

award treble costs to the defendants," the defendant may be awarded no costs at all. Is that right, Mr. Heenan?

The Hon. E. M. Heenan: Yes.

The Hon. A. F. GRIFFITH: If we delete the words "portion of those" we certainly leave the gate right open for a greater amount than treble. I think it is clear enough. It is intended to maintain the principle of treble costs, but at the moment the court can do nothing but award treble costs. If Parliament accepts this amendment, it will empower the court to award costs of a lesser nature than treble costs.

The Hon. E. M. HEENAN: I think the Minister has made the position perfectly clear. Previously the court had no alternative but to inflict treble costs. This means that the court may award treble costs, or it may award no costs at all; it may go to the limit of awarding treble costs, or it may award any portion of treble costs. The word "may" leaves the court in the position of saying that it will inflict no costs at all. I would not take out any part of this; I would leave it as it is.

Clause put and passed.

Title put and passed.

#### Report

Bill reported without amendment and the report adopted.

House adjourned at 5.49 p.m.

## Legislative Assembly

Tuesday, the 21st August, 1962

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

### QUESTIONS FROM MEMBERS

*Withholding by Speaker*

THE SPEAKER (Mr. Hearman): Does the Deputy Leader of the Opposition wish to ask me a question concerning the withholding of questions to be asked in this House?

MR. TONKIN (Melville—Deputy Leader of the Opposition): Yes. I was wondering whether you would give me an explanation as to why you withheld certain questions which I desired to place on the notice paper, and which would have appeared on the notice paper for today's sitting. Standing Order 109 provides that a member may question another member on any matters in which such member may be concerned, if those matters are relevant to any Bill or motion on the notice paper.

I think you will agree from a perusal of those questions that they certainly relate to a matter which is on the notice paper; in fact, they relate to a motion which stands in my name on the notice paper. The only other point to be determined is whether the member whom I sought to question may be concerned with that motion. My submission is that it is a question with which he may be concerned. He definitely is concerned with the motion, so much so that it cannot be possible for him to vote on it. Therefore, it is clear that the Standing Order, which is there for the purpose of permitting a member to question another member regarding a matter relating to a motion on the notice paper in which he may be concerned, exactly fits the situation where I sought to ask those questions.

Reference to *May's Parliamentary Practice* shows quite clearly that it is the Speaker's prerogative to give rulings in private, if questions are refused at the Table. The Speaker may amend such questions, but I can find nowhere the existence of any power which will enable him to withhold the questions. *May's Parliamentary Practice* is quite clear on the matter. It says that the Speaker's jurisdiction on this point is limited to his control of the questions within the Standing Orders. I submit my questions were clearly within the Standing Orders; and as you have no power to take any action beyond ensuring that the questions are within the Standing Orders. I would very much like to know what were the grounds upon which you withheld the questions from the notice paper.

**THE SPEAKER (Mr. Hearman):** The Deputy Leader of the Opposition handed in questions addressed to the member for Subiaco to be placed on the notice paper. I withheld these in accordance with Standing Order 109, which, after dealing with questions which may be addressed to Ministers, reads—

and to other Members, relating to any Bill, Motion or other public matter connected with the business of the House, in which such Member may be concerned.

I find nothing on the notice paper dealing with the business of the House in which the member for Subiaco may be concerned.

There is a motion by the Deputy Leader of the Opposition concerning actions on certain mineral claims, which does mention a city legal firm. There is nothing on the official records of the House to show whether or not the member for Subiaco is a member of that legal firm. In my view, which is one that will be generally supported, a legal practitioner or any professional man has an almost sacred duty to his clients not to disclose their business without their permission.

It must be obviously undesirable for a member of Parliament to be questioned in Parliament regarding his activities in his

professional capacity acting on behalf of his clients. Further, the motion of the Deputy Leader of the Opposition—No. 8 on today's notice paper—seeks to have a Royal Commission appointed to investigate certain action or actions of the Minister for Mines, and makes no mention of the member for Subiaco.

I feel that on reflection the Deputy Leader of the Opposition will appreciate that his questions refer to an action on the part of the member for Subiaco, acting in his professional capacity as a lawyer, and not as a member of this House. His action is alleged to have taken place prior to the subject matter of the dispute, mentioned in the honourable member's notice of motion—No. 8 on today's notice paper—ever having reached the Minister, or even having been heard by the warden.

Consequently, I feel that the subject matter of the questions I have disallowed does not come within the ambit of "relating to any Bill, Motion or other public matter connected with the business of the House, in which such Member may be concerned," as referred to in Standing Order 109.

**Mr. TONKIN:** May I ask you a further question in connection with this matter?

**THE SPEAKER (Mr. Hearman):** Yes.

**Mr. TONKIN:** I desire to know why, when you had made up your mind, for the reasons given, to withhold the questions, you did not mention the matter to me before the House rose, so that I would be given the opportunity to deal with it in debate.

**THE SPEAKER (Mr. Hearman):** The reason is quite a simple one. I sought the Deputy Leader of the Opposition after the House had risen, to discuss this matter with him, in an endeavour to find out if there was some way in which I could meet his requirements. I am reluctant to stop a question without discussing it with the member concerned. I would also point out to the House, and to the Deputy Leader of the Opposition that I was not aware until very shortly before his motion actually came on, that such motion was in point of fact going to be dealt with last Thursday.

## QUESTIONS ON NOTICE TRAFFIC LIGHTS

### *Installation at Hay and Thomas Streets Intersection*

1. **Mr. GUTHRIE** asked the Minister for Transport:

(1) Adverting to his answer to question No. 25 asked by the member for Claremont on the 15th August, 1962, could he indicate when it is anticipated that traffic lights will be installed at the corner of Hay and Thomas Streets, Subiaco?

- (2) If there is likely to be a delay of more than three months, what are the reasons for the delay?

Mr. CRAIG replied:

- (1) Negotiations have still to be completed with the Perth City Council and the Subiaco City Council and no firm date can be given for completion of this installation. Some land resumption is necessary and this may further delay matters.

- (2) Answered by above.

#### HARVEY IRRIGATION DISTRICT

##### *Water Shortage*

2. Mr. I. W. MANNING asked the Minister for Works:

- (1) Is he aware that a very serious situation is going to arise in the Harvey irrigation district during the forthcoming summer because there has been insufficient rain to fill the catchment areas serving the district?
- (2) Are any plans being considered for the provision of additional storage of water on the Harvey River?
- (3) If so, what is planned and when will work commence?

