

agrees that, as far as possible, all cargo destined for Government projects should be shipped in State vessels. Although the commission does not have any record of tonnages of Government cargo transported by road, it has had instances drawn to its attention where such cargoes have so moved.

A moment or two ago I made reference to the use of the bulk cement carrier *Clevedon*. I apologise to the House for the fact that I intend to move an amendment to the Bill and that the amendment has not been placed on today's notice paper. It has reference to the replacement of the vessel *Clevedon*. The vessel has to be replaced and, because of the limitation that this legislation places on the use of a vessel of this nature, it is thought unlikely that the company concerned would be anxious to replace the vessel—the replacement would cost a considerable sum of money—unless it could be given more security in relation to the use of the new vessel.

As a result, it is intended to move an amendment with the object of permitting the Minister, by instrument in writing, to grant a renewal for such period in excess of three years as the Minister specifies in the instrument. In other words, the Minister will have some discretion beyond the period of three years now provided for in the Bill. I think this is desirable in view of the replacement cost which, although I cannot give an accurate figure, I understand is in the order of \$2,500,000, and also because the new ship will continue to provide the type of service which has been provided by the old ship. Therefore, I hope the Committee will give favourable consideration to the amendment when the times comes for it to be moved.

I think those remarks cover the points raised by Mr. Wise who, of course, supported the measure. I apologise again for the fact that I omitted to place the amendment on the notice paper today but I do not intend to proceed with the Committee stage this afternoon. I shall hand the amendment to the Clerk and we can discuss it at the next day of sitting.

Question put and passed.

Bill read a second time.

BETTING CONTROL ACT AMENDMENT BILL

Receipt and First Reading

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

AUCTIONEERS ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.27 p.m.]: I move—

That the House at its rising adjourn until Thursday, the 8th October.

Question put and passed.

House adjourned at 5.28 p.m.

Legislative Assembly

Tuesday, the 6th October, 1970

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

AUDITOR-GENERAL'S REPORT

Tabling

THE SPEAKER: I have for tabling the Auditor-General's report on the Public Accounts for the year ended the 30th June, 1970.

BILLS (7): ASSENT

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

1. Coal Mine Workers (Pensions) Act Amendment Bill (No. 2).
2. Child Welfare Act Amendment Bill.
3. Offenders Probation and Parole Act Amendment Bill.
4. Roman Catholic Vicariate of the Kimberleys Property Act Amendment Bill.
5. Petroleum Pipelines Act Amendment Bill.
6. Workers' Compensation Act Amendment Bill (No. 2).
7. Australia and New Zealand Banking Group Bill.

QUESTIONS (23): ON NOTICE

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

2. EDUCATION

Remedial and Special Classes

Mr. MENSAROS, to the Minister for Education:

- (1) How many—

(a) remedial;

(b) special,

classes are conducted in the metropolitan area in primary and secondary schools respectively?

- (2) Would he name the primary and secondary schools where—
 (a) remedial; and
 (b) special,
 classes are conducted?

Mr. LEWIS replied:

- (1) (a) Full time—10 primary, 5 secondary.
 Part time—30 primary, no secondary.
 (b) 39 primary, 20 secondary.

- (2) (a) Full time—

Primary—

Thomas Street (3).
 Floreat Park.
 North Inglewood.
 Bicton.
 Claremont.
 Como.
 Victoria Park.
 High Wycombe.

Secondary—

Balcatta.
 Governor Stirling.
 Kewdale.
 Scarborough.
 South Fremantle.

Part time (primary only)—

Armadale.
 Kingsley.
 Kelmscott.
 Maddington.
 East Cannington.
 Thornlie.
 Hamersley.
 Deanmore.
 Marmion.
 Whiteside Street.
 Fisher Street.
 Tranby.
 Maylands.
 East Maylands.
 Ashfield.
 Rossmoyne.
 Brentwood.
 Wilson.
 West Morley.
 Embledon.
 Hampton.
 Koongamia.
 Bellevue.
 Guildford.
 Willagee.
 White Gum Valley.
 Hamilton Hill.
 Balcatta.
 Westminster.
 Nollamara.

- (b) Primary—

Armadale.
 Bayswater.
 Beaconsfield.
 Belmay.
 Bentley.
 Bicton.
 Birralee.
 Claremont.

Eden Hill.
 Graylands.
 Hamilton Hill East.
 Highgate (2).
 Hilton.
 Kalamunda.
 Kensington.
 Koonawarra.
 Kylla.
 West Leederville (2).
 Maylands.
 Medina.
 Midvale.
 Morley.
 Mount Hawthorn J.P.
 Mount Hawthorn (2).
 Mount Lawley.
 North Perth.
 Rivervale.
 Scarborough.
 South Terrace.
 Tuart Hill.
 Victoria Park (2).
 Victoria Park East J.P.
 Victoria Park East (2).
 Willagee.

Secondary—

Armadale.
 Belmont.
 Bentley (2).
 Cannington.
 Churchlands.
 Governor Stirling (2).
 Hamilton (2).
 John Curtin (2).
 John Forrest.
 Kewdale.
 Kwinana.
 Modern School (2).
 Tuart Hill (2).
 Reception Home (half time).

3.

EDUCATION

Schools in Bunbury Area

Mr. WILLIAMS, to the Minister for Education:

- (1) What were the enrolments at each of the following Bunbury schools from 1965 to 1970, inclusive—
 (a) Carey Park;
 (b) South Bunbury;
 (c) Central;
 (d) "Cooinda";
 (e) Adam Road;
 (f) Newton Moore High School;
 (g) Bunbury Senior High School?
- (2) How many further stages are to be added to Adam Road and "Cooinda" schools, when are these additions likely to take place, and what buildings are entailed in each case?
- (3) When these two schools are fully developed, what will be the enrolment capacity of each?
- (4) Are provisions being made to build a new school in the Geelorum area; if so, when?

Mr. LEWIS replied:

(1)—

	Enrolments at 1st August					
	1965	1966	1967	1968	1969	1970
(a) Carey Park	738	792	758	732	716	700
(b) South Bunbury	606	668	701	700	687	614
(c) Bunbury (Central)	423	457	468	467	456	439
(d) Coolinda*	199	213	135	116	169	198
(e) Adam Road	....	....	82	156	229	290
(f) Newton Moore High	....	306	430	438	444	435
(g) Bunbury Senior High	1,133	886	813	801	822	829

* Prior to the opening of the new (replacement) school at the beginning of the 1968 school year, known as Bunbury Junior Primary School.

- (2) Adam Road and Coolinda primary schools have 10 rooms and eight rooms respectively. Primary schools are established with the expectation of reaching 18 rooms as their eventual maximum capacity.

Additions to the above schools are dependent upon growth of total enrolment and cannot be accurately assessed at this stage. It is planned to extend the above schools on the basis of the new "cluster" design.

- (3) 720 pupils.

- (4) No provisions have been made to build a school in the Geelorum area.

4. TOWN PLANNING APPEALS

Kalamunda Shire Area

Mr. DUNN, to the Minister representing the Minister for Town Planning:

- (1) How many town planning appeals has he considered in regard to the Kalamunda Shire area in each of the calendar years 1965, 1966, 1967, 1968, 1969 and 1970?
- (2) Who were the appellants in each year?
- (3) Which cases were upheld?
- (4) Which cases were upheld against the recommendation of the shire council?
- (5) Which cases involved rezoning?
- (6) Did the previous Minister for Town Planning and Commissioner for Town Planning approve in principle a zoning scheme submitted by the Kalamunda Shire Council (Darling Range Road Board at the time)?
- (7) Did he subsequently request the Kalamunda Shire to reduce the urban area of such scheme by some 40 per cent. to "deferred urban" and/or "rural" zoning?
- (8) If "Yes" can he advise the system used or does he know the manner in which this was achieved?

- (9) Does he agree there are areas of land zoned rural (in the Kalamunda Shire area) which have no rural production potential whatsoever and in area have no rural viability?

- (10) In what appeal cases in the Kalamunda Shire area has he rejected applications for subdivision of such rural zoned land already serviced with water, light, roads and transport on the basis that it is zoned "rural"?

Mr. LEWIS replied:

- (1) to (10) It would require a considerable amount of research and the diversion of staff from normal activities to obtain the detailed information sought.

The Minister for Town Planning would be pleased to arrange an appointment to discuss the points raised.

5.

POLLUTION

Metropolitan Lakes

Mr. TAYLOR, to the Minister for Water Supplies:

Is it intended in the near future to have water purity tests, including bacteriological counts, taken of Lakes Jandakot, Monger, Herdsman, and Shenton Park?

Mr. ROSS HUTCHINSON replied:
No.

6.

SWAN COASTAL PLAIN

Lakes: Compensating Basins

Mr. TAYLOR, to the Minister for Water Supplies:

- (1) Which lakes on the Swan coastal plain and within the metropolitan area are used as compensating basins?
- (2) What is the earliest recorded depth of these lakes?
- (3) What is the latest recorded depth?

Mr. ROSS HUTCHINSON replied:

- (1) Lake Richmond.
Lake Gwelup.
Lake Karrinyup.
Carenup Swamp.
Big Carine Swamp.
Herdsman Lake.
Lake Monger.
Shenton Park Lake.
Jolimont Lake.
Perry Lakes.
Tomato Lake.
Jackadder Lake.
- (2) and (3) The board does not have sufficient information to indicate the depths of these lakes when the records started and only approximate information on the depths of some of the above lakes at present.

7. NATIVES

Housing: Expenditure

Mr. H. D. EVANS, to the Minister for Native Welfare:

- (1) What amount was spent by the Native Welfare Department on Aboriginal housing in each of the years, 1965-66, 1966-67, 1967-68, 1968-69, 1969-70, and what is the proposed amount to be spent in 1970-71?
- (2) In each of these years, how much was spent on—
 - (a) buildings on reserves;
 - (b) transitional homes;
 - (c) housing of higher standard within townsites;
 - (d) other housing?

Mr. LEWIS replied:

(1)—

	State Alloca- tions \$	Common- wealth Grants \$	Total \$
1965-66	787,285	...	787,285
1966-67	774,539	...	774,539
1967-68	849,729	...	849,729
1968-69	868,466	546,639	1,415,105
1969-70	905,005	990,000	1,895,005

Anticipated expenditure—
1970-71 940,000 1,030,000 2,020,000

Note: Maintenance costs and standing charges are included in the above figures.

(2)—

	(a) and (b)	(c) and (d)
1965-66	\$710,785 were spent on reserve facilities, including toilets, ablution blocks, primary transitional and some standard transitional housing.	\$ 76,500
1966-67	\$704,443 (similar purposes as in 1965-66)	70,096
	(a) Standard trans- itional	
	\$	\$
1967-68	233,442	407,157
1968-69	112,901	120,635
1969-70	244,643	137,585
1970-71 (anticipated)	191,500	112,000

Note: As from and including the 1969-70 financial year maintenance costs and standing charges in respect of (b) and (c) are not included in the figures shown above but are recorded separately as follows:—

1969-70	\$ 77,306
1970-71 Amount allocated	157,500

8. CANNED FRUIT

World Marketing

Mr. H. D. EVANS, to the Minister for Agriculture:

- (1) Has Western Australia been represented at meetings of—
 - (a) The Australian Canned Fruits Board;
 - (b) The Australian Canned Fruits Sales Promotion Committee, which have been held during 1970?
- (2) If so, by whom in each case?

- (3) Have any assessments of future world marketing of canned fruit been made recently by either of these bodies?
- (4) If so, can he obtain for tabling in the House a copy of such assessments or reports?

Mr. NALDER replied:

- (1) Western Australia is not represented on either organisation.
- (2) Answered by (1).
- (3) I have no knowledge of assessments of future world marketing of canned fruit being carried out by either of these bodies.

However, an interdepartmental committee had been established to report to the Commonwealth Government on the long-term problems in the canned fruit industry. It is believed that representatives were from the Departments of Primary Industry, Trade, and Customs, and the Prime Minister's Department.

At its last meeting, the Australian Agricultural Council was advised that the interdepartmental committee, established to investigate the longer term problems of the industry, had submitted an interim report to Ministers and that further work would be necessary before the committee could make final recommendations.

Further meetings have taken place and the drafting of the committee's final report is proceeding.

- (4) Answered by (3).

9. HOLLYWOOD MEDICAL CENTRE

Finance

Mr. FLETCHER, to the Minister representing the Minister for Health:

- (1) Does the lack of major activity on the Hollywood Medical Centre site relate to the possibility that finance for this project has to any extent been spent in rural hospital construction?
- (2) If so, to what value, and in what areas, has such finance been so alienated?

Mr. ROSS HUTCHINSON replied:

- (1) and (2) Major activity is proceeding on the Perth Medical Centre site as specified in the answer to question (4) on the 22nd September, 1970.

The member has obviously just caught up with the articles published in *The West Australian* on the 12th and 13th May, 1970.

Both questions asked by him were answered in the latter article.

10. EDUCATION

Primary School: North-East Morley

Mr. CASH, to the Minister for Education:

- 1) In regard to the proposed primary school for north-east Morley, can he inform the House regarding the details of the contract for the construction of this school?
- (2) When will the project be completed?
- (3) Could he give a brief outline of the type of school to be built and the facilities to be provided?

Mr. LEWIS replied:

- (1) The contract was let on the 3rd September, 1970, to V. Ciccarelli at a cost of \$131,342.
- (2) The 21st January, 1971, has been set as the completion date.
- (3) The school will include a six classroom cluster which includes two practical spaces, a withdrawal area and toilet facilities.

An administration block consisting of a headmaster's office, staff room, staff toilets, store rooms, medical room, and book store will also be provided.

11. IRON ORE

Direct Shipping Quality: Murchison and Kimberleys

Mr. GRAYDEN, to the Minister representing the Minister for Mines:

What are the—

- (a) proven;
- (b) inferred,

reserves of direct shipping ore at each of the known iron ore deposits in the Murchison and Kimberleys?

Mr. BOVELL replied:

- (a) and (b)—

Murchison Area

Figures which have been published from a Mines Department surface inspection several years ago are—

	Proven
Mt. Gould	—
Mt. Hale (Jack Hills)	—
Robinson Range area ..	—
Weld Range	14
Total	14

	Inferred
Mt. Gould	15
Mt. Hale (Jack Hills) ..	1
Robinson Range area ..	36
Weld Range	16
Total	68

Companies holding temporary reserves for iron ore in parts of the Murchison area claim reserves greatly in excess of the above published figures. However, these claims are as yet unsupported by detailed investigation and drilling.

Kimberley Area

	Proven	Inferred
Yampi Sound	61*	—
Pompey's Pillar	—	61
Yampi Sound	—	—
Pompey's Pillar	32	32

* To sea level only: initially 83 m.t. less 22 m.t. mined to end 1969. (All figures in millions of long tons.)

12.

IRON ORE DEPOSITS

Ministerial Inspection: Pilbara

Mr. GRAYDEN, to the Minister representing the Minister for Mines:

Which of the known iron ore deposits in the Pilbara have been inspected by the Minister for Mines or the Minister for the North-West?

Mr. BOVELL replied:

The Minister for the North-West and the Minister for Mines work closely together in respect of Pilbara mining matters, and because of his North-West portfolio, Mr. Court undertakes more detailed visits to the North than does the Minister for Mines.

At the same time, as is to be expected, officers of the Mines Department, because of their departmental, professional and technical responsibilities, undertake visits and studies of various mining deposits in the area.

The Minister for the North-West and the Minister for Mines have made a number of visits to the operating projects.

It would be impracticable to list in detail all the places and deposits that have been covered in the course of their respective duties, but iron ore deposits they have between them visited include—

- Goldsworthy.
- Shay Gap.
- Kennedy Cape.
- Cattle Gorge.
- Nimngarra.

Yarrie.

Wittenoom (as distinct from the former asbestos venture).

Newman (Whaleback).

Paraburdoo.

Rhodes Ridge.

Mt. Enid (Robe River).

Deepdale.

Tom Price.

Koodaideri.

Weeli Wolli.

This list is not exhaustive nor has an attempt been made to list in detail the several deposits which are involved within a general grouping, such as Newman.

Also, this list does not include many other deposits and general areas thought to have substantial iron ore content which have been the subject of close study by air in the course of overall planning work.

(Note.—Although names have been used in listing the above it should be appreciated that quite a few of these names are not officially acknowledged. They have been used on this occasion for the sake of easy reference in answering this question.)

13. MANAGEMENT CONSULTANTS

Use by Government

Mr. DAVIES, to the Premier:

- (1) To what extent have firms of management consultants, or similar, been used by the Government over the past three years to provide advice, plans, feasibility studies, etc.?
- (2) What are—
 - (a) the names of such firms;
 - (b) the work carried out;
 - (c) the money paid by the Government to each firm in each instance?

Sir DAVID BRAND replied:

(1) and (2)

Consultant	Work Carried Out	Amount Paid \$
Hon. Minister for Agriculture, and Electricity		
W. D. Scott and Company Pty. Ltd.	(a) Study of economies of proposed "S" chain for sheep and lambs (b) Study of mutton floor operations (c) Review of scope for work study on mutton activities (d) Review of office functions	10,750
A. E. Towns and K. J. Austen	Survey and report on abattoir facilities and requirements	2,150
Civil and Civic Pty. Ltd.	Feasibility study of redevelopment of W.A. Meat Export Works	18,500
Preece, Cardew and Rider	Survey of potential electricity requirements in Pilbara-Ashburton area and report on air pollution and chimney stack heights	19,044
P.A. Management Consultants Pty. Ltd.	Survey of industrial market for natural gas in metropolitan area	8,000
Kinnaird, Hill, De Rohan and Young	Report for Fuel and Energy Committee on fuel resources and requirements of W.A.	40,500
Hon. Minister for Industrial Development, and the North-West		
P. Brown	Study of outdoor advertising	3,500
W. D. Scott and Company Pty. Ltd.	Feasibility study of W.A. Worsted and Woollen Mills	2,500
W. D. Scott and Company Pty. Ltd.	Determination of interruptible power prices for W.A.	3,905
W. W. & E. Lyons	Export consultancy—Arabian Gulf	18,572
R. C. H. Manser and Associates	Export consultancy—Indonesia	8,000
South-East Asian Development Corporation (Singapore)	Export consultancy—Singapore/Malaysia	6,778
T. S. Martin and Associates	Town planning—Pinjarra	2,400
Maunsell and Partners	Pilbara regional development study	No payment to date
Hon. Minister for Education, and Native Welfare		
P.A. Management Consultants Pty. Ltd.	Review of administrative procedures—Education Department	16,150
Mrs. D. Parker, M.A., LL.B.	Current research into criminality of Aborigines in W.A.	3,526

Consultant	Work Carried Out	Amount Paid \$
Mrs. K. E. Wilson and Mr. M. V. Robinson	Current research into departmental hostel policy	916
Mr. D. R. B. Burns	Farm advisory service—Native Welfare	560
Mr. R. Lukis	Preliminary pastoral project viability studies for (a) Yandeyarra, and (b) Jigalong—Native Welfare	374
W. D. Scott and Company Pty. Ltd.	Current survey of the economic and social development of the central reserve area in W.A.	Commonwealth financial project
Hon. Minister for Mines, and Justice		
W. D. Scott and Company Pty. Ltd.	Review of organisation and management of the registration function of the Mines Department	No payment yet made
Hon. Minister for Works, and Water Supplies		
Snowy Mountains Engineering Corporation	Engineering geological photogrammetry—Ord River Dam	208,322
Quality Control Pty. Ltd.	Engineering—Ord River Dam	10,117
P. J. Burgess	Geological consulting—Ord River Dam	16,194
D. H. Fraser	Engineering consulting—Karratha town sewerage	11,857
D. H. Fraser	Engineering consulting—Pinjarra town sewerage	No payment to date
Sir Alexander Gibb and Partners	Engineering consulting—Port Hedland Harbour	1,097
Stephenson and Bennett	Engineering consulting—Wyndham Harbour	1,200
Associated Surveys	Photogrammetry—Port Hedland town water supply	928
Associated Surveys	Photogrammetry—Carnarvon model study	25,778
Associated Surveys	Photogrammetry—Port Hedland Harbour model study	35,000
Associated Surveys	Photogrammetry—Upper Fitzroy River dam sites	8,781
Associated Surveys	Photogrammetry—Mundaring augmentation	12,000
Australian Aerial Mapping	Photogrammetry—Pinjarra town water supply	342
Associated Surveys	Photogrammetry—Exmouth town water supply	630
Associated Surveys	Photogrammetry—Manjimup	No payment to date
Sir Alexander Gibb and Partners	Review of rockfill proposal and general review of specifications	7,628
Sir Alexander Gibb and Partners	Reconnaissance study—Gascoyne	8,000
Public Works Department of N.S.W.	Model study—Port Hedland	13,500
Snowy Mountains Hydro-Electric Authority	General consultation on design and specification, and detailed design of outlet facilities—Ord River Dam	23,018
Sir Alexander Gibb and Partners	Rocky Pool Dam—Feasibility study—Gascoyne	No payment to date
G. H. Hill and Gutteridge, Haskins and Davey	Feasibility study—Mundaring augmentation	No payment to date
Snowy Mountains Engineering Corporation	Engineering advice on remedial measures—Harvey Dam	No payment to date
D. H. Fraser	Location of stream gauging stations—Esperance area	No payment to date
Australian Ground-Water Consultants	Millstream underground water investigations	No payment to date
Murray and Johnson	Millstream gravimeter survey	6,730
Murray and Johnson	Ord River project	2,275
Murray and Johnson	Millstream-Dampier pipeline	40,000
D. D. Murray—Surveyor	Marble Bar town water supply	1,465
W. Brittain—Surveyor	Gascoyne irrigation	5,577
C. E. Ion—Surveyor	Grass Valley north extension	1,344
C. E. Ion—Surveyor	Agaton-Koorda pipeline	5,142
W. Brittain—Surveyor	Ravensthorpe town water supply	1,043
W. Brittain—Surveyor	York-Greenhills pipeline	928
Ion and Privett	Port Hedland town water supply (1969)	2,379
Ion and Privett	Ord River project	568
Ion and Privett	Exmouth town water supply	570
Ion and Privett	Cape Lambert pipeline (1969)	503
Ion and Privett	Port Hedland new town	547
Ion and Privett	Karratha sewerage	393
Murray and Johnson	Ord River project	24,451
C. E. Ion—Surveyor	Gascoyne river gridding	1,957

Consultant	Work Carried Out	Amount Paid \$
C. E. Ion—Surveyor	Agaton-Koorda pipeline (1969)	7,926
C. E. Ion—Surveyor	Kununurra townsite grid	882
Murray and Johnson—Consulting Surveyors	Cape Lambert pipeline (1970)	28,984
Ion and Privett	Port Hedland town water supply (1970)	6,346
Ion and Privett	Kununurra airstrip	434
Ion and Privett	Kimberley Research Station grid	3,161
Ion and Privett	Boyup Brook pipeline	3,035
Ion and Privett	Ord Reservoir silt traverse	No payment to date
Ion and Privett	Ord Irrigation Area	2,500
Norman and Addicoat	Special requirements virology building (Depart- ment of Agriculture)	4,690
Tracey, Brunstrom and Dudley	Primary power source systems analysis—Perth Medical Centre	3,000
Sir Bruce White, Wolfe Barry and Partners	Construction, experimentation and interpretation of a hydraulic model of Cockburn Sound	No payment to date
Rendel and Partners	Report on the effect of proposed causeway be- tween Garden Island and Point Peron on port development in Cockburn Sound	15,558
Sir Alexander Gibb and Partners	Planning, design and supervision of inner and outer harbour development	241,037
Sheen Laboratories Pty. Ltd.	Ecological survey of Cockburn Sound	10,500
Hobbs, Winning and Leighton	Design of North Quay office and quarantine building	15,350
P.A. Management Consultants Pty. Ltd.	Budget preparation and cost control—Fremantle Port Authority	19,100
W. D. Scott and Company Pty. Ltd.	Organisation and method study and forward planning—Fremantle Port Authority	24,300
Johnson and Crystal	Preparation of plans and specifications for re- vamping of office building—Esperance Port Authority	624
P.A. Management Consultants Pty. Ltd.	Examination of drawing office organisation and management (Metropolitan Water Board)	37,562
Adaps W.A. Pty. Ltd.	Design and test computer programmes (Main Roads Department)	1,125
Alan Voorhees and Associates	Transportation study design (Main Roads)	22,180
Bennett, Allen and Allen	Architectural fees—Carnarvon Depot buildings (Main Roads)	7,451
Bennett, Allen and Allen	Architectural fees—Port Hedland Depot buildings (Main Roads)	6,940
Professor C. Buchanan	Consultation fees (Main Roads Department)	200
Hobbs, Winning and Leighton	Architectural fees—Narrogin office buildings (Main Roads)	2,513
Howard Bonner and Associates	Architectural fees—Derby office buildings (Main Roads)	7,148
Lewis Eves	Architectural fees—Geraldton office buildings (Main Roads)	1,300
Harris, Lange and Partners	Consulting fees—Perth regional transportation study (Main Roads)	8,935
Kershaw De Courtney	Consulting fees—University underpass (Main Roads)	21,174
Maunsell and Partners	Consulting fees—Stirling bridge (Main Roads)	42,000
Maunsell and Partners	Perth regional transportation study (Main Roads)	5,014
I.B.M. (Aust.) Ltd.	ADP consultation—Wages application (Main Roads)	117
Colin Mort	Architectural fees—Bunbury depot and office buildings (Main Roads)	4,764
Soil Mechanics Ltd.	Foundation investigations—Mitchell Freeway	14,500
Tacoma and Associates	Organisation and methods study (Main Roads)	5,378
Carnegie, Johnson and Associates	Structural drafting—Various bridges (Main Roads)	2,991
Oldham, Boas, Ednie-Brown and Partners	Architectural services—Head office buildings (Main Roads)	253,385
Oldham, Boas, Ednie-Brown and Partners	Payment to Works Clerk	13,730
Halpern, Glick and Glick	Consulting services—Carnarvon Depot buildings (Main Roads)	2,000
Halpern, Glick and Glick	Consulting services—Port Hedland Depot build- ings (Main Roads)	1,248
Halpern, Glick and Glick	Consulting services—Head office building founda- tions (Main Roads)	856

