the words "if a natural person." Somebody suggested that it had reference to a naturalised person and someone else suggested that it was in contradistinction to one of doubtful legitimate parents, and so on. However, I am certain it means neither of those two attempts at interpretation.

Under clause 7 of the Bill it is proposed that a register under the control of the board be kept, and upon the board being satisfied that an applicant has a license from the police entitling him to drive a taxi then it shall authorise the commissioner to register that person. I mention this matter now in order to give the Minister more time to consider it rather than raise it in the Committee stage. That suggests it is left to the discretion of the Commissioner of Transport as to whether he registers the applicant. I am opposed to that provision.

After all, the police have access to an applicant's criminal record, or behaviour of an anti-social character which has incurred the displeasure of the law, and in addition they have a complete record of the traffic behaviour of the applicant. If the commissioner, after having regard for all the facts, is satisfied that the applicant should be entitled to receive a license to drive a taxi-car, and the Taxi Control Board is satisfied that the applicant holds, and holds properly, such a license, then it is ludicrous that an officer should be able to please himself whether or not he should authorise the applicant to be registered. This is a serious matter, because unless a person is registered—as will be seen from clause 6—he commits an offence if he drives a taxi-car. The provision in clause 6 states—

> A person shall not operate a taxi-car within a control area unless he is registered as a taxi-car driver under section twenty-two B of this Act.

I want to see the issue of a license automatically. It would be sufficient if the provision read as follows:—

> The Board shall, on being satisfied that the applicant is the holder of a valid driver's license issued under the Traffic Act entitling him to drive a taxi, register the applicant as a taxi-car driver.

In other words, I consider there is no necessity for the words "authorise the Commissioner to" in line 17 on page 3.

The only other comment I have is in respect of the charge for registration of taxi drivers.

I have no objection to the fee being prescribed as from 10s. to £2 to meet the costs for the first registration; but in the case of renewals as it would simply be a clerical continuation of the work in the vast majority of instances, there is no warrant for going beyond the 10s.; because, apart from the other factors, the Minister has pointed out that portion of the fees goes towards the cost of issuing the badge.

If a person has been registered and has been issued with a badge, surely the bulk of the clerical work and the cost of providing the article have already been covered. I am agreeable to a maximum of £2 for registration, but 10s. should be ample for the automatic renewals. Renewals would be automatic unless some offence had been committed. I would be pleased if the Minister would look into that aspect, which is contained in the provision on top of page 4. With those comments I raise no other objection, and support the second reading.

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [9.35 p.m.] I thank the member for Balcatta for his comments and will give some information on the points he has raised. The Bill has been introduced by me on behalf of the board in an effort to give it more control over taxi drivers generally. Under the Act as it stands the board is given some control over taxi-cars, but it has virtually no control over taxi drivers. It is considered that the board should be given some control over them in order to maintain the high standard of the taxi industry in Western Australia, and in the interests of the taxi users.

The honourable member referred to the fee of 10s. I have requested in the Bill that the board be given the opportunity to increase it to £2, but it is not the intention at this stage to alter it from the 10s. This provision should be left in the Bill so that if there is need in the future to increase the fee there will be no need to introduce legislation for that purpose. It was pointed out by the member for Balcatta that, to some extent, the money from this source goes towards the cost of providing identity discs worn by the drivers. However, the total funds from this and other directions which are obtained by the board are paid into an account for the functioning of the board. Some of the money goes out as board fees and some in the payment of salaries to the inspectors. Over the years the board has battled to function on the funds at its disposal, and this year it will barely get by. The amount of £2 should be retained in the Bill. If the board finds the fee of 10s. is not adequate, then it will have the opportunity for raising more funds if it considers it is necessary for drivers to contribute more towards the operation of the board.

Since the establishment of the board the industry has improved markedly. Some years back it was not uncommon to see taxi-cars in the metropolitan area in a shabby condition, and the drivers wearing shorts and sandals, and unshaved. It is the intention of the board to improve the standards which apply in Western Australia to bring them up to a higher level than anywhere else in the Commonwealth.

