

Some rather good contributions have been made to the debate by individual members, and I appreciate their comments. It has been quite enlightening to me that they have been able to come forward and throw some light on the various situations that might be affected by this measure if it is passed. After listening to the various points of view of members, and having regard to the introductory remarks of the Minister who introduced the Bill, I am somewhat perplexed as to what to do. I believe this is an ill-conceived Bill. It has certainly been poorly introduced, and I think the House is entitled to some further and more detailed explanation of why the legislation is required.

Unfortunately, in recent times we have had the experience of Bills being introduced and members repeatedly having to request additional information. I do not think this is at all fair to members, and I ask the Minister to be good enough to give the House more complete information and far greater detail when Bills are being introduced.

This Bill may well be full of merit; I have yet to be convinced of that. It may well be completely in order, but I believe we, as members, need to know the details and the reasons for a Bill of this nature, or any other Bill, coming before this Parliament. In any case, I, personally, would appreciate being given the sort of information that will enable me to follow the need for this type of measure. At this stage, I have reservations on the support I may or may not give the Bill.

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

House adjourned at 8.37 p.m.

Legislative Assembly

Wednesday, the 15th September, 1971

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

QUESTIONS (30): ON NOTICE

1. *This question was postponed.*

2. TEMPORARY RESERVES

Occupancy Rights: Renewal

Mr. GRAYDEN, to the Minister for Mines:

In respect of question 8 on Wednesday, 8th September, 1971, and answered on Thursday, 9th September when answering question 5 of that day, would he be prepared to nominate some date in the future when he will supply the information requested?

Mr. MAY replied:

No.

3. IRON ORE TEMPORARY RESERVES

Occupancy Rights: Conditions of Renewal

Mr. GRAYDEN, to the Minister for Mines:

In respect of the reply to part (1) of question 6 on Tuesday, 7th September, 1971, can it be assumed from the reply that there have been instances where iron ore and prospecting companies have been granted renewal of occupancy rights to temporary reserves before having submitted to the Minister evidence sufficient to establish to his satisfaction that iron ore existed on such temporary reserves in payable quantities?

Mr. MAY replied:

Yes, renewals of occupancy rights over such temporary reserves for iron ore were granted after consideration of the supporting information submitted with each application for such renewal.

4. IRON ORE TEMPORARY RESERVES

Number Granted Since 1960

Mr. GRAYDEN, to the Minister for Mines:

How many temporary reserves for iron ore have been granted since 1960?

Mr. MAY replied:

671 temporary reserves for iron ore have been created since 1960. This number also takes into account temporary reserves the subject of special agreement Acts.

5. *This question was postponed for one week.*

6. COOLGARDIE POLICE STATION

Improvements

Mr. BROWN, to the Minister representing the Minister for Police:

(1) Does he agree that internal conditions of the Coolgardie police station are unsatisfactory?

(2) What proposals are in hand to improve the police station?

Mr. MAY replied:

(1) Yes.

(2) The building of a new police establishment is proposed during the 1973-74 financial year.

7. HOSPITAL AND MEDICAL SERVICE

Kambalda: Provision

Mr. BROWN, to the Minister for Health:

- (1) Is he aware that Kambalda, with a population of 4,800, has no resident doctor or hospital and residents are very apprehensive at this unsatisfactory situation?
- (2) Is he further aware that the Kambalda ambulance service is being called upon to transport medical cases from new mining areas south of Kambalda which necessitates the absence of this vehicle from the Kambalda district on frequent occasions?
- (3) Will he give urgent consideration to the provision of a resident doctor and hospital at Kambalda?

Mr. DAVIES replied:

- (1) I am aware that there is no doctor or hospital at Kambalda.
- (2) I have no statistics available concerning absences of the ambulance from Kambalda.
- (3) Funds are not available to build a hospital at Kambalda. Regional hospital facilities are provided at Kalgoorlie. The Government cannot direct a doctor to reside at Kambalda but is actively engaged, in consultation with local authorities and the W.A. Branch of the Australian Medical Association, with the view to more doctors taking up practice in the Kalgoorlie area.

8. SOUTHERN CROSS POLICE STATION

New Site

Mr. BROWN, to the Minister representing the Minister for Police:

- (1) Has a site been selected for the establishment of a new police station at Southern Cross?
- (2) If "Yes" where is it proposed to site the new police station?

Mr. MAY replied:

- (1) Yes.
- (2) Canopus Street.

9. SENIOR HIGH SCHOOL

Kambalda

Mr. BROWN, to the Minister for Education:

Will he advise what plans are currently under consideration for the establishment of a senior high school at Kambalda?

Mr. J. T. TONKIN replied:

With continued growth of Kambalda it is possible that a high school will be established within two to three years. Student num-

bers at the 4th and 5th year levels are however not sufficient to warrant the establishment of a senior high school in which a full range of courses can be offered.

10. BADGINGARRA RESEARCH STATION

Crop Trials

Mr. BROWN, to the Minister for Agriculture:

- (1) As a result of trials at the Badgingarra research station what are the most favoured crops for the region?
- (2) Does his department consider the area favourable for wheat growing?

Mr. H. D. EVANS replied:

- (1) Wheat, followed by barley, peas, lupins and oats in that order.
- (2) Yes, particularly after fertility has been built up under leguminous pastures.

11. MINES DEPARTMENT

Office at Southern Cross

Mr. BROWN, to the Minister for Mines:

- (1) In view of the fact that the office of the Mines Department at Southern Cross is in a serious state of disrepair what arrangements, if any, are in hand—
 - (a) to carry out renovations to the existing building;
 - (b) to erect a new building?
- (2) Will the local authority be consulted on any proposals?

Mr. MAY replied:

- (1) (a) and (b) Arrangements are in hand for the erection of a new building subject to finance.
- (2) A letter was sent from the Mines Department to the local authority on 16th August, 1971, informing it of the proposal and asking for the shire's views on the proposed siting of the new offices.

12. HOUSING

Contracts: March to August, 1971

Mr. MENSAROS, to the Minister for Housing:

- (1) How many contracts for—
 - (a) individual dwelling houses;
 - (b) group housing;
 - (c) jobs of other description,
 have been let to private contractors, and of what total value in each of the months from March to August, 1971, by the State Housing Commission and by War Service Homes?

(2) During the same months has there been any State Housing Commission and/or War Service Homes work started by other than private contractors?

(3) If (2) is "Yes" will he describe this work as to type and value for each month as in (1)?

Mr. TAYLOR replied:

(1)

	State Housing Commission		War Service Homes	
	Number	Amount	Number	Amount
		\$		\$
(a) March	26	319,832	2	20,815
April	37	336,219	1	12,000
May	27	280,495	4	45,245
June	23	346,896	3	33,974
July	159	1,461,417	8	86,987
August	49	602,009	7	90,391
(b) March	44	440,313		
April	25	195,023		
May	61	375,020		
June	6	82,230		
July				
August	24	187,771		
(c) March	14	26,645		
April	50	27,117		
May	13	18,152		
June	35	36,329		
July	94	226,126		
August	24	143,156		

(2) Yes.

(3)

	Type	Number	Value
			\$
March	Maintenance properties, wages and materials	80	27,000
	Gardening wages and material		4,325
			<u>\$31,925</u>
April	Maintenance properties, wages and materials	82	28,290
	Gardening wages and material		4,325
			<u>\$32,615</u>
May	Water and sewerage reticulation, South Hedland		10,200
	Maintenance properties, wages and materials	57	19,665
	Gardening wages and material		4,325
			<u>\$34,190</u>
June	Sewerage reticulation South Hedland		5,200
	Road construction, South Hedland		412,000
	Maintenance properties, wages and materials	50	17,250
	Gardening wages and material		4,325
			<u>\$438,775</u>
July	Road Construction, Kwinana		291,223
	Maintenance properties, wages and materials	98	34,155
	Gardening wages and material		4,325
			<u>\$329,703</u>

August	Water and sewerage reticulation, South Hedland		412,500
	Cross-overs and parking		1,230
	Maintenance properties, wages and materials	68	22,160
	Gardening wages and material		4,325
			<u>\$440,215</u>

13.

LOCAL GOVERNMENT

Allegation of Corruption

Mr. MENSAROS, to the Minister representing the Minister for Local Government:

(1) Does he consider that it was in the interest of the public to make widely reported statements about investigations following allegations by unnamed people as to corruption in an unnamed local authority?

(2) Could not the well-earned and deserved prestige of local authorities generally be damaged by such statements?

Mr. TAYLOR replied:

(1) and (2) There is evidence that a member of the deputation released the matter to the press. In view of the articles that appeared it was decided in the interests of the public to inform them of the investigations being made and to avoid groundless rumours and speculation which would have eventuated to the detriment of local government generally if no statement had been made.

14. LIONS PARK, WANNEROO

Safety Measures

Mr. MENSAROS, to the Minister representing the Chief Secretary:

(1) Has he or the Government taken all measures to prevent the repetition of the recent fatal accident in the Wanneroo lions park?

(2) If so, what are these measures?

Mr. TAYLOR replied:

(1) and (2) No action is necessary. Security measures at the park appear adequate and if the rules of the park are observed there should be no accident.

15.

NATIONAL SERVICE

Gary Cook: Imprisonment

Mr. MENSAROS, to the Minister representing the Chief Secretary:

(1) Was it correctly reported that Gary Cook, serving imprisonment as a result of conviction for failing to comply with the National

Service Act, will have the immediate privileges of a work release prisoner at the Bunbury Rehabilitation Centre?

- (2) If so, will he state whether this is a normal practice with all convicted prisoners?
- (3) In how many cases has this privilege been given in the past three years right from the beginning of their sentence for prisoners serving a sentence of two years or longer imprisonment?
- (4) How many people have commenced sentences of two years or longer term of imprisonment during the past three years?
- (5) Has the decision for special treatment referred to in (1) any connection with the inquiries or requirements of the State executive or any other body of the Australian Labor Party?

Mr. TAYLOR replied:

- (1) No.
- (2) See (1).
- (3) None.
- (4) 643.
- (5) No.

16. WOOL

Processing and Manufacturing in Western Australia

Mr. COURT, to the Minister for Industrial Development:

- (1) What negotiations are currently proceeding for new or expanded—
 - (a) wool scouring in Western Australia;
 - (b) wool topmaking in Western Australia;
 - (c) wool yarnmaking in Western Australia?
- (2) What are the current indications of success?
- (3) If successfully negotiated, where will such industries most likely be located?
- (4) What Government financial assistance could be expected for such industries—
 - (a) if in metropolitan area;
 - (b) if out of metropolitan area?
- (5) Have discussions been undertaken with the Commonwealth Government on the subject of wool processing in Australia since 20th February, 1971, and, if so, with what result?

Mr. GRAHAM replied:

- (1) Discussions are taking place with an organisation that has expressed an interest in wool scouring and topmaking.

- (2) Negotiations are of a confidential nature at this stage.
- (3) In line with Government policy, a country location will be given priority if possible.
- (4) The case will be treated on its merits when more details and requirements are known.
- (5) No.

17. The SPEAKER:

This question is, according to *May*, inadmissible, inasmuch as it is of a hypothetical nature and therefore it will be deleted from the notice paper.

18. STATE ELECTRICITY COMMISSION

Trade Unions: Discussions

Mr. COURT, to the Minister for Electricity:

- (1) Further to my question 18 of 7th September and the answers given—
 - (a) what was the Cabinet decision passed to the State Electricity Commission;
 - (b) what is the role of the Municipal Officers' Association—
 - (i) amongst S.E.C. workers generally;
 - (ii) in the discussion recently held and during which a power supply stoppage was threatened?
- (2) Are there overlapping claims and areas of activity on the part of Municipal Officers' Association and a locally registered union and, if so, what are the details?

Mr. JAMIESON replied:

- (1) (a) Cabinet determined that it desired the implementation of the special committee's recommendation in full, and that the recommended increases in salary rates be made retrospective to the date on which Cabinet decided to appoint the special committee; viz. 4th May, 1971.
- (b) (i) The Municipal Officers' Association has no industrial coverage of State Electricity Commission workers generally.
- (ii) The Municipal Officers' Association as such took no part in the recent discussion but were associated with some State Electricity Commission workers at the time of the power stoppage in April, 1971.

- (2) An industrial agreement registered in the State court with the Salaried Officers' Association sets the conditions and rates of remuneration for salaried officers employed by the State Electricity Commission except for professional engineers. It is apparent that some officers have joined the Municipal Officers' Association who attempted to provide them with industrial coverage through the Commonwealth court.

19. AUDITOR-GENERAL'S REPORT

Tabling

Mr. BICKERTON, to the Treasurer: As the Auditor-General's report is of value to have available at the same time as the introduction of the Loan and Revenue Estimates, would he advise if the report will be tabled in the near future?

Mr. T. D. EVANS replied:

The Treasurer's statements for 1970-71 have not yet been received, but delivery is expected shortly. Tabling of the report then depends upon the printing, but should be about 11th October.

20. DEPARTMENT OF PATHOLOGY

University and Perth Medical Centre: Integration

Dr. DADOUR, to the Minister for Health:

- (1) Is he aware that since 1957, 14 classes of medical students have successfully passed through the Department of Pathology in the University of Western Australia?
- (2) As this has been possible only because of the integral backing of the diagnostic pathology laboratories of the Royal Perth Hospital, which are directed by the Professor of Pathology, will he now agree that the needs of the State health service in demanding control of the diagnostic laboratories at the Sir Charles Gairdner Hospital are being allowed to jeopardise the efficient functioning of the Perth Medical Centre in teaching medical students?
- (3) Is he aware that since the establishment of the University Department of Pathology in 1957, its members, both past and present, have published approximately 200 papers in national and international medical journals, delivered numerous talks to learned societies, and had their work quoted in standard textbooks?

- (4) As much of this research is based on material derived from diagnostic pathology laboratories, will he now agree that depriving the University Department of Pathology of control of the diagnostic pathology laboratories will jeopardise the efficient functioning of the Perth Medical Centre in conducting research?

- (5) Is he aware that since the establishment of the University Department of Pathology in 1957, there have been 55 post-graduate degrees and diplomas in medicine and pathology obtained by members of its staff both past and present?

- (6) As this outstanding and unparalleled achievement is the result of the integration of the University and the Royal Perth Hospital departments under the direction of the Professor of Pathology, will he agree that a similar integration at the Perth Medical Centre is essential to maintain these successes in postgraduate medical education?

- (7) Is he aware that if the University Department of Pathology were to lose control of the diagnostic laboratories at the Sir Charles Gairdner Hospital, the Royal College of Pathologists of Australia would remove its approval of the department as a training laboratory, and that this vital centre of postgraduate education of pathologists in Western Australia would be lost?

Mr. DAVIES replied:

- (1) Yes.
- (2) No.
- (3) No.
- (4) No.
- (5) No.
- (6) No.
- (7) I am aware that the Royal Perth Hospital laboratories and the State health laboratories have A classifications of recognition by the Royal College of Pathologists of Australia. I have no knowledge of this having been extended to the University Department of Pathology.

21. ROCKINGHAM POLICE STATION

Extensions, and Staff Increase

Mr. RUSHTON, to the Minister representing the Minister for Police:

- (1) Will he advise the extensions planned this financial year for the Rockingham police station?

- (2) When will the additional accommodation be available?
- (3) Is it intended to increase the staff at this station?
- (4) If (3) is "Yes" by how many, and in what departments?

Mr. MAY replied:

- (1) No extensions are planned for this financial year.
- (2) Funds are to be applied for in 1972, 1973.
- (3) Yes, ultimately.
- (4) Increases generally to any establishment are subject to overall strength and are constantly under review. Deployment of personnel is made so that the best interests of the public can be served.

22. LAND

Squatting: Western Australian Coast

Sir DAVID BRAND, to the Minister for Lands:

- (1) Has he read the report of a survey made on the problem of "squatting" by unauthorised persons along the western coast?
- (2) Has the Government taken any action on the report, and, if not, when can a decision be expected?

Mr. H. D. EVANS replied:

- (1) and (2) The committee appointed to examine this problem submitted a report last year which referred to portion of the coast-line. The recommendations envisage certain expenditure on the provision of services. Consideration is at present being given to the question of availability of funds for this purpose.

23. CHARLES PERKINS HOSTEL, HALLS CREEK

Exterior Lighting

Mr. RIDGE, to the Minister for Works:

- (1) Has authority been given for the installation of exterior lighting or any other security devices at the Charles Perkins hostel in Halls Creek where the manager was allegedly attacked recently?
- (2) If "Yes"—
 - (a) what is the nature of the work;
 - (b) when was it requested;
 - (c) by whom was it requested;
 - (d) when will the work be carried out?

Mr. JAMIESON replied:

- (1) Yes.

- (2) (a) External flood-lighting.
(b) November 30, 1970.
(c) Native Welfare Department.
(d) Scheduled to be completed end of November, 1971.

24. COMPREHENSIVE WATER SUPPLY SCHEME

Extensions

Mr. McPHARLIN, to the Minister for Water Supplies:

As many farmers in the north eastern wheatbelt are in need of adequate water supplies to assist them to diversify their production and remain viable, will he advise what progress is being made in the planning of further extensions to the Comprehensive Water Supply Scheme in—

- (a) the areas north of Koorda to the boundary of the agricultural areas;
- (b) the area north of Beacon and Wialki;
- (c) the area between Ballidu and Burakin;
- (d) the areas east and north of Dalwallinu?