Mr. WILD replied:

- (1) Yes.
- (2) Yes.
- (3) A further dam site has been surveyed immediately below the Harvey Weir. Construction will be governed by finance and the need for further water conservation in other areas.

#### PERTH PARKING REGION

##### *Extension Northwards to Newcastle Street*

3. Mr. GRAHAM asked the Minister for Transport:

- (1) When is it proposed to extend the boundaries of the existing parking region under the control of the City of Perth?
- (2) Does he agree that if the region were extended northwards to, say, Newcastle Street, numbers of police would be available for more important traffic duties?

Mr. CRAIG replied:

- (1) No firm date has been fixed, but the City of Perth has expanded the parking region No. 1 in certain sections north of the railway line and it is expected that further expansions will take place in the next financial year.
- (2) The taking over by the City Council of the region north of the railway line to Newcastle Street,

could mean that one mobile policeman would be available for other important traffic duties.

#### GREAT NORTHERN HIGHWAY

##### *Construction and Maintenance Work South of Meekatharra*

4. Mr. BURT asked the Minister for Works:

Will he give details of the construction and maintenance work to be carried out on the Great Northern Highway, south of Meekatharra, during the current financial year, an amount of approximately £286,000 having been allocated by the Main Roads Department for this section?

Mr. WILD replied:

The total allocation for construction and surfacing included in the 1962-1963 programme is £268,850. Including maintenance the grand total is £293,750 in accordance with detailed statement as follows:—

##### MAIN ROADS DEPARTMENT.

Great Northern Highway (South of Meekatharra).

(Midland Junction-Meekatharra Road).  
Details of Construction and Maintenance Works to be carried out during 1962-63.

Details.	Allocation.
(Mileages from Perth)	
Metropolitan District.	
Shire of Swan-Guildford—	
19M. Section—Construct and prime 24 ft. wide	2,000
Shire of Chittering—	
61.3-62M. Construct and prime 0.70 miles 20 ft. wide	4,000
67.3-73.8M. Construct and prime 6.50 miles 20 ft. wide	40,000
54M. section. Single coat seal 0.3 miles 20 ft. wide	400
61.3-62M. and	
64-67.3M. Single coat seal 4.0 miles 20 ft. wide	5,000
	<hr/> £49,400

##### General—

Maintenance—Metropolitan District

---

£8,400

TOTAL METROPOLITAN DISTRICT

---

£59,800

##### MOORA DISTRICT.

Shire of Victoria Plains—	
92.8-93.9M. and	
94.3-99.8M. Single coat seal 6.6 miles 20 ft. wide	11,000
93.9-94.3M. Reseal 0.4 miles 20 ft. wide	700
	<hr/> £11,700

Shire of Moora—		
100.2-103.5M. Reconstruct and prime 3.3 miles 20 ft. wide	28,000	
100.2-103.5M. Single coat seal 3.3 miles 20 ft. wide	5,000	
	<u>£33,000</u>	

	Alloca- tion	
Details		
Shire of Dalwallinu—		
Dalwallinu South:	£	
Strengthening of Shoulders	1,000	
Dalwallinu Townsite:		
Reconstruct and prime 24 ft. wide (L.A. to contribute)	1,600	
Single coat seal 24 ft. wide	450	
(Mileages from Wubin):		
11.7-22.7M.: Single coat seal 11 miles 12 ft. wide	10,000	
22.55-27.55M.: Construct and prime 5 miles 12 ft. wide	17,000	
27.55-32.55M.: Improvements 5 miles	10,000	
61.45-65.1M.: Improvements 3.65 miles	5,000	
	<u>£45,050</u>	

General Maintenance—Moora District	£	12,000
<b>TOTAL—MOORA DISTRICT</b>		<b>£101,750</b>

#### GERALDTON DISTRICT

Shire of Yalgoo (Mileages from Wubin)—		
92.7-97.7M.: Construct and prime 5 miles 12 ft. wide	18,400	
Shire of Mt. Magnet (Mileages from Mt. Magnet)—		
6.8-11M. South of Mt. Magnet: Gravel and prime 4.2 miles 18 ft. wide	18,500	
31.4-36.65 South of Mt. Magnet: Two coat sand seal 5.25 miles 18 ft. wide	6,700	
6.8-11M. South of Mt. Magnet: Two coat sand seal 4.2 miles 18 ft. wide	5,400	
1.3-25M. North of Mt. Magnet: Formation and crossings various sections	20,000	
	<u>£50,600</u>	

Shire of Cue (Mileages from Mt. Magnet)—		
32-40: 47-51: 76-88 miles: Formation, stabilising and crossings	15,000	
60-64M.: Gravel, waterbind and prime 4.0 miles 12 ft. wide	14,000	
47-51M.: Two coat sand seal 4 miles 12 ft. wide	3,800	
	<u>£32,800</u>	

Shire of Meekatharra (Mileages from Mt. Magnet)—		
99-102M. (Nannine): Construction 3.0 miles	6,000	
118-121M.: Construct and prime 3.0 miles 12 ft. wide	11,000	
107.6-108.7 and 121-123M.: Sand seal 3.1 miles (2.0M 12 ft. wide; 1.1M. 18 ft. wide)	3,500	
118-121M.: Sand seal 3.0 miles 12 ft. wide	2,900	
	<u>£23,400</u>	

General Maintenance—Geraldton District	£	7,000
<b>TOTAL: GERALDTON DISTRICT</b>		<b>£132,200</b>
<b>GRAND TOTAL ALLOCATIONS, 1962-63—</b>	<b>£</b>	<b>£</b>
Construction and Sealing	266,350	
General Maintenance	27,400	
	<u>293,750</u>	

#### SUMMARY OF ALLOCATIONS

Midland-Wubin Section—	£	£
Construction	99,150	
General Maintenance	11,400	
	<u>110,550</u>	
Wubin-Mt. Magnet Section—		
Construction	91,000	
General Maintenance	10,000	
	<u>101,000</u>	
Mt. Magnet-Meekatharra Section—		
Construction	78,200	
General Maintenance	6,000	
	<u>82,200</u>	
	<u>£293,750</u>	

#### WATER SUPPLIES

##### *Discolouration in Bentley-St. James and Victoria Park Districts*

#### 5. Mr. JAMIESON asked the Minister for Water Supplies:

- (1) Is he aware that the water supply to the Bentley-St. James and Victoria Park districts has been badly discoloured and unpalatable over recent weeks?
- (2) Is this because the water from the Victoria Weir is again being channelled to consumers in this area?
- (3) As ratepayers have had to waste a considerable amount of water in an endeavour to receive a clear supply both earlier this year and again recently, would he have a special run-off allowance credited to ratepayers in this area?