The member for Balcatta referred to natural persons, which term is mentioned in the Bill. I also was not sure of what it meant when I first saw the Bill. I wondered whether a person with one leg would be regarded as not being a natural person. I have since conferred with the Parliamentary Draftsman who advised me that the term is used to include a body corporate or company. It has been used in the Bill to embrace individuals and companies. I am glad the honourable member raised this point, because I am quite sure that other members were not aware of the meaning of the term.

The member for Balcatta referred to the provision in clause 7 which states—

> The Board shall, upon being satisfied that the applicant is the holder of a valid driver's licence issued under the Traffic Act entitling him, for the purposes of that Act, to drive a taxi-car, authorise the Commissioner to register the applicant as a taxi-car driver for the purposes of this Act.

It is not intended that the Act shall in any way interfere with the authority of the Police Department. I have discussed the matter with the board and I have been assured that will not be the case. The Parliamentary Draftsman and the board have advised me that it was necessary to word the provision in this way in order to give the board some control over the operations of taxi-car drivers. It would be to the best interests of the industry and the public that the board should have such control, so as to improve and retain certain dress standards and cleanliness. The clause should be left as it is. However, I am prepared to discuss this matter further with the Parliamentary Draftsman and, if necessary, to move for the deletion of the words "authorise the Commissioner" in another place.

The only other point raised by the member for Balcatta relates to identity discs. This provision has been included, because it is considered that drivers should wear some sort of identification to indicate who they are. In the Eastern States and in some other countries taxi drivers must display photographs, names, and other details. Personally, I am not in favour of this procedure, but I think some form of identity should be kept by taxi drivers so that if they misbehave the public will have some means of identifying them. I am prepared to discuss with the board the type of identification which drivers should carry, to find out if it is prepared to agree to some smaller and more acceptable form.

Question put and passed.

Bill read a second time.

In Committee.

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Section 22B added—

Mr. GRAHAM: I do not want the Minister to gain the impression that I am opposed in principle to what is proposed in the Bill. I suggest that if the Commissioner of Police, after vetting an applicant with all the resources at his disposal, is satisfied he is a fit and proper person to hold a taxi driver's license, and the board is satisfied that the license presented is a valid one, then one member of the board out of seven—namely, the chairman, who is the Commissioner of Transport—should not have the right to please himself. After the Commissioner of Police in the first instance, and the board in the second, have satisfied themselves that I, for instance, am a fit and proper person to drive, there should be an obligation on the Commissioner of Transport to register me.

I would suggest for the Minister's consideration that the word "authorise" in line 17 should be deleted and the word "direct" or "instruct" should be substituted. This is rather an important matter, because if the police and the full board of seven have approved someone then one person, who incidentally sat on that tribunal of seven, should not have the right to deny any individual the opportunity of earning his living in a particular vocation. I feel the Commissioner of Transport should be duty bound to issue the license.

Mr. O'CONNOR: I did mention earlier when replying to the member for Balcatta that I had discussed this with the board and the Parliamentary Draftsman. I have been advised that this Bill will not interfere in any way with the Police Department.

Mr. Graham: I know that.

Mr. O'CONNOR: I am coming to the honourable member's point. I feel this Bill should be left as it is; but I will discuss it further with the draftsman tomorrow; and, if necessary, I will have an alteration made in another place.

Mr. GRAHAM: I am not particularly in love with this method of doing things. I think we should, particularly at this stage of the session, deal with matters properly here; but in view of certain circumstances, particularly as the Premier and the Minister have been co-operative in regard to certain points which I need not here outline, and as this is one of the first Bills the Minister has introduced as Minister, I do not intend to demur in any way, but will accept what he proposes.

Mr. Brand: Don't you think the word "authorises" has a special purpose? I cannot imagine the commissioner not registering the driver.

