Mr. COURT: —in his speeches he is denying this is a replacement or substitute tax and then he says the Government wants to reserve the right to proclaim the Bill if it is getting enough money to replace the money granted to shires. All we want is a simple, straightforward statement. Is he looking for replacement money—that is, replacement tax or substitute tax; call it what we like—for what he is getting now? We want a clear-cut answer.

Mr. O'CONNOR: I was very pleased to see the Premier find his feet and say a few words, but in doing so he only helped to confuse the issue. I still cannot understand what he is endeavouring to do.

It is quite obvious from his remarks that he intends to abolish the road maintenance tax, but not until he has replaced it with another form of tax. This is completely contrary to undertakings he gave to the trucking people of this State. If they cannot believe him in an undertaking he gives, how can we believe him here? We have the letter he wrote, signed, and sent to the road transport people saying unequivocally he would abolish the road maintenance tax. That means, without any ambiguity, that the tax will be completely abolished.

The CHAIRMAN: We are getting back to repetition again.

Mr. O'CONNOR: The Premier indicated that he would abolish the tax immediately and there would be no hold-up. Now we have a proclamation date, indicating some future time. It is a pity that the people have been misled to this extent. I hope this is the last we will see of this sort of thing.

New clause put and passed.

Title put and passed.

Bill reported with an amendment.

House adjourned at 12.13 a.m. (Wednesday).

Legislative Council

Wednesday, the 15th September, 1971

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

QUESTIONS (7): ON NOTICE

1. LOCAL GOVERNMENT

Allegations of Corruption

The Hon. A. F. GRIFFITH, to the Chief Secretary:

Having regard for the report in the issue of *The West Australian* dated the 14th September, 1971, in which it is stated the C.I.B. had found allegations of corruption in Local Government in the metropolitan area to be groundless, I am prompted to ask the Chief Secretary—

(1) Whether he realises the needless suspicion cast on all Local Authorities in the metropolitan area by his statement to the Press, made some time ago, that allegations of corruption had been made to him, as a result of which police inquiry would be conducted into such allegations?

(2) In future will he please observe the necessity to keep his own counsel in matters of this nature, until there is evidence of a *bona fide* case against some individual or individuals and prosecution is to follow?

The Hon. R. H. C. STUBBS replied:

(1) There is evidence that a member of the deputation released the matter to the press. It was not released from my office or the Police.

In view of the articles appearing in the press it was decided to inform the public of the investigations being made to avoid groundless rumours and speculation which would have eventuated if no statement had been made.

(2) As I have done in this case I will take my own counsel in these matters.

2. PRISONS

Inmates and Costs

The Hon. R. THOMPSON, to the Chief Secretary:

In view of the article in the *Daily News* on Friday, the 10th September, 1971, where the Comptroller General of Prisons stated that 303 persons were imprisoned during the last twelve months for non-compliance with maintenance orders—

(1) (a) What is the cost per day of keeping a prisoner in—

(i) a maximum security prison;

(ii) a prison training centre; and

(iii) a prison farm;

(b) what was the total number of days that these persons were imprisoned;

(c) what was the total cost to the State Government for imprisonment of these persons;

(d) what was the total amount paid by way of Child Welfare Department assistance to dependants of the prisoners;

(e) was any of the expense referred to in (d) recoverable from—

(i) the prisoner;

(ii) the dependant?

(2) Is prison accommodation in this State sufficiently adequate to house these non-criminal prisoners?

The Hon. R. H. C. STUBBS replied:

(1) (a) (i) Fremantle $6.55 per day.

(ii) Wooroloo $6.36 per day.

(iii) Karnet $4.95 per day.

(b) This information cannot be obtained without extensive research. In some cases a default maintenance warrant is served concurrently with other sentences imposed for criminal offences.

(c) See above.

(d) See above.

(e) No.

(2) No.

3. HEALTH

Establishment of Family Planning Clinic

The Hon. G. C. MacKINNON, to the Leader of the House:

As it was announced in *The West Australian* on Friday, the 10th September, 1971, that a family planning clinic would shortly be established with Government financial assistance, and that a charge is proposed for attendance, and as contraceptives will be prescribed, and presumably displayed, will the Minister advise whether it will be necessary to amend the Contraceptives Act, 1939, in order to prevent police action under section 2(g) or section 5(a), or any other section?

The Hon. W. F. WILLESEE replied:

It is not considered that the premises of a correctly instituted clinic comes within the definition of "Public Place" as set out in section 2 of the Act and therefore, the person or persons conducting the clinic could not be viewed as committing an offence as defined by section 5 of the Contraceptives Act.

The Hon. G. C. MacKinnon: I think they are running a grave risk.

4. TRAFFIC

Accident Statistics

The Hon. N. E. BAXTER, to the Minister for Police:

(1) In respect to—

(a) the metropolitan area; and

(b) the rest of the State—

(i) what number of motor vehicles were licensed annually in Western Australia for the years 1966 to 1971;

(ii) what number of traffic accidents have occurred in each of the years 1966 to 1971;

(iii) what number of fatal accidents have occurred in each of the years 1966 to 1971;

(iv) what was the ratio of traffic officers to motor vehicles in 1969-70 and 1970-71;

(v) what number of police have been engaged in traffic control for each of the years 1966 to 1971; and

(vi) what was the ratio of traffic officers to population in 1969-70 and 1970-71?

(2) (a) Have any suggestions been made in the past years that the Transport Commission should have authority over traffic on main roads; and

(b) if so, by whom, and at whose instigation?

(3) What is the estimated annual cost to the Western Australian Government of traffic control by the police?

(4) (a) Has a comprehensive survey of the New Zealand traffic control system been carried out; and

(b) if so, by whom, and at whose instigation?

The Hon. J. DOLAN replied:

(1) (a) (i) 1966—200,466
1967—218,050
1968—240,145
1969—266,789
1970—319,020
1971—358,615

(b) (i) 1966—125,209
1967—132,035
1968—138,866
1969—146,580
1970—120,754
1971—Not available.

(a) (ii) 1966—25,933
1967—29,180
1968—32,403
1969—25,583
1970—19,970
1971—Not available.

(b) (ii) 1966—4,591
1967—4,775
1968—4,487
1969—3,656
1970—3,069
1971—Not available

Note: The drop in accident figures for 1969 occurred because accidents where damage did not exceed $100 in the aggregate, did not have to be reported.

(a) (iii) 1966—121
1967—112
1968—156
1969—155
1970—167
1971—to 14-9-71—115

(b) (iii) 1966—138
1967—148
1968—182
1969—168
1970—195
1971—to 14-9-71—136

(a) (iv) 1969-70—1 to 1,231
1970-71—1 to 1,540

(b) (iv) 1969-70, 1970-71 (No figures available of numbers of Traffic Inspectors employed).

(a) (v) 1966—220
1967—228
1968—234
1969—254
1970—259
1971—233

(b) (v) 1966—12
1967—17
1968—17
1969—17
1970—17
1971—21
Attached to Heavy Haulage Section.

Note: In districts where traffic control has been taken over by the Police, all personnel perform traffic duty in conjunction with their normal Police duties.

(a) (vi) 1969-70—1 to 2,560
1970-71—1 to 2,918

(b) (vi) No figures available (see 1 (b) (iv)).

(2) (a) Not to my knowledge.
(b) Answered by (a).

(3) (a) $1,062,000.
(b) $144,121.00. Cost defrayed by Main Roads Department.

(4) (a) The former Commissioner of Police submitted a report to the previous Minister for Police on the New Zealand traffic control system.
A survey, in a private capacity, was made by a former officer of the Police Traffic Department.
(b) Detailed notes on the above survey were made available to me by this officer in a report which was supplied voluntarily and on a confidential basis.

5. INDUSTRIAL DEVELOPMENT

Effect on Pastoral Stations

The Hon. W. R. WITHERS, to the Leader of the House:

In view of the Minister for Lands' advice to this House through the Leader of the House on the 5th August, 1971, concerning Pippingarra and Boodarie station disabilities—

(a) would the Leader of the House advise if the Minister has made a decision regarding compensation to these stations which have been affected by town development;

(b) if the answer is "Yes"—

(i) what is the decision; and

(ii) on what date was the decision made;

(c) if the answer is "No" could the Minister give an estimated date for decision because the situation requires urgent attention?

The Hon. W. F. WILLESEE replied:

(a) to (c) Compensation in respect of areas resumed from Pippingarra and Boodarie stations, determined as provided in the Land Act, has been paid to the lessees concerned.

Consideration is currently being given to the level of rentals fixed for these stations, having in mind the effect of the proximity of the town of Port Hedland on the operation of the stations.

6. APPRENTICES

Registrations

The Hon. L. A. LOGAN (for the Hon. J. M. Thomson), to the Leader of the House:

Further to my question on Thursday, the 9th September, 1971, relating to Registered Apprenticeships—

(a) how many of the registered apprentices, in each of the years stated, were in—

(i) the metropolitan area;

(ii) the South West Land Division;

(iii) the rest of the State; and

(b) how many were employed within—

(i) Government Departmental employment; and

(ii) private employment?

The Hon. W. F. WILLESEE replied:

(a) (i), (ii) and (iii) This information is not available.

(b) (i) and (ii) This information is only available since apprenticeship statistics have been placed on computer. Therefore, the figures prior to 1970 are not available. As at 30th June, the figures for 1970 and 1971 are:—

	Private Employers		Commonwealth Departments and Instrumentalities		State Government Departments and Instrumentalities	
	1970	1971	1970	1971	1970	1971
Carpentry and Joinery	841	819	7	9	67	66
Bricklaying	127	118	....	....	11	14
Painting	211	191	5	1	60	62
Plastering—Solid	63	69	....	....	3	4
Plumbing	470	495	6	7	42	49
Electricians (Electrical Fitting and Electrical Installing)	988	1,063		9	139	164

7. LAND

Timber Rights

The Hon. F. D. WILLMOTT, to the Leader of the House:

Further to my question on the 22nd July, 1971, concerning Timber Rights, has any decision yet been made, and if so, what is the nature of that decision?

The Hon. W. F. WILLESEE replied:

No. The matter is still under review.

DAYLIGHT SAVING BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. R. H. C. Stubbs (Chief Secretary), and read a first time.

OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), and returned to the Assembly with amendments.

FIRE BRIGADES ACT AMENDMENT BILL

Third Reading

THE HON. R. H. C. STUBBS (South-East—Chief Secretary) [4.45 p.m.]: I move—

That the Bill be now read a third time.

