

abattoirs are established in the metropolitan area and the facilities at Midland are not fully occupied. Therefore it would be economically possible to use the facilities at Midland to a greater extent. At this stage the board may purchase some sheep or stock to slaughter there.

I would hope that, instead of putting a buyer on the market, such a circumstance would provide an opportunity for the board to engage in treating or killing on a weight and grade basis, either directly on a grower's account, or on a grower's account through his agent. I think this will enable the board to carry on without having to incur the expense of a buyer. An experienced buyer is paid a fairly high salary. He must be experienced, otherwise he could make some costly mistakes; and he must be employed fairly regularly in order that his employment is an economical proposition. It would not pay to employ such a man on sweeping or cleaning up around the place in between the rare occasions on which he was called upon to buy stock. I put it to the Minister that he should consider the method of buying on a weight and grade basis.

I have placed an amendment on the notice paper to limit the operation of this Bill to a period of two years. My reason for doing so is that the Minister has indicated already that he proposes to introduce legislation to establish a lamb marketing authority, and we want to be sure that the Bill before the House will not unduly impinge on the operation of the proposed authority. We propose that the Bill should be effective for two years in order to give the authority a chance to become established and obtain experience. Then, if the Minister feels that this legislation should continue in force, he can introduce a Bill to re-enact it.

Leave granted to the member for Moore (Mr. Lewis) to continue his speech at the next sitting of the House.

*Sitting suspended from 6.10 to 8.25 p.m.*

### MINING ACT AMENDMENT BILL

*Returned*

Bill returned from the Council without amendment.

### NATIVES (CITIZENSHIP RIGHTS) ACT REPEAL BILL

*Receipt and First Reading*

Bill received from the Council; and, on motion by Mr Bertram (Attorney-General), read a first time.

*House adjourned at 8.27 p.m.*

## Legislative Council

Tuesday, the 24th August, 1971

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

### MINING ACT AMENDMENT BILL

*Assent*

Message from the Lieutenant-Governor and Administrator received and read notifying assent to the Bill.

### STANDING ORDERS AMENDMENTS

*Approval of Lieutenant-Governor and Administrator*

THE PRESIDENT (The Hon. L. C. Diver) [4.34 p.m.]: I have to report the Clerk has received the following letter, dated the 20th August, 1971:—

I refer to your letter dated 18th August, 1971, and now attach Amendment made to the Standing Orders of the Legislative Council on Tuesday, 17th August, 1971, duly signed by His Excellency the Lieutenant Governor and Administrator.

(Signed) JOHN F. P. BURT,  
Lt. Colonel,  
Official Secretary.

### QUESTIONS (3): ON NOTICE

#### 1. CARAVAN PARK *Karratha*

The Hon. W. R. WITHERS, to the Minister for Local Government:

- (1) What is the legal capacity of the caravan park at Karratha?
- (2) How many caravans are there at this time?
- (3) How many caravans have been asked to leave the park because of overcrowding in the past month?
- (4) How many caravans have advised the caretaker that they are awaiting entry?
- (5) (a) What are the future plans for caravan facilities to cope with the influx of workers and settlers with their families; and  
(b) when will they be implemented?
- (6) (a) Will caravans be permitted to park on industrial and/or domestic sites whilst waiting for the provision of facilities; and  
(b) if not, what arrangements have been made to cope with the influx of settlers?

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

- (1) The caravan park is designed to take 175 eventually.
- (2) 126 bays are occupied. 49 bays are yet to be developed.
- (3) None has been asked to leave. Nine caravans on land adjoining the park were required to leave.
- (4) About 10 have asked to be accommodated, but there are about 80 others in the area.
- (5) (a) Consideration will be given to the establishment of an additional caravan park.  
(b) Not known.
- (6) (a) No.  
(b) This is the responsibility of contractors engaging employees.

## RURAL RETRAINING

### Implementation

The Hon. N. McNEILL, to the Leader of the House:

- (1) Which Government departments are responsible for the planning and implementation of the rural retraining schemes in Western Australia?
- (2) What specific courses for retraining are at present available?
- (3) How many persons—  
(a) are currently enrolled in rural retraining courses;  
(b) have completed courses of retraining?
- (4) How many applications for retraining have been made by persons eligible for rehabilitation assistance under the Rural Reconstruction Scheme?
- (5) What financial or technical assistance is being made available by the Commonwealth Government for rural retraining in this State?
- (6) What private or other companies or firms are participating in rural retraining schemes in Western Australia?
- (7) Which financial contributions, if any, are made by the Government to firms providing this training?
- (8) Have the companies, or sections of industry participating in retraining, any representatives on the body responsible for the planning of such courses?
- (9) What financial outlay, either as enrolment fees or other charges, is required of persons wishing to undertake retraining courses?

The Hon. W. F. WILLESEE replied:

- (1) The Education Department.
- (2) None.
- (3) (a) None in specific courses.  
(b) 38 out of 40 males successfully completed the first 12 weeks full-time intensive course of meat inspection.
- (4) Not known. No announcements of the Commonwealth schemes have been made.
- (5) None.
- (6) Not known.
- (7) There are no known State contributions made to companies or sections of industry participating in retraining.
- (8) The State Government has formed a Rural Retraining Advisory Committee which is representative of employers, trade unions, the State Department of Labour, the Farmers' Union, the Department of Labour and National Service, and the Education Department.
- (9) In State programmes enrolment or tuition fees are waived. Students would be expected to provide text books if required by the course.

3.

## MILK BOARD

### Albany Milk Supply

The Hon. J. M. THOMSON, to the Leader of the House:

With reference to the reply to my question on the 19th August, 1971, concerning the Albany milk supply, when the Leader of the House referred to meetings between the Albany dairymen and the Board in June, 1964—

- (a) were any minutes kept of these meetings; and
- (b) if so, will he lay them on the Table of the House?

The Hon. W. F. WILLESEE replied:

- (a) and (b) No, but copies of the addresses given by the Chairman of the Milk Board and the dairymen's representative on the Board are submitted for tabling.

(See *Tabled Paper No. 125*)

## POTATO INDUSTRY

### Inquiry by Select Committee; Motion

Debate resumed, from the 18th August, on the following motion by The Hon. V. J. Ferry:—

That a Select Committee be appointed to inquire into and report upon the Potato Industry in Western Australia and to make such recommendations as are considered desirable to

encourage greater productivity and expansion of the industry, including processing and export trade opportunities, with view to bringing further benefits to growers and the general public.

**THE HON. L. A. LOGAN** (Upper West) [4.42 p.m.]: Since this motion was introduced and, having taken the adjournment of the debate, I have had an opportunity to study the case presented to the House by Mr. Ferry and also that against it presented by the Leader of the House, Mr. Willesee. I will admit that when it was first introduced, possibly because I did not take sufficient notice of what was being said, I was not excited about what the motion sought. However, since then I have had time to study the matter a little more deeply and, realising that the motion has been brought forward by a member who represents approximately 50 per cent. of the potato growing area, and knowing he will not gain any political kudos as a result of moving this motion, I can only come to the conclusion that his main interest is the industry itself.

I have therefore concluded that the motion may not be a bad idea after all. Mr. Ferry stressed the fact that he has no quarrel with the Potato Marketing Board. He raised a point in regard to the cold storage of potatoes. I do not know if this is the right term to use in regard to potatoes, because I think it is a well-known fact that potatoes cannot be put into cold store. Nevertheless, perhaps there is another method of storing potatoes that can be investigated at greater depth than has been the case up until now. I mention this because I believe that in Canada potatoes are placed in warm storage, and it may be that potatoes grown in the south-west of this State and also those grown in the north could be properly stored with some type of temperature control. I think this is worthy of investigation, because I do not think any worthwhile study has yet been made of this type of storage.

A further point was raised in my mind when Mr. Withers spoke about growing potatoes in the north. We have not been told, of course, to what extent the Department of Agriculture has experimented in the north of this State with the growing of a potato of a type different from the Delaware, but I think this is a matter that should be investigated. There are people in the north who are attempting to make a commencement with market gardening, and it is fairly obvious that the type of potato we grow in the south will not grow in the north under present circumstances. However, it is possible that a potato which is grown in some other part of the world could thrive in the conditions met in our northern districts. If this were found to be so, the saving in freight alone would make such an investigation worth while.

In opposing the motion, the Leader of the House seemed to me to put forward two very strong points in favour of it. Among other things he said—

There is a pressing need for assistance, examination, and reconstruction of our other primary industries.

Then he went on to say—

In view of the importance of potato production to the State, it is essential to maintain the viability and efficiency of the industry to serve both growers and the public to the best advantage. Constant review to this end is desirable and necessary.

Those remarks seem to support the claim put forward by Mr. Ferry that this is the time to make a review. We should not wait until the industry runs into trouble. This may be the time whilst it is on an even footing and whilst there is no great concern about it to study the problem to ascertain if there is any possibility of ensuring that the industry goes forward and not backward. Therefore I think on that aspect alone I would be able to support the motion.

I think it is fair to say that over the years the potato growing areas of Western Australia have changed somewhat. Whether this is due to circumstances, or because it is necessary at different times to change from one district to another, I do not know. I believe the Manjimup potato growing area came into being mainly as a result of the abandonment of the tobacco growing industry; to enable the producers in the Manjimup area to earn a living. It was because of this that the potato growing area was extended to the Manjimup district.

We know that many of the potato growing areas in the Harvey district have now gone out of production, and I think we should know why. I have received some complaints about the potato growing areas of the State and perhaps these could be answered in the main if an investigation were held into the industry. Having followed a member who has covered just about all the points relating to the motion, I do not want to reiterate what he has already said. Nevertheless I believe that in all the circumstances, and because the emphasis has been placed on productivity and the welfare of the industry itself an investigation could prove to be worth while. The Potato Marketing Board itself is not under examination at the moment—although it could be. If the manufacturers of potato products in this State are desirous of obtaining a better potato, which is not being produced in sufficient quantities at the moment, it would mean our having to import the type of potato that is required. Therefore, to that extent, the investigation sought in the motion may be worth while. With those few pertinent remarks, I support the motion.

**THE HON. N. E. BAXTER** (Central) [4.50 p.m.]: I listened with a great deal of interest to Mr. Ferry when he introduced this motion and I finally came to the conclusion that the motion is centred around two points in connection with potato production and marketing. These points are the cold storage of potatoes and the increasing exports and local processing of potatoes.

I made some inquiries in respect of these matters and those inquiries elicited information that particularly from an export point of view potatoes have been placed in cold storage, but the method proved unsuccessful for the simple reason that very soon after the potatoes were taken out of cold storage they began to shoot, and therefore they were unsuitable for market. Consequently the appointment of a Select Committee to inquire into the cold storage of potatoes would be pointless as the matter has already been thoroughly investigated by the board and found to be unsuccessful.

**The Hon. G. W. Berry:** What about controlled atmosphere?

**The Hon. N. E. BAXTER:** Controlled atmosphere has been introduced in Canada and the United States and it may be all right there because if the temperature in the storage facilities is warmer the potatoes do not shoot when they are taken out of storage. But do we need to do this? Is there scope for the export of more potatoes? We have seen the result of over-production in other industries and, as a result, some methods of curtailing production for export have been introduced because of the very poor prices obtained overseas. I refer to butter and eggs in regard to which the export price is so low that the commodities are not worth producing, let alone sending overseas.