Consultant	Work Carried Out	Amount Paid \$
Saw and Edsall	Engineering consulting services—Port Hedland Depot buildings (Main Roads)	600
Saw and Edsall	Engineering consulting services—Carnarvon Depot buildings (Main Roads)	589
Saw and Edsall	Engineering consulting services—Port Hedland Depot buildings (Main Roads)	134
Soils Engineering Services	Soils engineering consulting services—Mitchell Freeway	694
F. J. Ryan and Associates	Consulting fees—Mitchell Freeway lighting	16,662
Quality Control Pty. Ltd.	Supervision of fabricated steelwork—Yule, Turner, Robe, Maitland bridges (Main Roads)	467
University of Melbourne	Testing services—Mitchell Freeway	2,354
De Leuw Cather	Consulting fees—Mitchell Freeway	784,137
De Leuw Cather	Consulting fees—Roads in Fremantle area	17,792
De Leuw Cather	Consulting fees—Inner Ring road	172,009
De Leuw Cather	Consulting fees—Fremantle By-pass roads	20,718
De Leuw Cather	Consulting fees—Perth regional transportation study (Main Roads)....	291
W.E.P. Engineering Consultants	Structural drafting—Bridges (Main Roads)	366

Hon. Minister for Housing, and Labour

Western Research Services	Research services on Mirrabooka Centre	17,028
Milner and Company Pty. Ltd.	Research services on Kwinana Town Centre	No payment to date
P.A. Management Consultants Pty. Ltd.	Market survey (State Government Insurance Office)	4,200
P.A. Management Consultants Pty. Ltd.	Methods survey (State Government Insurance Office)	21,603

Hon. Minister for Transport, and Railways

Maunsell and Partners	Planning, design and supervision of standard gauge railway and allied works Kwinana to Kalgoorlie	1,953,205
Maunsell and Partners	Supervision of contracts for earthworks and up-grading railway, Widgiemooltha-Esperance	25,452
Maunsell and Partners	Survey and tender documents for standard gauge railway, Kalgoorlie-Kambalda-Lefroy	47,892
Maunsell and Partners	Special track and formation investigation of standard gauge railway between Kwinana and Southern Cross	3,878
Hobbs, Winning and Leighton	Architects' fees in connection with preparation of preliminary drawings and sketches of proposed Administration building at Perth (Railways)	13,068
Moyle and Barrett	Architectural services—Design, working drawings and specification for amenity building at Forrestfield (Railways)	1,651
Cameron, Chisholm and Nicol	Architects' fees—Construction of Road Vehicle Workshop and Service Depot at East Perth (Railways)	47,894
Cameron, Chisholm and Nicol	Architects' fees—Midland Road-Rail Terminal	16,441
Cameron, Chisholm and Nicol	Architects' fees—Bus Running Depot, East Perth	6,032
Forbes and Fitzhardinge	Architectural services—Planning and design of proposed Administration building at Perth Terminal (Railways)	No payment to date
P. Brown	Survey of outdoor advertising in W.A.	3,935
P.A. Management Consultants Pty. Ltd.	Implementation of capital works evaluation and procedures (Railways)	30,731
P.A. Management Consultants Pty. Ltd.	Preparation and submission of general guide-lines on use of data processing (Railways)	5,000
P.A. Management Consultants Pty. Ltd.	Examination and submission of recommendations to improve internal management reporting and control (Railways)	15,000
Mr. Justin Seward	Consulting fees in connection with railway lowering project	10,000
Mr. P. Ritter	Consulting fees in connection with railway lowering project	2,000
W.A. Development Corporation	Consulting fees in connection with railway lowering project	50,000

Consultant	Work Carried Out	Amount Paid \$
W. D. Scott and Company Ltd.	Report on feasibility of Fremantle as a terminal port for Australia	6,900
P.A. Management Consultants Pty. Ltd.	Capital investment evaluation in W.A. Government Railways	8,616
A. Mitchell Brown (W.A.) Pty. Ltd.	Railway costing	2,000
P.A. Management Consultants Pty. Ltd.	Capital Investment Evaluation—M.T.T. and State Shipping Service; Transport organisation structure	7,089
W. D. Scott and Company Pty. Ltd.	Transportation model for State-wide system (Transport)	7,500
P.A. Management Consultants Pty. Ltd.	Report on management, accounting and E.D.P.	74,000
and	and	
Traffic Planning and Research Pty. Ltd.	Implementation of report by Traffic Planning and Research Pty. Ltd.	24,500
W. D. Scott and Company Pty. Ltd.	Advice on organisational structure and operating practices of State Shipping Service	22,700
Hon. Minister for Health, and Fisheries and Fauna		
W. D. Scott and Company Pty. Ltd.	A partial study into the wholesale and retail marketing of wet fish in W.A.	2,100
W. D. Scott and Company Pty. Ltd.	A pilot study into the economic future of the wet fish industry in W.A.	2,200

14. MIDLAND JUNCTION ABATTOIR

Eastern States Exporter: Quota

Mr. McIVER, to the Minister for Agriculture:

- (1) Is it a fact that an Eastern States meat exporter was allocated large quotas by the Midland abattoir; and, if so, who was that exporter?
- (2) What was the weekly quota allocated to this exporter?
- (3) Did this quota in any way affect the quotas of Western Australian exporters in regard to the number of sheep they could have slaughtered at Midland?
- (4) If so, by what amount?

Mr. NALDER replied:

- (1) It is assumed that the exporting company concerned is Jacksons Corio Meat Packing (1965) Pty. Ltd. which was granted a license to slaughter in October, 1968.
- (2) There were no quotas in operation at the time of granting the license.
- (3) and (4) No.

15. FARMERS

Training for Alternative Occupations

Mr. McPHARLIN, to the Minister for Education:

What progress has been made in the investigation into a scheme in respect of the retraining of farmers who may be desirous of training to follow an alternative occupation after electing to leave or lease their farming properties?

Mr. LEWIS replied:

Exploratory discussions have been held between the Director of Technical Education, the Secretary of Labour, and the Secretary of the Trades and Labor Council with a view to organising retraining programmes for farmers who, for various reasons, may wish to leave the land.

Subsequent thinking on this problem has indicated a number of avenues which might be further explored with a view to implementation and these are now being investigated.

16.

RAILWAYS

Railway Houses: York

Mr. GAYFER, to the Minister for Railways:

- (1) Is he aware that there is and has been a vacant railway house in Railway Street, York, for some considerable time?
- (2) Will he give consideration to the renting of this house to a suitable applicant, as there is a general housing shortage in York and houses deteriorate quickly when unlivd in?
- (3) As there are seven railway houses in Railway Street, York, what is to be the fate of these houses when the proposed transfer of railway staff from York takes place?

Mr. O'CONNOR replied:

- (1) A three-roomed property in Railway Street has been vacant since the 16th June, 1970.

- (2) Consideration would be given to renting the dwelling to a suitable non-employee tenant provided acknowledgment in writing was given by the applicant that the property would be vacated on 7 days notice if required for departmental purposes.
- (3) Until the impact of closing York as a depot is known, the future of these railway houses cannot be determined. Should they become surplus, their removal elsewhere would be considered, subject to need and suitability, failing which disposal by tender is the normal procedure.

17. RAILWAYS

Suburban Service

Mr. BURKE, to the Minister for Railways:

- (1) (a) What was the average number of passengers per day carried into Perth by the suburban railway system in the last financial year;
- (b) what was the profit or loss of the W.A.G.R. on suburban railways during the year?
- (2) In an effort to reduce traffic congestion, exhaust pollution, and noise, would he give serious consideration to introducing the concept of bus-and-train and park-and-train to bring people into the city?
- (3) If not, why not?

Mr. O'CONNOR replied:

- (1) (a) Due to the use of ticket issuing machines on trains, precise information in this respect is not available but the average number of passengers transported to the city by rail each week day is estimated at approximately 15,000.
- (b) Allocation of expenditure between suburban passenger, country passenger and goods services has not been completed.
- (2) Railway planning will be contingent to a great extent, on the outcome of the Perth Regional Transport Study. No doubt the concept of bus-and-train is being examined.

Park-n-Train facilities have been provided, or extended at Mt. Lawley, Maylands, Meltham, Bayswater, Bassendean and Guildford in addition to parking areas at Perth and Midland Terminals. Further expenditure of \$7,500 is planned for improvements to parking areas for the purposes of Park-n-Train during the year

ending the 30th June, 1971, and it is intended that this will be extended as patronage warrants.

- (3) Answered by (2).

18. GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT

Section 5 (1a)

Mr. DAVIES, to the Minister for Railways:

- (1) What is the actual figure applying to "justiciable salary or wage" under section (5) subsection (1a) of the Government Employees (Promotions Appeal Board) Act, as apply to employees of the Railways Department?
- (2) To what grades of the applicable awards would such figure be equivalent?

Mr. O'CONNOR replied:

- (1) (a) Clerical—\$8,203.
(b) Engineering—\$7,853.
- (2) (a) All positions covered by the Railway Officers' Award and positions up to and including Officer-in-Charge, Management Costing, of the Railways Salaried Officers' Award.
- (b) All positions up to and including Engineer, Class 11, of the Railways Professional Officers' Award.

19. HOLLYWOOD MEDICAL CENTRE

Planning and Finance

Mr. FLETCHER, to the Minister representing the Minister for Health:

- (1) Is final planning completed in respect of major facilities on the Hollywood Medical Centre site?
- (2) If funds for completion are insufficient and completion date is likely to be extended, is there any intention to use Medical School research bequests to fund to any extent the capital cost of the centre?
- (3) What is the total value of these bequests?

Mr. ROSS HUTCHINSON replied:

- (1) As I stated in reply to question 4. of the 22nd September, detailed plans of individual buildings are prepared as required in accordance with the phased programme.
- (2) and (3) It is understood that the University will need to provide funds in addition to those allocated for the Medical School on the recommendation of the Australian Universities Commission. The amount to be provided and its source are matters for determination by the Senate.

20.

RAILWAYS

Narrow Gauge Lines: Freight

Mr. BURKE, to the Minister for Railways:

- (1) What revenue was derived from freight carried on the narrow gauge connection between Perth and Midland in the year?
- (2) What was the estimated cost of construction of a narrow gauge connection between Fremantle and Midland via Kewdale?
- (3) What is the estimated cost for the additional narrow gauge freight line to be included in the sinking of the central Perth railway?

Mr. O'CONNOR replied:

- (1) This information is not extracted.
- (2) Approximately \$2,000,000.
- (3) No additional line for freight is proposed.

21.

CROWN LAND

Farming Settlement: Acreage

Mr. TONKIN, to the Minister for Lands:

- (1) What was the total acreage of Crown land made available for selection for farming settlement in Western Australia in each of the years 1965, 1966, 1967, 1968, and 1969?
- (2) Will he lay upon the Table of the House a plan of the State showing in different colours the areas made available for settlement in each of the years above-mentioned?

Mr. BOVELL replied:

- (1) The total acreage of Crown land released for selection in each of the years referred to was—
 1965—487,821 acres.
 1966—1,316,496 acres.
 1967—962,464 acres.
 1968—383,391 acres.
 1969—34,075 acres.

- (2) Submitted herewith for tabling is a schedule of land releases for the years 1965-69, which is dissected into the various land districts concerned, together with a plan of the State showing the boundaries of those land districts.

It is not possible to supply a multi-coloured plan, but I think these references will give the honourable member the information he requires.

The schedule and plan were tabled.

22.

ABATTOIRS

Slaughtering Capacity, and Butchers

Mr. McIVER, to the Minister for Agriculture:

- (1) What is the killing capacity of the Midland abattoirs and Robbs Jetty in respect of—
 (a) sheep;
 (b) lambs;
 (c) cattle;
 (d) pigs?
- (2) What are the names of—
 (a) the wholesale butchers;
 (b) the retail butchers;
 (c) the export butchers, who use the Midland and Robbs Jetty abattoirs?
- (3) What is the method used in allocating the number of head given to each of the butchers mentioned in (2)?
- (4) Are export butchers who have a fluctuating throughput penalised in any way, as they only mainly operate in glut periods?

Mr. NALDER replied:

- (1) Midland
 (a) and (b) Approximately 8,000.
 (c) Approximately 600 per day.
 (d) Approximately 600 per day.
 Robbs Jetty
 (a) and (b) Approximately 6,000 per day.
 (c) Approximately 300 per day.
 (d) Approximately 300 per day.
- (2) Midland
 (a) and (b) Local operators—
 Baszak Bros.
 Pope and Co.
 Fremantle Meats.
 Bryant, M.
 Nelson Everett.
 Pettit Meats.
 Dutch Butchers.
 Boans Ltd.
 De Banks Butchers.
 Di Puccio, A.
 D'Orsogna Brothers.
 Webbs Higrade Meat.
 Sorbi Brothers.
 Chisholm Brothers.
 Ford, F. C.
 Rossers Quality Meat.
 Borthwick, T.
 Ginbey, W.
 Coffey, S. R.
 Simka Smallgoods.
 Gray, R. K. and B.
 Curran, B. G.
 Apex Meats.
 Hagan, C. and E.
 Hatch, Geo.
 Hendley, B.
 Hunt, J. L.

Harrison, E. R.
 Hagan, R. E.
 Eastgold Meats.
 Jaysons Packaged Meat.
 Globe Meat Packer.
 Ker, T. G.
 Midland Export.
 Ruling Meats.
 McLeod, M. and E.
 Baster, A. S.
 La Motte, W.
 Liddelow, J. W.
 Litton, R. A.
 Lee Brothers.
 Jacksons Corio Meat Packing.
 Rossmoyne Meats.
 Pike, J. F.
 Marshall, H. G.
 Marshall, R. E.
 Maloney, A. N.
 Morris, B. C.
 Warners Butchers.
 Department of Agriculture.
 Morris, C.
 Price Right Meats.
 Mid Meats.
 Neck, A. L.
 Nelsons Meats.
 Natrass, J.
 Harman, S.
 Patton, J. & A.
 Inglewood Butchers.
 Patton Bros.
 F. Lee & Son.
 Paull, C.
 Paragon Butchers.
 Norseman Meat Co.
 Rooke and Co.
 Torre, F.
 Kalamunda Meat Supply.
 Sagers, E.
 Schell, E. E.
 Young, A. C.
 Sweetman, O. R. and F. M.
 Grays Meats.
 Len Lee.
 B.J. Meats.
 Swan Export.
 Victory Butchers.
 Waddell, O. A. and E. J.
 Williams, L.
 Watsons Foods.
 Abattoir Board.
 Clover Meats.
 Mancini, T.
 Liddelow, W. P.
 Dinelli and Del Basso.
 Sowden, D.
 Metro Markets.
 Boulder Butchers.
 Litton, D. C. & M. A.
 Everett, T.
 High Wycombe Meats.
 Koongamia Meats.
 Giovanni and Fai.
 Goodchild Brothers.
 Anchorage Butchers.
 Charles Springer.
 Jones, G. K. and V. R.
 Waller International.
 Metro Meats.
 Bonny, F. R.
 Chester Butchers.

Hill, R. J. B.
 Patton, M. K.
 McGrath, K.
 (c) Export Operators—
 D. Broadbent.
 T. Everett.
 Globe Meat Packers.
 Jacksons Corio Meat Packing
 Jaysons Packaged Meats.
 Lee Brothers.
 W. P. Liddelow.
 A. Maloney and Son.
 Mid Meats.
 Patton Export.
 J. F. Pike.
 W. Pope and Co.
 Ruling Meats.
 Swan Export.
 United Meat Export Co.
 Waller International.

Robbs Jetty

(a) and (b) Local Operators—
 Anchorage Butchers Ltd.
 Goodchild Meats Pty. Ltd.
 A. R. Baker and Co.
 Nelsons Meat Markets.

(c) Export Operators—
 Patton Export Pty. Ltd.
 Watsons Foods Pty. Ltd.
 Globe Meat Packers Pty. Ltd.
 Clover Meats.
 Jackson Corio Meats.
 Jayson Meats Pty. Ltd.
 Craig Mostyn Pty. Ltd.
 Growers Direct.
 W.A. Meat Export Works on
 its own account.

(3) Midland—
 Preference is given to existing
 local operators and the balance
 of the kill is allocated to recog-
 nised exporters.

Robbs Jetty—
 Similar procedure to Midland
 method.

(4) Export butchers who have a
 fluctuating throughput are not
 given the same consideration as
 those who operate throughout the
 whole year.

23. BUSH FIRES BOARD

Burning of Reserves: Request to Local Authorities

Mr. GRAYDEN, to the Minister for
 Lands:

- (1) In how many instances during the
 current year has the Bush Fires
 Board recommended to shires that
 reserves in the districts concerned
 should be burnt?
- (2) How many such recommendations
 are pending?
- (3) What is the size of each reserve
 which is or has been the subject
 of a burning recommendation dur-
 ing the current year?

Mr. BOVELL replied:

- (1) As far as can be ascertained, since the 1st January, 1970, a total of 11 Bush Fire Wardens reports containing recommendations for protective burning on reserves have been forwarded to local authorities.
- (2) Four.
- (3) The following are the areas of the reserves in the eleven reports referred to. In many cases the fire hazard which it is recommended be abated by burning exists on portion only of the reserve.

Reserve No.	Area (acres)
8291	339
4698	193
18042	6
14502	100
27516	12
23508	$\frac{1}{2}$
4813	162
15977	56
20784	10
18775	27
23740	490

QUESTIONS (2): WITHOUT NOTICE

1. PUBLIC ACCOUNTS COMMITTEE

Formation

Mr. BICKERTON, to the Premier:

- (1) Is it the Premier's intention, during the current session, to introduce legislation for the appointment of a public accounts committee?
- (2) If so, could he give any indication as to when, during this session, he is likely to bring down that legislation?

Sir DAVID BRAND replied:

- (1) and (2) As indicated previously, I intend to take action to set up a public accounts committee within the next fortnight, and I at least give notice of it.

2. MAGDA ALLOY AND RESEARCH PTY. LTD.

Operations in Western Australia

Mr. TONKIN, to the Minister representing the Minister for Justice:

- (1) Has he seen references in the Press to the firm Magda Alloy and Research Pty. Ltd., a marketing organization of Sydney, of which Corium is a division?
- (2) Has Magda Alloy and Research Pty. Ltd., or any of its divisions, offices in this State?
- (3) Is there any evidence that the principal firm or any of its divisions has been operating a prize scheme in Western Australia along the same or similar lines

to that alleged to have operated in Victoria under which public employees have been given "prizes" totalling thousands of dollars for ordering the company's products?

- (4) As it is alleged that it is standard practice for Magda Alloy and Research Pty. Ltd. to give "prizes" wherever the company operates, will he cause inquiries to be made concerning its activities in Western Australia?

Mr. COURT replied:

The Leader of the Opposition gave notice of this question to my colleague and I am now able to supply the following answers on his behalf:—

- (1) Yes.
- (2) Yes.
- (3) No.
- (4) Yes, inquiries will be made.

PORT DEVELOPMENT

Representation at Conference: Personal Explanation

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [4.57 p.m]: Mr. Speaker, may I have leave to make a personal explanation? For your information, and that of the House, my explanation concerns matters relating to questions asked of me by the Leader of the Opposition on the Thursday before Show week.

Mr. Tonkin: Should you not get the leave before you proceed?

The SPEAKER: The Minister is shortly stating what it relates to so that the House knows what it is about.

Mr. ROSS HUTCHINSON: In case the Leader of the Opposition wishes to object to my explanation.

Mr. Tonkin: I have no opposition to that.

The SPEAKER: Has the Minister leave to make an explanation? There being no dissentient voice, leave is granted.

Mr. ROSS HUTCHINSON: I will be as brief as I can. On Thursday before Show week I answered questions asked by the Leader of the Opposition. In those questions he reflected on my word as to factual statements given in answer to a question, and in an interjection virtually accused me of telling an untruth and/or reflecting seriously . . .

Point of Order

Mr. TONKIN: Mr. Speaker, I rise on a point of order. The point of order is that the Minister in making a statement is making imputations which reflect on my behaviour in this House. I say there are no grounds for it. I made no imputation at all. The question was a straightout one,

and I ask you to insist that the Minister make his explanation of the point without any reflection upon me.

THE SPEAKER: The Minister must keep to the facts. I do not know what the facts were.

Personal Explanation Resumed

MR. ROSS HUTCHINSON: Thank you, Sir. It is difficult to make these statements, but I have tried to cut across having to say too much. However, the Leader of the Opposition asked me, among other things, whether I was certain when I said that the Under-Secretary for Works had represented me at two conferences in the Eastern States. He again asked me if I was certain that Western Australia was represented by the Under-Secretary for Works.

I repeated that I had given formal answers in this Chamber to the effect that the under-secretary had represented me at this conference, at which the Leader of the Opposition said, "That does not prove you were" and he then referred to two questions reported in the Commonwealth *Hansard*.

In one of the answers given to a question asked by Mr. Whitlam (the Federal Leader of the Opposition), the Commonwealth Minister for Shipping and Transport gave the names of the Ministers who were at the conference and indicated that I was not there, but that the Under-Secretary for Works had been representing me.

The second question asked by Mr. Whitlam of the same Commonwealth Minister was in regard to a second conference and on this occasion Mr. Whitlam asked which State Ministers attended the conference, what suggestions were made, and so on. The answers given by the Commonwealth Minister on this occasion gave only the names of the Ministers who attended and the information that I was unable to attend, but no mention was made that the Under-Secretary for Works had been representing me. Indeed, that was not asked in the question, which was answered strictly in accordance with its value, which frequently happens in all Parliaments. However, in order to set the record straight and in order to clear the under-secretary from any imputation from my point of view—

MR. TONKIN: That is a double-header.

MR. ROSS HUTCHINSON: In order to clear the under-secretary's name of any slur that was cast on it, I would refer to a letter that was forwarded to me by Mr. Sinclair, the Commonwealth Minister for Shipping and Transport. The letter is dated the 20th August and has relation to a conference on port development to be held in this State early next year and, among other things, he refers to the fact that he regretted I was unable to attend the second conference. However, he goes

on to say, "However, I feel sure that you will have received a full report on the discussions from your representative."

I just wanted to make that explanation so that, in future, the Leader of the Opposition may not read into questions what he wants to think is correct.

MR. TONKIN: I thank the Minister for establishing the fact that he was represented.

MR. ROSS HUTCHINSON: Is the Leader of the Opposition going to apologise?

MR. TONKIN: There is nothing to apologise for.

BETTING CONTROL ACT AMENDMENT BILL

Third Reading

MR. CRAIG (Toodyay—Minister for Police) [5.03 p.m.]: I move—

That the Bill be now read a third time.

MR. T. D. EVANS (Kalgoorlie) [5.04 p.m.]: I would like to make a brief comment on the passage of this Bill through the third reading stage and to make some reference to another Bill of a similar nature which appears as item 3 on to-day's notice paper. I thank the Minister for Police for having proved to be amenable to reason on this occasion in regard to both measures, because I think one of the provisions which appears in both Bills, if inserted in the legislation, would have meant that a principle that had been accepted in British law for many years would have gone by the board. However, as I have said, the Minister was amenable to reason and he agreed to delete the clause in question from each Bill. I thank him accordingly.

Question put and passed.

Bill read a third time and transmitted to the Council.

AUCTIONEERS ACT AMENDMENT BILL

Third Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.06 p.m.]: I move—

That the Bill be now read a third time.

In doing so, I merely report to the House—as I promised the member for Canning I would do—that I checked to see whether there are any special courses available for people who are budding auctioneers. As I predicted at the time, there is no special formal course, but I understand that during a real estate course at the Perth Technical College the subject is briefly touched upon.

However, I think the member for Can-ning would agree that this is mainly a matter of a practical nature—that is, for a person to be an auctioneer—where certain personal attributes are needed; and if a man has a good basic education, common sense, and likes that sort of life, he has, I think, the main attributes.

Question put and passed.

Bill read a third time and passed.

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL

Further Report

Further report of Committee adopted.

APPROPRIATION BILL (GENERAL LOAN FUND)

Second Reading

SIR DAVID BRAND (Greenough—Treasurer) [5.09 p.m.]: I thank the Leader of the Opposition and members of the House for co-operating with me to permit the introduction of the Loan Estimates today, simply because I have to go to Canberra tomorrow and the introduction of these Estimates would have been delayed until next week if the present course had not been taken. I move—

That the Bill be now read a second time.