At the Committee stage I undertook to obtain certain information for Mr. Williams. I have now obtained that information, and I give it in the order in which it was requested—

Mr. Williams expressed the view that he would like to see the definition of "Minister" removed from all Acts.

This is neither desirable nor practical in every case.

In the case of the Fire Brigades Act, where the "Minister" is defined as the Minister of the Crown charged with the administration of the Act, the deletion of the definition of Minister is desirable in view of the now existing definition contained in section 4 of the Interpretation Act.

Consequently when other Acts still containing such "definition" are opened up on the Table of the House for amendment, it is the custom to insert a clause in the amending Bill to remove the superfluous definition. This is quite in order because in these cases it is the Executive Council which allocates the Act to a particular Minister to administer.

However, there are many Acts in which Parliament has defined the Minister as being the holder of a particular portfolio, or given precedence in its definition of "Minister."

One such Act that comes to mind is the Censorship of Films Act which is presently being amended. Members will notice, however, that the amending Bill does not propose the deletion of the definition of "Minister." The reason for this is that in passing the principal Act, Parliament gave preference to the Chief Secretary as the appropriate Minister to administer the Censorship of Films Act.

Then we have the type of Act wherein Parliament not only gives precedence to a particular Minister but allows no other. These are Acts where, generally, the Minister is specifically defined.

The Main Roads Act is one of these. The Minister is defined as the Minister for Works and there would be no intention when introducing minor amendments to that Act to interfere with the allocation of the Act to the Minister for Works, as made by Parliament.

In some Acts the Minister is a body corporate and such definition must stay and cannot be removed by invoking the Interpretation Act.

Therefore, it is not practical to suggest that all definitions of "Minister" should be removed from all Acts. Each must be treated on its merits and when superfluous definitions come

to the notice of parliamentary counsel they are deleted, as in this case, as opportunity presents itself.

Regarding the information sought by Mr. Williams in relation to appliances used by fire brigades, I have obtained the following advice:—

Turntable Ladder or Snorkel—Aerial:

A Snorkel Fire Appliance is an 85 ft. hydraulic elevating platform costing some $63,000. It enables firemen to position a "cage" to windows of buildings to rescue occupants, and discharge large quantities of water at high levels on and into buildings, and foam onto large oil tanks. It is indispensable to the technique of preventing spread of fire at high level from one building to another.

Hydraulic turntable ladder fire appliances which cost some $49,000 are able to operate as water towers and rescue appliances in areas up to 100 ft. in height which are inaccessible to Snorkel appliances.

Unlike the Snorkel they can also be used as cranes.

Pumps 750 GPM and Upwards,

Pumps 500-749 GPM,

Pumps Up to 499 GPM:

The fire brigade has a variety of pumping appliances designed to fit special tasks.

Pumps or fire engines capable of delivering water in excess of 750 gallons per minute are required for major fire situations and for supplying the volume and pressure of water required to produce foam for ships and fires involving major flammable liquid storage.

A 500 gpm pump is fitted to the run of the mill fire engine which in the singular deals with the small fire situation and collectively for major fires, picking up water from widely dispersed hydrants and delivering onto the fire.

Pumps under 500 gpm are in the main fitted to bush fire fighting engines, and water tankers.

Costs of fire engines carrying those pumps range from $35,000 to $16,000.

Other Vehicles:

"Other vehicles" not classified as fire engines, e.g. utility vans; small trucks, station sedans, and the like.

EQUIPMENT:

Each 100 feet of Hose

Hose, means flexible tubes in 100 foot lengths fitted with special couplings and used for transporting water under pressure from pumps and hydrants onto fires. Current costs of hose complete with couplings is in the order of $75 per 100 feet.

Fire Extinguishers (2 gallons or 20 pounds)

Fire Extinguishers range from 2 gallon water or foam units costing $35, to 20 lb. dry chemical units costing in excess of $70.

Servicing, recharging and retesting, hand extinguishers is quite a costly exercise in both labour and the special materials required.

Knapsack Spray

Knapsack tanks consist of 5 gallon water containers attached to which is a simple reciprocating action hand pump; producing a 20-30 foot jet of water or spray for dealing with bush and rubbish fires. Being made of non ferrous metal costs per units are relatively high at $30.

BREATHING APPARATUS:

Oxygen (per 2 hour set)

C.A.B.A. (per 1 hour set)

Worn by firemen in smoke laden atmosphere, C.A.B.A. is an abbreviation for Compressed Air Breathing Apparatus. In other words the cylinders contain normal air compressed to some 2000 lbs. to the square inch which is fed to the user (in this case a fireman) on demand at normal atmospheric pressure.

In contrast to Breathing Apparatus sets the cylinders of which are charged with pure oxygen, the C.A.B.A. sets are less costly and simpler in operation. Oxygen sets are required because of their capability of operating for much longer periods than C.A.B.A., as facilities in the former are provided for the firemen to re-use the combined products of the oxygen from the cylinder when the latter is diluted by the air exhaled, which unlike the C.A.B.A. sets is cleansed in a special container, and not discharged to atmosphere.

MANPOWER:

Officer-in-Charge

Other Officer

Firemen

The schedule sets out the maximum scale of fees or charges allowed for attendance at any fire of the Officer-in-Charge and each other officer and each fireman.

THE HON. R. J. L. WILLIAMS (Metropolitan) [4.54 p.m.]: It would be remiss of me if I did not thank the Minister most cordially for the detailed answer to my questions. The length of the answer far exceeded that of the second reading speech, and I am obliged for the information.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [4.55 p.m.]: As the one who made the complaint in this matter, I also want to express my appreciation to the Minister. I think everybody in the House, including

the Minister, is much better informed as a result of the information which he has supplied. I thank him.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

RURAL RECONSTRUCTION SCHEME BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.56 p.m.]: I move—

That the Bill be now read a second time.

The passing of this Bill will effectuate an agreement between the Commonwealth and the State of Western Australia which provides for the establishment and operation of a scheme of financial assistance to persons engaged in rural industries in this State. It is my belief, therefore, that this measure will appeal to all members.

Members, I know, share the Government's concern at the problems facing the rural industries. They are currently of such magnitude as to defy a ready solution yet their size will not deter us from applying whatever measures can be taken to ease the burden of the rural community.

The Minister for Agriculture has pointed out that on the world scene there has been a progressive move against prices for most agricultural products. A characteristic of trade in primary products is that marginal surpluses and marginal shortages can cause violent fluctuations in prices. Australia being basically an export orientated country finds its farmers particularly vulnerable to fluctuations in export prices.

This two edged sword, in Australia and overseas, has become known as the cost-price squeeze. While wool prices remained reasonable and there was no restriction on wheat production, it was possible for the farmer to adjust to increasing costs without losing his standard of living by producing more of the commodity he was best able to produce. As a result, until the end of 1968, farmers were by this means able to adjust and keep pace with rising costs.

In 1969, however, the psychological effect of the imposition of wheat quotas, and the physical and financial results of the worst drought experienced in Western Australia for almost 30 years, were felt. As everyone knows the drought did not completely break in 1970 and some areas —particularly the Gnowangerup and Ravensthorpe Shires—were severely affected during the winter.

The position was further aggravated in 1970 with the progressive fall in wool prices. At the present time we have the combined effect of the cost-price squeeze, the 1969 drought, and wheat quotas in association with the drought. The significant effect of these factors on the rural industry is appreciated when it is realised that the 1969 drought reduced the incomes of farmers from wheat by approximately $50,000,000 when compared with the 1968 level.

In 1968-69 Western Australian wheatgrowers had grown and delivered approximately 110,000,000 bushels of wheat. In 1969-70 they grew only 58,000,000 bushels. When that quantity of wheat is converted to dollars it can be seen that somebody had to absorb a tremendous cost and, of course, it was the farmers. It is incidental that the farmers would have been paid for no more than 86,000,000 bushels of wheat as the purpose of this exercise is to point out the difference between the 1968-69 income and the 1969-70 income.

The year 1968-69 was a very favourable one and statistical records show that a total of 359,000,000 lb. of wool was produced that season. The difference in wool yields up to the 31st March, 1970, showed a further loss. That fall in production was compounded by the fall in wool prices during 1969-70. The amount received during 1969-70 was $158,000,000 compared with $125,000,000 up to the 31st March, 1970. Another $30,000,000 is involved there.

The total amount of those two items—wheat and wool—on the farm income was something in excess of the total of the reconstruction money available to the whole of Australia.

Although wool production increased in 1970-71, prices continued to fall dramatically. In March the average price of greasy wool was 15c a pound below the average for December, 1969. At the present level every cent per pound is worth approximately $3,000,000 to the 10,000 sheep and cereal farmers in Western Australia.

Western Australia is not the only State that is so affected; the falls in production in the last five years throughout Australia indicate what the affects in dollars and cents mean.

The figures for gross production of wool in Australia for the years 1966-67 to 1970-71 are as follows:—

$812,200,000
$709,500,000
$838,700,000
$735,200,000
$547,000,000

In Western Australia the figure for 1966-67 was $124,800,000, and for the current uncompleted year of 1970-71 the value is $98,100,000.

This merely indicates the magnitude of the amounts and the size of the difficulty which confronts our rural producers at this moment. Although the position has been eased somewhat by very good sales of barley in the present year—and there are prospects on the horizon for new crops

such as rape seed—it is difficult to dispel the air of gloom which hangs over the rural community at the present time.

Wool and cereals are the main products concerned, and these industries contribute largely to the export income required to maintain our standard of living. Other farm products—for example, dairy produce, meat, vegetables, and fruit—are needed locally and will become more important with population growth.

The problem facing the rural community today is, basically, that there is a need for further adjustment to meet the falling price-high cost situation, but adjustment through increased production does not exist any longer.

In consequence of the restriction on wheat deliveries and the poor prices for wool and sheep meat, there is no surplus profit available for development or for farm adjustment. For these reasons it is necessary for the Government, after more than 30 years, to enter the field of rural reconstruction again.

The reconstruction scheme is one of the measures being taken in Western Australia to help reduce the crisis. One other measure introduced by this Government was the Rural Emergency Carry-on Scheme which assisted over 300 farmers by providing finance for cropping this season.

