

Legislative Assembly

Thursday, the 30th August, 1962

CONTENTS

QUESTIONS ON NOTICE—	Page
City of Perth Wards : Redistribution	778
Electricity Supply—	
Geraldton and Northampton : Linkage with S.E.C. System	778
Encyclopaedias : Claims by Itinerant Salesmen	780
Fish Bait Regulations : Effect on Mr. Simpson and Partner	779
Itinerant Salesmen : Protection of Housewives	781
Mining Companies : Shareholders' Names, Addresses, and Occupations	780
Regional Hospital at Geraldton : Tenders for Erection	778
Technical Annex at Albany : Installation and Removal of Septic System	780
QUESTIONS WITHOUT NOTICE—	
North-West Administrator : Appointment	781
Racing and Trotting Clubs : Finance from T.A.B. and Treasurer	781
BILLS—	
Bush Fires Act Amendment Bill—	
Intro. ; 1r.	781
Business Names Bill : Returned	801
Cemeteries Act Amendment Bill—	
Receipt ; 1r.	801
Child Welfare Act Amendment Bill—	
Intro. ; 1r.	781
Coal Mines Regulation Act Amendment Bill—	
2r.	785
Com. ; Report	786
Criminal Code Amendment Bill—	
Intro. ; 1r.	781
Evidence Act Amendment Bill—	
2r.	785
Com. ; Report	785
Guardianship of Infants Act Amendment Bill—	
Intro. ; 1r.	781
Interstate Maintenance Recovery Act Amendment Bill—	
Intro. ; 1r.	781
Iron Ore (Mount Goldsworthy) Agreement Bill : Counell's Amendment	782
Justices Act Amendment Bill—	
Intro. ; 1r.	781
Mental Health Bill—	
Intro. ; 1r.	781
Metropolitan Region Town Planning Scheme Act Amendment Bill—	
Intro. ; 1r.	781
Painters' Registration Act Amendment Bill—	
2r.	783
Com. ; Report	785
Police Act Amendment Bill : 3r.	781
Prisons Act Amendment Bill—	
Intro. ; 1r.	781
Public Trustee Act Amendment Bill—	
Intro. ; 1r.	781
Stamp Act Amendment Bill : 2r.	782

CONTENTS—continued

BILLS—continued	Page
Town Planning and Development Act Amendment Bill—	
Intro. ; 1r.	781
Western Australian Marine Act Amendment Bill—	
2r.	786
Com.	800

The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE

REGIONAL HOSPITAL AT GERALDTON

Tenders for Erection

1. Mr. SEWELL asked the Minister for Health:

When will tenders be called for the erection of the first section of the proposed regional hospital at Geraldton?

Mr. ROSS HUTCHINSON replied:

It is expected that tenders for the nurses' quarters will be called towards the end of September, 1962. Tenders for the main hospital building are expected to be called in April or May, 1963.

ELECTRICITY SUPPLY

Geraldton and Northampton: Linkage with S.E.C. System

2. Mr. SEWELL asked the Minister for Electricity:

When does he anticipate that Geraldton and Northampton will be linked to the S.E.C. power system?

Mr. NALDER replied:

At this stage it would be premature to try to anticipate when Geraldton and Northampton will be linked to the S.E.C. power system.

3. This question was postponed.

CITY OF PERTH WARDS

Redistribution

4. Mr. JAMIESON asked the Minister representing the Minister for Local Government:

(1) As the latest proposal for a redistribution of ward boundaries of the Perth City Council proposes nine wards with three councillors for each, would this not require an amendment to the City of Perth Act, 1914-1917?

- (2) If so, is it the intention of the Government to make the necessary amendment this session?
- (3) If such an amendment does not take place, will the ward boundaries be redistributed on the basis of three councillors to each of eight wards in time for the 1963 municipal elections?

Mr. NALDER replied:

- (1) No. It is not considered that the City of Perth Act, 1914-17 prevents action being taken under the Local Government Act, 1960 to alter the wards of the City of Perth.
- (2) *Vide* No. (1).
- (3) It is anticipated that nine wards will be created in the redistribution, three councillors for each ward, in time for the 1963 municipal elections.

FISH BAIT REGULATIONS

Effect on Mr. Simpson and Partner

5. Mr. FLETCHER asked the Minister for Fisheries:

(1) Is he aware—

- (a) Of an article in a W.A. magazine called *Outdoor Life* Vol. 1, No. 5, August, 1962, which has a wide circulation among amateur fishermen, expressing concern that "fish bait is likely to be not available, owing to regulations precluding the supplier from catching such bait in portions of Fremantle Harbour";
- (b) that one Mr. Simpson surrendered his job as a plumber four years ago, as directed by the Fisheries Department to hold a professional fisherman's license for the purpose of catching the bait mentioned above, and has done so until excluded from the source of supply at No. 10 berth, Fremantle Harbour;
- (c) that Mr. Simpson and his partner have orders for 117 tons of mulies, whitebait, and scaly mackerel;
- (d) that portion of the market exists in the Eastern States;
- (e) that other persons, who hold full-time jobs, were granted licenses from the Fisheries Department, applied to the Fremantle Harbour Trust, and for the same conditions under which Mr. Simpson and partner were fishing;
- (f) that as a result of the large numbers fishing around No. 10 berth, the Fremantle Harbour Trust stopped all fishing on the 18th December, 1961;

(g) that Mr. Simpson and partner appealed to the Harbour Trust and were given permission to carry on with others in an area almost devoid of bait fish, between berths 7 and 8;

(h) that Mr. Simpson has installed expensive refrigeration plant to hold his catch previous to distribution to retailers;

(i) that Mr. Simpson and partner do not want a monopoly in bait supply, but feel that others in full-time employment are jeopardising their livelihood?

(2) If it is a fact that he has refused an interview, will he reconsider doing so under section 17 (4) of the Act with a view to satisfying the partners mentioned, the wholesalers, retailers and amateur fishermen?

Mr. ROSS HUTCHINSON replied:

- (1) (a) The honourable member drew my attention to the article last night.
- (b) This is not true. The department does not direct people to become professional fishermen.
- (c) and (d) The article referred to above contains this information.
- (e) Yes. I have directed some time ago that these licenses will not be renewed on expiry.
- (f) and (g) I believe this is so, but the matter is outside my jurisdiction.
- (h) No.
- (i) No.
- (2) No good purpose would be served by an interview as no restrictions have been imposed on the licenses in terms of section 17 of the Fisheries Act.

Investigations were carried out following complaints by Mr. Simpson, and further representations by the member for Claremont, into allegations that professional fishermen's licenses were held by men in full-time employment. Mr. Simpson was advised through the member for Claremont to whom he had made representations that there were some who were not entitled to hold a license and that these licenses would not be renewed on expiry.

Matters about which Mr. Simpson is aggrieved are restrictions imposed by the Fremantle Harbour Trust.

MINING COMPANIES*Shareholders' Names, Addresses, and Occupations*

6. Mr. GRAYDEN asked the Minister representing the Minister for Justice: What are the names, addresses, and occupations of the shareholders of—
- (a) Hancock Prospecting Pty. Ltd.;
 - (b) Depuch Shipping and Mineral Co. Pty. Ltd.?

Mr. COURT replied:

- (a) Hancock, Hope Margaret; 150 Victoria Avenue, Dalkeith.
Hancock, Georgine Hope; 150 Victoria Avenue, Dalkeith.
Hancock, George; 150 Victoria Avenue, Dalkeith.
Hancock, Langley George; 150 Victoria Avenue, Dalkeith.
- (b) Dowa Mining Co. Ltd.; Tekko Building, Maranouchi, Tokyo, Japan; Mining Company.
Rasa Trading Co. Ltd.; Kaya-bacho, 1/12, Tokyo, Japan; Agents.
Sewell, Ronald Henry; 110 Gardiner Street, Como; Business Manager.
Sewell, R. H. & J. A. West; c/o J. A. West, Raffles Hotel, Canning Bridge; Investors.
Swan, Alexander Gerrard; 17 Homesdale Road, West Midland; Engineer.
West, James Alexander; c/o Raffles Hotel, Canning Bridge; Hotel Licensee.
Woodfield, Harry William; Arai-juku, 1/2370, Omori Tokyo, Japan; Mining Technologist.
Arai, Tomozo; Tokyo, Japan; Company Director.
Hiradka, Minoru; Tokyo, Japan; Manager.
Odagiri, Ken; Tokyo, Japan; Company President.
Inose, Benzo; Tokyo, Japan; Company Director.
Ito, Haruo; Tokyo, Japan; Accountant.
Kurushima, Hidesaburo; Tokyo, Japan; Company President.
Matsuzawa, Manzo; Tokyo, Japan; Company Director.
Matsuyama, Mibori; Tokyo, Japan; Company Director.
Mita, Isamu; Tokyo, Japan; Technologist.
Nishida, Takashi; Tokyo, Japan; Mining Engineer.
Nagino, Hiroshi; Tokyo, Japan; Mining Engineer.
Ogawa, Eizo; Tokyo, Japan; Company President.
Okubo, Yasutake; Tokyo, Japan; Company Director.
Shiraishi, Hiroshi; Tokyo, Japan; Manager.

TECHNICAL ANNEXE AT ALBANY*Installation and Removal of Septic System*

7. Mr. HALL asked the Minister for Works:
- (1) What was the estimated cost of the septic system for the new Technical Annex, Albany?
 - (2) Is it true that the septic system, as installed, was ordered to be pulled out, so that a sewerage system could be installed?
 - (3) If so, what will be the additional cost of sewerage connection?
 - (4) On whose authority was the septic system, as installed, ordered to be pulled out, and what was the date when such order was given, and why was such a decision made?

Mr. WILD replied:

- (1) £1,800.
 - (2) The septic system was discarded and its tank will be filled in.
 - (3) £1,065.
 - (4) The principal architect directed that partially completed septic tank be by-passed to permit direct connection to the newly extended sewer. The date of this direction was the 20th August, 1962. The direction was given for reasons of efficiency and economy, as it was decided to connect this portion of the town to the sewerage scheme much earlier than anticipated.
8. *This question was postponed.*

ENCYCLOPAEDIAS*Claims by Itinerant Salesmen*

9. Mr. DAVIES asked the Minister for Education:

As the result of the investigations by the Education Department, forecast in reply to a question on the 16th August, 1961, was the department able to take any action to prevent door-to-door salesmen of encyclopaedias claiming that such books were the only encyclopaedias recognised by the Education Department or had the official approval of that department?

Mr. LEWIS replied:

The legal aspects of this matter have been investigated and it would appear that the only action open to the Education Department is to warn the public against the activities of book salesmen who claim authority from the department.

Publicity has been given through the columns of the *W.A. Parent and Citizen*, which circulates among parents throughout Western Australia, and warnings have also been published from time to time in the *Education Circular*. I might add that the department would be very glad if any householder concerned would notify the C.I.B.