The object of this measure is to appropriate from the General Loan Fund the sums required to finance certain capital works. Details of these works are shown in the Loan Estimates to be distributed to members.

The General Loan Fund is only one of the sources of funds available for the State's capital works programme. Other sources include our Commonwealth-State housing allocation, semi-governmental borrowings, certain grants and advances from the Commonwealth, the domestic funds of Government instrumentalities, and contributions from non-government sources.

Therefore, before I discuss in detail the main items in the Estimates, I would like to take a few minutes to describe the source and nature of all funds to be used for capital purposes in 1970-71.

Australian Loan Council

At the Australian Loan Council meeting last June, approval was given for a borrowing programme in 1970-71 of \$623,000,000 for State works and housing projects. In addition, the Commonwealth Government agreed to provide the States with an interest-free capital grant of \$200,000,000. The total programme of \$823,000,000 is \$65,000,000 higher than last year, an increase of 8.6 per cent. This is the largest annual percentage addition to the programme for nearly 20 years.

The amount allotted to Western Australia is \$79,580,000, including an amount of \$18,680,000 being our share of the \$200,000,000 capital grant. Of this total, \$12,500,000 has been allotted for Commonwealth-State housing projects.

In my recent Budget Speech, I explained the agreement reached at the last Premiers' Conference in relation to the \$15,500,000 the State received in 1968-69 in lieu of the special grant paid to us as a claimant State. I do not intend to repeat the story except to point out that \$3,000,000 has been included in Western Australia's works and housing allocation this year as a result of that agreement. Further sums of \$3,000,000 will be added to either our works and housing or semi-governmental allocation in each of the next four years to coincide with equal reductions in the special revenue grant. In the aggregate, we are to receive \$8,790,000 more for works and housing in this current year than in 1969-70.

The Loan Council also approves the total borrowing programme of all semi-governmental bodies and local authorities whose individual loan raisings exceed \$300,000. Our share of the programme this year is \$17,790,000—an increase of \$3,070,000. Of this increase, \$2,000,000 was obtained in response to a strong case that had been put to the Commonwealth seeking special consideration of this State's capital needs arising from our exceptionally high rate of growth.

The overall allocation of \$97,370,000 for 1970-71 was a pleasing outcome of the meeting for Western Australia. The increase of \$11,860,000 for the year is substantial and has allowed the Government to frame a capital works programme that will permit substantial progress to be made in meeting the needs of the community.

Naturally, we would have liked to receive more, but we have to realise that there is a limit to the total funds available and that other States also have their problems. In these circumstances, I am satisfied that Western Australia received fair treatment at the June, 1970, Loan Council meeting.

After allotting \$12,500,000 for Commonwealth-State housing projects, the balance of our works and housing allocation, being \$48,400,000 proceeds of Commonwealth loans plus \$18,680,000 capital grant, together with \$9,689,000 which is expected to be available from loan repayments, provides the money for the works totalling \$76,769,000 listed in the Estimates of Expenditure from the General Loan Fund for the year ending the 30th June, 1971.

A number of State instrumentalities will support their capital works programmes this year with funds borrowed under the Loan Council approval for \$17,790,000 to be raised by semi-governmental authorities in this State. State in-

instrumentalities are expected to finance works valued at \$13,450,000 with funds from this source. The balance of the allocation will be taken up by local authorities whose loan raisings this year will exceed \$300,000.

The Loan Council does not impose any limit on the total amount which may be borrowed by authorities raising up to \$300,000 a year. Government instrumentalities in this category are expected to raise a total of \$4,500,000 in 1970-71 to assist in financing their capital works programmes.

Commonwealth Loans and Grants

Last year the Commonwealth provided \$63,846,000 as assistance for specific capital works. This year it is estimated that \$67,034,000 will be received for these purposes. This money is provided under various Commonwealth Acts and agreements and is distinct from the funds we obtain under decisions of the Loan Council.

The amount to be received during 1970-71 will be for the following purposes:—

	\$
Universities	1,303,000
Colleges of advanced education	1,800,000
Teachers' colleges	300,000
Science laboratories	921,000
Technical training	804,000
School libraries	677,000
Mental health institutions	320,000
Tuberculosis hospitals	66,000
Senior citizens' centres	20,000
Nursing homes	380,000
Dwellings for aged pensioners	700,000
Aboriginal advancement	1,465,000
Ord irrigation project	4,200,000
Water resources investigations	572,000
Commonwealth aid roads	36,270,000
Beef cattle roads	1,450,000
Eyre Highway	25,000
Standard gauge railway	7,628,000
Exmouth township	538,000
Migrant centres	94,000
Softwood forestry	660,000
Comprehensive water supply	2,000,000
War service homes and homes for the armed services	4,841,000

Since 1957-58 when the Commonwealth began providing assistance for buildings and equipment at universities, Western Australia has received \$10,964,000 for this purpose. A further \$1,303,000 will be received during the current year. The amount received from the Commonwealth is matched dollar for dollar by the State.

The Western Australian Institute of Technology will receive capital assistance of \$1,800,000 from the Commonwealth under a similar scheme to that for the universities. The amount to be received this

year is the first full year payment under the current 1970-72 triennial programme. The Commonwealth Act providing unmatched grants to States for constructing and equipping colleges for the training of teachers expired at the 30th June, 1970. However, a new Act has extended the operation of the scheme for a further three years.

A sum of \$2,600,000 was received by this State under the original legislation and a further \$300,000 will be received this year under the new Act. Government and non-government schools will be assisted again this year to build and equip science laboratories at secondary schools. Government schools will receive \$530,000 and non-government schools \$391,000 as grants from the Commonwealth for these purposes. The grant of \$804,000 for Government technical schools and colleges will provide assistance towards the capital cost of extensions to the Eastern Goldfields Technical Centre and for the construction of the Bunbury Technical School.

Under the States Grants (Secondary Schools Libraries) Act, 1968, \$27,000,000 is available to the States over the three years commencing the 1st January, 1969, to finance buildings and associated capital equipment in Government and non-government secondary schools. Western Australia's share amounts to \$2,031,000 over the three-year period. It is estimated that \$503,000 will be drawn during 1970-71 for Government schools and \$174,000 for non-government schools.

Provision has been made in this year's Commonwealth Budget to continue assistance to the States for the building and equipping of mental health institutions. Assistance from the Commonwealth is limited to one-third of the total expenditure incurred by the State. Western Australia's share of the \$5,000,000 provided for 1970-71 is estimated to be \$320,000.

Capital assistance for senior citizens' centres, nursing homes for the aged, and dwellings for single age pensioners will total \$1,100,000 in the current financial year. This is the first year in which payment is to be made to the State under a group of Commonwealth Acts which provide funds in association with the States, for a range of benefits for the aged.

Capital grants totalling \$2,025,000 have already been spent in this State on Aboriginal advancement principally on housing and education of Aborigines. A further \$1,465,000 will be obtained for these purposes during 1970-71.

Work is progressing satisfactorily on the construction of the main dam at the Ord River and it is expected to be finished before the end of 1971 at an estimated cost of \$21,000,000. The Commonwealth is providing the funds for this part of the

Ord River irrigation project and the State will receive \$4,000,000 on this account in the current year. A further \$200,000 will be advanced to the State as a loan for irrigation works.

The Commonwealth proposes to provide grants for a further three-year programme of surface water measurement and investigation of underground water resources, beginning in 1970-71. Payments to Western Australia are expected to amount to \$572,000 in the current year.

An amount of \$54,793,000 will be spent on roads in Western Australia during 1970-71, of which \$17,073,000 will be from our own resources. A sum of \$36,270,000 will be paid to the State under the Commonwealth Aid Roads Act and a further \$1,450,000 under the Beef Cattle Roads Act.

The standard gauge rail project is nearing completion but there is still a considerable amount of ancillary work to be done before the project is finished. Loans and grants totalling \$7,628,000 will be made by the Commonwealth during 1970-71 in respect of work that has been completed or is under construction.

Half of the capital cost of providing transient accommodation for State-nominated and other assisted migrants will be met by the Commonwealth Government again this year. A sum of \$94,000 will be received for this purpose.

Additional housing for personnel of the United States naval communications station at North West Cape and for the construction force at the Learmonth air base will require further extensions of the Exmouth township during the year. An amount of \$538,000 will be obtained from the Commonwealth to meet the costs of these extensions.

The programme of expansion of the State's softwood forests will be continued with the assistance of \$660,000 to be paid under the Softwood Forestry Agreements Act. The Commonwealth will make a further advance in 1970-71 of \$2,000,000 for continuation of work on the comprehensive water supply scheme. An amount of \$4,841,000 will be paid to the State Housing Commission for war service homes and housing for the armed services.

Domestic Funds

Another important source of finance for our capital works and housing programme is the domestic funds of certain instrumentalities. These arise from the commercial operations of instrumentalities including the charging of depreciation to operating expenses and also include cash balances carried over from the previous year.

An amount of \$56,941,000 will be available from these sources during 1970-71, of which the more important are—

	\$
State Electricity Commission	23,384,000
State Housing Commission	17,650,000
Metropolitan Water Supply	3,078,000
Railways	2,297,000
Fremantle Port Authority	2,242,000

Non-Government Contributions

The contributions which companies make towards providing services to new undertakings and to land development projects are becoming more important each year. In 1969-70, companies contributed \$7,957,000 to the capital cost of providing services to their projects. This year it is estimated that an amount of \$9,372,000 will be received.

Total Capital Works Programme

With the funds available from the various sources just described, it will be possible for the State to undertake a works and housing programme during 1970-71 of \$202,756,000. The finance for the programme will come from—

	\$
Proceeds of Commonwealth loans	48,400,000
Commonwealth capital grant	18,680,000
Loan repayments	9,689,000
Commonwealth - State Housing Agreement	12,500,000
Semi-governmental loan raisings	17,950,000
Commonwealth loans and grants excluding road grants and payments to private schools	28,724,000
Domestic funds	56,941,000
Non-government contributions	9,872,000

General Loan Fund Expenditure

The estimates of expenditure from the General Loan Fund cover a programme of works totalling \$76,769,000 to be financed from proceeds of Commonwealth loans, the Commonwealth capital grant, and loan repayments.

Railways

Expenditure by the railways on capital works during 1969-70 was \$11,963,000 of which \$6,708,000 was spent on the rail standardisation project. The balance was applied to narrow gauge works including works in progress, wagon construction, progress payments on diesel locomotives, and works necessary for the safe and efficient operations of the railways.

In February, the *Indian-Pacific* commenced its coast-to-coast operations. This service has captured the attention of the public and its introduction represents a milestone in the progress of Western Australia.

Loan funds of \$11,619,000 have been provided for railway purposes during 1970-71. A further \$1,030,000 is to be spent from the Rolling Stock Replacement Fund.

A sum of \$5,602,000 is required to finance the State's proportion of expenditure on standard gauge works during the year. Most of the work this year will be on the integration of the standard gauge with the 3 ft. 6 in. system and includes major projects at Kewdale, Forrestfield, and Robb Jetty. At Forrestfield, an automatic shunting yard is being constructed which will be capable of marshalling 2,500 wagons a day. Tenders have already been called for the control equipment for this installation.

New works to be financed from the Rolling Stock Replacement Fund include the construction of flat top wagons, the purchase of three diesel shunting locomotives, and the roofing of a number of grain wagons.

Major works planned for the 3 ft. 6 in. railway include—

- purchase of seven mainline diesel electric locomotives;
- construction of additional rolling stock;
- renewal of line in the lower south-west and in the Coolgardie-Widgiemooltha section;
- construction of new station buildings and barracks at Esperance;
- reballasting of two sections of the Midland railway, and extensive bridge renewals.

Employee housing will be provided at a number of localities and other funds will be devoted to the maintenance of safety standards and the provision of facilities for staff.

State Electricity Commission

The demand by consumers for electricity and gas continues to grow at a rate well above the average for Australia. Sales of electricity in 1969-70 increased by almost 15 per cent. over the previous year and 12,752 additional consumers were connected to the commission's system.

The capital works of the commission last year exceeded \$22,000,000. The major components of this total were \$10,000,000 on generating plant, \$2,000,000 on major transmission lines, \$8,000,000 for distribution of electricity and gas in the metropolitan area, and \$4,500,000 for distribution to country consumers.

A forward programme for the installation of new generating capacity up to 1976 was announced recently. This plan involves the installation at Kwinana of a further six units with a total capacity of 880 MW at a cost of about \$87,000,000. The programme also provides for the installation of three gas turbines at an estimated cost of \$5,000,000, one of which

will be installed in the Geraldton area as a standby to the main transmission line to that area. The running-in process of the first 120 MW turbo-generator at Kwinana will be completed this week and it will then be available for full commercial operation.

The demand for power should continue to rise during 1970-71 at the same high rate as in recent years and capital expenditure is expected to amount to \$31,400,000. Of this sum, \$12,000,000 is required for the Kwinana generating station and \$2,500,000 for the improvement of the main transmission network. A sum of \$8,900,000 will be spent on electricity and gas distribution in the metropolitan area and \$8,000,000 on the extensions of mains to towns and farms in country areas.

The commission's activities in the north of the State are increasing. Almost \$750,000 will be expended on plant and buildings in that area during the year. A large proportion of the commission's 1970-71 programme is to be financed from internal funds including profits, depreciation, and reserves. The balance of the funds required will be provided by subscribed loans of \$8,000,000 to be raised by the commission.

Public Works Department

The vote for the Public Works Department amounts to \$40,494,000—an increase of \$6,520,000 over the amount spent by that department last year. The Public Works Department provides the engineering and architectural services for the Government and in this capacity it acts as agent for other Government departments and authorities.

An amount of \$9,640,000 has been allocated to the engineering division from loan funds for expenditure on improvements to harbours and rivers, water supplies for country areas and towns, country irrigation and drainage, sewerage for country towns, and electricity extensions in some northern towns.

Members will note that no reference is made in the public works estimates on this occasion to harbour works at Albany, Bunbury, and Esperance. With the greater independence now granted to these ports, it is more appropriate for them to be shown as separate entities and this has been done under the heading "Other State Undertakings" on page 10 of the Estimates.

The public works architectural division has been allotted \$29,276,000 which will be applied to the construction of schools, hospital and public health buildings, institutions, and other public buildings.

The total Public Works Department programme will amount to \$60,040,000 in 1970-71. Funds over and above the General Loan Fund allocation of \$40,494,000 will be provided by the Commonwealth

for the Ord River irrigation scheme and the comprehensive water supply scheme, from certain mining companies as contributions to the cost of providing services for their projects and from various other sources for engineering work done on their behalf.

Harbours

The main provision for improvements to harbours is \$990,000 for an extension of the mooring area and for commencement of the second land-backed berth at Port Hedland. Of this sum \$300,000 will be contributed by the Port Hedland Port Authority and \$300,000 by the Mt. Goldsworthy Mining Company, for whose benefit the mooring extensions are being provided.

Other items in this programme are additional boat pens and a new works jetty at Fremantle Fishing Boat Harbour, investigations for a new berth at Wyndham, the provision of a freezer at the Wyndham Port, and work on the Beadon Creek lighterage port at Onslow.

A hydrographic survey of the Peel Inlet will be undertaken during the year to provide basic information for planning the future use and development of the estuary. Work will also continue on the training groynes at Mandurah.

Country Areas and Town Water Supplies

A total programme of \$12,313,000 is planned for water supplies to country areas and towns. Of this total \$6,970,000 will be provided from the General Loan Fund and \$2,000,000 from the Commonwealth for the comprehensive water supply scheme. Mining companies for which water supplies are being developed will contribute \$3,281,000.

The comprehensive water supply scheme is the largest component of the programme and will involve expenditure of \$4,000,000. The principal items will be—

Grass Valley-Wongan Hills —completion of scheme	1,200,000
Cunderdin-South Farm- lands reticulation	400,000
Kokardine-West Farm- lands — reticulation of 70,000 acres of farmlands in the Dalwallinu area	1,100,000
Narrogin-East Farmlands reticulation	560,000
Grass Valley-North Farm- lands reticulation	500,000

Other work will include improvements to the Merredin-Barbarlin main and to the Wickepin-Kulin main.

Improvements to the goldfields water supply scheme will be carried out to keep pace with the Western Mining Corporation's requirements at Kambalda. The company will provide \$2,865,000 for this work.

The establishment of the Alcoa alumina plant at Pinjarra necessitates extensions to the town water supply. The company will contribute \$400,000 in the current year towards the cost of this work.

Work is also programmed for a large number of other country town supplies which in total will cost over \$3,800,000. Included in this programme are new water supplies for the towns of Nabawa, Ledge Point, Bremer Bay, Dardanup, and Pinjarra.

Sewerage for Country Towns

An allocation of \$1,623,000 has been made for sewerage works in country towns. Included in this programme is work at Pinjarra to serve the township being developed to house workers for the Alcoa project. The company will contribute \$300,000 towards the work and the local authority \$125,000 from a loan raised for this purpose.

Extensions will be made to sewerage schemes at a number of country towns including Albany, Bunbury, Collie, Gnowangerup, Kununurra, Merredin, Karratha and Port Hedland.

Irrigation and Drainage

The major expenditure on irrigation and drainage work during the year will be on construction of the main dam of the Ord irrigation project. Work will also commence on the second stage of the distribution system which is planned to serve an additional 152,000 acres of land. In all \$4,260,000 will be spent on the Ord River scheme this year.

Other main items of expenditure include—

	\$
Enlargement of the Collie main channel	80,000
Extension of the Collie dis- trict drainage	50,000
Enlargement of outlet drains in the Busselton district	40,000
Further drainage work at Kununurra	97,000
Completion of the runway and terminal building at the Kununurra airport	100,000
Extensions to the supply system at Carnarvon	90,000
New drainage and irriga- tion works in Pinjarra, West Benger, Waroona, and Wellesley River flats	95,000

Architectural Division Schools

Loan fund expenditure on school buildings last year amounted to \$11,093,000 which was more than \$2,000,000 higher than in any previous year. The allocation

of \$12,057,000 for 1970-71 represents a further increase of almost \$1,000,000. An additional \$1,837,000 will be available from various Commonwealth grants.

During 1969-70, 371 classrooms were completed. New high schools were started at Balga, Morley, and Thornlie, and major additions completed at Applecross, City Beach, Hampton, Kwinana, and Ross-moyné. Twelve new primary schools were completed and a start made on two others.

In the current year, construction will commence on new high schools at Rockingham, Moora, Eastern Goldfields, and Port Hedland. Major additions are to be made at Cannington, Carnarvon, Hamilton Hill, Hampton, Kalamunda, Kwinana, Melville, Morley, and Pinjarra.

A further 11 new primary schools are programmed for completion during the year and provision has been made to expand this programme as circumstances dictate. An extensive programme of additions to primary schools is also provided for in the Estimates. A new primary teachers' college was commenced at Mt. Lawley last year, and this project will be continued in the current year.

The Bunbury technical college will be advanced near to completion this year, and extensions will be made to the Eastern Goldfields Technical Centre, both projects being assisted by a Commonwealth grant of \$804,000.

Hospitals and Health

In 1969-70 amounts totalling \$8,175,000 were provided in the Estimates for hospitals, public health and mental health buildings, and major equipment. The provisions for these buildings in 1970-71 total \$10,575,000 which is almost 30 per cent. more than the sum provided last year.

Hospitals

Expenditure on hospitals last year totalled \$7,419,000. Major works completed during the year included a new hospital at Newman and ward additions at South Perth, Corrigin, Dampier, Port Hedland, and Tom Price. Major extensions were completed at Princess Margaret Hospital. Work was continued on the Northam Regional Hospital and on major extensions to Royal Perth, Fremantle, Kalgoorlie, Narrogin, Quairading, and Swan Districts hospitals.

An amount of \$7,782,000 will be spent on hospital buildings during 1970-71. The 112-bed Northam Regional Hospital will be completed at a total cost of \$4,298,000 and will fulfil a need in that district. The new \$2,140,000 hospital at Wyndham will also be opened during the year.

Work will be completed on—

- a children's block at Fremantle at a cost of \$895,000;
- a \$465,000 children's ward of 40 beds at Kalgoorlie;

- a new ward and services block at Narrogin costing \$916,000;
- a nurses' home at Fremantle expected to cost \$617,000;

extensions to the maternity wing and a new 48-bed long-term unit at Albany for a total outlay of \$708,000; and

- a long-term unit costing \$416,000 at Bunbury.

Work will continue during the year on extensions to the Royal Perth Hospital which will cost ultimately a total of almost \$6,500,000. These extensions will include a new emergency centre, operating theatres, wards, cobalt unit, and boiler house in Perth, and an operating and radiology block at Shenton Park. A sum of \$1,454,000 will be spent on these facilities in the current year.

In addition, a start will be made on major extensions at Kojonup, Manjimup, Ravensthorpe, Kellerberrin, Dalwallinu, Derby, and Mt. Henry hospitals.

Public Health Buildings

An amount of \$600,000 has been allocated for Public Health buildings. This sum will permit commencement of the Public Health laboratories within the medical centre complex at Hollywood and the completion of prefabricated laboratories at Busselton and Derby.

Mental Health Buildings

Expenditure on Mental Health buildings last year totalled \$947,000 including \$241,000 provided by the Commonwealth under the State's grants—Mental Health Institutions Scheme. This year \$1,000,000 is to be provided from loan funds for these works and it is expected that \$320,000 will be available from the Commonwealth.

Works undertaken during 1969-70 included remodelling and improvements at Claremont Hospital, an extra accommodation wing at Belmont Hostel and commencement of the day activities centre and tutor school at Pyrtton Training Centre. New proposals for 1970-71 include further improvements at Claremont Hospital, new wards at Point Heathcote Hospital, construction of a psychiatric clinic at Fremantle, and remodelling work at Kentucky Hostel.

Perth Medical Centre

An amount of \$4,475,000 has been provided in the Estimates for expenditure in 1970-71 on the Perth Medical Centre at Hollywood.

In all, it is expected that \$5,541,000 will be spent this year on development of the centre, the balance being provided from funds held by the University of Western Australia from Commonwealth and State contributions to the cost of the Medical School. Also included in that total are

funds allocated for the Public Health Department laboratories under the heading of "Public Health Buildings."

The planning of the centre envisages total expenditure over a period of years amounting to \$38,000,000 for the combined complex of hospital, Medical School, and Public Health laboratories. To the end of last financial year, \$3,000,000 had already been spent from State sources on this project.

Tenders will be called this year for works that are expected to cost \$12,000,000 when finally completed. They include the Public Health laboratories, the Medical School with associated diagnostic laboratories, a psychiatric unit, extensions to Sir Charles Gairdner Hospital and additional accommodation for nurses. It is expected that a start will be made on all of these projects this year.

Other work to be undertaken at the centre in 1970-71 includes completion of a geriatric unit, extensions to the boiler house and improvements to the kitchen and dining rooms.

Police Buildings

The allocation for Police buildings this year is \$1,200,000 compared with expenditure of \$795,000 in 1969-70.

A start will be made on new Police Headquarters on the Causeway site, and new police stations at Dowerin, Wyalkatchem, Mt. Magnet, Narembeen, Leonora, and Southern Cross.

During 1969-70, new police stations were opened at Bunbury, Koolyanobbing and Wanneroo, and work commenced on new stations at nine other centres.

Native Welfare

A sum of \$11,000 has been allocated from loan funds for a new Native Welfare office at Esperance. An additional amount of \$1,465,000 is available from the Commonwealth grant for Aboriginal advancement and will be devoted to approved projects particularly in the fields of housing, education and health.

Child Welfare

During 1969-70, the Girls' Rehabilitation Centre at Bentley and extensions at Riverbank Reformatory were completed. A property at Katanning was purchased and will be used as a hostel for children of working age to enable advantage to be taken of the employment opportunities offered by the new industry developing in the town.

Provision is made in the current year for the construction of administration buildings and cottages at Bridgewater and for a start on a day attendance centre at Bentley. This latter institution will provide remedial treatment for certain types of children while they live at home. At

present, these children must be sent to institutions where the treatment programme is not always suited to their needs.

Prisons

An amount of \$930,000 has been provided for prison buildings this year. Funds have been provided for the completion of the Bunbury prison this financial year and it is expected to be in use before the end of 1970. The first stage of Bandyup Training Centre for women at Middle Swan was completed last year. It has now reached maximum capacity and funds have been provided in 1970-71 for the construction of the second stage.

Provision has also been made for extensions to Broome Gaol and for further improvements at Barton's Mill and Pardelup.

The Prisons Department recently acquired the former children's home "Burnbrae" at Byford to establish a new treatment centre for convicted alcoholics. This institution is unlikely to operate this year but some preliminary work is being done with prison labour.

Other Public Buildings

The allocation for other buildings in the current year totals \$4,096,000. The main projects to be undertaken include—

terracing and ground improvements on the eastern aspect of Parliament House;

continuation of work on the Museum; new courthouses at Kalgoorlie and Bunbury;

offices for the Mines Department at Kalgoorlie, Meekatharra, and Port Hedland;

new public offices at Narrogin;

a fauna research station at Thompson Lake;

a port administration building at Wyndham;

additions at Noalimba Migrant Centre and Bickley Observatory.