Figures showing dramatic increases in rural debt are well known to every member in this Chamber and they are indicative of an expanding industry which is now in decline. The future of many farmers is, unfortunately, in the hands of their creditors. Generally, these creditors—whether they be vendors, bankers, stock firms, or hire-purchase companies —have been very helpful to farmers and have shown considerable understanding in supplying more funds, or restraint in not acting to recover the debts. Admittedly, it is certainly in their interests to maintain stability and values in rural areas, but it is fair enough to say that the co-operation obtained from all the various types of finance houses has been very helpful. They certainly have justified their participation in it.

This reconstruction Bill will help many farmers to meet their commitments, thus giving these creditors some payments; besides which it will help keep the credit facilities open to agriculture and maintain land values in rural areas. Confidence in the future of agriculture and the ability of farmers to pay will be improved. Reconstruction funds made available to farmers will also assist businesses in country towns.

The help to be provided, under the Commonwealth-State agreement outlined in the schedule to the Bill, amounts to $100,000,000 from the Commonwealth. Of this, Western Australia is to receive $14,630,000. This amount is to be made available over a four-year period, but the need is so urgent and obvious that the Treasury request to the Commonwealth for finance for this purpose for this financial year has been set at $7,000,000.

The agreement provides for assistance under three headings: debt reconstruction, farm build-up, and, in certain circumstances, rehabilitation loans of up to $1,000 to farmers who are forced to leave the rural industry. The intention is to utilise the funds as nearly as possible, one-half for debt reconstruction and one-half for farm build-up. While it was the requirement of the Commonwealth that this be done, practice is revealing that this balance is certainly not being maintained. As a matter of fact, of the applications which have been received, about 98 per cent. have required debt reconstruction. Consequently, it is hoped that some readjustment of this will be possible both by the State and by the Commonwealth.

The interest rate to be charged borrowers under debt reconstruction will be an average of 4 per cent. per annum, and for farm build-up it will be not less than 6¼ per cent. per annum, while repayment terms may be up to 20 years at the discretion of the handling authority.

Security for loans approved is to be the best and the most appropriate security available. Of course, it is recognised that this may involve ranking after existing securities. It simply boils down to the best security which is possible.

While the $1,000 rehabilitation assistance provided for under the agreement is described as a loan—with security to be taken if available—the authority has wide discretion in this area. It does seem possible that such assistance may take the form of a grant rather than a loan. As I pointed out, the authority has a fairly wide discretion, which it is able to use—and, indeed, will use.

In all, 75 per cent. of the funds provided by the Commonwealth are repayable by the State and this proportion of money as drawn will bear interest at 6 per cent. per annum. Repayments commence three years after their provision and the period of repayment is 17 years. Consequently, the State is not receiving a grant from the Commonwealth; it is receiving a loan. The disparity between the rates of interest has probably been noted already. The Commonwealth is charging interest at the rate of 6 per cent. on 75 per cent. of the moneys, whereas the State is charging 4 per cent. and 6¼ per cent. on all the loaned amount.

All costs of administering the scheme within Western Australia will be met by the State. All losses will be borne by the State from the grant portion of the funds, although there is provision for a review of this with the Commonwealth. This, of course, will be where losses arise outside

reasonable expectations and experience. However, any other loss will be borne from the 75 per cent. grant that the State is to receive.

The Hon. N. McNeill: Should that not be "the 25 per cent. grant that the State is to receive"?

The Hon. W. F. WILLESEE: I think "75 per cent." is right.

One of the conditions applied by the Commonwealth was the use of any special funds held in connection with rural relief by the State before utilising Commonwealth funds. This is covered in the Bill by provision for transfer to the authority of the $430,244 at present standing to the credit of the Rural Relief Fund established under the Rural Relief Fund Act, 1935.

After very careful consideration it was decided that the operating authority must be autonomous, and this is provided for in the Bill. The authority is to consist of four members—namely, a commissioner or employee of the Rural and Industries Bank of Western Australia, who will be Chairman; an employee of the State Treasury; a person employed in the State Department of Agriculture; and a person who has been engaged in rural industry in this State and who has exhibited special qualifications for such an appointment.

The chairman of a country shire council has been selected as the fourth member. He has had experience in war service land settlement dealings and his association with shire councils qualifies him in an ancillary aspect of the rural situation—namely, the effect upon local government. The authority constitutes an assemblage which would be very difficult to improve upon having regard for the purpose for which it has been appointed.

The staff of the authority will be headed by an administrator, and very extensive assistance and advice will be provided by specially qualified officers of the State Department of Agriculture. The authority will also be expected to make use of other specialist or professional advice which could be of benefit.

As this State had no operating authority for rural reconstruction, and as the earliest possible action was needed, a committee was established to prepare forms of application, to set up a system of operation, and to commence receipt and processing of applications as they were received. With the passing of this legislation the authority which has already been functioning will be given legal status.

To date, considerable progress has been made in dealing with rural reconstruction in this State. Applications were called for shortly after the signing of the Commonwealth-State agreement. No delay occurred. To the first week in August, 565 applications had been received from farmers who were in need of assistance.

Under the agreement there are few limitations as to the type of farmer who may be assisted. As a matter of fact, the agreement covers the whole range of farming activities, and no discrimination is made between the various segments of the industry. The applications received therefore range from new land farmers on the south coast to those in the established central wheatbelt, and they include applications from pastoralists in the sheep and cattle areas in the north of the State. Applications have been received from all of them.

The processing of the applications is also proceeding on a very satisfactory basis. To Friday, the 6th August, 215 applications had been processed to the stage of offering funds or declining assistance. Therefore, 215 of the 565 applications had been evaluated, appraised, and decided upon to that time.

It would be expected that the worst affected farmers would apply for assistance first; yet 54 applicants have been offered assistance of an average amount of just under $20,000. Of the other applications, three have been withdrawn and nine have been deferred pending further investigation. Thirty of the remaining 149 applications have been declined because of ineligibility or because it was considered that the applicants were not in need, and 119 have been declined because they were not considered to be viable.

It was found to that time that a little more than half of the farmers applying for assistance would not be able to service their debts, even if the total debt were taken over and made repayable over the maximum 20-year period at the concessional interest rates offered under the scheme. It must be remembered that one of the prerequisites is that no other avenue of assistance is available.

The progress made in this State in dealing with applications compares favourably with the progress in the other States, bearing in mind that New South Wales and Victoria have had organisations established for many years for the purpose of dealing with reconstruction. To the end of July, New South Wales had processed 552 applications, Victoria 241, Queensland 157, and South Australia 19. Our rate of approvals of applications processed—25 per cent.—also compares favourably with other States, where the figures are: 19 per cent. in New South Wales; 9 per cent. in Victoria; 28 per cent. in Queensland; and 16 per cent. in South Australia. Comparability of operation can therefore be seen from these figures, and if any disparity occurs it is not in relation to Western Australia.

A great deal of thought has been given to the need for legislation to protect a farmer against precipitate action by a creditor while the farmer's application for assistance was being fully considered by the authority. Those parts of the Bill

which provide for a protection order were designed to give the farmer an opportunity to have his position fully reviewed while also being reasonable towards creditors as to the period, and not adversely affecting the credit-worthiness of the farming industry as a whole.

The conditions relating to application for the issue of a protection order have been laid down carefully with three main objectives in mind. The three objectives are, firstly, fairness to the applicant so that he is not denied consideration in any way; secondly, fairness to the creditor who should not be held up for an unnecessary time; and, thirdly, full regard to the need to stabilise the normal avenues of credit in country areas.

This approach to protection orders is much more discriminatory than the procedure that was followed previously and I do not think any objection can be taken to it.

Members will be well aware of the previous complications in the issuing of stay or protection orders under the Bankruptcy Act, 1970. Amendments to that Act, under part XIA—farmers' debts assistance —which were assented to on the 11th November, 1970, clarified the position. The Rural Relief Fund Act is to be proclaimed under section 253B of the Bankruptcy Act and there is nothing in the Bill now before the House which is likely to prevent its being similarly accepted and proclaimed upon application.

The problem of the rural industries is not just the concern of farmers. Western Australia is most reliant on maintaining as many farmers as possible on the farms and this is the hope and intention of the present Government. The future of many country towns depends on the survival of the farmers and on their being able to pay their bills. The future of much employment in the cities also requires the survival of agriculture and this is something we should all remember and of which we should be conscious.

I commend the Bill to the House, hoping for its ready acceptance because the need for the quickest possible functioning of the authority under the provisions of the legislation requires, I believe, no further elaboration.

Debate adjourned, on motion by The Hon. N. McNeill.

LAND TAX ASSESSMENT ACT AMENDMENT BILL

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 10 amended—

The Hon. I. G. MEDCALF: There seems to have been a certain amount of confusion in connection with this matter. Having had the opportunity to study the comments of the Minister in charge of the Bill I feel it is necessary to clarify some of the points of confusion which I think are indicated by the Minister's reply.

In the first place I do not recall ever having said that the addition of the word "assessable" to clause 4 would specifically create anomalies. I believe anomalies were created by clause 4 in its original form. The word "assessable" merely accentuates the anomalous position that existed as a result of the inclusion of subparagraph (iv) in clause 4. It is not necessary for me to say any more on the subject of the word "assessable", but as I understand the principle of aggregation which has been referred to by the Minister it is a principle which affects improved land.

It seems that as a result of this Bill we are going to add a principle of aggregation and make an example of this anomaly in respect of land which is not improved as much as land which is improved. By that I mean the unimproved capital value of two lots of improved land are added together.

If there are two lots of land which are improved their unimproved capital value is aggregated. I made it clear that I never had any doubt about this. I do not think it is necessary that an explanation should be given of this principle of aggregation.

It seems to me, however, that subparagraph (iv) now means that not only will the unimproved value of two lots of improved land be aggregated but if a person owns any land at all—even if it is unimproved land—that will now be aggregated with his residential house.

The Bill now seems to have introduced a different principle and accordingly this question of aggregation is now in a slightly different light from what it was previously. I feel the Government has taken the matter a step further and has in effect exempted the wealthy landowner who has a large residence and nothing else. In other words if this man has a valuable residential block of less than half an acre and uses it for residential purposes; and if he complies with the requirements and owns no other kind of land which is assessable he is exempt from land tax irrespective of the value of his block.

The Minister has indicated that some blocks of land are worth $40,000 and the unimproved capital value of those blocks is now to be exempt provided the taxpayer is living on the block and provided he does not own any other assessable land.