I believe this would apply to potatoes. By the time all the costs involved in the export of potatoes were calculated it would be found to be a losing proposition for the producers.

In regard to processing, a company does operate in this State at the present time and Mr. Willesee has informed the House that another company proposes to enter this field using some of the misshapen potatoes which are unsuitable as first grade, and so are unacceptable to the housewives. These would be the nobbly potatoes, and so on, but I suppose even first-class potatoes could be used if they were not required for local consumption.

Mr. Ferry referred to potato crisps, but he did not give an explanation concerning the economics of their production. In the House he produced a packet of crisps made in America, and in reply to a question I asked by way of interjection, he indicated that the potato crisps cost 27c a packet. The cost of potatoes is \$78 a ton, and as a result of working the figures

back, I do not believe this would be a very good venture for the producers if they were to grow potatoes specifically for this purpose.

These are the reasons I feel which make unnecessary the appointment of a Select Committee to inquire into the industry. I believe the Potato Marketing Board and the industry are quite capable of studying all the points which have been raised; and they have done so in the past. The board co-operates fully with the manufacturers who are processing potatoes, and we could ask for nothing more there. It would be a waste of time to have a Select Committee inquire into this industry which is operating quite well. No complaints have been received from the producers in regard to the board—except from a small section—but we find that in any organisation a small section is always dissatisfied. I agree with Mr. Willesee who said that other primary industries demand much more of our attention than does the potato industry; and for these reasons I cannot support the motion.

**THE HON. G. W. BERRY** (Lower North) [4.55 p.m.]: I rise to support Mr. Ferry's motion for the appointment of a Select Committee to inquire into the potato industry, and I think he covered the subject very well. He is not particularly concerned with an investigation into the activities of the board, although, no doubt, such activities would be covered by the inquiry to be conducted.

The people in the northern parts of the State are very critical of the quality of the potatoes they receive, and they complain that they have no redress to improve the situation. The potatoes arrive in plastic bags and I have heard recently that these bags are causing concern because when the potatoes in them are exposed to the light, they turn green. They must be stored in the dark if this undesirable feature is not to occur.

Retailers have complained about the amount of earth they find in a bag of potatoes. This, of course, makes their sale very unprofitable, and the retailers do not see why they should be treated in this way.

These are the general complaints I have received as a result of inquiries I made. No potato-growing areas exist in the province I represent. Several attempts have been made to grow potatoes but strict attention has not been paid to the crops and they have been lost as a result of potato fly. I know of two instances when this has occurred, although I am not saying that it is the fault of the industry itself. It is one of the hazards which might be a little more prevalent in my area than in other places.

The Act sets out some of the types of offences which might be committed in the industry. It refers to the hindering of an inspector, the failure to produce sales

dockets, and planting and selling without a license. The offenders appear before a court in due course and are dealt with according to the law. The point which disturbs me is that it is the prerogative of the board to suspend a grower's license. I think that the same principles should be applied to a potato grower's license as apply to a motor driver's license. If a driver breaches the Traffic Act in a certain way, his license is suspended for a period determined by the court, but the offender has the right of appeal.

In regard to a potato grower's license, however, the board has the sole right to revoke it, and there is no right of appeal. This is a matter which should be looked into. A grower who has had his license revoked should have some right of appeal against the decision. These are a few of the matters which a Select Committee could study.

As Mr. Baxter mentioned, there is always a small section in any organisation which is discontented. In the last few years some growers have been gaoled for growing potatoes without a license. In one portion of the State the production of potatoes seems to have been reduced to practically nothing, for reasons I do not know. Possibly the potatoes produced in other areas are better.

The appointment of a Select Committee would only benefit the industry. A committee would inquire into all the points raised by all sections of the industry; and therefore, in the interests of the industry itself, the appointment of such a Select Committee would be a very good move.

I personally hope other members will support Mr. Ferry, as I do, in his move for the appointment of a Select Committee.

**THE HON. R. THOMPSON** (South Metropolitan) (5.00 p.m.): I am not opposed to inquiries in the form of a Select Committee or in any other form when I consider the result of the inquiry will be of benefit to the community of Western Australia at large. However, I must oppose this motion. I listened intently to Mr. Ferry when he spoke and I have read his speech several times. I have been trying to ascertain what he desires, what is wrong with the industry, why a Select Committee should be appointed, and what its findings, if any, would be. I even tried to be helpful while he was speaking, and asked by way of interjection whether he would expand on some of the topics, such as research and productivity, which he mentioned, but he failed to do this. On his own admission, he has not had replies from the various zone councils from which potatoes come onto the metropolitan market. Therefore, we do not know the feelings of the potato growers themselves. I understand the *Manjimup Times* did not take too kindly to a suggestion for the appointment of a Select Committee.

I should like to look at the points which the honourable member enumerated, one of which was productivity. Although, at times, I have been critical of some aspects of the legislation under which the Potato Marketing Board in Western Australia operates, and I have also had occasion to criticise its practices, we have found that the board has been prepared to have amendments made to the legislation to bring it into line with modern thinking.

So far as productivity is concerned, if we want orderly marketing we must have controlled acreages and controlled production. There are very limited markets for our potatoes. Delawares form the main potato crop grown in Western Australia. Over the years this brand of potatoes has been tried and tested; in fact, long before the Potato Marketing Board came into existence. The Bismarck was the other potato grown second to the Delaware. Members may recall seeing it many years ago; it is a purple potato and has deepset purple eyes. This brand of potato has completely disappeared from the markets because the growers were not obtaining a sufficient yield from their crops. The potato grew all right and it was a good potato, but growers found over many years—probably 50—that the Delaware is the best potato so far as productivity is concerned.

If members were to delve into the records of varieties of potatoes grown before the Department of Agriculture and since the Potato Marketing Board came into existence they would find that many varieties of potatoes have been grown in Western Australia. It was the growers' choice to stick to the Delaware.

Mainly since the setting up of the Department of Agriculture research station at Medina, literally hundreds of varieties of potatoes have been tested. Some varieties have been released to growers, but the research station does not release a variety of potato until it has been thoroughly tested and found to be a commercial proposition to the grower who, if he plants such potatoes, will be able to obtain an economic return for his crop. Within the generally accepted prices that exist, the cost of production rules out many of the new types of potatoes. The general public will not pay more for a different variety of potato when, in the main, they are satisfied with the Delaware, the Sebago, and several other lines which come onto the market during the different growing periods in the year.

Three different varieties of potatoes are being grown in Spearwood at the present time. Usually they are grown not on a large basis but on a small one. If a person has a four-acre quota, he may try out a new variety on one acre or half an acre within that quota. Productivity

is governed by controlled selling. The Potato Marketing Board is not like the Onion Board which once existed in this State—and, incidentally, I did everything within my power to bring about its downfall.

The Hon. J. Heitman: Did that improve it?

The Hon. R. THOMPSON: Yes, completely. Within the onion industry were part-time growers and a board that did not set quotas. Anyone could grow onions and the only requirement was that the onions should be forwarded to the board for marketing. There was no controlled production or controlled marketing. The board did not attempt to obtain overseas or Eastern States' orders until the onions were actually picked.

Two members of this Chamber—one is overseas and the other is no longer with us—went with me on a tour of the Spearwood area one day and they saw some 37 tons of first-class onions about to rot in one heap. This was not the fault of the grower but of the board for not controlling production when there were only limited markets available. There are only limited markets for Delaware potatoes.

Mr. Withers read out some letters which he had received from people in the north-west concerning the condition of potatoes sent to the north from different parts of Western Australia compared with those shipped from South Australia. The State Shipping Service is the only mode of transport in Western Australia that can take potatoes to the north-west so that they might be made available at a reasonable price. The State Shipping Service requires all cargo bookings to be made 14 days before the ship sails. This means that potatoes have to be packed and sent to the terminal 14 days before they actually go on board a ship for the north-west. Of course, the potatoes have to be crated because they are being transported into the semi-tropics. The usual bag container is no good because the potatoes sweat and also because other cargo which is stacked on top damages the potatoes. Consequently, the potatoes are packed virtually in an oblong crate with slightly rounded edges to enable the air to circulate. Unfortunately the light which comes through the slats causes some greening of the potatoes. Also, it cannot be expected that large potatoes, in particular, will last for a month or six weeks in such humid conditions.

All potatoes are not good. At certain times of the year we often hear housewives complaining about their quality. This is because the method of storage, whether it be in the ground or in sheds, is not good and the potatoes deteriorate. We find we are limited to the potatoes which come from the four different growing areas in Western Australia. These are

the potatoes which have to be shipped—whether overseas, intrastate, or interstate—when there is a surplus in Western Australia.

Bulk containers may be the answer for the north-west. At the moment potatoes are handled half a dozen or perhaps 10 times before they are placed on the ship and ultimately are available in the north-west. By comparison, potatoes from South Australia reach the market much more quickly. Usually within four days of an order being placed in Adelaide potatoes can reach the Northern Territory because of the direct routes of rail and overland transport. We are at a disadvantage with our potatoes because it takes up to three weeks for them to reach their destination.

I do not think we have anything to learn in this respect nor that any satisfactory conclusion can be reached in relation to the north-west. If it were possible to grow potatoes in the north-west in the tropical and sub-tropical climates that prevail we would not have markets in Singapore and Malaysia for potatoes as we do at the present time.

I think we can rule out major export markets for the type of potato we have at present, although I personally think the Delaware is the finest potato in Australia. I do not like other brands because I have been brought up on the Delaware and am used to it. In fact, it is generally accepted. I certainly cannot see the reason for appointing a Select Committee to devise ways and means of bringing about more productivity. We certainly do not want to place ourselves in the position of the United States, to which Mr. Baxter referred. The United States dumps its surplus eggs and dairy produce on other countries in the world and floods the markets. I am sure we do not want the position to arise with respect to productivity where we have huge surpluses of potatoes. Someone will have to pay for them and, ultimately, it will be the consumers or the taxpayers. This will unquestionably happen if productivity is increased beyond what we can consume and beyond the forward orders which we can obtain.

By and large we have little or no waste with our potatoes. It may be said that rejects by the Potato Marketing Board have increased. However, if we examine the potatoes in markets in all States of Australia we find that the grading and quality of our potatoes is far superior to the way in which potatoes are marketed in any other State in Australia. I have looked into this matter in all other States of Australia.

So far as the cost factor is concerned; on Friday's quotes the retail price of potatoes in New South Wales was 11c a pound and in Western Australia it was 7c a pound. The board has done an excellent job in this respect. Although it sells potatoes at board rates, it does not control

the retail price of potatoes in Western Australia. It is up to the storekeeper to ask what price he desires, although we find a virtually uniform price for potatoes in the metropolitan area. This applies, too, in country areas although freight has to be added.

In fact, we get the cheapest form of potato at a consistent price all the year round. Although the boards in other States control to a certain degree the growing of potatoes and the acreage to be planted, they do not license potato growers in the same way as we do in Western Australia.