Mr. JAMIESON replied:

No firm progress has been made in the areas listed pending the future availability of finance and the assessment of the respective merits and priorities of the numerous areas seeking water extensions.

Priority is being given to the completion of the current phase of the comprehensive scheme at the earliest possible date commensurate with finance and overall priorities, which are under constant review.

25. BUNBURY REHABILITATION CENTRE

Inmates and Offences

Mr. WILLIAMS, to the Minister representing the Chief Secretary:

- (1) What are the number of trainees at present in the Bunbury Rehabilitation Centre?
- (2) In broad categories, for what offences have these people been convicted on this occasion?
- (3) Of these people, how many have previous records of violence, e.g., robbery with violence, murder, manslaughter, rape, etc.?
- (4) In general, what offences carry gaol sentences which would be suited for minimum security detention?

Mr. TAYLOR replied:

- (1) 32 trainees.
- (2) Breaking, entering and stealing.
Stealing and receiving.
Motor vehicle offences.
Sex offences.
Murder (1).
Manslaughter (1).
- (3) Two (assault police officer); (assault with intent to steal).
- (4) It is not possible to categorize individual offences as being suitable for minimum security attention. The placement of minimum security is dependent upon the individual rather than the offence.

26. BUNBURY REHABILITATION CENTRE

Security

Mr. WILLIAMS, to the Minister representing the Chief Secretary:

- (1) Is the Bunbury Rehabilitation Centre a minimum security institution?
- (2) Has his department received complaints regarding the security of this centre, and is he aware of the concern felt by residents in the area?
- (3) If so, what action is being taken to improve the situation?
- (4) If (2) is "No" will he have the matter investigated?

Mr. TAYLOR replied:

- (1) Medium/minimum.
- (2) Yes.
- (3) Requests have been made to the Public Works Department to improve security in several areas.
- (4) See (2).

27. TIMBER

Shipments to Darwin, and Sales

Mr. BLAIKIE, to the Minister for Forests:

What is the tonnage of timber shipped from Western Australia to Darwin and the amount of revenue earned for Western Australia from subsequent sales during the years from 1965 to 1971?

Mr. T. D. EVANS replied:

Timber exports from Western Australia to Northern Territory:

	Tons	\$
1964-65	2,595	146,338
1965-66	2,249	149,820
1966-67	2,693	162,386
1967-68	2,876	197,865
1968-69	3,538	262,496
1969-70	5,016	363,977
1970-71	3,427	286,258

28. MINERAL SANDS INDUSTRY

Busselton: Development

Mr. BLAIKIE, to the Minister for Industrial Development and Decentralisation:

- (1) Have any approaches been made to the Government regarding further development of mineral sands industry in the Busselton area?
- (2) If so, by whom, and of what nature?
- (3) Is it intended that the Port of Busselton or any other site within the Busselton area will be utilised to export any mineral sands produced in proximity to Busselton?
- (4) If (3) is "No" why not?

Mr. GRAHAM replied:

- (1) Yes.
- (2) Mid-East Mineral No Liability, by letter dated 9th October, 1970, and discussion with a departmental officer.
- (3) This will depend on the ultimate proposal(s) submitted.
- (4) See (3).

29. KWINANA-BALGA POWER LINE

Route: Survey and Decision

Mr. THOMPSON, to the Minister for Electricity:

- (1) Has the State Electricity Commission concluded the survey of the two proposed routes for the 330 kV power line from Kwinana to Balga?
- (2) Has the commission made a report and recommendation to him on the route?
- (3) Has he made a report and/or recommendation to Cabinet on the line?
- (4) When will the decision on the proposed route be announced?

Mr. JAMIESON replied:

- (1) A survey has been concluded. After consideration further surveying is in progress.
- (2) No.
- (3) No.
- (4) When all investigations have been completed and evaluated.

30.

TRAFFIC

Police Control in Country Areas

Mr. THOMPSON, to the Minister representing the Minister for Police:

- (1) Was he correctly reported in the *Sunday Times* newspaper on 12th September as saying that there had been a noticeable drop in the

number of serious accidents in Western Australian shires and towns where police have taken over traffic control? 2.

- (2) Will he state which local authorities have handed traffic control over to the police, and give statistics of vehicle accidents for the 12 months before, and the same period (or the full time, if not under police control for a full year) after the police takeover?

Mr. MAY replied:

- (1) The statement of the Minister for Police appearing in the *Sunday Times* on the 12th September referred to some of the shires and towns where the police have taken over traffic control.

- (2) The following local authorities have handed over traffic control to the police:

Esperance.

Manjimup.

Lake Grace.

Ravensthorpe.

Busselton.

Ashburton.

Armadale-Kelmscott.

Murray.

Wyndham-East Kimberley.

West Kimberley.

Broome.

Merredin.

Serpentine-Jarrahdale.

It is not considered desirable to give statistics which would imply criticism of some of those local authorities which have voluntarily handed over traffic control to the Police Department.

QUESTIONS (2): WITHOUT NOTICE

1.

BILLS: SECOND READING DEBATE

Amendments: Nature of Discussion

Mr. O'CONNOR, to the Speaker:

Will he advise whether during a second reading debate when an amendment is moved to delete a certain word or words speakers following are permitted to speak to the reasons for deletion of the word or words, or is the debate restricted entirely to the words deleted?

The SPEAKER replied:

I thank the honourable member for some short prior notice of this question the answer to which is as follows:—

Yes, provided they speak to the reasons.

POINT SAMSON

Development

Mr. BICKERTON, to the Minister for Works:

- (1) Has he seen a newspaper report in the News of the North Section of *The West Australian* of the 15th September, 1971, stating that Point Samson would become an industrial area?
- (2) If so, will he explain how it will be used industrially and by whom?
- (3) As the report mentions the fact that other housing and residential areas are available nearby, will he indicate—
- (a) the areas available;
- (b) the facilities that the Government will provide in the areas;
- (c) if and when people may apply for residential blocks in these areas?
- (4) In the case of his replies to (3) being vague, will he give an undertaking that no action will be taken at Point Samson until after he and the member for the district have physically inspected Point Samson and had discussions with the local people involved?

Mr. JAMIESON replied:

I thank the honourable member for some prior notice of this question the answer to which is as follows:—

- (1) Yes.
- (2) Point Samson's future is expected to be as an expanded commercial port with some associated industrial area serving the district.
- (3) (a) Roebourne and Wickham.
- (b) and (c) I am advised that action is in hand shortly to release serviced residential and light industrial sites at Wickham, and that earlier this year similar action was taken at Roebourne.
- (4) So that I may be in a position to discuss this matter authoritatively with other members of the Government before final decisions are made, I intend, if at all possible, to visit the area during Show Week.

BILLS (4): INTRODUCTION AND FIRST READING

1. Appropriation Bill (Consolidated Revenue Fund).
2. Stamp Act Amendment Bill (No. 2).

3. Motor Vehicle (Third Party Insurance Surcharge) Act Amendment Bill.

Bills introduced, on motions by Mr. T. D. Evans (Treasurer), and read a first time.

4. Coal Mine Workers (Pensions) Act Amendment Bill.

Bill introduced, on motion by Mr. May (Minister for Mines), and read a first time.

ROAD MAINTENANCE (CONTRIBUTION) ACT REPEAL BILL

Report

MR. J. T. TONKIN (Melville—Premier) [4.55 p.m.]: I move—

That the report of the Committee be adopted.

MR. O'CONNOR (Mt. Lawley) [4.56 p.m.]: An unusual situation, to say the least, developed in the House last night. We had before us an extremely important measure; a measure so important in fact that many members from this side of the House rose to debate it. The lack of support for the Premier from members on the Government side in connection with this Bill was apparent from the few speakers. It was unusual to see the Premier unprepared to rise to his feet to debate the Bill and answer questions asked by members on this side.

Mr. J. T. Tonkin: All you were doing was stonewalling.

Mr. O'CONNOR: We were endeavouring—

Mr. J. T. Tonkin: To stonewall.

Sir David Brand: The Premier ought to talk about stonewalling!

Mr. J. T. Tonkin: It was a very interesting exercise.

Mr. Brady: The Opposition did not even call for a division on the last vote.

Mr. O'CONNOR: We were endeavouring to obtain information which electors in this State are entitled to know. I believe the treatment we received last night was an insult to the electors and an insult to the Parliament.

I can understand the Premier is probably rather tired. There is a fair amount of strain imposed on a Premier, or any Minister for that matter, and it appears that the strain is starting to show.

Mr. J. T. Tonkin: You need not worry about me. I will stay the distance.

Mr. Bickerton: Always the one.

Mr. O'CONNOR: That is reassuring, provided the Premier does not stay in the vein in which we have seen him over the last day or two.

Mr. Court: The Premier was very grumpy last night.

Mr. O'CONNOR: I appeal to the better side of the Premier's nature, because I know he has a better side. I ask him on behalf of members on this side of the House, on behalf of electors in my electorate, and on behalf of electors in other parts of the State to give further consideration to deferring the third reading of this Bill.

Mr. J. T. Tonkin: The member for Mt. Lawley is not talking to the third reading. Wake up!

The SPEAKER: The debate is on the Committee's report.

Mr. O'CONNOR: This is so, and I ask the Premier to defer it at this stage.

Mr. Brady: The member for Mt. Lawley does not know the difference between the third reading and the Committee's report.

Mr. O'CONNOR: The member for Swan does not know anything about this matter. This is obvious, because he did not even speak to the debate.

Mr. Nalder: He was too busy looking up Standing Orders.

Mr. O'CONNOR: The proposals which the Premier has suggested will be brought in to replace this tax are important and it is equally important that we should have them before us prior to agreeing to the Bill. Any reasonable person should agree to this procedure and I appeal to the better side of the Premier's nature to defer this for the time being in the interests of the people of the State.

MR. O'NEIL (East Melville) [4.59 p.m.]: I assure both you, Sir, and the Premier I am not attempting to stonewall this Bill. It is unusual to rise to speak to a motion that the Committee's report be adopted. I can see, Mr. Speaker, that you only half believe me when I say I am not stonewalling. I am speaking only because of my amazement at a report of the situation and debate which occurred in the Chamber last night.

I have been in a deal of trouble with the Press on various occasions, mainly because of what I have regarded as biased reporting. The report to which I am referring today is a little inaccurate and if you, Sir, will allow me to quote a couple of sections of what I am supposed to have said in this House, I am sure you will agree this is not a very good report.

The SPEAKER: Does it deal with the adoption of the Committee's report?

Mr. O'NEIL: It deals with the operations of this House—the operations of the Committee.

Mr. J. T. Tonkin: If you have plenty of imagination, you mean!

Mr. O'NEIL: Yes, it refers to what I said during the Committee debate.

Mr. O'Connor: It is not an accurate report?

Mr. O'NEIL: It refers to what I said during the Committee debate. We are simply talking to the motion that that report be adopted. It is reported in the Press as follows:—

After the vote, Mr. D. H. O'NEIL (Lib) asked Mr. Tonkin whether the legislation would be proclaimed as soon as it passed through Parliament.

I asked no such question of the Premier. I asked the Premier if he would give a guarantee that this legislation would be proclaimed whether or not another Bill passed through this Parliament. It was quite obvious from the amendment to be moved by the Premier at that stage that the Bill could not be proclaimed immediately after it passed through Parliament.

There is a further quotation I wish to read where the Premier is said to have made this statement—

He said it was possible that the Legislative Council would not agree to repeal road maintenance tax.

Then the next report reads as follows:—

Said Mr. O'Neill: "If it is not passed by the Council, this Bill would never be proclaimed and we will be left with road maintenance tax."

It is the Road Maintenance (Contribution) Act Repeal Bill we are talking about and it is quite obvious if this Bill does not pass through Parliament there will be no opportunity to proclaim it. My implication was, if the other Bill relating to vehicle license fees was not passed by Parliament, there will be no likelihood of this particular Bill we are now discussing being proclaimed.

I am rather regretful that I have to rise and talk in this strain. However, I think that the people who have the responsibility of reporting Parliament to the people should be more accurate.

Mr. J. T. Tonkin: You are out of order, you know.

MR. BICKERTON (Pilbara) [5.03 p.m.]: Speaking on the Committee's report, and confining myself to the matter before the Chair, it surprises me that the newly-elected Opposition which, when it was the Government introduced obviously unpopular legislation for raising taxation, can now justify this course by criticising an alternative method put forward by the Government of the day.

Sir David Brand: Nothing wrong with that.

Mr. BICKERTON: The Committee's report is brought about by the fact that we are here to abolish road maintenance tax.

Mr. O'Connor: I am glad to see a spokesman for the Government on his feet.

Mr. BICKERTON: In this connection the member for Mt. Lawley wants to die with his boots on. He knows very well if no change of Government had occurred, and no change had occurred in the tax, the pressure brought to bear on the then Government would have been sufficient eventually to make it take the course which the present Premier has seen fit to take. To my way of thinking the Premier has done this very sensibly. Even the voting the other night proved that the Opposition has mixed feelings as far as this issue is concerned. This was an iniquitous tax; it was an unfair tax; it was an unreal tax. This tax was dreamed up by a sick mind at a critical time by a falling Government.

The Government had to find matching money and instead of doing this in an overall set-up, it endeavoured to make itself popular by creating the impression that it was catching interstate hauliers. This is a whole lot of clap-trap. The number of interstate hauliers who were caught compared with our own hauliers who were carting intrastate was just comical.

The abolition of this tax is the only sensible way to handle this position. Perhaps the member for Mt. Lawley and the member for East Melville have gone out of their way to stonewall in connection with this matter because they feel there is some form of political advantage attached to it.

Mr. O'Neill: Who, me?

The SPEAKER: The member for Pilbara is getting away from the motion.

Mr. BICKERTON: No fairer decision was made in a Committee's report than that made in the report before the Chamber at the present time! I think the Committee's report is worthy of being agreed to. I do not think the member for Mt. Lawley really believes that the road maintenance tax should continue. The Committee's report has undoubtedly proved, even to him, that it was a tax which just did not work.

Mr. O'Neill: We are not opposing the adoption of the report.

Mr. BICKERTON: The tax was not popular as far as the hauliers were concerned. The Committee's report also proves that the amount of administration which the taxpayers were asked to pay in connection with this iniquitous tax—

Mr. Brand: It was the smallest in Australia.

Mr. BICKERTON: —was so stupid that a better method of arranging matching money could surely be found. I congratulate the Committee on bringing down this report.

Question put and passed.

Report adopted.

OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

FIRE BRIGADES ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr. J. T. Tonkin (Premier), read a first time.

DAYLIGHT SAVING

Reasons for Introduction: Motion

MR. I. W. MANNING (Wellington) [5.10 p.m.]: I move—

That in the opinion of this House the Government should take this opportunity to explain the extent of its research and the reasons why it has resolved to introduce daylight saving—as it appears the varying problems confronting different industries and regions of Western Australia with its vast area, have not been given sufficient consideration.

My purpose in raising this matter by way of a motion in the House is to offer an opportunity to the Government to inform Parliament and the people of Western Australia of the depth of research which was undertaken into the implications of daylight saving in this State. I would ask the Government to inform us, if research was carried out, what consideration was given to primary industry, secondary industry, commerce, schools, drive-in theatres, and the many other routine activities which will be affected by the introduction of daylight saving.

There is an urgent need for an immediate and clear statement from the Government as to how desirable daylight saving is to Western Australia. Is the Government's intention to introduce daylight saving based solely on the fact that it is to be introduced and tried out in the Eastern States? What of public opinion and what of our experience of daylight saving during the war years? In my view daylight saving was far more unpopular during the war years than petrol rationing.

Mr. Davies: Oh no, no!

Mr. I. W. MANNING: Certainly amongst the people with whom I mixed daylight saving was never considered a success.

Mr. Davies: More unpopular with those people who did not have cars.

Mr. I. W. MANNING: What will be the effect of daylight saving on the country districts? Many of the electors whom I represent in this House are farmers, and they are dreading the thought of daylight saving. Many dairy farmers now commence milking their cows between 4.30 and

5.00 a.m. in order to have their milk ready for the pickup. Sometimes the milk is picked up by truck and sometimes by tanker, but the farmer milks his cows in order to have the milk ready for the pickup. With daylight saving the dairy farmer will be yarding his cows at 3.30 a.m. As the evening milking will be advanced an hour also, farmers will be yarding their cows, particularly if a big herd is involved, at 1.30 or 2.00 p.m. on a midsummer's afternoon. Certainly this is not something to look forward to on a hot summer's day.

Looking at the situation facing school children in the country districts, many of these children leave home before 7.00 a.m. to catch a school bus. If the clock is advanced an hour, the children will be sent to school before 6.00 a.m. Then at the other end of the day the children have to be put to bed an hour earlier. Thinking back to the experiences when daylight saving was introduced during the war years, I can remember many parents complaining bitterly of their experiences in trying to get young children to bed while it was still daylight. It just does not work. After a long day young children can be very cranky, and this problem lead to a great deal of criticism during the war years.