Metropolitan Water Supply, Sewerage and Drainage Board

In 1967-68 the Metropolitan Water Supply, Sewerage and Drainage Board carried out a programme costing \$7,400,000. Last year, the programme was \$15,963,000, and \$17,978,000 will be available for works planned by the board this year. This increase of over \$10,000,000 over the last three years is an outstanding example of the pressure for services of all kinds to meet the demands arising from the growth taking place here.

Consumption of water in the metropolitan area has been rising at an annual rate of more than 10 per cent. and last year reached 32,364,000,000 gallons. Because of this rapid increase, it is necessary

to accelerate the programme for the Dandalup river scheme and to commence duplication of the trunk main from Canning Dam during 1970-71.

When the South Dandalup scheme has been completed, all major water resources for the metropolitan area will have been harnessed and it will be necessary in the future to increase the rate of expenditure on the development of new resources. The board faces the prospect of constructing dams at more frequent intervals than has been necessary in the past, and also of accelerating its expenditure on underground water resources.

In most new housing areas, sewers are now being built in advance of house construction. Every effort will be made to maintain this policy as it is only in this way that we can ensure that eventually the whole of the accessible urban area is provided with deep sewerage. Moreover, the cost to the householder of sewerage installation at this stage is usually much less than the cost of first providing septic tanks and then later connecting to the sewer when paths and drives have been laid and gardens established. At the same time, work will continue on extending sewerage to older developed areas.

Until recently the board had only three sewerage treatment works to serve the whole metropolitan area. The current programme includes construction work on five completely new plants as well as extensions to one of the existing works. Use is also being made of small package treatment plants which can temporarily serve an area in the initial stages of development and then be removed to another location.

Two of the major works under construction are the northern main sewer and the Bibra Lake main sewer. The northern project will serve most of the rapidly expanding areas north of the city and will eventually provide for the expansion of suburbs as far east as Midland and Bellevue.

The Bibra Lake main sewer will allow the development of large areas of urban land south of the Canning and Swan Rivers. Eventually, it will be extended to the Welshpool and Cannington areas.

A summary of the major works to be carried out during 1970-71 includes—

- \$1,620,000 for further work on the main dam site of the Dandalup Water Supply Scheme, and construction of trunk mains;

- completion of an underground water treatment plant at Gngangara, and continued development of the North Gngangara underground water scheme;

- \$1,200,000 has been provided for a start to be made on a 54-inch main from Canning Dam;

- service connections and minor extensions and improvements to the water scheme will absorb \$1,100,000;

- work on the Bibra Lake main sewer and the northern main sewer will be pushed ahead this year at a total cost of \$2,600,000;

- \$500,000 will be spent on extensions to the Beenyp treatment works;

- work is to continue on the sewerage schemes at Scarborough, Kwinana, Lynwood, Hamersley, Rockingham, and Armadale-Kelmscott to a total expenditure of \$1,050,000.

State Housing Commission

In 1969-70, the State Housing Commission was allocated \$2,700,000 from the General Loan Fund. It also borrowed \$1,900,000 under the semi-governmental programme. In addition, the commission received \$11,500,000 under the Commonwealth and State Housing Agreement, and \$873,000 for the housing of serving members of the armed services. These allocations, together with domestic funds, permitted a capital works programme of \$31,085,000 for the year.

At the beginning of 1969-70, the commission had 2,556 dwelling units on which work had commenced or for which tenders had been let. A further 1,927 units were put to tender during the year. From this pool of work 1,832 dwelling units were completed for the year.

For the current year, the commission has planned works amounting to \$38,241,000. The programme will be financed by an increased allocation of \$5,000,000 from the General Loan Fund; \$2,000,000 to be raised under the semi-governmental borrowing programme; \$12,500,000 under the Commonwealth and State Housing Agreement; \$391,000 for the armed services; a \$700,000 Commonwealth grant for pensioner dwellings; and \$17,650,000 from its own domestic funds.

With these funds, work will be continued on the 2,651 dwellings that were under construction at the beginning of the year, and tenders will be called for another 2,900. In addition to these activities, the commission is also responsible for war service homes operations in this State, and is constructing agent for other Government organisations. It also assists charitable and other bodies involved in providing accommodation for aged persons.

The commission had an allocation in 1969-70 of \$4,425,000 for war service homes. During the year, dwellings completed by the commission from this fund totalled 77, while another 418 war service

applicants were assisted to purchase homes. For 1970-71, the funds allocated for war service homes in Western Australia will amount to \$4,450,000 with which 128 homes will be built, and a further 392 applicants assisted to purchase homes.

Funds available from other Government departments, including the Government Employees' Housing Authority, are expected to be \$4,750,000 in 1970-71, as compared with \$4,728,000 for 1969-70. Three hundred dwellings will be completed for these authorities in 1970-71 compared with 317 in the previous year.

During 1969-70, the commission provided professional and technical assistance to complete 31 units financed by local authorities for the Government Employees' Housing Authority and in this year will provide similar assistance to a number of shires.

Agriculture

A sum of \$950,000 has been provided in the Estimates for "Development of Agriculture." The major part of last year's allocation was spent on completing the State Herbarium, and on the virology building at South Perth, as well as on improvements to several research stations throughout the State. This year \$723,000 will be spent on completing the virology building and new scientific and office accommodation at South Perth.

The virology building will provide ideal conditions for the study of virus problems in animals. It has also been designed to give complete isolation should it ever be required for work associated with diseases such as foot-and-mouth disease or blue-tongue disease.

It is intended to clear further land at the Wokalup Research Station to build up the nucleus of an experimental beef herd for research purposes, and also to continue with the development of the Northam Research Station as a beef research project.

Improved office and laboratory accommodation is urgently needed to replace the existing overcrowded building at Moora, and provision has been made to commence work on a new district office in the current financial year.

Forests

An allocation of \$500,000 to the Forests Department will enable the pine planting programme to be continued at the level of recent years. If this level is maintained, it will realise a total of 240,000 acres of plantation by the year 2000. The production from such an area, together with that of the natural hardwood forests, should meet the timber requirements of the increased population at that time.

The General Loan Fund allocation, with other special loans granted by the Commonwealth under the Softwood Forestry Agreements Act, 1967, will be used to establish a further 6,250 acres of new plantations, prepare the ground for a further 6,000 acres in 1971-72, and maintain the existing 65,000 acres.

Softwood Forestry Agreements Act loans were offered to all States to enable greatly increased pine planting rates throughout Australia. Under this programme, Western Australia was to double its planting rate from 3,000 acres in 1965-66 to 6,000 acres per year. This target has been slightly exceeded in the last two planting seasons. Total plantation area has risen from 43,000 acres in 1965 to 65,000 in 1969 and, with further planned increases, is expected to reach 100,000 acres by 1974.

Port Authorities Albany

The programme of work on the development of Albany Port will amount to \$500,000 this year. A General Loan Fund allocation of \$230,000, supplemented by private borrowing by the authority, will enable work to continue on the construction of a third berth at Albany.

Bunbury

An amount of \$410,000 will be made available for work on the new deep-water port at Bunbury. This amount, together with private borrowing by the port authority, will enable a programme of \$1,679,000 to be undertaken.

The new harbour is being built in Leschenault Estuary and will be approached by an access channel through north shore. The dredging, which is proceeding satisfactorily, is being carried out by the Korean firm, Hyundai Construction Co. Ltd. under a \$3,000,000 contract. The contract provides for the removal of more than 8,000,000 cubic yards of spoil and is due to be finished by July, 1973.

Esperance

In 1969-70, \$1,120,000 was spent on improvements to Esperance Port. This expenditure included \$957,000 on dredging to widen and deepen the harbour, \$96,000 on the extension of the first land-backed berth, and \$67,000 on the provision of ancillary services.

Work programmed for the current year includes the completion of both the dredging contract and extensions to the land-backed berth. In addition, work will begin on a second land-backed berth to cost \$1,400,000.

This programme will require funds of \$810,000, to be financed by a General Loan Fund allocation of \$400,000 supplemented by private borrowing and internal funds of the port authority.

Geraldton

Further harbour development is to be undertaken at Geraldton this year at a cost of \$500,000. The work includes additional boat pens at the fishing boat harbour, blasting and dredging in the approach channel, and a sub-bottom profile survey of the harbour and approaches to assist with future development plans.

New offices are also to be erected by the authority and the programme includes \$80,000 for this purpose.

The authority has found it possible to finance the whole programme from private borrowing and internal funds and therefore no loan fund allocation is necessary.

Fremantle

An amount of \$182,000 has been provided in the Estimates for the Fremantle Port Authority. The authority has planned a programme of work which will cost \$3,024,000 during the current year, the greater part of which will be financed from borrowings and domestic funds.

The principal item of expenditure will be \$1,165,000 to continue work on the reconstruction of berths 6 and 7 at North Quay. This will provide a modern multi-purpose berth to meet the requirements of the new types of vessels now being introduced into the shipping trade.

Further dredging will be undertaken in the vicinity of the container berth to ensure a minimum depth of 36 feet.

A building at North Quay to house the centralised quarantine facilities in the port area will be completed during the year at a total cost of \$240,000.

The sum of \$131,000 will be spent to complete the second bulk unloader in the outer harbour. This equipment is designed to handle bulk cargoes of phosphatic rock and sulphur. The total cost of the facility is \$915,000.

Other work to be undertaken during the year includes—

- improved access ways and extended stacking and handling areas at the container terminal;

- acquisition of a new pilot boat; and
- further development of the outer harbour.

Midland Junction Abattoir Board

The programme of work to be undertaken by the Midland Junction Abattoir Board during the current financial year is estimated to cost \$1,572,000. It is to be financed from a General Loan Fund allocation of \$1,200,000, loan raisings of \$300,000, and domestic funds of \$72,000.

Work planned includes the erection of a boning-chilling-freezing complex. This project comprises three boning rooms, blast freezers, and a cold store, which will enable the board to meet export requirements for carton and packaged meat.

Funds have also been provided for the completion of the waste treatment and effluent disposal system, continuous rendering plant, and modifications to the slaughter chain. In addition, facilities are being upgraded to ensure that export hygiene standards will be met.

West Australian Meat Export Works

An amount of \$900,000 has been provided from the General Loan Fund for capital works at the West Australian Meat Export Works. Loan raisings of \$300,000 and domestic funds totalling \$400,000 will enable the works to undertake a programme costing \$1,600,000 during the current financial year.

Facilities are being upgraded to enable the works to slaughter and handle 6,000 sheep and lambs a day and to ensure that export hygiene requirements are met. Extensions to the works will also provide badly needed accommodation for administrative and clerical staff.

University of Western Australia

Last year, an amount of \$1,182,000 was advanced to the University from the General Loan Fund to meet the State's share of commitments for capital works on the campus at Crawley and at the Perth Medical Centre. Under the terms of the Commonwealth legislation which authorises Commonwealth assistance, it was necessary for the State contribution to be paid by the end of the 1967-69 triennium in December last.

These funds, together with Commonwealth grants, private borrowings, and cash balances held by the University are available for projects approved by the Australian Universities Commission.

Actual expenditure last year totalled \$596,000. Work was commenced on a new mathematics building and a mathematics and physical sciences library. Extensions to the animal house costing \$150,000 and several other smaller projects were completed.

In this current financial year a sum of \$794,000 has been allocated to the University for approved projects for the 1970-72 triennium. It is expected that extensions to the physics building and the Reid Library will commence during the year. In addition, work will commence on the new medical school, and further progress will be made on the guild building, mathematics building, and mathematics and physical sciences library.

Western Australian Institute of Technology

A sum of \$2,213,000 was spent on capital work for the Institute of Technology last year. Of this amount \$818,000 was provided from the General Loan Fund and the balance was obtained from Commonwealth grants, loan raisings, and cash

balances held by the Institute. Work was commenced on a new library building and further progress was made on the architecture building. The mining and engineering building at Kalgoorlie was completed.

Expenditure on capital works in the current financial year is expected to total \$4,300,000. The allocation to the Institute from the General Loan Fund is estimated at \$1,350,000 which will be supplemented by Commonwealth grants and loan raisings.

It is expected that the architecture building and the library will be completed. Work is to commence on a biological sciences building, a residential college at Kalgoorlie, and the commerce and general studies building.

Rural and Industries Bank

The Estimates contain an amount of \$1,655,000 to finance delegated agencies administered by the Rural and Industries Bank for the Government. Included in this amount is a provision of \$1,250,000 to assist drought-affected farmers by way of concessional loans for carry-on and restocking purposes. Last year an advance of \$500,000 was made to the bank to finance similar loans.

In addition, in 1969-70 a sum of \$770,000 was spent from Consolidated Revenue on other drought relief measures and the outlay this year is expected to be \$350,000.

The Government also provided the bank with \$600,000 from the General Loan Fund in 1969-70 to finance loans for the improvement of farm water supplies. This year a sum of \$300,000 is being provided to continue this form of assistance to farmers.

A large part of Government expenditure on farm water supplies is applicable to drought-affected areas and this outlay, together with the cost of other relief measures, impacts heavily on the State's resources.

Notwithstanding this, the Commonwealth has twice refused to extend to Western Australia the help given to all other States, with the result that we have to meet the full cost of drought relief measures.

The reason given by the Prime Minister for not assisting Western Australia was that the amount involved in relief measures was of the order normally met by State Governments. In view of the relatively small Commonwealth payments to South Australia and Tasmania in recent years, this is very hard to understand.

The Commonwealth is aware of the State's need for capital and has in fact recognised this need to a limited extent,

but at the same time it refuses to acknowledge the drain on our loan funds as the result of heavy expenditure on drought relief.

There is neither rhyme nor reason in the Commonwealth's attitude to the drought in this State and I can see no justification whatsoever for the Prime Minister's refusal to grant aid to Western Australia.

Conclusion

That concludes what I have to say on the main items in the General Loan Fund Estimates and on the highlights of the total works and housing programme.

This is the first time that the annual programme will reach the \$200,000,000 mark—in fact it will exceed \$202,000,000. This is yet another milestone in the story of Western Australia's growth in recent years.

The capital budget for the year has been carefully prepared and I believe it is a well-balanced programme. Special effort has been made to further community and social welfare, particularly in the fields of education, housing, and medical services, while at the same time continuing to provide those facilities and services that are essential to continued economic growth and development.

I now turn to the main purpose of the Bill, which is to appropriate from the General Loan Fund the sums required to carry out the capital works detailed in the Estimates. The Bill also makes provision for the grant of supply to complete requirements for this year.

Supply of \$30,000,000 has been granted already under the Supply Act, 1970, and further supply of \$46,769,000 has been allowed for in the Bill now under consideration. This total of \$76,769,000 is to be appropriated for the purposes and services expressed in a schedule to the Bill.

As well as authorising the provision of funds for the current year, the Bill seeks ratification of amounts spent during 1969-70 in excess of the Estimates for that year. Details of these excesses are given in the relevant schedule to the Bill.

I would like to thank members for a very patient hearing. Considerable detail has been given and I think the information will be of benefit to members when they get their copies of *Hansard*.

I again pay tribute to the hard work done by the Treasury and officers of all other departments in compiling the information which I have given in this Chamber today. I now table the Estimates of the expenditure of the Government of Western Australia from the General Loan Fund for the year ending the 30th June, 1971.

The General Loan Fund Estimates, 1970-71, were tabled.

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

Sitting suspended from 6.15 to 7.30 p.m.

APPROPRIATION BILL (GENERAL LOAN FUND)

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

CIVIL AVIATION (CARRIERS' LIABILITY) ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Second Reading: Budget Debate

Debate resumed from the 24th September.

MR. TONKIN (Melville—Leader of the Opposition) [7.34 p.m.]: We all listened very intently when the Treasurer delivered his Budget which he was pleased to call a community welfare budget. He is entitled to put his own name to it, but I think it might more appropriately be termed the curate's egg budget.

Sir David Brand: Not on your life! That is a matter of opinion.

Mr. TONKIN: To the extent that the Budget eases taxation—

Sir David Brand: That is very important.

Mr. TONKIN: —and increases assistance to extend social services, it is very good; but its failure to present the true and exact financial position of this State and to make adequate provision for the assistance of the rural economy is bad.

The Treasurer said that his Budget reflects a careful stocktaking. I think it does anything but that. Last year the deficit was \$711,858 and in my opinion it should have been at least \$7,000,000. Because the State did not meet that amount out of last year's revenue, it is under an obligation to meet a debt of almost \$6,000,000 out of revenue this year, and no provision has been made for it. I refer to an undoubted obligation on the part of the State to repay to a large number of people in Western Australia the receipts duty which was collected from January, 1967, to the 18th November, 1969, and which was not at all exligible as I think I can prove conclusively as I proceed.

On my calculation the sum amounts to at least \$6,000,000 receipts duty collected in connection with goods manufactured or

produced in Australia, which duty was declared by the High Court to be invalid. No provision has been made in the Budget for this year for the repayment of that sum. I ask the Government: Is it its intention to repay the money, or does it expect to keep the money with regard to some taxpayers, whilst allowing other taxpayers to refrain from paying the duty? If the Government adopts that attitude we will have the situation that the big people, the big operators, who have substantial financial resources and access to top legal opinion will escape payment of the duty, whereas the small people—those who are afraid because they have not the resources to take on the Government—will lose their money when they are entitled to have it back.

Sir David Brand: They will have to pay up to the 1st October if this law is validated.

Mr. TONKIN: Oh, yes; but only from the 18th November, 1969, to the 1st October. That leaves untouched the period from January, 1967, to the 18th November, 1969, over which the Government has received receipts duty.

The Government is either morally or legally bound to make refunds, or it is both morally and legally bound to make refunds; and I think it is both morally and legally bound to do so. Let us take the first case which gives us a line on this situation. I take this information from page 360 of the *Australian Law Journal* reports, volume 143, No. 9, of the 30th September, 1969. It is reported that Hamersley Iron Pty. Limited, a company incorporated in Victoria and registered in Western Australia as a foreign company, gave notice to the Government in January, 1967, under section 99A (1) of the Stamp Act that it elected to pay duty under that section instead of under section 99A (2). It further informed the Government that as from the 1st February, 1967, until the 16th October, 1967, it was prepared to pay the duty.

Then it cancelled the notice on the 16th October, 1967, under which it made returns under section 99A (1), but in those returns it had not, at any time, included amounts received outside Australia in payment for supplies of iron ore, and it paid no duty on those amounts. The approximate amount of the sales was \$25,000,000, and the estimated amount of duty not paid was \$25,000. The company ceased to pay any duty at all from the 16th October, 1967, to the present time.

So, while the little people were paying their duty regularly and submitting their returns, the great Hamersley Iron company, with its tremendous resources, was not paying receipt duty. There is no question of a refund here; the company has the money. The Government is not

facing any problem as to whether it has to refund to Hamersley Iron an amount of receipt duty from the 16th October, 1967, to the 18th November, 1969, because the company did not pay any.

Are we to be content with a situation where a large financial company such as that does not pay—and I hasten to say it was not liable to pay—whereas the little people—and there are thousands of them—will not get their money back; money which they were not legally bound to pay?

Let us have a look at the second illustration, and I quote from the *Australian Law Journal* reports of the 27th February, 1970, page 99, volume 44, No. 2. This refers to Chamberlain Industries. This company forwarded to the Commissioner of Stamps a statement covering receipts for the month of October, 1969, revealing, as the total received, the sum of \$422,980; but, relying on the decision in the Hamersley Iron case, it declined to pay the duty, which amounted to \$422.98. This was done deliberately with the knowledge of the Government, in order to provide a test case before the High Court to determine to what extent the judgment in the Hamersley Iron case affected the receipt duty being paid in the various States of the Commonwealth.

Sir David Brand: There was a test case in Victoria, too.

Mr. TONKIN: That is right, and the High Court decided that the Victorian case was a better one on which to give a decision. So with regard to this duty there is no question of refunding it, because the company never paid it. So here we have Hamersley Iron, which has its money, and Chamberlain Industries, which has its money, because I assume that company never paid any duty after the High Court decision. There is no question of the Government refunding money to them, but the little people who believed they were liable to pay, apparently are not to be refunded anything.

So it seems to me that, having regard to the two court decisions—the decisions in regard to Hamersley Iron and Chamberlain Industries—and the fact that those companies have the money which they were not liable to pay to the State, the State is morally bound, anyway, to put all the other people in the same position.

Mr. Court: I am just trying to follow the logic of your argument.

Mr. TONKIN: If the Minister will listen a little longer, he will be able to follow it.

Mr. Court: One point I cannot follow up to this stage is that you are assuming, I gather, that the Commonwealth Government would have no power to go back and make the receipts duty retrospective.

Mr. TONKIN: I am not assuming that at all.

Mr. Court: Your argument is based on that—

Mr. TONKIN: No, it is not.

Mr. Court: —because these people will get caught when the Commonwealth Government goes right back to the beginning of our tax.

Mr. TONKIN: There is no possibility of its doing so.

Mr. Court: Why not? The Commonwealth will go back on its word if it does not.

Mr. TONKIN: Oh no, it will not! The Commonwealth has already made one attempt, without protest from any State, to make good its undertaking to the States. It introduced a Bill providing for retrospectivity only to the 18th November, 1969. If the Commonwealth Government had any intention of attempting to validate the imposition of the tax covering the period the 1st January, 1967, to the 18th November, 1969, its initial legislation would have provided for it, but it did not. It provided only for retrospectivity to the 18th November, 1969. That was the only promise that was made, and not a single State raised the point at the time and said to the Commonwealth Government, "What about the period from January, 1967, to November, 1969?"

Of course, what has escaped the notice of the Minister for Industrial Development is that this tax was not imposed in every State at the same time, and so if any attempt is to be made by the Commonwealth Government to cover the full period from January, 1967, to November, 1969, the Prime Minister could not say, "I will impose it for this period in Western Australia, for a different period in New South Wales, and a different period in Tasmania," because the situation would not permit it.

So there is no possibility—apart from the fact that the Commonwealth Government, in its initial attempt, did not try to do this—of any retrospective legislation being introduced to cover the period with which I am dealing.

I have outlined the moral position. Now let us look at the legal position, because it is necessary to understand this to see how conclusive is the case that there is a legal obligation on the State to repay. The case of *Marsh v. the Shire of Serpentine-Jarrahdale* was taken in the court on a by-law which the Crown Law Department assured the shire was perfectly legal. The by-law provided for the charging of license fees for quarrying. The High Court ruled that the by-law was invalid and the shire had no right to charge license fees. Immediately one of the big

operators—none other than Bell Bros.—applied to the Shire of Serpentine-Jarrahdale for a refund of the license fees it had paid from 1961 to 1966. This case went before the late Justice Negus, who found against Bell Bros.

The case then went to the Full Court which upheld the decision of Justice Negus and found against Bell Bros. The matter later went to the High Court and the High Court decided that Bell Bros. were entitled to the whole of the license fees they had paid during the full period prior to the decision—and that is important—that the by-law was invalid and the total amount of fees was \$1,686.02.

I have in front of me a transcript of the findings of the judges in connection with this case and I propose to quote some short extracts to illustrate the view which was expressed unanimously. I quote from the *Australian Law Journal* reports of the 30th January, 1970, so it is right up to date. It refers to the case of Bell Bros. Pty. Ltd. *versus* the Shire of Serpentine-Jarrahdale, which was before Chief Justice Barwick and Justices McTiernan, Kitto, Menzies, and Windeyer. There was a unanimous decision in favour of Bell Bros. I propose to quote short extracts of what the various judges said. One of the matters considered was the circumstances in which moneys paid as and for taxes can be recovered upon its turning out that the moneys were not exigible. Chief Justice Barwick said—

The applicant seeks special leave to appeal against a judgment of the Full Court of the Supreme Court of Western Australia dismissing its appeal to that Court from a judgment of a single judge of that Court which dismissed its claim to recover fees paid to the respondent for licenses to quarry on private land within the local government area controlled by the respondent. The applicant's claim was that the respondent had no authority to demand such fees for the grant of such licenses without which the applicant could not lawfully quarry on such land.

The Chief Justice said further—

I entirely agree with my brother's reasons for that conclusion and agree that the payments by the applicant were obtained by that kind of extortion commonly covered by the description of payments exacted *colore officii*.

Justice McTiernan said—

Moneys unlawfully demanded by the defendant *colore officii* and paid by the plaintiff involuntarily in that it was illegally exacted from the plaintiff by the defendant as the condition of a license . . .

Let me interpolate and say that the taxes to which I am referring were illegally demanded by the Government, because it was proved that that section of the Act under which receipt duty was being demanded under pain of a penalty of a fine and payment of double tax was invalid. Accordingly the Government was illegally demanding the money. That is precisely the situation explained in the following words of Mr. Justice McTiernan:—

Moneys unlawfully demanded by the defendant *colore officii* and paid by the plaintiff involuntarily in that it was illegally exacted from the plaintiff by the defendant . . .

Sir David Brand: It was not so clear in the first High Court case when the decision was by a very narrow majority.

Mr. TONKIN: That was quite different.

Sir David Brand: It is the same principle.

Mr. TONKIN: It is entirely different. Let me refresh the Premier's mind on this question. The question determined by a majority decision was whether this duty was a duty of excise or not and subsequently this majority decision was the subject of appeal by the State, which was disallowed. So the judgment stands and cannot be upset.

Sir David Brand: It is still not by a unanimous decision.

Mr. TONKIN: That makes no difference.

Sir David Brand: It certainly does.

Mr. Bertram: How?

Sir David Brand: For the simple reason that it is not a unanimous decision. Some of the learned judges have given a different decision.

