The Hon. A. F. GRIFFITH: Let me say I sincerely hope that in Western Australia we never reach the stage in our history where a person can walk into the office of the State Housing Commission, ask for a house, and get one just like that. I hope we never reach that stage.

The Hon. E. C. House: They have that position in South Australia now.

The Hon. A. F. GRIFFITH: If we reach that position we will be back to the decadence we experienced in past years.

The Hon. R. F. Hutchison: Bunk!

The Hon. H. R. Robinson: South Australia has a Labor Government.

The Hon. A. F. GRIFFITH: It is true that the demand for housing, so far as the commission is concerned, is difficult to satisfy; but everything possible is being done on all fronts to satisfy the demand. If we have a situation where more migrants are coming into the State—and do not let us forget that the previous Government stopped migration—

The Hon. F. R. H. Lavery: Because it had no houses for them.

The Hon. A. F. GRIFFITH: It stopped migration, the basis of the thinking being that there were not enough houses to go around; but that Government forgot the fact that for every migrant that comes into the State there is a new demand, a new creation, for services, goods, jobs, and so on. All those things follow.

The Hon. R. F. Hutchison: But they suffer.

The Hon. A. F. GRIFFITH: However, the people who do not want to think about that sort of thing; who cannot think about it, and make all sorts of excuses—

The Hon. R. F. Hutchison: That's not fair.

The Hon. A. F. GRIFFITH: —do not realise—

The Hon. F. R. H. Lavery: Don't you think I am thinking about these things.

The Hon. A. F. GRIFFITH: I know the honourable member is.

The Hon. F. R. H. Lavery: Then don't say these people don't think.

The Hon. A. F. GRIFFITH: I was not including the honourable member among those people.

The Hon. R. F. Hutchison: Don't include me either.

The Hon. A. F. GRIFFITH: I am pleased to know that both Mrs. Hutchison and Mr. Lavery are not included.

The Hon. W. F. Willesee: You had better be careful whom you pick on.

The Hon. A. F. GRIFFITH: I am glad to know those members are not included. I hope all members are thinking.

The Hon. E. C. House: There are 750 vacant homes in South Australia.

The Hon. A. F. GRIFFITH: That is something to think about. I hope we never reach that situation. I think I have caused a little difference of opinion in the ranks by speaking a few home truths.

The Hon. F. R. H. Lavery: By politically attacking the only Labor Government in Australia—

The PRESIDENT: Order! The Minister will please address the Chair.

The Hon. A. F. GRIFFITH: May I conclude my remarks by thanking members for their contributions to the debate, and also for their useful interjections.

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.

## LOCAL GOVERNMENT ACT AMENDMENT BILL

*Returned*

Bill returned from the Assembly with an amendment.

## DISCHARGED SERVICEMEN'S BADGES BILL

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. H. K. Watson, read a first time.

*House adjourned at 5.55 p.m.*

# Legislative Assembly

Thursday, the 26th October, 1967

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

## QUESTIONS (17): ON NOTICE

### ONION MARKETING BOARD

*Annual Accounts: Auditor-General's Report*

1. Mr. GRAHAM asked the Minister for Agriculture:

   Will he advise what is contained in paragraphs 3 and 4 of the inspector's report to the Auditor-General dated the 28th April, 1967, on the annual accounts of the Western Australian Onion Marketing Board for the 1965-66 season?

   Mr. NALDER replied:

   Paragraph 3.—Depot Expenses.

   The total expenses for the year was reduced by unpaid proceeds of pools. Transactions on the

depot account are summarised hereunder—

| | $ | $ |
|---|---|---|
| Expenses for year .... .... | 21,951 | |
| Less credit from surplus proceeds | *2,014 | |
| | | 19,937 |
| Out of pool payments to growers in excess of proceeds .... .... .... | | 483 |
| | | 20,420 |
| Charged to pool account .... | 14,761 | |
| Charged to administration account .... .... .... .... | 5,659 | |
| | | 20,420 |
| | | $ Nil |

The "Out of Pool payments to Growers in excess of Proceeds" item should have been charged against the Administration Account.

* Surplus proceeds from pools is summarised hereunder—

| | $ |
|---|---|
| "Early Brown" .... | 547.33 |
| "Whites" ... ... | 1,474.62 |
| | 2,021.95 |
| Less deficit "Late Brown" .... .... | 7.84 |
| | $2,014.11 |

Paragraph 4.—Balance Sheet.