Therefore, they are placed in a position similar to that in which the Onion Marketing Board found itself; in which at certain times of the year a glut of potatoes appeared on the market and from which the grower obtained virtually no return for his product. As a result of this he might decide he will not grow potatoes in the following year. Because of the price of potatoes in the Eastern States which has been known to soar to \$190 and \$200 a ton producers have taken advantage of the position and have sent their crops interstate.

This has caused considerable ill-feeling in the industry. The Potato Marketing Board accepts what I consider to be a very good principle—at least it is one by which I have always stood; namely, one man one job. I think it is important—if one is to be a registered potato grower and is to obtain a license—that one should spend all his time, or the major portion of his time in the production of potatoes. It is necessary to work the land and to grow potatoes as an ancillary product while, perhaps, operating an orchard, or something similar. Because of the activities of the Board we find the potato growers who earn their living from the land are protected. On the other hand, however, there are those people who work in the industry, grow potatoes on Saturday, till them on Sunday, and harvest them perhaps on Saturdays and Sundays. This, of course, means that any price they receive for their potatoes is, in fact, a good price.

This sort of thing does away with orderly marketing and orderly production and brings chaos to the industry. This is the type of chaos that was experienced by the Onion Marketing Board when it was in existence.

The same difficulty is experienced in Tasmania and South Australia at the moment, because in those States we find potatoes being over-produced by growers who are not permanent producers. I will now refer to the dissatisfied people; those who obtain a license to grow potatoes and who abide by the decisions of the board when the home consumption price and the home market is able to absorb their potatoes.

We find, however, that the moment the price of potatoes soared to \$190 to \$200 a ton in the Eastern States those same growers considered they should not be bound by the legislation—even though they were prepared to abide by it for many years when it suited them. They invariably take advantage of the high price in the Eastern States and ship their potatoes to those areas.

This sort of thing, of course, upsets the balance of a planned acreage and orderly marketing which might have been envisaged by the Potato Marketing Board for a particular year. Because of their activities the people concerned have lost their licenses, and I think rightly so. They were prepared to take advantage of the higher price in the Eastern States, and once the market there dried up they wanted to get back to the home market and share that market with the honest producer who had complied with the board's requirements; the producer who had supplied the local market.

It can be seen, therefore, that these people wanted the best of both worlds, and this is not always possible. I do not for one moment accuse Mr. Ferry of putting up a smoke screen by moving this motion, but if it is a smoke screen then the members of the Select Committee, if appointed, will certainly have my sympathy; particularly if it is the intention of the committee to take evidence and open up the breaches of the legislation that have occurred over the past few years. I hope it is not the intention of the committee to allow views to be expressed and grievances to be aired by those who, because of their actions in the past, have lost their licences. I feel that because of their past actions such growers have rightly lost their licences.

I certainly do not propose to accept appointment to the Select Committee if such a committee is established. The type of people to whom I have referred will never play the game by any Government, by any Board, or for any purpose. If they find tomorrow that they can sell their potatoes outside the board—and this is possible under section 92 of the Commonwealth Constitution—they will certainly do so.

What is the purpose of appointing a Select Committee if people are prepared to accept the control of the board when it suits them and then denounce that same board when its control does not suit them? What good is there in having extra productivity in circumstances like this? Such people should not be shown any consideration at all.

Mr. Ferry went on to say that a Select Committee could bring far-reaching benefits to all concerned. He did not elaborate on this point; nor did he tell us what far-reaching benefits could accrue to all concerned.

We have controlled productivity in Western Australia, and we have explored every market it has been possible to explore. If the honourable member has any suggestions to make I feel sure the Potato Marketing Board and its officers would be only too glad to meet him and listen to what he has to say.

On one occasion I criticised the board quite forcefully in this House and I was invited to attend a board meeting. I did this, and it certainly gave me a better appreciation of the board's activities. I have not always agreed with the policy of the Potato Marketing Board, and while I may not have agreed with some of its submissions at the time I certainly obtained a better appreciation of what it was trying to achieve. I am sure that the amendments that have been made to the Marketing of Potatoes Act indicate that the board has legitimately carried on its business in the best interests of all concerned.

I cannot see, therefore, how any far-reaching benefits could be obtained by the industry, apart, perhaps, from introducing over-production. If it is over-production that is required then let the honourable member move a motion for that purpose; let him get rid of the board, because we will then have over and under-production and, as a result, the housewives of Western Australia will have to pay more for their potatoes for several years to come.

The honourable member mentioned areas of discontent. The only areas of discontent of which I have heard are those to which I have already referred; those connected with people who have not played the game. I do not profess to be conversant with the activities of the potato industry in the Mt. Barker, Albany, Pemberton, and Manjimup areas, but I have had considerable dealings with the potato growers in the Spearwood area where there does not appear to be any particular signs of discontent.

As a result of its added responsibilities and because of the increasing demand for potatoes each year, the Potato Marketing Board issues new licenses to people who are entitled to such licenses. At the moment there is a waiting list of those who require licenses to grow potatoes. Each year several people drop out; they decide they will not grow potatoes any more. That is their business; but there are always a sufficient number of people who are ready to take the place of those who have dropped out. If it is necessary to increase the production by 2,000 tons in a particular year the Potato Marketing Board could quite easily increase the production by that tonnage if it so desired.

There is no argument in connection with the activity of the board as it relates to the production of potatoes. Mr. Ferry continued and said that the potato industry as a whole should be examined. What

examination does the industry require? I have not heard from any potato grower that he feels an examination of the industry is desirable.

There are quite a few potato growers in the area within my province, and I have had no complaints from these growers for some four or five years. Accordingly, I do not know why there should be an examination of the industry as a whole. Had the honourable member wished to raise any particular point he could have done so with the Department of Agriculture or the Potato Marketing Board.

There is very good liaison between the zone councils on which there are representatives from the Potato Growers' Association of Western Australia and also from the board itself. There is a complete liaison between the potato growers, the zone councils, and the association. Apart from this there is a very close liaison between the board and the association.

If any particular inquiry were necessary would not this be the correct direction from which such an inquiry should be sought? Would it not be far better for such a motion to have been prompted by the Potato Marketing Board or the Potato Growers' Association?

Would any one of us suggest that a member of this House should go past the Wheat Marketing Board? Would anyone suggest that we should try to upset the functions of the organisations set up to deal with the wheat growing industry? I do not think this would be suggested. I feel sure that any such proposition would come through the relevant organisation. If any new varieties were required this would be taken up by the zone councils of the wheat growing industry. It is in this same manner that the potato industry operates.

The Potato Marketing Board secures tremendous benefits for the citizens of Western Australia. In the first place it provides an assured income for the growers of potatoes—they have virtually an assured income from year to year. Apart from this the consumers of potatoes in Western Australia have the cheapest priced all-the-year-round potatoes in Australia. Surely these aspects are most desirable.

There is no doubt that the market is limited so far as shipping is concerned, and we must face that fact. Is it desirable that we expand the growing of potatoes and create a surplus? It is for the House to decide whether or not a Select Committee should be appointed; but its appointment must also be accepted by the Government of the day.

Governments are generally advised by their departments. If there is a finger to be pointed at the Department of Agriculture or remarks to be made in respect of its activities—particularly as these relate



to vegetable growing etc.—let us hear what they are. I certainly cannot point a finger at that department.

The Department of Agriculture has its research stations established and these are being operated with great credit to the department and with benefit to the people of Western Australia. As a result of its activities the department has improved a number of varieties of vegetables and it is only through its research that we now have four different types of potatoes available all the year round to the markets of Western Australia.

Accordingly I do not think we can suggest that the Department of Agriculture has not done its job; nor do I think we can imply that the Potato Marketing Board has not done its job. I know, however, that this was not implied by Mr. Ferry.

Therefore, we come to the points: if the members of the board have done their jobs, why do we need a Select Committee? What will a Select Committee achieve? Would any of its recommendations be accepted? Would not this move be a reflection on the Department of Agriculture and on the Potato Marketing Board? I was a little stunned to read and hear that the honourable member wishes a Select Committee to inquire into a board which, at the moment, is doing everything right.

The Hon. F. D. Willmott: You said a little while ago that you do not know very much about the potato industry. I think you have proved your point.

The Hon. R. THOMPSON: I heard the honourable member speaking on a certain subject the other night. I am satisfied now that he knew nothing about the matter because at a meeting yesterday his argument was blown sky high. So he should be the last person to interject and the last person to make a statement such as that because if ever anyone got shot down in flames, it was the honourable member, yesterday. I admit that I represent the potato growers of only one zone. However, that zone produces the highest tonnage of potatoes in Western Australia and, incidentally, it produces the only decent new potatoes available on the market. I think they will be on the market probably by the middle of next month.

The Hon. G. W. Berry: Is that the highest quantity per acre?

The Hon. R. THOMPSON: Yes, the highest tonnage per acre. Although the average for Western Australia is 9.48 tons per acre, we find that yield in the Spearwood area has risen to as much as 23 tons per acre, and that was on new land. Of course, I am not saying that is the situation in all cases. I visited the area last year and saw that particular crop being dug. So if we wish to bring about greater productivity and to obtain greater storage facilities, then, probably,

some of the south-west growers could be put out of their jobs and we could concentrate on the sand areas of Spearwood which would provide at least double the production of the south-west areas.

The Hon. N. McNeill: Spearwood is not the only area which produces yields in excess of 20 to 25 tons per acre.

The Hon. R. THOMPSON: I am fully aware of that. However, the average quoted by the honourable member was 9.48 tons per acre, and he also quoted a rejection rate of something like 6.7. I have no argument about the rejection rate. I do not think we should be concerned as to whether that rate becomes higher or lower because it means we are getting on the market potatoes of a standard quality. If growers are not growing potatoes to required standards, they deserve to have their produce rejected.

I understand that if a wheat farmer takes his wheat along to the silo and it is not up to the required standard, that wheat is sent back to the farm for regrading. If the potato grower gets up to the same tricks, the same thing should apply to him. Many years ago, before the operations of the board, potato growers would start by putting two shovelful of soil into the bag and would then fill the bag with potatoes. The purchaser would receive a quarter bag of loam and three-quarters of a bag of potatoes. I bought tons and tons of potatoes like that. Fortunately we do not see this kind of thing happening any more. We already have a high standard of potato and, unless I can be convinced—and that cannot happen because the honourable member is not permitted to introduce new matters at this stage—that the honourable member has put up a strong case to warrant an investigation into the industry, I will not support the motion.

**THE HON. J. HEITMAN** (Upper West) [5.35 p.m.]: It is interesting to hear members speak highly of the Potato Marketing Board, and to hear them say the board is doing a good job in the controlling, handling, and selling of potatoes. However, I am disturbed to hear some members say that we do not need a Select Committee to inquire into the production, sales, and many other aspects relating to the potato industry. I do not know of any primary industry which could not stand an investigation in an endeavour to improve the existing circumstances relating to the marketing, growing, and handling of its produce.