ITINERANT SALESMEN

Protection of Housewives

10. Mr. D. G. MAY asked the Minister representing the Minister for Justice:

- (1) Is he aware of the publicity which recently appeared in the Press, relative to the aspect of objectionable salesmen, who obtain signatures from housewives under false pretences?
- (2) Is he further aware of the anxiety and anguish which has been occasioned to many families because of standover salesmen who plague housewives?
- (3) Can he indicate whether there is any legal action which can be directed against these salesmen?
- (4) Has the Government instituted any inquiries with a view to protecting the already harassed housewives?

Mr. COURT replied:

- (1) and (2) Yes, in regard to the selling of a certain publication there have been complaints of high-pressure salesmanship, but not of "standover" tactics.
- (3) A salesman who falls to leave private premises when so requested becomes a trespasser.
- (4) The police are fully aware of the selling methods and activities of these salesmen and are keeping them under close observation.

QUESTIONS WITHOUT NOTICE

RACING AND TROTTING CLUBS

Finance from T.A.B. and Treasurer

1. Mr. HEAL asked the Minister for Police:

Can he indicate to the House the amount of money which has been made available to the racing or trotting clubs through the T.A.B. and the Treasurer up to the end of the present racing season which, I believe, was completed at the end of July this year?

Mr. CRAIG replied:

I thank the member for Perth for giving me prior notice of his question, the answer to which is £223,747.

NORTH-WEST ADMINISTRATOR

Appointment

2. Mr. BICKERTON asked the Minister for the North-West:

Has a decision yet been made on who is to fill the post of administrator for the north-west; and, if not, when is he likely to make a selection? Has the field been narrowed down, and how many at this stage have been left in?

Mr. COURT replied:

The field has been narrowed down and the Public Service Commissioner is currently conducting negotiations regarding a contract of service with the person he thinks will be the successful applicant. This should be completed within the next few days and an announcement made after Executive Council approval.

BILLS (11): INTRODUCTION AND FIRST READING

1. Metropolitan Region Town Planning Scheme Act Amendment Bill.

2. Town Planning and Development Act Amendment Bill.

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

3. Criminal Code Amendment Bill.

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

4. Mental Health Bill.

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

5. Public Trustee Act Amendment Bill.

6. Prisons Act Amendment Bill.

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

7. Bush Fires Act Amendment Bill.

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

8. Child Welfare Act Amendment Bill.

9. Guardianship of Infants Act Amendment Bill.

10. Justices Act Amendment Bill.

11. Interstate Maintenance Recovery Act Amendment Bill.

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

POLICE ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Mr. Craig (Minister for Police), and transmitted to the Council.

IRON ORE (MOUNT GOLDSWORTHY) AGREEMENT BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

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

The CHAIRMAN (Mr. I. W. Manning): The amendment made by the Council is as follows:—

Clause 3, page 2, line 9—Insert after the word "law" the following words:—
"but subject to the provisions of section ninety-six of the Public Works Act, 1902, being complied with in respect of the railway to be constructed under the Agreement."

Mr. BOVELL: As members know, the Bill was passed in this Chamber, but the Legislative Council now requests that we agree to the amendment made by that Chamber. If members refer to page 198 of the Standing Orders they will find section 96 of the Public Works Act; and, for their information, I shall read it. It states—

96. (1) Every railway shall be made only under the authority of a special Act which shall state as nearly as may be the line of the railway and the two termini thereof; but it shall be lawful to deviate from such line at a distance of one mile on either side thereof, or such other distance as may be provided in any special Act.

(2) Before the second reading of the special Act in the Legislative Council and Legislative Assembly respectively, the Minister shall cause a map, to be referred to in the special Act, showing the course to be taken by, and the middle line of, the railway, to be laid upon the Table of the House.

(3) On the passing of the Act, the map, signed for the purpose of identification by the Clerk of the Parliaments, shall be deposited by him in the office of the Master of the Supreme Court, and shall be open to public inspection at any reasonable hour free of charge, and shall be admitted in all Courts for all purposes as evidence of the line authorised by the special Act.

The member for Pilbara, who dealt with the Bill on behalf of the Opposition, did refer to me the fact that he had some

matter which he considered needed attention; but as the Minister for Mines was in another place he thought the Bill should proceed and the Minister for Mines could deal with it when it reached the other Chamber. He subsequently told me that this was the matter to which he had referred. I agree with the amendment made by the Legislative Council and move—

That the amendment made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

STAMP ACT AMENDMENT BILL

Second Reading

MR. BRAND (Greenough—Treasurer) [2.42 p.m.]: I move—

That the Bill be now read a second time.

This is only a very brief Bill, providing for three amendments to the Stamp Act. Its purpose is to remove two anomalies in the Act and I shall explain each in the order in which it appears in the Bill. The first proposed amendment to the second schedule to the Act is to eliminate an anomaly which was created in 1941 when the stamp duty imposed on the transfers of ordinary company shares was reduced from £1 per cent. to 5s. per cent.

At that time a similar reduction of duty on the transfer of shares in co-operative and provident societies was made, but the duty on the transfer of shares in any building society remained at £1 per cent. No-one seems to know why this anomaly was allowed to remain, but it has remained for many years. There is no reason why a higher rate should be imposed on building society share transfers, and it is proposed to reduce the existing rate to 5s. per cent., which sum applies to all other societies. It would seem that building societies were entitled at least to this consideration as compared with others.

The lower rate is well supported in that the Stamp Act provides a concessional flat rate of 1d. receipt stamp duty for all receipts issued by a building society. At this time, with the particular emphasis on house building, investment in the societies should be encouraged. As well as proposing the correction of the anomaly in the share transfer rates the amendment also provides for the deletion of any reference to the War Munitions Supply Company of Western Australian Limited. It seems that this was a "left-over" from the first world war. This company was dissolved on the 22nd May, 1923, and the reference now contained in the Stamp Act is unnecessary.

The second proposed amendment to the second schedule of the Stamp Act is designed to provide equitable treatment to landowners affected by a town-planning scheme. In certain town-planning schemes implemented by local authorities land is first resumed by the local council from the owners, and resubdivided, and new roads are planned. Land is then reallocated between the original owners. Where the landowner receives back substantially the same land as he previously owned, a stamp duty of 10s. is charged.

As members know, this is often an arrangement made in the circumstances where the owner is unwilling to sell, or anxious to have his land resumed, and makes an arrangement that out of the redistribution of the boundaries of the land he gets back substantially the same land as he had previously. For that transfer he is charged stamp duty of 10s. However, there are also cases where, as a result of the replanning of the area, it is not possible to transfer back to the owner his original allotment in which case a new lot is offered to him in replacement of his resumed land. In these cases, as the law now stands, *ad valorem* stamp duty at the rate of 5s. for every £25 of value is payable.

On present-day land values this results in duty considerably in excess of 10s. being charged on these transfers. To correct this position, the amendment provides that all landowners affected by a town-planning scheme are to be placed on the same footing, by imposing a duty of 10s. only on each transfer when land is transferred back to them, irrespective of whether they owned it originally, or it is, by arrangement, a new block. This amendment has been introduced as a result of submissions made by the Local Government Association and the Perth Shire Council. It incorporates the recommendations of conferences held with the Minister for Local Government.

Debate adjourned, on motion by Mr. Norton.

PAINTERS' REGISTRATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 28th August, on the following motion by Mr. Wild (Minister for Works):—

That the Bill be now read a second time.

MR. GRAHAM (Balcatta) [2.47 p.m.]: As was pointed out by the Minister for Works, this Bill seeks merely to clarify a position. In other words, it is to give effect to what obviously was the intention of Parliament when the measure was before it last year; namely, to provide for a board of three persons and not five as could be interpreted. Needless to say, I

raise no objection to the Bill, because it is the result of conversations between the Minister and myself. Indeed, I welcome it. However, I take advantage of the opportunity of saying a few words in regard to the measure.

In the first place, I again criticise the Government for using its numbers to force upon the master painters a situation which is not faced by any board of a comparable nature which exists under statute in Western Australia. In other words, this is the only board where the class of persons to be registered are in a minority on the board itself. In all other cases the majority representation is of the persons belonging to the profession or trade to be registered. For instance, the Medical Board has six medical practitioners out of a total of seven members. The Nurses' Registration Board has five nurses out of a total of nine members, and the Optometrists' Board has six out of the seven members, and so on.

In this instance, however, notwithstanding that the master painters are finding all the finance necessary for the administration of the Statute, they are to have only a minority representation; namely one out of three. Here I criticise the Government for speaking with two voices on this matter. With a certain amount of misgiving on my part at any rate, there was complete agreement between the Government and the Opposition on this legislation when the measure was first placed before us. I would have thought the Minister for Works was speaking on behalf of the Government. Yet we find his opposite number—the Minister in charge of the Legislative Council, representing the Government—tore to shreds the propositions agreed to here, without any division having taken place.

I think it is time the Government made up its mind as to whether it has an attitude, a point of view, or a policy in respect of anything; because surely we are being led up the garden path if the Government speaks with one voice in this Chamber, and its spokesman—the Minister in another Chamber—thinks and speaks in an entirely different manner.

I was interested to read a document, which says it is an extract from a minute of the Chief Parliamentary Draftsman, who is, of course, a responsible public servant. I quote—

The Act was a private member's Act, and the Bill for the Act was not artistically drafted.

As you, Mr. Speaker, and as every member will be aware, Bills are drafted by officers of the Crown Law Department—employees of the Chief Parliamentary Draftsman. So I think it ill becomes him on a document to criticise one of his staff; because we now find that any errors there are in

drafting were caused by the Government itself. Whether the Minister (The Hon. A. F. Griffith) drafted the amendment which has been responsible for the introduction of this Bill, or whether it was done by the Crown Law Department, I know not; but it certainly was not the private member responsible for the Bill who was the cause of the loose wording in this measure, necessitating an amendment this afternoon.

I mentioned in as gentlemanly a fashion as I could that I was disgusted with what I saw of the various pressure groups at work on the Government when the Bill was being passed through Parliament last year; and how, irrespective of what the board, or anybody else thinks about it, a certain individual is chairman of the Painters' Registration Board, and by virtue of his position of chairman of the Painters' Registration Board his successor comes in without anybody at this stage knowing his name, or having any say; because he automatically becomes the chairman of the Painters' Registration Board. In exactly the same way the Registrar of the Painters' Registration Board, whether they want him or not, or whether they like him or not, and irrespective of the fees he might charge or the incompetence he might display is, willy-nilly, the Registrar of that board.

I was horrified upon examining the document I hold in my hand—and I am not quoting directly from it but drawing my own conclusions from the document—which was issued under the signature of the Registrar to be appointed; namely, Mr. Gratwick.