Mr. Bertram: That does not matter.

Sir David Brand: I am pointing out that there are some learned judges of a different opinion.

Mr. TONKIN: I am trying to deal with the legal situation. I have already dealt with the moral obligation on the Government to repay the money and I am now dealing with the legal position. We start with the fact that part of the receipts duty was declared invalid and is in fact invalid—whether it was by unanimous decision or majority decision does not matter. An application for appeal was refused, and there is no further avenue for appeal.

Sir David Brand: That is right.

Mr. TONKIN: So it stands. Now we have a situation which places the matter on all fours with the situation in the Bell Bros. case, which is that the law under which the State demanded payment was an invalid law and, therefore, the payment

was exacted illegally. That is the whole point. Justice McTiernan went on to say—

I am of the opinion that it is enough in a case such as the present for the plaintiff to show the relationship of the parties. This case falls squarely within the dictum of Abbott, C. J. in *Morgan versus Palmer*, (1824). "It has been well argued that the payment having been voluntary, it cannot be recovered back in action for money had and received. I agree that such a consequence would have followed had the parties been on equal terms. But if one party has the power of saying to the other 'That which you require shall not be done except upon the conditions which I choose to impose', no person can contend that they stand upon anything like an equal footing," to which Bailey J. added: "I entirely agree with the observations of my Lord Chief Justice, which show, that payment was by no means voluntary".

Let us see what Justice Kitto had to say. He said—

On the 4th November, 1966, this court, in litigation to which the plaintiff was not a party, held that although by-law 1 forbidding any excavating without the defendant's licence was valid by-law 7 was invalid, and that consequently the respondent had no authority to charge fees for licences under the by-laws: *Marsh v. Shire of Serpentine-Jarrahdale*, (1967). Thereupon the applicant demanded the return of the moneys it had paid as fees under by-law 7. Being met with a refusal, it sued the respondent for moneys had and received, basing its claim upon alternative propositions: (1) that the payments had been unlawfully exacted by the respondent *colore officii*, and (2) that they had been paid by the applicant and received by the respondent under a mutual mistake of law and were recoverable by force. The trial judge and the Full Court rejected the claim, and the applicant now seeks special leave to appeal from the Full Court's judgement.

I need not discuss the second of the applicant's propositions, for in my opinion the claim should have succeeded upon the first.

Let me read again for clarity the first proposition upon which Mr. Justice Kitto relied: that the payments had been unlawfully exacted by the respondent *colore officii*; or, to put it in common language other than language used by lawyers, the shire had requested the payment of a license fee when it had no legal right to do so.

To go back to the receipts duty about which I am speaking, the State had exacted a receipts duty when it had no legal right to do so. If there is any distinction, I would like to have it pointed out to me. Mr. Justice Kitto did not regard it as necessary to go any further; he simply said that the money had been illegally exacted.

This further quotation from page 29 of the *Australian Law Journal* reports of the 30th January, 1970, is very pertinent—

The right of recovery after a demand *colore officii* rests upon the assumption that the position occupied by the defendant creates virtual compulsion, where it conveys to the person paying the knowledge or belief that he has no means of escape from payment strictly so called if he wishes to avert injury to or deprivation of some right to which he is entitled without such payment.

Mr. Justice Windeyer had this to say, and I quote from page 29 of the same journal—

A plaintiff's right to recover in an action for money had and received such as this depends upon proof that the moneys were paid by him involuntarily, that is, as the result of some extortion, coercion or compulsion in the legal sense. "Exactions *colore officii* are a form of extortion". It seemed to me that the payments there in question had not been made simply as the result of demands made *colore officii* in the strict sense. Rather they were made, I thought, as the result of fears based on the seeming authority of a statute.

I would say that the payments made by the little people in this State under this invalid law were made by them as the result of fears based on the seeming authority of the Statute, because the Statute provided for a substantial fine and double tax if they did not pay this duty under this invalid law. That is the test, precisely as it was in the *Bell Bros.* case.

If any member wants to study the matter further—I think it is worthy of study, and the Government ought to study it a great deal—I refer him to a book entitled *The Law of Restitution* printed in 1966, and compiled by Goff and Jones. This book gives a long list of illustrations similar to the ones I have already given. In my view it leaves no doubt whatever as to the legal obligation of the State to repay this money.

I go back to this: Is Hamersley to be allowed to retain hundreds of thousands of dollars which it has not paid, when the little people of the State—such as the small storekeepers scattered all around the place, and possibly hundreds of farmers—will lose their money, because

they were afraid to withhold the payment of it? The situation is that Hamersley was not afraid to withhold the money. In fact it withheld hundreds of thousands of dollars which the State did not collect, and which Hamersley will keep. The State cannot expect to collect that money in any shape or form, because there is no possibility of any retrospective legislation being passed to validate this.

Then we have the case of Chamberlains which from October, 1969, paid no duty. It did not pay the duty from October. I assume that without knowing; because, having obtained a decision in its favour, it would be foolish for the firm to pay. Therefore I assume it did not pay any duty in November, 1969. If the Commonwealth passes legislation to be retrospective to the 18th November, 1969, then all taxpayers, including Hamersley, will have to pay the tax applicable between the 18th November, 1969, and the 1st October, 1970.

However, that is not the point with which I am dealing. I am saying that without any doubt at all there is both a moral and a legal obligation on this State to repay a sum which I estimate to be \$6,000,000.

Sir David Brand: And all other States?

Mr. TONKIN: I cannot argue in respect of the other States; I can only argue for the people of Western Australia.

Sir David Brand: It is all the same law.

Mr. TONKIN: That is the part that concerns me very much indeed.

Sir David Brand: It is exactly the same law.

Mr. TONKIN: It is an obligation which is known at the present time. Any examination of the position will establish that the Commonwealth will not introduce retrospective legislation to cover the period, and therefore we have a situation where if the Government does nothing it will allow Hamersley and some other parties to get away with hundreds of thousands of dollars, whereas the little people of the State will be deprived of their money. Once when I raised this question I heard the Premier say that the people had paid voluntarily and without protest.

Sir David Brand: They did, too.

Mr. TONKIN: There is no refuge in that for the Government —

Sir David Brand: I am not seeking refuge.

Mr. TONKIN: — because in the Bell Bros. case it was one of the admitted facts that the license fee was paid voluntarily and without protest, in the belief that the by-law was valid.

However, when the Marsh case decision proved the by-law was invalid, Bell Bros. applied for their money and obtained it. All of it was refunded. Why should the

Shire of Serpentine-Jarrahdale be in the position of having to refund money which it illegally collected, if there is no such obligation on the Government in the same circumstances?

The point I want to make is that the liability exists now, in this financial year. There is no escape from it so the Budget ought to make provision to pay it. If it does not, then it means next year's Budget has to face it, and having regard to the possibility of a change of Government, because Governments do change —

Mr. Williams: Not very likely!

Several members interjected.

Mr. TONKIN: I am making no forecast. What I am saying is that it is a possibility and I want to know whether it is a reasonable proposition that a debt which is existing now should be handed on and be met out of next year's Budget.

I say there is both a moral and a legal obligation on the Government to pay the money now, but all it has done is to forward to those people who have asked for their money back, notes containing the information that the matter has not yet been decided. When is it going to be decided? On what basis? If it could be expected that the Commonwealth would provide the money for the State, or introduce retrospective legislation, the situation would be different; but there is no possibility of retrospective legislation covering this period—none whatever. So the liability exists at the present time.

The Premier mentioned some figures concerning education and said there is to be an increase of some 16.3 per cent. over the expenditure for last year. I studied the expenditure of the Education Department for last year in the Public Accounts where it is stated that the expenditure was \$68,649,000, and the proposed expenditure is to be increased to \$79,760,000. Those are the figures quoted by the Premier.

However, when we look at the actual expenditure on education, we find the figures do not tally with those. I assume that the use of the words "in all stages of education" indicates that everything has been roped in; that is, allowances in various directions, provision for the Institute of Technology, the University, and so on. I do not quarrel with that as it is a reasonable proposition if one says that the total expenditure for anything to do with education is to be a certain amount.

But if we look at the figures in the printed pages to which we can refer, without knowing what else is provided, we find the printed Estimates show that the expenditure for 1969-70 was \$55,839,110, and the estimated expenditure for 1970-71 is \$64,230,000. The University estimates indicate the expenditure for 1969-70 was

\$541,932, while the estimated expenditure for this year is \$543,535, which is an increase of less than \$2,000. The expenditure for kindergartens in 1969-70 was \$319,000, while the estimate for this year is \$391,000. The expenditure for tertiary education in 1969-70 was \$49,920, and the estimated expenditure for 1970-71 is \$108,000.

Mr. Lewis: Of course, there is the Commonwealth contribution as well.

Mr. TONKIN: I had no access to any information which would give me that, and I am hoping that someone, at some stage—possibly the Minister when he is speaking on his estimates—will reconcile these figures. Search as I would through the Budget papers made available to Parliament, I could not reach the totals which the Premier gave. I am not saying they are not the correct figures, but I find it impossible, from the information made available to Parliament, to arrive at those figures.

I consider the Government might well have increased still further the boarding allowance to country children who cannot get their education if they remain at home, and who thus have to go to country high schools and live in hostels. The small amount of \$1.50 per week which is to be provided will not go anywhere near the cost of educating these country children; and there is a special reason why greater emphasis should be placed upon it now.

Previously more opportunities were available in the country for the children of country people. However, with the downturn in the country economy, fewer opportunities exist and the children of country people must face the probability that they will have to come to the city for employment where they will meet greater competition. Therefore it is more necessary than ever that their standard of education should be as equal as we can make it to that of the children in the city in order that they might have a reasonable chance of getting jobs in competition; and \$1.50 a week towards paying for these children in hostels—

Mr. Lewis: This is extra on top of what they are getting now.

Mr. TONKIN: That is right.

Mr. Lewis: As long as that is clear. You sound as though they are getting \$1.50 only.

Mr. TONKIN: What will they get?

Mr. Lewis: This is something extra.

Mr. TONKIN: What will they get? The Minister should know, or does he not?

Mr. Craig: You have been talking of \$1.50 all told.

Mr. TONKIN: I think it is completely unrealistic and ought to be increased.

I want to say a little about the rural economy. The drought relief voted from revenue for 1969 was \$1,000,000. The expenditure was only \$770,083. I think the whole \$1,000,000 could very well have been expended because the need was there.

Mr. Lewis: They get \$3 now—the lowest—and this will give them an extra \$1.50.

Mr. TONKIN: Are we back on education now?

Mr. Lewis: I misinterpreted your question before, but now I understand what you were driving at.

Mr. TONKIN: What is the position?

Mr. Lewis: The lowest boarding-away allowance is equal to \$3 a week and they will get a lift of \$1.50—an increase of 50 per cent., in short; that is the lowest.

Mr. TONKIN: Is that quite right, because previously they were getting 50c and that is increased to \$1.50? I do not think the Minister's figures are right even yet.

Mr. Lewis: Do not mix up the subsidy to parents for boarding allowance and the subsidy to hostels.

Mr. TONKIN: The subsidy previously was 50c.

Mr. Lewis: And it is now \$1.50.

Mr. TONKIN: That makes a difference of \$1.

Mr. Lewis: It is \$1 extra there.

Mr. TONKIN: That is right.

Mr. Lewis: But the boarding allowance has also been jacked up

Mr. TONKIN: To come back to the theme on which I had embarked, I was saying that the drought relief provided for in the Estimates last year, which we were led to believe would be expanded, was \$1,000,000—and I think I made the remark that \$1,000,000 would not go far enough. Of that amount the Government has spent only \$770,083 and the estimated expenditure from revenue for this year is only \$350,000.

I understood it was highly probable that because of the drought last year in many cases the real effects would not be felt until this year, despite the fact that in many of the areas which suffered badly last year we can expect much better crops this year. I do not believe that \$350,000 from revenue is an adequate provision, more especially as the Government recently applied to the Commonwealth for a very substantial sum of money. This afternoon I heard the Premier complaining about the attitude of the Commonwealth Government in refusing to give relief to the State. Surely we have weakened our case if we provide less for drought relief this year than we actually expended last year.

Sir David Brand: No-one could compare this year with last year, with respect to drought conditions.

Mr. TONKIN: I am not comparing.

Sir David Brand: Then you must compare the conditions.

Mr. TONKIN: I am dealing with the fact that the State Government recently put a strong case to the Commonwealth Government for substantial financial assistance, and the answer from the Commonwealth was that it believed the State might well look after itself in this regard. The Government has cut in half the amount of drought relief which was provided from revenue.

Mr. Bovell: One must not ignore the loan allocation.

Mr. TONKIN: In connection with rural economy, I was very interested in a recent statement made by the Federal Minister for Primary Industry (Mr. Anthony) which was reported in *The West Australian* of Saturday, the 3rd October. The report was headed "Rural debt plan urgent—Anthony." The report stated that debt consolidation and provision of terms longer than now available was very necessary. That is what we have been trying to tell this Government for months. What the Minister for Primary Industry said confirms the view which we have held over a long period.

Sir David Brand: There is nothing original about that; it is a question of having the money to provide the help.

Mr. TONKIN: I suggest this will not cost the Government any money. I suggest the Government has a look at the Mortgagees' Rights Restriction Act, No. 19 of 1931, which was introduced for the purpose of dealing with a situation very similar to that in which many primary producers find themselves today. I will quote from subsection (2) of section 2 of the Act, as follows:—

For the purposes of this Act, such an agreement for sale as aforesaid shall be deemed to be a mortgage of the land to secure payment of the unpaid purchase money and interest thereon and the fulfilment of the conditions set forth in the agreement, and the word "foreclosure" in this Act shall be deemed to include the cancellation or rescission by the vendor of any such agreement as aforesaid by reason of the purchaser's default and the determination of forfeiture for such reason of the purchaser's rights to or in any land comprised therein.

We know that a number of primary producers—if not already in trouble—will surely be in trouble because of the absolute certainty that banks and stock firms will be revaluing the assets which they hold as securities for money advanced. Because

of the depressed state of the rural economy the value of properties has seriously declined, and I believe that when the revaluation takes place the equity against which advances have been made will be so substantially reduced—and in many cases will be caused to disappear—that farmers will find themselves with demands upon them to repay portion of their overdrafts. However, those farmers will not have the resources from which to get the money.

I was very disturbed to read in *The West Australian* recently where a certain farmer confirmed a reported statement of Mr. Elphick, of the Country Party, to the effect that the Rural and Industries Bank had declined to make further advances unless farmers placed their properties on the market. I noticed where the Chief Commissioner of the Rural and Industries Bank denied this, so I do not know whether or not that is the position. However, after Mr. Elphick made the statement, a farmer—not necessarily one of those to whom I have already referred—went to the Press and said such a statement had been made to him.

I have to assume that if such statements were made—and I will say quite clearly I do not know whether or not they were made, because on the one hand there has been an assertion and on the other hand a denial—they would be reflecting Government policy. Such statements could not be made without Government agreement.

Mr. Bovell: What are you talking about? Business banking?

Mr. TONKIN: Has the Minister been asleep?

Mr. Bovell: No.

Mr. TONKIN: If he has not been asleep he would know what I am talking about.

Mr. Bovell: The business of banking is absolutely divorced from interference by the Government.

Mr. TONKIN: Oh yes!

Mr. Bovell: Yes; the individual dealings of banks with clients are absolutely divorced from Government interference.

Mr. TONKIN: What a lot of nonsense!

Mr. Bovell: It is not a lot of nonsense. I, as Minister, have been statutorily responsible for a period of 12 years.

Mr. TONKIN: I do not care whether the Minister was responsible for 500 years.

Mr. Court: If the business was not divorced from Government, there would be no customers.

Mr. Bovell: Of course, that is the case, and I have said that in this House a hundred times.

Mr. TONKIN: What does the Minister mean by, "divorced from Government"?

Mr. Bovell: No Minister interferes with the business of banking in connection with dealings with individual clients.

Mr. TONKIN: Is the Minister saying the Government is not aware of the policy which the bank follows? Is he saying that?

Mr. Bovell: The question of administration —

Mr. TONKIN: I repeat: Is the Minister saying that the Government is not aware of the policy which the bank follows?

Mr. Bovell: Regarding the administration of the bank, yes.

Mr. TONKIN: I will pose a question to the Minister, through you, Mr. Deputy Speaker: Does the bank put the policies which it adopts into operation without advising the Government of its intention?

Mr. Bovell: The bank —

Mr. TONKIN: Answer the question.

Mr. Bovell: I am not in the dock; I will say what I think.

Mr. TONKIN: I did not ask the Minister to butt in.

Mr. Bovell: But I had to correct your statement.

Mr. TONKIN: Of course, and then refused to answer my question.

Mr. Bovell: A bank's administration of its general banking system is completely outside the control and direction of the Government.

Mr. TONKIN: I have never, at any stage, said it was not.

Mr. Bovell: I give up!

Mr. TONKIN: What I am saying is that if the bank is putting into operation the policy I have mentioned the Government has been aware of it.

Mr. Court: But has not the chief commissioner denied this?

Mr. TONKIN: I have already said that, on the one hand, there has been an assertion and, on the other hand, a denial.

Mr. Court: The Leader of the Opposition is disputing the word of the commissioner and I take his word.

Mr. TONKIN: I am not disputing his word any more than I am disputing the word of the farmer.

Mr. Court: You are throwing mighty doubt on it.

Mr. Bovell: And the Leader of the Opposition is charging the Government with directing the bank to carry out its policy.

Mr. TONKIN: I never said that, either. To put the matter clearly on record, and to give the Minister the opportunity to clarify it if he wishes, what I am saying is that it is my belief that if the policy has, in fact, been adopted it is with the knowledge of the Government and without any protest from it.

Mr. Bovell: The chief commissioner of the bank has said that it has not been adopted. Neither the Minister, nor the Government, knows anything about it.

Mr. TONKIN: For the time being we will leave it at that point.

Mr. Ross Hutchinson: A fortress of infallibility!

Mr. TONKIN: On this question of the rural economy, it is extremely interesting to read once more the ideas put forward by the Minister for Industrial Development. The Minister attended the annual meeting of the Moore division of the Liberal Party in Wyalkatchem in April of this year. According to the Press, this is what the Minister for Industrial Development told the farmers—

Individual farmers should sit down and consider their position very carefully. World prices were making the lot of the small farmer progressively harder. Older farmers with a small farm could consider staying till pension age.

The Minister's suggestion for dealing with this situation was that older farmers should sit down where they were until they became eligible for the old-age pension.

Mr. Court: I don't think I said quite that.

Mr. TONKIN: Let us look at the possibility of their being able to sit on their farms.

Mr. Bertram: What do they eat?

Mr. TONKIN: If these farmers have had an advance from one of the stock firms or one of the banks and as a result of the revaluation, which I forecast, their equities have disappeared, how long will they be allowed to sit on their farms?

Mr. Lewis: What would the Leader of the Opposition suggest the banks' attitude would be in that case?

Mr. TONKIN: I am suggesting that the attitude of the Government should be to re-enact the Mortgagees' Rights Restriction Act to stop lenders from foreclosing so that the farmers have a chance to sit on their farms.

Mr. Lewis: Is the Leader of the Opposition suggesting that the banks would foreclose on a wholesale scale?

Mr. TONKIN: No, but I am suggesting that several steps will be taken. When the banks find that they no longer have the equity to cover advances made they will ask for a reduction in overdraft. That will not be anything new.

Mr. Lewis: And if they do not get it, what then?

Mr. TONKIN: Then they will foreclose. This would be nothing new, either. Let me tell the Minister that it has already been done.

Mr. Lewis: It might have been done, but not on a wholesale scale. Perhaps there are one or two instances, but it will not be done on a wholesale scale. That

mistake was made in 1930 and it will not happen again because we cannot afford the situation to occur again when no-one is on farms to take care of regrowth, etc.

Mr. TONKIN: The Minister for Industrial Development made a further statement which is interesting.

Mr. Court: I think I should send the Leader of the Opposition a full copy of my speech. It would make interesting reading if he promised to quote the whole of it.

Mr. TONKIN: If the Minister does as much to make good that undertaking as he did a long time ago, I will not get anything.

Mr. Court: I do not know what that was.

Mr. TONKIN: I remind the Minister that I was curious about a speech he made when he went to Europe.

Mr. Court: The Leader of the Opposition may have a copy of any speech I made in Europe. Which one does he want?

Mr. TONKIN: This was several years ago and the Minister promised to give me a copy.

Mr. Court: The Leader of the Opposition may have a printed copy with the compliments of the conference I attended. I will even autograph it, "Dear Jack."

Mr. TONKIN: If the Minister does as much as he did before, I will not get anything. However, after that pleasant interlude—

Mr. Court: Thank you. I feel flattered.

Mr. TONKIN: —let us have some more of the wisdom of the Minister for Industrial Development. The article says—

Mr. Court said that part of the trouble in the industry was that farmers had faced an average rise in their own costs of about 2.5 per cent each year for the last decade, while the prices they received had remained static or fallen.

The problem was made worse by drought.

Surely he was not telling them anything they did not know. The Minister said—

I think the State Government has a particular responsibility to assure the people who go on new land that the Government releases in future are truly capable of creating economic farm units.

I think the Government should be careful about releasing more land in view of the fact that so much has been already released and restrictions have been placed on wheat production through quotas. I do not think that is any solution at all.

Mr. Bovell: We are not releasing land for wheat production.

Mr. TONKIN: Has the Minister woken up again?

Mr. Bovell: I always know when the Leader of the Opposition is rattled, because he gets abusive.

Mr. TONKIN: When I am rattled? That will be the day!

Mr. Court: We have seen it before.

Mr. Bovell: The Leader of the Opposition does not often become abusive but he does so when he is in a corner.

Mr. TONKIN: Now we shall see how much the Minister knows about home building.

Mr. Bovell: I am talking about land releases.

Mr. TONKIN: I have finished with that subject. I cannot talk on it all night.

Mr. Bovell: I finished the Leader of the Opposition off.

Mr. TONKIN: I should say that I have finished with the subject for the time being—at least until I look at the diagrams which the Minister will produce.

Mr. Bovell: The Leader of the Opposition knows that we have to search the archives for these.

Mr. TONKIN: I do not wish to talk until midnight unless the number of interjections makes this necessary. On the subject of home building, I believe the Premier made the understatement of the century. He said that the home building industry was in a hesitant mood. I'll say it is!

Mr. Fletcher: So are the builders.

Mr. TONKIN: It is absolutely impossible to follow statements made on behalf of the Government in connection with home building. The Minister for Housing is reported in *The West Australian* of the 30th April under the heading, "Plenty of Funds."

Mr. Ross Hutchinson: The Leader of the Opposition knows what to think about headings and subheadings. He can read anything into the subprint, but should not take any notice of the headings.

Mr. TONKIN: The Minister is suggesting that I should read the small print?

Mr. Ross Hutchinson: Yes, and have regard for other statements.

Mr. TONKIN: I shall read the small print to see whether it supports the heading.

Mr. Ross Hutchinson: Everyone knows about the quality of the headings in newspapers and how misleading they can be.

Mr. TONKIN: Let us disregard the heading. The fine print says—

Though permanent building societies were sensibly adopting a wait-and-see attitude before resuming loan approvals for housing finance, they had plenty of funds.

That statement was made by the Minister for Housing on the previous day. Would that support the heading or not?

Mr. Ross Hutchinson: It may or it may not. I have not read the whole text.

Mr. TONKIN: *The West Australian* of the 10th September carried an announcement from Canberra, "More Building Loans Likely." Another article appeared on the following day under the heading, "More Money for House Loans Soon." Both these announcements are more current than the previous one I referred to. The article under the heading "More Money for House Loans Soon" reads—

W.A. permanent building societies were quickly reducing the backlog of housing loan applications, Mr. W. A. Carran, secretary of the W.A. Permanent Building Societies Association, said yesterday.

I suppose a number of members received a letter from certain estate agents who set out what they thought about the loan position and the availability of money. The letter did not square up with what the Housing Commission has been saying, what the home building societies have been saying, or the notice from Canberra.

According to reports given here, home building in Western Australia was cut by one-third in the three months to the end of June, compared with last year, and it was the lowest quarter since 1966-67. Yet in this situation the Premier speaks about the home building industry being in a hesitant mood.

Sir David Brand: Fair enough.

Mr. TONKIN: I'll say it is hesitant!

Sir David Brand: No, it is not.

Mr. TONKIN: From the start the Government relied upon the private sector to do the job of home building. Prior to the 1968 election, the Premier made a statement in which he said the home building capacity of the State would be brought up to 13,000 houses in the year 1970-71. It is nothing like that figure. In 1968 the Government said the housing situation was critical, that it was the State's most pressing problem. It was so bad that the Premier considered curtailing migration. Since then there has been a substantial falling-off in home building in the private sector, and all the Government itself could build last year was 1,832 home units.

One can easily imagine, therefore, how serious the housing position is for the low-income groups and the people with large families, who have not a hope in the world of purchasing those homes provided by the private sector, and who must rely to a very large extent upon the State Housing Commission to meet their needs.

Mr. O'Neil: What did you say was the prediction for completions in 1970-71?

Mr. TONKIN: It was raised to 13,000 a year.

Mr. O'Neil: In 1969-70, 19,283 houses were completed, which is 6,000 above the estimate predicted for next year.