On one occasion when I was in England I visited many potato-growing areas and saw the various methods used for storing potatoes. One method of storage was to bag the potatoes, lay them in rows and then pile earth over them. Such potatoes could be left for up to three

months and still be in good condition at the end of that period. The growers in England also attempt to breed potatoes and anything up to 2,000 different types of potatoes are cross-bred every year. Much the same thing is done in Holland, but not a great deal of better potatoes result. Mr. Ron Thompson mentioned the Delaware potato which, of course, has been improved as compared with its quality of years ago. We do not see the nobbly potatoes spoken of by Mr. Baxter because research has been conducted into the growing of potatoes in this State, just as research has been carried out in every other country of the world.

There are many things we could try out in relation to potatoes. Have we ever tried using surplus or unpalatable potatoes, mixed with grains and other products, for stock food?

The Hon. W. F. Willesee: How do pigs go on potatoes?

The Hon. J. HEITMAN: They go very well. As a matter of fact, when I was in England potatoes for human consumption were selling at £12 sterling per ton, and at £3 per ton for use as pig feed. On one occasion when we were looking through Lord Huntingfield's property we came across a stack of potatoes in the piggery so high one could not jump over it. The potatoes had been boiled in their jackets, and one of our farmer members said, "By jove, potatoes in their jackets!"

He asked whether they were all right and, upon being told they were, he filled his pockets and commenced to eat them. Shortly after we came across a large copper of swill, and a member of our party said to the young farmer, "There you are son. Why don't you have a dive into that?" There are many ways of using potatoes, even if only for pig food.

The Hon. R. Thompson: You have hit on probably the only weak part in our legislation because in this State one can grow potatoes only for human consumption.

The Hon. J. HEITMAN: That is only on the honourable member's say-so. He gave us a great narration about what he could not find out about potatoes. I think he wasted his time. Had he spent a little time on the other aspects of this motion he might have been a little more helpful to the industry instead of condemning someone who is trying to assist it. I intend to vote for the motion for the appointment of a Select Committee because I think any study would be of advantage to the industry.

**THE HON. V. J. FERRY** (South-West) [5.39 p.m.]: I am pleased to have the right to reply to the motion I moved some little time ago and I am indeed grateful for the contributions to the debate made by those

members who have spoken. I will endeavour to reply to the points raised to the best of my ability. I must admit that many points have been raised.

Firstly, for the sake of clarity I wish to refer to a figure I quoted when I moved the motion. I referred to the actual selling price for all growers in this State of \$78.85 per ton. That figure is not incorrect, but it is ambiguous because some people are apt to refer to that figure as being the actual amount received by the growers. I wish to point out that the average payment to growers, after deduction of expenses, during the last financial year was \$61.54 per ton. I would like to tidy up that matter because the original figure is ambiguous. No-one raised the matter during the debate, but I feel it should be included in the record for the sake of clarity.

Another point I mentioned—and Mr. Logan also referred to it—is the number of growers in this State. I quoted a figure of approximately 800, and it has been suggested to me in private conversation that the figure may be a little lower; it may be nearer 700. I am not particularly concerned whether the figure is 700 or 800 for the sake of this motion because in either case there is a large number of growers in this State. I could go further and say that the number of people associated with the industry, as distinct from licensed growers—that is, those engaged in planting, harvesting, transporting, wholesale buying and selling, retailing, processing, exporting, and so on—is quite large and, therefore, the industry has depth in relation to its work force. I could also mention the number of people engaged by the Department of Agriculture on potato research work.

I wish to refer—because it has been raised during the course of the debate—to the response in the growing areas to the suggestion that a Select Committee from this Chamber should be appointed to inquire into the potato industry. I refer once more to the letter I forwarded to each of the nine potato-growing zone areas on the 28th July, 1971. This letter was sent to the chairmen and secretaries of those nine zones. It is nearly four weeks since that letter was sent and I have received no adverse comment whatsoever from any of the zones. I have had no official correspondence from the zones because, as I mentioned by way of interjection during the debate, the zones hold meetings on set dates and the meetings did not coincide during this period. However, I have received a reply from people associated with the zones in the form of personal telephone conversations and a couple of private letters. The only adverse response I have received has come from just one man. My experience of this sort of exercise is that if there is something objectionable within an industry—and this would apply also to motor vehicle license fees which are about to be increased—one

receives an avalanche of communication from many areas; but I have had nothing of that.

I could mention that I also wrote to the Chairman of the Potato Marketing Board as a matter of courtesy, and he had the courtesy to reply in this form—

Dear Mr. Ferry,

Thank you for the information contained in your letter to me dated 28th July, regarding your proposal to move for a Select Committee to be appointed to inquire and report upon the Potato Industry in Western Australia.

Also my thanks for your personal good wishes.

I shall await developments with a great deal of interest.

Yours faithfully,

H. Threlfall,  
CHAIRMAN.

Mr. Willesee, in speaking to the motion on behalf of the Government, mentioned a survey which had been conducted of the Australian potato industry by the Bureau of Agricultural Economics. I have had a copy of that survey in my possession for some little time now.

Mr. Willesee mentioned that this survey had gathered a tremendous amount of information in respect of the industry in Australia, but I would point out that it only covered a period of three years, commencing in 1961 and ending in 1964; so this economic survey commenced 10 years ago and continued until seven years ago. I quote from the foreword of the report of this survey—

This report covers both the survey of the financial position of potato growers and an account of potato production, consumption and marketing within Australia. The survey of growers covers the three financial years 1961-62, 1962-63 and 1963-64.

Field inquiries were carried out in the period March 1965 to August 1965. Some preliminary results were prepared for presentation to a meeting of the Federal Potato Advisory Committee in March/April 1966. For a number of reasons including staff resignations and other Bureau commitments, completion of a final report has been delayed until now.

Although it is dated October, 1967, it shows that the statistics included are not as up to date as all that.

In moving the motion I did say that boards do not perform miracles, and that they require the goodwill of all sections of the industry. That statement is correct, and I am therefore disappointed to find that in the debate on the motion emphasis has been slanted towards what I term as "knocking" the Potato Marketing Board. Nothing was further from my mind or from

the wording of the motion. In my view the board has done a very good job, but we want to allow it to do even a better job so that the industry might prosper. I have no axe to grind in respect of the activities of the board. I wish it every success, and hope it will serve a very useful function.

I believe that a Select Committee will not only improve the industry, but also assist the marketing authority. I would point out that just because a board exists, it does not mean that it is capable of dealing with all the difficulties that arise in the industry. Perhaps in this regard I can refer to the Milk Board or the Australian Wheat Board. We all know that the industries controlled by those boards have experienced difficulties over a period of time.

In his contribution to the debate, Mr. Willesee was speaking on behalf of the Government rather than giving his personal views. He referred to some of the matters I had raised, but unfortunately he did not mention quite a number of others.

One aspect he mentioned was that perhaps the members of this House would be well advised to consider other primary industries that might be beset with difficulties greater than those that exist in the potato industry at this point of time. I do not think this is a very encouraging comment. I am sure that at all times members of this House or of this Parliament have great concern for all industries. Just because the potato industry is not on its knees, it does not mean that we should not be forward in our thinking or that we should not project our thoughts with a view to eliminating some problems that might beset this industry in the future. I shall return to this point a little later.

Ever since this Parliament has been constituted I suppose that members have—I certainly have—spoken on the agricultural industry of this State. Perhaps I need not mention all the various sections of this industry. We have spoken at great length on wheat and wheat quotas in recent times; we have spoken on the dairying industry, and on the whole-milk and the butterfat sections of it in particular; we have spoken on the beef industry, and recently I spoke at some length on this matter; we have spoken on meat marketing, on abattoirs, and on the establishment of a statutory lamb marketing authority—a matter which has come in for a great deal of examination. Members, and in particular Mr. Willmott, have spoken at length on the timber industry. I could go on and on enumerating the sections of the agricultural industry which have been under discussion.

I cannot accept the line of thought that members of this House should, in effect, forget about the potato industry until it

reaches the point where it is on its knees. I have said that a number of points which were raised by me when I moved the motion have not been answered, and I will refer briefly to the list. I mentioned publicity and sales promotion, and members may recall that I did give examples of what is being done by the United Kingdom Potato Marketing Board in promoting the product. No reply has been made to this sort of projection that I tried to engender.

There has been no comment on the problems associated with the washing of potatoes prior to marketing, and with packing them in polythene bags. There has been no real answer given to the point I raised on packaging and associated problems of green potatoes. It may be safe to eat green potatoes, but they are not attractive to the housewife or consumer. The point of the grading of potatoes was not commented upon either. The special instances relating to potato crops and potatoes generally have not been commented on and neither was the rejection rate.

I raised the question of diseases affecting potato crops, and particularly those affecting potatoes required for the seed trade—such diseases as leaf roll which seriously impair our small but lucrative outlet for seed potatoes. When referring to the seed potato trade to Ceylon, Mauritius, East and West Pakistan, and South Africa, Mr. Willesee said these outlets are limited by supplies of seed of the size and quality required, rather than by lack of demand. The Government admits there is a demand for this type of potato and that we are unable to meet it. This is a lucrative outlet although a relatively small one. It is not good enough for the Government to say it is looking into the problems and into the factors associated with production when, in fact, here we have one example of there being insufficient productivity to take advantage of the seed potato market.

Another point which has not been answered is my suggestion for further examination to be carried out, and that we might do away with the late crop grown during the hot summer months which requires many man-hours in attending to irrigation and other matters. This is a crop which is subject to the ravages of hot weather and diseases, and which does not yield as much per acre as other crops. Therefore, there is not the same margin of profit.

I offered the suggestion that the late crop or part of it might be eliminated, and that as a compensating factor the mid-crop be grown to a greater extent than it is by existing growers or by new growers. To assist this exercise the question of storage arises; but this point has not been answered. These are the areas which need examination, and I will come back to them later.

Mention was made by me to transport and the methods of transport, bulk transport, bins, and the size of bins; but these points have not been answered either.

The question of the north-west market has not been commented upon by Mr. Willesee. Mr. Ron Thompson raised this point, and Mr. Withers was good enough to write to a number of retailers in the north-west and the far north; in centres like Port Hedland, Derby, Broome, Wyndham, Kununurra, and Halls Creek. So we find that in this area a problem exists.

No comment was made by Mr. Willesee in his reply to the question of the establishment of facilities by the board at Robb Jetty. I posed the question that perhaps it might be better to place these facilities at a railhead, such as Kewdale. However, they might be better located at Robb Jetty. Let us examine the situation and see whether or not this is the right thing to do.

No reply has been given to the comments I made in regard to the operation of the Potato Industry Council. Members may recall that this body comprises representatives of the Potato Growers' Association of Western Australia, the W.A. Potato Marketing Board, and the Department of Agriculture. For a period of almost 12 months, from the 31st October, 1969, to the 2nd October, 1970, this body did not even meet. There might be good reasons why it did not, but I want to know the reasons, and I think members of this Chamber are entitled to know what they are. I am all for establishing liaison and for having a council such as this, but if it does not work then it does not help the industry.

The Hon. R. Thompson: You should realise that you moved the motion and you should have brought out the points as to what was wrong in the industry.

The Hon. V. J. FERRY: The whole purpose of the motion is for the appointment of a Select Committee to look into all these aspects, in order to assist the industry. It is too deep a subject for me in my humble capacity, or for that matter for any other member of this Chamber, to cover with authority. I had limited time in moving the motion, because I did not wish to weary the House unduly by taking too long. I spoke for nearly an hour and for this I am grateful for the indulgence of the House. To avoid taking up too much of the time of the House I did not mention some aspects which perhaps were relevant.