Mr. GRAHAM: I do not think the word is strong enough. The Premier could authorise me to perform a certain act, but if I am instructed to perform that act there is an obligation on me to do so. The other way I can do it if I want to.

Mr. Brand: Does it not say that the commissioner shall keep a register?

Mr. GRAHAM: Yes; but the commissioner may authorise the registration. I say that it leaves the commissioner the opportunity to please himself whether he registers that person or not. If it is intended to be automatic if approved by the board, I think the Bill should say so.

Anyhow, in respect of this matter, I am prepared to accept the assurance of the Minister that he will *bona fide* have it examined, and even with the word "authorise", if it does what I desire it to do, I will be satisfied for it to remain there.

Clause put and passed.

Clause 8: Section 22C added—

Mr. GRAHAM: We come to the point I mentioned earlier. I have no objection to a fee of 10s. or such other fee not exceeding £2 in the case of a person to be registered, but not for the annual renewal. I do not think it is necessary or warranted. When dealing with people who are earning their livelihood, I think we should be exceptionally conservative, because in the Act itself, in respect of vehicles—in other words, taxis—we make a provision that there should be a fee prescribed not exceeding in the case of the issue or renewal of a license, £15; and in the case of a transfer of any license, £2. I am aware that the maximum has not been reached as yet. Some lesser figure than that is charged.

In my view, it is from here that the moneys should come to finance the operations of the board, particularly as there are persons owning taxis who render no service whatever themselves. I do not know whether the position still obtains, but when I was Minister there were people living in other parts of Australia who owned numbers of taxis in this State, which were operating in the metropolitan area, and who were making charges on people who were working and operating the taxis here. Therefore, if £10 is barely enough, let the Minister make that fee £10 10s. or £11 in respect of the vehicle; but most of these men who are drivers are paying this £21 a week—which I understand has now gone up to £24 or £25 a week—and in addition pay all the fuel and some other costs as well. I think we should keep at an absolute minimum any further impositions on those people. Those who own vehicles, although they are not making fortunes, are

getting by; but very many of the unfortunate people who are paying this tribute to the owners of taxis are required to work inordinately long hours, and the return to themselves and their families is, indeed, meagre.

This is borne out by the fact that many of these drivers desire to obtain taxis for themselves. The Minister can correct me on this if I am wrong, but I understand that currently the value of plates is somewhere between £1,500 and £2,000, which is over and above the value of the vehicle itself. Because of this desire to own the vehicle, the payment of the £1,000 tribute for a set of plates which initially cost 7s. 6d. is regarded as not being exorbitant as against getting out of the clutches of some of those people who make charges and have no interest whatever in serving the public, but merely in making money.

As I have said, I feel that this figure should be nil or next to nil, and I cannot agree to the proposition before us. I propose, therefore, to move to delete the word "of" on page 4, where it appears after the word "fee" in line 2, with a view to substituting the words "not exceeding". Then I propose to move to delete all the words after the word "shillings" in line 2 down to and including the word "prescribe" in line 4.

I cannot see anything wrong with that whatever. I am not attempting to undermine what the Minister seeks to achieve, but I am asking for a figure that is fair and reasonable under the circumstances. Therefore, in order to test the Committee, and having intimated the purpose of my amendments and the extent of them, I move an amendment—

> Page 4, line 2—Delete the word "of" where secondly occurring.

Mr. O'CONNOR: I am afraid in this particular case I cannot agree with the member for Balcatta. I do not feel that a fee of up to £2 per year to register as a taxi driver is unreasonable. The operations of the board are fairly expensive, as is also the work in connection with registering these particular drivers, keeping a watch on them, providing the inspectors to ensure that the industry operates efficiently, and keeping an eye on the industry generally.

The board has no intention at this stage of raising the fee from 10s., but it should have an opportunity to do so later on if it so desires. For instance, with decimal currency coming into operation in the near future, the board has arranged for the printing of a card to show the difference between the two currencies in order that customers will know what they have to pay for a particular journey.