It sets out the proposed regulations and other things and, most interesting of all, the fees to be paid. Under the Builders' Registration Board the most that can be paid to any member of the board is 48 guineas, or £50 8s. Yet under this proposal, no doubt agreed to by the Minister, it is proposed that the chairman should receive 200 guineas per annum or £210. The other two members of the board—four other members of the board as was the position, and the belief, when Mr. Gratwick sent out this notification—are to receive a fee not exceeding 100 guineas per annum. In addition to that all members are to be recouped for out-of-pocket expenses by a sum not exceeding £50 per annum; which, I take it, is for each individual member.

In other words, the proposition contained in this letter which went out in the belief that there would be five members comprising the board would cost £900 a year with the four members plus the chairman. Yet under the Builders' Registration Act the maximum that can be paid to members of the board is a total of £252. To me this is a conspiracy on the part of somebody to

see that this Act is not a workable document, restricted and reduced to an amount which could be charged as an actual registration fee.

After all, this would be paid by the master painters themselves. Not only is it reduced to an almost impossibly low figure, so that there are lesser funds available to the board for its work, but on top of that and to add insult to injury we find these fantastic fees which it is proposed to pay members of the board; and there was the proposition that four out of the five members had nothing whatever to do with master painters—in other words, it constitutes a picnic for them at the expense of the master painters. Apart from that it leaves practically no funds for the purpose of policing the Act, appointing inspectors, or taking cases before the court where necessary.

This arises somewhat naturally because the chairman of the board, the secretary of the board, and the other members of the board have nothing whatever to do with master painters, who are in a splendid minority, with one representative only. It sickens me to think that the Government should lend itself to this sort of thing. What fee Mr. Gratwick will charge I know not. But Parliament has said he is the Registrar, and if he wishes to charge 50 guineas for his services he can do so; if he cares to charge 2,000 guineas for his services he can do so; because the Act cannot operate unless he is given the job.

That is the position into which the Government engineered us, particularly in the Legislative Council. I think this is a most disgusting business, and I hope the Minister will have a change of heart and that he will look closely into the matter. Surely it would be better that we pass no legislation at all, rather than make a farce of the thing, and impose this injustice upon a group of, by and large, honourable tradesmen, who wanted some protective legislation so that there might be some standards observed in the trade; and so that there could be a future for members of the younger generation in the trade—that is apprentices. What was most important, however, was the desire to give some measure of protection to the public; something which they have not at the present moment.

So I complain first of all of the attitude of the Government, because of its divided attitude when the measure was before Parliament last year. I also complain at the very definite injustice that is being done to the master painters, and to this Parliament, in the proposals which are outlined in the notification sent out by Mr. Gratwick on the 13th June last.

The Minister cannot do much concerning the other matters about which I have complained, because Parliament has

spoken; but I appeal to him to look closely into this question of finance for members of the board; because under this amendment, if it be agreed to by Parliament, it will still be possible—because of the £210 payable to the chairman, the £110 each to the two members, and the £50 each for expenses—for the burden on the master painters to be £580 per annum, without any work whatsoever being done, and without any payment to the registrar, to the inspectors for their expenses, or for any other purposes. Yet under the Builders' Registration Act the total amount involved is £252; that is the total which can be incurred by that board.

How does it come about that £252 is sufficient for the Builders' Registration Board, which has been appointed under the Act and has been in existence for many years, to meet the payment to individual board members; yet, with a lesser instrumentality—the Painters' Registration Board—a sum of £580 is required? That is absurd, ridiculous, and most unjust. I appeal to the Minister to look closely into this matter, to see if it is not possible to bring about a better balance.

I should say this: So far as the master painters are concerned they would not care two hoots if no fees were payable to the board members. Anyone whom they nominate as their representative on the board will not be serving on it for the purpose of receiving a few pounds; he is prepared to serve on the board to ensure that some anomalies which have existed over the years are resolved and overcome.

I care to say no more than what I have said, except to repeat finally that this Bill becomes necessary only because the Government spokesman in the Legislative Council tampered and interfered with what the responsible Minister in this Chamber agreed to earlier, and that amendment was subsequently adopted without a division being taken in this House.

Apart from this Bill, the Government ought to make up its mind. We are not schoolchildren, and we are supposed to be the responsible representatives of the public serving in Parliament. If the Government adopts an attitude surely it should be the same in this House as in another place, more particularly as it is the Minister for Works—a member of this House—who is charged with the responsibility of administering the Act. Therefore it was most improper for a Minister in another place virtually to take the business of the Minister for Works from the latter's hands. Having said that, I repeat my intention to support the second reading.

MR. WILD (Dale—Minister for Works) [3.4 p.m.]: I thank the honourable member for his observations. There is only one part which I can play in this matter, but I will naturally look into the question of fees. I would not know anything

about the fixing of the fees, because that is done by the board. However, I shall have a look into that matter.

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.

EVIDENCE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 28th August, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. EVANS (Kalgoorlie) [3.6 p.m.]: I intend to support this Bill, and by way of explanation need but say that another Bill which has been introduced by the Minister representing the Minister for Justice—namely, the Bill to amend the Declarations and Attestations Act—provides for reciprocity with other Australian States for a justice of the peace in any State to have the authority to attest documents for use in this State. This amending Bill to the Evidence Act is complementary to the Bill to amend the Declarations and Attestations Act.

The purpose of the amendment to the Evidence Act is to introduce a new section—proposed section 79A—which provides that where a document requires attestation to be valid that document duly attested might, in any legal proceeding, be proved in the manner in which it might be proved if no attesting witness to the document was alive. That is to say, secondary evidence can be produced in the court and given attestation; for example, such proof as handwriting. This is a very desirable amendment to the Act, and I commend the passage of the Bill 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.

COAL MINES REGULATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 28th August, on the following motion by Mr. Bovell (Minister for Lands):—

That the Bill be now read a second time.

MR. H. MAY (Collie) [3.11 p.m.]: This is quite a small Bill, but will nevertheless have an important effect on those people

who are interested in it. The Bill affects section 38 of division 8 of the Coal Mines Regulation Act, 1946-1951. It deals in particular with the Coal Mines Accident Relief Fund.

The Minister for Mines, in another place, when introducing the Bill, rightly said that coalmining is strenuous, dirty work and those engaged in it are entitled to any consideration it is possible to give them. I could not agree more with the Minister. It is true there are certain dangers to health and life inherent in that industry. That is recognised by the co-operation exercised by the mine managers and employees by creating what is known as the Coal Mines Accident Relief Fund.

The purpose of this fund is to augment workers' compensation in respect of occupational diseases, injury, or death of employees. In 1950 the definition of "mine" was enlarged to include open cuts; but no alteration was made to section 38 of the Coal Mines Regulation Act. So this Bill proposes to rectify the omission. It will now include truck drivers and machine operators whose work takes them to places away from the coalmining leases. Surveyors and their assistants are other employees whose work takes them away from the mining leases.

Under this Bill all of these workers will now be covered by accident relief. The mine workers' relief does not entail any Government finance at all. It is operated by trustees, one of whom is a representative of the Mines Department; one is a representative of the mineowners—the mineowners contribute to the fund at the rate of 3d. per ton on all coal sold—and the other is a representative of the employees, who pay 1s. 6d. a fortnight into the fund. Boys who are working in the industry pay 9d. a fortnight.

The trustees have requested this amending Bill for the purpose I have already stated. There is nothing contentious in the measure and I hope it will be accepted by the members of this Chamber. I support 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.

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 23rd August, on the following motion by Mr. Wild (Minister for Works):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) (3.18 p.m.): This Bill might be termed "a faint shadow" of the measure that came to this House 12 months ago. The Bill at that time had a very much wider application and embraced many matters that it was apparently considered by the Minister and the department governing the section which the Bill covered should be in a measure of this kind.

It is well known to all members that the previous Bill met with such a lively expression of opinion—I would think 99 per cent. were in opposition—that it was regarded at that time in political circles as a hot potato. Because elections were approaching and the measure, if passed, would not have had a good effect on the many people who would have been affected, it was not proceeded with, in view of the reaction it might have had on poll support.

The Bill which is now before us starts off on the first page in exactly the same way as the measure which was before the House last year; but on this occasion the Minister has presented the Bill on a "come into my parlour" basis. This time it is a sort of lure enshrouded by quite an amount of doubt and quite an amount of misgiving on the part of the many people who are going to be affected where river craft are concerned, because they are wondering just what the Minister really has in mind in persisting with a measure of this kind.

Of course, on this occasion it is clothed with respectability as it is a recommendation from a committee, this committee having had a very wide application where most of our waterways are concerned. As the Minister has already told us, there was on this committee a representative of the Aquatic Council, the Swan River Conservation Committee, the Harbour and Light Department, and local governing bodies. I think that covers the lot.

As members will realise, the committee as constituted catered very largely for Government or departmental opinion. Its outlook must have had that flavour; and because of that, I think this Bill is ill-conceived. The Minister was very careful not to give us too much information on this measure, but it does appear that from a boating point of view, the use of the river will be controlled and cut to a minimum. I hope that as I develop my line of argument I will convince the House of this fact.

Although the Aquatic Council member on the committee does represent users of craft on the river, he represents only a few because there is a very limited membership of that council, whereas there are thousands of users of the river. The majority of them have very small boats and the power which they are able to command from them is very limited. As there is practically no representation of

those thousands on the committee, they have had no say in regard to the measure before the House.

The only reason advanced by the Minister for the introduction of this measure—if it can be called a reason—is that some form of control or registration is necessary. First of all, we must assume that this control or registration is necessary, and personally I have a great deal of difficulty in finding any merit at all in this Bill. I could have supported the original measure about five per cent. and opposed it about 95 per cent. However, from the explanation we have been given on this Bill I do not think that I could support it even that five per cent.

I do hope the Minister will give this measure much more consideration before he allows it to pass in this Chamber, and that members will realise they will sign away the freedom of many people in this State if they allow a Bill of this kind to become law. The only merit which I can assume it might have—and I can only assume it—is that it would have the effect of tightening up some of the very undesirable practices indulged in on the river at present. I will admit that these practices are increasing from time to time.

However, we must realise that this restraint would not only be imposed on those who abuse the use of the waterways but would affect the large number of people who derive a tremendous amount of enjoyment from the use of the Swan River. In future they would only be able to obtain this enjoyment on a very restricted basis. They would also face the possibility of being convicted because of some minor detail in connection with their craft because it did not measure up to the requirements of this proposed legislation.

Might I add at this stage that the provisions of this measure will extend not only to users of the Swan River but also to those who have craft in any locality. We all know that there are many boats on various stretches of water in this State and these would not be of a very high standard.

If the Minister desires very close policing of the dangerous type of craft which have caused accidents, then I could go part of the way with him. However, there is no indication in the very short explanation given to us that that is the position at all.