Dealing with the replies to the points which I have raised, I still feel there is a need for further examination of the matters affecting the industry. I mentioned the question of research, but this point was dealt with very scantily. I appreciate the situation in which Mr. Willesee

found himself, because he was handling this matter on behalf of the Government, but I know that he is very keen indeed on agricultural matters. When one reads the material he used to reply to the comments I raised, it is quite evident that this material is based almost entirely on what has been supplied by the board itself. I find no fault in basing the reply of the Government to a debate on material that is made available to the Government by the board in question. That is the correct and the normal channel from which to seek information.

The Hon. W. F. Willesee: In that respect you know more than I do.

The Hon. V. J. FERRY: I am only interpreting what was said by the honourable member in the course of his contribution to the debate, and to the phraseology he used. If this Government has, in fact, sought information from the board—as it is entitled to—it should also have sought information from the Department of Agriculture; and the Government should have incorporated the comments of the department in its reply to the motion. From the phraseology used it is quite apparent to me that even if the Department of Agriculture had been consulted, its views are not apparent in the reply given by Mr. Willesee. I would just like to question the value of this sort of reply.

As Mr. Ron Thompson pointed out, the department has done excellent work on research into new varieties, but I believe the problem of producing new varieties which are commercially acceptable still exists; and because of the marketing system it might be impossible to grow the new varieties commercially.

Mr. Berry referred to the question of licensing, but in his contribution Mr. Willesee said that I had not mentioned social injustice—whatever that term might mean.

“Social injustice” covers a very wide field indeed, and I will come to that a little later. However, probably one of the greatest injustices is the lack of the right of appeal against a decision by the board in respect of licenses. This is a matter which needs to be examined.

Catering for the home market, particularly the growing metropolitan area, was given scant coverage in the Minister's reply. The export trade was touched on, but not in depth. The Leader of the House mentioned potato processing, and he particularly referred to the processing of potato crisps in Western Australia. He said that a processing firm was currently using approximately 1,000 tons of potatoes annually.

I made it my business yesterday to make some inquiries, and I had the good fortune to visit the premises where the potatoes are being processed in Western Australia.

I also talked to the management in an effort to find out the true situation. The management told me that it was very happy with the treatment it received from the potato board, and also the encouragement given. The management had no complaint in that regard, but it was worried about the future of the firm. The firm is having extreme difficulty in obtaining the right quantity of the right quality potatoes for crisping purposes. It is using Delawares from selected growers, but it is not getting a sufficient quantity of the right type.

The management of that firm considered that the appointment of a Select Committee to look into the industry would be the greatest thing that could happen because it could see problems ahead. The firm supported the inquiry wholeheartedly, not because it was at loggerheads with the board, but because as a Western Australian firm it faced stiff opposition from the Eastern States. Eastern States firms were endeavouring to become established in Western Australia. However, that is competition.

The Western Australian firm has plans for expansion, but unless it can obtain a sufficient quantity of the right type of potatoes it will face a difficult future.

The Hon. Ron Thompson: Did the management of the firm say what was wrong?

The Hon. V. J. FERRY: The Western Australian firm must have a sufficient quantity of acceptable potatoes.

The Hon. Ron Thompson: Is not the sugar content a problem?

The Hon. V. J. FERRY: Yes, that is one of the main problems. Referring now to increased productivity: The home market has a certain capacity to use a certain quantity of potatoes. I have carried out a simple exercise which will illustrate the value of sales promotion to the industry.

If by some means we can promote the industry, or project it, by advertising or by gimmicks—call it what one likes—to increase the consumption on the home market by 6 per cent., that would be a great improvement. An increase of 6 per cent. would mean approximately 50 tons a week for 52 weeks of the year. That would mean an additional production of 2,600 tons a year. A grower with a 10-acre license, basing production on the State average of 10 tons per acre, would obtain 100 tons of potatoes. Based on those figures, another 26 growers could enter the industry. Alternatively, the existing growers could increase their licensed acreage.

The average return for potatoes last year was \$61.54 per ton. A grower producing 100 tons would receive approximately \$6,100 in return. That income, earned by an additional 26 growers, would

mean an increase of \$158,600 in the revenue of the industry. Those figures illustrate that there is room for encouragement in the consumption and supply of potatoes. *Sitting suspended from 6.07 to 7.30 p.m.*

The Hon. V. J. FERRY: Mr. President, I would like to conclude my remarks by replying briefly to some of the comments made by members during the course of the debate. At this stage, I would like to thank Mr. Logan for his contribution. He particularly mentioned the storage of potatoes—a matter with which I have already dealt—and I concur in his thinking in that regard. He also said he agreed that there should be constant review of an industry, particularly before an industry gets into trouble. He appreciated that there were areas of difficulty.

Mr. Baxter referred to matters such as storage, exports, and the local market. I believe that in my other general comments I have already dealt with those points. Mr. Berry contributed a comment on the supply of potatoes in the north of this State. He also mentioned offences against the Act and the difficulty of there being no right of appeal in some instances, which is a valid and telling point.

Mr. Ron Thompson dealt at length with a number of facets of the industry. The number of points raised by him only serves to cement in my mind the conclusion that there is a tremendous area of inquiry with which only a Select Committee could adequately deal.

The Hon. R. Thompson: Can you give us one reason to justify the appointment of a Select Committee?

The Hon. V. J. FERRY: I do not think I could add anything further to satisfy the honourable member; it would take up a great deal of the time of the House if I were to explain all the points of view. I leave it at that, except to say that the honourable member referred to the encouragement of over-production. Over-production is farthest from our minds. No Select Committee would be foolhardy enough to encourage over-production. That is not the object at all. We want to create greater productivity. There is a vast difference between productivity and over-production.

The Hon. G. C. MacKinnon: The fact that some potatoes are imported is one point.

The Hon. V. J. FERRY: Productivity means a better use of our resources; it means the volume of goods and services measured in relation to the resources that are used up.

The Hon. R. F. Claughton: Perhaps we should not grow potatoes where they are now grown.

The Hon. V. J. FERRY: Such things have happened. Mr. Logan mentioned that there has been a shift from some former

growing areas to other areas. That is normal. It has happened in the wheat industry; at one time people moved into the marginal areas and they are now apparently moving back. That is agriculture.

Mr. Heitman contributed some very telling points in a light-hearted manner. I appreciate his comments and his support for the motion.

Mr. President and members, I believe that the state of our rural economy, generally, is probably the greatest challenge we now face, as a people. It is a tremendous problem and I believe it is up to us to help the industry overcome some of the difficulties. Let us give a lead. Let us not wait until the industry is in real trouble before we endeavour to help it. It is not at all necessary for there to be a chaotic condition before a Select Committee or any other committee of inquiry takes a hand in things. As I envisage it, this committee would tackle the problem in a most helpful way for all sections of the community.

As I have said—and I repeat—we should support the marketing system, not undermine it or do away with it. It has served this State well, and it can be made better. The marketing system is only one part of the industry; there are growers, research workers, and so on, down the line; and, particularly, there are consumers and processors.

I hope the House will agree to this motion.

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

## Ayes—14

|                      |                        |
|----------------------|------------------------|
| Hon. G. W. Berry     | Hon. J. M. Thomson     |
| Hon. V. J. Ferry     | Hon. F. R. White       |
| Hon. A. F. Griffith  | Hon. R. J. L. Williams |
| Hon. L. A. Logan     | Hon. F. D. Willmott    |
| Hon. G. C. MacKinnon | Hon. W. R. Withers     |
| Hon. N. McNeill      | Hon. D. J. Wordsworth  |
| Hon. I. G. Medcalf   | Hon. J. Heitman        |

(Teller)

## Noes—13

|                      |                        |
|----------------------|------------------------|
| Hon. N. E. Baxter    | Hon. R. T. Leeson      |
| Hon. R. F. Claughton | Hon. T. O. Perry       |
| Hon. D. K. Dans      | Hon. R. H. C. Stubbs   |
| Hon. S. J. Dellar    | Hon. S. T. J. Thompson |
| Hon. J. Dolan        | Hon. W. F. Willesee    |
| Hon. L. D. Elliott   | Hon. R. Thompson       |
| Hon. J. L. Hunt      |                        |

(Teller)

Question thus passed.

## Appointment of Select Committee

**THE HON. V. J. FERRY** (South-West)  
[7.39 p.m.]: I move—

That the Honourable D. K. Dans, the Honourable J. M. Thomson, and the mover be appointed to serve on the Committee.

Question put and passed.

**THE HON. V. J. FERRY** (South-West)  
[7.40 p.m.]: I move—

That the Committee have power to call for persons, papers, and documents, and to adjourn from place to

place; that it may sit on days over which the Council stands adjourned; and that the Committee report on Thursday, the 4th November, 1971.

Question put and passed.

## USED GOODS AND MATERIALS BILL

### *Second Reading*

**THE HON. J. DOLAN** (South-East Metropolitan—Minister for Police) [7.41 p.m.]: I move—

That the Bill be now read a second time.

For some years consideration was given to the introduction of legislation to amend both the Second-hand Dealers Act and the Marine Stores Act. Both these Acts became law over 60 years ago and the types of stores and articles described in them have changed considerably over the years.

There is, however, a certain amount of duplication in both these Acts and it is felt that, instead of amending each of them, they should both be repealed and the salient points of each incorporated in one Act.

This Bill repeals the Marine Stores Act, 1902-1963, and the Second-hand Dealers Act, 1906-1948, and replaces those Acts with a new Act called the Used Goods and Materials Act, 1971.

Under this new Act provision is made for three categories of licenses, namely bottle collectors' licenses, used material collectors' licenses, and used goods dealers' licenses. It will be noted that under the Bill a used goods dealer's license embraces activities previously carried on by holders of marine dealers' licenses and second-hand dealers' licenses in force under the two abovementioned Acts.

A number of discussions were held with officers of the Police Department concerning the present exemptions of certain second-hand or used goods from the operation of the legislation. As to furniture, it has been advised that the theft of furniture from furnished houses, particularly display and exhibition homes, is becoming prevalent and it was suggested that furniture should no longer be exempt from the legislation. Similarly, with respect to mining machinery, it was advised that illicit stripping and demolition of valuable mining plant in mines which have been temporarily closed down has occurred in recent times, and accordingly the Bill does not exempt used mining machinery.

Accordingly, in defining used goods and used materials, the present Bill contains no exceptions at all other than used motor vehicles coming within the ambit of the Used Car Dealers Act, 1964.

Under the Marine Stores Act, 1902, bottles are defined as excluding, in addition to milk bottles, bottles on which a deposit is paid and refunded on return of

the bottle to the original vendor. I am now referring to soft drink bottles. It is understood that there has recently been a change in the trade practice of bottle collection, in that licensed bottle collectors now undertake the collection of such soft drink bottles as well as ordinary bottles previously collected by them. In these circumstances it seemed proper to discontinue the present exemption for soft drink bottles.