Mr. TONKIN: I will come back to the estimates under discussion because that figure will be recorded and we can do a few sums. This is what astonishes me: the Premier said that the industry reached a production level slightly in excess of current housing needs. Would the Minister for Housing say that the total production of home units, both by the private sector and the State Housing Commission, has at any stage reached a position above the housing needs of Western Australia?

Mr. O'Neil: The estimated need was about 16,000 completions. I have just told you that last year there were 19,000.

Mr. TONKIN: What is the lag at the Housing Commission?

Mr. O'Neil: We are able to offer accommodation, in certain areas to certain people, to applicants who lodged their applications in June of this year.

Mr. Davies: Flat accommodation?

Mr. O'Neil: That is right.

Mr. Davies: They want houses. They do not want to be 10 storeys up in the air, with three bedrooms and eight children.

Sir David Brand: Have a very good look at this one.

Mr. TONKIN: Will the Premier look at this one?

Mr. Court: The great champion of flats is on your side.

Mr. TONKIN: We have a difficult situation in the private sector, where a lot of houses have been built and the builders cannot sell them. No wonder—because the Government loaded onto those who wanted to borrow money to buy houses another 1½ per cent. if the money cost 10 per cent.

Mr. O'Neil: One area of the private sector is complaining that one of the reasons they cannot sell flats is that the Government is building too many.

Mr. TONKIN: That is another angle. I am now dealing with the situation of trying to get these houses which are already built sold to the people. I am saying very definitely that one of the factors that has made it harder is that the Government deliberately imposed another 1½ per cent. on the cost of money. I am told by people who are trying to borrow money, and who have to do it to a large extent on second mortgage, that they have not a hope of getting any money under 12 per cent. So they all come in for this extra 1½ per cent. impost that the Government has put on them.

That is a fine way to assist the situation! That has no regard at all for the people in need. That does not affect the people with cash who want to buy houses; they draw the money out of the bank and pay the cost. However, if people have to borrow the money—and some of it on second mortgage—the Government deliberately loads onto them another $1\frac{1}{2}$ per cent.

The Government has made quite a substantial reduction in land tax for certain people—a large number of people—and we welcome this. We say it is a step which we have advocated from the start.

Mr. Davies: The Government will re-value next year.

Sir David Brand: You said that last year. You were disappointed that we covered the increased valuation.

Mr. TONKIN: I would like some information on this. The Premier told the House that the cost of the proposed concessions would be \$880,000. The actual receipts for 1969-70 amounted to \$6,932,058. The Premier estimates that for 1970-71 the receipts will be \$7,743,000. So he is budgeting for an increased revenue of \$810,942. He is giving away \$880,000. That is a total of \$1,700,000 extra that has to be obtained from some source. Where?

Sir David Brand: Extra people, and I presume that the Treasury officers have worked this out carefully and based it on sound assumptions and estimates.

Mr. TONKIN: This extra sum which the Premier expects to receive from somewhere else—from land taxation—is an increase of 24 per cent. on last year's collections. Having regard to the fact that he has made concessions which will cost \$880,000, he still intends to take from somewhere, by way of land tax, an additional \$1,700,000. I am very interested to know who is going to pay it.

Mr. Bovell: Well, it will not be the little man.

Mr. TONKIN: It is not as bright a picture as it would appear to be on the surface.

Sir David Brand: The people who are exempt could not be brighter.

Mr. TONKIN: Oh, yes; I am one of them.

Sir David Brand: I was not asking whether you were in it, but I am glad you are. I was saying that the persons who are exempt could not be brighter.

Mr. TONKIN: The point remains that some taxpayers from somewhere in Western Australia are going to pay \$1,700,000 more revenue to the State. I am curious to know just where that money will come from.

Sir David Brand: It could be from the city block.

Mr. TONKIN: It could be; but I would like to know from where.

Sir David Brand: It could also come from unimproved land, of course.

Mr. TONKIN: I want to say one or two words about land prices. I noticed that the Treasurer came out in the Press like little Jack Horner the other day and said, "Look what we have done for land prices."

Sir David Brand: I have never been likened to little Jack Horner before; little Jack Tonkin maybe, but not little Jack Horner.

Mr. TONKIN: He said, "We have solved this problem."

Sir David Brand: I did not say "solved the problem" at all.

Mr. TONKIN: Would the Treasurer like to know what he did say?

Sir David Brand: Yes, I would. Read it out.

Mr. TONKIN: I have it here and, in substance, that is what the Treasurer said. I will trace the steps very briefly. We were urging the Treasurer to take some action and he said there was nothing one could do. Then he went abroad and looked at other countries and, although I am conscious of what the Minister for Works said a moment ago—that is, do not take any notice of headlines—I would like members to look at the headline I am holding up. One cannot mistake that headline, can one? It is, "Premier: No key to land problem." It appeared in *The Sunday Times* of the 10th August, 1969, and the article states—

The Premier, Sir David Brand, returns to Western Australia with the firm belief that rising home and land costs are not a unique W.A. problem.

Sir David Brand: That is true.

Mr. TONKIN: To continue—

He carries with him no new prescription to ease the State's high prices in these fields.

Sir David Brand: That is also true, and quite genuine.

Mr. TONKIN: Further on, the Premier is reported as saying—

"As far as I can see, these basic problems exist in other countries."

Sir David Brand: That is right.

Mr. TONKIN: The article continues—

The Premier believes W.A. does not have "a great deal" to learn in land and housing from other countries.

"But it does one good to see other people tackling these problems, nevertheless, and facing up to them," he said.

Sir David Brand: As we are all trying to do.

Mr. TONKIN: I well remember that whilst this attempt to deal with land prices was in progress, the Treasurer interjected on one occasion to say that we had to have regard to the fact that some people who had paid high prices would suffer if we did anything which would substantially reduce the price of land, because their equity would be reduced.

Sir David Brand: And that includes a lot of people, too.

Mr. TONKIN: That is right. I am trying to reconcile these statements: firstly that one cannot do anything, it is a problem which confronts every country and we have to learn to live with it; then the suggestion, "Well now, prices having got so high we have to be careful we do not reduce them, because many will suffer"; and, finally, the remark the Treasurer, like little Jack Horner, comes out with: "Look what we have done." I do not think the fall in land prices which occurred can be ascribed to any deliberate policy on the part of the Government.

Sir David Brand: It certainly could be.

Mr. TONKIN: I say the Government made a contribution towards the fall in land prices; I give it that credit. However, many other factors were involved at the same time, one of which was the inability of people to get money; and this problem was made more difficult by the 1½ per cent. extra tax imposed by the Government.

Sir David Brand: And a genuine decision on the part of some people not to buy at high prices.

Mr. TONKIN: Within the last two or three days there has been a lot of agitation on the part of owner-drivers of trucks in this State. There has been trouble over fines imposed for the non-payment of road maintenance tax. Some owner-drivers are in real trouble and are threatened with gaol and bankruptcy.

Mr. Norton: Some are in gaol.

Mr. TONKIN: Yes, some are in gaol. In 1966 we passed the State Transport Co-ordination Act. If members look at page 7 of that Act they will see that section 15 makes reference to the Transport Users' Board. Subsection (4) states—

The four persons nominated by the Minister for the purposes of paragraph (b) of subsection (3) of this section shall be persons who, in his opinion, are capable of assessing the financial and economic effect on transport users of any proposed or existing transport policy. . . .

If we now look at section 21 (1) (c) we see that the Director-General of Transport is charged with the duty of making provision for, and supervising, research

in transport planning and operation and in the economics of every form of transport.

Under paragraph (e) the director-general is charged with the duty of—

- (e) investigating, and inquiring into, existing transport services, for the purpose of—
 - (i) ascertaining the need of, and priorities for, the investment therein of public moneys;
 - (ii) determining the adequacy of the service provided to any section of the community or available for any industrial or economic development; and
 - (iii) ensuring the impartial and equitable treatment of conflicting interests.

Now, two of those provisions interest me very much in this present situation. Firstly, the responsibility of the Director-General of Transport to make provision for, and supervise, research in transport planning and operations and in the economics of every form of transport; and, secondly, the charging of the director-general with the duty of ensuring the impartial and equitable treatment of conflicting interests.

There are conflicting interests in this matter. The operators aver that considerable favouritism is being shown inasmuch as big operators are permitted to do things which others are prevented from doing. The operators say, for example, that Gascoyne Traders can load motorcycles, machinery, and all sorts of things into freezer trucks, and when the attention of inspectors is drawn to this practice, they refuse to open the freezer trucks on the pretext that should they do so and some frozen cargo is spoiled as a result, the Transport Commission would be responsible; so they will not take the risk.

This was stated at a public meeting in the Trades Hall last night and the person who stated it said that he had photographs to prove that such goods were being loaded into those trucks.

Mr. O'Connor: Was the fellow a sacked employee of Gascoyne Traders?

Mr. TONKIN: I do not know whether he was sacked; he is an ex-employee of that company.

Mr. O'Connor: Fair enough.

Mr. TONKIN: If he was sacked, maybe it was because he knew too much.

Anyhow, he made the statement publicly in front of some 500 or 600 people, one of them being a representative of the Transport Board, and he said he had the evidence. This would suggest that here is a field for investigation, because it is very unfair indeed if big operators are allowed

to carry, without a permit, something for which the small operators have to pay money to obtain a permit.

The extent of the prosecutions taking place is alarming. The member for Perth asked some questions about this matter in the House in October, 1969. His first question was—

Regarding prosecutions for breaches of the Road Maintenance (Contribution) Act—

(1) What was the total number of prosecutions in the last financial year and the total value of fines imposed?

The answer was—

2,286, for which fines totalling \$66,382 were imposed.

The next question and the answer thereto astonished me. The question was—

How many of these cases were handled by the Crown Law Department and what was the total value of fines imposed in these cases?

The answer was—

Nil.

These cases would be simple and many of them would be undefended, but the Crown Law Department takes none of them. But it is a real bonanza for one single law firm in this State. Listen to this question, Mr. Deputy Speaker! It reads—

What was the total amount of fees paid to private practitioners?

The answer was—

Fees paid to private practitioners during the year totalled \$22,710.

The next question was—

How many private firms were involved?

The answer was—

One.

So the Crown Law Department will not handle these simple cases and it hands all of them to one single law firm which in one year nets \$22,000, which these operators have to pay.

If the Crown Law Department handled the cases the cost would be substantially less and the impost on these people would be substantially less. I suggest that there is a field for research which the Government ought to look into.

Mr. O'Connor: How many people do you think would be involved in doing that work for a total of \$22,000?

Mr. TONKIN: I am concerned about this amount going to a single law firm which gets the benefit of the rake-off from these cases which, if the Crown Law Department handled them, would mean that the cost in each case would be substantially less. That is the point I want to make.

Mr. Burke: If the truth is known, many of the cases would have been handled by a law clerk and not by a lawyer.

Mr. TONKIN: Although the Treasurer made no reference to this in his speech—one could not expect him to deal with everything—the State Government does provide a substantial amount of assistance to the St. John Ambulance Association, and I am wondering why the Government has not told the association that if it does not change its attitude in regard to the instructions given to its drivers the Government will have to do something about it.

Recently the association made a ruling that no ambulance driver may regard any situation as an emergency. He has to observe the speed limit and all other traffic laws at all times, when the Traffic Code provides otherwise. That is the point! In South Australia the ambulance drivers' manual lays down the times when the driver is permitted to use his discretion, and we know full well that the Traffic Code in this State provides for certain emergencies. Here is the funny part about this! From time to time the association holds an examination for people who wish to take on the position of an ambulance officer. The following is question 3 in a recent examination paper:—

During a recent lecture we spoke of the need for Ambulance Officers to exercise care with speed in transport of patients. Name four conditions where speed might be essential and state your reasons why it might be necessary for speed.

That is a question set in the examination paper. From a course which these people are given to study to fit themselves for the examination the following is a quotation from a paper headed, "Theory & Practical—Driving an Ambulance":—

Driving in an Emergency:

When:

The decision to switch on flashing lights and alternating horns and to proceed more quickly than the other traffic is a most serious one. In making it, an Ambulance Driver must realise that he is exercising a right granted him under The Road Traffic Act, when he is driving any motor ambulance in an emergency.

This introduces the need for a definition of urgent. While this word has not been defined by the Courts of Law in this State relating to Ambulances, the Association recognises the following examples as urgent and that quicker transport may be necessary in these cases.

(1) Uncontrollable External Bleeding: It should be extremely seldom that your

attempts to control this bleeding will fail if properly made. Before you decide to drive quickly with such a case, you must be absolutely sure that you have made proper attempts to control the bleeding.

- (2) Severe Established Shock: e.g.
Internal Bleeding.
Multiple Fractures.
Severe Burns.
- (3) Asphyxia: Certain cases only, where you cannot inflate the chest—most cases of Asphyxia respond to treatment by inflating the chest. In these cases, the most important point in transport is to limit speed to that at which the attendant can continue to inflate the chest efficiently. However, the following may be exceptions.
 - (a) Irremovable inhaled foreign bodies.
 - (b) Crushed Chest.
 - (c) Certain Poisons.
- (4) Proceeding to a scene where any of the above may reasonably be expected.

If this were not so serious it would be laughable! Here is the text which the drivers have to study, setting out the emergencies in which they have the right, under the Traffic Code, to increase their speed; to put on their flashing lights; to do the same as the police do and travel on the wrong side of the road and not give way to the right; to do all these things in emergencies. Yet we have the situation where the secretary of the association tells the ambulance drivers not to do these things.

The Government should take a hand in this. Furthermore—I can only say I have been informed of this; I do not know it to be a fact—when the Premier had his collapse and needed attention quickly, the ambulance officers—and I do not blame them—exceeded the speed limit so that he could receive that attention.

Mr. Craig: That was before the association gave the instruction.

Mr. TONKIN: Does that make it wrong now and right then?

Mr. Craig: No, but it was before the instruction was given.

Mr. TONKIN: I know it was.

Mr. Craig: Then why did you not say so?

Mr. TONKIN: Surely the Minister knows that every member in the Assembly is aware that this was a recent decision and that the Premier's collapse took place some time ago.

Mr. Craig: You are implying it was about the same time.

Mr. TONKIN: I am not implying anything.

Mr. Craig: Yes you are.

Mr. TONKIN: Instead of mumbling the Minister should be more articulate.

Mr. Craig: You would hear me whether I was mumbling or not.

Mr. TONKIN: I expect the Government to do something about this matter. What an extraordinary situation we have. On the one hand we are preparing people for an examination and telling them the conditions under which they are entitled to increase their speed, and so on; giving them questions to test their knowledge, and then telling them they cannot do these things.

Mr. Craig: They still do.

Mr. TONKIN: It is time the Government did something about this aspect. I am told that the head centre has no portable oxy viva but a number of the out stations have. What is the explanation for such a position?

I have been informed by a man engaged in this work that in certain circumstances an oxy viva is absolutely essential—one of such occasions is following a motorcar accident when a person is trapped in a motor vehicle, when the need for an oxy viva is urgent and necessary. I am reliably informed that none of the ambulances from the head centre is so equipped and I suggest it is time these ambulances were so equipped.

This is something the Government should look at in the interests of the public, generally, because the public depend on this service. Apart from this latest development, one must say that over the years the St. John Ambulance Association has done a wonderful job with limited resources. The present situation, however, is little short of crazy and it should not be allowed to continue.

I find no provision in the Estimates for setting up either the appeal tribunal for town planning or the ministry of conservation. It takes extra money to run a new department and it also requires extra staff, unless, of course, it is to be a supernumary.

I have looked very carefully and nowhere can I see any provision at all for the appointment of the appeal tribunal which the Premier led the people to believe might be appointed; nor can I find any provision to make good his undertaking with regard to the ministry of conservation. Members will recall that there was a threatened march on Parliament House by people who are vitally interested in this matter and about a week before it was to take place the Government came out with an announcement that it proposed to set up a conservation ministry.

The Government cannot set up a new ministry without its costing something. If the Government intended to do it this year, provision should have been made in the current Budget.

Sir David Brand: Incidental expenses are provided for in all Budgets.

Mr. TONKIN: Surely if the Premier were playing fair by the House and by the country, and he intended to carry out his undertaking this session—

Sir David Brand: The Premier will be playing fair and he will be introducing a Bill in a relatively short time. The detail will be there and I will have honoured my promise; that is all.

Mr. TONKIN: Will it be an entirely new department or does the Premier intend to swell the expenditure of an existing department?

Sir David Brand: I will tell you when I introduce the Bill.

Mr. TONKIN: It would seem that the Premier intends to be secretive.

Sir David Brand: Not at all.

Mr. TONKIN: I am, however, entitled to say what I have—that there is no provision in the Budget for either a ministry of conservation or a town planning tribunal. Would the Premier tell us whether we are to get the latter as well, as he has done in the case of the ministry of conservation?

Sir David Brand: Yes.

Mr. TONKIN: That answers that question and there is no need for any more time to be spent on it.

Having said all I propose to say this evening in connection with the Budget, I think I might sum up by saying that the strongest point in the whole matter is that the Budget is not a careful stocktaking at all. It disregards a very substantial liability, which I hope the Premier will not try to cover under incidentals, as he proposes to do with the ministry of conservation and the town planning tribunal, because the sum involved is much too large to be dealt with in that manner.

I suggest there is both a legal and a moral obligation on the Government to deal with this matter now. The Government has an obligation which it cannot escape. We on this side of the House will not remain silent under a situation where wealthy companies have not paid the duty while the little people have paid it and will not get their money back.

We will continue to remind the Government of the position and let the people know the right situation. I assert here and now that there is no shadow of a doubt from the judgments already given that the obligation is on the State to repay; further, there is no possibility of any retrospective legislation being passed by the Commonwealth to cover the period with which I have dealt.

Mr. Court: If somebody did find a Father Christmas who would refund this money, to whom would it be refunded?

Mr. TONKIN: I can tell the Minister a number of people to whom it would be refunded. First, there would be the people who asked for it.

Mr. Court: They would refund it to the brewery, and what would it do? Would it put a cent on the counter for the people to come and get their beer back?

Mr. TONKIN: That does not enter into it at all. Fancy a Government which paid hundreds of thousands of dollars to the brewery for air space putting up an argument like that.

Mr. Ross Hutchinson: What a red herring that is.

Mr. TONKIN: I have had long experience of Ministers on that side.

Mr. Ross Hutchinson: And you will have a longer one.

Mr. TONKIN: Hope springs eternal in the human breast. What the Minister for Industrial Development tried to do was to insinuate that I am endeavouring to help the Swan Brewery.

Mr. Ross Hutchinson: You are now believing what you want to believe.

Mr. Court: Not only the Swan Brewery, but all the big companies.

Mr. TONKIN: Then why did the Minister select the Swan Brewery?

Mr. Court: It happened to be a convenient example. Let us take Boans, David Jones, or Woolworths.

Mr. TONKIN: My answer is that this is a company to which the Government felt disposed to pay hundreds of thousands of dollars for air space.

Mr. Graham: You take David Jones and I will take the Swan Brewery.

Mr. Court: I was only trying to be helpful!

Mr. TONKIN: I have been conscious of the methods adopted by the Minister for Industrial Development to help members on this side.

Mr. Court: I asked a very simple, straightforward type of question.

Mr. TONKIN: It was simple all right, but it was loaded.

Mr. Court: We could have named Woolworths, David Jones, and many other firms. The question is: what would they do with the money?

Mr. TONKIN: Hamersley Iron has retained the money. Why not give it to the others?

Mr. Court: The people who have not paid comprise a very small proportion of the total.

Mr. TONKIN: Do not run away with that idea.

Mr. Court: What would happen to the money if we did what you want us to do?

Mr. TONKIN: I happen to know a few people who have not paid. I have not used their names in this debate, because there is no documentary proof in connection with the matter. Regarding the two cases I have quoted I have absolute and documentary proof to substantiate what I have said, not only as to the name of the firm but also the sum involved. I am aware, and I have been told directly, of cases relating to other firms which have not paid. I also know the names of many other firms which have asked for the return of their money. This is the situation in which the Government finds itself at the moment, and for which it has not made any provision in its Budget. I say it should have done so.

Mr. Court: It is quite interesting to note that no other State has seen fit to do what you are suggesting should be done here.

Mr. TONKIN: I remember using that argument once with regard to fluoridation, and I was told by the Minister for Works that this State was not interested in what the other States did. If that argument applies in one case, then it applies in all cases.

Mr. Court: I was only making a point.

Mr. TONKIN: Yes, and no doubt it is another attempt to help me! Had it not been for these helpful interjections from the other side I would have finished five minutes ago!

Debate adjourned, on motion by Mr. Mitchell.

BUILDERS' REGISTRATION ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [9.25 p.m.]: I move—

That the Bill be now read a second time.

The principle amendment in this Bill proposes a fundamental change in the concept of the Builders' Registration Act. The original purpose of the Act was to constitute a board with powers to establish standards regarding qualifications and registration of builders and for other purposes connected therewith, including powers of deregistration and suspension for certain offences prescribed in the Act.

The Act envisaged that only competent and reputable people would be entrusted with the erection of buildings and that by denying fraudulent, incompetent, and negligent persons the right to earn their living as builders, the standard of the registered builder would be lifted and maintained at a high level of efficiency.

It has become apparent, however, that over the years the man in the street has come to believe that the board has not only the powers clearly enunciated in the Act, but also has the right to demand of the registered builder remedial work when it is considered such builder has been guilty of incompetence or negligent work.

It is to give legal form to this belief that the amendment contained in clause 2 of the Bill has been designed. The amendment proposes that if the board is of the opinion that any building work carried out by a registered builder has not been carried out in a workmanlike manner, it can order him to remedy his work within a specified time. To protect the builder against unreasonable demands by the board, the builder has the right to appeal to a magistrate of the Local Court against any such order, or any matter contained therein, made by the board.

Any builder who fails to comply with the order, or if varied by appeal, such varied order will be deemed to have committed an offence under the Act and will be liable for a penalty not exceeding \$500. Such penalty will be in addition to the board's powers to deregister or suspend.

Whilst this amendment proposes an alteration in one of the basic concepts of the Act, experience has shown that the power now sought will add to the protection of the public.

Mr. Jamieson: There is remarkable inconsistency on the part of the Minister, in view of his remarks last year.

Mr. Graham: He will hear more of that later on from one or two sources.

Mr. ROSS HUTCHINSON: In regard to legislation which is introduced in this House it is difficult to win all along the line all the time. There are times when some apparent inconsistencies arise in the course of a Minister's work, or out of a Minister's presentation of what he believes to be right at a particular time.

Despite what I have said, it may well be suggested that this additional power for the board does not go far enough, and that the board should have the power to have remedial work carried out by others if the defaulting builder fails to comply with the order, and recover the costs involved from the defaulting builder.

I am not at all sure at this juncture whether any member opposite has appreciated this fact. The Deputy Leader of the Opposition may well feel that this Bill does not go far enough, and that the board should have the power to have remedial work carried out by others if the defaulting builder fails to comply with an order, and to recover the costs from the defaulting builder. Such power could involve the board in transactions beyond its financial capacity, and place it in a situation where there was little, if any, chance of recovery from the defaulting builder.

In my opinion it would be wrong for the board to accept complete responsibility to ensure that all building work was carried out in a satisfactory manner. The board can only finance its operations from fees and penalties, and to extend the board's powers to accept financial responsibility for remedial work could place an onerous burden on the registered builder who has met all his obligations.

It is not good enough to say that the defaulting builder would be able to find the cost involved, because he might well go into bankruptcy. He might do any sort of thing, or indeed he could be suspended. Under those circumstances it would be impossible for him to meet his obligations. It appears to me that in many cases the cost involved would inevitably fall upon the board, with its restricted revenue.

Mr. Graham: You are making heavy weather.

Mr. ROSS HUTCHINSON: I hope to be able to sail through the heavy weather the Deputy Leader of the Opposition is trying to create.

The second amendment proposes that the board should have a right of entry and inspection on any building works being carried out by a registered builder. The board and its paid officers assume this power and the amendment merely seeks to legalise the situation and give protection to the board and its officers in the course of their duties. I have pleasure in commending the Bill to the House.

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

PAINTERS' REGISTRATION ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [9.33 p.m.]: I move—

That the Bill be now read a second time.

The object of this Bill is to amend the existing Painters' Registration Act, 1961-65, in the following particulars:—

- (1) to revise the penalties against unregistered painters carrying on business;
- (2) to strengthen the requirements of the Act, in regard to the registration of a partnership, company, or other body corporate, and to ensure that the registered person nominated by the firm when seeking registration has sufficient authority to manage and supervise the works undertaken by the firm.

In principle, the proposed amendments are not intended to change the intent or scope of the Act, but are for the purpose of

strengthening the Act so that the board will have the powers necessary adequately to enforce the provisions and intent of the Act.

The Act at present makes it an offence for an unregistered painter, otherwise than as a *bona fide* employee, to undertake work exceeding \$100 in value unless he is registered under the provisions of the Act. For an offence against this provision the penalty prescribed was not more than \$20 for a first offence and not in excess of \$100 for a subsequent offence. These penalties by current monetary standards are considered inadequate and not in any way a deterrent. The amendment proposes that the penalty shall not be more than \$100 for a first offence and for a second or subsequent offence not less than \$100 or more than \$200 irreducible in mitigation, and also a daily penalty of \$8 for each day the offence continues after any conviction.