I desire to impress on members that this Bill is merely designed to give the Minister power to make regulations. It does not set out what he is going to do but is purely and simply a means by which he will be able to make regulations. Of the other two matters which are contained in this measure, the first is quite insignificant and is perhaps unnecessary; and the

other, I am sure members will realise, is very odious.

There is nothing specific in this measure; nor is there anything straightforward. We are not given any indication as to how the Minister would use his power to make regulations. In fact, we have not been told anything at all except that the Minister will have had handed to him on a plate the power to make regulations.

I am at a loss to understand why something worth while did not emanate from the deliberations of a committee of this kind. Although I do not know the aquatic people very well, I do know most of the others in various departments, and they are people of high integrity and would have had everything at their disposal to enable them to introduce a measure which would have been workable and acceptable. If such a measure had been introduced, I am sure it would have met with very little objection from most quarters.

As I have said, we have been told very little. As a matter of fact, all that the Minister told us really were the names of those who formed the committee without giving us any indication whatever of the recommendations that committee must have made. He did say it recommended that he should have complete control—he did not say so in these exact words, I know—by regulation; and in my opinion that would have the effect of interfering with and hindering river craft.

I would have expected, and I think other members would, too—particularly those who have water frontages in their electorates—that a Bill of this kind would have a very far-reaching effect. The Minister naturally would be subject to whatever was put up to him from his department or from the various departments which have a finger in this pie; and unless he is a very practical man in this regard, possibly would introduce here in all good faith a measure which would be most objectionable and most retarding where the future use of our waterways is concerned.

Had this committee come forward with a cut-and-dried measure that would have indicated all of the things which were possible to be done by people on the river, we could have given a great deal of thought where necessary and probably could have agreed with the majority of it. But here we find that it is an open cheque which this committee is handing to the Minister. I can only assume all this from my knowledge of what has taken place previously, particularly when the last measure was before this House, and because I know fairly fully—as the member for Claremont would know—the conditions which pertain on the river, the sanctity of our river, and all the rest of it thrown in.

I am prepared to admit all of those things; and had this committee come forward with this type of recommendation I would have been quite happy. But it has apparently considered the matter very fully on the ground of there being a necessity to bring in some form of regulation, but because of the poor acceptance of the measure when it was put forward, has thrown up its hands in disgust and said, "We will leave it to the Minister and let him carry the baby."

That is what it looks like, because there are a number of factors which could be considered in this type of legislation which I think would have a very beneficial effect in dealing, without too much red tape, with the activities on the river, and also enabling the department to have a policing brief which would provide a great deal of control over that section of our boating fraternity which needs this control, without interfering with the decent types of people; and that could have been done through the necessity to register all craft.

As this measure stands the Minister would be given certain power to exercise control by regulation and regulation alone. I would have thought it would be far better had an entirely new measure been drafted without any reference at all to the existing Western Australian Marine Act; because this Act in its entirety is catering for the large vessels—the big ships; and those who are looking at the possibility of a measure being worth while in connection with the river are just those people who, in the past, have had this very subject in their minds—a foremost matter in connection with marine affairs.

But this is an entirely different problem, one that we cannot have, willy-nilly, in a Bill of this kind under the parent Act; and with this addition it is going to be an impossible type of Bill to administer where river use is the chief objective.

Among the regulations the Minister will be empowered to operate under is that dealing with licensing. I think a very simple form could have been suggested which could cover the necessity for licensing of the various types of craft using the river, and I think that could have been the main method of checking the serviceability and the seaworthiness or river-worthiness of the craft which were registered; and I think a penalty should be imposed on those who fail to register, as in the case of those who fail to register a motor vehicle.

The same thing applies; because in these times, when new types of high-powered boats are being used, it is quite easy for lives to be in danger. I have seen this danger arise on several occasions at Canning Bridge. I have seen a

dog cut in two, and a number of children could have been involved because they were in close proximity. The dog was cut clean in two by one of those fast, powerful boats.

These high-powered boats are a source of pleasure to many people, and their use will increase as time goes by. Let us get the problem down to a firm basis before we start tinkering with giving the Minister a lot of regulations which he can, if he thinks fit, have promulgated. I think there is a very great danger there.

I have never been enamoured of regulations. On a number of occasions when I had some control in certain departments I found it necessary to bring to the House certain measures, and to act under regulations. I never liked it, and I have never agreed that it was the right principle. However, as an expedient on some occasions, it has been necessary; and even on this particular occasion it could have been thought that it was necessary.

Allow me to turn now to some of the wording of this Bill. There is one matter which I intend to deal with in another Bill. It has exactly the same application as this measure, because it deals with a very similar type of approach to what has apparently been an increasing problem in recent times. It is one of the regulations which the Minister would work under, and which I think is entirely wrong. I am dealing now with the position in the Bill where river-craft would be subject to license.

The Minister did indicate that the fee would not be very heavy. I would not expect that it should be, either. There is something in favour of proceeding with a method of this kind, but not under this type of Bill. Let us get rid of this one altogether and get something worth while; something which would have a degree of certainty about it; something which would give us some indication of where we are heading; and which in general would be applicable to the requirements of river ways rather than ocean ways. I think we could then get down to a very satisfactory basis.

There is justification in bringing about a form of registration, not from its monetary value or from what it would bring into the Treasury, but from the point of view of having some authority, of being able to put our fingers on the type of craft which it is undesirable to have on our waterways—the type of boat which goes out loaded to the gunwhales and when the first bit of a wave comes along is in a position where the occupants find themselves in the water, some of them unable to swim.

We had an instance of that only the other day, when four people went out in their craft in bad weather. There should

be a regulation to prevent people going out in such weather. There should be a hard-and-fast regulation, firmly fixed in the minds of people, of the type of craft which may be allowed on our waterways. Not only is it a useless waste of life when people are drowned, but it is a useless waste of time and money when rescues have to be made; also, experiences of that kind, under those conditions, are sufficient to deter people for all time from going on to our waterways and enjoying what is their heritage. It is something that is becoming increasingly popular with many people, who in recent times have become water-minded simply because of the vast strides made in the improvement of marine craft.

So we reach a stage where we agree that some form of licensing is necessary; but what I must take exception to is the fact that this measure is so wide open. One could drive a wagon and 14 horses through legislation of this character. It states—

A license may be granted—
That is where we agree that licenses should be granted—

—under this section upon such terms and subject to such conditions as the Minister thinks fit.

We do not get our car licenses, or licenses for anything else, under conditions of that kind. There is a hard-and-fast rule applying to licenses, particularly in regard to motor vehicles. A certain fee is prescribed for a car of a certain horse-power. All the brakes, engine, tyres, and everything else must be in good order before a license can be granted, but that is not so in this case.

Why enshroud a measure of this kind with so much doubt and uncertainty? Surely the people who were responsible for advising the Minister could have given him some better advice as to the way things were going and what should be done. After all, they are capable and responsible men and they should have been able to draft something better than this.

If they had been able to draft something more comprehensive we could have picked it to pieces here; but in this case we have not been given any option, whether we like it or not. We simply have to take for gospel everything we are told; and by this Bill we give the Minister power to regulate and control licenses by regulation. I do not think that is good enough.

Let us turn now to mooring licenses. There again we are left up in the air, but the same principle applies. Mooring licenses can be granted and have been granted by the Harbour and Light Department for a number of years under

set conditions. In lots of cases no inspection is made and permission is granted to a person to put down a permanent buoy so long as it is outside the main channels and waterways. There are not many conditions applying to the granting of a license in this regard, and licenses are being granted every day. Yet we find that under this Bill the whole matter will be left up in the air, inasmuch as everything will have to be referred to the Minister.

Surely to goodness Ministers are busy enough without having to attend to details of that kind! Certainly a staff would probably deal with the matter, and send the applications on for the signature of the Minister; but where are we going? We are not achieving anything in that way; and as far as mooring licenses are concerned, it would affect only about a third of the craft on the river; because the average person today, particularly the one with a few bob, is able to take his boat home on the back of a trailer. One can travel the roads at any time, particularly on a normal week-end, and one can see dozens and dozens of boats being carted about on trailers. If one drives along the road to Mandurah during the week-end one can pass anything up to 100 craft on trailers being carted up and down the road. They are hauled all over the State in large numbers.

Every week-end, where it is possible to get into the river without much difficulty, one can see dozens of trailers which have been used for transporting boats. So what would be the position regarding these buoys? They are not mentioned as being in the category which require a license. In a sense they are fly-by-nights, inasmuch as the owners of these boats get their amusement over the week-end, and then they put the boats back on the trailers and park them at their homes for the rest of the week. There is no requirement at all for licenses in those cases, and apparently, as the Minister has not said anything about it, I assume he has not given any thought to such licenses.

Sitting suspended from 3.45 to 4.7 p.m.

Mr. KELLY: I was commenting on the issuance of licenses to enable people to be granted a full registration for their boats on the river. I endeavoured to show the Minister that in the case of boats that did not moor on the river the existing conditions would not apply. As I said earlier, I hate regulations, but a large number of these boats would be on the river without a license, or without the necessity to pay a license fee, and accordingly would not be registered. I think that is wrong and should not be permitted. If there is any real reason for any craft at all to be registered then they should all be registered. There should be no half-measures applied.

There is no reason at all why we cannot have a standard set of laws which would govern the licensing position, the question of mooring, and every other feature that will of course arise once we start licensing boats. I think that everything in connection with the Marine Act could be very definitely laid down. There should be no doubt in the mind of anybody as to what the powers of the Minister are; or what the powers of the shire council or anybody else are; because we have had plenty of instances in past times where it has been possible to keep these things on a fixed basis. That should be the keynote of legislation of this kind.

It is a great pity that we are allowing circumstances to dictate terms. That is what we are really doing once we adopt the provisions contained in this Bill. Its provisions are definitely far too vague, particularly when we seek to legislate for the control of our waterways and estuaries. As I said at the beginning of my remarks, the Minister gave no clear details at all in regard to the Bill. He gave us no indication as to what was intended; and he advanced no ideas as to why the measure was brought before the House. Nor did he tell us what effect it would have, in his view, on the users of the river. As a matter of fact he did not even tell us what prompted him to bring down a Bill of this kind.

I would like the person responsible for the drafting of the Bill to tell me what it seeks to do; what its aims are in respect of the river generally. There is absolutely nothing in the introductory portion of the measure. As I said earlier, and I think I have already repeated this on two occasions, the whole purpose of the Bill is to act as a regulation measure. It is being brought into perspective so that it may take its place in the Marine Act which, incidentally, governs an entirely different set of craft, and an entirely different set of circumstances. For that reason alone the measure is odious; and, to my way of thinking, it will be unworkable, because it will not achieve what could have been achieved if the Bill had been introduced in a more modified form.