**Cause of Effervescence**

- (4) What is the cause of effervescence in water supply so prominent in the metropolitan area?

Mr. WILD replied:

- (1) No. Comparatively few complaints have been received and in the majority of cases corroded services were responsible. In other cases, when the supply in some street mains was not clear, prompt action was taken to flush the mains.
- (2) No. All mains from Victoria Reservoir are now cement lined and the quality of water from that source is very good.
- (3) No. Flushing allowances have been granted in the past, in individual cases, where special circumstances warrant.
- (4) Effervescence in the water is not prominent in the metropolitan supply, but has been experienced on occasions. Recent occasions in the eastern suburbs were thought to be due to minute bubbles of air entering through a chlorine plant in the hills. It is in no way detrimental or harmful and rapidly dissipates.

**MINERAL CLAIMS****Tabling of Papers**

6. Mr. TONKIN asked the Minister representing the Minister for Mines:

Will he lay upon the Table of the House all relevant papers concerning—

- (a) the objection by Hancock Prospecting Pty. Ltd. to the granting of mineral claim No. 292;
- (b) the case of James Moffat Henderson and Elizabeth Henderson—objection to application by E. J. Pike and J. W. Jefferys?

Mr. BOVELL replied:

- (a) and (b) Yes. For one week.

*The files were tabled.*

**SLOW LEARNERS' GROUP AT ALBANY****Children Desiring Registration**

7. Mr. HALL asked the Minister for Education:

As there is a Slow Learners' Group established at Albany whose aim is to establish a centre at Albany, can he advise the true figures of children desiring registration, that could use the Albany Slow Learners' Centre, when established?

Mr. LEWIS replied:

Information collected in 1962 is as follows:—

Albany—2 of school age; 4 pre-school age.

In addition, there are children in other towns for whom residential facilities would be needed if they were to attend at Albany—

Mt. Barker—2.  
Denmark—1.

Other centres (e.g. Lake Grace, Kojonup, Narrogin, Borden, South Stirling)—11.

**WILSON SCHOOL****Need for Availability in 1963**

8. Mr. JAMIESON asked the Minister for Education:

Is he aware that if a school is not available for children from Wilson at the beginning of the 1963 school year, the Bentley School will be hopelessly overcrowded?

Mr. LEWIS replied:

Yes.

**FREMANTLE HARBOUR****Cost of Passenger Terminal and Administrative Block**

9. Mr. CURRAN asked the Minister for Works:

- (1) What was the total cost of the new Fremantle passenger terminal?
- (2) What is the estimated cost of the Fremantle Harbour Trust administrative block now under construction?

Mr. WILD replied:

- (1) The passenger terminal occupies the upper floor of the two berths "F" and "G," Victoria Quay. The lower floors of the building are for normal cargo handling operation. The cost of the upper floor of the terminal for passengers over the two berths, including escalators, lifts, baggage conveyors, and other passenger facilities, was £633,000.
- (2) The main building contract is £656,000. The over-all inclusive cost is estimated at £770,000.

**FERTILISER MANUFACTURE****Rejection of Copper Ore With Low Content**

10. Mr. BURT asked the Minister for Agriculture:

- (1) Is he aware that fertiliser manufacturers, which for some years have been buying copper ore from various mine owners throughout

the State, have recently decided not to accept ore having a copper content below 12 per cent.?

- (2) As few producers can supply ore of this grade, what element will be used as a substitute, and from what origin will it be obtained?
- (3) In view of the fact that this decision, if continued, will cause numerous small producers in remote areas to cease operations, will he have the reason for this change of policy investigated?

Mr. NALDER replied:

- (1) No such restriction has been made but some limitation of the quantity of low-grade ore may later prove necessary.
- (2) There will not be enough copper ore to meet fertiliser requirements for the coming season and large quantities of copper sulphate must be imported from eastern Australia and from overseas.
- (3) Recent investigations have shown that some low-grade copper ores cannot be economically used by farmers at present prices when costs of transporting and handling are taken into account.

## QUESTIONS WITHOUT NOTICE

### IRON ORE: MT. GOLDSWORTHY DEPOSITS

#### *Tabling of Plans*

1. Mr. BICKERTON asked the Minister representing the Minister for Mines: In connection with the Mt. Goldsworthy iron ore agreement, will he lay upon the Table of the House the plans showing the location of these ore deposits, and also the plans showing the proposed railway and roads, and the location of the proposed ports?

Mr. BOVELL replied:

I will confer with my colleague to see what the position is. I will not give an undertaking that that will be so until I have discussed the matter with him.

### MINERAL CLAIMS

#### *Granting of No. 292*

2. Mr. GRAYDEN asked the Minister representing the Minister for Mines: Is it a fact that in 1956 the member for Merredin-Yilgarn, who was at that time the Minister for Mines in the Labor Government, approved and granted the Hancock lease known as mineral claim No. 292?

Mr. BOVELL replied:

I understand that to be so. I will check the records and confirm it with him.

## SITTINGS OF THE HOUSE

### *Adjournment for Bunbury By-election Campaign*

3. Mr. HAWKE: First of all I wish to advise him that there is an important by-election to take place in Bunbury on the 1st September next. In view of the certainty that most members of the Legislative Assembly would wish to participate in the campaign during the last week, will the Premier indicate whether the Government would be willing to adjourn the Legislative Assembly, at least, and probably the Legislative Council, during next week?

Mr. BRAND: Naturally we have given some thought to this matter, but we have come to no conclusion. It was my intention, in the event of wanting to do that, to confer with the Leader of the Opposition. However, there is the fact that we desire to finish this session before the Games.

Mr. Hawke: The Bunbury games, or the Empire Games?