Sundry Debtors—Growers $34 includes an amount of $23.31 overpaid to Out of Pool growers. The overpayment (or overpayments) has not been identified. The amount should be written off against Administration Account.

## LEGAL AID

*Introduction of Legislation*

2. Mr. FLETCHER asked the Minister representing the Minister for Justice:

Adverting to my question 1 of the 10th October, 1967, and his "Yes" reply to part (2), has there been any reversal of Government intentions to introduce legislation, as suggested, to make possible financial assistance to those who cannot afford recourse to law?

Mr. COURT replied:

The matter will be finally decided next week.

3. *This question was postponed.*

## CARNARVON-PORT HEDLAND SEALED HIGHWAY

*Private Offer to Build*

4. Mr. BICKERTON asked the Minister for Works:

Has he had any proposition placed before him by private companies and concerns regarding the constructing of a sealed highway between Carnarvon and Port Hedland and/or the constructing of a sealed road along the route of the Great Northern Highway; if so, will he supply details?

Mr. ROSS HUTCHINSON replied:

Yes, In April last, Toyomenka (Australia) Pty. Ltd. put forward a proposal to construct a sealed highway from Carnarvon to Port Hedland. This company proposed to construct a 24-foot sealed road, complete with bridges, within 2-3 years. In the belief that the detailed design of the road had not yet been started, it offered to undertake this part of the work. The company indicated that it was prepared to make a loan to the Government to assist in financing the scheme.

No proposal was put forward for the sealing of the Great Northern Highway.

The scheme was not accepted for several reasons.

Firstly, the Main Roads Department is well forward with the design of this road, and, in fact, has prepared designs for well in excess of half the length between Carnarvon and Port Hedland.

Secondly, the Main Roads Department's experience in building roads in areas where local materials are of poor quality is superior to that of any overseas firm.

The company's offer to lend money to finance the construction of the road led to further complications in the State's financial structure, since it was apparent that any funds introduced from overseas may reduce the Loan Council's allocation to Western Australia. Finally, the construction of such a project by private enterprise would have to be the subject of open tender.

## TRANSPORT

*Permits: Issue at Geraldton*

5. Mr. SEWELL asked the Minister for Transport:

Will he give consideration to making facilities available in Geraldton for the issuing of permits for the purposes of the State Transport Co-ordination Act?

Mr. O'CONNOR replied:

Consideration has been given from time to time to the justification for appointing permit issuing officers in two or three of the larger country towns, including Geraldton. Beyond special cases which require the consideration of the Commissioner of Transport,

carriers generally are aware of the policy, and the bulk of such traffic is carried under annual licenses. The remaining instances are of insufficient volume to warrant the appointment of a special officer. If the honourable member has any particular type of transport or class of loading in mind, I would be prepared to have another look at the position.

## CONDITIONAL PURCHASE LAND

*Additional Inspectors, and Non-compliance with Conditions*

6. Mr. NORTON asked the Minister for Lands:

(1) Has his department increased the number of inspectors of conditional purchase land since 1965?

(2) Has he received any complaints from settlers in the Unicup or Cape Riche areas with respect to the non-compliance of the residential conditions of land taken up under C.P. lease; if so, from whom?

(3) Have any of the holders of C.P. leases in those areas been advised that they are liable to forfeit their leases for non-compliance with the conditions?

Mr. BOVELL replied:

(1) An assistant inspector was appointed during the current year. The field staff inspecting conditional purchase leases now comprises one chief inspector, nine inspectors and one assistant inspector—a total of 11 officers.

(2) The Cape Riche Progress Association inquired concerning the policing of residence conditions on leases in the area, and was advised that in all cases where there is evidence the residential conditions were not being fulfilled, appropriate departmental action was instituted to enforce the conditions of the lease.
A similar situation obtains with regard to the Unicup subdivision.

(3) Yes. Five leases at Unicup and one at Cape Riche have been forfeited during the current year for non-compliance with conditions. Inspections of all conditional purchase leases in the State are effected at regular intervals, and appropriate action taken according to the merits of each case.

## TERTIARY EDUCATION

*Implementation of Jackson Report*

7. Mr. EVANS asked the Premier:

(1) Has the Government made a decision as to the implementation of that part of the Jackson report on tertiary education relating to the School of Mines at Kalgoorlie?

(2) If not, when might such a decision be expected?

Mr. BRAND replied:

(1) No.

(2) When Cabinet has had time to consider all aspects of the report.