One important addition to the law which the Bill makes is to deal with the collection of bottles by voluntary, charitable, or benevolent organisations. This is a problem which has been under consideration for several years and, generally speaking, the approach taken in the Bill is to authorise the Minister, as distinct from the commissioner, to issue permits to organisations of that kind by which the organisations will be lawfully able to carry out what is now a fairly common fund-raising activity.

The suggestion that the Minister, rather than the commissioner, be the permitting authority for voluntary organisations was the draftsman's own and is made for the reasons that for some years commercial enterprises engaged in bottle collection have complained that voluntary organisations have been making unjustified inroads into the commercial activities of bottle collecting; but so far as the draftsman is aware, there have been few or no complaints about the actual conduct of the persons physically collecting bottles on behalf of charitable organisations. Accordingly, the decision whether a particular organisation ought to receive a permit would ordinarily be based on whether the needs and objects of the voluntary organisation and the number of permits already outstanding at any particular time are such as to outweigh the vested interests of commercial organisations holding ordinary licenses to collect bottles issued by the commissioner. It does not appear to the draftsman that the commissioner should, or would, want to be concerned with decisions of that kind. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. J. L. Williams.

## OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

### *Second Reading*

**THE HON. R. H. C. STUBBS** (South-East—Local Government) [7.47 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to remove certain doubts concerning some minor problems associated with the powers of the Parole Board to deal with certain classes of prisoners and persons within the provisions of the Offenders Probation and Parole Act.

Pursuant to section 34 (2) (a) of the principal Act, the Parole Board is required to report annually to the Attorney-General in respect of persons ordered to be kept in strict custody until Her Majesty's pleasure is known and who are for the time being in safe custody during the pleasure of the Governor. I refer to orders made pursuant to section 652 or section 653 or subsection (4) of section 693 of the Criminal Code.

There is, however, the other class of person detained consequent upon a Governor's order made pursuant to section 48 of the Mental Health Act by admission as a patient to an approved hospital and thereafter subject to liberation by Governor's order upon such terms and conditions as he thinks fit. Legal officers of the Crown are of the opinion that the release of such persons should be made under the provisions of the Mental Health Act. This being so, there seems to be no point in the Parole Board being obliged to submit annual reports on these persons..

The amendment contained in this measure will clarify beyond doubt the fact that these persons become the responsibility of the Mental Health Services when Her Majesty's pleasure is made known by the Governor under section 48 of the Mental Health Act. This is covered by the amendments in clauses 4 and 2.

Clause 3 of the Bill deals with juvenile offenders convicted under section 19(6) (a) of the Criminal Code on indictment of an offence punishable by imprisonment and who, instead of being sentenced to imprisonment, are ordered to be detained in strict custody until the Governor's pleasure is known.

An offender who is dealt with in this manner is not a prisoner within the meaning of the Offenders Probation and Parole Act. This means that he is not able to be considered for release under the provisions of that Act.

By adding a new section, numbered 34A(a), provision is made for such an offender to be dealt with by the Parole Board. This is, of course, desirable in the interests of the rehabilitation of such person. I commend the Bill to the House.

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

## ADMINISTRATION ACT AMENDMENT BILL

### Second Reading

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

That the Bill be now read a second time.

This Bill to amend the Administration Act, together with those amending the Property Law Act and the Wills Act, constitutes a measure of law reform dealing with illegitimate succession.

Amendments contained in this Bill confer upon illegitimate persons the same rights to share in the estates of deceased persons as are enjoyed by persons who are born in lawful wedlock.

Existing law is that neither an illegitimate nor any issue of an illegitimate has any right to participate on the intestacy of either parent of the first-mentioned illegitimate. Nor has either parent any right to participate on the intestacy of his or her illegitimate child. Furthermore, the illegitimate is also barred from participating on the intestacy of any other kin, either lineal or collateral. However, the testator may, of course, make specific provision in his will for illegitimates in being.

The adverse and unjustifiable consequences which flow from the present state of the law are many. I have been provided by way of example with one or two instances. A deceased who had never married but was survived by a son and grandchildren of other deceased sons, is a case in point. These persons learnt for the first time the facts concerning their parentage following the death and when the matter of distribution of the deceased's estate was being considered and discussed. In this case the children were denied the right to inherit a small family home in which they had lived and had contributed towards the upkeep and rates and taxes. Another case brought to my notice was where brothers and sisters of the deceased took all, or most, of an estate to the exclusion of the illegitimate children.

It is a fact that the Public Trustee, trustee companies and other persons administering estates have a most unenviable task when they are obliged, in circumstances such as those which I have mentioned, to inform illegitimate persons of their status and of the consequences which flow from that status.

Some people believe, and pursue an attitude against illegitimates, choosing to ignore the fact perhaps that the illegitimate status is given to them and is not of their doing. On the other hand, ordinary fair play would suggest that the hardships and disadvantages already suffered by illegitimates should not be extended as they are so that they are denied the right to share in the estates of their natural parents where such parents have neglected to make wills to provide for them.

I am informed that a committee—the Russell Committee—which dealt with the English law of succession in relation to illegitimates in 1966, stated, *inter alia*—

At the root of any suggestion for the improvement of the lot of bastards in relation to the laws of succession



to property is of course the fact that in one sense they start level with the legitimate children in that no child is created of its own volition. Whatever may be said of the parents, the bastard is innocent of any wrongdoing. To allot to him an inferior or indeed unrecognised status in succession is to punish him for a wrong of which he was not guilty.

An argument against granting rights to illegitimates is to the effect that the institution of marriage would thereby be undermined and the social status of illegitimates enhanced. Is there any evidence to support these contentions? It may be that, if anything, evidence would be to the contrary so far as marriage is concerned.

Should recognition of illegitimates in the manner intended by this Bill enhance their social status, would harm result—or good? It is said, indeed, that this Bill becomes an extension of the Commonwealth Marriage Act which legitimates children by the subsequent marriage of the parents.

At this point I would foreshadow an amendment which the Attorney-General has requested me to move in this House. The amendment which is proposed affects section 25 of the principal Act, which sets out the persons entitled to administration. In paragraph (a) of that section it will be seen that the relatives of a deceased person are covered.

As the objective of this amending Bill is to enable illegitimates to share in intestacies, it is right that they should be given the opportunity to apply for administration when the occasion arises. The principal Act at present does not permit of this under the section which I have mentioned.

There might, however, be instances when this is not only desirable but also necessary—for example where there are no lawful children or where others would desire the application to be made by such a person.

It is therefore proposed that paragraph (a) of section 25 be amended by striking out the words "next of kin" and inserting in lieu the words, "persons who are entitled to participate in the distribution of the estate."

It is pertinent to remark that the Bill does not break new ground in that our laws already acknowledge and provide relief for illegitimates. I refer in this connection to the provisions in section 117 of the Property Law Act, to section 6(3) of the Fatal Accidents Act and to section 5 of the Workers' Compensation Act, each of which makes specific reference to this class of persons. The Married Persons and Children (Summary Relief) Act and,

it is likely, other Acts also make reference to and provisions for persons in this category.

The Law Reform Committee was asked to consider whether any alterations were desirable in the law of succession in Western Australia in relation to illegitimate persons. As is customary, that committee prepared a working paper and circulated it to the Chief Justice and the Judges of the Supreme Court, the Master of the Supreme Court, the Law Society, the Law School, the Public Trustee, the Perpetual Executors Trustee & Agency Co. (W.A.) Ltd., and other law reform commissions and committees with which this committee is in correspondence.

The Law Society advised that, after consideration of the working paper, it was decided to adopt the recommendations of the committee.

In other States there has been considerable change in the laws concerning illegitimates. The Australian Capital Territory, in its amendments in 1967 to the Administration and Probate Ordinance, 1929-1967, gave a lead to the States. It will be seen, therefore, that this Bill is not a pioneering one so far as Australian legislation is concerned.

The Bill meets the situation by providing that where any person dies intestate as to some or all of his property, then for the purpose of determining who is entitled to participate in the distribution of that part of his estate to which the intestacy applies the relationship between a child and his father and mother shall be determined irrespective of whether the father and mother are or have been married to each other and all other relationships, whether lineal or collateral, shall be determined accordingly.

The rights of persons entitled in distribution to intestate estates of persons who die before this Bill becomes law will in no way be affected. The Bill affords certain protection to administrators or trustees who shall not be under obligation to enquire as to the existence of any person who could claim an interest in the estate or the property by virtue only of the provisions of the proposed section 12A to be inserted into the Administration Act or the proposed provisions of part IX to be added to the Wills Act, in so far as they confer any interest on illegitimate children or any person claiming through an illegitimate child.

The Bill also contains such other protections as are necessary for the administrator or trustee as the case may be.

As mentioned earlier, Mr. President, the proposals in this measure are supported by complementary amendments to the Property Law Act and to the Wills Act. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

## PROPERTY LAW ACT AMENDMENT BILL

### *Second Reading*

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the House) [8.00 p.m.]: I move—

That the Bill be now read a second time.

The amendments contained in this Bill are those which are considered necessary to give effect to the amendment to the law of illegitimate succession recommended by the Law Reform Committee and comprised in current amendments to the Administration Act.

This legislation, together with amendments to the Wills Act, is intended to come into force on a date to be proclaimed as it is essential that the three Bills become effective from the same day.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

## WILLS ACT AMENDMENT BILL

### *Second Reading*

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the House) [8.01 p.m.]: I move—

That the Bill be now read a second time.

This Bill is complementary in its provisions to the current amendments proposed in respect of the Administration Act and the Property Law Act.

This amending measure seeks to add a new part dealing with illegitimacy, which provisions apply only to wills executed on or after the date of the coming into operation of this group of Bills comprising a measure of law reform in respect of illegitimate succession. This restriction in time is considered desirable to enable testators who wish to do so to amend their testamentary documents or to make new ones. Members would be aware that subject to the rights of persons to apply to the courts for variation of the terms of a will, a testator is at liberty to dispose of his property according to his own wishes.

Legislation giving a right to share in an estate to a person whom a testator wished to exclude makes it essential that this legislation apply only from a future date.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

## INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

### *Second Reading*

**THE HON. R. H. C. STUBBS** (South-East—Minister for Local Government) [8.02 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to change the composition of the Western Australian Industrial Commission from a Chief Commissioner and three other commissioners to a Chief Commissioner and four other commissioners.

Though the terms of the measure are brief, Mr. President, its objectives are important.

When the Industrial Commission was created in 1963, the minimum number of commissioners that could be appointed was four for the reason that appeals against any single commissioner sitting alone had to be determined by a commission in court session comprising three other commissioners. There has been no change in the constituted number since the Industrial Commission came into operation on the 1st February, 1964. Since that time there has been a large increase in activity in Western Australia, with new industries; a consequential increase in the work force and an extension to the industrial areas of the State, particularly in the north-west and Kimberley areas.

Consequently with the work load of the commissioners becoming quite heavy it is increasingly difficult to service industry in cases of emergency. In the field of conciliation in compulsory conferences, the commissioners are being called upon to exercise jurisdiction in a variety of matters resulting in time-consuming negotiations necessitating urgent decisions.

This field of activity will become more extensive and to fulfil the requirements of both industry and the trade union movement, the demand is such as to be beyond the capacity of the commission's present strength of four.