What happens if he owns one acre of unimproved land that is assessable? In such a case would he no longer be exempt? That is the question I would like the Minister to answer; because I believe from his reply to what I said last Thursday he assumed that only if the other land is improved does the question of aggregation

apply in terms of clause 4. As I see it if a person owns a block of land on which he has his residence and owns another acre of unimproved assessable land—

The Hon. A. F. Griffith: Or a quarter acre.

The Hon. I. G. MEDCALF: —or a quarter acre, that he will be assessed on his residence.

The Hon. A. F. Griffith: That is right.

The Hon. I. G. MEDCALF: Apart from this the other land he owns does not have to be improved land. I am afraid it is all rather complicated and if the Minister has followed my remarks I will be happy to sit down.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): Does the honourable member intend to move his amendment?

The Hon. I. G. MEDCALF: Yes, as soon as I have had an answer to my question.

The Hon. W. F. WILLESEE: As far as I can understand what has been said by the honourable member in this rather complicated issue, if a man owns a further unimproved block of land he will not be entitled to the exemption.

The Hon. A. F. Griffith: Would not the case be the same if he owned another quarter acre of improved land?

The Hon. W. F. WILLESEE: I think it would.

The Hon. A. F. Griffith: It would.

The Hon. W. F. WILLESEE: In principle we are only endeavouring to achieve what we said we would do in a pre-election promise. We are not attempting to do more than what we said we would do, and if we try to write into the Bill anything more we will destroy its concept.

The Hon. A. F. GRIFFITH: The Minister is perfectly correct in saying that what the Government is trying to do is to fulfil an election promise. What was that election promise? Expressed in 2½ lines the promise was that land tax will not be levied on land on which the owner's home is erected if it does not exceed one-half acre in area and where it is the only land owned.

The Government became so confused with its own election promise that when the Bill was introduced in another place the Opposition quickly found that the man with a farm would be taxed on his half acre though the Government did not intend he should be so taxed. The Governernment intended to give relief from land tax to a man who had in effect a house on a block of land. The half acre was included as a yardstick and such land was to be free from land tax.

But when the Bill came here from another place the words "assessable" was included and since farmland is not assessable that left the land free from tax if it did not exceed half an acre and contained his house.

Yesterday I suggested to the Minister that we should be told what was the collection from land tax; what it was going to be under the new order of things; and, in fact, what revenue the Government would lose by the introduction of this Bill.

The Minister was good enough to tell us that it was estimated there would be a loss of revenue of about $20,000. To my mind this Bill represents much ado about nothing.

The Hon. W. F. Willesee: Then why do you not sit down and let us pass it?

The Hon. A. F. GRIFFITH: I want to be more responsible than that and point out that while the electioneering promise on land tax contained in the 2½ lines might have sounded all right, in fact it did not really mean a thing. The people of the State are better off at the moment under the present Act as it now stands than they would be with a fluctuating scale.

I repeat what I said yesterday afternoon: Whether the Bill is passed or not—but particularly if the Committee does pass it—I am sure the Government will need to have a thorough look at the Land Tax Assessment Act and if it does it will not be long before other amendments are brought before the Chamber seeking further changes. The Government would have been well advised to leave the position as it was, because all the Bill does—to use the Minister's own words—is to grant relief of about $20,000 or $30,000 to the type of people who might own a quarter-acre or half-acre of land which formerly was taxed under some other situation but which, under this legislation, will not be taxed. Further, relief will be given to those who can well afford to pay. I do not think that was in the mind of the Government.

In my opinion the whole matter has been misdirected and obviously misunderstood.

The Hon. W. F. Willesee: So much so that it appears we are helping your voters.

The Hon. A. F. GRIFFITH: The Minister's party has always done that. It is a little like the story of the boy who went to school and who said to his teacher, "Miss, our cat had seven kittens this morning and they are all little Laborites." The next morning the teacher said to little Willie, "How are your kittens getting on?" He replied, "All right, they are now all little Liberals." The teacher said, "Why such a quick change?" He replied, "Oh, they have had their eyes opened since then." The Leader of the House will see.

The Hon. W. F. Willesee: You have forgotten about the mother.

The Hon. A. F. GRIFFITH: I had better not tell the Leader of the House about the mother.

The Hon. W. F. WILLESEE: With due respect to the Leader of the Opposition I now wish to give a reply to his question which I did not answer during my reply to the second reading debate. Mr. Griffith asked for the financial effects of these proposals and in doing so asked how much the Treasury received from land tax last year. The answers to his questions are that last year the State Taxation Department collected $7,500,000 from land taxes and $1,260,000 from the metropolitan region improvement tax, a total of $8,760,000. The estimates of cost have already been given for the two concessions, but for the sake of clarity I shall repeat them. For the proposed exemption it is estimated that the cost will be $20,000 in a full year and for the extension of the rezoning concession $10,000, making a total of $30,000 revenue loss.

The Hon. A. F. Griffith: Good gracious me!

The Hon. W. F. WILLESEE: Shocking!

The Hon. A. F. Griffith: A real shocker!

The Hon. N. E. Baxter: Can you give us any idea of the number of property owners who would be involved in that loss of $20,000 or $30,000?

The Hon. W. F. WILLESEE: It is about 250, give or take one or two people. With regard to the earlier remarks of the Leader of the Opposition, so far as I am aware the farm was exempt from tax all the time, and the word "assessable" made no difference as it was agreed it was mainly designed to make something clear.

The Hon. A. F. GRIFFITH: It was certainly "assessable" in the present Act. In trying to fulfil an election promise—and one must have regard and give due credit for that—it is obvious the Government is creating for itself so many anomalies that the whole exercise is hardly worth while. To give relief to about 200 people for a mere $20,000 or $30,000 does not justify creating these anomalies. The Government would be better advised to bring down a revised Bill on land tax assessment.

The Hon. I. G. MEDCALF: I move an amendment—

> Page 2, line 29—Delete the word "paragraph" and substitute the word "paragraphs".

This is only a formal amendment, but the balance of the complete amendment really hinges on it. I will therefore be obliged to refer to the next part of the amendment if I have the permission of the Chair.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): You can speak to the next part of the amendment.

The Hon. I. G. MEDCALF: If members look at the next part of the amendment which appears on the notice paper they will see I am suggesting that clause 4 should contain a further exemption. This exemption shall apply to any estate or parcel of improved land exceeding one-half acre but not exceeding five acres in area in respect of which there is compliance with the other requirements of paragraph (h) of this subsection and where the commissioner is satisfied that subdivision is impracticable or unwarranted.

Members will recall that paragraph (h) creates an exemption; that is, the exemption of the residential house where the land does not exceed one half acre in area. The proposed amendment on the notice paper will include the residential house which is erected on land which exceeds one half acre in area but does not exceed five acres. All the requirements of paragraph (h) are included and must be complied with. The owner must actually be residing on the five acres of land; the land must be used principally for residential purposes; the improvements must consist of a dwelling house and outbuildings only, and the owner must own no other assessable land within the State.

The other requirement of the amendment is that the commissioner shall be satisfied that subdivision is impracticable or unwarranted. The reason for my amendment is basically that the Government is seeking in the clause before us to exempt the residential house irrespective of value provided it complies with the requirements laid down. So if the land is no more than half an acre and it happens to be anywhere in the State and only a residence is erected on it, it is exempt irrespective of value, even if it is worth $40,000.

I suggest there are many larger parcels of land on which people are living, not in the inner but in the outer residential parts of the metropolitan area. There are also others in the outlying parts of the State. There are parcels of land which exceed half an acre in area but which come within the four corners of paragraph (h). Why should the half acre be exempt and not the area of land up to, say, five acres which is incapable of subdivision? That is the safeguard which has been added to protect the revenue and the commissioner. He must be satisfied that the land is incapable of subdivision.

Is it fair to grant exemption to valuable lots which are probably in the inner suburbs and worth, say, $40,000, but under half an acre in area, and refuse to exempt land of five acres in area on which is erected a modest home? The five acres is probably situated in an outer suburban area and the owner no doubt is unable to subdivide his land into half-acre lots because of some town planning condition that has been applied. Where the subdivision is impracticable or unwarranted I believe that the owner of such land is just as entitled to the consideration of the Government as the owner of half an acre of land which is exempt.

The five-acre parcels of land to which I refer are those which are used principally for residence. It does not mean they are used for pigsties or something similar. Further, the owners do not own any other land. That is the criteria mentioned by the Premier in his policy speech. Members can forget about the other arguments. We need go no further. That is what the Leader of the House has said. There is no reason for members to take notice of my submission in that respect but it has been made to exempt residential land owned by people who do not own any other land. I consider this a very good case. It would not in any way affect the promise made by the Premier in his policy speech.

The Hon. W. F. WILLESEE: Mr. Chairman, may I read the prepared statement I have in answer to the amendment moved by Mr. Medcalf? It states that this amendment seeks to extend the proposed exemption for improved land on which the owner's residence is built from the Government's proposed restriction of half an acre to an area of five acres in cases where the subdivision is considered by the commissioner to be either impractical or unwarranted.

In replying to the second reading debate I have already indicated that, in the Government's opinion, half an acre is a reasonably generous provision for a residence, and, the Government's amendment to provide an exemption for the residential home is in strict accordance with the undertaking given. At this stage the Government is not prepared to go any further.

Although there may be cases where persons occupying large areas of land are, for a variety of reasons, unable to subdivide, I do not believe that, by increasing the area, we solve what is claimed to be an anomaly.

All we would be doing is reducing the number of so-called anomalous cases, but still leaving the position that has been criticised. I take the point made by Mr. Medcalf and Mr. Clive Griffiths that the law, even without the Government's proposed amendment, which as I mentioned has been introduced to honour an undertaking, really needs to be looked at in depth to determine whether the anomalies mentioned exist and whether it is practical or necessary to remove them.

By making such amendments without proper research, the cost to revenue would be an unknown factor and in certain circumstances this must be considered. Secondly, the commissioner advises me that since the law was extensively amended last year he has not received any complaints he can readily bring to mind about persons living on five acres of land who claim they should be granted an exemption.

In the case of those faced with financial hardship, the commissioner is prepared to spread the burden of the taxes and the department already does this. Nevertheless I will refer to the Government the suggestion that the whole Act be reviewed in an endeavour to overcome any of the situations of the kind mentioned by Mr. Medcalf and other members who contributed to the debate. In the meantime it would be undesirable to proceed with amendments additional to those already proposed in the Bill.

I should also add that the proposed amendment presents two further difficulties. One arises from its wording. It would be very difficult to determine when a subdivision was not warranted or even impractical as this leaves room for a wide divergence of opinion and would undoubtedly give rise to an undesirable number of disputes between the department and the taxpayers which might possibly result in unnecessary litigation.