## PUBLIC WORKS DEPARTMENT

File 1908/63

*Tabling*

8. Mr. GRAHAM asked the Minister for Works:

Will he lay upon the Table of the House Public Works Department file 1908/63 for one week?

Mr. ROSS HUTCHINSON replied:

No.

## GOLD COINS

*Minting and Sale*

9. Mr. MOIR asked the Premier:

(1) Is he aware that sovereigns and half-sovereigns minted in England for the British Government are on sale to the public for $10.50 Australian per sovereign, giving an estimated profit of £1 18s. sterling each?

(2) Will he investigate the possibility of the Government minting these gold coins at the Mint in this State for sale to the public?

(3) If this is not possible, will he—

(a) give the reason; and

(b) explain why visitors from Australia to England are able to bring these coins home with them?

Mr. BRAND replied:

(1) to (3) I am advised—
Sovereigns and half sovereigns are British coins and controlled by the British Government.

Although not now legal tender in Britain, some sovereigns are minted in that country.

Permission of the British Government would be required before these coins could be minted in Western Australia, which in effect would be to ask the British Government to forgo its premium on these gold coins and hand it to us, which could hardly be considered logical from a business point of view. Furthermore the Reserve Bank would also come into the matter. As all newly won gold becomes the property of the Reserve Bank, its permission would therefore be required.

I will arrange for inquiries to be made.

WATER SUPPLIES

*Esperance: Survey of Catchment Area*

10. Mr. MOIR asked the Minister for Water Supplies:

(1) Has his department ever carried out a survey to ascertain if a large catchment area at Cape Le Grand situated near Esperance would be suitable for water conservation?

(2) If so, what were the results of the examination?

(3) If not, would he have a survey undertaken to ascertain if water could be stored in such quantities as to warrant the provision of a pipeline to link up with the goldfields water supply at Norseman or Kambalda?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Answered by (1).

(3) Yes. A field inspection has already been planned to commence next week.

*Kalgoorlie: Supply from Mt. Sir Samuel-Kathleen Valley*

11. Mr. MOIR asked the Minister for Water Supplies:

(1) Has his department ever investigated the possibility of using the large quantities of underground potable water known to be present in the Mt. Sir Samuel-Kathleen Valley area for piping to Kalgoorlie?

(2) As considerable expenditure will be involved in providing another reservoir at Mundaring and consequential expense in enlarging the existing pipeline to the goldfields to meet the large demand for water, which it is expected will be required to service the nickel mining operations, does he consider that investigation of this source of supply is warranted?

(3) If "Yes," would he have an investigation carried out?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Not at this juncture.

(3) Answered by (2).

SMOKING

*Survey into Effects*

12. Mr. DAVIES asked the Minister representing the Minister for Health:

(1) Has the State Government or any State department been approached by the Commonwealth Government or its agencies to assist in conducting a survey into any of the effects of smoking?

(2) If so, what is the nature of any survey being conducted?

(3) If not, is the State Government either conducting or intending to conduct any survey into the effects of smoking, and what is the extent of such?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) No.

(3) No; but State Governments have joined in requesting the Commonwealth, through the National Health and Medical Research Council, to conduct a survey.

CAUSEWAY

*Roadwork*

13. Mr. DAVIES asked the Minister for Works:

(1) What is the nature of the work currently being done on the Causeway?

(2) When is it expected to be completed?

Mr. ROSS HUTCHINSON replied:

(1) Cleaning out and sealing the joints of the bridge preparatory to resurfacing.

(2) It is expected that all of this work, including resurfacing, will be completed by the end of December.

WORKERS' COMPENSATION

*Deputation from Trades and Labour Council*

14. Mr. W. HEGNEY asked the Minister for Labour:

(1) Is he yet in a position to reply officially to the deputation from the Trades and Labour Council in relation to proposed amendments to the Workers' Compensation Act?

(2) Does he intend to introduce legislation during this session to include some or all of the items submitted to him?

(3) If the answer is "No." will he explain the reason?

Mr. O'NEIL replied:

(1) to (3) In my view the nature of the discussions held on the 30th August, 1967, did not warrant an official reply. The deputation undertook to supply additional information to me, and further submissions under letter dated the 23rd October, 1967, have been received from the Secretary, Trades and Labour Council. The deputation was advised it was unlikely that the Act would be amended during the current session of Parliament, because none of the pro-

posals could be regarded as being of an urgent nature. My opinion in this regard has not changed.