Undoubtedly these situations will arise again, and I am wondering at the depth of the Government's research when it made a decision to introduce daylight saving in this State.

Of course, many other complex situations would arise. The workers in many of the timber mills I know of commence work at 7.00 or 7.15 a.m., and in their own way they practise daylight saving. If the clock were advanced those people would be required to start work at 6.00 or 6.15 a.m. They would not be prepared to do that and, therefore, in those circumstances some compromise would need to be introduced to avoid upsetting what is in my view a happy arrangement which now exists in timber mills.

Market gardeners are another group of people who will be affected by daylight saving because they cart their fruit and vegetables to the market at an early hour in the morning. From what I have noticed, they seem to cart their produce at about 4.00 a.m. If the clock were advanced they would have to come in at an earlier hour and it would be necessary for them to do so to be clear of the morning traffic.

Perhaps another section which would be adversely affected by daylight saving is the drive-in theatres. It would seem to me that the people concerned in that business would face great difficulty in meeting the situation because if the normal time for commencing the evening programme is 8.00 p.m., then under daylight saving it would be still too light to show a film at 9.00 p.m. I think daylight saving would drastically affect the patronage of drive-in

theatres; in fact, it could be a means of putting those concerned out of business altogether.

I wonder whether the Government has looked seriously at this question because if daylight saving does not achieve anything but, on the other hand, adversely affects businesses such as those I have mentioned then I can see no point in it and I think the Government should have a second look at the situation.

As I mentioned earlier, undoubtedly the great opponents of daylight saving in earlier times were the womenfolk, because they had to cope with the situation of getting their men off to work and the children off to school in the early mornings. They also had the problem of getting the children to bed in the evenings. Those problems will undoubtedly arise again and the womenfolk will definitely be opposed to daylight saving.

Another point, in connection with which I would be interested to know what research has been done by the Government and what is the opinion of the Government, is that Western Australia is a vast area of land and, undoubtedly, the time of sunrise varies between the northern and southern parts of the State. Is it the intention of the Government to introduce daylight saving throughout the length and breadth of the State, or will the Government consider introducing daylight saving in particular regions? These are questions I think should be answered at this time because there is a great deal of conjecture right throughout the State—and certainly in the farming areas—as to just when the legislation will be introduced and in what form it will be introduced.

Mr. Taylor: Do you know when it is to be introduced?

Mr. I. W. MANNING: No, I do not.

Mr. Taylor: The legislation is before another place at this moment.

Mr. I. W. MANNING: Another question is this: How enthusiastic is the Government about the introduction of daylight saving, and what real merits does it see in it? When the Act which is now on the Statute book was introduced in 1946, it was intended to be a temporary measure for a particular reason. I think the Collie coalminers were on strike and the power was off.

Mr. Jones: The miners have not been on strike for years.

Sir David Brand: This would be when "Tom Jones" was there.

Mr. I. W. MANNING: We were blacked out.

Sir David Brand: I'll say.

Mr. I. W. MANNING: At that time the Premier of the State endeavoured to make the utmost use of daylight hours and to get people to bed before darkness set in.

That was the whole object of the measure. I cannot think of any situation prevailing now which could be related to that which existed in 1946. Even if daylight saving had merit under those circumstances, certainly that situation does not apply now and there would not be the same merit.

I do not wish to make a long speech on this question because I do not think it is necessary. The purpose of the motion is to enable the Premier to inform the House as to the depth of the research which was carried out into the question and to tell us just how enthusiastic the Government is about the merits of daylight saving.

Mr. Taylor: Could you tell us whether or not you are in favour of it?

Mr. I. W. MANNING: I see no merit in daylight saving, and I wish to make that quite clear. I do not want to debate the question of daylight saving itself and whether or not we should make a decision on it at the moment. However, I think in the interests of the people who will be affected by its introduction, we should hear some clear statement as to just how good daylight saving is. Is the Government enthusiastic about it, or is it lukewarm? These are all questions which have been posed to me and also to other members—particularly those representing country areas.

Mr. T. D. Evans: Who suggested that the Government is lukewarm about the measure?

Mr. I. W. MANNING: Nobody has hailed the measure as being of great advantage to the State. Certainly the Treasurer has said nothing.

Mr. T. D. Evans: Would that be necessary, when the Government makes the decision?

Mr. I. W. MANNING: The Treasurer has not said it would be of great advantage to his electors.

Mr. Court: He hasn't worked out a tax on it yet.

Mr. T. D. Evans: I wonder what the Deputy Leader of the Opposition feels about it. His business friends would be strongly in favour of it.

THE SPEAKER: Order! The member for Wellington will continue.

Mr. I. W. MANNING: That is a fine example of the point I am trying to make: Everybody wants to know what is going on and what are the advantages and disadvantages of daylight saving. Have the disadvantages been considered? I have endeavoured to point out some of the disadvantages and to ask whether they were taken into consideration when the Government made its decision. Daylight saving will have an immediate impact on those who milk cows, and they are the

real workers in the land. They rise at all hours in the morning and work until late in the day.

Mr. Taylor: Do farmers work by the clock, or by solar time?

Mr. I. W. MANNING: Farmers work not only by the clock but also by other sections of the industry in which they are engaged; because the time of the milk pickup by transport operators, etc., has a great influence on them.

Mr. Williams: There are certain industries with penalty rates in the factories.

Mr. I. W. MANNING: Then again, there is the question of timber mills, to which I have already referred. The workers in that industry at present have a happy arrangement by which they already practise daylight saving. If we are to impose further daylight saving in my view it would act harshly on them. However, I think probably the most distressing problem will be in relation to children who, during the winter months, have to rise in the dark and leave home to catch a school bus each morning. They quite look forward to the summer months because they are able to rise in daylight. I am certain they will be most unhappy about the introduction of a system which will force them to leave for school an hour earlier. Many parents throughout the country will be disturbed about this.

Let me return to the point I was endeavouring to make. I hope the Premier will take my request seriously. I set out to move this motion in order to afford the Government an opportunity to indicate to Parliament its views on daylight saving, the depth of the research which has been carried out, and whether the points I have touched on were considered.

Debate adjourned, on motion by Mr. Taylor (Minister for Labour).

SIGNS, PROPAGANDA AND OTHER LITERATURE

Extension of Control; Motion

Debate resumed, from the 8th September, on the following motion by Mr. O'Connor:—

That in the opinion of this House legislation should be introduced as a matter of urgency to extend the authority of the police, local government and any other appropriate body to take action in respect of signs, propaganda and other literature being fixed without authority to any building, structures, trees, vehicles or other devices.

MR. T. D. EVANS (Kalgoorlie—Treasurer) [5.28 p.m.]: I resume the debate on behalf of the Attorney-General by referring members to the wording of the motion moved by the member for

Mt. Lawley. The material words of the motion, which is highly charged with a great sense of urgency, are that legislation should be introduced as a matter of urgency. That suggests that legislation to control the situation about which the honourable member complains is either lacking or inadequate. The next part of the motion which is material refers to the affixing of signs and literature without authority.

It is to these parts of the motion that I will address my following remarks. Firstly, let us look at the situation to see whether legislation is nonexistent or, if it is existent, whether it is adequate. One might reasonably expect that our law enforcement officers—our police—who have the authority to prosecute for any breach of Statute law—in some instances subject to the approval of the Attorney-General, but notwithstanding that the police are the ones who prosecute—would be responsible, under the Police Act, for prosecuting for breaches of the law which the community would regard as being disorderly. One might expect to find coverage for those breaches included in the Police Act.

At present the Police Act gives power to members of the Police Force to prosecute for any breach of, or offence against, any by-law or regulation made by any municipality, council of a shire, or board of health. These provisions are to be found in the Local Government Act, and as law enforcement officers the police have power to prosecute pursuant to those provisions. I shall deal with the position as to whether or not those provisions are adequate.

Where wilful or malicious damage is occasioned by signing or other means, the Police Act also prescribes a penalty for any such offence; and likewise does the Criminal Code.

With respect to signs on vehicles, the member for Mt. Lawley who was formerly the Minister for Transport will be aware that action under the Road Traffic Code can be taken. This is the code which houses the regulations that are made pursuant to the Traffic Act.

I have read with a great deal of interest the speech of the member for Mt. Lawley, and it was my impression that, whilst he had his sense of wellbeing disturbed, or he might even have been angered by the people who have displayed signs, he was tempted—and I feel he fell into the temptation—to associate people, who are prone to disseminate signs, holus-bolus with those who cause disturbances and at times resort to physical violence; in other words, the type of demonstrator whom we have witnessed lately, the type that is vilified in the Press, and the type who is portrayed as having long hair and who defies the National Service Act. I cannot see any logic at all in lumping together holus-bolus the people who distribute signs with

the type of people who obviously the member for Mt. Lawley regards with little favour—the demonstrators.

Be that as it may, I will now deal with the adequacy of the legislation which exists.

Mr. O'Connor: If you check on this, you will find they are the same few people.

Mr. A. R. Tonkin: What about the advertisers?

Mr. O'Connor: I am talking about the signs that are posted on walls, buildings, etc.

Mr. T. D. EVANS: Let us look at the legislation which does exist. I have mentioned the provisions in the Local Government Act and the Police Act. For example, section 58 of the Police Act—the member for Mt. Lawley should know this because I recall at one time he was either the Minister or the Acting Minister for Police—provides that every person who injures public property shall repair the injury to the extent of \$200, and when that injury shall be wantonly done shall be subject upon conviction to a maximum penalty of \$100 or six months' imprisonment.

Section 58A of the Police Act provides that whoever wilfully or wantonly does, or attempts to do, any act which may directly or indirectly damage, injure, or destroy any building, structure, or other property in a place for public resort and recreation is guilty of an offence and subject to a maximum penalty of \$50 or six months' imprisonment.

Mr. O'Connor: Do you think this provision covers posters on walls?

Mr. T. D. EVANS: I think so. I will deal with that point, and I will not do a "Bill Hegney" on the honourable member. Under the Local Government Act of 1960, the provisions in sections 218 (b) and 244 (1) (i) give power to local authorities to make by-laws in relation to signs, hoardings, and billposting. By virtue of this power, model by-law No. 13 relating to signs, hoardings, and billposting has been drafted and it was published in the *Government Gazette* of the 11th June, 1963. By-law No. 25 relates to billposting, etc. and reads as follows:—

A person shall not post any bill, or paint, stencil, place or affix any advertisement on any street or on any building, structures, fences, wall hoarding, sign, post, blind or awning in, or within 50 feet of any street.

The penalty for a breach of this by-law is \$100.

I can appreciate the fears of not only the member for Mt. Lawley but of every well-intending citizen that at times the wellbeing of the community is disturbed by what one might term irresponsible and ugly signs which are distributed; but I think it is true to say that those who are

responsible for this type of conduct do not leave on their signs or pieces of artistry their names and addresses.

Mr. O'Connor: Two of these people have been convicted, according to this morning's newspaper.

Mr. T. D. EVANS: The honourable member will agree that by and large these signs are affixed in the dark of night. This is not a question of the law being inadequate where a conviction can be affected; it becomes a question of detecting the people who indulge in this type of conduct.

Mr. Court: Have you read the report in this morning's newspaper of what the people from the students' underground movement have done?

Mr. T. D. EVANS: I have.

Mr. Court: Are you happy with what they did?

Mr. T. D. EVANS: I will deal with that. I have shown that the law is not inadequate, and legislation does exist. I feel that sections 58 and 58A of the Police Act which provide for penalties of \$100 or six months' imprisonment, and \$50 or six months' imprisonment respectively, and by-law No. 25 made pursuant to model by-law No. 13 under the Local Government Act which provides for a penalty of \$100, cannot be regarded as being inadequate to deal with this type of conduct. The difficulty is not in enforcing the law, but in detecting the offenders.

The motion before us calls for legislation, and urgent legislation. Whilst the Government might share the view that greater steps could well be taken—and this is said with no intention at all to criticise the law enforcement officers—to ensure that these people are encouraged to exercise a greater aesthetic sense and to refrain from wanton and irresponsible billposting, the Government sees no need to support and, indeed, does not support the motion calling for urgent legislation. It becomes a question in any Government's legislative programme of determining priorities.

Mr. Court: You were going to comment on what appeared in this morning's newspaper.

MR. RUSHTON (Dale) [5.40 p.m.]: I support the motion moved by the member for Mt. Lawley. It is quite clear that this directs attention to vandalism, and the honourable member has highlighted a number of issues. In the main vandalic activity is generally of a spontaneous nature, and is not premeditated. I cannot pinpoint the age groups from which such activity emanates, but all of us understand that in our community various activities by young people, and by those not so young, are regarded as acts of vandalism, and the public becomes conditioned to them.

One act which readily comes to mind is the damaging of street trees. We know that by education and by setting an example to the young people, such attacks on public property can be controlled in one way or another.

I would like to put before the House my reasons for believing this motion to be of the utmost importance at this point of time, and to give some examples of how this matter should be dealt with. As I have mentioned, unpremeditated acts of vandalism are one thing; but now we are experiencing a greater number of premeditated acts of vandalism and they could have provoked the member for Mt. Lawley to move the motion.

I would direct my address to the House in two parts, the second of which is that we are experiencing an increase in vandalic activity—deliberately desecrating property, confronting the public's aesthetic sensitivity, and intimidating the general public with threats and violence, including the scrawling and the pasting of offensive literature and words on buildings and other property.

Mr. Taylor: This has happened in your electorate?

Mr. RUSHTON: These acts of vandalism are not confined to any one locality. They are perpetrated in the city.

Mr. Taylor: But not in your electorate?

Mr. RUSHTON: We see acts of vandalism perpetrated in all electorates—in the honourable member's electorate and in my electorate. I shall deal with acts of vandalism to which attention should be directed.

In his interjection the Minister for Housing asked where these acts of vandalism take place. I would have liked to be able to tell him, and if some responsible person had been present when these acts were perpetrated I would be happy to do so.

Mr. H. D. Evans: At the present time are penalties prescribed for such acts?

Mr. RUSHTON: There are penalties provided, but other penalties should be recommended also. I hope that after I have completed my address the Minister will agree to the various steps which, I submit, can be taken to combat vandalism. Such acts are becoming more prevalent in these days, as a result of the frequent upsurge of violent demonstration and intimidation.

I will now deal with the first part of my address—that is, in relation to unpremeditated acts of vandalism—and I will put forward a few points to direct attention to these unfortunate happenings. With the passage of time the young people of our community grow up, and they are generally judged by the acts of vandalism on public and personal property. We should be tolerant in this respect.

Some people react violently to such acts, but what makes one person react violently might not make another react in the same way. Different people have different approaches to this question.

I cannot say what causes some people to perpetrate acts of vandalism, but I think it is well understood that idle hands tend to create mischief; and the lack of interest that is taken in a young person tends to cause him to become involved in an environment which is not conducive to bringing out the best that is in his makeup.

I am concerned about young people who, possibly without the advantage of a good home background, quite innocently commit acts of vandalism. If proper consideration is not extended in such cases, the future of these people could be in jeopardy.

Mr. T. D. Evans: Do you believe that legislation could cure this?

Mr. RUSHTON: I think legislation has its part to play.

Mr. T. D. Evans: Or do you feel it is a question of detecting the offender?

Mr. RUSHTON: The question of vandalism demands that the public play their part. I think example is important.

Mr. T. D. Evans: We agree; the public should be encouraged to come forward with evidence to help curb vandalism.

Mr. O'Connor: Posters have been placed on "Stop" signs.

The DEPUTY SPEAKER: Order! The member for Dale.

Mr. RUSHTON: I would now like to mention some of the organisations which play a part in handling the problem of vandalism. Local government, of course, is in the forefront. Local government can encourage various organisations by the provision of facilities and playgrounds. It has a vital part to play and the Government should continue to increase the encouragement to local authorities to provide facilities. We all know that tennis courts and football grounds, and various other facilities which are made available within communities, play a vital part in stemming the growth of vandalism.

Mr. T. D. Evans: But the motion does not call for this type of encouragement.

Mr. RUSHTON: The motion raises the issue of vandalism, and I am trying to put forward a remedy. I am speaking in this manner to indicate that local government needs to be encouraged by the State Government and by the Federal Government to develop facilities so that vandalism decreases. Certainly, we desire to abolish vandalism altogether.

Mr. T. D. Evans: What did the previous Government do to render the assistance about which you are speaking?

Mr. RUSHTON: I appreciate that interjection because it encourages me to go further into the subject than I intended. Firstly, the Brand Government encouraged local government to co-operate through the Youth Council and other organisations.

Mr. T. D. Evans: Your Government had 12 years in which to provide the necessary legislation.

Mr. RUSHTON: The Minister is rather vocal but he is not letting me put forward my various points. The fight against vandalism needs to be continuous and I do not say that a Tonkin Government, or a Brand Government, can completely overcome this problem.

Mr. Taylor: But the mover of the motion wants stronger legislation.

Mr. RUSHTON: It is imperative that we give more attention to this problem.

Mr. Taylor: By the introduction of legislation?

Mr. O'Connor: We are not blaming the Government.