Another point is that the meters cannot be changed over immediately. It takes approximately three months to have a meter altered from shillings and pence to dollars and cents, and therefore the board has arranged for placards to be provided for the convenience of clients and drivers.

There could be other instances like this which may arise, and frankly I do not think £2 a year is unreasonable. As I have indicated, the board has no intention of raising it at the moment. I oppose the amendment.

Mr. GRAHAM: I thank the Minister for submitting to the Committee a reason for agreeing to my amendment. If it be the intention of the board to provide suitable cards for the easy conversion of taxi fares from shillings and pence to dollars and cents, surely the Minister can see immediately that that is a service to the person who owns the taxi! One of these cards will be fitted in the taxi for the operators, the customers, and everybody else to see. One taxi could have half a dozen drivers.

Mr. O'Connor: I do not know of any here that have half a dozen drivers.

Mr. GRAHAM: I do not know that the Minister is particularly well informed then. Frequently a person who operates a taxi has other people driving it for him at different times of the day or night. The operator himself would not feel disposed to drive the vehicle from 8 o'clock one morning to three or four o'clock the next morning, and over weekends, and so on. Many taxis have more than one driver, and that brings us to the crux of the problem; namely, that if additional funds are required, there should be a stepping-up of the levy or charge imposed on the taxi-car and not on the taxi drivers.

Mr. O'Connor: Surely you do not think this is a large contribution by the driver.

Mr. GRAHAM: What does the Minister mean?

Mr. O'Connor: The fee at the moment is 10s. a year to register as a taxi-car driver, and the Bill gives authority to take it up to only £2. Surely you do not suggest that is a large amount.

Mr. GRAHAM: He already has to pick up £24 to £25 worth of fares before one penny goes into his pocket. Then he has several pounds to pay for petrol; and there are other charges to be met. He would have about £30 in the aggregate of taxi fares to collect.

Mr. Brand: But he would know this before he took it on.

Mr. GRAHAM: That is so. As we know this we should be most reluctant to put further charges on these people unless those charges are absolutely essential. I feel I have made out a case to show that they are not necessary.

The Minister has indicated that the board, in its first year of operation, has barely made ends meet. I am prepared to accept that statement; but the Minister

will surely agree with me that in the initial year there are many costs that will not recur annually. Therefore the board should manage comfortably this year; and if it requires additional moneys it could make adjustments.

Mr. O'Connor: Most of the money has gone out in inspectors' fees, and these will recur.

Mr. GRAHAM: Yes; but many of the costs will not occur again. I hope the Minister, and those who sit with him, are convinced of the merits of my argument.

Amendment put and negatived.

Clause put and passed.

Clauses 9 to 11 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

ANNUAL ESTIMATES, 1965-66

In Committee of Supply

Resumed from the 13th October, the Chairman of Committees (Mr. W. A. Manning) in the Chair.

Vote: Legislative Council, £20,039—

MR. MITCHELL (Stirling) [10.6 p.m.]: First of all I wish to congratulate the Treasurer on the fact that this is the first time in the history of Australia that the Estimates have passed the £100,000,000 mark. This is an indication of the rapid and substantial progress the State is making, and I think great credit is due to the Government and to the Ministers of the Crown for this development. The development brings with it, of course, increased charges. We hear criticism not only from members of the Opposition but from people outside Parliament because we are increasing charges and are increasing taxation at several points.

Mr. Tonkin: At every point.

Mr. MITCHELL: At several points. I want to make this point: that as a member of this Chamber I suppose I can say that 99 per cent. of the requests or suggestions I get from my electors are for something that will increase costs to the Government. We have demands for new schools, new hospitals, new this, and new everything else. Many people seem to think the Government has some mythical amount of money it can conjure up out of space to provide these services that the people require.