Mr. BRAND: Whatever way you look at it. I am just assuming that Parliament, whatever Government is in power—if that satisfies the other side—will want to finish Parliament before the Games. I realise we could adjourn and go on afterwards. Therefore we have to give some consideration to the fact that this will be a week less of parliamentary debate.

A member: What date is the election?

Mr. BRAND: Do not worry about that! I will give serious consideration to adjourning, if not for the whole week, for part of that week, anyhow.

Mr. Hawke: Thank you.

## PERTH CITY COUNCIL BY-LAW

### *No. 65*

#### *Tabling of File*

4. Mr. GRAHAM: A week ago I addressed a question to the Minister representing the Minister for Town Planning, wherein I asked him if he would lay certain papers on the Table of the House, which he was good enough to agree to do. My scanning of those papers shows that the records were not complete. Last Thursday I placed further questions on the notice paper asking why papers were specially prepared for tabling; and why certain specific papers were missing—in which, incidentally, I was especially interested.

I was surprised to learn this afternoon that no answer would be given to these questions of mine because, in the opinion of the Minister, they contained insinuations which are not according to fact.

I would like to ask the Minister—

- (1) In what terms would he like the question to be asked?
- (2) Will he undertake to study the papers laid on the Table of the House and inform me whether he considers they are the complete files dealing with this matter?
- (3) In what manner am I expected to make an approach to him for the purpose of obtaining information in respect of a most important public matter?

Mr. LEWIS: As this concerns the Minister for Town Planning, from whom I obtained the answers to the questions, I would suggest that the member for Balcatta put his question on the notice paper.

Mr. Graham: You would not put it to him yourself?

### PERTH GIRLS' SCHOOL

#### *Transfer to Police Department*

5. Mr. TOMS asked the Minister for Education:

- (1) Did he see the article in *The West Australian* newspaper of a Saturday, the 18th August, headed "Govt. Plan Dismays Police, Teachers"? It deals with the transference of the Perth Girls' School to the Police Department, and the Teachers' Union, points out that if the school had to go, at least it should not be handed over to another department until reasonable alternative classroom accommodation was available.
- (2) Will the Minister give this House the assurance that this will not be done?—because I have in mind that what will happen in respect of the Cyril Jackson High School will be similar to what happened to the Embleton High School.

Mr. LEWIS replied:

- (1) Yes; I did read the article.
- (2) The assurance is given that the present school—the East Perth Girls' High School—will not be vacated unless and until alternative accommodation is available.

### WILSON INFANTS' SCHOOL

#### *Deputation to Minister from Local Residents*

6. Mr. JAMIESON asked the Minister for Education:

- (1) Does the Minister recall writing to me several months ago indicating that he did not consider necessary a deputation from the people of Wilson because a decision had been arrived at to proceed with the building of an infants' school for that area?
- (2) As a result of his reply to questions in regard to this school at the parliamentary sittings last Thursday and today, would he now give consideration to receiving a deputation, as the school building seems to be further away than ever?

Mr. LEWIS replied:

- (1) and (2) I think the member for Beeloo has already been advised that three classrooms have been listed on the Estimates this current year for Wilson; but whether they can be built depends on the finance available. For that reason I see no purpose in receiving a deputation.

### MINERAL CLAIMS

#### *Granting of No. 292: Personal Explanation*

MR. KELLY (Merredin-Yilgarn) [4.54 p.m.]: I wish to make a short explanation in connection with the question asked by the member for South Perth.

The SPEAKER (Mr. Hearman): The honourable member may proceed.

Mr. KELLY: I think there would be every likelihood that a lease applied for in the proper manner would be granted, so there would be little for the member for South Perth to raise in that issue. The lease having been granted, the conditions of compliance would then fall on the lessee. If the member for South Perth is endeavouring to highlight something of that kind, he is only spoiling the case of the lessee.

### ASSOCIATIONS INCORPORATION ACT AMENDMENT BILL

#### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr. Court (Minister for Industrial Development), read a first time.

### BILLS (5): INTRODUCTION AND FIRST READING

1. Law Reform (Statute of Frauds) Bill.  
Bill introduced, on motion by Mr. Court (Minister for Industrial Development), and read a first time.

2. Lotteries (Control) Act Amendment Bill.

Bill introduced, on motion by Mr. Ross Hutchinson (Chief Secretary), and read a first time.

3. Pharmacy and Poisons Act Amendment Bill.

Bill introduced, on motion by Mr. Ross Hutchinson (Minister for Health), and read a first time.

4. Western Australian Marine Act Amendment Bill.

5. Pilots' Limitation of Liability Bill.

Bills introduced, on motions by Mr. Wild (Minister for Works), and read a first time.

### WAR SERVICE LAND SETTLEMENT SCHEME ACT AMENDMENT BILL

#### *In Committee*

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

#### Clause 1: Short title and citation—

The CHAIRMAN: Progress was reported on clause 1.

Clause put and passed.

Clause 2 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

### POLICE ACT AMENDMENT BILL

#### *Second Reading*

MR. CRAIG (Toodyay—Minister for Police) [5.8 p.m.]: I move—

That the Bill be now read a second time.

From time to time, due to a variety of circumstances, it becomes necessary to make alterations to the Police Act to enable law and order to be efficiently maintained in our community. Over the last few years several incidents have pointed the need to introduce a Bill to amend three sections of the Act; namely, sections 66, 89A, and 90A.

In regard to section 66, which deals with vagrancy, this Bill proposes two amendments. At the present time action can be taken against those in possession, without lawful excuse, of any picklock, key crow, jack bit or other implement of house breaking, but no mention is made of explosive substances which are now unfortunately frequently used by criminals. It is therefore proposed to add thereto the word "explosive." That type of house-breaking implement—if it can be referred to as an implement—is now very widely used.

The second amendment to this section is the inclusion of an additional paragraph to cope with the type of offender commonly referred to as a "Peeping Tom". This type, unfortunately, has become the subject of most consistent reports received by police and one which I might safely say is dealt with practically every night by the members of patrol cars, the culprit often causing considerable mental distress to womenfolk and young children.

At present resort is had to section 43 of the Police Act—known as the "loiter" section; but this is not satisfactory and is also rather doubtful in its application. Under section 43 the maximum penalty is one month; whereas, if the amendment is accepted, the penalty would be a maximum of 12 months. I feel sure that the House will agree that every avenue of protection should be afforded our womenfolk and children against this sort of activity carried out by a person known as a "Peeping Tom", with the imposition of a severer penalty.