The second difficulty is that any application of this kind in areas ranging from half an acre to five acres would need to be the subject of a physical check and research by the department to determine whether the exemption should be granted or refused. This could well mean additional staff would be required, thus adding to the currently unknown burden which the proposal would impose on revenue. For these reasons I do not support making the amendment at this stage.

By the introduction of this measure it was the Government's intention to give relief to the specified classes of taxpayers which have been fully discussed during the debate, and at this stage I feel we would be unwise to proceed any further than the Bill now goes, without a great deal more examination of the facts of any other proposals.

The Hon. F. R. WHITE: I rise to support Mr. Medcalf. I agree with the Minister regarding the choice of words. If we deleted the words "impracticable or unwarranted" appearing at the end of the amendment and substituted the word "impossible" this would cover many instances in my electorate where people are living on land even in excess of five acres. This land is zoned urban, but cannot be subdivided.

Some land in Lesmurdie has been rezoned, but there is no water supply available and the department will not extend the water into the area even if finance were provided by the owners for the purpose. Consequently people who own such land own broad acres which are impossible to subdivide; firstly, because the water is not available and, secondly, because the local authority is not able to make up its mind on the conditions it would place on zoned urban land for purposes of subdivision. For many years these people were compelled to live on such land and pay extremely high rates and taxes.

Subsequently the previous Government introduced legislation to give the Commissioner of State Taxation the power to relieve the burden on those owning land —if he considered they were under financial stress because of the responsibility of having to pay the taxes due—by giving an extension of time or a deferment until the land was finally subdivided.

Previously I had amendments on the notice paper, but after listening to the Minister's reply to the second reading debate and discussing the matter with others I realised my amendments could allow a speculator to purchase broad acres much larger than five acres on which he could build his own home. I believe Mr. Medcalf's limit of five acres would give some relief to people in the near metropolitan region.

I could give instances of zoned urban land which cannot be subdivided, but which is improved to the extent that the owner has built his home on it. One person has three acres the unimproved capital value of which is $19,000; another has 4¾ acres the unimproved capital value of which is $14,000; and another has 1½ acres the value of which is $14,500. Others are in excess of that acreage, one being 10 acres with an unimproved capital value of $44,500. It is impossible for these *bona fide* home owners of broad acres to subdivide even though the land is zoned urban. The five-acre provision would be a good compromise provided the amendment is altered as I suggested.

The Hon. R. THOMPSON: For some of the reasons stated I oppose the amendment. Some months ago I rang the Commissioner of State Taxation and sought advice concerning some land in Jandakot. The land has a frontage of two chains and a depth of half a mile, and is roughly 9½ acres. Unfortunately it is zoned as industrial land under the Cockburn town planning scheme, and if we amend the Bill to provide for five-acre lots, such blocks would not be covered.

I realise we must have a line of demarkation, and although I agree with the views expressed by Mr. Medcalf and Mr. White —and I have referred the matter to the Premier—I believe we should allow this legislation to pass as it is. It will certainly be no fault of mine if an amending Bill is not introduced next session to take the strain off those who own land which cannot be subdivided. I discussed with Mr. Ewing the land in Jandakot to which I have referred and he was kind enough to tell me to discuss any further problems I might have with him. Unfortunately I did not obtain all the details from the landowner but I will see Mr. Ewing next week.

We must have a closer look at this matter. Those who buy a block in the outback sometimes suffer many hardships. They may have to wait for water and in some cases they have no roadways or electricity. They are not following rural pursuits, but have bought the land either because it is close to their work or because they just choose to live in a particular area. However I do not believe a line of demarkation of five acres is fair and equitable. I want those people who live on large acreages, but use their land for only residential purposes, to be in a position similar to those living on a quarter-acre or half-acre block.

The Hon. A. F. Griffith: What do you really think this Bill will do for those people that the present Act does not already do?

The Hon. R. THOMPSON: Unfortunately the present Act does not do this.

The Hon. A. F. Griffith: It gives a sliding scale of exemptions.

The Hon. R. THOMPSON: The Leader of the Opposition should listen to me closely. I did not say the Bill would do that. I said I would like an amending Bill introduced next session to take into consideration the problems of the people to whom I have referred, because many of them are living on areas of less than 10 acres which cannot be subdivided.

The Hon. J. Heitman: In that case we might as well fix it up now.

The Hon. R. THOMPSON: I am not suggesting that. To be honest I think there is more involved in this than we can deal with. The land in Jandakot is zoned industrial, but probably I will never see a factory built on it in my lifetime although the Department of Industrial Development owns adjacent land. Therefore I would urge that this Bill go as it is—

The Hon. A. F. Griffith: Out the window!

The Hon. R. THOMPSON: —and I will be making representations, have no doubt about that. Other members should also submit the anomalies which exist. I do not think it is fair and reasonable that someone with five acres should be exempt from land tax, but someone with 5½ or 10 acres should have to pay when in neither case the owner is using the land for other than residential purposes. In my opinion the acreage should be the minimum subdivision for the district if the land is being used for no other purpose and is incapable of being subdivided. If we accept Mr. Medcalf's amendment we will be doing something for those on five-acre properties, but those on a minimum subdivision of 10 acres will be in exactly the same position in which they are now. Therefore I suggest we submit our propositions and let this Bill pass as it is. Then before the next session—

The Hon. J. Heitman: Why not throw it out and start afresh now?

The Hon. R. THOMPSON: —we should submit our propositions to the Commissioner of Taxation for due consideration.

The Hon. CLIVE GRIFFITHS: Discussion on this Bill takes my mind back to 1966. It is the kind of legislation which is constantly brought to Parliament for one reason or another. We debated exactly the same situation in 1966 and I claim to have the same opinion now as on that occasion. I do not suppose I will have many friends when I say that opinions on what ought to be done have been suddenly reversed.

In 1966 we dealt with the same Act and the Government introduced a Bill to allow certain exemptions and to encourage people to build on blocks of land. At the same time, it sought to increase the State's revenue by the sum of $60,000 which, in those days, was a fairly significant amount. The measure before us will take away from the Treasury a sum of between $20,000 and $30,000.

The time of Parliament is constantly being taken up by amendments to the parent Act when actually we are doing nothing one way or the other. I refer members to volume 3 of *Hansard* 1966, page 2760 onward, for some interesting points of view put forward by members at that time. Anyone who undertakes such research will discover that, amongst other things, I made it emphatically clear that we ought to extend relief to a person living in a house on an area of land which could not be subdivided because of conditions beyond his control; such as town planning requirements, etc., I made the point at that time and so did several other members but some have changed their minds on this occasion and believe we ought not to extend relief to these people. I will be consistent at least and support the amendment. Personally, I consider the Bill ought to go out altogether but at least by supporting the amendment we will extend relief to people who are on five acres or less.

I agree with Mr. Ron Thompson that we ought to include all residences on land which, for some reason or other, cannot be subdivided. I would have supported the amendment if Mr. Medcalf had specified 10 or 20 acres, providing satisfactory reasons existed why the land could not be subdivided into something like half an acre. In 1966 the area was one-third of an acre, but now it is half an acre.

I believe the situation is far more equitable at present than it would be if the Bill were passed in its present form without the amendment being agreed to. For this reason and because I wish to be consistent at least with the views I expressed in 1966, I will support the amendment.

The Hon. N. E. Baxter: The honourable member could always try to amend Mr. Medcalf's amendment.

The Hon. W. F. WILLESEE: The best idea would be to confine ourselves to the circumference of the Bill. Specifying an area of five acres creates great problems which I have already enumerated and do not wish to repeat. I believe members have made their comments in a genuine and knowledgeable way, but at this stage, these are not the principles of this piece of legislation. From what has been said a deep investigation into this problem is apparently needed. I must oppose Mr. Medcalf's proposed amendment, but trust members will accept my undertaking to place the points raised by various members before the Government to see whether some further relief can be given in the future along the lines suggested.

So far as the amendment is concerned, an *ad hoc* situation exists because we have been given no figures whatsoever on what the additional costs could be and what the additional problem would be by way of policing. I consider the amendment goes quite beyond the scope of the Bill and, under those circumstances, I oppose it.

The Hon. I. G. MEDCALF: The amendment I have moved was discussed in some detail in another place. I am not the only person to have thought of it. Facts were put before the Treasurer in another place and I consider there has been ample time for figures to be taken out. Quite clearly it would be extraordinarily difficult for a member of the Opposition, who does not have access to confidential Government information, to work out in detail exactly what this would cost. Had I sprung this out of the blue I would have no justification to expect the Government to provide the information, but this is a case where I believe it could have been provided by the Government. The information is available or could be made available.

The point I make, in general terms, is that a member of the Opposition should not be taken to task—albeit as gently as the Leader of the House has taken me to task on this—for being unable to produce information which is only available from confidential Government files and when, furthermore, the Government has had notice of the suggestions for at least two or three weeks. Without labouring my point, I think this comes down to a question of drawing the line. I agree this is always the most difficult thing to do. Where do we draw the line? I have drawn it at five acres in my amendment, because I see the justification for areas up to five acres being included.

The Premier, in his policy speech, drew the line at half an acre. I frankly admit the Premier said he would only exclude residents who lived on an area up to half an acre in size and owned no other land. Parliament has now had the opportunity to closely examine the proposal. I doubt however, whether the Premier would have

had an opportunity to examine it in depth with all the many other things he had to consider at the time he made his election speech. I believe Parliament could well come to the conclusion that the line was drawn illogically. I say that with all respect to the Premier, because I believe it has been drawn illogically.

If we reach that conclusion, should we simply ratify the Bill. Should we say, "Very well, it is illogical and perhaps we can make a better fist of it next time, but we will accept it because a genuine mistake has been made" and do nothing about it? I do not believe that is the function of Parliament. I seriously make the point that we should not be irresponsible in what we do.

I believe the Minister may be able to give us the information as to how much it would cost. I wonder whether it will really cost a great deal. I simply would not know.

To revert to my comments on where the line should be drawn, I mention that many old subdivisions of three-quarters of an acre are to be found, particularly in the outlying suburbs of the metropolitan area. These subdivisions were made long before we had heard of the Town Planning Board. Residents on such land will be debarred. A man with a block of land three-quarters of an acre in area and worth $12,000 will come outside the scope of this amendment whereas a man with a block of land half an acre in area and worth $40,000 will be exempt. It is quite illogical.