## SEWERAGE

*Mains: Authority to Lay on Private Properties*

15. Mr. DAVIES asked the Minister for Water Supplies:

(1) Under what authority does the Metropolitan Water Supply, Sewerage, and Drainage Board enter private property for the purpose of laying sewerage pipes?

(2) What is the procedure adopted?

Mr. ROSS HUTCHINSON replied:

(1) Section 24 of the Metroplitan Water Supply, Sewerage, and Drainage Act.

(2) The procedure adopted is in accordance with sections 20 to 23 inclusive of the Act, and, although not provided for in the Act, the board does give "Notice of Entry" to people whose property is affected by the works when its surveyors are surveying the route of the sewers.

The "Notice of Entry" is on an average given about three weeks before work in the property is to be commenced.

## STAMP DUTY

*Wages and Salaries: Legal Obligation to Pay*

16. Mr. FLETCHER asked the Treasurer:

(1) Is there any legal obligation on any employer to—

(a) deduct receipt duty from the wages or salary of any employee; or

(b) do so voluntarily or pay same on an employee's behalf?

(2) If no legal grounds exist and both employer and employee refuse to co-operate, what methods could be adopted in law by the Treasury to enforce payment?

Mr. BRAND replied:

(1) (a) and (b) No. However, an employer is permitted by regulation 9 of the Stamp Act to affix and cancel stamps on a payroll. Under regulation 10 he may prepare a return and forward it to the Stamp Office, together with the duty imposed on wage and salary payments.

(2) The payment of duty imposed on receipts given for wages and salaries is the responsibility of persons receiving these amounts. In cases of non-payment of duty, the commissioner may impose fines or take court action to enforce payment.

## TRAFFIC ACCIDENTS

*Hamersley and Townshend Roads Intersection*

17. Mr. GUTHRIE asked the Minister for Police:

(1) How many traffic accidents are recorded as having occurred at the intersection of Hamersley and Townshend Roads, Subiaco, during the years ended the 30th June, 1964, 1965, 1966, and 1967?

(2) How many of the accidents recorded for the year ended the 30th June, 1967, occurred in—

(a) the quarter ended the 30th September, 1966;

(b) the quarter ended the 31st December, 1966;

(c) the quarter ended the 31st March, 1967;

(d) the quarter ended the 30th June, 1967?

(3) Has consideration been given to the erection of "Stop" or "Give Way" signs at such intersection?

Mr. CRAIG replied:

(1) Recorded accidents for Hamersley Road-Townshend Road, Subiaco, for 12-month periods ended the 30th June are—

30th June, 1964—1.

30th June, 1965—5.

30th June, 1966—3.

31st May, 1967—2.

(2) for the 1966-67 financial year, the quarterly breakdown is—

Quarter to the 30th September, 1966—Nil.

Quarter to the 31st December, 1966—Nil.

Quarter to the 31st March, 1967—1.

Two months to the 31st May, 1967—1.

(3) No, because acceptable warrant was not met.

## QUESTION WITHOUT NOTICE

### PUBLIC WORKS DEPARTMENT FILE 1908/63

*Tabling*

Mr. GRAHAM asked the Minister for Works:

Following his contemptuous "No" in reply to my question 8 on today's notice paper, and on the assumption I have quoted the correct file number, why does he refuse to make the file available

to me, as this is surely a matter of public interest in that the Master Plasterers' Association of Western Australia has approached the Government requesting it to introduce certain legislation?

Mr. ROSS HUTCHINSON replied:

At the outset, my monosyllabic reply was not contemptuous.

Mr. Graham: How would you describe it?

Mr. ROSS HUTCHINSON: It was a rejection of the Deputy Leader of the Opposition's request, but it was not contemptuous. Also, I did not think the file should be tabled. I will be only too pleased to release whatever information I can to the Deputy Leader of the Opposition if he asks me for information relating to the request of the Master Plasterers' Association for the introduction of legislation.

Mr. Graham: I want to know what is on the file. What are you, a secret society, or something? Is this a one-party Parliament?

The SPEAKER: Order!

## BILLS (2): THIRD READING

1. Local Government Act Amendment Bill.

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and returned to the Council with an amendment.

2. Discharged Servicemen's Badges Bill.

Bill read a third time, on motion by Mr. Crommelin, and transmitted to the Council.

## CHILD WELFARE ACT AMENDMENT BILL (No. 2)

*Report*

Report of Committee adopted.