It requires little imagination to appreciate the time-consuming activities of commissioners proceeding to and from dispute and industrial matters requiring their attention in the iron ore fields in the north whilst having to cope with the increasing work load in the commission.

Fortunately, no serious illness has occurred within the ranks to prevent the commission from functioning, and although provision exists in the Act to allow a acting commissioner to be appointed where a commissioner is unable to attend to his duties on account of illness or otherwise it is not intended to implement that provision—nor would it provide, if it were implemented, a long-term answer to the current problem.

I might mention that currently a commissioner is on long service leave and this has necessitated the appointment of a acting commissioner for four months. The other three commissioners are all due for long service leave and such occurrence would call for the appointment of an acting commissioner on each occasion.

The appointment of a fifth commissioner will not only solve the problem of relief, but that occasioned by the extension of the work load which pressures the availability of commissioners to service industry.

While the commission has four commissioners it is possible only to have four permutations of the commission in court session. The appointment of a fifth commissioner would provide for 10 permutations of the commission in court session and would be an assurance that the commission could operate even in the event of the illness of a commissioner or in the absence of one of the commissioners on annual or long service leave.

The proposal now before members is supported statistically in that the total matters dealt with by the commission have increased from 655 in 1965 to 1,462 in 1971. The commission in court session sittings have increased from 87 to 136 in the same period. Individual commissioners sitting alone handled 1,326 cases in 1971 as against 538 in 1965. Compulsory conferences—the facility now being more extensively used—increased to 115 as against 59 in 1965.

It will be seen, therefore, that the work of the commission has more than doubled since its creation in 1964 and the appointment of an additional commissioner has become one of absolute necessity.

Debate adjourned, on motion by The Hon. G. C. MacKinnon.

## STATE ELECTRICITY COMMISSION ACT AMENDMENT BILL

### *Second Reading*

**THE HON. J. DOLAN** (South-East Metropolitan—Minister for Police) [8.07 p.m.]: I move—

That the Bill be now read a second time.

In introducing this measure I would mention firstly that section 49 of the State Electricity Commission Act relates to the temporary investment of moneys.

Under the provisions of that section all moneys standing to the credit of the State Electricity Commission account in the bank approved by the Treasurer, may, until required by the commission in connection with the exercise of its powers be invested temporarily as the Treasurer may direct. Such investments may be in any securities wherein moneys in the Public Account may lawfully be invested. It is provided further that all interest derived from such investment shall be paid to the credit of the State Electricity Commission account mentioned in subsection (2b) of section 44 of the Act.

Section 49, then, empowers the commission to invest available funds that are not immediately required to be expended, but subject to the limitations imposed by that section.

In this connection, I would add that investments of money in the Public Account are restricted to those set out in the Public Moneys Investment Act of 1961. That Act provides that money held in this account may be invested as bank deposits, in the short-term money market and in certain securities guaranteed by the Commonwealth or by the State. These avenues of investment are not sufficiently wide, however, for the purposes of the commission.

In accordance with the provisions of section 49, the Treasurer has given his approval to the commission making temporary investments with banks. There are, however, other sound institutions which are prepared to lend money to the commission and which would appreciate the commission reinvesting these funds with them on a temporary basis. It is apparent, nevertheless, that the Treasurer may not approve such avenue of investment by the commission.

It transpires that there exists an increasing flow of funds available from building societies. Because those societies must keep at least 7½ per cent. of their funds in reasonably liquid form, some of them are looking for relatively short term, well-secured investments for part of their funds. They have, therefore, a source of funds that could be made available to the commission. It would probably help the commission to attract loans from that source where it is possible for the commission to re-invest, temporarily, money with the building societies, and possibly with other bodies—such as superannuation funds—which may be disposed to lend money to the commission, but which are not of the type referred to in the Public Moneys Investment Act.

It will be appreciated by members that the commission raises a substantial portion of its funds by private loans. Most of these loans are offered to the commission by banks, superannuation funds, insurance companies, and similar bodies.

It is, of course, expedient for the commission to accept these moneys at the time they are offered; which may not necessarily coincide with the time when the commission needs the money to pay contractors and other accounts. As a consequence, the commission occasionally has funds on hand that could be reinvested for short periods at reasonable rates of interest. Most of the institutions that offer money to the commission are of the type that will themselves accept deposits on which, because of their short-term basis, the institutions pay a lower interest rate than that offered by the commission. Were the commission empowered to lend money back to such institutions the difference in interest rates would make this lending back of the money attractive, and

provide an added incentive to these bodies to invest with the commission funds which otherwise might not be offered to the commission.

Loan raising is always a difficult and competitive business and it is submitted that any additional incentives which can be offered to lenders by way of short-term reinvestments would advantage the commission in the raising of loans generally.

It is proposed, therefore, to amend the Act with a view to giving the State Electricity Commission more flexibility in the investment of funds which the commission may be holding, but which are not immediately required.

To implement this proposal, the Bill provides for the deletion from section 49 the words, "in any securities wherein moneys in the Public Account may lawfully be invested."

It is considered that the passing of this amendment would give the commission access to a wider source of funds. It is stressed that the temporary investments envisaged will be only with institutions which are approved by the Treasurer and, in any event, will be restricted to bodies which have already lent money to the commission.

The proposed amendment will give the commission powers to invest funds similar to those powers now possessed by the Fremantle Port Authority under section 58J of that authority's governing Act and it is submitted that the State Electricity Commission should enjoy similar benefits to facilitate the raising of funds necessary for the carrying out of its works programme.

I commend the Bill to members.

Debate adjourned, on motion by The Hon. D. J. Wordsworth.

## CLEAN AIR ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 18th August.

**THE HON. G. C. MacKINNON** (Lower West) [8.13 p.m.]: This is a very small Bill; in fact it is almost a non-Bill, as I will show in a moment. Despite its smallness, however, it seeks to make a radical change in the Clean Air Act, No. 56 of 1964. At best, the principal Act is summarised by section 23 which reads as follows:—

Except as provided in subsection (2) of this section, a person who is the occupier of any scheduled premises and who is not the holder of a license issued in respect of those premises is guilty of an offence against this Act.

The fundamental principle of the Act is to issue a license for premises on which a process is carried out and which is con-

trolled to a greater or lesser degree, according to the regulations and other provision of the Act.

This little Bill changes that quite radically in that it defines a process, but then departs from the fundamental principle of the Act by setting out to issue permits for a process which, in this particular case, is the process of sandblasting. It is possible to envisage that in the fullness of time a number of processes may need to be controlled under this Act and I am a little surprised that this particular method was adopted to deal with the matter. In the Act, licenses for premises can include any process provided it is stationary one, and I am surprised that the same principle was not used in this amendment so that any declared process could be included if it were proved to be injurious or dangerous, or that it was polluting the atmosphere in some way. However, this was not done and sandblasting only has been mentioned.

Sandblasting is a process of cleaning buildings, ships, or anything else by the use of various compounds projected generally by means of compressed air against the surface it is desired to clean. I think most members have seen this being done.

I appreciate the difficulties of the process and the troubles it can cause because recently in the erection of St. John's God Hospital, Bunbury, a cement wall after it was formed, was cleaned by sandblasting by the dry process. At the time the Parkfield Hospital—the old Bunbury District Hospital—had a number of elderly inmates and the dust from the sandblasting operations some 60 yards away caused a fair amount of inconvenience and, indeed, quite a little discomfort. Under certain circumstances of course the silicic compounds can be dangerous.

I have no intention of delaying the Bill indeed I propose to support it. I mention these aspects because they are interesting. I stated earlier that this is, to my mind, a "non-Bill". I maintain this because clause 4 defines sandblasting, clause 5 stipulates details concerning the requirements of a permit, and clause 6 amends section 23 which is the regulation-making section.

In effect the Bill defines sandblasting states that sandblasting is a problem, and indicates that a series of permits will be issued. The Bill says that something ought to be done about the problem, and clause 6 indicates that those things which will be done will be publicised when the regulations are compiled. I am not over-emphasising this, but that is precisely what the Bill does; that is, it defines sandblasting says this has created a problem, and then the solution to the problem will be brought to our attention when the regulations are submitted.

This is the sort of Bill which, over the last 12 years, occasioned the wrath of the then Opposition; but I think it is far

enough under the circumstances, except that I believe that in connection with Bills of this nature the Government should ensure that the regulations are brought down at such a time that they can be examined properly and debated if desirable without a two, three, or six-month period elapsing with the House not in session. The Bill really does not indicate what is to be done about the subject, and I am prepared to accept this.

The Bill itself will not be proclaimed until the regulations are drafted, but the regulations will really be the Bill so far as the machinery parts are concerned. I just sound this note of warning: the opposition would be entitled to have a really good grizzle if these regulations were introduced when nothing could be done about them by the members of this House. Under these and similar circumstances opportunities should be given so that the regulations can be looked at before the legislation is proclaimed, and I trust the Government will ensure that we are afforded this privilege. In those circumstances I am prepared to support the Bill.

**THE HON. J. DOLAN** (South-East Metropolitan—Minister for Police) [8.20 p.m.]: I thank the honourable member for his support of the Bill. I think that at some time or other all members would have seen sandblasting in the open, and, more particularly, when the wall of Parliament House was being done. A certain amount of danger is afforded to other workmen about the place.

If members can cast their minds back some years, they will recall that it was decided to give two great capitals of the world—Paris and London—a spring-clean. All the buildings had mildew and were suffering from the wear of centuries. They had reached a stage when they had an appearance of age which gave them a certain dignity, but then it was decided that they should be spring-cleaned by a form of sandblasting. As a result practically two new cities were exposed to view following the facelift.

I can assure Mr. MacKinnon that the point he has raised in connection with the regulations will be attended to. There is nothing secret or sinister about it. It is only a question of operators requiring a license to work in the open. So far under the Clean Air Act they have had to operate in scheduled premises. That is the only point in the Bill and I do not think it will present any difficulties. I can assure Mr. MacKinnon he will have a good opportunity to study the regulations when they are introduced.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

### *In Committee*

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. J. Dolan (Minister for Police) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 39B added—

The Hon. J. M. THOMSON: Will the permit, for which a fee of \$20 will be payable, be valid for 12 months?

The Hon. J. Dolan: That is right. The permit is for 12 months.

The Hon. J. M. THOMSON: And it can be renewed after 12 months when the fee will be reduced to \$10?

The Hon. J. Dolan: That is right.

Clause put and passed.

Clause 6 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

## **BULK HANDLING ACT AMENDMENT BILL**

### *Second Reading*

Debate resumed from the 18th August.

**THE HON. L. A. LOGAN** (Upper West) [8.26 p.m.]: It has been stated that the purpose of this Bill is to release Co-operative Bulk Handling from the obligation to pay taxation on surplus income. If we do not explain that statement, a wrong impression could be created in the minds of some people. It is more important to mention the reasons for the release of this obligation, and the use to which the surpluses are to be put.

The surpluses have been built up only because of the efficiency of the company which has a pretty good reputation not only in Western Australia and Australia, but also overseas. The company must be commended, it can be justly proud of its efforts in the handling of grain. The surpluses will be used for the purpose of capital constructions, re-development, and maintenance.