I believe the Minister has admitted this by implication. Also, Mr. Ron Thompson has clearly indicated he believes it is quite illogical, because he said he would use his influence to try to see something is done to rectify an anomalous situation.

When confronted with these anomalies what are we supposed to do? Surely we are not to say, "This is anomalous and illogical, but we hope that Mr. Ron Thompson can persuade the Premier to change the law." I have the greatest confidence in Mr. Ron Thompson but I think he may be undertaking a gargantuan task in seeking to have a further amendment brought in to rectify the situation. This is a serious undertaking for any one. I am certain he would do it with the greatest of goodwill and would apply his energies to the full. I do not doubt that. Should this Chamber accept that assurance?

I do not believe we are doing anything beyond the spirit of what the Premier intended except deciding that half an acre is an illogical point at which to draw the line. Members could ask me: Why stop at five acres instead of 10? This has already been said by Mr. Clive Griffiths and Mr. Ron Thompson. I do not think many areas of 10 acres would be used principally for residential purposes. We must appreciate we are talking about residences and not about land used for primary production. Our principal concern is with land used for residential purposes. As far as I can see we are not talking about small farms in the metropolitan area.

The Hon. W. F. Willesee: They do not pay anyhow.

The Hon. I. G. MEDCALF: That is right. The situation is different. I have drawn the line at five acres. We may find a few cases where land of 10 acres is used principally for residential purposes. I do not suppose it would affect the revenue much if there were such cases.

Mr. White suggested we substitute the word "impossible" for the words "impracticable and unwarranted." This is only a matter of words. The word "impracticable" is fairly definite in its meaning. It means that something is unable to be carried out and perhaps the word "impossible" is a little stronger. I would not object to minor amendments but I think the word "impracticable" is quite satisfactory.

The Leader of the House maintained that this may cause litigation and increase the staff of the Taxation Department necessary to work out such matters. I doubt this very much. The amendment says, "where the Commissioner is satisfied." We give the Commissioner this right. We are not saying "where this is so" but "where the Commissioner is satisfied that subdivision is impracticable or unwarranted."

The Hon. A. F. Griffith: He is a very reasonable fellow.

The Hon. I. G. MEDCALF: Indeed, most reasonable.

The Hon. W. F. Willesee: I wish the honourable member would take a leaf out of his book.

The Hon. I. G. MEDCALF: I will take the Minister's advice when I ask for it.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. R. THOMPSON: I would like to make one thing clear. Mr. Medcalf suggested I had taken on a gargantuan job in bringing another Bill before Parliament. I merely said I had spoken to the Premier and would be making further representations to him because I wanted to see the anomalies ironed out completely.

If a person is living on a 10-acre block of land because of his financial position, he should be assessed on valuation as is the person who lives in a lavish home overlooking the river. There must be justice done to all. I have never been a lover of land tax, but if we have it it must be equitable to everyone.

The way to do this is to bring to the notice of the Premier the anomalies that exist as expressed by each member and by each taxpayer. This is the only solution.

I am duty bound to accept this legislation because it is an election promise, although I am not altogether in favour of it. I would be a hypocrite if I said I was completely in favour of land tax.

I suggest we should all present our cases so that in the next session of Parliament we have an equitable Bill introduced which fits in with the wishes of Parliament.

The Hon. A. F. GRIFFITH: I would like to have one final word on this particular amendment. I am not impressed with the comments from the Leader of the House that the Government would not know where it was going if it accepted the further amendment moved by Mr. Medcalf and if the Committee accepted the deletion of the one word in order to insert another.

It has been argued in this House, in another place and through the Press that the Premier did not know the state of the Treasury when he assumed control shortly after the 20th February. Therefore, the Premier could not be expected to know the Bill now before us would cost the Treasury about $20,000 to $30,000. So the two arguments surely do not equate. If the Premier did know and he was prepared to go to the people and say, "I am not going to tell anybody but it will only cost us $20,000 or $30,000 to bring this about"; it must be admitted—and it is certainly very nice to read a statement to the effect that the land tax on residences will be abolished—as an election gimmick this was a beauty. However, I do not think the Premier could have known the state of the Treasury so an accusation would be out of line.

If the amendment is accepted it might be that the position will not be as bad as suggested. In fact, the matter is substantially in the hands of the commissioner because he must be satisfied.

When we are told that the expense to the Treasury will be $20,000 or $30,000, it is six of one and half a dozen of the other. Having made the election promise and now being in control of the Treasury benches, the Government will be quite entitled to say, "We find that the election promise we made will cost only $20,000 or $30,000, but in bringing in the legislation it will create a lot of anomalies."

I have tonight made representations to the Leader of the House and he has responded favourably. He indicated the Government will look into the anomalies. I repeat, it is not worthwhile to submit legislation like this with all its anomalies knowing that as soon as the Bill is passed the Government will say to the Commissioner of State Taxation, "Get to work and sort out the anomalies that have been created." This is not sensible. The Government is quite entitled to say that as this was found to be the total cost to the Treasury the matter should be put aside and a proper investigation made of the 200-odd people who are going to be advantaged by this state of affairs. After all, they might even be 200 people who can well afford to pay.

My final word on the matter is that the Government seems determined to press on and I do not know why.

The Hon. R. F. CLAUGHTON: The Opposition has made many attempts to find fault with this legislation but it has finally agreed there is not much fault in it. The legislation does what the Government said it will do. None of the previous exemptions have been taken out and the legislation does deal with some anomalies that were current under the previous Act.

We heard quite a bit about the possibility of wealthy people being exempted. We have heard very little of the possibility that people in quite difficult circumstances may benefit from this, and the majority of the 200 could well be in this category. The previous Government let land speculation gallop away and people were caught up with land valuations for which they had not bargained. This was substantially the reason for the amending legislation brought in previously.

We must accept the fact that a line must be drawn somewhere and at this time the Government has chosen to draw the line at half an acre with certain conditions attached. It is not our place to tell the Government that it must alter the line it has drawn at some unknown expense. Indeed, we may be already taxing wealthy people more than those less able to afford it.

The Committee must accept that this legislation does what the Government said it would do. There are difficulties involved such as a person owning more than one property. However, we do not want to create a situation of further land speculation. I hope the House will accept this legislation without amendment.

The Hon. CLIVE GRIFFITHS: Mr. Claughton said it is not our place to tell the Government what it ought to do. I take strong exception to this statement. I believe that is the reason I am here; to tell the Government what I believe ought to be done in regard to equitably taxing my constituents.

The Hon. A. F. Griffith: That will not be the case with the Pacminex legislation. There will be a different story to tell.

The Hon. CLIVE GRIFFITHS: I believe we have an opportunity here to extend this benefit to more people who are entitled to a relaxation of this particular tax.

Mr. Claughton said the Government has decided to draw a line at a particular place. I believe this line ought to be drawn at five acres. I am entitled to that belief and I am entitled to tell the Government my opinion.

Some of my constituents are on properties of five acres which they are unable to subdivide because of an impediment on their land created by some other Government department. One Government department says, "You cannot subdivide your land," and the other Government department says, "Because you do not subdivide your land we are going to tax you." This is a ludicrous situation.

If I do not speak on behalf of my constituents, I certainly would not be entitled to sit in this House and represent them. Maybe I ought to do as Mr. Claughton suggests. I hope he goes back to his constituents and tells them that he believes the situation is that he has no right to tell the Government what his constituents believe they are entitled to in the way of various taxation exemptions. I have stressed the point that there are people in my electorate who find themselves living on pieces of land larger than half an acre through no fault of their own. These people would willingly subdivide but because of provisions imposed by some other Government department they are prevented from doing so.

As I said earlier I do not believe the five-acre limit goes far enough. However, I am prepared to support the amendment simply because this will exempt a lot more people. I do not believe it will cost very much more to extend it further because there are less people living on five-acre blocks than there are on half-acre blocks and also less people living on 10-acre blocks than on five-acre blocks. If we extend it to include people living on five acres or less we will only be involved with about 200 people. I am not in a position to know how many would be affected if the exemption were increased to 10 acres, but the Government is in a position to know. When the present Government was in Opposition it put up some fantastic arguments to support the proposition I am endeavouring to extol now.

The then Opposition was so successful in its argument that I voted with it on one occasion, causing the defeat of a Government measure. I believe I followed the course of justice on that occasion and if members do so on this occasion they will support the amendment or, alternatively, toss out the Bill and ask the Government to introduce a measure which will do the things suggested by myself, Mr. Ron Thompson, Mr. Medcalf, and all the other speakers.

The Hon. L. A. LOGAN: I do not wish to cast a silent vote on this amendment. Each of the arguments advanced by previous speakers has merit, even that of wanting an increase from five to ten acres. However the measure was introduced because of an election promise. Whether it is right or wrong is another matter. We are dealing with an amendment to the Bill and the effect it will have.

We have been given figures of the approximate cost if the Bill is passed in its present form, but no figures have been given of the cost if the amendment is carried. It would take a considerable time for that information to be collated and I am not prepared to support something to which I do not know the answer. Therefore, despite the merits of the arguments advanced, I believe I have a responsibility to vote against something of which I am uncertain. We have been given no figures and I do not think it would be right to ask for them because it would take a considerable time and many man-hours to work out the exact cost. I know that when I was a Minister I wanted to put certain things into effect, but my plans were carved down because of a lack of finance. I hope certain other things will not be carved down as a result of a lack of finance, because I for one will be asking that something be done about them.

The Hon. W. F. WILLESEE: I think we have talked around this issue enough. From the information given me I am convinced that Mr. Medcalf is wrong when he says the promises he made should have been answered within three weeks. I am grateful to Mr. Logan for having adopted the practical viewpoint of a Minister with 12 years' experience rather than say he thinks this should be done. I am here tonight to support the undertaking given by the Premier, and not to argue whether he was right or wrong in his pre-election promises. He has submitted to Parliament something he said he would submit, and he has directed his efforts towards the half-acre situation. In so doing he has created anomalies, just as the amendment of Mr. Medcalf would create anomalies. But the amendment of Mr. Medcalf gives us no room in which to manoeuvre. He says it should be done because he has told us within the last three weeks it should be done.

The extensions of the provision from one half-acre to five acres does not change the principle at issue one iota. All the problems raised and argued tonight by speaker after speaker would apply equally in the case of five-acre subdivisions.