Members will no doubt recall a recent instance of a person causing the police and others a great deal of trouble and expense by falsely reporting a boat in distress. Although section 90A deals with false reports, it was not possible to take action against this person under the section, and recourse had to be made to prosecution under the Posts and Telegraphs Act, which is a Commonwealth law. Although a conviction was obtained, it was not possible for the police to claim expenses incurred in the search.

It has been decided that it would be wiser to recast the section than to patch it, as at present subsection (1) imposes a high onus of proof and, in some respects, the provisions are inadequate for their purposes, and the existing subsection (3) does not take into account that bodies other than the police—e.g. the Harbour Trust or Flying Doctor Service—might be put to considerable expense because of this mischief, without any summary means of recovery. In the recast provision, subsection (3) has been omitted and provision has been made for the court to make an order for the indemnity of any person. In the particular case referred to, I believe the Red Cross Society and the Flying Doctor Service were put to quite a deal of unnecessary expense; but, as stated, they had no recourse for recovery.

The final amendment is one sought by the Police Act Amendment Act, No. 71 of 1961. The definition of "slot machine" in section 89A defines a slot machine as a machine that is operated by the insertion of a coin or valuable token. It is now found that operators have evaded the Act by closing the coin slots in machines; and, by means of remote push-button control, machines are operated by an attendant who collects money from customers.



In amending this section it has been necessary to ensure that the proprietors of machines of an innocent nature are not exposed to the possibility of being caught when it was never so intended. For this reason, the machine is expressed as being one designed for entertainment or amusement and made available for use, in the place where it is then situated, on the payment or the prospect of payment of any valuable consideration.

I feel that all these amendments are necessary as they are ones which innocent people should have no concern about, but which certainly will bring to book a type of lawbreaker who at present exploits loopholes or any weakness in the present Act.

Debate adjourned, on motion by Mr. Brady.

## FIREARMS AND GUNS ACT AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 16th August, on the following motion by Mr. Craig (Minister for Police):—

That the Bill be now read a second time.

MR. EVANS (Kalgoorlie) [5.13 p.m.]: This Bill contains only a small amendment. Section 12 of the principal Act is the subject of the amendment, which proposes to add a further offence to the Act. This offence is described as being—

Without lawful excuse, knowingly discharging any shot, bullet or other missile from a firearm onto, from or across any road.

When introducing the Bill the Minister mentioned one type of sportsman—he then interpolated by saying, “that is, if such a person could be called a sportsman,”—known as the spotlight shooter, and apparently it is this type of person the Bill is aimed at.

I quite agree with the principle contained in this measure and I intend to support it. However, I make one reservation: Even though, with the passing of legislation, we may intend to prohibit the activities of a certain type of person, we have to be extremely careful, because it is not always a question of whom we aim at, but those persons whom we inevitably hit. I feel that point must be watched in any legislative activity.

In this regard, I have certain reservations about the way this amendment will operate. It concerns the firing of a firearm in relation to a road—that is onto, from or across a road; and the definition of what constitutes a road is one which I feel has to be watched very carefully; so that we not only have the person that we intend to hit in mind, but the person, or class of person, that we may unintentionally, or inevitably, hit.

We have at our disposal a few Acts of Parliament which have clearly defined a road, but I have failed to find a definition of road mentioned in the Firearms and Guns Act. One of the late enactments of this Parliament is found in the Local Government Act of 1960, and a “road” is defined here as having the same meaning as a street. The definition of “street” includes a highway and thoroughfare which the public are allowed to use, and includes every part of the highway or thoroughfare, and other things, including buildings and culverts, appurtenant to it. In other words, the essence of the definition of “road” is that it includes a highway and thoroughfare which the public are allowed to use. In the Main Roads Act the definition of “road” is given as follows:—

“Road” means and includes any thoroughfare or highway which the public are entitled to use, and every part thereof, and all bridges and culverts and other things appurtenant thereto or used in connection therewith.

I feel the significant words in that definition relating to a “road” are, “Any thoroughfare or highway which the public are entitled to use.”

I now turn to perhaps the major Act which would govern this particular position. I refer to the Traffic Act. We find therein that a “road” is defined in this way—

“Road” means and includes any street, road, lane, thoroughfare, foot-path or place open to or used by the public, and all bridges and culverts and other things appurtenant thereto or used in connection therewith.

One can see that these definitions are very wide. They are so wide that we can drive a coach and six through them.

I did mention this to the Minister, and he has had inquiries made of his department. Although his department was, I feel, unable to give a clear definition of “road” that would be used in connection with this particular offence, it has given a ruling, of course, that a road the subject of such an offence in view of all the circumstances would be so considered.

Although the Minister has done his best, it is possibly not satisfactory, because when enacting legislation we should endeavour to be as precise as possible, as after all we are the founders of legislation, and the courts are the interpreters of it. If we are not precise we will only multiply litigation and increase bad feelings.

Mr. Lewis: You must leave something for the lawyers.

Mr. W. Hegney: The houses of lawyers are built on the heads of fools.

Mr. EVANS: It is the first time I have heard that the function of Parliament is to provide a livelihood for lawyers. I would like to see something more precise

in the proposed amendment to the Act. I feel the matter could be resolved, but it still does not answer my criticism of the measure, as we are still failing to be precise.

I now turn to section 24 of the Criminal Code. This section comes into chapter V; and in section 36 of the code, being the last section of that chapter of the code, it is stated—

The provisions of this chapter apply to all persons charged with any offence against the Statute Law of Western Australia.

So the provisions of Chapter V of the Criminal Code would apply alike to the Firearms and Guns Act. This chapter governs what is termed "criminal responsibility," and section 24 deals with one aspect of criminal responsibility. It reads as follows:—

A person who does or omits to do an act under an honest and reasonable, but mistaken, belief in the existence of any state of things is not criminally responsible for the act or omission to any greater extent than if the real state of things had been such as he believed to exist.

The operation of this rule may be excluded by the express or implied provisions of the law relating to the subject.

As far as the Firearms and Guns Act is concerned I fail to see why chapter V of the Criminal Code has been expressly excluded in the legislation itself.