The amendments to the registration of a partnership, company, or body corporate are designed to give the person nominated by the firm adequate authority to control the work of the firm. When seeking registration a firm must satisfy the board that the nominated registered painter has been appointed in such a manner in each particular case as will ensure the proper management and supervision of the painting undertaken. A new subsection ensures as a matter of law that the registration of the firm is effective only while the person nominated to supervise the work continues to be registered.

A new section has been added to make it mandatory for work carried out by a partnership, company, or body corporate to be managed and supervised by a person registered under the Act and to provide that the registered number and name of the supervisor appear on any sign erected on the work or in any advertisement published. This new section is to ensure that the work is adequately controlled. A penalty not exceeding \$100 has been provided for non-compliance.

A registered painter means any person, partnership, company, or body corporate who or which carries out painting. Under the existing provisions of the Act the board may, if it is satisfied that the registered painter has been guilty of negligence, incompetence, or fraudulent conduct, suspend or cancel the registration. The registered painter nominated to control and supervise the work is not affected by the deregistration and can immediately seek to register a new partnership, company, or body corporate. The proposals will give the board power to deregister not only the firm, but also the person nominated to control and supervise. The board would, before taking this step, be required to give to the person concerned notice of the hearing of the complaint against the

firm and give him the opportunity to make an explanation personally at the inquiry, or in writing.

These amendments have been designed to prevent registered painters who make their tickets available for hire to firms in the industry escaping without penalty if the firm is convicted of an offence under the Act. Under the existing Act the board is powerless to act against the person in nominal control and "hawking" of tickets—which is an undesirable practice, particularly in these circumstances—is possible without the control proposed in the Bill, which I commend to the House.

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

MARKETABLE SECURITIES TRANSFER BILL

Second Reading

Debate resumed from the 24th September.

MR. T. D. EVANS (Kalgoorlie) [9.38 p.m.]: I would like to make a few brief comments on the passage of this Bill.

The present law operating to facilitate transfers of marketable securities was enacted in 1966. During the three years it has been in operation, it seems to have proved itself to be an efficient piece of legislation and one which has provided a convenient, prompt, and certainly a simplified system of recording the transfers of shares and other marketable securities in the register books of the various companies concerned.

It is as well that Parliament saw fit in 1966 to enact the present legislation. I would not like to think of the confusion and delays that would obviously have taken place, and at present would still be perpetrated and experienced if, during the share boom of 1969 in the mineral companies of Western Australia and elsewhere, we had had to operate under the system in existence prior to 1966. Under that system when a share transfer was to take place, the necessity existed for both the transferee and the transferor to sign the instrument of transfer.

Those of us who are experienced with transfers of land, where the registration system is controlled by a Government instrumentality with a central office for recording transfers and registrations, will realise how different is the system of recording the transfers of marketable securities where each company, or financial or lending institution, records and has its own register. In the transfer of marketable securities the dealings between the transferor and the transferee can take place over many miles without the contracting parties having to meet, whereas in the case of the transfer of land the

transferor and the transferee meet at some stage or, at least, they meet through their agents.

The present law was enacted in 1966, and because—to all intents and purposes—it has operated so well one could ask why we are now being requested to give approval to a Bill which seeks to repeal the present law and to re-enact it with certain amendments. That was the question I posed to myself; and, after an analysis of the present legislation and comparing that legislation with the provisions of the Bill now before us, I find that there are many minor changes. It would seem that the minor changes could very well be desirable.

The only major alteration I note is that which will no doubt remove any suspicion or doubt that might have existed as to whether or not an undertaking given by a broker in the State of Western Australia, for example, would be legally effective in some other State. As legislation similar to that now before us is to be introduced in the other Parliaments of Australia, the reverse situation would also operate. We in Western Australia, would be interested to know—and be assured—that an undertaking given by a broker in some other State of Australia would be effective within our own State.

It is true that some doubt has been expressed regarding the validity of such undertakings being effective in a State other than that in which they were given. To my knowledge this doubt has actually been crystallised and proved; but, nevertheless, the doubt has existed and it seems desirable to resolve the matter, particularly having regard to the volume of interstate share dealings now taking place.

Apart from that observation it would appear to me that the Bill substantially re-enacts the present legislation. Because I have found the present legislation to work admirably during the last three years, I see no reason why I should delay the passage of this Bill any further. I trust that the good work of the present legislation will be continued, and that this legislation will be even more effective throughout Australia. I support the second reading.

Mr. Court: Thank you.

MR. BURT (Murchison-Eyre) [9.45 p.m.]: I would like to take this opportunity to bring to the attention of the House a situation which has arisen from the very large volume of share dealing which is taking place in respect of companies engaged in the search for minerals throughout Australia, particularly Western Australia.

I want to refer to the tremendous costs involved by companies having to maintain share registers. The costs, of course, are brought about because of the large number of transfers being handled by nearly all mining companies every day.

A number of the transfers are for a very small number of shares, and it so happens that the smaller shareholders who are dealing with 100, 200, or 1,000 shares—perhaps several times a year—are costing the majority of the shareholders a greater sum of money than seems reasonable. Normally, that money would be used in the search for minerals. The larger shareholders who might have one or two transactions a year are virtually paying more than their share of the costs involved.

I do not know what the solution will be; I think the only way out would be for a fee to be charged to the transferor and the transferee and that fee channelled back to the company concerned. I know that a number of companies which are engaged in mineral exploration are, because of the tremendous number of transfers taking place, faced with an expenditure of approximately \$100,000 a year in the keeping of share registers. Of course, that \$100,000 a year would be far better spent if used in the search for minerals.

Whilst the present Bill cannot assist to alleviate this position in any way, I think the problem should be brought to light so that future amendments to the legislation might produce a system under which there would devolve on the buyer and the seller of the shares the obligation of having to pay more than the normal brokerage in order to lighten the heavy burden faced by the companies in maintaining their registers.

I mention this matter now because the legislation may need to be amended at some future time. More than \$1,000,000 is being spent annually to maintain share registers for exploration companies, and that sum could be far better used in the search for minerals.

MR. COURT (Nedlands—Minister for Industrial Development) [9.48 p.m.]: I thank the member for Kalgoorlie, and the member for Murchison-Eyre, for their support of this Bill. The member for Kalgoorlie, representing the Opposition, in supporting the Bill gave a very factual summary of the background leading up to this legislation. The present measure will bring the legislation up to date and will correct some anomalies which have been discovered as a result of the operations of the Act. I agree with the member for Kalgoorlie that without this type of legislation there would be chaos.

Regarding the point raised by the member for Murchison-Eyre, I must say I sympathise with some companies which have found themselves, all of a sudden, glamour companies, with no money with which to back up their glamour.

For some extraordinary reason—sometimes beyond the understanding of the directors of the company concerned—shares are traded in great numbers with everyone overlooking the fact that the

company is neither geared physically nor financially to handle the increased share trading.

Frankly, I have never been able to find an answer. As members know, there has been a provision in some articles of association for a charge to be made on transfers. In the old days it was quite a regular practice for a charge to be made. I think 2s. was the usual amount, but in those days that amount meant something. However, it was an extremely difficult fee to collect. What happened when somebody in Queensland sent a share transfer to be registered and did not send the fee? An amount of 20c today would be of no value at all, but even if a reasonable charge were involved some of the problems of collection would be quite unmanageable. I do not think it would be a fair thing to expect the Government to collect such a charge because, in the minds of people involved in share transactions, it would simply be another tax. They would blame the Government when, in fact, it was simply an action to assist in the administration of the company.

Mr. Burt: Could not the brokers collect it?

Mr. COURT: There was a time when brokers did collect fees of this kind when it was a standard thing with some companies for a charge to be made. At that time it was the practice of some brokers to collect it. I must confess that in my own experience with brokers' books I know that it was such a nuisance that the broker usually paid it himself rather than chase his client for the fee when it was not readily available from the client.

For the reason given by the member for Murchison-Eyre, it would be quite unfair to impose an *ad valorem* fee, for instance, a certain amount per hundred shares. The problem of registering a transfer for, say, a 5,000-share transaction is no greater than registering it for a 100-share transaction. What the member for Murchison-Eyre said is perfectly correct, because parcels of 50, 100, and 500 shares are the ones which keep on changing hands. The big fellow rarely changes his stock. Therefore, a flat fee for registration would be more equitable when measured against the amount of work involved. A flat fee would, perhaps, encourage people to say, "The Government is socking the poor and letting the rich off."

It would be extremely difficult to implement. Doubtless the companies themselves will have to take some action to find ways and means around this practical problem which has arisen simply because some companies, which are small in size, have become glamorous. It is ironic that when a company is small and glamorous it has all the share transactions while a big company which is stable and producing has less operations in shares, because

the degree of speculation has gone out of the shares—they have become an investment, not a speculation.

I will discuss the matter with my colleague, but I cannot see any amendment which the Government could bring down which would relieve the situation for the companies. This is something for them to work out. A proposition put forward to the Stock Exchange might be the only practical way in which it could be implemented. I can foresee great opposition from some of the big companies which would not need this type of fee. They would rather not be bothered. The smaller companies are the ones which would be clamouring for some relief and assistance. I can do no more than promise to mention it to my colleague, but I do not think it is appropriate to this particular Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

STOCK (BRANDS AND MOVEMENT) BILL

Second Reading

Debate resumed from the 24th September.

MR. H. D. EVANS (Warren) [9.56 p.m.]: A number of changes are contained in the Bill and, at the same time, the measure will do much to clarify the legislation which it will replace. In addition, it will repeal the Drovers' Act and re-enact certain of its provisions. The Bill concerns the movement and branding of stock and, in particular, the branding of sheep including lambs.

The extension of definitions which will clarify the position is one of the major features of the Bill and certainly one which is most desirable. In this way, it succeeds to a rather satisfying degree.

As the Minister pointed out when he introduced the Bill, the initiative to create a new and improved Act came, in the first instance, from the Farmers' Union. This body had long since seen the need for a better means of preventing and detecting the theft of stock. In conjunction with this body, representatives from the Farmers and Graziers' Association, stock officers of the Department of Agriculture, officers of the Police Department, and officers of the Royal Agricultural Society were formed into a committee about 18 months ago. The deliberations and recommendations of this committee formulate the basis of the Bill currently before us.

So far as the branding of sheep is concerned the Bill provides that in lieu of requiring the sheep to be both branded

and earmarked by the time of weaning or the time of removal from the run—whichever happens to come first—the sheep should now be earmarked by the time of weaning, when they attain the age of six months, or when they are removed from the run—whichever, again, happens to be the first occurrence. The provision insists that offshear sheep should be branded at the time of removal, but it also states that unless they are leaving the run, branding is not a requirement so far as the sheep in the South-West Land Division and related areas are concerned.

The manner of branding wool is a question on which there is still no definite resolution. Certainly there is no unanimity on the subject. The two major primary producing organisations have not attained any degree of harmony. One organisation holds that woolbranding should be outlawed completely, but the other will not hear of it in any shape or form.

It is certainly true that woolbranding must be carried out in a colour which is not black, and with a fluid which is prescribed by the Australian Wool Board. Manufacturers have strongly objected to certain fluids which are used for the marking of sheep and their attitude has been reflected in the prices received for wool, because the objection to the fluids has been given as a justification for lowering prices.

No-one could possibly object if the prescribed fluids were used. Unfortunately, that is not always the case. Farmers are human beings, and if they find that the prescribed fluid is running out they are prepared to dilute it with dieselene or some other substitute, which is not acceptable to the scouring plants. As a consequence, one organisation wishes woolbranding to be totally abolished.

It has been pointed out by the sister organisation that if that were done it would make flock management on a large scale virtually impossible. This body has maintained that more stringent policing of this Act should be carried out in the normal marketing procedures. Consequently, an impasse has been reached and a form of compromise has been arrived at. There the matter rests.

However, I do not think the importance of the issue should be underestimated if there is at stake a considerable effect on the wool cheque of this State or, indeed, of this nation. I do not think it is unreasonable to suggest that the officers of the C.S.I.R.O. and the Department of Agriculture should examine the situation to ascertain to what degree there is a detrimental effect. It is certainly claimed that there is a detrimental effect; but to precisely what degree? This should be ascertained, and if it is balanced out against

convenience in flock management, perhaps some definite decision could be reached, to the satisfaction of the industry as a whole.

The view of the committee was that it was not necessary to brand lambs that were to be consigned for slaughter, but it did insist that earmarking of lambs should be undertaken. It was felt that unless there was identification, at least in the form of an earmark, great difficulty would be experienced in tracing back the origin of a particular line of lambs. There are two reasons why it is essential to have this ability or facility to trace the origin. The basic concept of the Brands Act is the eradication of disease, and it is necessary that the source of disease should be readily ascertainable. The second facility provided by the Brands Act is identification, leading to the prevention and detection of theft.

It is important that effective detection be undertaken in some way. Indeed, when the parent Act was being debated in 1904, it seems that particularly Colonial Secretary Taylor, who introduced the Bill, considered that no regard was being had for anything other than crime detection. The duffing and droving of the stock was the preoccupation at that time, and disease was not considered at all in the deliberations.

Today, officers of the Department of Agriculture are primarily concerned with disease and its eradication, and it is essential that sheep, cattle, and pigs are quickly traceable to their sources of origin. There has been a good illustration of this just recently. The incident took place in the only abattoir in the State which buys identifiable lines. An outbreak of liver fluke occurred in one particular line—liver fluke being not very common in this State—and it could be very readily checked through the normal records of the abattoir, which was at Albany. This example shows the need for identification, when we have regard to the way in which exotic diseases can spread, and the fact that time is the essence of the contract in their eradication.

Mr. Nalder: Was this local stock, or stock imported from other States?

Mr. H. D. EVANS: Local stock, from the hinterland. I think departmental officers are at this moment making the detailed examination. It is a very good case in point; it is relevant and current at the present time. Earmarking will satisfy the requirements of all those who are involved in the meat trade.

In respect of stud sheep, the committee also requested a number of minor modifications in the methods by which stud sheep are branded. The committee left this matter largely to the societies themselves, and from my inquiries it seems that the sheep societies are quite happy with the Bill in its present form; they have no fault to find with it.

The matter of legibility was considered to be important. The present Bill clearly defines legibility, and this is echoed and re-echoed in several subsequent clauses. There are about six more definitions in this Bill than the combined total number of definitions in the Droving Act and the Brands Act, which existed previously.

I am somewhat perplexed about the provisions concerning the requirement that every proprietor of cattle on any run shall apply for and obtain a registered brand. This applies to cattle, sheep, horses, and swine, and it is optional as regards goats. I understand from my reading of the current Act that the previous situation was that a proprietor of swine or sheep was compelled to register, but the compulsion was not applied to stock and horses, in that the proprietor had to have them branded and he himself did not have to be registered. This makes a considerable distinction. Under the present Bill, every owner of stock, horses, sheep, and swine will be required to apply for and register his brand.

This requirement will have fairly wide consequences as far as single animals are concerned. There are several instances that come readily to mind—the single house cow and the pet lamb that is kept for mowing the lawn—but I think the member for Gascoyne is particularly interested in this point and has first-hand, personal interest in the matter, so perhaps he would be better qualified to deal with it.

The provision for the tattooing of pigs is necessary and it is a sufficient one for the purpose for which it is required.

One of the most important provisions for the Police Department—which gave its full approval—is that a waybill system is to be introduced, under which all stock moved off a property or run, including stock being moved from saleyards in the metropolitan area to districts outside the metropolitan area, must be covered by a waybill. There will be three copies of the waybill: one is to be retained by the owner, and two are to be carried by the carrier. Of those two, one will be retained by the carrier and the other will be handed to the consignee—the person who takes delivery of the animals.

This stems, perhaps, from certain occurrences in the great southern and it will certainly facilitate the job of the police in theft prevention and detection.

I took the precaution of checking with the Farmers' Union, the Pastoralists and Graziers' Association, the Royal Agricultural Society, the Department of Agriculture, and the Police Department, and none of those bodies had any strong objection whatsoever to the provisions contained in this Bill. As those bodies are primarily involved and will be most affected by its provisions, we on this side of the House are prepared to support it—indeed, we are quite happy to do so.

A very noticeable feature I mentioned at the beginning was that of clarification. The existing Statutes have become ragged on many points, they are lacking in definition, and they are rather ambiguous in certain of their terms. With those remarks, I support the Bill.

MR. STEWART (Merredin-Yilgarn) [10.12 p.m.]: In speaking in support of the Bill I would say that although it is rather simple, its provisions will make the legislation much more workable. The measure could really be described as one covering the identification of livestock. As far as owners are concerned, the provisions are very sensible, particularly in regard to sheep. The one main provision included in the Bill which we have not had before is, of course, that relating to the waybill system.

Mr. Norton: It was included in the old Droving Act.

Mr. STEWART: Yes, but it has never been honoured.

Mr. Norton: It has never been enforced, but it has been there.

Mr. STEWART: If the provision is enforced it will considerably help the industry in so far as sheep stealing is concerned. Many sheep are lost and stolen and the provision will make it much easier for the police to do their job.

I think the provision concerning sheep-branding is most sensible, particularly as it applies to young lambs at the weaning stage or just leaving the run. Up to that stage it is necessary to have an earmark, and that is very sensible because if a lamb is branded at 12 weeks, the brand grows with the lamb and becomes quite ridiculous. Of course, one of the reasons for the branding and identification of stock is that in the case of diseased stock being sold, the flock can be traced before it infects other flocks in the area. The owner can be traced and informed.

I am very much in agreement with the branding of offshears on removal from the run and also the tattooing of swine. Pigs, of course, are most susceptible to disease and it is necessary to control the disease in the early stages.

I am very pleased to see another provision which we have not had much to do with in the past, and that is a registrar of brands at suitable places in the country. This will mean that farmers can attend the country centres to examine brands. Some years ago some of my sheep were stolen and we could not identify the brands except by travelling to the city and examining the register of brands at the main office. So that provision will be more convenient for farmers. With those few remarks I support the Bill.

MR. NORTON (Gascoyne) [10.14 p.m.]: Like the two previous speakers I wish to support the Bill, but with a couple of reservations. As the other speakers said, the Bill before us repeals two very old Acts—the Brands Act of 1904 and the Droving Act of 1902. The Droving Act was originally introduced purely to cater for the droving or movement of stock on the hoof, and not by motor vehicle. In 1954 the Act was adapted to cover the use of motor vehicles but it remained virtually unchanged from the old days when a person drove stock from place to place, and it was not a very satisfactory Statute.

The Brands Act was brought fairly well up to date in 1952 when it was extensively amended. Since those amendments were made, the brands themselves have also been completely checked and reissued so that the register of brands should be fairly well up to date.

The provisions about which I am rather concerned are clauses 13, 14, and 15 of the Bill which were referred to by the member for Warren. They require that any person who owns any stock whatsoever—it may be one cow, one horse, one pig, or even one goat—must obtain a registered brand and/or earmark.

At the present time large numbers of pony clubs are being established throughout the country in connection with polo-crosse. A tremendous number of young folk—in fact, some right down to the age of five or six years—belong to those clubs, and many of them virtually own their own horses. I know of a case where a lad of 11 was given a foal whose mother had died. He reared that foal, and now under the Bill he will have to apply for a registered brand. He will then have to purchase the brand and brand his horse. As I understand the Bill, a person who purchases stock must put his own brand on it after it attains the age of six months.

Very often drovers give young children one or two lambs, and the children rear those lambs. If those animals are not branded after they attain the age of six months, the children would be liable under this Bill. This would also apply to swine.

I come back now to the pony clubs. There are very many clubs now and if a member of one of them has a particularly good mare which has trained well at gymkhana work or polocrosse, he might decide he would like to get some offspring from the animal. So he puts it to a stallion, and in due course the offspring is produced. However, if that person has no registered brand he will be in trouble because clause 14 (1) states—

Every proprietor of horses on any run shall apply for, and obtain, a registered brand for horses.

If we look at the definition of a "run" we find it can virtually mean one's backyard, because it states—

"run" means any station, farm, freehold or leasehold property, or any place where stock are kept, or have been kept or depastured.

So it could be that a person's backyard will be classed as a run. Therefore the owner of a horse will have to apply for and obtain a brand, otherwise he will be liable under the proposed legislation. The same situation would apply if a person was given a calf and reared it on his farm-let or in his backyard. If he does not obtain a brand he will be in trouble. I think the Minister should look at this matter before we deal with those clauses in the Committee stage. They need clearing up a little before they become law.

Mr. Nalder: What do you suggest?

Mr. NORTON: I suggest that a proviso should be added to each of those clauses.

Mr. Nalder: To exempt them?

Mr. NORTON: Yes, to exempt those people or to allow them to use, say, their neighbour's brand and receive a certificate from their neighbour to the effect that he had branded their stock. I do not know how we can get around it, but I think the department will find it will receive hundreds of applications for registered brands.

Goodness knows, there are enough registered brands now! The joint applications of the Carnarvon Polocrosse Club and the Carnarvon Pony Club for registration of brands would total over 100. As far as I know, in the Carnarvon Pony Club at present there are only two persons who hold registered brands. Therefore, when we consider the two clubs I have already mentioned, plus the Exmouth Club, the Gascoyne Junction Club, and others in my electorate, the total number of applications for registration of brands would be considerable and no doubt would cause a great deal of chaos within the department in regard to the registering and issuing of brands. At the moment I do not see how this can be overcome.

The size of the brands and the different ages at which stock can be branded also concern me. For instance, in the north-west and other remote areas a person can brand his cattle within a period of 18 months, but the brand that is purchased would probably be the size which would be used for six-month old stock, as is required in the South-West Land Division. If the brand used in the South-West Land Division is used on 18-month old stock it would not meet the required size of six inches by two inches for the animal of mature age, as provided in the Act. As the age of the stock increased so the size of the brand would grow. As the member for Merredin-Yilgarn pointed out, if lambs are ear-marked at an early age, as the size of the ear grows the size of the brand increases accordingly, which means that very little of the ear is left when the sheep reaches maturity. So some consideration should be given to that aspect.

In referring to the Droving Act, I was most interested to hear the Minister say that this was the first time waybills had been introduced. Waybills were introduced in 1919 under the provisions of the Droving Act and have been in existence ever since. The waybills are in the form of schedules at the end of the Act. There are four schedules covering the four different requirements provided by the Act. The first applies when the owner himself is the drover of the stock. The second covers the situation when the drover is appointed by the owner.

The third one relates to the situation where the drover is appointed by the agent, and the last one, from memory, is an interim waybill which is signed by a J.P. or an inspector to cover the situation where a drover has accidentally lost his waybill.

The main object of the waybill in those early days was, first of all, to prevent pilfering, and the second object was to keep a check on stock to prevent the transference of disease from one area to another. Under the old system of waybills, one waybill had to be forwarded to the nearest police officer, and the second had to be forwarded to the Director of Agriculture. Under the present Act one waybill has to be retained by the owner—under the old system the owner had to retain one copy, too—and two waybills have to go to the carrier: one for his own records and one to be handed to the consignee. The carrier is obliged to retain his copy for six months to prove that he delivered the stock to the consignee.

In my opinion I consider that both the owner of the stock and the person receiving the stock should be required to keep their waybills to prove ownership at any time up to a period of six months, because after six months the prospect of pilfering would probably not occur. Any sheep that were stolen would be discovered long before this time. Under the provisions of the old Droving Act a drover could not drive stock within 10 miles of any homestead, and so on. The essential requirements for waybills provided in the old Droving Act do not appear in the present legislation; that is, the requirements in respect of persons who are allowed to consign stock. In this respect I think the member for Albany will have quite a deal to say.

I am not very happy with the requirements laid down in this Bill for waybills in respect of persons whose signatures should appear thereon.

MR. GAYFER (Avon) [10.26 p.m.]: I will not cover the ground already covered by the previous speakers except to say that, by and large, I support the Bill, especially in regard to the provisions relating to waybills. As members know, I have spoken quite often on the subject of sheep

stealing and there are various factors in regard to which an improvement will be made by the introduction of the waybill principle. However, there are one or two other provisions in the measure which I consider need a little tidying up.

In the first instance I refer to the clause which deals with an eartag for the identification of sheep. I do not know whether all members of the House realise what a sheep eartag looks like, but I have one here which I hold up for all members to see. I also have the necessary tool that is used to earmark a sheep and I hold this up for inspection also. I would like to know the type of eartag that is required to be placed on a sheep for identification purposes. The relevant provision in the Bill reads—

an eartag that is of such colour or colours, type and shape as the Registrar determines;

We know that the eartag shall have the registered woolbrand on it, and this is quite a good idea; but, unfortunately, I have approximately 6,000 sheep with eartags of different colours on my run, and everyone is marked "H. W. Gayfer & Son—Coongan Downs." However, these will not be legal, because they do not have the registered woolbrand on them.

In my opinion, when the registrar approves a particular eartag, he should take into consideration the fact that some farmers have been placing eartags on sheep for many years; long before they became recognised as a means of identification. As a matter of fact, the clause states that the registrar shall determine "an eartag that is of such colour or colours". I approached my local stock agent in an endeavour to find out what he required in respect of colours, and I ascertained that in 1970 the colour for sheep will be dark green; in 1971, dark red; in 1972, orange; in 1973 brown; in 1974, blue; in 1975, lemon; in 1976, black; in 1977, white; in 1978, dark green. This covers the seven-year cycle.