Such a measure could have covered the details necessary; and it could have been specific in its intention. Everybody would then have known just where he was going. It is a most interesting exercise to couple this amendment with the parent Act, and to see the powers the Minister already has under regulation. The measure is enshrouded with "dos" and "don'ts"; there are a few "cans", and quite a number of "can'ts" which already exist in the Bill. In spite of that, we are going to make more difficult an already difficult situation by introducing a set of regulations. Such things as navigation, maintenance, lights, inspectors, mooring, berthing, times, gear and equipment the noise

factor, fumes, and smoke are already provided for.

It is remarkable that there are not more penalties than have been mentioned in the Bill. The amendments brought down by the present Minister, like all other legislation he introduces, contain penalty clauses which for the most part stipulate a penalty of £20. I daresay the Minister would feel he had achieved a great deal of progress by only doubling the existing penalty. As I said earlier, the existing penalty is £10; and that applies broadly to marine matters in this State; and of course it encompasses most of the harbour conditions and waterways, but with very little application to river-craft.

Notwithstanding the fact that £10 has been regarded as an adequate penalty in the past—and of course there was also the prospect of a month's gaol—the Minister has seen fit to increase the penalty of £10 to £20, although I must say he has not altered the term of imprisonment. Members will see how ridiculous this is when it is applied to a small 10 ft. craft with a half-horsepower motor. If such a craft breaches the regulations the owner could be fined £20 by whoever was doing the fining—and this without any right of appeal. That is probably all the little outfit would be worth. It is a ridiculous amount to impose as a fine.

The Minister should have another look at that aspect before it becomes law. It would be bad enough in the case of the larger boats—and there are a lot of them on the water at the present time—if a penalty of that amount were imposed; but it is ridiculous to consider the imposition of such a penalty on smaller craft.

In view of the various factors of this Bill, the little amount we are told of it; and the very odious position in which river-craft owners will be placed, I think the Minister ought to have the debate adjourned and allow the measure to drop down on the notice paper until he has time to have another look at it with a view to producing something more worth while than this Bill could ever be.

Under present conditions I cannot support it, and I will have the support of two-thirds of the people on the river at the present time. It is true that the yacht clubs in the broader sense have a huge amount of control on the river and do a good job because of the careful manner in which the clubs are conducted. Rarely do they interfere in any way at all with smaller craft; but they are in a minority when it comes to the number of people on the river, and if there is any justification at all for bringing down a measure, let us introduce one that will have some application to the requirements; one that will achieve something and not be as odious as the Bill before us is in every phase.

MR. CROMMELIN (Claremont) [4.17 p.m.]: My views differ somewhat from those of the previous speaker inasmuch as in the short period of time I have been a member of this House I have rarely known of a Bill to pass that did not give the Minister power to make regulations. And that seems to be the general application of all Bills.

Mr. Kelly: The power is in the parent Act now in heavy form, too.

Mr. CROMMELIN: It applies to every Bill that is passed here, and at times when some of the regulations made under these Bills have been laid on the Table of the House they have been disallowed. I can recall that a most important motion that came before us about three years ago was the uniform building by-laws. It was an extremely important thing. I can remember that I was sitting on the other side of the House at the time. I think there were about nine members in the Chamber—**Mr. Nulsen** was the Minister in charge—and I moved that the regulations be disallowed. They were disallowed as easily as that. I am not suggesting that all regulations would be subject to the same fate, but I am saying all Bills have a string of regulations. It is impossible for us to keep up with them and half the members never read them.

I say quite frankly—I make no secret of the fact—that I was opposed to the Bill last year; and listening to the previous speaker just now, it appeared to me he was somewhat in favour of it because he said he is in favour of all boats being licensed and registered. To my way of thinking, that is an extreme attitude to take. The Bill that was introduced last year sought to have every boat on the river registered. That meant that a child with a dinghy that had been bought for him by his father for the use on the week-end would have to register that dinghy if it had a small outboard motor on it. I think that is going too far.

As the member for Merredin-Yilgarn says, the Bill before us now has put a different complexion on it. I admit it, but I do not think the Bill has been brought before the House without a lot of thought being put into it. I do not think the Minister would mind if I said that I do not think he knows a great deal about boats, their effects, use, and so on; and that in that respect he has to be guided. However, the member for Merredin-Yilgarn knows a lot about boats, as he is a boat owner and spends quite a lot of time in it.

We have boards and committees to advise the Minister, no matter what party is in Government; and I presume that will go on for ever and a day. Last year the question of the licensing of boats came before a body known as the Aquatic Council. It is a representative body. I cannot

remember all of the bodies represented on that council, but some of them are the Water Skiers Association; the Speed Boat Owners Association; the National Fitness Council; the Rowing Association; the speed boat club; the under-water divers; the yacht clubs, and the Swimming Association. That is a fairly comprehensive gathering of people, and they comprise the Aquatic Council.

Mr. Kelly: Quite a limited number when you consider the huge number of users of the river.

Mr. CROMMELIN: There is a huge number of users on the river, but I cannot come into line with the honourable member's statement that there are more users on the river than there are members of clubs.

Mr. Kelly: Very definitely.

Mr. CROMMELIN: Almost everybody who has a speedboat on the river and races it is a member of a club; and there are thousands of members of yacht clubs and speedboat clubs who use the river. I am not arguing over that point, because it is rather difficult; but I know that at the present time there are between 700 and 800 speedboats and that the number is increasing each year with the availability of high-powered engines and the evident availability of money with which to buy them.

As the member for Merredin-Yilgarn says, some of these speedboat owners come from many miles away. A friend of mine comes from York every Sunday and uses his boat on the river. From this Aquatic Council there has developed a small committee; and I am assuming it is that small committee the Minister speaks of when he says he is going to take advice from an advisory committee. I know the composition of that advisory committee. It comprises a representative of the Harbour and Light Department (**Mr. Forsyth**); **Mr. Courtney** of the Swan River Conservation Board; a man named **Mr. Barnard**—I think he is from the speed boat club; a member of the Melville Shire Council; and a man named Councillor **Hayes**, who I think comes from Bayswater or Bassen-dean. I am not at all sure on that point; but I think those are the five members of the committee.

The previous speaker questioned whether this Act if passed should apply State-wide. I feel that it should. The regulations that are to be promulgated should apply throughout the whole of the State; and, when I say that, I am particularly referring to water skiers and speedboats. When I was in Albany last year staying at Emu Point, I was offered a ride in a speedboat by a young man. I said to him, "Are you going to pull a skier with only yourself in charge of the boat? That is

against the law." He said, "There is no law at Emu Point." I said, "All right; that is your responsibility."

I must admit that it is the first time I had ever been in a boat powered by a 50 h.p. motor. It took off like a "bat out of Hades." It went through the Channel amongst people who were fishing and youngsters who were swimming; and I had never had such an experience in my life. Therefore, if we are going to control that type of boat, the regulations must have a State-wide effect.

At Mandurah each week-end boats come from all over the place; and the regulations certainly must apply there. I would be upset if they did not apply to Mandurah as well as to the Swan River.

Mr. Rowberry: Who would police it?

Mr. CROMMELIN: I am not in a position to say that. I take it there are Harbour and Light Department officials in different areas and they would police it.

Mr. Kelly: Would you tell us what the Bill is designed to achieve?

Mr. CROMMELIN: Yes; I am gradually working up to that. From what I can gather, most of the agitation for this licensing has come from the Aquatic Council and the committee to which I have referred. I feel sure that if the measure had not been agreed to by those bodies quite a few members would have received a considerable number of complaints from their shire councils and boat owners. Last year I received hundreds, but this year I have not received one. If I had received one, I would be the first to admit it, and say that I objected to the Bill, as there are quite a few interested boating people in the area in which I live. I have come to the conclusion that the agitation is against speedboat owners and skiers.

I do not agree it is necessary to license all boats, as was suggested by the previous speaker. A lot of boats are fairly rigidly controlled by their clubs. In other words, a boat cannot be sailed unless it is registered with a club, and there is a number on the sail, and a name on the transom. No doubt there are odd yachtsmen who do not comply with these conditions, but most yachts do have a name on them. However, I think the member for Merredin-Yilgarn would agree with me that the yachtsmen who do not belong to clubs would be in the minority. I feel sure that most who race boats belong to a club and that there are not many who do not.

However, when we come to speedboats it is a different question because, as I said before, people come from all over the country to use their boats on the river. We cannot say that a man who comes

from York is not as capable as a man with a speedboat in Perth. The man from York might be more careful. That applies to drivers of cars and everything else. However, on the whole I do not think a man from the country would get as much experience as a man who lived near the river and who was out in his boat every evening and at the week-end. A farmer would be restricted in that respect.

This approach has been made to the Minister mostly on account of people who own high-powered boats. It is a fact that at certain times thoughtless motorboat owners pulling skiers behind them are a danger. One can see them any Saturday afternoon or Sunday morning flying through moorings without any thought for people with boats, or for people who are swimming in the river.

I say quite frankly that when the Minister is replying to the second reading debate I would like him to give an idea as to what the regulations will be. I feel certain that the regulations he proposes have been given to him by the advisory committee. If he can tell us what the regulations are, and I do not like them, I will have no hesitation in saying so. I make that clear from the outset. However, if this committee and the Aquatic Council want the regulations, I am prepared to abide by them.

Mr. Kelly: These regulations cover a new set of circumstances, and it should be indicated what they cover.

Mr. CROMMELIN: I said I would like the Minister in his reply to give us an indication as to what the regulations will be. I take it that when the member for Merredin-Yilgarn talks of licensing he really means registration. Perhaps not so much registration as identification. This will be a difficult job for those who are trying to police the regulations. There are numerous types of speedboats of the same size and even the same colour, all doing about 10, 20, or 30 miles an hour, and some might be called *Mary-Anne* and others *Mary-Lou*; and it is difficult to tell which is *Mary-Lou* and which is *Mary-Anne*.

Mr. Rowberry: You have to be a male boat to know that.

Mr. CROMMELIN: The position will be difficult unless the name and possibly the registered number are known. I know that some people will object to having numbers on their boats. They do not want them disfigured. They want it on the transom. However, if these regulations make it necessary for a speedboat to carry a number that could easily be done and the owner could have a number and name up forward near the bow. This licensing is necessary in order to ascertain the offenders.

The same applies to speedboats being used for skiing. It is impossible to identify a boat unless very close to it, so close in fact that it is almost possible to identify the driver. It sounds crazy, but that is the truth. At the speed these boats travel, it is impossible to identify them. If under the proposed regulations racing boats and speedboats used for skiing were allotted a prescribed area on the river to themselves, I would be very happy.

This is very necessary, and it will be seen that I propose to move a very simple amendment to give even more power to the Government in this respect. These skiers should be notified that they have a certain area such as a mile from the Canning Bridge and 400 yards wide. Thereby the boat owners who have paid their registration fee will know they are safe from danger in that area. I say this advisedly. I know the member for Merredin-Yilgarn would agree it would be very dangerous for a skier to run against a line of crabbing nets with big wooden floats. It is to avoid that possibility that this Bill has been introduced.