Mr. RUSHTON: The media—the Press, television, and radio—can highlight and draw attention to various positive acts of good citizenship within our community. As a matter of fact, if I were responsible for the distribution of news I would give such acts a large proportion of the publicity. However, that is not my responsibility and I do not intend to interfere with the news media because, in many cases, the good deeds in our midst are highlighted.

I believe acts of vandalism which are not in the best interests of the community should not be highlighted. Such items should appear on page 42 of the paper, and not on the front page. It is amazing how the perpetrators of vandalism seem to receive a terrific lift from seeing their names in the paper. I think most people would be ashamed if their names appeared in this way. The publicity seems to encourage some types of people and for that reason the media should not highlight such actions.

The Police Department plays an important part through the Police Boys' Clubs, and I feel quite sure the present Government will continue to encourage that work. Also, members of the Police Force set a good example through their relationship with young people. The Police Department should be encouraged by an increase in manpower, increased finance and equipment, and stronger legislation.

I have set out briefly how the Police Department can play its part in encouraging young people to live a more orderly life within a better community. The next point I wish to raise deals with citizenship and making people more aware of the part they have to play. In this respect I refer to the Education Department.

Our school buildings are of tremendous value in the material sense. They should be utilised more at night for the education of our young people in vocational activities. I am aware that some of the buildings are used to a certain degree. By arrangement the buildings are made available, but this angle should be studied to see whether the situation can be improved.

I am aware that qualified organisers have been appointed to the district youth councils. I am happy to say that we have a first-class organiser at Armadale. I wish him well in his difficult task. His job seems to be to tie up the loose ends in an attempt to blend together all the various interests within the area. I refer to those which are not closely associated with other organisations.

All those organisations have a vital part to play and I give credit to the previous Government for the work it did. I am sure the present Government will continue that work and I hope it will not decrease the finance which is necessary in this regard. Adequate recreation facilities are required in the form of national parks. I have already spoken at length, during an earlier debate, on the need for recreation facilities. This is where we require legislation and additional finance to improve the situation.

We also require a consulting service to influence young people and to get them away from an environment where they cannot resist antisocial behaviour. A consulting service needs to be readily available so that it can be of help to these people. I realise this is not a matter which can be settled quickly, but legislation should be considered to give effect to such a service.

There has been reference to weekend detention for wrongdoers and I think this is something which should be encouraged. Certainly, something should be done for the wrongdoer who falls by the wayside and unpremeditatedly commits an offence. Such a person might have unintentionally damaged some property, and, because of his background, requires assistance. Weekend detention could help to instil self-discipline, and help the person who commits an unpremeditated offence.

I would now like to direct my remarks towards the premeditated case, and I think the earlier interjections from the Treasurer highlight the necessity for attention to be given to this question. There is a growing tendency for vandals to desecrate property deliberately. Offensive words and literature have been scrawled on public and private buildings.

I think a letter which appeared in today's issue of *The West Australian* highlights the situation which exists at the present time. The article is headed, "Street politics and violence," and it is interesting to read such an opinion. What

the writer has to say is essentially an example relating to this subject. I will quote the section of the letter which relates to our State, as follows:—

Mr. Tonkin, since assuming office, has been vocal in claiming the supremacy of Parliament and the enforcement of law and order. At the same time he has given positive leadership—inspired and encouraged protest groups that have generated violence and developed street violence.

According to these standards, opponents of Communist suppression of human rights are entitled to develop their protest campaign and employ the same disruptive tactics to make the Red Army Choir's tour of Australia an occasion of potential violence to force cancellation.

Introduction of violence and disorder into issues of political morality does not educate or develop a morally conscious community; it develops a cynical community that makes decisions on the basis of what is politically convenient.

Cancellation of the cricket tour has not demonstrated Australia's attitude to apartheid; it has simply indicated that the democratic process is by no means as secure or deeply embodied in the Australian character as we like to think it is.

That letter highlights the issues I wish to raise in relation to this question which is so closely allied to vandalism. As I have already said, we have our youth organisers, our Police Boys' Clubs, and other organisations. If we are to handle this matter effectively we must have co-operation throughout the length and breadth of our community. However people are raising the issue of our leadership in the person of the Premier. I think this is vital for the future of the community so far as law and order are concerned.

Unfortunately in the first six months of office of the present Government, people have been encouraged—wrongly—to think they can get away with things they should not. I suggest it becomes imperative now for action because the community believes it does not have to face up to its wrongdoings. We do not know how far this will go.

I have a recommendation relating to this very subject. Firstly, the Premier should turn over a new leaf in his book of administration and emphasise the necessity for law and order. He should encourage people to face up to this matter in a realistic way, and he certainly should not encourage them to go the other way. We will then see a great step forward.

Mr. Jamieson: When did the Premier encourage people to break the law?

Mr. RUSHTON: I put it this way: we have a State and the Commonwealth, and visitors are invited to come to this country. The Premier steps in and confronts our visitors, and sets himself up as the moraliser for all of us. I think that is a retrograde step.

Mr. Graham: You sound as though you would like to be the moraliser.

Mr. RUSHTON: No, I would not. I do not think it behoves any of us to set ourselves up as moral dictators for the State. I think that is something for the individual conscience.

Mr. Graham: I think you are behaving like a jellyfish.

Mr. RUSHTON: The Deputy Premier is back to his old form. He has been running very well up to now.

The SPEAKER: The honourable member will speak to the motion.

Mr. RUSHTON: The second means of helping us to confront vandalism is the news media, who could be encouraged not to highlight acts of deliberate vandalism but either to place them at the end of the newspaper or to portray them in the correct light. This will tend to prevent inflation of the egos of the vandals, thus discouraging them from stepping over the line and coming back for more the next day. Publicity seems to be what these people are looking for. They buy the paper and look for the TV item to see whether they made it or not. This seems to encourage them in these acts.

Thirdly, I think the police could be encouraged. Their task is not easy. Generally speaking, I think the police show tremendous restraint and set a very good example. They need all the encouragement they can get in the way of manpower, finance, equipment, and legislation, in order that they may have a good chance of keeping our State running in such a way that we do not have acts of premeditated vandalism, or acts of intimidation and violence, which are worrying the public and seem to be becoming more prevalent in our community. Such acts should be kept to a minimum.

I have attempted to illustrate methods that could be applied in cases of unpremeditated acts of vandalism. This is a very real issue to which we should all give close attention. We need to approach the matter with fairness and tolerance because some of the perpetrators of these acts are so young that they need a guiding hand. I have listed a number of measures that could be introduced which would be helpful to those individuals.

As regards premeditated acts of vandalism, violence, and intimidation, I have suggested we need an improvement in the way of encouragement from the State's leader, and that the media should

reconsider the attention given to these people so that they may be put in their right perspective. I might be out of order in making that suggestion but I make it in all sincerity.

I have also said that I think the police need to be encouraged and have their hands strengthened by way of manpower, equipment, and legislation in order to remove from our midst the problems which the member for Mt. Lawley has raised, and return us to the situation which existed until a few years ago where we could feel free and not be under the threat of intimidation and violence. I think these are matters which need very close attention.

MR. W. A. MANNING (Narrogin) [6.05 p.m.]: I would like to support the motion which the member for Mt. Lawley has brought before us. I am disappointed that the Treasurer is not in his seat while we are discussing a motion to which he has replied.

Mr. Jamieson: He is not very far away. He is listening very intently.

Mr. W. A. MANNING: In his reply the Treasurer overlooked some of the points brought forward in this motion. In the main, he dealt with imprisonment and the fines that could be imposed for the offences mentioned, but the motion goes further than that.

The mover has suggested that, as a matter of urgency, legislation should be introduced to extend the authority of the police, local government, and any other appropriate body. I think that stimulates thought because we all realise that these days too much liberty is being taken as regards the damaging of property belonging to other people by plastering signs in almost irremovable paint and other substances; by shooting, and so on. We know that vandalism takes place in buses and trains, and in this way some people express their attitude towards democracy.

I think the motion moved by the member for Mt. Lawley is an important one and that some thought should be given to ways and means of inflicting penalties on the people who do these things so that they will remember the day they did them.

Mr. McPharlin: Do you think if the police gave more time to controlling traffic it would have some effect?

Mr. W. A. MANNING: The control of traffic is also important. I do not know whether we need more police, but I think the Treasurer was wrong in wiping the matter off so easily without suggesting a remedy. When people destroy or place signs on the property of others—whether or not the signs are suggestive or appropriate—I think they should be punished in some way that will subdue them. It might be appropriate, when they are caught, to rub

their noses in what they did, push their faces into it, or do something that would make it a memorable occasion for them so that they would not do it again.

We could at least impose on them the responsibility for obliterating, under supervision, what they have done. We should make them do it themselves and make them bear the cost of it and the time taken in doing it. This is the sort of thing that must be done in order to make them realise the importance of preserving other people's property.

I rose to speak because I felt the Treasurer did not understand the weight of this motion. He just wiped it off by saying it was hard to catch the offenders and the penalties were sufficient. The motion suggests we should find other means of dealing with the problem because the present means are neither sufficient nor effective. Consideration should be given to the methods I have suggested for impressing on the minds of these offenders that they cannot destroy and damage other people's property as they wish.

MR. MENSAROS (Floreat) [6.09 p.m.]: I join the member for Mt. Lawley in his request and support his motion, the emphasis of which, to my mind, is in the second part, which says—

... to take action in respect of signs, propaganda and other literature being fixed without authority to any building, structures, trees, vehicles or other devices.

I agree with the Treasurer that we cannot blame the police for not doing their duty according to the existing laws and regulations. I do not think there is any question about that, and I do not think there was any question in the mind of the member for Mt. Lawley about it. However, I disagree slightly with the Treasurer when he suggests the motion is illogical just because the mover of the motion might have been influenced by certain signs which he and many other people did not like—signs which expressed certain opinions the majority of the people condemn. If such circumstances did influence him in moving this motion, that does not mean the motion is therefore illogical.

The member for Mt. Lawley spoke about signs which incite people to support the enemy of this nation, and advocate praise for the country against which Australian soldiers have fought and died. I do not think anyone could blame the member for Mt. Lawley for that. I fully agree with him that such signs expressing subversive incitement are wrong.

I cannot understand why it is an accepted fact in our time that a person should automatically be called a "square," or something like that, if he condemns such subversive actions or has other ideas. I cannot understand why it is thought to be wrong to respect authority. Such

thoughts might have been in the mind of the member for Mt. Lawley in proposing this motion.

Part of the motion is concerned with these questions. It is quite natural for there to be differences of opinion and differences of political opinion in any nation or State, but I think these should be concerned with various means and methods, which would lead to the same goal and aim. There are certain ways which I do not think should be disputed. There are certain ideas which have grown from our civilisation and indeed from human nature itself, and I think they should be advocated by all responsible people and all political parties.

The member for Mt. Lawley mentioned, for instance, involvement in a certain war. I think that when a democratically elected national Government agrees to conduct a war, there is no excuse for supporting the enemy and people who put up signs do exactly that. The contrary view leads to the "permissive society" we have today, in which there is a general lack of respect, lack of discipline and self-discipline, and in which we have the so-called "generation gap," when younger people and older people cannot understand each other. It leads inevitably to a disordered society which is quite undesirable.

I agree with the member for Mt. Lawley, if this is the sort of thinking that prompted him to move his motion, but I think there are many aspects to his proposal which are perhaps less important but equally pertinent. I have received numerous complaints from people in my electorate about signs which they regard as eyesores or as being offensive—but not for the reason I mentioned previously. Unless the local authority has laws regarding the erection of these signs, there is very little the offended people can do to prevent their erection.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. MENSAROS: I mentioned that one cannot play down the use of various unauthorised billboards, posters, and other fixtures and say that these are only a hypothetical problem. Some people find such things most offensive to look at. The fact that these billboards and posters may have been erected with authority—and the fact that they are authorised—does not necessarily mean that they cannot offend against certain people.

A few days before the member for Mt. Lawley submitted his motion I received a complaint from a number of people who live near the Claremont Showground, and who took great exception to huge billboards being placed on the fences of the showground opposite their homes.

After having made inquiries, I discovered the people who erected these billboards were doing nothing against the law.

They were doing nothing against the by-laws of the particular local authority and the Royal Agricultural Society being the owner of the ground had agreed to the erection of the billboards.

I do not say there was necessarily anything wrong with the placing of these billboards, but having visited the site there is little doubt in my mind that they must have been offensive to the people who live opposite and who are constantly faced with 25-foot or 30-foot billboards which, of course, obstruct their view.

The motion does not state that there are no rules, no law enforcement and no prosecutions. As we all know, in some places the signs to which I have referred are permitted, while in others they are not. Some of these signs may, and do, deteriorate with time. Others may not be taken down at all. They become a permanent fixture, and also become aesthetically offensive even to those who might merely drive past.

If there are no adequate rules or regulations governing this aspect, it is difficult for the police to institute prosecutions and the people affected have very little redress. If no offence has been committed, the only action that can be taken is at common law, and we all know how expensive that can be, quite apart from the time that might be involved in achieving a result through such action.

Some of these signs and hoardings are certainly most offensive; they hurt the feelings of law-abiding citizens and the majority of those who have some respect for authority. If we let such people down by encouraging civil disobedience, the offenders could quite easily gain the impression that disrespect, disobedience, and revolutionary ideas generally are supported by the authorities concerned.

I feel, and I am sure the Treasurer will agree, that no Government, no matter what its politics, would be able to govern if such circumstances were allowed to develop and persist.

An article which appeared in this morning's paper proves beyond doubt the case that the member for Mt. Lawley placed before the House; it indicates quite clearly that the problem is not a hypothetical one. I am most grateful for the publication of the article in question, and I am also grateful that a prosecution was made because it highlights the fact that authority will not permit people to get away with just anything they might like to do.

Without being technical and without examining the words of the motion in detail, there is little doubt that the intention and spirit of the motion moved by the member for Mt. Lawley is to achieve an orderly state of affairs under which it will not be possible for people to go so far as to offend against the ethical or law-abiding senses of the majority. The

motion seeks to indicate that the law will not condone damage being caused to private property. This, of course, is against the law.

As it happens, the offenders reported in this morning's paper were quite decent by comparison with those who cause acts of vandalism by painting on walls or by breaking statues, with a view to placing on these their flags and banners. The member for Dale dealt with this fairly important subject of vandalism.

I would now like to mention another subject. Having reached a comparatively high standard of living and being able to secure at least the essentials of life, for the most part we now look for quality; we are concerned with our immediate and wider environments. The main cause which might be detrimental to the environment is pollution.

It is not new to hear that apart from the many other types of pollution we are also confronted with visual pollution. I do not necessarily agree with the views of people who are emotional and unrealistic and who, at times, may become hysterical. However, one cannot dismiss these views lightly. The legitimate views of people can be brought into balance with the requirements of others. We might feel that there could possibly be a clash of interests, particularly as they relate to the right of the individual who wishes to advertise, the right of the owner who wants to let his property for purposes of advertising—and those who are offended by such advertisements.

I do not think the motion seeks totally to ban signs or advertisements, or any other fixtures; it merely seeks to strike a proper balance so that a great number of people might not be inconvenienced; it seeks to consider the ethical and aesthetic requirements of the majority of the people.

The matter cannot be belittled entirely. Even the wife of the then President of the United States of America mounted a campaign against the use of permanent signs and hoardings for purposes of advertisement. The problem is important and it certainly cannot be played down. I have not studied as yet the legislation in question, but having listened to the Minister for Works I feel the Government has probably taken the right step in amending the Main Roads Act which, to some extent, concerns itself with this very problem. The motion says that legislation should be introduced, but it might be preferable instead of direct legislation to leave the matter in the hands of the local authorities. I feel the local authorities, who have certain of these powers at the moment, could perhaps be left to deal with the matter. I recall that one of the first local authorities to deal with this question was, the then Subiaco Town Council. It was

one of the first local authorities to promulgate by-laws which regulated the use of signs.

To my mind, that local authority might have gone even a little too far because it made compulsory the acquisition of a license for erecting signs even to the extent of one having to obtain a license if one wished to give a name to one's own private dwelling house. Many other local authorities followed suit yet these by-laws do not extend to Commonwealth property or to main roads. I am sure that if an investigation preceded any legislation which might be necessary, we could arrive at a satisfactory solution.

As I have said, I would prefer to leave this matter in the hands of the local authorities—they could decide on the type, method, or size of the boards or signs that are likely to be used; and they could also decide on the contents which might be used in such signs.

This could possibly be done by getting the local authorities to agree in principle to some sort of uniform by-laws—similar to the building by-laws—so that these uniform by-laws could later be changed or amended to suit their own specific requirements. Failing this, legislation could perhaps be introduced setting a minimum standard and providing a basis on which local authorities could frame their own by-laws.

I feel I have set out the correct interpretation, intention, and spirit of the motion and I have much pleasure in supporting it.

MR. JAMIESON (Belmont—Minister for Works) [7.43 p.m.]: I would like to say a few words on this motion because I think it imposes a responsibility on all members of the community.

To my mind the legislative Acts of this State are adequate to cover the situation. As the member for Floreat has said, however, some members of the community are—for purposes of advertisement—inclined to use to extremes, hoardings, billpostings, signs, and so on. I think it would be as well for us to ask the member for Toodyay for his views on this matter, particularly as it relates to the permission extended by local authorities in connection with the erection of signs on private properties at election time.