Accordingly it would appear that the provisions of chapter V, and in particular the essence of section 24 of the Criminal Code, would apply. A reading of the Bill suggests that what I say is correct, inasmuch as the opening words are, "Without lawful excuse," which are found in clause 2 of the Bill. Section 24 would define a lawful excuse.

I have in mind certain fears that could arise in relation to the definition of a road; and I refer to bush tracks away from built-up areas and from civilisation, which still would be classed as a road particularly in relation to the definition given in the Main Roads Act—

"Road" means and includes any thoroughfare or highway which the public are entitled to use, and every part thereof, and all bridges and culverts and other things appurtenant thereto or used in connection therewith.

The public is certainly entitled to use those bush tracks; but if they were to fire a gun from them the chance of causing harm to human life would be remote, and the chance of causing damage to property would be impossible. However, I feel that the Minister in his reply may be able to contribute something to the debate on this point.

Even though we are not doing what I feel we should be doing—and that is being as precise as possible in this particular piece of legislation—I am somewhat fortified by the knowledge that the provisions of section 24 of the Criminal Code do apply. With these reservations I support the second reading of the Bill.

**MR. NORTON** (Gascoyne) [5.23 p.m.]: In principle, I too support the amendment to the Firearms and Guns Act. I think it is one that is worth while. I cannot quite see why the beginning of the amendment is so worded. It says, "without lawful excuse." I do not see why a person should fire a firearm on any road at all. Normally there is no excuse whatever to do so.

Like the member for Kalgoorlie I feel the definition of "road" is too broad. In the pastoral areas and other remote areas we have roads connecting wells, various paddocks, and stations. These roads are traversed by many people; and they are roads over which a number of shooters who are killing vermin, fire their respective firearms.

I think there should be a very clear definition of "road" in this Act, particularly as there are many areas where the roads are not fenced. One may be shooting vermin on what appears to be the side of the road, but actually one is on the road. There is nothing to define the width of a road. It may be one chain in width, or three chains in width.

I feel some care should be taken to define a road more clearly in this particular amendment. Otherwise we could possibly be leading people into convictions that are not warranted. This could be overcome if a precise definition of "road" were included in the amendment.

**MR. CRAIG** (Toodyay—Minister for Police) [5.25 p.m.]: I thank the member for Kalgoorlie and the member for Gascoyne for their comments, and also for their support of this measure. It is one in whose application I suppose a certain amount of discretion is required, particularly in relation to when the shooting occurs or takes place on a road. I had some thoughts in my mind when the Bill was being drafted, and I secured an opinion from the Commissioner of Police in that regard. He says that where a road is not readily identifiable a particular instance would have to be dealt with on its merits. He also says he cannot conceive that any person would be prosecuted in such an instance unless his conduct caused annoyance to another.

I think that should clarify the matter and remove any doubt from the minds of members as to how the particular amendment would apply. Of course it has to work in such a way that to be guilty a person must knowingly commit the offence without lawful excuse.

We must think of the danger that can be caused to other road users, and that is one reason why the amendment was proposed. Although the member for Gascoyne and the member for Kalgoorlie have referred to their electorates, I can recall instances in my own electorate of Toodyay. I refer particularly to the hills areas from Gidgegannup and through to Chittering when they are subjected to visitations from week-end shooters, who are fully aware of the damage that can be caused to stock through indiscriminate shooting.

At the same time there is no intention of retarding the activities of responsible persons, and those who carry rifles for lawful purposes. We all know that there has been a case at Wundowie. There are still doubts as to the responsibility for it. It could be that the shot came from the bush or roadway, as recorded in the Press; that is possible. That is a circumstance where this amendment to the Act would have had some benefit. It is not sought to stop the activity of the duck shooter, because permission can be obtained in areas where this is desired. I thank members for their support of the measure.

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.

## BUSINESS NAMES BILL

### *Second Reading*

Debate resumed, from the 16th August, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. W. HEGNEY (Mt. Hawthorn) [5.32 p.m.]: At the outset I would indicate that I am in complete agreement with the provisions of this Bill. As the Minister pointed out, it is one of a number of measures which the representatives of the States have discussed with a view to arriving at uniformity of legislation. A classic example of this is the Companies Act. I also understand the law relating to hire purchase is another. In view of the ramifications of industry and business these days I suggest it is desirable that a number of Acts be made uniform so far as the States—and where applicable, the Commonwealth—are concerned.

The original Business Names Act was passed in this State in 1943; and since then there has been only one slight amendment, which was made in 1946. There were certain prohibitions in regard to the use of some names under the Business

Names Act, including the word "co-operative." The word "co-operative" was removed from the original Act in 1946.

A comparison of the verbiage of this Bill with that of the 1943 Act will show a great amount of similarity. Certain provisions in this Bill have amplified the position from what it was previously; and there is nothing contentious about the measure. It has cleared up the position somewhat. As the Minister pointed out, there is a most desirable provision in regard to the necessity for people who are carrying on business in this State to have a resident agent in cases where the principals of the business are not resident within the State. That is a protection for the people of Western Australia who are doing business with that particular type of firm—and I do not think any member would raise any opposition to that provision.

Another clause which I think is very desirable is that which would circumvent the activities of certain people who would try to sidestep the provisions of the Companies Act. The provision prohibits the principals of a firm from carrying on business in this State under a registered business name where they would invite the public to loan money to the firm or business, or invite deposits from the public. Under the provisions of the Companies Act they would have to issue a prospectus and conform to certain provisions of that Act. That is an added protection to the people of Western Australia and no doubt the people of the other States—because I hope this legislation, too, will become uniform throughout Australia.

When I first had a cursory glance at the Bill I thought no provision had been made for the registration of names to be used under this measure; but on closer perusal I find that this provision has been made. There is a provision in the Bill for the Minister to refuse to register any business name where he considers the name objectionable or that there is something about it which is undesirable. I presume that provision will cover one of the sections in the 1943 Act, which reads as follows:—

Use of Certain Words in the Names, etc., of Firms, etc.

Notwithstanding anything in any Act no firm, individual, or corporation required to register under Part II of this Act shall use a business name, and no business name shall be registered which includes the word "Royal," or the word "King," or the word "Queen," or the word "Crown," or the word "Empire," or the word "Imperial," or the word "Commonwealth," or the word "State," or any word which, in the opinion of the Registrar, suggests, or is calculated to suggest the patronage of His Majesty or any member of the Royal

Family or Government support or patronage, unless the Governor by order published in the *Government Gazette* consents to the use of such word in the said business name.