It is a healthy sign that people throughout the country want these things, because most people know that if they require something they have to be prepared to pay for it. Therefore the Government, when it agrees to provide the new items that are requested, knows that increased expenditure will have to be made and that there will have to be increased taxation That is inescapable; and because we are expanding rapidly we have to increase not only our expenditure but also our income

Again, I would just like to say how pleased I am, as a supporter of the Government, that substantial progress has been made in the past year with the development of the iron ore contracts During last session, when we were dealing with the iron ore agreements, there was a lot of criticism from the Opposition to the effect that we had not sold a ton of iron ore. I notice that no comments have since been made about the fact that we have sold iron ore; the only criticism now is that the Government has sold it too cheaply.

It is necessary for us to indicate our position in this matter; and, as far as I am concerned, the whole of the iron ore in the north-west of the State is not worth very much at all while it is there, but it is worth something when it creates employment and creates all those things that come with employment. Therefore, even if we do not get much for the iron ore the fact that we are spending all these millions of pounds to develop the resources of the State in that direction seems to me to be very important as far as Western Australia is concerned.

I wish to make a few comments on war service land settlement. The Estimates mention that the write-off this year of the State's share of the loss on war service land settlement will be approximately £707,000; and the Premier mentioned that it is expected that eventually £5,000,000 will be written off as the State's share of the loss.

There was much comment some years ago about the fact that the war service land settlement valuations were delayed It was then expected that if they were delayed long enough the values would be increased so that the loss would not be as great as was originally expected. That perhaps, is the case. The valuations in many instances were delayed and were substantially higher than it was thought they would be had they been arrived at earlier.

It is necessary to get the right perspective on war service land settlement when considering the amount that might be written off. The sum of £5,000,000 appears a huge amount to be written off in respect of one project. But I draw attention to the fact that war service land settlement established 1,280 farms in this State; it cleared 666,000 acres of land, and 449,000 acres of that area was virgin Crown land; it built new, and added to, 2,200 houses and quarters; it sank 1,805 dams ranging in size from 1,500 yards to 4,000 yards; it equipped 647 bores; and the gross expenditure was in the vicinity of £40,000,000.

I point out also that it has been said quite often that the great southern portion of the State is not receiving the support it should receive from the various Governments, and that no money has been spent in that area. As a large portion of war service land settlement in this State—in fact all of it except that in the Eneabba area—is in the Albany zone, and most of the £40,000,000 was spent there, it is only fair to say that that expenditure could not have taken place without making a great contribution to the southern portion of the State.

When we work on that basis, we get a better idea of the value that has been received or will be received from the write-off of £5,000,000 that the State will eventually make.

I have not the actual figure of carrying capacity. It would be difficult to get, as most of these farms are now on the bank; but I would like to say that the war service land settlement farms would be carrying at least 1,500,000 sheep and would not return less than £4,000,000 from sheep alone. So the return to the farmers in any one year is as much as the write-off will eventually be. This must make a great contribution to the export earnings of this State and of the Commonwealth.

It is quite evident that in a scheme such as this there must be a few failures. It is only natural that, with 1,200 farmers put on these properties, they could not all be successful. The same thing applies with ordinary farming. Under the best conditions some people do not make the grade. I believe that when the full story of war service land settlement is written it will show that this scheme made a valuable contribution to the development of the southern area of Western Australia.

I have mentioned before that it was war service land settlement that really drew attention to the potential of the south coast, and it is as a result of this that at the moment there is practically no more land available in the south coast area of Western Australia for acquisition by private settlers.

That, too, has brought about some problems. I have drawn attention to this before, but I would like to draw the attention of the Minister to it again. I have noticed from the records that approximately £204,000 has been spent on the various research stations throughout Western Australia. Naturally, a great deal of that expenditure was recouped from production obtained on the stations. Nevertheless, I still believe that there is an area on the south coast—in the 20-inch to 25-inch rainfall belt—where a research station could be established to investigate the problems that beset farmers in that area.