It is of course desirable to protect the aesthetics of a district or a community, and it is certainly necessary to prevent permanent signs which might be far too garish or anything which might encourage vandalism.

I would like to know whether the honourable member who moved this motion is without sin in this regard, particularly as this relates to his earlier days. I wonder whether he was not directly involved

in certain acts of vandalism in his earlier days; if he were not, no doubt he knew of people who were.

It is a little difficult to differentiate between the exuberance of youth and the wild enthusiasm of people during election campaigns, particularly when they indulge in any form of vandalism whether it be the tearing down or defacing of election signs or the painting of public buildings and the like.

It is true that in the main the Communist supporters and the members of the D.L.P. have been most active in this regard on a number of occasions. They are, however, the radical fringe of the community, and it is a little difficult to get through to them.

On many occasions I do not think they mean to do exactly what they do. They are thoughtless and quite irresponsible and as a consequence they probably deserve some form of punishment. However, all the people in the community must show some responsibility towards this question. A few years ago hardly anyone took any notice of environmental protection, aesthetics, or anything of that nature, but now every second person seems to be an expert on the subject. So at least there has been an awakening of the general public to their responsibility in the community to ensure that the environment and aesthetics of our surroundings remain pleasant to all of us.

I think it would be almost impossible to prevent vandalism and other similar acts by taking further parliamentary action. Virtually, it would mean that we would need to have policemen hovering over the shoulder of every other citizen in order to catch them in the act of committing the dastardly crime of sneaking into the city and plastering posters all over bus stops, lamp posts, or some other structure. It would be unreal and unreasonable to expect the rest of the community to bear the tremendous financial burden that would be created in trying to overcome the problem in such a manner. We have to attack it from some other direction.

I cannot agree that the motion has any real substance in the circumstances, and I suggest that as a body of people we, and other adult sane people in the community, have to look to our laurels to ensure that irresponsible people do not commit acts that deface either natural aesthetics or unnatural aesthetics in the form of buildings which have been erected for the benefit of the people. We have to do our share of protection.

So far as general vandalism is concerned, towards which this motion is directed, I often think that some of the architects in the community have a great deal to learn. In designing various buildings they seem to overlook the fact that there are vandals in our midst or others who are likely to become vandals. Vandalism is sometimes

committed by the most immature person, but it costs thousands of dollars to repair the damage that is caused. With a little thought in the initial stages, architects could design change rooms on public parks and the like so that they would be vandal-proof without any great extra cost. Instead of that, they seem to go out of their way to favour the building that has a grandiose appearance and as a consequence the public never ceases to pay for the problems that such structures create.

We could moralise all evening on whose responsibility it is to solve this problem. In my opinion it is the responsibility of all of us in this Chamber to ensure that the existing situation improves, but I cannot see how it can be improved by legislation. If it were proved that we were lax in any way and did not appreciate the existing situation then perhaps we should take some action, but my experience of local authorities is that they have ample powers at the moment to take action against vandals and the like.

Mr. Thompson: What do you suggest that we, as members of Parliament, should do?

Mr. JAMIESON: We should accept the responsibility of educating the young to be responsible for their actions. Indeed, they are now developing that way. Within our own political parties all members must have experienced the radical and over-enthusiastic person who wants to tear down the poster of one candidate to put up the poster of another. This happens during every election; one side is no more guilty than the other. Those people who attend university—and to do that they have to matriculate—are for the greater part of the year responsible and sensible people, but during "Prosh" they seem to delight in going out with buckets of paste to plaster posters all over the place.

Mr. Rushton: This means that their acts are premeditated. Should they not receive some punishment for such action?

Mr. JAMIESON: Action is taken but it is a question of catching the culprit in the act. This is not so easy if one has to police the activities of every person in the community. I think the problem can be overcome only by educating people to realise that they should not commit such actions. I point out again that we seem to have broken through the sound barrier in this regard and we are making more progress than we ever did before. The honourable member pointed out that he had been handed a pamphlet distributed from Stirling Street on which the names of some people were mentioned. I agree that such a pamphlet is not fit to be circulated everywhere, but obviously there are those people on the fringe of our community who are over-emotional and who will do this type of thing. We have to take steps to overcome the problems associated with these emotional acts.

Our own children often commit irrational acts. Often a child will take a pencil and scribble all over the wall. When asked why he wrote on the wall he does not know. He may be very sorry after the act, but nevertheless he did commit it. We have to accept the responsibility of overcoming the natural tendency of some people to do these things. If each local authority accepts its responsibility within reason it will help to solve the problem. Many local authorities have already done this by appointing rangers to patrol certain parts of their districts as a deterrent against acts of vandalism, whether it be sticking posters on buildings or committing similar acts. These local authorities are achieving some degree of success.

However, it is our responsibility to implant in the minds of the people who indulge in acts of vandalism the belief that their acts are wanton and mean the spending of a great deal of money to repair the damage that results. Without disparaging the young people, I must say it is usually the younger element in the community who are responsible for such acts. I see no sense in locking them up for an offence such as vandalism, but I see a great deal of sense in trying to convince them that it is their duty to protect the environment and the aesthetics of our surroundings. We should proceed along these lines to get the message over to them. If we fail, we are to blame somewhere along the line because those who commit acts of vandalism are not all immature.

I feel sure that the honourable member who moved this motion, like myself, will cast his mind back to his youth. I know that my memory is fairly strong in regard to features of certain stupid acts I knew to have been committed when I was young which could be regarded as acts of vandalism. We may not have been directly responsible for such acts, but we knew about them. If we try to discourage people in the community from committing such acts I think we will make progress, but we will not get anywhere by applying a degree of force, because people who commit such acts have to be caught on the spot, and I am afraid they will go out in the night with their buckets of paste and posters to plaster them on structures and buildings at will. It could have been a taxi driver who wrote words on the road with tar; there were those who scrawled words on the road outside Parliament House at much cost to the Government; and there were others who printed the objectionable pamphlet that was handed to the member for Mt. Lawley. In my opinion all these people are committing an offence and they should not be shown any mercy if they are caught.

Nevertheless they are still regarded as being citizens in our community and we know that already our gaols are more over-

crowded than the gaols in other States, and if we lock these people up we will be worse off. We are the ones in the community who should be responsible for convincing those who commit such acts that they are incurring a charge against the rest of the community. I admit that some would still ignore such approaches and would continue to commit acts of vandalism, and perhaps we would be forced to lock them up. In the main, however, the people who commit such acts are university students or people of higher education and they should be able to show some reason and appreciate the cost of vandalism to the rest of the community.

The fact is that they do not stop to think. We should make them think, probably by some form of education that is spread through the place of learning which they attend. Perhaps an appeal could be made to the University Senate to display a series of notices within the university buildings which in effect state, "Think before you commit any act that is likely to do any damage to the community." These are the people we have to educate.

I am inclined to think that it may be hard to reason with those in the lower echelon of learning who may throw stones through windows and commit other acts of vandalism. Nevertheless they must be convinced in some way that their actions are causing them to lose something out of their pockets because the damage has to be repaired from money contributed by the ratepayers of the district or by the Government if the damage has been caused to a Government building or a main road.

I suggest we do not need the motion. What we need is concentrated effort on the part of everybody in the community. The Education Department, through the secondary schools and institutes of tertiary education, should try to convince the younger people in the community that it is in their interests to think before they commit an act of vandalism. They should be able to be convinced that they should not commit acts of vandalism. I do not feel we need any more legislative power to achieve this objective.

MR. HARTREY (Boulder-Dundas) [7.57 p.m.] : It is with regret that I have to disagree entirely with the motion moved by my genial and honourable friend, the member for Mt. Lawley. I disagree with it from every angle and in every respect. First of all it is noteworthy in that it is confined to "signs, propaganda and other literature." I will read the motion again, if I may, although the Treasurer has already read it and has dealt with it, I think, very effectively. The motion is—

That in the opinion of this House legislation should be introduced as a matter of urgency to extend the

authority of the police, local government and any other appropriate body to take action in respect of signs, propaganda and other literature being fixed without authority to any building, structures, trees, vehicles, or other devices.

I do not know whether a tree is a device. In fact, I do not know what on earth is meant by the word "device." I know what a matter of urgency means. I am really astounded that a man, with the calm, equable attitude towards life such as that normally presented by the member for Mt. Lawley, should use such an expression in such a circumstance.

As a matter of urgency this Parliament is asked to drop everything and to get stuck into this terrifically important problem of "signs, propaganda and other literature." Obviously what is irritating the member for Mt. Lawley is the word "propaganda." Nothing else except his attitude towards certain types of propaganda could cause him, I am sure, to use these words—

In this case a maximum penalty of \$200 would not be too high. If we took the action necessary to make the penalty not more than \$200 the courts would have the jurisdiction to re-adjust the penalty as they thought fit. I believe this penalty should be imposed for one offence and additional penalties imposed if further signs are put up by the same individual.

For goodness sake, suppose the same individual put up six signs over two weeks and was then caught and confessed. Should he be fined \$1,200? Does the honourable member really think that?

Mr. O'Connor: I did not say \$200 for each additional offence.

Mr. HARTREY: It is the only implication we can gain from the honourable member's speech. If he can explain it away, I will be happy to hear him do so. This motion is highly emotional. As the Treasurer pointed out quite convincingly and correctly, the police have this power already as do the local governing bodies. If any other appropriate body should have the power as the motion seems to assume, then I would like to know what it is, except the person owning the damaged property. He, of course, has his civil remedy at any time.

We are making a storm in a teacup out of a comparatively trivial matter. As a community we are losing our sense of proportion in this regard. A penalty of \$200 is imposed for a litterbug. What a frightful crime that is. A person alights from a bus and throws his ticket on the street and he is liable to a penalty of \$200. That is not the minimum penalty, but, no doubt, well-intentioned persons like the honourable member, in a moment of emotional upset, will make it the minimum, irreducible penalty in any circumstance.

I take this opportunity to say to all my learned colleagues in this honourable House, irrespective of party affiliations, that this is one of the matters I hope to protest against as long as I am a member; that is, the complete lack of confidence shown in the discretion, competence, and common sense of our magistrates. It is shocking to think that a magistrate would not know better in a given set of circumstances, proved on oath, what is an appropriate penalty in those circumstances. Yet we, sitting here, with no idea of the circumstances arising in say three months' or three years' time, believe we are divinely gifted to say that \$200 should be the minimum penalty in every instance.

We say that it is not only the minimum penalty, but that it is the right, proper, and invariable minimum penalty to be imposed. This is quite wrong and illogical, and quite contrary to our own personal conscientious sense of justice. But this has become a habit of this Parliament. We find it in the Health Act, the Traffic Act, the Justices Act, and everywhere else. It comes from the Crown Law Department, of course. Its particular function, as far as I can see, is to keep as many workers as possible in gaol and as many workers as possible from obtaining workers' compensation.

Mr. Thompson: Can you name one penalty introduced as a maximum that has become a minimum?

Mr. HARTREY: There never has been, and very likely never will be, a single penalty introduced as a maximum and used as a minimum; but if it were, a court of appeal would very smartly upset it because when a maximum penalty is prescribed, it should be imposed only in the worst possible instance. For example, if a man took a bucket of pig swill and travelled in a bus with it and then alighted from the bus and threw the pig swill on the ground, that I think would be a good example of what he ought not to do, and if three-quarters of the maximum penalty were imposed on him I think it would be reasonable. If I were the magistrate I would impose such a penalty.

However, if a person got off a bus and dropped his ticket and anyone gave him the maximum penalty, a court of appeal would immediately rebuke the magistrate and cancel the conviction. A number of grades of severity exist between the maximum and the minimum. Of course, I may be a little off the item I am supposed to be discussing, but I am taking this opportunity to speak against the evil principle of stipulating minimum, irreducible penalties in any legislation, because by doing so we take away from the people who understand the very special circumstances in which these laws must be applied a discretion and an elementary consideration of common justice which they should have. Enough of that.

Let us get back to the text of this very remarkable piece of proposed legislation.

Mr. Court: I am sorry you have left that subject.

Mr. O'Connor: It was very interesting.

Mr. HARTREY: The local authorities have sufficient power to impose penalties, but the penalties are not big enough for the member for Mt. Lawley. He does not consider \$30 is enough. Where is our sense of humour and proportion? A man without a sense of humour has no sense at all.

When I was a little toddler of seven a vandal did a most shocking thing in Boulder. I can still picture it. There was a draper's shop, a butcher's shop, and Wills & Co.'s mixed grocery and furniture shop, and on New Year's Eve a vandal had, with a candle, written "1908"—the incoming year—on the window of these shops. It was a common thing for young people to rush around and do this sort of thing with a candle. It was stupid and certainly irritating because the people in the shop had to wash it off the next morning.

Mr. Gayfer: Do you know who did it?

Mr. HARTREY: Of course I do not and I do not care. I did not do it. I did not have a candle, or I probably would have done it. I know of a much more irritating habit—but perhaps I had better not mention that one in Parliament. The placing of a great crowbar under someone's toilet was also a popular prank and it had some surprising results. However, are such acts acts of vandalism, or merely the results of stupid excitement or childishness? It may be necessary to impose penalties for such things, but surely \$30 is enough.

Mr. Rushton: What about premeditated crime?

Mr. HARTREY: Ah now, that is different. Let us say I want to erect on a fence a sign to say that I do not like the Prime Minister of Australia, for instance. Should I be fined \$200 because I had the insolence to say I do not like the Prime Minister? However, if I erected a sign to state that all Australians should stick together and fight communism, I should not be penalised because that is a popular sentiment with the Opposition and the other sentiment is not. What sort of justice is that?

Several members interjected.

Mr. Fletcher: Who is making this speech—the member for Boulder-Dundas or members of the Opposition?

Mr. HARTREY: Let us look at this matter with a sense of proportion. As my friend from Fremantle said, who is making this speech—members opposite or me? I am endeavouring to do so, but not in any spirit of ill-will, I can assure members. What I am trying to do is to make members realise, if I can—and I am doing my

best—that the offence consists of erecting a sign and not of what the sign states. If I have no right to erect any sign—and I certainly have not—the offence is not increased by erecting a sign to the effect that I do not like the member for Dale, or that I do like him.

The point I am objecting to primarily is that the motion is emotional. It is not actuated by the fact that something has been daubed on a wall, but it is what has been daubed on the wall which irritates the mover of the motion. That is not the way to legislate. We must keep our heads and be calm when making criminal laws. After all, every law imposing a penalty is a criminal law. I want members to look at this in the right light, and I am saying this to my own colleagues as well because they have been at fault in this regard at times. Do not rush at criminal laws in an emotional frame of mind. If we are imposing a penalty we must not impose the same penalty for every instance of the same sort of offence, because the facts in each case will be different. The discretion of the magistrate if freely allowed will be used and the penalties will be different.

I will conclude by giving one little illustration. A certain man came to me in Kalgoorlie about 12 months ago, and he had a very bad traffic record. I must admit that he had about 16 or 18 traffic offences and dangerous driving featured about three times in that list. He was a person not fit to have a driver's license, and I do not pretend he was.

The SPEAKER: You are getting away from the subject a little.

Mr. HARTREY: I do not think so.

Mr. O'Connor: It is very interesting.

Mr. HARTREY: I am dealing with the question of penalties. The member for Mt. Lawley specifically mentioned it. It is serious and foolish to have an irreducible minimum. The man to whom I have referred had a very bad traffic record and he wanted me to appeal to the magistrate against the refusal of the Minister for Police to renew his driver's license. I warned him I did not think I would be successful, and I was not successful, although I did my best. He did not get his license. I am not complaining about the magistrate's decision.

However, it so happened that his wife was expecting a baby in a fortnight's time, but two weeks before the due time she got pains during the night. Her husband sprang out of bed and raced in to ask his next-door neighbour to drive him to the police station with the object of ringing a doctor in Kalgoorlie, because there was not one in Kambalda. The next-door neighbour was on night shift and so was not home and was unable to drive the man. So he drove less than a quarter of a mile

himself to the police station, of all places, to call for help. He was pinched for driving while being disqualified. The magistrate had to impose the irreducible minimum penalty, but he did not want to impose it, and said so. However, he gave the man three months' suspension of the execution of the penalty in order to enable an appeal to be made to the Minister for Justice. I made an appeal to the Minister and the magistrate supported it, but it was refused and the man still had to pay the irreducible minimum.

Those are the actual facts and that story illustrates my point. I am not criticising the Minister. That situation should never arise, but it did arise because of the stupid action of well-intentioned members of this House in imposing irreducible, minimum penalties in situations in which they cannot conceive how that penalty will be used. I speak against the motion and I hope I have given sufficient reason for doing so.

MR. O'CONNOR (Mt. Lawley) [8.13 p.m.]: I regret the Government has deemed it fit to oppose the motion which was submitted in an effort to improve the environment and in an endeavour to stop some of the irresponsible placing of placards, hoardings, etc., throughout the State.

When replying the Treasurer stated that he felt the penalties imposed were sufficient. I believe he treated the motion with contempt. I cannot say the same for the Minister for Works because I believe he was quite rational in the comments he made on the motion.

The Minister stated that these signs are erected at night and that it is a matter of catching those concerned. This is so, but I might also add that thieves operate at night and it is a matter of catching them, but we do not say we should not impose a penalty for thieving because it is difficult to catch the thieves.