I take it that the present Bill covers this point and that the provision has been made more widespread. With those few remarks I have pleasure in supporting the measure.

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.

## COMPANIES ACT AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 16th August, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

**MR. JAMIESON** (Beeloo) [5.44 p.m.]: When the then Attorney-General introduced the parent Act last year he indicated very clearly that before the companies legislation became a practicable proposition it would perhaps require quite a few amendments. Of course, we know that to be the position by virtue of the Bill before us.

Most of the amendments seem to be desirable and in accord with the decisions arrived at by the Attorneys-General at their various interstate conferences, and their standing committee which is ever watching the company law of Australia.

During the course of his reply to the debate I would like the Minister to indicate what has transpired in Tasmania and South Australia. I notice that so far they have not proceeded with the uniform companies legislation. This would appear to be desirable if the parent Act is to work effectively, as the then Attorney-General, when introducing the measure, said that uniformity between all States of the Commonwealth would be necessary. It is possible that because of their sitting dates, those two States are not up with their legislative programme. The Minister may have some advice to give as to whether those States intend and are willing to comply with the decisions arrived at.

Mr. Court: Which are the States?

Mr. JAMIESON: South Australia and Tasmania. The several amendments as enacted by the Minister are peculiar to Western Australia. We will always find the necessity for that, due to the various practices which have grown up in the

various States akin to businesses established under different traditional processes. We will find that the necessity will arise from time to time to retain certain features in laws which are peculiar to the State in which they are enacted. They are, of course, necessary in order that the Companies Act, when applied, shall not run hay-wire to or stand out of line with what people have become accustomed to in a particular community.

One section of the Act deals with auditors of a company being subject to disqualification if they knowingly act wrongly. There is an insertion to this effect in the section. I think that most auditors who handle company matters should have a fair knowledge, and if they act as company auditors surely they are acting in full knowledge of what they are doing. If not, they are not competent and they should not be charged with the responsibilities involved, or placed in positions of trust. I would ask the Minister to indicate why it is considered necessary to add the word "knowingly."

I also notice there is a section which allows companies additional time to make registers available to people who require them; namely, the holders of stock or part-holders of stock. I would like to have the assurance of the Minister that this will not circumvent the provisions of the original Act that there shall be reasonable access allowed and that access should be granted to the general public at the company's registered office. As members will recall, under the present Act companies are not required to deposit a list of their shareholders, but they are required to maintain same at their registered office if they are within a prescribed distance. I should like to hear the comments of the Minister as to why this has been found necessary. No doubt there is ample reason for it.

When I was speaking to a similar Bill last session, I mentioned the desirability of having more protection for small and large shareholders alike from administrators who had previously fallen short in their trust in connection with company accounts. I am led to believe that we in Western Australia are very much behind the United States of America in the matter of company law. Many American States have such legislation keenly tied up, so that any person who violates trust agreements is not again given a position of trust. He is barred completely from being associated with such matters. I think that is desirable.

Although we might say that such a person has already been punished, there should be greater protection for the public against such a person who is allowed to hold another position of trust even though he is known to have defaulted and was not

held completely responsible for the financial failure of a particular firm. No doubt there are many amendments which will have to be brought before this House and other Parliaments concerned before effective legislation is passed.

This Act is similar in nature to and is just about as large as our renowned Local Government Act. Even though a member may have spent a long time on one particular Act, he will still find anomalies occurring from time to time which need amending.

I think the member for Subiaco said the main trouble with company law was that fools and their money were soon parted. We all appreciate that fact. Some of the advertising associated with the establishment of companies leads people to falsely believe there are richer rewards than actually exist at the end of the rainbow. However, the savings of these people are involved, whether it be a proportion or the full amount; and in view of this we should give these people protection under the Companies Act.

I am concerned that there is no provision in the Act for the prevention of advertising which may mislead the public into believing that a proposed company, through its prospectus, is more sound than it actually is. There is now way for a person to recover his assets when he becomes involved with such a company.

As I have said, many amendments will be required before this Act becomes an effective one. As the Minister indicated, the main hold-up in finally proclaiming this Act is whether the other States have passed their necessary legislation to bring it into uniformity. The Minister indicated that the 1st October was the proposed date, and it is not yet known when the Act will be finally proclaimed. It depends on various aspects I have mentioned.

It is desirable to have this Act proclaimed as a statute in this State as soon as possible so that companies may start to function under the new laws. It is also desirable to collate the various laws into one reasonably tidy Act, rather than have them strewn all around as they have been in the past.

I feel that the Minister might give some thought to the establishment of a permanent standing committee of the Attorney-General's department, to be set up as a liaison committee on amendments to the Companies Act. I understand there has been a standing committee of Attorneys-General for the purpose of drawing up this particular Act. I feel that the establishment of such a committee would be timely. I see no reason why a permanent standing committee, representing the various departments but not necessarily the Attorneys-General, should not be set up to obtain the ideas of other States when any

amendments are foreshadowed. The committee could then investigate the effects of such amendments as they would apply in particular States.

I support the second reading of this Bill, and I sincerely hope that it will not be long before we see the Act proclaimed and thus become a statute of this State.

**MR. COURT** (Nedlands) [5.55 p.m.]: I thank the honourable member for his support of the Bill and for the comments he made. He raised one or two queries which I would like to deal with briefly. First of all, there is the question of uniformity as between the States, and the importance of all States enacting the legislation and proclaiming it. It was hoped that all States would have passed the legislation in the agreed form and would proclaim it either on or before the 1st October, 1963. This is still the date in the Government's mind; but I can assure the honourable member that before any final decision is made by the Government we will check with the other States to ensure that they have, in fact, passed their legislation and have proclaimed it. I should imagine that we would want some definite assurance from States which had not taken the necessary action.

I think the only State which has not actually gone firm on this at the present time is South Australia. I think Tasmania has, in fact, taken the necessary action, but I would not be sure. The Minister for Justice assures me that he has the assurance of all the States that they will have their legislation passed by their Parliaments this session without fail.