In my own district on the south coast, it is easy for anyone to establish pastures with the aid of trace elements and the like, and to obtain good results; but most of them are dominated with clover and, as a result, produce problems associated with the fertility of sheep. There is a great deal of research work to be done for the purpose of introducing to those areas along the south coast a better type of cereal which will make it possible for farmers to renovate their pastures and still obtain some return from a cash crop. Also, there is a great deal of research work to be done to introduce grasses that can be grown among the clover for the purpose of obtaining a balanced pasture, and I am hoping the Government will consider the establishment of a research station in the 20-inch to 25-inch rainfall area to carry out these experiments.

There is a research station at Esperance, but most of the other stations engaged on research work into cereal growing or similar problems are in lower rainfall areas, and little research has been done in the area to which I have been referring.

Recently new ideas have also been introduced by the dairy farm improvement scheme, but much still needs to be done to put dairy farming in my electorate on a sound basis. It has been suggested that many of the farms in the Denmark area are not large enough to carry the required number of cows, and that action should be taken to amalgamate two farms so that the property will then come into a higher bracket to enable the dairy farmer to carry a greater number of cows and so enjoy the benefit of greater income and a better chance of making an ordinary living.

The stock numbers in Western Australia have increased and sheep numbers have reached a record level. Cattle numbers in the southern portion of the State are somewhat stationary, but many people may think that the farmers are in an excellent financial position. I would point out, however, that in many cases the increased stock numbers have been paid for by increased overdrafts and with finance obtained from various financial houses. Some figures I had showed that for the year ended 1963 farmers in Western Australia owed £42,000,000 to the associated banks and to the stock firms. At the end of 1964 the figure had risen to £48,000,000, and by the end of 1965 it had reached £59,000,000. Of this amount £38,000,000 was owed by farmers to the trading banks and £21,000,000 to the stock firms.

That is a large increase in the amount owed by farmers in this State to the financial houses. When one considers that there are 20,000,000 sheep in the southern areas of the State without allowing for cattle stocking, and the fact that the farmers owe £59,000,000 to the financial houses, this means that £2 10s. is owed on every sheep at present being depastured in the southern portion of Western Australia. Farmers have assumed this financial burden first of all to make a living

for themselves, but also in an endeavour to keep abreast of the development that is taking place and the increased earnings of the State as a whole.

I think it is to their credit that they have accepted the responsibility of such a huge financial liability for this purpose. It is also true that, if more sheep were available, presumably farmers would be prepared to shoulder a greater financial responsibility in order to accommodate them on their properties to use up the surplus feed. This season has probably been one of the most outstanding Western Australia has known for many years. In the southern area, particularly, sheep are now very short and farmers are finding it difficult to stock their pastures to full capacity.

A word or two now on education. Recently I had the pleasure of spending a day at the Denmark Agricultural College. To my mind this college is performing outstanding work in the educational field by fitting young men for farm work. That college is to be congratulated on the amount of research it is carrying out on pasture development on its small restricted area. It is work that should be encouraged by the department and, if possible, it should be extended so that more pupils can be accommodated to obtain the benefit of the work the college is doing. On the more difficult Denmark peat sands it is the college, with the assistance of the local advisers, that has brought the carrying capacity up to five and six sheep to the acre. This is country which, a few years ago, was thought to be useless for the production of sheep.

I offer my congratulations to the headmaster of that college and hope that every encouragement will be given to him by the department to continue to expand the work the college is doing. One particular feature of the Denmark Agricultural College is the remarkable effect its school band has had not only on the school itself, but also on the local community. It was perhaps the first school band to be formed in Western Australia. The band was made possible by a benevolent individual who provided the finance for the instruments, and there is no doubt it is making an outstanding contribution to the social life of Denmark.

In my own town of Mt. Barker we have a farm school situated on a nice piece of land adjacent to the town. It is a three-year high school, but the farm, of some 300 acres, is conducted by an extremely active and energetic local advisory committee. I consider it has set a pattern for agricultural education which could be taught effectively throughout the State. On that farm, on an ordinary day basis, boys are taking the same course as they would at a residential school, and the results they have achieved are outstanding.