I suppose it could be argued that as the company has been operating for some 35 or 36 years, it should be unnecessary for any further storage to be provided. However, when we consider the size of the grain-growing areas of Western Australia which start north of Ajana and take in a fairly wide arc round to the east of Esperance, and think of all that country in between, we can appreciate the magnitude of the task C.B.H. has undertaken to provide storage for all the grain grown and delivered in that area.

In 1935 and 1936, small bins were erected in many places throughout the area, but we must realise that some of the wheat was still being taken to the sidings by horse and wagon, and therefore it was necessary for the erection of many more bins, even though they were of a smaller variety, than are necessary today.

The terrific increase in grain production over the past few years, including the records of 1968 and 1969, has really tested the storage capacity of C.B.H. The standard gauge railway also necessitated rethinking so far as storage was concerned because, once the line went through, some of the bins were off the railway. Consequently, C.B.H. had to use further capital to build additional bins for the standard gauge railway. In those days delivery and operating costs on the smaller bins were high and C.B.H. has had to rationalise. Instead of having five or six bins in an area, sometimes it has had to reduce the number of bins to three. Some growers may not like this very much, particularly if their farms are adjacent to a siding. It may mean that they have to cart their produce a few extra miles, but if we work out the difference in cost I am sure the growers themselves will appreciate that rationalisation is necessary. Between Southern Cross and Fremantle there were 22 bins on the old line and the cost of handling was 7.3c. There are now 15 bins on the new line and the handling cost has been reduced to 4.6c. This is something with which the growers themselves must be satisfied. C.B.H. has been able to do this because of its rationalisation programme.

Many factors have caused C.B.H. to build greater storage. In the early days very often wheat of f.a.q. standard and inferior wheat was received as well as possibly oats or barley. Today it is an entirely different situation. Wheat is mainly bought on an f.a.q. basis, but in many cases today it is bought and sold on a different system altogether. One only has to examine Co-operative Bulk Handling's set-up at West Perth to see the amount of research and work being undertaken in regard to grain. There is a necessity for this to be done to ensure that grain is sold in accordance with the buyer's wishes. Today C.B.H. is handling 16 different grades of grain. This is a pretty fair effort on the company's part. C.B.H. needs this extra money to enable it to accomplish this and also for all the other reasons which I have given.

Even with a surplus of \$1,000,000, an amount of \$450,000 is paid in income tax. Of course the rebate goes back to the farmer, but the farmer has to pay tax on the rebate. I am sure we can appreciate the real need for this legislation to ensure that surplus money is put to much

better effect, instead of going into the hands of the Treasury. I am told that debentures will still be repaid.

I believe C.B.H. will be able to reduce the toll from 5c to 4c in a short period of time, possibly in 1972-73. I do not think we have any guarantee it can be held to 4c, because there is still a great deal of work to be done and a great deal of storage space to be built. Perhaps with increased costs this toll may have to be increased some time in the future. I consider we would only be putting our heads in the sand if we thought we could retain the toll at 4c indefinitely. It is essential that we think along these lines.

This legislation will only place C.B.H. on exactly the same basis as the other grain-handling organisations in all the other States. The principle has been fully supported by shareholders. When I say "fully supported", one person out of 102 voted against it. This being so, it is not possible to say it had 100 per cent. approval.

The Hon. W. F. Willesee: He might have been at the wrong meeting.

The Hon. L. A. LOGAN: Possibly he may not have understood what he was voting for. That was the situation and I think it is fair to say it has received near enough to 100 per cent. support.

The necessity for this measure had already been accepted by the previous Government. There is no need to dwell on that. This measure has our full support.

I would think the final part of the Bill is purely a safeguard. It is never likely to be put into effect; certainly we hope it will never be necessary. To satisfy the Taxation Department, I presume, provision has been made for any surpluses to be paid into the hands of the Treasurer should the company ever wind up. I do not think anybody, in his wildest imagination would think this was ever likely to happen, but the provision has been included as a safeguard in case anything really went wrong.

I give the measure my wholehearted support. As I have said, Western Australians can be proud of C.B.H. and the company can be proud of what it has achieved so far as grain handling in Western Australia is concerned.

I suggest to those who have not had the opportunity to examine all C.B.H. facilities to do this as soon as they can. Recently the local company arranged for visitors from other States to do a tour of portion of the agricultural areas and also through the metropolitan Fremantle-Kwinana installations. I have no hesitation in saying those visitors were impressed with what they saw.

Some members were given the opportunity not so long ago to look at C.B.H. facilities. We went from their works at North Fremantle through Spearwood to

Kwinana back to North Fremantle itself and the headquarters. One has to see these facilities to appreciate the amount of work that is being undertaken and the efficiency with which C.B.H. is carrying out its task. Again I suggest that any member who has not already inspected the facilities should do so at the earliest opportunity.

Growers who at times are inclined to complain about the service they receive from C.B.H. ought to have another look to make sure of their facts before they start complaining. I believe most of the complaints they have against C.B.H. could easily be corrected if they found out exactly what is going on. I have pleasure in supporting this measure.

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the House) [8.40 p.m.]: I thank the honourable member for his support of the measure. He drew attention to the term I used—a tax on surplus income—and said it was not necessarily applicable to the issue covered by this measure. The main point at stake is that we are now bringing this organisation into line with other States and giving a benefit to shareholders which has not obtained previously.

I again thank the honourable member for his obvious support given so wholeheartedly. I commend the 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.

## STAMP ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 18th August.

**THE HON. I. G. MEDCALF** (Metropolitan) [8.42 p.m.]: I wish to support the Stamp Act Amendment Bill, which contains a number of useful provisions to which I shall refer briefly.

The amendments in clause 2 will repeal the exemption from stamp duty for transactions on the official short-term money market. This refers only to the official market and, at the present time, an official dealer in the short-term money market is exempt from payment of stamp duty while the unofficial dealer is not. The latter has to pay 10c per \$100 in respect of commercial bill transactions irrespective of the term of the deposit or the term of the bill of exchange. This gives the official dealer a considerable advantage over the unofficial dealer. This means there are discrepancies and it makes a substantial difference to the collection of stamp duty.

As the Minister has pointed out, there was a time when it was necessary to encourage short-term money market transactions in Western Australia and, for that reason, an exemption was given. With the repeal of the receipt duty legislation, it is no longer required. I support the provision in clause 2 which will now put all dealers in the short-term money market on the same basis and liable to pay stamp duty. This seems quite fair and equitable.

In passing, I think it is worth drawing the attention of the House to the curious wording of amended section 16 as a result of the passing of this measure, if and when it is passed. The section in the Act will read—

... the stamp duties to be charged for the use of His Majesty upon the several instruments specified in the Second Schedule to this Act shall be the several duties in the said schedule specified. . .

It is a rather curious way of imposing stamp duty. Certainly these words would not be used by a modern draftsman. Nevertheless, it has stood the test of time for perhaps the best part of a century and it has never been challenged.

It is rather curious to think that these unusual words are still preserved in this form without amendment.

Clause 3 of the Bill provides a very sensible amendment. It will be recalled that in 1969 Parliament amended section 32 because the practice had grown up of persons who had objections to stamp duty taking their objections direct to the Commissioner of Stamps and asking him to adjudicate on them. There was no legislative provision enabling the commissioner to do this, but even though there was no such provision the commissioner nevertheless obliged such people for many years. He listened to their objections and gave unofficial decisions.

In order to enable the commissioner to have some legislative sanction for this practice an amendment was included in 1969 giving the right of objection to the commissioner within 21 days. The commissioner could hear the objection—that is the objection to the commissioner against his own assessment.

The provision of 21 days will be extended to 42 days by this Bill, and I think this is very sensible, because 21 days is a fairly short time in connection with complicated transactions.

In addition, the appeal to the court which was not excluded by the 1939 amendment likewise has the period extended from 21 days to 42 days—that is, the time a person has in which to lodge an appeal in the Supreme Court against an assessment. The commissioner may allow a longer period for the objection to him, and the court may allow a longer period for

the objection to it. Both these provisions are contained in the Bill before us. It is further provided that there may also be an appeal after the commissioner has considered an objection to the Court.

Accordingly, there are, in fact, three strings to the bow. Firstly there is an appeal to the commissioner within 42 days; secondly, there is an appeal to the court within 42 days; and thirdly, there may be an appeal to the court within 42 days after the commissioner has given his decision on the objection.

So the taxpayers—if one might use that term in connection with those who pay stamp duty—must consider they are getting a fair crack of the whip in respect of any appeal there might be against an assessment; and I commend the Government for having included that provision in the Bill.

The final provision in the Bill is set out in clause 4. This has the effect of adding the word “and” between two portions of section 112P. On a strict reading of section 112P it may be thought that the word “and” should be read in, although it does not so appear. I understand, however, that an objection has been taken and, in order to clarify the position and ensure that in future what is intended is quite clear, it is now proposed that the word “and” be added.

I am sure it was the intention of Parliament that these two clauses should be conjunctive and that the word “and” should appear in that position.

I support that provision with only one qualification which, I think, has been answered by the Minister in his second reading speech. In saying this I assume that the present case which is referred to is not affected by the addition of the word “and.”

I notice the Minister has said that irrespective of the outcome of the case now being placed before the court for determination it is desirable to remove any possible doubt as to future cases. From that I presume it is quite clear that it is not intended in any way to affect the present arrangement between the taxpayer and the commissioner, or the court, but merely to provide a firm and definite intention to guide persons in the future. With those remarks I support the Bill.

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the House) [8.50 p.m.]: I thank Mr. Medcalf for his remarks on this Bill. They clarified the situation. As always his remarks made very easy listening as he analysed the various provisions in the measure.

Without any true knowledge of the point raised by the honourable member I think I can say that his assumption is correct in connection with the final clause

of the Bill—that is, the provision will not have any effect on the case quoted in the notes supplied to me.

Mr. Medcalf drew attention earlier to the strange language which continues to be used in legislation of this kind. It has always been a wonder to me that we should adhere so rigidly and carefully to the language of the law when perhaps at times much simpler and more direct language could be used. I daresay, however, that those who have been associated with this sort of thing over the years are obviously aware of the benefit of such words and they would not lightly include such expressions in legislation unless they were intended to convey a deeper meaning.

I thank Mr. Medcalf for his support of the Bill and I commend it to the House.

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.

*House adjourned at 8.54 p.m.*

## Legislative Assembly

Tuesday, the 24th August, 1971

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

### SITTINGS OF THE HOUSE

#### *Statement by Premier*

**MR. J. T. TONKIN** (Melville—Premier) [4.31 p.m.]: Mr. Speaker, I seek leave to make a short statement. When this session commenced the Government indicated that it desired to have the sitting hours consistent and to keep working steadily with a view to trying to eliminate the long sittings at the end of the session. It was also indicated that it was proposed to have a break in the sittings in order to afford an opportunity for Ministers and members to catch up with work which might have accumulated during the period of the sittings. I now wish to announce that there will be no sittings of Parliament next week. We will resume in the ordinary way on the following Tuesday.

### MINING ACT AMENDMENT BILL

#### *Assent*

Message from the Lieutenant-Governor and Administrator received and read notifying assent to the Bill.