## ELECTORAL ACT AMENDMENT BILL

*Further Recommittal*

Bill again recommitted, on motion by Mr. Court (Minister for Industrial Development), for the further consideration of clause 8.

*In Committee*

The Deputy Chairman of Committees (Mr. Crommelin) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Clause 8: Section 51A added—

Mr. COURT: When the Bill was previously before the Committee I gave an undertaking to the Deputy Leader of the Opposition that I would discuss this matter further with the Minister concerned and with the legal officers advising him. The Deputy Leader of the Opposition was concerned that there was a doubt that a person struck off under the provisions of this clause might later on recover from his incapacity and desire—or he might for some other reason desire—to be reinstated on the roll. I told him that in the opinion of the Chief Electoral Officer and of the Minister that would be possible under the provisions in the clause. Nevertheless I did undertake to have the matter studied further.

The advice received by the Minister for Justice and myself is that there is no foreseeable danger in such a person being denied the right to be enrolled. However, in case there is still in the mind of the Opposition any idea that such a person could not seek enrolment, it is felt safer that in the interests of all concerned, particularly in respect of electoral legislation, a new subclause should be added. I therefore move an amendment—

> Page 4—Insert after subclause (2), a new subclause to stand as subclause (3):—
>
> (3) A person whose name has been removed from a roll pursuant to this section may claim in the manner prescribed in section forty-two of this Act, to have his name entered upon any roll for which he possesses the necessary qualification.

I should advise that the wording of the amendment which appears on the notice paper might be misleading to some members, because the draftsman used the reprinted Bill following recommittal. I understand some of the reprinted copies of the Bill have been made available, and a copy has been supplied to the Deputy Leader of the Opposition so that he may check the actual drafting.

Mr. GRAHAM: I acknowledge with thanks the action of the Minister in having the point which I had raised checked by the advisers to the Government. I am much happier now with this provision, because it is specific, and a person who is struck off the roll by the Chief Electoral Officer will have the right to apply for re-enrolment. If he has the necessary qualifications he will be so enrolled.

This indicates to me there was initially a weakness in the provision, and as I emphasised—apparently with some degree of success—it is better to make the position doubly sure rather than to leave it in doubt on a matter as fundamental as the right of a person to be permitted to exercise his franchise.

Amendment put and passed.

Clause, as further amended, put and passed.

Bill again reported, with a further amendment.

## PLANT DISEASES ACT AMENDMENT BILL

*Second Reading*

**MR. NALDER** (Katanning—Minister for Agriculture) [2.39 p.m.]: I move—

That the Bill be now read a second time.

Voluntary fruit-fly baiting schemes have been operating successfully in metropolitan and country districts since 1948. I might add that quite a deal of interest was shown in the voluntary fruit-fly baiting schemes in 1960. I think members are aware that a determined effort was made on that occasion, especially as the people in several country towns showed some interest in this matter. From 1960 onwards there has been a considerable number of fruit-fly baiting schemes introduced into various parts of the State.

These schemes are initiated by a request from either the local authority or a branch of a fruit growers' association. I might also add here that in some instances local committees, perhaps sponsored by local horticultural societies and so on, have also been interested in the schemes. Provision is made in the Act for amalgamation of schemes in adjacent areas, and the scheme is usually named after the district or municipality in which it operates.

One scheme in operation in portion of the Perth Shire was formed at the request of a fruit growers' association. This scheme is officially named "The Shire of Perth Fruit Fly Foliage Baiting Committee," a fact which causes some inconvenience to the shire council as many general queries tend to be directed to the shire office instead of to the secretary of the committee. The Perth Shire Council has requested that the name of this scheme be changed and this request is considered to be reasonable. However, it has been found that no provision is made in the Act for any change of name of a scheme once it has been formed. The Crown Law Department considers that an amendment to the Act is necessary and that is the reason for the submission of this amendment.

The introduction of these self-supporting fruit-fly baiting schemes has been a successful measure in combating the menace of the fruit fly, and these committees which work on a voluntary basis should be given every encouragement.

This amendment will not only assist the Perth Shire Council and the Perth shire fruit-fly baiting scheme, but also other schemes which might run into similar difficulties and desire a change of name. This is more likely to happen in the metropolitan area where various sections of a local authority might have agreed to have this scheme, and the provision of this amendment is quite necessary. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Kelly.