I must state again that we could not allow an amendment which would cost the Government the amount proposed by Mr. Medcalf, and we could not allow the period of time it would take us to investigate the situation he envisages. I am told by an authority in which I believe that in one set of circumstances the amendment would cause a depletion of staff and, in another set of circumstances, it would affect the efficiency of the department.

I might mention also that I am disappointed with the references made by Mr. Medcalf to the assurances I have given. If this Bill is passed the Committee will have clearly demonstrated that, despite the shortcomings which have been pointed out

during this debate, the Committee has decided that the Government has a right to honour its promises. I ask the Committee to vote against the amendment.

Amendment put and passed.

The Hon. I. G. MEDCALF: I move an amendment—

Page 3—Insert after paragraph (h) the following new paragraph to stand as paragraph (i):—

(i) Any estate or parcel of improved land exceeding one-half acre but not exceeding five acres in area in respect of which there is compliance with the other requirements of paragraph (h) of this subsection and where the Commissioner is satisfied that subdivision is impracticable or unwarranted.

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

Ayes—12

Hon. G. W. Berry	Hon. N. McNeill
Hon. V. J. Ferry	Hon. I. G. Medcalf
Hon. A. F. Griffith	Hon. F. R. White
Hon. C. E. Griffiths	Hon. R. J. L. Williams
Hon. J. Heitman	Hon. D. J. Wordsworth
Hon. G. C. MacKinnon	Hon. W. R. Withers (*Teller*)

Noes—13

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. R. F. Claughton	Hon. R. H. C. Stubbs
Hon. D. K. Dans	Hon. S. T. J. Thompson
Hon. S. J. Dellar	Hon. J. M. Thomson
Hon. J. Dolan	Hon. W. F. Willesee
Hon. J. L. Hunt	Hon. R. Thompson
Hon. R. T. Leeson	(*Teller*)

Pairs

Ayes	Noes
Hon. C. R. Abbey	Hon. L. D. Elliott

Amendment thus negatived.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with an amendment.

TRANSPORT COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th September.

THE HON. D. K. DANS (South Metropolitan) [8.00 p.m.]: I have listened fairly attentively to the introductory speech of the Minister, and I have also listened very carefully to the comments made by Mr. MacKinnon and Mr. Clive Griffiths. From my short experience in this Chamber it appears to me that the Bill contains no provision that is not already found in the parent Act. It is a straight-forward amending Bill, the marginal notes of which seem to tell the story fairly concisely and accurately.

If we turn to clause 3 we find the side note is "Amendment to long title." This seeks to embrace water transport in the principal Act by the insertion of the word "water" after the word "road." One could take one's mind back to 1970 when this legislation was known as the Road and Air Transport Commission Act. In that year an amendment was made to part V dealing with ships, and this encompassed water transport. It seems to me that was the correct time to insert the word "water."

I well remember the amending Bill of that year, because in my previous occupation I had cause to examine its provisions with other people who were involved with shipping. We were amazed at the time that such an amendment was to be inserted in the Road and Air Transport Commission Act. We thought quite correctly that the proper place for this amendment was in the Western Australian Marine Act. Whatever Act such an amendment might be in, certain sections of the Commonwealth Navigation Act would immediately invalidate it. The Commonwealth has power to issue licenses for ships to trade between Darwin and Fremantle and along the West Australian coast, because this would be in line wth section 92 of the Constitution which provides that commerce between the Commonwealth and States is a Commonwealth matter; in fact, the Commonwealth has already done that.

In considering this matter we find that the licensing of ships now falls to the lot of the Commissioner of Transport, but vessels owned and operated by the Western Australian Coastal Shipping Commission are excluded. So, in this regard the provision in clause 3 does not break any new ground; it simply corrects an anomaly that arose under the amending Bill of 1970.

No useful purpose would be served by saying in which Act the amendment should be included. Now that the amendment has been brought before us the intention of the Commissioner of Transport is revealed clearly; it is simply to issue licenses to people to operate transport services on the road, in the air, or on the water.

All of these functions are designed towards one end—to rationalise transport, and to make it a safe enterprise for people who have the wherewithal and the initiative to go into these fields of endeavour. Let me refer to an illustration, and this is a very current topic: if one were to throw licenses around for air transport one would be faced with an untenable situation.

The Hon. W. R. Withers: You would be issuing the licenses.

The Hon. D. K. DANS: I mentioned throwing licenses around, and not the issuing of them. My knowledge of the English language might not be very good, but there is a difference. We have seen this in operation in respect of air transport to Rottnest. I stand corrected if I am wrong, when I say there is now only one air service to Rottnest, because it is only profitable to one operator. During the

course of this debate some members appeared to be a little confused with the particular functions of certain departments. In my opinion the function of the Transport Commission becomes clear; that is, in the area of licensing only.

The decision as to whether a ship, launch, or ferry is sea-worthy, or is suitable to transport passengers comes under the province of the Harbour and Light Department which operates under the Western Australian Marine Act. That is its correct function. Once a vessel, a ferry, or a boat—there is some difference in these descriptions under the Road and Air Transport Commission Act—meets the necessary requirements for the issue of a certificate to carry passengers, it can be used to transport passengers anywhere within the ambit of the certificate.

If a certificate is issued to a vessel to carry passengers on rivers or inland waters, it can be used for that purpose; and if a certificate is issued to a vessel to carry passengers to Rottnest it can be used for that purpose, irrespective of any other licensing provision. The Act sets out clearly to apply the licensing provisions, that now cover road and air transport, to water transport. I do not think anyone can raise an argument against this.

Some comments have been made on the hydrofoil service on the Swan River. Like Mr. Clive Griffiths I agree that in this State we do not make enough use of the Swan River for transport. It is a fact that the hydrofoil service operated only when passengers were available, and it operated at a very high cost to the passengers. The unfortunate owner of the vessel experienced a couple of major breakdowns, and then the patronage fell off. No-one drove him out of business, but eventually he had to get out of this business.

I would point out by way of information to members that unlike a car, once a launch or ship increases its speed through the water by another two knots the cost would be double or treble the original operating cost.

As I see the position, the Bill before us does not deny people the right to engage in the transport of passengers, even at the Ord River. I have a very pleasant memory of a trip on that river, and I am sure all members will agree that at the time I made the trip there was only one pleasure craft operating, but according to Mr. MacKinnon there are now two.

The Hon. G. C. MacKinnon: I am not sure of that, but I heard there are two.

The Hon. D. K. DANS: It would be a mistake to allow people at, say, Kununurra to obtain from the Harbour and Light Department certificates to operate passenger-carrying vessels. If we did we might find four or five people being issued with licenses to operate on the Ord dam, with none of them being able to make a living. We have the situation where the *Islander* and the new *Temeraire* operate services to Rottnest. I understand that the license fee is about $20. Maybe one of these days when the Government is looking at other areas from which to raise revenue, it will examine boat registration fees.

The Hon. A. F. Griffith: I am sure the Government will look into that source of revenue.

The Hon. D. K. DANS: I am glad to know that. I make the suggestion that the registration fee be based on a footage basis.

The Hon. F. D. Willmott: Don't you think your Government will be looking to an increase in boat registration fees?

The Hon. D. K. DANS: I am pleased to hear that. From my inquiries I have been given to understand that the issuing of another license for a ferry service to Rottnest would not at this stage be warranted The *Temeraire* has the capacity to carry 700 passengers. I am not sure how many the *Islander* carries. If another license were issued there would be three operators providing a service, and an extra one would be trying to make a living from this service.

I do not think the suggestion that the Metropolitan Transport Trust desires to drive away opposition is quite correct. I think Mr. MacKinnon has made the statement that the ferry service run by the M.T.T. is losing money. I agree it is.

The Hon. Clive Griffiths: How do you know it does?

The Hon. D. K. DANS: I understand that from some inquiries I made. If the service makes a profit it would surprise me.

The Hon. Clive Griffiths: I agree, but up to date nobody has told us about this except you.

The Hon. G. C. MacKinnon: The honourable member must admit that Mr. Ron Thompson and Mr. Dans are of great help in explaining these matters to members, and they have done it very well, and for this we are extremely grateful.

The Hon. D. K. DANS: Overall, the vessels operated by the M.T.T. break about even, and they include the ferries. The definition of a ferry in the dictionary is normally a craft which operates between two fixed points on regular schedules. The ferry service does not make a profit, but the vessels which may be chartered for picnic outings—such as the *Perth*, the *Duchess*, and the *Countess*—just about break even.

Under the Act as it stands a pleasure craft can be licensed for a fee of $1. If a person has a vessel which has sufficient deck space he could have it licensed to carry passengers by paying the required fee.

The Hon. Clive Griffiths: Not for a fee of $1.

The Hon. D. K. DANS: No. The fee might be $15 or $20, depending on the size of the vessel.

The Hon. Clive Griffiths: That was the point I was trying to make. One cannot license a passenger-carrying vessel for $1.

The Hon. D. K. DANS: I agree. Some members interjected when Mr. Clive Griffiths referred to drivers' licenses. Let me put their minds at rest. Not only are masters of ferries—and there are different categories of masters—required to hold a coxswain's certificate and other types of certificates, but also a driver's license.

The Hon. G. C. MacKinnon: That is one up for Mr. Clive Griffiths.

The Hon. D. K. DANS: In my view, the whole scheme is designed towards applying to water transport the provisions that now apply to road and air transport. I do not think there is anything inherently strange in the issuing of licenses; and if we did not have the licensing of crayfishermen we would be without a crayfishing industry today.

The Hon. A. F. Griffith: Do not start Mr. MacKinnon off on that topic.

The Hon. D. K. DANS: I used to catch a few crayfish once, but I was compelled to obtain a license which permitted me to use two craypots.

The Hon. Clive Griffiths: Is there anything strange in the specific exclusion of the M.T.T.?

The Hon. D. K. DANS: No, I do not see any significance in that exclusion. The amendment passed in 1970 excluded vessels owned and operated by the Western Australian Coastal Shipping Commission. That is fair enough; there is nothing wrong with that. If licensing is investigated a little further it will be found there are so many prawning trawler licenses, and I have not heard anybody argue about that form of licensing.

The Hon. G. C. MacKinnon: The honourable member should have been present in my office on a few occasions.

The Hon. D. K. DANS: I am referring to arguments in this House. I come from the area referred to by Mr. MacKinnon and I agree with what he has to say. Of course, argument still occurs.