There is one point in regard to country education to which I would draw the attention of the House and, in particular, the attention of the Minister. It is that the present-day tendency is for employers to require those seeking employment to hold the Leaving Certificate. For instance, most of the stock firms which, in past years, made available jobs which were considered ideal for country boys, now demand that any applicant should hold the Leaving Certificate. The P.M.G.'s Department used to be considered a valuable source of employment for country boys but it is now demanding that any applicant for a position within that department should have the Leaving Certificate.

The fact is that many of the larger towns have a three-year high school, but the children cannot get the necessary instruction at those schools to sit for the Leaving Certificate in their home town, and it is most difficult for parents in those areas to send their children elsewhere to take the courses that are required to pass the Leaving Certificate examination. Any child in the metropolitan area or in the larger country towns enjoys the benefit of being able to attend a five-year high school and so is given every opportunity to pass the Leaving Certificate examination. Further, there are many country childern whose parents cannot afford to send them to a five-year high school or who live in parts where it is impossible for them to attend such a school. However, those children are capable of doing something more than going to work on a farm or working in a shop in a country town.

I am hoping that every endeavour will be made to have more five-year high schools established in all country towns of a reasonable size to enable the children in those parts to be given the same educational opportunities as their counterparts in the city.

A great deal of publicity has been given of late to native housing. Prior to 1961 only £61,000 had been spent by all Governments up to that time on housing for natives in Western Australia. In 1961-62 £61,000 was spent on native housing; in 1962-63, £192,000 was spent; and in 1963-64, £172,000 was spent on ordinary housing for natives, plus £19,000 on conventional houses. I am pleased to say that this coincides with the appointment to the portfolio of the Minister for Native Welfare of a member of my own party.

As great as the progress has been, it is estimated that to come somewhere near housing the entire native population in this State would require 350 houses at a cost of nearly £1,000,000. That would catch up with the lag and we would then be in a position whereby the amount we are now expending would keep abreast of the native population in this State reaching mature age. I believe that the present policy is wrong inasmuch as the Native

Welfare Department is supposed to be providing houses for natives. I am one of those who believe that all human beings are deserving of consideration regardless of whether they be black or white.

We have a Housing Commission in this State whose duty it is to house the population of the State, particularly those people who cannot afford to buy a house for themselves. Recently, at Kendenup, I opened three native houses. They were nicely built and situated in an extremely pleasant position. The families who occupy them are very deserving people. At the time I tried to make this point with the people of Kendenup: that when we talk of building houses for natives, many people think the Government is handing out charity, but I explained that the Government had spent approximately £190,000 on housing natives last year.

When we consider the millions of pounds we spend on housing white people, we should not think of the houses we provide for the natives as being something of a charity. We have the Housing Commission providing homes for workers on lower incomes; homes are provided by the commission for pensioners, for Government employees, and for all sorts of other people. We are supposed to be a privileged people, and yet some of us cannot provide houses for ourselves; we find it necessary to have them provided by the Housing Commission. The native people are not a very privileged class, and it is nothing for them to be ashamed of that over the years they have not been able to provide themselves with houses, particularly when we consider that many white people are not able to do so either.

I am not sure what difference it will make to the Grants Commission, but I believe it is not the duty of the Native Welfare Department to provide homes for the native people. After all, we are all human beings, and we have a Housing Commission set up to provide people with houses. I feel a branch should be established to provide homes for native people as is done with any other class of people.

There appears to be a certain amount of antagonism towards providing native homes in the metropolitan area. The Minister has appealed to the people in the country, and to the local authorities there to make available sites in the country towns for the provision of homes for the better types of natives who are able to look after them. Most local authorities in the country areas have accepted the fact that the native people are deserving of the best they can get.