One of the problems is that an organised group in this city is responsible for the erection of many of these hoardings. Last week I referred to the revolutionary students' group which distributed filthy literature to high-school students in this State, and I referred to the fact that they were irresponsible. If we look in today's paper we find a report of where some of these youths were apprehended.

I know that each of us has played pranks, and I include the Treasurer, the Minister for Works, myself, and other members. I realise that children possibly do things which later in life they regret.

As I have said, this group is extremely well organised. Further, I pointed out previously that the literature is distributed from 75 Bulwer Street, Perth, the Communist headquarters. It is a pity this group is organised to the degree it is.

An article appears on page 28 of this morning's issue of *The West Australian* under the heading, "Caution over bill on post." It says—

Two students were cautioned and ordered to pay \$29.80 costs in the Perth Court of Petty Sessions yesterday for posting a bill on a lamp-post in Perth on July 15 without a license.

At this point I mention that on that particular night a great number of these signs were placed around the metropolitan area at various points. The two people concerned were convicted on one charge and cautioned. No penalty at all was imposed. The article continues—

Neil Ashley Kerr (19), of South Terrace South Fremantle and Graham Keith Milner (18), of Keeble Way, Balga, were prosecuted by the Perth City Council.

The poster read: "We will not be stopped. Student Revolutionary Underground, P.O. Box 307."

That is the address of the organisation about which I spoke when I moved the motion. Even apart from this, we have to take some steps to minimise the placing of litter in this State. The position now is that signs are posted at various points around the town. We see litter along the roads—in fact, all over the place—and we, as members of this Parliament, must take a responsible attitude and try to do something to improve the situation.

The most irresponsible example of this kind of thing which I have heard of lately occurred in connection with the sign I mentioned in the House last week. This sign was given to me; I did not purchase it. The poster in question was pasted over "Stop" signs and "No-left-turn" signs in the metropolitan area.

Mr. T. D. Evans: There is provision in the Road Traffic Code to meet the situation if the offender can be detected.

Mr. O'CONNOR: The penalty is not very high.

Mr. T. D. Evans: It is \$200 maximum under the road code.

Mr. O'CONNOR: I thought it was \$100. As I was saying, these signs were placed over "Stop" signs and "No-left-turn" signs. When a "Stop" sign is obliterated in this way there is an ever-present danger that a person can be fatally injured. Altogether 1,000 posters were printed and placed in certain spots in the metropolitan area. An authorisation appeared on the poster and I believe some action should have been taken against the responsible individuals. The distribution was obviously organised.

Tomorrow I shall ask a question as to what action has been taken against these people. Perhaps the Government has not taken any action and I do not blame it

if it has not, but the Police Department may have taken some. These acts are quite irresponsible and it is up to us to try to ensure that the traffic rules are obeyed as far as possible and that people do not interfere with road signs.

Mr. Court: That is the answer to the member for Boulder-Dundas. This was not emotional, but premeditated and vicious.

Mr. O'CONNOR: I will reply to my genial colleague from Boulder-Dundas at a later stage. As a lawyer and a man with very many years' experience, I am sure he goes deeply into anything he reads. It therefore amazed me that he read my motion back to front and gave the details that he did.

Mr. Hartrey: I apologise.

Mr. O'CONNOR: I will accept that apology, thank you. The case I have just mentioned shows that the people concerned got off with a caution. Is this what we want? They were convicted on only one count, but probably put a number of posters up on that particular night. A caution is insufficient in a case of this nature.

Mr. Hartrey: The member for Mt. Lawley is not a lawyer.

Mr. O'CONNOR: I am allowed to give an opinion, and I certainly do not agree with the opinion expressed by the member for Boulder-Dundas.

Mr. Taylor: I think the member for Mt. Lawley is spreading propaganda.

Mr. O'CONNOR: I am grateful for the support given to the motion by the member for Dale and the member for Floreat. Obviously they have done a great deal of work on this subject and knew what they were talking about. They supported the motion in the interests of the people.

The Minister for Works made a rational speech on this subject. While I do not agree completely with his views, I point out that he has a Bill before the House at the moment which, to some extent, is along the lines I have suggested.

Mr. Jamieson: The very next Bill. Let us get on with it.

Mr. O'CONNOR: It will not be long. In connection with this matter, I agree with him to a fair degree, because the Bill aims at cleaning up areas near main roads and in other parts of the State. This is what I, too, am trying to do.

The type of control I am suggesting in connection with hoardings, litter, etc., is not unreasonable. I moved the motion in a way which would give the Government the opportunity to impose the penalty which it thought appropriate, and I endeavoured to move it in a way which would bring about the greatest advantages.

Mr. T. D. Evans: It is not a question of penalising but of detecting.

Mr. O'CONNOR: I have mentioned the case where people were detected but not penalised.

Mr. Jamieson: The member for Mt. Lawley does not know the circumstances.

Mr. T. D. Evans: The magistrate had the power to impose a higher penalty.

Mr. O'CONNOR: Under the law the maximum penalty which could be imposed is \$30.

Mr. T. D. Evans: Under what law?

Mr. O'CONNOR: Under the Perth City Council by-laws. The Treasurer will find that the maximum is \$30. I do not agree with the magistrate's decision in this case.

Mr. Jamieson: Perhaps, but you were not the magistrate. There may have been circumstances you do not know about.

Mr. O'CONNOR: This may be so, but the people were highly organised and perhaps the magistrate did not know this. It is quite possible he did not.

I brought this matter to the attention of the House in the hope that the Government would move in its own direction to bring legislation forward. Provided the legislation was reasonable, it would have had our full support.

The member for Kalgoorlie—

Mr. Hartrey: Boulder-Dundas!

Mr. O'CONNOR: Yes, Boulder-Dundas. The member for Kalgoorlie was not so cheery as the member for Boulder-Dundas who said he did not agree with points in my motion and went on to criticise me for suggesting a minimum penalty of \$200. The honourable member kept harping on a minimum penalty of \$200 and saying that it was unreasonable. He suggested I had made this statement. He further said that if a person were caught for six offences he would be fined \$1,200, or something of that nature. I never made a statement of that sort. I do not believe in putting in anything which was not said.

Mr. Hartrey: The honourable member said, "I believe this penalty should be imposed for one offence."

Mr. O'CONNOR: I will read what I said. My remarks are recorded on page 1184 of *Hansard* and are as follows:—

If the Government is interested in civic pride—and I am sure it is—some firm and urgent action is necessary in the interests of decent people. In this case a maximum penalty of \$200 would not be too high.

The member for Boulder-Dundas will agree that I said "maximum" and not "minimum."

Mr. Hartrey: Read on.

Mr. O'CONNOR: I intend to. I said—

If we took the action necessary to make the penalty not more than \$200—

Mr. Hartrey: "Not more than"—jolly good!

Mr. O'CONNOR: My next words were—

—the courts would have the jurisdiction to readjust the penalty as they thought fit.

That is why I suggested a maximum penalty.

Mr. Hartrey: Read the next sentence.

Mr. O'CONNOR: The honourable member has the opportunity to read the rest of it if he wishes.

The SPEAKER: Order! The member for Mt. Lawley will make his speech.

Mr. O'CONNOR: The member for Boulder-Dundas based the whole of his speech on the effect of a minimum penalty. Unlike the Minister for Works who made a rational speech, I believe the speech of the member for Boulder-Dundas was quite irrational. He should have taken the trouble to read my remarks to make sure of what was said exactly. I am extremely disappointed the Government has decided not to support this motion and will not introduce a Bill in relation to it. Had a Bill been introduced, I think it would have been of great benefit to the community generally.

Question put and negatived.

Motion defeated.

MAIN ROADS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 14th September.

MR. O'CONNOR (Mt. Lawley) [8.25 p.m.]: It is regrettable that this Bill was introduced to the House only yesterday. We must bear in mind that we sat very late last night.

Mr. Davies: Whose fault was that?

Mr. O'CONNOR: Members have had little opportunity to peruse the measure. The fact that it is high up on the notice paper is the fault of the Government.

Mr. Davies: I wanted to know whose fault it was that we sat late last night.

Mr. O'CONNOR: We sat late last night through the fault of the Government, because it would not give way to the reasonable requests of the Opposition.

Mr. Court: Nor would it answer questions to which the Opposition is entitled to receive answers.

The SPEAKER: Order! The member for Mt. Lawley will continue.

Mr. O'CONNOR: The short time lapse between the introduction of the Bill and the resumed debate is regrettable, because members have had little opportunity between last night and this afternoon to peruse the Bill when we bear in mind the other work to which members must attend. It is unusual for a Bill to come forward so quickly, even though there is little to complain of in connection with this measure.

Mr. Bickerton: The member for Mt. Lawley is positioning himself between the lamp-post and the dog.

Mr. O'CONNOR: If the member for Pilbara thinks I am positioning myself between the lamp-post and him, I will agree.

The SPEAKER: Order!

Mr. Jamieson: You are safer.

The SPEAKER: Order! The member for Mt. Lawley will continue.

Mr. O'CONNOR: The Minister said that the Bill contains two small amendments. This is quite right. The first amendment will give the commissioner control and management of land over which a main road is declared. The Government has gone into this matter and apparently agreement has been reached between local authorities and the Government. I seem to recall that when in Government we had a committee look into this matter some time ago. Possibly the legislation is follow-up action on the committee's report. Irrespective of whether or not this is the case, generally speaking I think this is good legislation. I see little at fault with it.

The second feature of the Bill is that it will give further powers in respect of conservation and control of advertising. The measure will cover signs erected in the vicinity of main roads. In other words, it will cover environmental protection so far as litter is concerned in connection with trees and vegetation along main roads or in areas over which a main road is declared. In the past there has been some cause for concern and certainly sometimes a great deal of untidiness, and the responsibility was not clearly defined as being with the Main Roads Department. This measure will clarify the position.

Also, the Main Roads Department will accept the financial responsibility. Probably this is most acceptable to local authorities throughout the State. The control of advertising on or along main roads, or controlled-access roads, will be placed in the hands of the Main Roads Department. The department has also agreed to co-operate with local authorities with respect to hoardings in fields with which local authorities are concerned.

Re-enacted section 15 will vest in the Crown land over which a main road is declared. New section 15A will protect the vegetation. I consider that proposed new section 33B will cause a little concern although I am not overawed by it. I will read it to the House for the benefit of those who have not had the opportunity to peruse it because of the lack of time. It reads as follows:—

33B. (1) The Government may, on the recommendation of the Commissioner, make regulations for controlling and prohibiting the erection or construction of hoardings or other advertising structures, and to enforce the removal of hoardings and other advertising structures, on or in the vicinity of main roads—

The department will have the opportunity to control it on or in the vicinity of main roads. The proposed new section continues—

—and controlled access roads, and for restricting, preventing or controlling the exhibition of advertisements and for the removal of advertisements on or in the vicinity of main roads and controlled access roads.

The next subsection is worth some thought. It says—

(2) For the purposes of this section a hoarding, advertising structure or advertisement that is visible from a main road or controlled access road is deemed to be in the vicinity of that road.

I believe this is a little unreasonable because it puts the control of any advertising visible from the main road under the Main Roads Department. For instance, if a motorist driving along Stirling Highway can see a sign on the T. & G. building, that sign would come within the ambit of this Bill.

The present Commissioner of Main Roads is a very responsible person and I know he would carry out the detail involved in this measure in a responsible manner. However, I do not think this is the sort of situation the Minister has in mind and perhaps he will give further thought to that proposed new subsection. Any sign or hoarding reasonably close to the main road which might obstruct a motorist's visibility should come under the control of the Main Roads Department but this proposal takes it a little too far.

Section 33 allows the commissioner to delegate his power to local authorities. This is clearly necessary in some cases; for instance, if the local authorities want to do some work on the verges of the road. This situation is quite acceptable to the Main Roads Department and it co-operates in work of this nature.

I agree with the Bill and I support the second reading.

MR. GAYFER (Avon) [8.32 p.m.]: Like the previous speaker, I was almost caught out. My notes were written on the back of the second reading speech which was given to me last night and I have just had them handed back. However, they were very short notes and I will not spend very long in dealing with this Bill.

I am interested in the proposal outlined in the measure as I have seen quite a bit of this work done overseas and the work which the Main Roads Department is at present doing in our country areas. It is very noticeable that the old gravel pits which used to be found on the sides between the road and the fenceline are being filled in and vegetation planted.

A few years ago it seemed to be the wanton desire of the Main Roads Department to denude these areas, but it has now commenced a beautifying scheme along many of our main roads in country areas. It has even gone into the paddocks—if an eyesore such as a gravel pit is visible and a bulldozer is available it will level out the pit and give vegetation a chance to grow. Many pleasant vistas are no longer marred by a scar on the landscape and we must give full credit to the Main Roads Department for this.

Some years ago there was a school of thought against trees on the roadside. These people asked whether a tree was more important than human life. The Minister will back me up when I say that they thought all trees should be removed and then vehicles running off the road could not hit a tree. Commissioner Aitken of the Main Roads Department made his name known by using a system of drains on the side of the road so that if a car left the road the driver had a reasonable chance of avoiding any obstacles.

This is all very well but it can be taken a stage further. In my travels through America I observed that the sides of the main roads are particularly well preserved. A team of persons looks after the grassing of these verges and a reclamation gang follows main roads works. Many of the verges are grassed and in many of the States these are maintained by inmates of penal institutions under the care of warders. These men pick up any litter, and flail the tall grass. In fact, the main roads are a credit to many of the shires and counties which one traverses throughout America.

We would eventually like to see this type of thing in Western Australia. Consequently I see the reason for the introduction of this Bill to give the commissioner and the people in charge of the various departments in the country control over the verges of roads and the beautifying of them. However, one thing that worries me to a degree is the possibility of doing this in a State as sparsely populated as

our own. One wonders whether it is practical and whether it will be possible to get the scheme off the ground. For instance, I raised one point with the Minister when he was introducing this Bill last night: How are we going to prevent vermin occupying the road verges?

At present, if a property adjoins a main road, the owner is responsible for the vermin on the main road and the main road reserves as well as on his own property. It is the owner's duty to get rid of vermin. At present the Agriculture Protection Board issues a summons to owners of properties if they do not look after these areas. I agree with this practice because we do not want to build up a rabbit infestation. It will be an interesting exercise to see how the problem is dealt with because a farmer will not go into these areas with a rabbit ripper and a tractor when there is legislation which says he must not destroy any vegetation on the roadside. This causes me concern.

Another point which concerns me is the roadside burning which must take place for the protection of the pastures and crops on the farms. It is common practice throughout the country areas when the season is right and the winds are in a certain direction for neighbours to work together—sometimes as many as 20 or 30 people with trucks and sprays—to burn off the dry grass. This is a practice recommended by the Bush Fires Board and in fact a practice which has been recommended by past Governments and spoken of by Ministers when they have been introducing bushfire week each year.

When we read the Bill we find it is necessary to obtain the permission of the commissioner in order to light a fire. If one seeks the permission of the commissioner to light a fire at a certain time, possibly he might agree, but then again he might not agree if a particular type of wildflower is growing in the area. However, it is necessary to obtain permission and the farmers have not complained about that. They carry on in the best interests not only of their properties but also of the surrounding countryside. They carry on because of the risks of bushfires and other disasters which may occur.

Another practice of farmers is to go along their boundary fences on the road side in a tractor with a slasher or a blade. They push the scrub away from the fence-line in order to protect their fences. This must be done in order to keep the fence-lines clear of vegetation which may be growing there. Many farmers, but not all, do this on both sides of the fence. Once again, it will be necessary to apply to the commissioner for permission to carry out this practice. If farmers have to write in and apply to the commissioner, they will not bother to clear the main road side of their fencelines.

These sorts of things will build up so much that eventually farmers will say, "There is my fenceline; I will not bother about anything on the other side of the fence." Sooner or later the shire councils will get sick of bringing in local by-laws and, consequently, the verges will grow back into a wilderness. I do not think the verges will be attractive and in many respects they could be a hazard.

Proposed new section 33C(1) states that the commissioner may delegate to a local authority all or any of his powers and functions under a regulation; and I believe that provision will concern the controlling and spraying of noxious weeds on road verges. It is necessary to spray road verges to control and reduce Cape tulip, salvation Jane, and other noxious weeds which are so well known and are so prevalent in many of our country areas. Possibly all these things have been considered, but I can see obstacles arising in respect of the administration of this measure.

I sincerely hope that the ideals proposed by the Main Roads Department will have some practical effect and that much more will be done in this respect. I have already congratulated the department, but I hope it does not bite off more than it can chew because it is necessary to have common sense to administer this type of legislation.

The Bill virtually states that if a tree should fall across a farmer's fence he can do nothing about it, because proposed new section 15A(1) states—

No person shall cut, break, bark, root up or otherwise damage, destroy or remove the whole or any part of any timber, tree, sapling, shrub, undergrowth, or wildflower in or upon any main road without the prior consent in writing of the Commissioner.

Mr. Nalder: It does not say you cannot burn it.

Mr. GAYFER: Well, what does "destroy" mean? Does one destroy a tree by burning it?

Mr. Nalder: No. You just clean it up.