In addition, of course, people would not be allowed to swim in such an area. They would be permitted to paddle, but that is all. It is all very well for people to say that it is possible to avoid a child who is swimming, but it is very difficult, and that is where the danger arises. It is for these reasons that I have foreshadowed my simple amendment to give the Government further powers.

There is nothing worse, when racing a boat or hauling a skier, than to suddenly find a yacht tacking across towards one. It is most important that these owners receive the protection for which they have been licensed. Whatever the license fee might be, I would advise that in the areas set aside for skiers and racing boats, buoys should be placed to which are attached big pennants stating that the areas are only for racing and skiing boats and that all other craft and people are prohibited.

Mr. W. Hegney: More restrictions!

Mr. CROMMELIN: Rubbish! The member for Mt. Hawthorn does not drive a boat, and he does not swim either.

Mr. W. Hegney: How do you know I don't? I would beat you in a 100-yard race any day.

Mr. CROMMELIN: I would like to see him on skis at the back of a boat.

Mr. W. Hegney: I was at City Beach yesterday. You weren't!

Mr. CROMMELIN: I have not anything else to say, because I feel I have covered the crux of the situation. Let the Minister give us an indication of what the regulations will be.

Mr. Kelly: That is what he has not done so far.

Mr. CROMMELIN: I am again asking him to do so. The Minister has stated that the committee appointed by the Aquatic Council has asked for these regulations. Let him tell us what the regulations are, and I will be satisfied. I do not desire that yachts should be registered. I was against it last year because they have only a power auxiliary to get them under the bridge. It is quite unnecessary that they should be registered because they are strictly penalised by their own clubs and have therefore more sense than to do anything wrong. The ones we are looking for are the enthusiastic ones who are not so experienced.

We must also avoid the possibility of different types of boats being in the same areas as the fast boats, and it is necessary to ensure that there are no children swimming in these areas. They are the people we have to protect; and if the Minister will indicate that the regulations will achieve this protection, I will be satisfied.

I do not think the other question of moorings is very important. I am given to understand that most of the moorings were granted by the Harbour and Light Department years ago. However, I do not think there was any authority for this. I know that at Claremont there is a huge mooring area from the Osborne steps area to near the baths and that has always been known as our area. A member has to apply for a mooring there. I think we have taken this authority for granted for a great number of years, and this small amendment is merely to validate that action. I am not too sure on that point, and perhaps the Minister will explain it to us.

Apart from that I can see no harm in the Bill provided we are reasonably assured by the Minister as to its intentions.

MR. HALL (Albany) [4.36 p.m.]: I feel this measure is an honest attempt to try to bring some control to our waterways. To some extent I can agree with the member for Merredin-Yilgarn in that the ministerial power seems to be rather great and could therefore be obnoxious in many ways if applied with a very firm hand.

Referring to the remarks made by the member for Claremont, he mentioned that he had visited Albany, and I can substantiate his contention that some of the skiers in a particular area at Emu Point are very care-free, to the danger of people who fraternise there.

If this measure were passed—with the suggested alteration particularly in regard to the £20 in the penal clauses, which seems rather drastic to me—some control would be effected. A scheme has been mooted for Emu Point whereby swimming

areas will be allotted together with harbour facilities for small boats and an area set aside for skiing. All this will no doubt be an attraction to tourists; and the Government—and any future Government—should encourage such a scheme.

I do feel that some regulation should be introduced and these craft should be licensed the same as motor vehicles today have to be licensed. We know we are living in a much faster or speedier age, with the consequence that we must have some control. The traffic on our waterways is becoming very congested, and this measure is an endeavour to overcome some of the difficulties which have accumulated from year to year and which will increase as people become more pleasure-minded and, should we say, more water-minded. As far as the advancement at Albany particularly is concerned, it will be an asset to that town.

The mooring side of this subject could be discussed. It is an absolutely new provision because I have checked it with the Act. This particular provision reads—

The Minister may grant a license to any person conferring on that person the right to use exclusively, or in common with another person or other persons, the waters specified in the license, for the purpose of mooring vessels.

I would draw the Minister's attention to the professional fishermen whom I hope he will consider when he replies to this debate and when he is drafting regulations. The fishermen in my area have their vessels moored very close to the actual harbour works and some provision will have to be made for them in the future development of the Albany Harbour as envisaged in the Tydeman plan. That also raises the point of the extra burden these professional fishermen will have to bear. It should be realised that today they must obtain a fishing license and now it is going to be made necessary for them to obtain a second license.

The Minister has the power to do something about it. A license may be granted under this section upon such terms and subject to such conditions as the Minister thinks fit. These powers are very wide and very elastic; and if the Minister is sympathetic towards professional fishermen—as I feel he will have to be towards them, not only in Albany, but in Geraldton and in other harbours, because the trade is a lucrative one to this State—consideration will have to be given to the licensing of fishing boats. That would apply to fishing fleets in Fremantle and in other harbours around the coastline of Western Australia.

I would ask the Minister to bear that point in mind when he is issuing licenses, so that justice may be accorded to men who work at sea for a living. Such men

have the added expense of maintaining their boats. Although the cost of a license may not appear to the Minister to be great, it will be an added taxation medium to the men in the industry.

The other point touched upon by the member for Merredin-Yilgarn was in connection with paragraph (j), imposing a penalty not exceeding £10 or imprisonment not exceeding one month with or without hard labour for a breach of any regulation. If this Bill is passed, and the amendment to the Act is accepted and becomes law, the penalty will be increased from £10 to £20. That penalty applies to any breach of the Act, and the member for Merredin-Yilgarn has touched on several of them. The original Act is very wide in its application.

This is one clause with which I cannot agree; namely, that the penalty be increased from £10 to £20. One man has the power to do anything he likes to any person and to impose this penalty. I would ask the Minister to give consideration to paragraph (j) when he replies to this debate. I think this is an obnoxious clause. It is a bad penalty, and there are many bad clauses in the Bill. I think the measure could be of advantage and would be treated with respect if the penalty were allowed to remain at £10.

Adjournment of Debate

MR. BRADY (Swan) [4.43 p.m.]: I move—

That the debate be adjourned.

Motion put and negatived.

Debate Resumed on Motion

MR. BRADY (Swan) [4.44 p.m.]: I asked for an adjournment in order that the subject might receive more consideration, because the members for Merredin-Yilgarn, Albany, and Claremont have raised matters which I think members would like to have a look at.

I am concerned about the aspect as it affects those on the river. I do not know whether it is known in this House, but the first port in Western Australia was at Guildford. That fact might come as a surprise for some members. Sailing boats used to anchor in Fremantle and cargoes were unloaded by lighter and transported to Barker's Bridge. That is why Guildford has an anchor on its crest. The first professional fishermen in this State were also at Guildford, and there was a port there to enable fishermen to unload their hauls.

In recent years the commercial aspect has given way to sport and recreation. As a consequence, many people own boats which they use at week-ends and even through the week. Occasionally some people fish, and some have their nets

licensed. I do not wish to see people who use their boats only occasionally being penalised by stiff penalties.

Mr. Crommelin: How do you know the licenses are going to be so stiff?

Mr. BRADY: I do not know. I want the Minister to give us some idea of what is involved. Is a man who has a commercial fishing boat at Fremantle to be charged the same license fee as a man who has a canoe at Guildford?

Mr. Crommelin: How would the canoe be licensed?

Mr. BRADY: That is what I want to know. All these things should be considered, and members should be able to have an opportunity of comparing them and deciding what is desirable and what is not. I can understand certain types of rivercraft being excluded altogether.

Mr. Crommelin: I hope so.

Mr. BRADY: Of course! And so do I. I would ask the Minister to give us some more details. I do not think we wish to encourage the making of laws by regulation. I always understood that Parliament made the laws and that regulations were introduced merely to assist those laws. But here we have a reversal. If this Bill is passed in its present form this House will, in effect, be saying to the Minister, "Make any by-law or regulation you like," and the chances are it will get by.

We do not want to have that type of legislation. We want legislation which everybody can have a look at; and if there is any weakness in it we can remedy that weakness in this House; and let us have a regulation put into effect as the result of a parliamentary decision—not a decision of an officer of the Fisheries Department, of the Harbour and Light Department, or of some other department.

Parliament is charged with the obligation of making the laws of this State so that everybody may look at them in the full light of day. I do not like the idea of regulations being made, and their laying on the Table for so many days; and then, if we do not like them, we can have them discharged or removed. I think it is much better for us to have this Bill aired in the House.

I do not think members fully realise that today river-craft, and boats generally, are big business. There are half a dozen firms at present building boats in the metropolitan area and there are at least another half-dozen firms importing high-powered engines for those boats from overseas. What does all this mean? Does it mean that certain monopolies are going to have the rights for mooring sites?

This House wants to see the whole picture. I know that the Minister for Industrial Development was upset that I should ask for an adjournment, or that I should continue on in my present strain.

Mr. Court: I am not upset.

Mr. BRADY: If somebody telephones me from Guildford and asks me what is intended by the regulations, I have to say that I do not know—

Mr. Kelly: None of us knows.

Mr. BRADY: —because the Minister has not told us. That is the difficulty. I have already been asked by speedboat owners what these regulations mean. Last year, when the Minister was introducing the Bill, some of them rang me up and wanted to know what they meant. It is our job to find out, and I think the member for Claremont was on very sound ground when he said the Minister should give us some indication of what is intended.

Mr. Crommelin: The President of the Speedboat Owners' Association is on this committee. He should be able to answer the honourable member's question.

Mr. BRADY: Many people are not represented on this committee who should be represented. The Sea Scouts' Association has been carrying out activities on the river for the past 30 years. I have not heard those people mentioned at all. I have not heard the licensed fishermen mentioned—and they have to be taken into consideration so far as licensed riverboats are concerned. I feel that the members for Merredin-Yilgarn and Claremont have done the House a service in this matter.

I know that members are busy with other matters—it could be the Bunbury by-election; but in the meantime we have a job to do as responsible members of Parliament in trying to find out what a Bill will do to the parent Act; and we have to ensure that Bills are in the best interests of the public, and that this Bill is in the best interests of those who own boats.

One point which is not mentioned in the Bill, and about which I have been concerned for some considerable time, is the effect that river-craft and boats generally have on the health and hygiene of the people who use the river. We have a Swan River Conservation Committee which has been established with a view to protecting the river and stopping it from being polluted by industrial and commercial enterprises using it as a dumping ground for rubbish and waste oils, and other industrial wastes. Nothing seems to have been done through this measure to make boat owners do the right thing by the people in the matter of hygiene and health. In my opinion, when amendments are being made to the Act questions such as these should be considered.