I do not think there is any need for alarm regarding the question raised that the M.T.T. seeks to operate ferries or craft on the Ord River dam, or that someone will go to Walpole and take the license off the fellow who operates the lodge, and who does not feed one. One catches one's own food if one is lucky. That is not the intention of the Bill; the intention is to rationalise the water transport services which are already operating, or which are likely to operate. I see a great future for our water transport if it is handled correctly. It will not be handled correctly if fast hydrofoil craft operate at exorbitant rates. Many members know that if one has a lot of money in Sydney one travels by hydrofoil, but if one is an ordinary poor person, such as myself, one travels by ferry.

The Hon. A. F. Griffith: Up to that point the honourable member was making a very good speech.

The Hon. D. K. DANS: Fair enough; the point is well taken. Of course, many places have larger areas of water than we have. I do not think there is much more I can add to what I have said. On reflection, I think it will be seen that there is no cause for alarm and there is nothing snide in the Bill. The Bill simply covers something which should have been covered in 1970 when the Act intruded into water and sea transport, and when the State Shipping Service was excluded. Now the Bill only seeks to apply the same conditions and licenses to water transport as those which apply to road and air transport. I support the Bill.

THE HON. I. G. MEDCALF (Metropolitan) [8.18 p.m.]: I wish to voice my objection to this Bill which is now before us. The object of the Bill is to add a new division 6 to the Act, and the division covers passenger vessels on inland waters.

I appreciate the point made by Mr. Dans with regard to his view of the intention of the Bill. However, I do not believe the intention of the Bill is simply to rationalise the licensing arrangements associated with water transport. I do not believe that is borne out by what is contained in the Bill. Whilst I appreciate that Mr. Dans expressed what he believed to be the intention of the Bill, I believe the intention of the Bill is much wider. The Minister has indicated that the intention of the Bill is much wider because he stated, in his second reading speech, that its intention was basically to prevent licensed vessels operating on the Swan River. Lakes and inland waters were added at the suggestion of the parliamentary draftsman. The draftsman suggested that because of the rapid development of the State the Act should also cover inland waters.

I may be wrong, and I can be corrected, but my belief is that the intention of the Bill was basically to deal with the licensing of vessels on the Swan River or the rationalisation of licenses on the Swan River. The Minister may correct me, but that seems to have been the real intention of the Bill.

I believe the Bill is going too far and that we should have another look at it. It appears that the hydrofoil which has created the present problem has ceased operating. There is no threat to the operations of the M.T.T. on the Swan River, but there is a possibility that something

might arise in the future. However, it is not on immediate problem but the Government anticipates that it may occur.

I cannot agree that because we have restricted transport to Government services, including various other aspects of transport such as the railways, it is a good enough reason for doing the same thing throughout the length and breadth of Western Australia. It may well be that in a particular case this would be desirable, but at this stage when we do not have the M.T.T. operating anywhere—in respect of ferries—except on the Swan River, I do not believe it is the right time to exempt the M.T.T. from the operation of the new division, and then prescribe rules to cover the entire State and all the inland waters of the State.

It seems to me that if we are to apply the restrictions now we will, in fact, frighten away legitimate operators who may start operations in a small way and ultimately be a boon to the development of the State. I do not believe it is desirable to impose such rules and regulations right from the beginning and exempt the M.T.T. The effect could be to eliminate competition anywhere in the State. That is what I see will be the immediate result of the legislation which was designed simply to rationalise transport licenses on the Swan River, but which was extended to cover all the inland waters in the State. What are the inland waters?

The Hon. D. K. Dans: A good question.

The Hon. I. G. MEDCALF: They are not defined.

The Hon. D. K. Dans: I do not think there are any inland waters. The Ord River was mentioned.

The Hon. I. G. MEDCALF: If we do not have any inland waters that is a good reason to ask why the honourable member is supporting the Bill. The Bill largely deals with inland waters. I believe we do have inland waters, but they are not defined.

The Hon. G. C. MacKinnon: They are defined in the Fisheries Act.

The Hon. I. G. MEDCALF: But not in the Act which we seek to amend. I ask: What inland waters are we talking about? Mr. MacKinnon has mentioned a few, and other members have also mentioned various inland waters. Would we include estuaries connected to the sea? Would we include a harbour with a narrow entrance to the sea? We have quite a few which would come under that category. What would be the position with regard to the Swan River if it had not been separately defined? Would it be an inland water as it includes the Canning River and the Helena River in its definition? We do not quite know what "inland waters" means. However, let us assume it means most of the lakes throughout the country districts, dams, and certain rivers which have bars across their entrances and which are not joined to the sea. There may well be others, but we have not defined inland waters and we do not quite know what they are.

Having thrown in inland waters, for good measure, we have excluded the M.T.T. altogether. Of course, the M.T.T. stands for the Metropolitan Transport Trust, but I do not know of any provision to prevent the M.T.T. operating in other areas outside the metropolitan area if it were so minded, or if particular regulations were changed. At any rate, that has nothing to do with this Bill.

We have excluded the M.T.T. altogether because the Bill states that a vessel does not include one used by the Metropolitan (Perth) Passenger Transport Trust. The new division goes on to deal with regulations covering fare-carrying vessels, and the licensing of fare-carrying vessels.

Clause 8 provides the means of deciding who will get a license, and the M.T.T. has been excluded altogether from the operations of this provision. It is true that the M.T.T. can be included, again, under clause 8 so that it can receive some form of consideration because the clause deals with the matters which must be taken into account before the granting or refusing of a license by the commissioner.

Before the commissioner grants or refuses a license he must consider the necessity of the service, and any existing services, etc. There may well be an existing service run by the M.T.T. and the effect on that service will be taken into account. So we have, in fact, practically put the M.T.T. in a position of privilege.

We must protect the ferries operated by the M.T.T. on the Swan River but that is a different kettle of fish from prescribing a State-wide law which will affect fare-carrying vessels anywhere in the inland waters of Western Australia. It also seems that the M.T.T. will be excluded from the licensing provisions.

I therefore feel that the Bill is fairly broad and whilst the Parliamentary Draftsman has suggested to the Government that the inland waters ought to be covered, I wonder if the Government has seriously considered whether it is desirable to include the inland waters without knowing the future, and without knowing the inland waters to which we are referring.

The Hon. J. Dolan: Mr. MacKinnon referred to a couple.

The Hon. I. G. MEDCALF: Yes, but there may be others. Also, inland waters may include some of the rivers and harbours with narrow entrances to the sea. I am not sure that they cannot be classed as inland waters. What about the Blackwood River, which has a bar across the entrance?

The Hon. A. F. Griffith: There is no constitutional law defining our inland waters.

The Hon. I. G. MEDCALF: No, the whole subject is very vague.

The Hon. A. F. Griffith: The Bill introduced by the Commonwealth covering offshore minerals was an attempt to sort out the problem.

The Hon. D. K. Dans: The definition might even include bays.

The Hon. I. G. MEDCALF: That is true, for certain purposes. For the purposes of one Act inland waters have been defined, as mentioned by Mr. MacKinnon. However, that definition is only for the purposes of the Fisheries Act. For the purposes of the Act we are now discussing it is not clear what we are talking about. For example, the metropolitan area is defined in half a dozen different ways for different purposes.

The Hon. G. C. MacKinnon: I have been reminded that we had some difficulties with regard to the Fisheries Act, and I think we included an interpretation.

The PRESIDENT: Order!

The Hon. I. G. MEDCALF: The Leader of the Opposition, who was the former Minister for Mines, has reminded members of the tremendous difficulties which occurred between the Commonwealth and the States regarding the borders between inland waters and inland harbours, and the area to be taken over by the Commonwealth. The difficulties were so great I think the matter eventually fell by the wayside.

The Hon. A. F. Griffith: The Commonwealth intended to sort out the problem by claiming the areas, and then leaving it to the States to prove otherwise.

The Hon. R. F. Claughton: They will be defined under the proposed section 471 (2).

The Hon. I. G. MEDCALF: Clause 7 of the Bill provides that the Minister may from time to time issue a notice prohibiting the carriage of any passenger for fare on a vessel upon any of the inland waters specified in the notice. That notice can be issued by the Minister at any time. Upon the Minister making that decision, I do not believe there would be any right of appeal. That would be an administrative action on the part of the Minister, and I suppose it is quite right that the Minister should have that power; but it means it will be left to the Minister to decide and specify the inland waters in any particular place, and I do not think that is very satisfactory. I think there should be some clearer definition of the particular places about which we are speaking.

When we look at clause 8, we find it is not the Minister who grants the license; it is the commissioner. The commissioner may grant a license upon such terms and conditions as he specifies. It is therefore left to the commissioner to decide whether or not he will grant a license and what terms and conditions he will specify. This is done upon application by any person desiring to run a fare-carrying vessel.

Before granting or refusing a license, the commissioner must take into consideration the necessity for the proposed service, whether or not the existing service is adequate, the possibilities for its improvement, and the effect of the proposed service upon the existing service. These are quite relevant matters. In some respects they are very relevant. In other respects, it may be thought the commissioner may be going into economic aspects more carefully than he need, as we are principally concerned with licensing and safety. This subclause implies that he will not only be concerned with licensing and safety but also with economic aspects. It is a rather wide charter for the commissioner to have.

I am not aware that there is any provision for appeal against the commissioner's decision. If the commissioner decides to refuse a license, I do not think there is any provision for an appeal to the Minister. If there is such a provision, no doubt the Minister will correct me, but I have not been able to find it.

The Hon. J. Dolan: You might not find it in the Bills dealing with road and air transport which were brought in by the previous Government. In those bills you will find exactly the same powers were given to the commissioner, with no right of appeal.

The Hon. I. G. MEDCALF: I am speaking about the Bill before us at the present time. I do not think there is any provision for appeal. I believe there should be provision for an appeal. There should be some safeguard, if the commissioner refuses a license. There is not even any provision that the papers should be sent to the Minister or that the applicant can apply to the Minister for reconsideration of his case.

The Hon. R. Thompson: You did not say that last year. You had the principal Act before you last year.

The Hon. I. G. MEDCALF: I am speaking about the Bill that is before the House at the present time, which deals with passenger vessels on inland waters. I did not have an opportunity to speak on inland waters last year.

For those reasons, I cannot support the Bill in its present form. I believe it is too wide and that it is not good legislation. I therefore oppose the Bill.

THE HON. V. J. FERRY (South-West) [8.34 p.m.]: I am a little concerned about the passage of this Bill in this House. It seems to me to be another example of a Minister introducing a Bill without giving members sufficient information in the first instance.

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.