That is all very well, but when I and many other farmers started coloured eartags we followed the general pattern that was arranged by the associated stock firms. As a matter of fact, we adopted the colours of the spectrum which, as far as I recall from my school days—no doubt other members will recall also—were "Roy G. Biv." or red, orange, yellow, green, blue, indigo, and violet. We used only the colours in the spectrum and certainly no browns or any other colours. We used a different colour for each year of the seven-year cycle; that is, red one year, orange the next, and so on. After the seven-year cycle was completed, we started all over again.

We did all this for one reason: we did not like the woolbranding of sheep. This was outlawed. We were told by all the

buyers to get rid of the idea of putting a woolbrand on our sheep; that we should get to the simple method of eartagging. This is what we did.

Now, however, we find we have to woolbrand. The eartags that my sheep carry are apparently not the correct ones because they do not carry the woolbrand HG7. They do, however, carry my name and address. It would be far easier to locate me with my present identification than it would if HG7 were embossed on the eartag.

It is now provided that after a sheep has been shorn for the first time it must be woolbranded. This means I will be back to where I started; unless I buy 6,000 eartags at 3½c each, and, having removed 6,000 eartags, replace them with the eartags I have purchased, and so conform with that was decided by the stock firms and the registrar.

I admit there is no compulsion to do this, and if one does not wish to fulfil this provision one must go back to woolbranding one's sheep, which is the very thing that those who were conscientious tried to avoid.

I think the registrar should take cognisance of these eartags and as long as they are legibly embossed with either the owner's name or address, or both, they should suffice until the owners are able to catch up with things and are able to have the eartags printed with woolbrands on them.

The other point about which I am perturbed is the marking pliers. Here I have a set of sheep marking pliers and in my other hand I have a set of cattle marking pliers, both of which are used on my property. As may be seen, these are expensive instruments and I hope the registrar is not likely to want to change the ear brand of my property every few months; I hope he will not wish to reduce or increase it to a size different from that set out in the Bill, because while these alterations might seem petty they mean a lot to the farmer as they could put him to a great deal of expense. These have not been altered for some time. I have not had time to work out whether these pliers are ¾in. long and ¾in. wide, as stated in the legislation.

Mr. Norton: That is when the animal is fully grown.

Mr. GAYFER: Yes; nevertheless this is not the type of thing we want to see forced upon us, particularly when a number of farmers have been trying to do the right thing and abide by the law for so long.

In the hope that the registrar might read my remarks, I would like to suggest that a close watch be kept on any alteration he might wish to make, particularly in respect of earmarks. The question of eartags for sheep should also be considered

to see whether or not they might be permitted even though they do not carry the necessary woolbrand. Perhaps the registrar could agree that the name and address of the owner might be sufficient identification for any stock.

I do not mind woolbranding my sheep when they finally go off the run into a saleyard. But I do not want to have to start woolbranding my sheep on the run, or, if they are likely to go along the road from one property to another, merely because many of the ear tags on those sheep are not correct in that they do not carry the correct colour or the particular woolbrand they should.

MR. COOK (Albany) [10.35 p.m.]: I, too, support the Bill and I do not propose to rehash what has already been said. The points I wish to raise are basically administrative and I raise them in the hope that the Minister will, for the benefit of farmers and the industry, be able to clarify the position at some later date.

I would first like to refer to clause 31 (5) on page 17 of the Bill which states—

Where a lamb—

- (a) that was consigned for slaughter and removed from the run is not branded;
- (b) is not slaughtered but is sent to a run other than the run from which it was so consigned for slaughter,

the proprietor shall cause the lamb to be branded with his registered brand within forty-eight hours of the arrival of the lamb at the run to which it has been sent.

The intention here appears to be that where lambs have been consigned to an abattoir and the abattoir, for one reason or another, decides not to slaughter these lambs but resell them, they must bear the registered brand. This in itself is all right.

However, let us consider the example of a firm which purchased lambs and consigned them to the abattoir where for some reason it was found they could not be killed immediately. In such a case it would be necessary to place the lambs in a paddock and the firm, in order to comply with the Act, would be faced within 48 hours of receiving the stock with the expense of having to send out a couple of men for the purpose of branding perhaps 1,000 lambs. It might then follow that, having branded them, the next day they would be brought to the abattoir for slaughter. This would involve the company concerned in a considerable amount of unnecessary expense and inconvenience.

I now wish to refer to clause 36 (b) on page 19 of the Bill which states, in effect, that a proprietor of stock is not required to brand the stock with his registered brand or earmark, or both, as the case

requires, so long as he has in his possession or control documents establishing his right to the ownership or possession of the stock.

I suggest it might be a wise move to compel the proprietor of the stock to retain these documents for a specific period, because if he resells his stock and immediately destroys the documents of ownership it could make it very difficult in the case of disease control, theft, and so on, to trace his stock back to him. If the farmer retains these documents it should make the tracing of stock much easier.

There is also the point as to what could happen if the farmer loses the documents. An inspector could enter the property, find that the brands on the sheep were not those of the proprietor who might say he had lost his documents of possession. What then would be the position of the proprietor? No provision is made to enable an owner who might lose his documents to perhaps sign a statutory declaration of ownership or some other form of proof of ownership.

Clause 37 (3) (c) states that an inspector or police officer may—

seize, remove and impound any stock not branded or earmarked in accordance with the provisions of this Act, found on any run unless the proprietor, or other person in authority, delivers to the Inspector or Police officer a written explanation as to why the stock are unbranded.

I suggest that we insert the word "satisfactory" to make it read, "a satisfactory written explanation." If this were not done any written explanation would have to be accepted as satisfactory.

The last point I wish to make concerns clause 53, which states—

A person who takes delivery of a consignment of stock shall not, within six months of so taking delivery, remove any registered brand that is upon the stock at the time of so taking delivery.

I would ask the Minister to clarify the position of the owner who wishes to shear his sheep within those six months.

With those few remarks, and in the hope that the Minister will clarify the points I have raised, I support the Bill.

MR. YOUNG (Roe) [10.40 p.m.]: There are one or two points on which I would like some clarification before the second reading of the Bill is agreed to. The first point—as was mentioned by the member for Avon—relates to an owner of stock not using the registered eartag as laid down for branding sheep for the first time. The provision should be worded to read "shearing for the first time or each subsequent shearing." The owner could shear a lamb which was branded in its first year. If the animal is retained in the run for

another six months it will not in that time need to be branded again, unless it is removed from the run. In fact, it would have an identifying earmark, and not an eartag or a woolbrand.

Another point on which I would like clarification is the provision in the Bill which deals with the movement of stock. Most of the people who handle sheep or who are concerned with the movement of sheep around the countryside know what it means, but it is rather ambiguous. The provision which appears in clause 46 states—

The proprietor of any stock on a run or other place where stock are sold or disposed of shall not cause or permit any stock to be removed from the run or place until the drover or carrier of the stock has been furnished with a waybill . . .

It immediately brings to mind that this provision relates to the sale of sheep, and to the movement of the sheep to new owners. However, the provision also applies to farmers who have more than one property, and these may be seven to 10 miles apart. At times such farmers would move or drove their sheep from one property to another. In those circumstances surely they are not required to issue themselves with waybills when moving their stock from one run to another. Such a procedure is unnecessary. If the sheep belong to a farmer he should not have to go to the trouble to issue a waybill to himself, before he moves sheep from one run to another.

Another point raised by the member for Avon was in relation to the approval by the registrar of the colours of eartags, but I cannot find any reference to that in the Bill. I think the colours as laid down were introduced originally by the associated brokers some three or four years ago as an easy means to handle sheep; by adopting such a practice they would know the ages of the sheep which were sold at the yards. All the sheep of a certain age would have eartags of a particular colour, and sheep of another age would have eartags of another colour. However, I cannot find any provision in the Bill under which the registrar has the right to approve of the colours. All he does is to approve of the design and the wording on the eartag. I think this question has been under consideration for two years, and it has been understood by people who run sheep that their registered woolbrand will be embossed on the eartag.

Under the provisions of the Bill the registrar should be empowered to approve the name of the owner or the property to appear on the eartag, such as the eartag "W. G. Young & Co. M3V", which I use. There would be no argument if the registrar has to approve of such eartags. I will be happy to support the Bill if the Minister can clarify the points I have made.

MR. NALDER (Katanning—Minister for Agriculture) [10.45 p.m.]: It has been interesting to hear the points raised by various members during the debate, and it is quite obvious that they are clued up regarding the proposals. These have been put forward in an effort to overcome some of the existing difficulties, the most important being that related to the movement of stock. One of the purposes of the Bill is to enable stock to be identified when they are shifted from one place or property to another, or when they are moved to saleyards.

These proposals were put forward after a considerable amount of discussion had taken place between various organisations, including the Police Department and the Department of Agriculture. The parties met from time to time in an effort to bring forward something which was practical to help in identifying stock. These are the main purposes of the legislation: On the one hand, to identify stock so as to make it easy for people to trace the owners should the stock be mixed up or be stolen; and, on the other hand, to enable the Department of Agriculture to trace the source from which diseased stock come.

I will endeavour to answer some of the questions that have been asked by members in this debate. The member for Warren has covered the grounds for the introduction of the legislation. I do not think he requested any points of clarification, although he referred to the matter of woolbranding. The terms which deal with woolbranding are covered by a number of matters which I mentioned when I introduced the second reading of the Bill. Identification can be effected through woolbranding, through eartagging, or through tattooing. Regarding pigs, a tattoo must be made on the shoulder when the animal is sold. This has to be done whether it be a porker, a baconer, or a mature pig.

The member for Merredin-Yilgarn supported the legislation generally, on the basis that it is designed to help the stock breeder to identify his stock.

The member for Gascoyne brought forward a proposition in relation to the owner of an odd horse, cow, or sheep. In my view it is not possible to legislate to cover such owners. The position is that identification of the animal is still the responsibility of the owner. We cannot make a special law to cover one head of stock. If a person wants to own a horse, a cow, or a sheep, then he must be responsible for identifying it; and he has to do what the owner of a large number of such animals has to do.

The same problems exist in respect of one head of stock or a large number of stock. Let us take into account the diseases which affect stock. It is quite

possible that the person who owns one head of stock would not dip it, and the animal could quite easily have lice on it. For that reason the owner of one head of stock should accept the same degree of responsibility as the owner of many; they all have the responsibility to ensure that their stock are clean. Although the owner of a head of stock might look after the animal well, in most cases such an owner would not be aware of the symptoms of diseases. I cannot see that we should legislate to permit the owner of a horse, a cow, or a lamb to be relieved of the responsibility for identification.

What I have said applies also to the owners of dogs and poultry. If a person owns more than 20 head of poultry he has to notify the local authority, and he has to register with the Egg Board. Even the owner of a dog has to obtain a license from the local authority. For that reason the same responsibility should be placed on a person who keeps a cow or a sheep as is placed on the owner of many of these animals.

They must be identified somehow or other and it is very clear under this legislation how this shall be done. As I say, I cannot see any difficulty concerning pony clubs. If a person wants to be associated with a pony club and own a horse or two he must do the same as anyone else, and be able to identify his animals if they are lost. Therefore, such a person must carry out the provisions of this legislation.

If any member has some ideas concerning the registration of clubs, consideration could perhaps be given to them. However, the more we make conditions for groups here and there, the more difficult it will be to police the Act. We must consider the matter fairly and squarely, decide the purpose of the legislation, and then accept it in principle and hope that everyone will assist to ensure that it works. This legislation is not designed to make it difficult for people to own stock, but is designed for the two reasons I have already outlined.

The member for Avon has suggested that if he has his name on the tag this should be accepted by the registrar. This may be all right for the honourable member with a name like H. W. Gayfer and Son, but what about the J. Browns and the S. Smiths? We could have 50 people with the same name and it would be up to the registrar to satisfy himself that any identification was correct and that it could not be misused or misplaced. This would not be easy with several people with the same name in the same area or even in adjoining areas. It is therefore the responsibility of the registrar to satisfy himself that the identification of an animal is clear and that there will be no difficulty with owners of the same name in the same district who are likely to be selling their stock in the same saleyards.

The idea, of course, is to make the registrars readily available and we hope to have them available at local authorities or at the various offices of the Department of Agriculture. However, I still maintain that it is the responsibility of the registrar to decide what will be on the eartags because the whole situation could be most confusing unless the registrar is satisfied.

It may be that the registrar would be quite satisfied with the honourable member's suggestion and maybe if he approaches him he might be given two to four years in which to change over from the old system to the one I have outlined.

Mr. Gayfer: That is all I am asking for.

Mr. NALDER: I suggest that any person could approach the registrar and outline such a proposition and if it is a satisfactory one, I can see no reason why it could not be implemented.

With regard to the alteration to the instruments used, this situation was outlined some years ago when difficulties were experienced with earmarks which some people were using and which had been used by their predecessors. The practice was altered in an effort to introduce some uniformity, and I am quite satisfied that if farmers have a registered brand now, they will not be asked by the registrar to alter it provided it has been accepted over the last few years. I am sure it is not the intention that registrars should request farmers to reregister and to alter the instruments they are using at the present time.

The member for Albany quickly mentioned three or four clauses of the Bill, and although I endeavoured to keep up with him I was unable to do so. Therefore, I would ask him to raise the matters again in Committee. He did refer to page 27 and the provision dealing with taking delivery of stock under which within six months the owner must remove any registered brand on the stock at the time of delivery. The whole of this legislation is designed to be as practical as possible and I assure members that if a farmer takes delivery of sheep which are legibly branded—I am referring to a woolbrand which is on the back or side of a sheep—and he wants to shear the sheep, there would be no difficulty whatever in his then identifying them with his own brand. A farmer may desire to bring the shearing time of the new sheep into line with the shearing period of the stock he already holds, and therefore he might decide to shear them quickly in order to achieve this.

This provision has been designed for people who are perhaps dealing with sheep and for when sheep are moved from one property to another and then resold. The idea is that the identification of the stock must be readily available when required by, perhaps, a police officer or an agent. Some sheep might have been consigned to the wrong person and it may be necessary

therefore to identify them. This provision has been placed in the legislation for a special reason; that is, for easy identification.

I think these remarks apply also to the comments made by the member for Roe. However, I would ask the honourable member to raise this matter again in Committee and I will endeavour to answer his query.

I thank members for their assistance and for the points they have raised. I want to assure the House that the legislation has been introduced as a result of a considerable amount of deliberation by those who are interested in the identification of stock for the two reasons I outlined, and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 to 11 put and passed.

Clause 12: Earmarking of sheep—

Mr. MITCHELL: I would not like this clause to pass in its present form. For years I have known that it is necessary to earmark ewes on the left side and wethers on the right side. However, in the case of export lambs, or lambs for slaughter, there is no practical necessity to mark them on different ears. Many people agree that first cross ewe lambs should be marked on the left ear, and all lambs for slaughter should be marked on the right ear. I wonder whether the Minister would give some consideration to the marking of lambs for slaughter on the right ear, irrespective of sex.

Mr. NALDER: I think that if a system is operating it is just as easy to carry it out the right way as the wrong way. If a farmer decides he will sell all his lambs in one season, there may be some reason for saying that it does not matter which ear is marked. However, it could happen that half way through the season there is a drought and the farmer cannot sell his lambs. Time and time again a farmer has made a decision and because of any one of a hundred and one reasons his initial programme has had to be altered.

I think that once a farmer acquires the habit of doing the right thing, as required by the law, he might as well carry it through whether or not he intends to sell the lambs. There is no difficulty in marking the males on one ear and the females on the other ear. I think it is just as well to accept the legislation as it is proposed.

Clause put and passed.

Clause 13: Brands for cattle—

Mr. MITCHELL: At the present time cattle are either earmarked or branded, and not necessarily both. I cannot work out from the Bill whether or not the same procedure will still apply.

Mr. NALDER: The clause states that every proprietor of cattle on any run shall apply for, and obtain, a registered brand or a registered earmark, for cattle or both such a brand and earmark.

Mr. Brady: The clause states, "or."

Mr. NALDER: In my view, if the cattle are earmarked or branded they will be accepted.

Mr. Norton: I take it that it is a fire-brand?

Mr. NALDER: Yes.

Clause put and passed.

Clauses 14 to 30 put and passed.

Clause 31: Earmarking and branding of sheep—

Mr. YOUNG: Subclause (2) states that every proprietor of sheep shall brand each of his sheep with his registered brand forthwith after the sheep is shorn for the first time. If the owner does not intend to use the ear tagging device, I contend that the branding should be done after the first shearing, or subsequent shearing.

Mr. NALDER: The animal must be identifiable, and if the ear tag is accepted by the registrar that satisfies the provision in the Act.

Mr. Young: But an owner can ear tag or woolbrand.

Mr. NALDER: Yes; the woolbrand means that the animal must be branded. If the sheep is shorn—and it may be the first time—the sheep must still be identifiable. My interpretation is that the animal must be branded after it is shorn, whether it be at the first or a subsequent shearing.

Clause put and passed.

Clauses 32 to 35 put and passed.

Clause 36: Stock already branded, etc.—

Mr. COOK: I suggested to the Minister that perhaps some provision should be made in paragraph (b) for the farmer either to retain the documents or to enable him to get around the situation if he has lost them. He may decide not to re-brand stock he buys but may subsequently lose or destroy the documents. An inspector could ask about the documents but all he could say would be, "I have lost them." Perhaps it might be wise to have a provision to cover this situation.

Mr. NALDER: Although I can see some difficulties, the general rule, I am sure, will be for farmers to keep the documents. I know some farmers are not too keen on paper work and attending to documents. I also know that on many occasions some farmers receive documents, look at them to satisfy themselves, and then throw

them away. However, in this case I am sure the farmer who attends to his business in a workmanlike way will certainly keep his documents.

Should he lose them there are other ways of getting copies. The seller could be notified and a copy obtained from him. This is a normal procedure and I really do not see any difficulties in this respect. In addition to the seller, the carrier will be required to hold documents for at least six months. Further, the owner would probably keep documents from year to year for the purposes of his own information. Therefore, there are ways and means to enable a person who has lost a document to obtain a copy.

Clause put and passed.

Clause 37: Appointment and powers of Inspectors—

Mr. COOK: I suggest that the word "satisfactory" should be inserted before the words "written explanation" in clause 37 (3) (c). Otherwise a person could provide any sort of explanation and, technically, an inspector or a police officer would have to accept it.

Mr. NALDER: I do not agree with the honourable member's suggestion. A person who supplies information on a document is always asked to sign it. This is the accepted practice between individuals and between companies. It is far better to have a written document than to rely on a few words over the telephone. Telephone calls are not the accepted way of supplying information.

A written explanation is a simple procedure. It gives the required information and the document is signed by the person concerned. I do not think the Committee should agree simply to a satisfactory explanation, which could be verbal. Perhaps in some cases a verbal explanation would suffice, but the written explanation covers the situation completely. It is a legal way and a person who signs a document can be identified by his signature.

Mr. Cook: I wanted it to be, "satisfactory written explanation."

Mr. NALDER: I think a written explanation is sufficient.

Mr. Bovell: Legally, it would be extremely difficult to interpret the word "satisfactory."

Mr. NALDER: I am satisfied that the wording should stay as it is.

Clause put and passed.

Clauses 38 to 45 put and passed.

Clause 46: Waybill to be made out—

Mr. NORTON: This is the first clause in part VIII of the Bill, which deals with the movement of stock. Consequently, I think it is the right place to deal with a query I have.

Clause 46 requires the proprietor of any stock to furnish a waybill for the stock before they are taken from his run. This provision has been in the Droving Act

for many years. I suggest to the Minister that a schedule should be included in this measure setting out the type of waybills required. The Droving Act has such a schedule. At present the provision sets out what is required to be placed on the waybill but it does not, in any way, mention the form on which the waybill should be made out. Will a specially printed form be supplied by the department or will the proprietor of the stock, or the agent who is selling stock, simply write out a waybill on his own notepaper?

The first, second, third, and fourth schedules to the Droving Act very clearly set out what is required. Something similar to these should be included in the present legislation. The Minister in another place could probably have a schedule included in the Bill which would give direction as to the type of waybill required.

Mr. NALDER: If we were to imagine a perfect situation, perhaps this might be a simple matter. However, people from Wyndham to Esperance will be handling stock. They could run out of forms and, without them, there would be no official way of allowing those people to carry stock.

At present, it is envisaged that if a person has any book and is able to record three copies of a consignment of stock, that record will be legal. As I have said, the object is to try to make the legislation work. We cannot stipulate that a person cannot cart a load of sheep unless he has a book purchased from the Government and on sale at a certain place. An individual might have to drive 50 miles to obtain a book and to my mind this would be quite impracticable. What I want is to see the legislation work. So long as a man produces three copies of the number of stock on the truck, the name of the person to whom they are consigned, and the name of the person from whom they are being transported, that is all that is necessary. He could do this with an ordinary note book.

Mr. Norton: Will no brands or marks be required?

Mr. NALDER: There must be brands, because this is stipulated in the legislation.

Mr. Norton: On the waybill?

Mr. NALDER: I hope the Committee will see fit to pass the provision and see how it works. It would be quite impracticable, as I see it, to stipulate that every person who drives stock, either on the hoof or in trucks, must have a specific book. I would like to know what other members think on this point. So long as the details I have mentioned are given, it would not seem to matter whether the record is made out on three sheets of plain paper, if necessary. It is purely a question of identification and I do not think we should put those concerned to the difficulty of procuring a specific book, setting out

all details, from a certain place. If members have other views I shall willingly listen, but I think we should give it a trial. If it proves unworkable, we can look at it at a later stage.

Mr. COOK: Again, what I have to say will probably follow on what the Minister has said, but I would like his comments in relation to waybills which are redirected. A person could buy stock at a sale, take it to the abattoirs and find that he was unable to have the stock killed. Under those circumstances he might decide to take the stock out to paddocks. I cannot see any provision in the measure to allow the waybill to be endorsed so that stock may be transported to paddocks. As I see it, a waybill is made out for a particular trip. If there is no provision to endorse the waybill certainly some inconvenience will arise under the circumstances mentioned. I think this has been covered in what the Minister has already said.

Mr. NALDER: I am prepared to endorse that. It is very difficult to write into an Act all the details outlined by the honourable member. In a situation such as that mentioned by the member for Albany, I would think endorsement of the triplicate would be satisfactory. It is only a matter of identifying the stock, and some give and take will have to apply in the case of butchers who intend to slaughter their stock and then find that something goes wrong and they cannot do so. Ordinary common sense must apply, and I would say that the course of action mentioned by the member for Albany would be acceptable.

Mr. MITCHELL: On the matter of waybills, I hope the Minister will not do what he says he will do. I think it is a slipshod method to accept three plain sheets of paper as waybills. I hope that each owner of stock will have a book of forms in triplicate, with each triplicate numbered. I do not think this will work, if under normal circumstances three slips of paper will be accepted instead of waybills, because there could be just as much monkeying around with those as with the stock itself. I hope a proper book will be provided for owners so that when they send stock away they can give the carrier two copies and keep one themselves.

Mr. GAYFER: I am coming down on the side of the Minister. If an owner does not have a book and he wants to move his sheep, he should be able to make three carbon copies on ordinary paper. Do not let us bind him down to using the proper form. Let him get on with the job by using sheets of ordinary paper and obtain a book the next time he is in town.

Clause put and passed.

Clauses 47 and 48 put and passed.

Clause 49: Special permits for travelling stock—

Mr. GAYFER: This clause deals with special permits for travelling stock. Many farms have paddocks that are not con-

tiguous to the main boundaries—they might be three-quarters of a mile, one, two, three, or four miles away. This brings in a new concept altogether.

It is now necessary to have a permit—and I take it that it could be a permit that lasts for some time—that will enable stock to be brought from one paddock and along a road to the homestead, where spraying, dipping, or any other operation can be carried out. If the owner does not have the permit from the inspector, I should imagine he could make out a waybill to enable him to move the stock in a hurry to another run. It could be found that stock is flyblown and it is necessary to move it to the homestead in a hurry. The inspector might be 80 miles away. If one does not have a permit from the inspector, can one make out one's own waybill to move the stock?

Mr. NALDER: Again, I think the object of this legislation is to apply common sense to the situation. If a farmer owns a farm three miles away and he wishes to drive his stock, it is not necessary for him to write to an inspector to get a permit. If his farm is 120 miles away and he has to have a carrier, he must be prepared to identify his stock. That is the only reason for this provision. I am sure one has no difficulty in identifying one's stock. The point is that one is identifying one's stock to the inspector or policeman.

Clause put and passed.

Clauses 50 to 52 put and passed.

Clause 53: Brands not to be altered—

Mr. MITCHELL: I more or less concur in what the member for Albany said about this clause. Whilst the Minister says it is meant to be taken in a reasonable manner, the person who drafted this Bill has inserted a clause to the effect that one shall not remove any brand from a sheep within six months of taking possession of it. According to the strict letter of the law, as I see it, one would have to shear the rest of the sheep and leave the brand on it. I think the wording of the clause is wrong in principle and in every other way, if that is what is meant. If the intention is that it shall not be done under normal conditions, why does it not say so?

Mr. NALDER: I will endeavour to provide an explanation for this. I will have the matter examined and will explain it at the third reading stage.

Clause put and passed.

Clauses 54 to 62 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 11.31 p.m.