That is the only reason why at the outset I asked for the right to adjourn the debate. I did so because I wanted to have a further look at the matter and get the viewpoints of people who are using the river regularly. However, apparently these matters are of no consequence, and the House feels that we should proceed with the discussion.

During the debate somebody rightly said how strange it was that people travelled such long distances with their boats. I know people are travelling 100 or even 150 miles with boats on their trailers; and some of the speedboat people were using Lake Leschenaultia for a while.

Mr. Kelly: A dozen come from Narembreen; and look how far away that is!

Mr. BRADY: Those people might want to have some say in regard to these matters. Talking about speedboats, I have felt for some time that the owners of such boats have rights the same as anybody else, although there has been some condemnation of them in the House this evening. The owners of those boats, like everybody else who takes up a sport or recreation, should be considered; and I have often thought that on certain days and at certain hours they should have the exclusive right to use certain waterways, whether it be the open sea, in portions of the river, or along the river foreshores. There are some people who would like to see speedboats excluded altogether from the river; but I do not take that view. In my opinion all people who are interested in boats—whether they be speedboats, recreational boats, fishing boats, or any other sort of boats—should have some idea of what is intended in regard to these amendments.

I hope the Minister will not rush this Bill through the Committee stage; because I am sure there are other members as well as I who would like to get further advice on the matter. My main concern is that I do not want to see people in my electorate, who live along the Swan River and have small craft, having to pay license fees. They have already been involved in all sorts of increased taxation and additional license fees since this Government has been in office; and surely they are entitled to have their dinghies and other small craft moored along the river without being forced to license them and having to apply for mooring rights.

Because of the present form of the Bill I am forced to say, reluctantly, that I intend to oppose it. The Minister has not given us sufficient explanation about the matter; in fact it was remarkable how little the Minister said on the second reading. He said practically nothing. All he did was to read the clauses that would be discussed during the several stages of the Bill.

That is not sufficient for us as members of Parliament; we should have more information than that before we are asked to agree to any measure. The Minister should have given us more information as to what the various clauses meant. While I want to help him because of the tragedies that have taken place with boats in recent years, I am sorry that I cannot do so because of the lack of information contained in the measure.

There have been some terrible tragedies over the last few years. I can recall when two nuns lost their lives at Mandurah either last year or the year before. Apparently the boat capsized and they were drowned within a very short time; and there have been other cases of a similar nature.

As I said, I want to help the Minister to stop that sort of thing, but I do not intend to come into this House as a member of Parliament and willy-nilly give the Minister and his departmental officers the right to make regulations when we do not know what is intended.

My great worry today is that too many departmental officers are running the country, and it is not Parliament which is doing it. Parliament should be running the country and not Government officers. But day after day we see departmental officers having regulations promulgated which should not be agreed to.

Mr. Bovell: How many Bills did you introduce as a Minister which provided for regulations?

Mr. BRADY: People do not understand what regulations mean until they actually feel the effect of them. I gave an example the other night concerning the Traffic Act. A motorist cannot drive into the right-hand lane unless he is going to turn right. I gave an example where on three occasions recently I was forced into the right-hand lane because I had no alternative: (1) because a car had broken down in the left-hand lane; (2) because the traffic on the left-hand side would not give way when coming home from a football match; and (3) because a car had broken down at the outlet to the left-hand lane.

Regulations are being gazetted under various Acts and nobody knows what they mean. That is why I want to know what effect these amendments in the Bill will have, and I want to know what the Minister has in view. Unless I can get some information about it, either from the Minister or somebody else, I shall have to vote against the measure.

MR. WILD (Dale—Minister for Works) [4.47 p.m.]: I thank members for their observations on this Bill, and I do not

know whether I should apologise for not saying more than I did when introducing the second reading. But last year I introduced a similar measure and, when I looked up what I said on that occasion I found that I had given a considerable amount of detail then. I do not think I can ever be accused of making long speeches in this House, and I took the view that had I gone over the same ground again it would only have been a reiteration of what I said when I introduced the Bill last year. However, as members are anxious to know what is the reason behind this measure they will have to bear with me while I reiterate to some extent what I had to say previously.

This measure originated from the many complaints that came from the people in and around Beryl Place about the speedboats and skiboats that were operating in that area. As I indicated last year, and I repeat, I received more deputations at that time from people complaining about skiboats and speedboats than on any other matter since I have been at the Public Works Department. From memory I received nine or 10 deputations; and the member for Swan, as an ex-Minister for Police, would know that to receive nine or 10 deputations on one subject is rather extraordinary. I received them from the Melville Shire Council, the residents of the district concerned, the yachting association, the aquatic council, and many others. They came from right, left, and centre.

My adviser in this matter, the Manager of the Harbour and Lights Department, informed me that for a long time he had been endeavouring to do something about what could be called anomalies, but under the existing legislation he was absolutely powerless. So I took the advice of the aquatic council, because that body represented most of the people who used the river, and I introduced the amending Bill last year.

On that occasion I told members everything about what we intended to do—the very thing I am being twitted about this year for not having repeated. When the Bill was introduced it got no further than the second reading stage because of the large number of telephone calls that were made by the yachting clubs, the yachting association, and others saying that they did not like this and they did not like that.

As I have said, at that stage I was extremely frustrated and fed up at having to receive all those deputations protesting about the matter; and then, when I brought the Bill before the House, they got out from under and so nothing happened. Strangely enough, it was not long after, with the advent of summer and when the session concluded last year in November, that the pressure was applied

again and the question was being asked of me: "When are you going to do something about it?"

It was then I decided to convene a committee of my own generation. I asked the Manager of the Harbour and Light Department to get in touch with the local authorities that were mostly affected; that is, one on either side of the river, together with the representatives of the W.A. Water Ski Association and the representatives of the Swan River Conservation Board. I called the representatives of those bodies together to advise me on what they thought was the best way to approach this problem.

As Minister, I called for a nomination from the Melville Shire Council and it nominated Mr. Carroll the President. I then invited the Local Government Association to give me a name of another member connected with another part of the river, other than that controlled by the Melville Shire Council, and so the name of Councillor N. B. Hayes was submitted by that association. The committee thus formed comprised the following personnel—

Mr. K. G. Forsyth, Manager of the Harbour and Light Department, Chairman.

Mr. R. Carroll, President, Shire of Melville.

Mr. B. A. Barnard, representing the W.A. Water Ski Association.

Mr. W. R. Courtney, representing the Swan River Conservation Board.

Incidentally, Mr. Courtney is the nominee of the sailing clubs and the aquatic clubs, so he had what one might term a dual representation, and the final member of this committee was Cr. N. B. Hayes, representing the Local Government Association.

I asked that committee for its considered opinion as to how this impasse could be overcome. I do not think there is anyone in this House who has a greater knowledge of the river than the honourable gentleman who led the debate on the other side of the House, and my colleague, the member for Claremont. As for myself, I can swim and just row a boat; but beyond that my knowledge of the river is extremely limited. However, I am always prepared to listen to those who know something about it, and therefore I was quite willing to accept advice from a group of men who had great interest in this river of ours.

I want to join with the member for Merredin-Yilgarn in saying that we have a magnificent heritage in the Swan River. When I leave home in the morning to travel to my office I like to come by way

of the freeway because I can think of nothing more invigorating than to travel along that roadway with the sun shining on the Swan; and, what is more, it is only then that one can fully appreciate what we have in regard to this river. Therefore, with all the young and vigorous youth we have in this State—both girls and boys—we should do something to iron out these problems that have arisen in regard to the use of the Swan River.

It is only when one travels over parts of these waters that one appreciates the large number of motorboats which have recently come into being for the use of water skiing. According to the President of the W.A. Water Ski Association, I understand there are something like 750 of these boats. This sport is growing in popularity, not only here, but also in some of our country areas, as mentioned by the member for Albany. Of course, when mention is made of the Eastern States I understand that the situation there, so far as water skiing is concerned, is utter chaos and, like us, the authorities there are trying to get order out of the chaos.

I not only took the trouble to receive deputations, but I also visited Beryl Place myself to see what was actually happening. Further, with the President of the W.A. Water Ski Association and the President of the Melville Shire Council, I went to Deep Water Point on another occasion. In addition, I risked my life to accompany Mr. Forsyth, the Manager of the Harbour and Light Department, in that little speedboat the department uses to chase aquatic offenders. These excursions made me realise the urgent necessity for us to get our heads out of the clouds and evolve some kind of order out of all this chaos.

As a result, this committee was convened, and it held five meetings. In the final analysis it recommended unanimously that the control of this sport should be achieved by regulation because things are changing all the time. The committee wanted to be in a position that if some problem arose on which a decision had to be made as soon as possible, it need not wait until Parliament was convened, but could recommend to the Minister how action should be taken.

I want to say this about regulations: Whilst I am Minister I will not promulgate any regulation unless it is recommended by this committee, which is well-informed. Furthermore, these regulations will have to be laid on the Table of the House. I know one can say that, in the intervening period when Parliament is not sitting, all sorts of things can happen. However, surely we have enough commonsense to know that no regulation that is not sound will be accepted from an excellent body such as this, and I am not going to make an ass of myself by putting a regulation

on the Table of the House only to find that on the first day objection is taken to it and it is thrown out.

Some regulation has been on the statute book since 1948. I invite members to look at sections 204 and 207. The problem has been, however, that Mr. Forsyth, the Manager of the Harbour and Light Department, has told me not once but a dozen times that these sections were not watertight, and he could not do what he wanted to do. So, after having had consultations with the Chief Parliamentary Draftsman, we were advised that this was the only way the problem could be solved: namely, by introducing worth-while and sensible regulations.

I want to give an indication to the House of what we intend to do and what these regulations seek to achieve. I have a draft of them. I put it to the committee: What type of regulations are you going to submit to me for promulgation? The answers it submitted to me showed that there will be a registration of vessels, but this registration will cover only speedboats and motorboats; and a speedboat is defined as "a boat capable of a speed of more than 12 knots." Therefore, the registration will cover something more than those little "putt-putt" motorboats one sees around the river.

Then there will be the identification of vessels. For the purposes of identification the department shall allot a number to every speedboat, which number shall be clearly marked on both sides of the hull towards the bow in figures not less than six inches in height and no less than one inch in width.

Then there will be a limitation of speed. There will be a regulation to cover those areas of water to be used by speedboats and water skiers. The problem at Beryl Place was indeed a real one. I took the trouble to visit Beryl Place on two Sunday afternoons, and I am satisfied that the Shire of Melville was not exaggerating when it told me, during a deputation, that there were no fewer than 3,000 or 4,000 people congregated there on a Sunday afternoon, most of whom had motorcars. I witnessed such a crowd with my own eyes. Therefore, one can appreciate the feelings of the owners—a great deal of them elderly—of the homes which overlook Beryl Place.