Of course, there could be mishaps in some of these Parliaments. If the Bill goes to, say, the South Australian Parliament—or the Tasmanian Parliament, for that matter—the Parliament may reject it. So far as the Governments concerned are able, they have assured the Minister for Justice and their colleagues in other States that they will pass the legislation in the agreed form. I can assure the honourable member that we are watching it closely, because it would be unfortunate if Western Australia took certain action which could give an advantage in some respects to another State; or, to put it in another way, place us at a disadvantage.

Like the honourable member, I hope we can reach complete agreement on this; and that all States will pass their legislation in due time, and we will be able to proclaim ours as near to the 1st October as possible, if not by that date.

The honourable member raised the question of the insertion of the word "knowingly." I think that he will, on reflection, appreciate that it is purely a legal term which has been inserted so that an auditor will not be penalised for something which was really not his fault. It is not a question of his not knowing his business.

If the honourable member will study the clause, he will understand that its purpose is to tidy up the drafting of the section, and has, in fact, been agreed to by the Attorney-General.

Mr. Rowberry: He may have taken leave of his senses temporarily.

Mr. COURT: It has a different legal meaning from that. He must knowingly consent to act. There are circumstances under which he could have legally consented to act, but not knowingly consented.

I now come to the question of the register. The undertakings given last year by the then Attorney-General still stand. I could not quite follow the point which the honourable member was making. He seemed to imply that these amendments might weaken the position. As I see it, they do not do that. It is certainly not the intention to weaken the position. With the modern trend to increase the numbers of shareholders in these companies, the practical difficulties have brought about some changes which have been necessary, and these have been incorporated in the uniform legislation. The sheer volume of some of these registers has created this problem.

The Attorneys-General have approached the matter in a practical way in consultation with all those who have had experience in the handling of registers, and I do not think they have denied the public reasonable access. I cannot imagine the Attorneys-General from all the States agreeing to anything which was not in the public interest.

The question of advertising company performances and inducing people to subscribe was another point raised by the honourable member. I do not think there is anything further which we can reasonably do at this stage. I think our Companies Act is fairly tight in this regard. Part 4 of the principal Act, division I, dealing with prospectuses, sets out the procedure, and we are further safeguarded in our community because the Stock Exchange itself has certain rules before a company can be listed and remain listed on the Stock Exchange, which are even tighter than the Companies Act itself.

However, if we rest on the Companies Act I think the reasonably prudent and intelligent investor is well protected, because a company has to use a prospectus, and in this prospectus there are certain minimum provisions—very searching provisions—that have to be incorporated.

I cannot see that the Legislature can do much more at this point of time to protect the reasonably intelligent investor. Of course, there are always those people who will invest because they think they can pick up an extra two or three per cent.; but I think, as a Legislature both

now and in the past, we have endeavoured to incorporate conditions which will give protection to the potential investor. The provisions about share hawking, for instance, which have been in the statute for many years in this State, are very severe; and I do not think there have been any transgressions of any note since the Western Australian Parliament took some strong action regarding share hawking and had the provisions written into the Companies Act.

There was, of course, a provision written into the other legislation that we dealt with earlier tonight—namely, the Business Names legislation—which stops yet another gap for the smart aleck who might be trying to get around the prospectus conditions of the Companies Act by using a firm's name, and registering as a firm name. But under the Business Names Act, as provided in the Bill that is at present before this Chamber, such people will not be able to circumvent these prospectus conditions of the Companies Act by using the Business Names Act.

The final point raised by the honourable member was in connection with the standing committee of Attorneys-General. I do not know that they have actually officially agreed to meet at regular intervals as a standing committee, but I do know there is an understanding between Governments that the question of company law will be kept under review all the time with the object of preserving uniformity, so far as it can reasonably be preserved having regard for the peculiarities of a particular State. I understand that no amendments will be made without prior consultation.

I do not know that they have gone as far as saying there will be no amendments without prior concurrence, but I think they have given an undertaking between themselves that there will be no amendments to the Companies Act in the several States without prior consultation. Therefore they are, in effect, meeting the wishes of the honourable member in ensuring that there is regular consultation between the Attorneys-General and their officers on matters of company law.

One of the most important advances made in recent times is the fact that the various professional bodies who have the closest association with the administration of company law have taken and are taking a very keen interest in research work. It is to their credit that most of the amendments to company law tightening up the provisions of the Companies Act have been sponsored in some way or other by the professional bodies. They are very conscious of the fact that they have a responsibility in the matter to protect the investing public, and their clients, of course; and they have established a high standard of ethical conduct in respect of

company law, not only in this country but also in other countries, particularly the United Kingdom.

It could be demonstrated that throughout the years it has been the professional bodies which have been pressing the Legislature to bring the Companies Act up to date. The history of English company law is punctuated by a series of top-level inquiries, one of the famous ones being the Cohen Commission, which was prompted by the professional bodies and whose job was completely to overhaul the company law in England to see that it was being kept up to date with modern trends, and also to ensure that it dealt with the people who wanted to put over smart aleck tricks and by-pass a provision, say, in respect of accounts, annual meetings, prospectuses, and so on. So the law has only been giving effect to the best ethical practices that have been developed over the years.

The idea advanced by the honourable member is a commendable one; and I think he will find in practice that so much progress has been made in achieving uniformity in these laws, which need to be uniform throughout the States—such as hire purchase, company law, business names, and so on—that the practice will be continued by the Attorneys-General and their officers.

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 6.10 p.m.

## Legislative Council

Wednesday, the 22nd August, 1962

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

### QUESTIONS ON NOTICE

#### ESPERANCE-RAVENSTHORPE ROAD

##### *Expenditure and Total Mileage of Bituminising*

- The Hon. J. J. GARRIGAN asked the Minister for Mines:
  - What amount is it proposed to spend during the current financial year on the continuation of bituminising on the Esperance-Ravensthorpe Road?
  - What total mileage is it anticipated will be completed by the 31st December this year?

The Hon. A. F. GRIFFITH replied:

- £168,000.
- The road is at present sealed to a point 21.4 miles from Esperance. Funds have been provided for priming and sealing to 38.4 miles from Esperance and a further 16 miles of priming to 52.4 miles. The sealed road recommences again at a point 68.6 miles from Esperance and ends at a point 79.6 miles from Esperance, Ravensthorpe being at 120 miles. Funds have also been provided for sealing 3.6 miles eastwards from Ravensthorpe.

- This question was postponed.