Mr. GAYFER: I can see the motive behind this provision and I sincerely hope it will be easy to administer and will not create any obstacles in the interests of conservation or the general beautifying of our roads. I feel the Main Roads Department in the past has done a good job on the roads and it has attempted to clean them up. I will admit that from time to time we have had to go in and burn off the grass. However, provided the department thinks it can handle all these matters, I am prepared to support the Bill.

MR. REID (Blackwood) [8.45 p.m.]: I would like to add some brief comments to the debate. I think the Bill is straightforward and is a good one, generally speaking. I have made a little research into

it, and my only comment is that perhaps it does not go quite far enough.

When one considers the mileage of main roads in Western Australia it is interesting to find that we have approximately 6,500 miles classified as main roads, and seven miles classified as controlled-access roads. One finds also that we have a total of 95,000 miles of all types of road in this State, and one wonders whether the effect of this Bill will be what is desired.

Naturally the density of traffic will be greatest on the main roads, but there are also many major secondary roads; in fact, I think they far exceed the main roads in length. The object of the measure is, of course, to have a nice, orderly environment along the main highways by looking after the verges, paying due attention to rabbits and burning off, and by encouraging the growth of wildflowers. It is also intended to protect main roads from hoardings which may be erected in dangerous places, thus creating an accident hazard.

However, having left the main highways, what about the major secondary roads? Those roads come under local authorities which may have an interpretation different from that of the Main Roads Department. In this State we have 16,000 miles of sealed roads, 15,000 miles of gravel roads, and 27,000 miles of formed roads, making a total of 58,000 miles of fairly high standard roads. That does not include the 37,000 miles of unformed roads. My reaction is that it is a great shame that the application and simplification of the law cannot be extended to regulations covering roads other than main roads. I know from first-hand experience that confusion does arise in some instances out of the dual responsibilities of local authorities and the Main Roads Department.

I would like to instance a case involving a piece of land which was sold to a farmer. The land lay alongside a main road and the farmer commenced to clear the road verge. The local authority told him to stop clearing the majority of the trees on the edge of the road because the land title had not been finalised and the jurisdiction of the road verge was still vested in the Forests Department.

The Forests Department had no objection to the farmer clearing a large percentage of the timber growing alongside the road. However, it was not until the land transaction had been finalised that the local authority informed the farmer that the road verge was its responsibility. When he went to clear the other side of the road it was a different set of rules. So he had a large number of trees on one side of the road and only a few on the other. I think this Bill might help to clarify points such as the one I have mentioned. To me it is a shame that this measure is not more general, more widespread, and more uniform.

I think previous speakers mentioned the vermin which sometimes dig into the sides of the roads. I am sure the farmers whose properties adjoin road verges will be very glad if the Main Roads Department accepts the responsibility for this matter. I wonder whether the Main Roads Department will be prepared to accept the responsibility of sawing off trees which occasionally fall across farmers' fences? I think this too should be a responsibility of the department.

There is only one point left; that is, the one relating to hoardings that was made recently by the member for Mt. Lawley. Here again some clarification is needed. In subsection (2) of proposed new section 33B the following words are noted:—

... structure or advertisement that is visible from a main road or controlled access road is deemed to be in the vicinity of that road.

Mr. O'Connor: It could be a farmhouse.

Mr. REID: Yes. I notice that paragraph (b) of section 218 of the Local Government Act reads as follows:—

For the prohibition or regulation of bills, placards, and advertisements attached to, or pasted, painted, or stencilled, on hoardings, walls, buildings, or structures, whether erected upon private property or upon a public place;

This gives the local authority the prerogative not to take the action that seems so stringently laid down in proposed new section 33B. There is a big difference between the provision in the Bill and the provision in the Local Government Act and it is a matter which I hope the Minister will seek to clarify.

SIR DAVID BRAND (Greenough—Leader of the Opposition) [8.51 p.m.]: I am curious about the origin or the starting point of this legislation, but that does not matter very much.

Mr. Jamieson: I thought your own colleague told you that.

Sir DAVID BRAND: I just wonder whether the Bill has been the result of a recommendation of a committee that was formed for the conservation of verges, or is the result of the findings of some other committee. The committee I have mentioned was formed of representatives from local government, the P.M.G.'s Department, the State Electricity Commission, the Main Roads Department, and I think the Chief Conservation Officer of the Forests Department was the chairman.

I would think that if the Bill is here as a result of some of the recommendations of that committee the whole matter would have been well considered. The clearing of dangerous scrub that has been mentioned by previous speakers, and the fire hazards that continue to exist along

some of our roads, especially in isolated areas, are in fact the real menace, and I do not think a solution can easily be found unless the scrub is destroyed by controlled burning supervised by responsible people. These people could be the employees of the Main Roads Department itself. Unless this is done we will always have to face the problem of defacing the verges of the road by this sort of measure.

It is very important indeed to ensure that safety rules are observed as well as ensuring the beautification of the road and the retention of the natural assets of wildflowers and shrubs that exist in many parts of the State.

It is not in any mood of criticism that I raise this point, but it seems to me that this measure must have resulted from some recommendation and the House should realise that the committee that made it—that is, if it is the committee I think it was—worked for some 18 months or two years to arrive at some logical and practical conclusion in respect of the matter.

I hope that as the years go by we will be able to dispel the thoughts of some people that our wildflowers now cease to exist along the roadways. This is not so. Any person who has driven along our roads for miles and miles, as we have done lately, would soon realise that this year the wildflowers are as abundant as in any other year, if not a little more so.

Mr. Davies: The trouble is the people drive too fast to see them.

Sir DAVID BRAND: That is up to the driver. If the driver wants to see them he will drive a little slower. The fact is that they are being preserved and propagated wherever this is possible along the main roads of this State, not forgetting that some of the roadways are five chains, and even 10 chains wide. I support such action because unless we have some reasonable area set aside for the growth of wildflowers and shrubs there is little hope of retaining and preserving them.

I sought to make no point of criticism in asking where the Bill originated. I merely wish to point out that the measure has been well considered and stems from the genuine intention of the authorities, such as the Forests Department and others, to ensure that one of the great attractions of our State will be preserved.

MR. NALDER (Katanning) [8.56 p.m.]: I think the object of the Minister in introducing this legislation is probably regarded more in the long term than in the short term. As I see it—I think the member for Avon made this point—it will be difficult to police the provisions of this measure.

I do not know when the Minister or the Government intends to proclaim the Act, because clause 2 provides that it shall come

into operation on a date to be fixed by proclamation but that it shall not be necessary to proclaim that the whole Act shall come into operation on the one day. It would seem, therefore, that the rest of the Act will not be proclaimed for an indefinite period. It is obvious that the whole Act will not be proclaimed, therefore it would be well for the Minister to indicate to Parliament what is meant by such a provision.

The objective of the Bill, and the people who have been responsible for framing its provisions are to be complimented. However, like the member for Avon I see many difficulties associated with implementing its provisions which indicate that the Main Roads Department will control every aspect of a road. It will control not only the road itself, but also the scrapings of any road. I know many people carry bags in the boots of their cars with the intention of bringing home some manure for their gardens. If the scrapings of the road are to be policed by the Main Roads Department it will mean that a tremendous amount of effort will have to be made to ensure that nothing on the road will be touched.

Should anyone plan to pick up any litter on a road I presume that such a person would have to organise this beforehand or make some arrangements with the Commissioner of Main Roads or the local authority concerned. To me, this seems to be very extreme action. For example, what happens when a tree falls across a road? Could this be claimed to be an emergency, requiring the tree to be removed? On the Perth-Albany highway last week an extremely large tree fell across the road. If the provisions of this Bill were followed to the letter nothing could be done to remove the tree from the road unless permission was first obtained from the Commissioner of Main Roads.

I think the position should be made quite clear. An emergency provision should be made for people to be permitted to make the road trafficable should the road be obstructed by a fallen tree or some other object. The member for Avon made mention of fences belonging to the owners of land that adjoins highways. The same circumstances would apply in this situation. If a tree bordering a main road fell and broke the fence belonging to the owner of adjoining land, thus allowing his stock to run free, the owner of such land could do nothing to rectify the situation if this legislation is strictly interpreted. He has to obtain a permit before he can touch even the timber or the bark from that fallen tree.

The object of this Bill falls into line with modern thinking to improve road verges and to make them attractive. In some instances as we travel along the highways we find trees have been planted on the verges. I am not sure whether this

is attributed to the Main Roads Department, the local authorities, or the efforts of individuals. In the Williams district quite a lot of work was done on road verges 10 or 15 years ago in the planting of wattles. Today the trees are flowering. I think it was a far-sighted citizen who was responsible for these improvements.

Further along the road in the Arthur River district some pegs have been driven in along the sides, and the land has been tilled. It appears that seedling trees have been planted.

Mr. W. A. Manning: The Main Roads Department has done a lot of this work.

Mr. NALDER: When these trees mature I am sure they will be attractive, and I hope everything will be done to preserve them. I trust that in these matters common sense will prevail, and no action will be taken to prosecute persons for doing something to ensure the safety of the public; I hope the Minister will give the House an assurance in this regard.

The long-term benefit of this legislation cannot be underestimated. We have to look far into the future, because trees do not grow quickly. It is a long-term programme. The nurserymen and foresters of Western Australia have made a contribution to the improvement of road verges by indicating the suitable types of trees and shrubs that can be grown.

In recent years the surveyors of roads have looked to the future, and have extended the widths. I think that at present all highways have a two-chain verge, so as to provide for road widening and for possible conversion to two-lane highways.

I would bring to the notice of the House another problem: Many of the natural shrubs and flowers which have been growing for years along the road verges have almost become extinct, because the wild oats and the wild grasses seem to have choked them out. Before the Main Roads Department introduces other shrubs and flowers to replace the ones choked out, it should undertake a great deal of research into suitable varieties.

What the Leader of the Opposition has said about the natural shrubs and plants growing extremely well in certain areas is quite correct. Where the road has been bituminised the water runs off to the sides, and this seems to promote the growth of the shrubs and plants. This is more evident in the sandplain country; and as one travels along the roads through the sandplain one can see these shrubs and plants growing profusely. In some areas it might be advantageous to clear part of the road verges, to enable the more prolific plants and shrubs to grow. However, this is a long-term programme.

As the Minister has pointed out, the Bill is designed to delegate to the Main Roads Department the responsibility for carrying

out this work. I hope the legislation will be the basis of co-operation between all the parties concerned. I hope, too, that the Main Roads Department will take local authorities into its confidence, and indicate what it intends to do. There seems to be a breakdown in the relationship between the parties, and it is not as good as it should be. In one instance the department completely ignored the local authority concerned, and went ahead with its programme which is not designed to help the local people. I shall be mentioning this matter to the Minister for Works tomorrow. If the co-operation between the Main Roads Department and the local authorities can be kept at a high level great improvement will take place in areas where the local authorities are keen to improve the road verges.

I support the legislation.

MR. JAMIESON (Belmont—Minister for Works) [9.07 p.m.]: I thank members for their contributions to the debate and for their support of this small piece of legislation. Several points which have been raised require some comment by me. From my understanding, this legislation has been introduced for the very reason given by the Leader of the Opposition: the appointment of a committee to be responsible for the conversion of road verges, on which the Main Roads Department is represented. As a consequence of its deliberations, it became obvious that in order to determine the question of responsibility it was necessary to clear up the matter by legislation, so that the Main Roads Department could make its contribution to this work.

I have no hesitation in saying that the department acted in good faith in bringing this matter to the notice of the Minister, with a request that the legislation be amended. That is the reason for the Bill before us. It is not an earth-shattering piece of legislation, but its provisions are in accord with the tone of public opinion—to promote conservation, and to protect the scenic environment and other features which we cherish so much.

From my understanding of the situation the verges of the main roads of this country have a greater amount of litter than do the verges of the roads in other countries. I refer to bottles, cans, and other litter which are thrown onto the verges by travellers. This fact becomes fairly apparent if one takes notice of what one sees in the movies from time to time.

In the local film production "Nickel Queen" several scenes of the main roads are included. In them one can see evidence of bottles and cans along the verges, although this feature was not highlighted specifically.

If one were to see an American or other foreign movie in which long stretches of highways are shown, such litter is not so

evident, and yet no special effort is made to improve the natural condition of the verges.

It is a good move to introduce this legislation, to enable us to make up our minds as to who should be responsible for the improvement of road verges.

I was a little surprised at the contributions made by members of the Country Party. They seem to be prepared to support things, but perhaps because they have been so long in this environment, they use the hardest possible approach to problems. If there is a hard way to tackle a problem, they tackle it that way first and they seem to believe that if they can tackle it the hard way, then anything else they deal with during the course of life will be easy.

Mr. Nalder: That sounds like your contribution on fruit fly.

Mr. JAMIESON: No. My contribution on fruit fly is far more practical than that of the member for Katanning ever was. He will realise this when the legislation is submitted this session. However, we will deal with fruit fly when we have to, but at present we are dealing with main road verges.

A reference was made to what will occur if a tree falls across a fence. Doubt has been raised as to whether if this Bill becomes law, those concerned would be justified in removing the tree from the fence. I know exactly what action a farmer would take and what action the Main Roads Department would expect him to take. He would not face the difficulties, but would argue about them afterwards. The department has no intention of altering the existing situation in any shape or form.

With regard to protecting farmers' fences by providing clearances on each side, if this had been the norm, obviously it must be the norm in future irrespective of what the legislation stipulates. The legislation must, of course, be particularly guarded in order to meet all circumstances. If a loophole is available, my colleague from Boulder-Dundas will use it in defending someone who has removed some shrubbery from the verge. We do not want this loophole to exist, but we want to ensure that everyone is certain that no alteration is to be made. If a farmer's fence is to be protected he must at all times have the right to do just that.

Mr. Gayfer: And burn the verges too?

Mr. JAMIESON: Yes. I would be inclined to say that the normal procedure should be adopted, provided the farmer does not start a first-class bushfire. He is restricted in any case regarding what burning he can do and when he can do it because he is subject to the normal rules concerning burning and the bushfire protection laws.

As has been pointed out, an unkempt growth of wild oats, etc., has been evident in many of these areas and this is not

very attractive. I think I mentioned last night that it was difficult for the Main Roads Department, because when it endeavoured to tidy the verges up by burning off the dry grass it received complaints that all the bottles and cans which had been thrown on the verge were displayed, and so the action in burning off was not appreciated very much. If someone in one of the 10-chain reserves referred to put a match to it and let it go, then a lot of objection would be raised by the Main Roads Department, and so it should be raised. However, the department has no desire to change the present situation.

With regard to vermin, the Main Roads Department has chosen to be responsible for the verges and the vegetation on them. The member for Avon is listening very intently because a rabbit might happen to get under a log.

Mr. Gayfer: I supported the Main Roads Department. Do not get me wrong.

Mr. JAMIESON: Yes, but the honourable member is listening so intently.

Mr. Gayfer: Yes, because I can imagine the farmers coming to us with their opinions.

Mr. JAMIESON: I imagine a practical farmer will do what he has always done if there is only one rabbit warren. However, if an infestation occurs, it will be a matter of all hands and the cook on the job.

Mr. Gayfer: At present he is obliged to do it under law.

Mr. JAMIESON: I know, but I—

Mr. Gayfer: You are taking it away now.

Mr. JAMIESON: —want to know where the rabbits are. They are scarce. However, if the honourable member does get a few, we will have to look at the situation. In regard to Borriginacia—the member for Avon called it Paterson's curse—

Mr. Gayfer: I referred to salvation Jane.

Mr. JAMIESON: Whatever we might call it, if there is a noxious weed we must accept our obligations. I will have to take this matter up with the Main Roads Department. Whether the infestation is coming from the farm, or it is an infestation along the road, it must be stopped at its source. If an infestation of skeleton weed occurred along the road, it would be unrealistic of the department not to accept the responsibility.

Mr. Gayfer: This is quite all right, but the A.P.E. and yourself might be on a collision course if you do not watch yourself.

Mr. JAMIESON: Maybe, but I am not particularly worried. I am sure common sense will prevail, and I do not think the

honourable member can point to an instance when common sense has not prevailed in the department's application to its job through the country areas.

Mr. Gayfer: If the Main Roads Department read my speech it would find I gave it all credit for this.

Mr. JAMIESON: The member for Avon is looking for those rabbits under a log all the time and unfortunately the inevitable always occurs. An argument arises over one particular instance, but we do not want to hang our hat on that particular point. Let us debate the principle associated with the responsibility, and then we will know exactly where we stand.

Mr. Gayfer: I will remember your speech.

Mr. JAMIESON: I guarantee it will be quoted many times, particularly if the rabbit gets under the log outside the property of the member for Avon.

Mr. Gayfer: That is right.

Mr. JAMIESON: Another point which seemed to worry some members related to the proclamation. Subclause (2) of clause 2 reads—

(2) It shall not be necessary to proclaim that the whole Act shall come into operation on one day, but the several sections of this Act may be proclaimed to come into operation on such days as are respectively fixed by proclamation.