At this stage I would like to point out that there are no toilet facilities at Beryl Place. We are all human, and therefore one has to be realistic as to what was happening there. Further, boats used for water skiing were roaring up and down the river from daylight to dark.

So people who had built magnificent homes in Mt. Pleasant and other places overlooking the Canning River were subjected not only to hundreds of people on

the shore but also to the tremendous roar of motorboats—most of which were not fitted with silencers—tearing up and down in those waters. In addition, the boats were being used at times and on those days when most of the people in the vicinity were hoping to have a few quiet hours in their beds.

So it was that which prompted them to ask me to do something to overcome the problem. As a result, with the Under-Secretary for Works I met the representatives of the Shire of Melville and endeavoured to iron out the problems and difficulties that had arisen, particularly over the use of the waters in the vicinity of Beryl Place. Following our discussions, and in conjunction with that authority, we are making Deep Water Point available for these boats. We have been conducting dredging and reclamation work at Deep Water Point, and launching platforms have been installed, and, together with Mr. Barnard the Chairman of the Water Ski Association, the people concerned are all as happy as sandboys. They are quite happy that this regulation should be promulgated and that Beryl Place should be used only at certain hours. Apart from that, at least they have Deep Water Point. As I have said, I observed all these things myself; and something had to be done. Regulations will also be promulgated with regard to safety measures, and the purport of the regulations will be as follows:—

A person shall not, and no owner of a speedboat shall permit a person—

- (i) if under the age of 14 years drive or operate a speedboat;

I think members will agree that that is desirable. The next is—

- (ii) if under the age of 17 years drive or operate a speedboat unless accompanied by an adult.

There is nothing very much wrong with that. A regulation is also proposed in regard to the limitation of hours, and this reads—

No person shall ski on the waters of the Swan or Canning Rivers before 8 a.m. and after 7 p.m. on Sundays and public holidays.

This is apropos of what I had to say about looking after the people who might like to lay their heads on their pillows for a few hours on Sunday. The suggested regulation to deal with silencers on motorboats is—

Every motorboat shall be properly fitted with an approved and efficient silencer.

There will also be a regulation dealing with motorboats not being permitted to emit smoke or vapour as follows:—

Except in an emergency no person shall cause or permit a motorboat to emit smoke or vapour to such an

extent as to cause danger, nuisance, or annoyance to any member of the public.

A further regulation seeks to control advertisements on vessels, and reads—

No person shall carry or the owner of any vessel permit any advertisement or advertising sign without first obtaining the permission of the department in writing.

I am sure everybody will agree with the purport of those regulations. The member for Merredin-Yilgarn mentioned that we should ensure that vessels were equipped so that they would be seaworthy; and provision is also made for that.

Mr. Crommelin: Is there anything in regard to sailing boats or yachts?

Mr. WILD: No.

Mr. Crommelin: Provided they cannot do more than 12 knots they will not be licensed at all?

Mr. WILD: No. I am being quite frank about this matter. As I said, I propose to be guided by this committee; and those are the suggested regulations it has brought forward. I have no intention of listening to anybody else. I am quite happy to accept the advice of the committee, because it is representative of a fair cross section of the people who use the river; and apart from that, the committee also has a Government representative as a member. So when the regulations come forward the House can be assured that they will have the recommendation of the committee to which I have referred.

Another point on which I wish to touch is that concerning the amendment on mooring sites. Here again I made mention of this matter last year, although it was in the amending Bill which was not proceeded with. All it seeks to do is to validate something which is already in the Act, which the Crown Law Department said did not have the force of law. The department drew my attention to it. When I put through other amendments last year the department said, "We suggest you allow us to tidy this up, because we have been fearful of its validity over the years."

Mr. Brady: Can a company have a monopoly over mooring sites?

Mr. WILD: No; I do not think so. As the honourable member knows, there are innumerable such sites on the Swan River, and the permission to be given will be given to the individual person, association, or club to moor boats in a particular area.

The question of the £20 penalty was also raised. Here again the Parliamentary Draftsman drew my attention to the Act.

If members care to look at section 204 of the Act they will see there is already provision made for a penalty of £20 or for one month's imprisonment. If in 1948 it was considered proper to say—

... imposing a penalty not exceeding £20 or imprisonment not exceeding one month, with or without hard labour, for a breach of any regulation;

then surely it is equally proper to have that penalty today. All it seeks to do is to make the penalty consistent with the earlier provisions giving power to raise the £10 penalty to £20.

I hope I have now given the Committee a better indication of what is intended. I apologise to the member for Merredin-Yilgarn for not having done so before; but, as I said, I spoke on the matter last year, and whilst I may not have been as lucid then as I was today, seeing my explanation was there I thought members might look it up. It was on that basis that I gave a very brief introduction last week.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Clause 1 put and passed.

Clause 2: Section 16A added—

Mr. ROWBERRY: I have some doubt about a word used in this clause. We on this side of the House resent exclusiveness. Will this clause give the exclusive right to a person or persons to moor boats in a certain place? Will it deny other people the right to use the water in rowing boats, and so on: or does it only apply to mooring facilities? We have been told that the waters around the coast are our priceless heritage, and are free for anyone to use. So I would like the Minister to explain the position.

Mr. WILD: This is for mooring purposes. For example, if I have a house on the river, and I apply for, and I am granted, a license for an area in which to moor my boat, this gives me the exclusive right to use that mooring site. But it would not debar anybody from sailing around.

Clause put and passed.

Clause 3: Section 207 amended—

Mr. KELLY: I know I will not be allowed to say a great deal in reply to what the Minister said; but had I known of his intentions earlier there might not have been the opposition there was to the measure. Ministers have a mistaken idea that they should say as little as possible

with a view to getting away with their legislation; but there are sticky-beaks on this side of the House who want to know a bit more than they are told.

The Minister has given us some information outlining the very subject about which we want to hear. The measure which he introduced 12 months ago had substantially the same features, to which all organisations using the river took exception, but there was no mention of excessive penalties in that Bill.

The Minister has not told us whether penalties will be introduced by regulation at some later date. If this Bill is proceeded with and regulations are promulgated from time to time, the organisations which are concerned with this legislation could handle them quite well. I cannot understand the Minister's comment about this part of the clause which refers to the penalty of £20, because the existing regulation provides for a penalty not exceeding £20, or imprisonment for one month with hard labour, for a breach of any regulation.

Mr. CROMMELIN: Yet under section 207 (1) (j) the penalty provided is £10.

Mr. KELLY: As very largely this Bill applies to regulations, why not leave the regulations as they are? I do not think a penalty of £20, which was considered reasonable for breaches by vessels of 20,000 tons or more, should also apply to breaches by small river craft. I ask the Minister to delete clause 3 (b).

The CHAIRMAN (Mr. I. W. Manning): The member for Claremont has an amendment in line 13 of the clause.

Mr. HALL: Before the honourable member proceeds, I want to ask the Minister what is the definition of a pleasure craft. Is it a craft used by one who is making his living by fishing, and who also takes passengers on pleasure cruises in the vessel?

Mr. WILD: Section 205 of the Act relates specifically to pleasure boats, and the Bill does not affect that section.

Mr. CROMMELIN: I move an amendment—

Page 2, line 13—Insert immediately after the passage, "principal Act is amended—", the paragraph—

(a) by adding, immediately after paragraph (h) of subsection (1), the following paragraph—

(ha) regulating, or prohibiting, the use of any specified waters for any purpose or purposes;

The intention of this amendment is to enable the Minister to prescribe specified waters at specified times for the sole use

of speedboats or powercraft towing water skiers. During those times no yachting or organised swimming would be permitted in those waters. The amendment is designed to avoid risk to life while the speedboats are using the specified waters.

Mr. WILD: I have been in touch with the manager of the Harbour and Light Department as well as the Crown Law Department, in connection with this amendment. It is a satisfactory amendment and will tighten up the legislation. Where human life is at stake every possible precaution should be taken.

Amendment put and passed.

Mr. KELLY: I move an amendment—

Page 2, lines 22 to 24—Delete paragraph (b).

I have already given the reasons for the amendment.

Mr. WILD: I cannot agree to the amendment. Under section 207 (1) (j) where the penalty is £10, an offender can also be imprisoned for one month for breaches of the regulations. It is only for the sake of consistency that an attempt is being made to increase the penalty to £20. Section 207 prohibits the navigation of vessels that cannot safely be navigated. If a person is directed by the Harbour and Light Department not to take a vessel to sea and he disregards that direction, he can be charged. In order to be consistent the penalty should be £20 or one month's imprisonment.

Some of the things about which regulations may be made are as follows:—

determining what number and kind of lights shall be carried by vessels and the times when and the position in which the lights shall be carried, and prohibiting the use of unsuitable lights; prescribing the use on any vessel of sound and efficient gear and equipment;

That is an important provision as it gives the Harbour and Light Department the right to inspect vessels. Continuing—

regulating the use of waters by vessels; prohibiting the use of any specified waters by any vessel or by any person in charge of the vessel; prescribing safety regulations in connection with navigation, mooring and berthing of vessels.

I am sure that on reflection the honourable member will realise that if the amount were left at £10 there would still be the right to gaol for a month; and in these days £10 is a mere bagatelle. Usually magistrates are fairly lenient, and if the maximum penalty were £20 they would fix a penalty up to that amount—a penalty consistent with the offence. Therefore, I oppose the amendment.

Mr. KELLY: I cannot see eye to eye with the Minister in this matter, and I ask the Committee to bear with me if I digress a little. The Western Australian Marine Act was placed on our statute book many years ago and before the circumstances which obtain on the river today were even thought of. The regulations under that Act have no bearing whatever on any waterways other than the open sea. When the legislation was first enacted the number of boats was very small, and there were none of the present type of craft on the ocean, rivers, or the estuaries.

Mr. Wild: All the more reason why there should be a penalty. If it were £10 when there were only a few boats, today when there are hundreds and hundreds of boats the penalty should be stiffer.

Mr. KELLY: No; we have a different outlook now. By regulation the Minister proposes to give to certain sections of the boating fraternity the right to a certain area; but the balance of the craft plying on the river will not be that type of boat. As the member for Claremont has indicated, the majority of boats in that category are already in organised clubs and they have been given a place where they are permitted to operate. Therefore, this regulation will not have any effect so far as they are concerned. They can travel at any speed they like within the area specifically allocated to them. I think the Minister said it was Deep Water Point. Therefore, the likelihood of offenders among the other portion of river users is greatly minimised. Fancy a £20 penalty for a little 14 ft. dinghy powered with a 5 h.p. outboard motor because it contravened some trivial section of the Act!

I think the Minister should agree to this deletion because in the main he has already provided for penalties of £20.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Title put and passed.

Bill reported with an amendment.

BUSINESS NAMES BILL

Returned

Bill returned from the Council without amendment.

CEMETERIES ACT AMENDMENT BILL

Receipt and First Reading

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

House adjourned at 5.37 p.m.