Although I know the Minister has made approaches to the local authorities in the metropolitan area, because they believe of one such local authority coming forward and saying, "Yes, we will provide the land in a particular area so that homes may be provided for natives." Perhaps it is felt that these people should not come to the metropolitan area; but they are, after all, human beings like the rest of us.

Many of our white people come to the metropolitan area, because they believe that is where they can get the best living. Because a person's skin happens to be black, that is no reason why he should not come to the metropolitan area; and to my mind there is no reason why the State Housing Commission should not build homes of a standard suitable for such people. The commission should accept the responsibility for collecting rents and so on, and leave the Native Welfare Department to advise, and provide assistance and guidance in other fields, rather than to provide houses, collect rents, and so on.

Mr. O'Neil: The State Housing Commission does accommodate native families.

Mr. MITCHELL: It has a long way to go before it can provide the houses necessary.

Mr. Tonkin: Is this a private conversation?

Mr. MITCHELL: I do want to congratulate the Minister on the improvements that the Native Welfare Department has made in most of the country reserves I know of. But there is still a long way to go before those reserves are brought up to the required standard. The provision of toilets, washing facilities, and that sort of thing, are only half what they should be. I would like to see the department press on with the improvement of facilities in these various areas, because I believe the native population will, otherwise, never be brought to a satisfactory standard; at least not until we provide them with first-class housing and the attendant facilities.

I know it is said that the native people cannot look after their houses, but I have seen some houses that are lived in by white people which are not looked after very well. So we are not all blameless in this matter. The native people are many hundreds of years behind us in the matter of culture, and they suffer from many disabilities. It is not only necessary for them to be provided with houses, but it is our duty to do all we can to improve their conditions.

With those few words, I would again like to congratulate the Treasurer on the Budget he has brought forward, and to assure him of my support in continuing with the work of the Government.

Progress

Progress reported and leave given to sit again, on motion by Mr. Brady.

SITTINGS OF THE HOUSE

Thursday Nights

MR. BRAND (Greenough—Premier) [10.36 p.m.]: With your permission, Mr. Acting Speaker (Mr. Crommelin), I would like to remind the House that after Thursday, the 28th October, we will be sitting after tea on Thursdays.

House adjourned at 10.37 p.m.

Legislative Council

Wednesday, the 20th October, 1965

CONTENTS

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

QUESTIONS (3): ON NOTICE

EPILEPSY

Edward Kostrzewski Case: Inquiry into Report of Medical Opinion

1. The Hon. H. C. STRICKLAND (for The Hon. R. F. Hutchison) asked the Minister for Justice:

   (1) In relation to the report in *The West Australian* on the 12th October, 1965, in the case of Edward Kostrzewski, who was found guilty of attempted murder, will the Minister have inquiries made to ascertain if the report in *The West Australian* is factual in relation to the medical officers quoted?

   (2) (a) Is the Minister aware of the damaging and untrue inference in relation to epilepsy sufferers in the published report?

   (b) Would he inquire if the word "probably" was in fact used by the medical practitioners quoted?

   (c) If so, does he realise the harsh injustice imposed on epileptics and their families by this unjust usage of language which causes worry and mental suffering to a wide section of the community?

   (3) Would the Minister agree that the word "probably" as used, is misleading to the public, and implies something that does not exist in reality?

   Hereditary Factor

   (4) Is the Minister aware that epilepsy is not hereditary any more than any other family likeness or human feature is hereditary as such?

   (5) Does the Minister know that there is, in fact, no such thing as an epileptic personality?

The Hon. A. F. GRIFFITH replied:

(1) Inquiries suggest that the report is factual.

(2) to (5) These questions are not such as I, as Minister for Justice, should be required to answer, but since the questions suggest a possible misunderstanding of the object of the medical evidence given, I will explain that the medical evidence was called on behalf of the prisoner, not with a view to making suggestions against epileptics generally, but in support of a plea to the jury that they should find the prisoner not guilty on the ground of insanity—a verdict which would avoid the stigma of being found guilty of attempted murder and