The necessity for this provision is quite obvious. In one case a considerable amount of arrangement will be necessary with local authorities when roads go through their areas and they have their own regulations appertaining to hoardings. The department does not want to interfere with those regulations and so quite a deal of time could elapse before satisfactory arrangements could be made with the local authorities concerned. However, with regard to the commissioner's responsibility concerning other matters dealing with road verges, the position should not be complicated. As a consequence it is not desired to delay one particular provision until the other one can be brought into operation. This was the reason for clause 2 (2).

Proposed new section 33B (1) reads—

33B. (1) The Governor may, on the recommendation of the Commissioner, make regulations for controlling and prohibiting the erection or construction of hoardings or other advertising structures, and to enforce the removal of hoardings and other advertising structures, on or in the vicinity of main roads and controlled access roads, and for restricting, preventing or controlling the exhibition of advertisements and for the removal of advertisements on or in the vicinity of main roads and controlled access roads.

This provision is causing a little concern. Those members who have travelled the road between Surfer's Paradise and Brisbane—and especially at night—will very clearly realise the necessity for this control.

Along that road all sorts of products from bootlaces to face powder are advertised in reflectorised signs, and intermingled among those advertisements is a series of road signs. The situation is most confusing and we must have some control—not complete prohibition—over such hoardings. If such signs meet the requirements of the department from the point of view of safety and other aspects, no reason exists to disallow them. The road to which I have referred carries heavy traffic at night-time, and no doubt during the day-time too, and the confusion existing because of the reflectorised signs could be responsible for accidents; and in this State we should err on the side of safety.

That is the reason for the department requiring the land near the verges to be covered. It will be realised that very often the land at the top of cuttings is private property. Because such sites catch the eye of the motorist the farmers, or the owners of the land, are prevailed upon to allow someone to erect a sign on a rental basis.

Mr. Nalder: You mean, on private property?

Mr. JAMIESON: Yes, on private property. There must be control over private property otherwise a number of problems will occur. The Main Roads Department has certain rights with respect to lights at intersections. Where premises display confusing lights in the background, the department has the right to require action to be taken to make sure that no confusion exists.

I feel there is nothing wrong with the provisions contained in this Bill. It will be used in the manner I have mentioned. There is no way to cover this particular aspect without having full control so that exemptions may be made rather than the other way around.

Mr. Gayfer: Without risking the wrath of the Minister and a sarcastic reply, does this mean that we who advertise our stud farms and our farming properties will be prohibited from doing so?

Mr. JAMIESON: I hope the sweet reasonableness which prevailed between the hours of 12.45 and 2.45 p.m. today will prevail at all times with the Main Roads Department administration. The honourable member's comments indicate that this has been the case in the past.

The restriction in the Bill goes far beyond what is expected to be done. However, members will realise that the people in the advertising business are not in the road safety business, and as a consequence we see garish signs around the countryside.

There has been reference to regrowth along the verges of the roads, and the responsibility of the Main Roads Department for replanting. Replanting has taken place in a number of sections on the South-West Highway where sharp bends have been eliminated from the main roads. The old roads have been ripped and trees planted, and I think that is a very good idea. There is nothing worse than something which is no longer wanted, and of course, a stretch of road which is not used does not look very nice. As was indicated by the Leader of the Country Party, it is most desirable that some shrubs and trees should be planted in such areas. The same honourable member also mentioned the wattles growing on the sides of the road. Either the Main Roads Department plant is infested with wattle seed, or they come from some other magical source, but every time sand fill is used the wattles seem to grow. They seem to be one of the trees which flourish on newly-cultivated soil on the sides of the roadways.

I am sure our deputy leader is aware of the miles and miles of road on the way to Lancelin where the wattles are now growing. There are no natural wattles thereabouts, but a fair amount of fill was used on that road. It will also be recalled that a quantity of sandfill was used on the concert hall site and a jungle of wattle grew in that area. As the Leader of the Country Party indicated, the wattles seem to thrive in new environmental conditions. With the little bit of cultivation on the side of the roads, and the run-off of water, they seem to grow very well. Unfortunately, after a few years they seem to die off whereas other trees continue to grow very well, and they are a pleasure to see.

While travelling to Kalgoorlie through the sandplain area, I noticed how robust were the trees growing on the side of the road when compared with the trees which were growing a few hundred yards away.

It is in the interests of the State that we proceed with legislation such as that now before us. If it is found that there is a rabbit under a log, or that other problems occur, those problems can be brought to Parliament to be ironed out. There is no doubt that we will find problems in administering the Act. We find problems with all well-intentioned legislation, but it is desirable to define who has the authority. If we give the authority to the Main Roads Department then perhaps when problems do arise they can be brought back to Parliament and resolved by further legislative action.

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.

WESTERN AUSTRALIAN PRODUCTS SYMBOL BILL

Second Reading

MR. GRAHAM (Balcatta—Minister for Industrial Development and Decentralisation) [9.32 p.m.]: I move—

That the Bill be now read a second time.

The **SPEAKER**: Order! There is too much audible conversation in the Chamber.

Mr. GRAHAM: The Bill now before members is to protect the "Made in Western Australia" symbol from unlawful use. Members will readily recognise the symbol which is a concept of an outline of the State of Western Australia with a seal placed within it. Members may be inclined to ask themselves: What is the official emblem of this State? It is true one has been adopted—dating back several years—but variously the kangaroo paw is used. Members who have travelled abroad in recent years will, in particular, be aware of the little brooch, suitable for male or female wear, supplied by the department. It has a blue background with a kangaroo paw boldly emblazoned upon it and underneath is, of course, the name "Western Australia."

To many people the black swan—and I hasten to add I am not referring to the swan which adorns bottles—is recognised as a symbol of our State. Indeed, the State flag which is close to the Australian flag, in that it has a Union Jack in the corner, has a black swan on a gold circle background instead of the Southern Cross and the Commonwealth star. Then, there is the symbol which is the subject of this Bill. All of this tends to be somewhat confusing.

I think members will appreciate the necessity for this distinctive symbol because, unlike other symbols, it is proposed it shall be a punishable offence for anybody to use it without lawful authority. It has therefore a distinctive and special purpose, primarily for the local consumer but, thankfully perhaps, it has also been recognised by our cousins from other parts of the Commonwealth.

A wide-ranging campaign to foster the use of locally-manufactured products on the home market has been conducted since February, 1970. During the preliminary investigation prior to mounting the campaign a survey was conducted to study then existing attitudes and preferences among Western Australian consumers. Results of this survey indicated that generally speaking, people were prepared to purchase locally-manufactured goods but there was a low consumer awareness of what were local brands. There would, of course, be some well-known exceptions to this, but, generally speaking, there was no ready manner in which a person seeking an article because of a sense of loyalty to his

own State would be able to identify it as one manufactured here. Housewives simply did not appreciate which companies, whose names were printed on packages, were carrying on business within the State.

It was obvious the first thing to be done was to develop a symbol which would give quick and positive identification and then to publicise this symbol widely so that people would recognise that goods branded with it were locally manufactured. Accordingly a campaign was launched under the auspices of the Department of Industrial Development which in more recent days has been known as the Department of Industrial Development and Decentralisation.

Most members would agree, I am sure, that the symbol that was developed gives a good visual impact and more and more manufacturers are using it. I have no doubts in my mind it is of positive value in promoting sales.

I believe the time has come for us to protect the symbol from unlawful use by unqualified manufacturers such as those which carry out only a token manufacturing operation within this State or even carry out no manufacturing operations within Western Australia.

Initially, when the problem of protection was examined it was thought it might be possible to obtain the necessary protection under the Trade Marks Act, a Commonwealth Statute. However, investigation proved that this would be costly and cumbersome and it was decided not to proceed with this method of protection.

The alternative is the Bill before members which I will now explain. The measure is concise and to the point. The effect of clause 2 will be the repeal of the Western Australia (Sales-Promotion Labels) Act of 1957. On the advice of the Parliamentary Counsel—previously known, of course, as the Parliamentary Draftsman—it was decided it was preferable to repeal this Act rather than to attempt to amend it to provide the protection necessary.

Clauses 3 and 4 of the Bill are machinery ones and require no explanation. Clause 5 grants authority to use the prescribed symbol. It will be noted that any person who sells a product which is substantially manufactured or prepared within the State is authorised to affix the symbol. In this respect it differs from the previous legislation under which it was necessary to apply for authority to do this. It is felt that it will be far better for manufacturers to have an air of spontaneity and that they should be permitted, of their own free will, to make use of the symbol, but that steps should be taken to ensure it is not unlawfully used.

Clause 6 provides for a \$50 penalty for the unlawful use of the symbol. Here and now I want to point out that I wish to examine further the penalty which is

set out, because in my view it is totally inadequate to the extent that it is virtually meaningless.

I say that because in the Western Australia (Sales-Promotion Labels) Act, which was passed in 1957—when money had, I suppose, double the value it has today—it was provided that for a first offence against the Act there would be a penalty of \$50, for a second offence a penalty of \$150, and for a third or subsequent offence a penalty of \$400. If we double those figures to equate approximately with present values, the penalties would be \$100, \$300, and \$800, respectively. Yet in this day and age of affluence it is provided that the penalty shall be \$50.

In the case of a first offence, one-fifth of the maximum penalty provided is usually the order of things—in other words, a penalty of \$10 for somebody who might have imported a whole line of goods, which were made exclusively in China, to which he affixed the Western Australian label and disposed of countless thousands of dollars worth of this form of merchandise to patriotic people. For his initiative and breach of the law, he could be fined a paltry \$10. I think members will agree with me that an error has been made and, to say the very least, it requires some re-examination.

Mr. Williams: What arrangements have been made for the production of the symbols? Will they be printed so that they can be stuck on? Is this covered anywhere?

Mr. GRAHAM: No, not in the legislation. However, there should be no difficulty in regard to that matter. It will be appreciated that there are various types and sizes of merchandise. A huge package containing machinery might require a sign a foot square. On the other hand, some small or refined object that was manufactured here might require a label about the size of a 1c piece.

Mr. Williams: In the case of pottery, for instance, they could be imprinted.

Mr. GRAHAM: Some would be separate labels, some would be stickers, and so on.

It was found there was some difficulty in legislating to provide that it was an offence to use something that was obviously an imitation—not precisely the symbol as set down in this Bill, but with some small departure which was definitely designed for the purpose of deceiving.

The clauses following those previously outlined provide for the appointment of inspectors and prescribe their powers.

Clause 12 ensures that any information which is obtained relating to a manufacturing process or the operating of any equipment or plant cannot be divulged except with the consent of the person who owns the process, or in accordance with the provisions of the legislation, which are set out in the clause.

Members will appreciate the necessity for this provision. In the course of pursuing inquiries and investigations as to whether an article contains a substantial measure of Western Australian production, it may be that the appointed officers could find out many things, including secret formulas. It is therefore necessary that there should be some protection, and reference to my earlier remarks will reveal that, as the Bill stands, a heavier penalty is provided for divulging information than for wilfully seeking to deceive the public by falsely using the symbol.

Mr. Williams: This would be hard to prove in many cases. Someone who gained knowledge of a trade secret through his inspection could pass it on through a number of people.

Mr. GRAHAM: That is so, but I think we must have confidence in public officials. After all, officers of the Public Health Department who are engaged in checking food, and officers of the Department of Labour who investigate labour conditions, become possessed of information which should be regarded as confidential, and I believe that, overall, they are equal to the task.

Mr. Reid: Are there any criteria of quality before these labels can be attached?

Mr. GRAHAM: No. It would be for the consumer to make up his own mind. All this symbol is designed to do is to guarantee to the people, as far as possible, that they are buying a product of Western Australia. It is not necessarily a token or an indication that an article is of quality A, B, C, or D. We hope that the outlook and psychology of our manufacturers will be such that they will take a certain pride in their State and the products of their State, and that they will accordingly strive to produce quality products.

Mr. Reid: Its objective is promotion, is it not?

Mr. GRAHAM: That is so, but the consumer must be the judge of the situation. It is possible that in many lines goods manufactured in other States are superior to goods manufactured in Western Australia, notwithstanding the fact that the local article is of quite a high quality. Generally speaking, if members have endeavoured to familiarise themselves with this sort of thing, I think they must be astounded and agreeably surprised at the very high quality, as well as the diversity, of products which are manufactured in this State. We need in no sense feel ashamed of what has transpired here.

Clause 13 makes directors, managers, and secretaries of bodies corporate also liable where a body corporate is guilty of an offence, if the offence was committed with the knowledge of the director or officers of the body corporate.

The final clause authorises the making of regulations to give effect to the objects of the Act.

Before concluding my remarks, I would like, at this stage, to pass on to members some information in regard to the campaign which I believe will be of interest.

A recent survey indicated that recognition of the symbol had risen to 82 per cent. of adult shoppers, compared with 68 per cent. recognition by people in the same category 12 months ago. It has been more than gratifying to ascertain, in the course of a campaign that has been in operation for a very short period, that 82 per cent. of adult shoppers readily recognise this label and accept it is a *bona fide* indication of an article manufactured in our State.

Two case histories have been disclosed as a result of inquiries. The first of these concerned a supplier who found a new market manufacturing locally for a large international company. The local supplier could not offer any advantages over the imported goods except that his goods were made in Western Australia. He obtained the contract and now proclaims that his success was due to the local products campaign.

In other words, this symbol apparently stirs a little warmth in the hearts of people—and stirs them in the right direction of their pockets or their purses. Apparently it does, in fact, attract. This is a good thing because, to the despair of Governments over the years, it has been found that in many cases there is not a pride in what is manufactured in Western Australia but a prejudice against the locally-manufactured article. It is hoped that not 82 per cent. but 100 per cent. of people will recognise the symbol and purchase Western Australian goods or give them a trial. If they do so, I am confident they will be satisfied that the local article compares favourably with articles made beyond the confines of the State.

The second case which stands out was that of a manufacturer of a food product who had tried in previous years to increase sales by advertising during the traditionally slack months without any real success. Today, he is using the Western Australian symbol on his packaging and his sales have improved enormously. This manufacturer attributes his increased sales to the support given to the campaign by consumers.

I am convinced that the "Made in W.A." symbol makes a significant contribution to our campaign to increase the volume and diversity of locally produced goods by positively identifying them to the purchaser who is already conditioned to support local industry. It is important that we restrict its use to those who are qualified, hence the appearance of this Bill.

Mr. O'Neil: Have there been any cases of the present symbol being improperly used? It could not have been illegally used in the past, of course.

Mr. GRAHAM: I have had only one case drawn to my attention and I do not necessarily want to identify it. Somebody imported huge bolts of cloth and all that was done in Western Australia was that the ends were hemmed. To the importer this made the product "manufactured in Western Australia." Surely this is nonsensical. The article was a piece of cloth, a bed sheet, or something of that sort.

I would like to make one further comment and that concerns the symbol itself. It was designed by a professional officer. I do not know the reasons behind the exact form that it has taken. The symbol has been in use for a period in excess of 18 months and it has been accepted by our people—it is easily identified as being representative of Western Australia. The proof of the pudding is in the eating—in other words, the symbol is doing its job.

We hope the symbol will go from strength to strength to reach those people who are not as yet aware of its existence. As it becomes more widely known it is most important that it is justifiably used by a *bona fide* company operating in this State.

Sir David Brand: It does its job as long as the quality of the goods is maintained or improved.

Mr. GRAHAM: That is so. The point about it is it should be a guarantee that the goods are made in the State, whether they be good, bad, or indifferent. Of course, we hope they will be good. If this symbol is to mean anything action must be taken to ensure it is used only by manufacturers entitled to use it.

Debate adjourned, on motion by Mr. Court (Deputy Leader of the Opposition).

House adjourned at 9.55 p.m.

Legislative Council

Thursday, the 16th September, 1971

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS (3): ON NOTICE

1. ARTS ADVISORY BOARD

Country Areas Representation

The Hon. T. O. FERRY, to the Leader of the House:

With reference to the feature article by Caroline Pummer in *The West Australian* dated the 10th September, 1971, relating to the Arts Advisory Board, indicating that "because the Government assistance was designed to benefit the entire State, the Board had to

ensure that proper emphasis was placed on the needs of country areas"—

- (a) has a country areas representative been appointed to the Board;
- (b) if so—
 - (i) who is the representative; and
 - (ii) where does he reside;
- (c) if not, for what reasons was this appointment omitted?

The Hon. W. F. WILLESEE replied:

- (a) No.
- (b) Answered by (a).
- (c) (i) It is considered by the Government that the Board as a whole has the knowledge and capacity to cater adequately for the needs of country areas.
- (ii) In particular, Board member Mrs. Erica Underwood, while conducting the A.B.C. Women's Session, acquired a very extensive knowledge of the cultural scene throughout Western Australia.
- (iii) It is anticipated that the appointment of a Liaison Officer for Cultural and Education Affairs will ensure direct personal contact with all country centres.

2. *This question was postponed.*

3. HEALTH

Establishment of Family Planning Clinic

The Hon. G. C. MacKINNON, to the Minister for Police:

In view of the present interest in Family Planning (see for example *The West Australian* of Friday, 10th September, 1971), is it intended to amend and update the Contraceptives Act, 1939?

The Hon. J. DOLAN replied:

The matter has been referred to the Police Department and the Crown Law Department with a view to determining whether amendments are necessary.

MAIN ROADS ACT AMENDMENT BILL

Receipt and First Reading

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