## ORD RIVER DAM CATCHMENT AREA (STRAYING CATTLE) BILL

*Second Reading*

**MR. NALDER** (Katanning—Minister for Agriculture) [2.44 p.m.]: I move—

That the Bill be now read a second time.

I suppose some members are rather interested to know what may be included in this legislation.

Mr. W. Hegney: A fair bit of bull, probably.

Mr. NALDER: Well, not too much.

Mr. W. Hegney: No?

Mr. NALDER: No; especially where cattle are controlled. For some years now the Department of Agriculture has been engaged on a programme of soil conservation and pasture regeneration on an eroding section of the Ord catchment area. The objective of the programme is to stimulate the revegetation of these areas and so reduce to a minimum the run-off velocity of the water so that further erosion will be reduced and the run-off water will not carry silt to the Ord River.

I do not think I need to emphasise this situation. No doubt you, Mr. Speaker, on a number of occasions have visited the area with a number of other members, and you would appreciate the importance of this situation, especially when it is considered necessary to do everything possible not only in this particular area, but in other pastoral areas, to assist, educate, and help pastoralists improve a situation which has deteriorated over a long period of years. I am referring to the natural pastures and the shrubs and trees which grow in this area, but which have been reduced in many cases to nil because of the overstocking and overgrazing of the area.

In order for this programme to be effective it is essential that no cattle be allowed to graze or wander on any of the area under treatment, as a few beasts feeding along furrowed planting lines can completely nullify pasture regeneration efforts. The area concerned consists of the whole of the Ord River and Turner leases and portion of the Flora Valley lease and is controlled by Australian Investments Pty. Ltd. under pastoral lease conditions.

In May, 1966, the company was formally advised that the properties would be taken over by the Crown and that cattle should be removed during the 1966 and 1967 mustering seasons with the right of the company to remove any stragglers during 1968. The company however requested that they be allowed a longer period in which stragglers would be returned to them.

As I explained previously, it is essential to the success of this programme that as many cattle as possible be removed and operations to date have supported this contention. The total area of about 3,500 square miles will become an "A"-class Reserve and will be occupied by representatives of the Department of Agriculture who will maintain protective fencing to prevent restocking. They will also carry on with the programme of contouring and seeding.

The department has already commenced a small-scale trial to obtain data concerning the effect of grazing on areas which have responded to the regenerative programme. As sections recover and it becomes safe to introduce a limited number of stock to selected sections, it is proposed to issue a special license to graze a specified number of cattle. It is essential that this be done under the detailed control of the Department of Agriculture. It is only by this method and the systematic recording of data regarding stocking rates and methods and the simultaneous measurement of pasture species behaviour that we can undertake to obtain adequate criteria for the planning of future grazing provisions. Indeed part of the regenerated area could well become a continuing area for research into pasture management and cattle husbandry.

As the complete removal of all stock from the area in question is vital to the success of this programme, an opinion was obtained from the Crown Solicitor and he advised that even though the owner had received notice to remove his stock this would not legally justify the Government in depriving an owner of his property in such stock. He considered that if it was desired to take over the stock without compensation or liability to the owner it would be necessary for special legislation to be passed, and that is the purpose of this Bill.

Although the regenerative programme covers the Ord River and the Turner River leases together with portion of the Flora Valley lease, this proposed legislation covers only the cattle on the former two leases. By giving the company a definite date by which the cattle must be removed and by providing that any cattle remaining on the 1st January, 1969, will become the property of the Crown, it is considered that this will give the company the necessary stimulus to completely remove all cattle within the specified period. At the conclusion of this date, departmental officers can make a large scale concerted effort to clear the area of any remaining stragglers.

At this point I would like to say that the Government has received the full co-operation of the company referred to. I am quite satisfied in my mind through the discussions we have had to this stage with representatives of the company that every effort will be made to clear the area of stock. The history of this programme goes back for quite some years. The Government made every effort to try to see whether the programme could be worked out in conjunction with the company. Agreement was reached whereby the Government and the company would share the cost of the fencing in an effort to control the stock from breaking through back into the area I have just mentioned; that is, 3,500 square miles.

A number of circumstances which were experienced over that period indicated that the initial arrangements would not work. First of all, there were drought conditions in the area which lasted for a considerable time, with the result that the programme did not proceed as we had expected. Proof of the work has been given to the department as a result of a better season last year. The programme which had been embarked upon over a number of years moved away very quickly and indicated that the initial arrangements and work that had gone into this programme were quite justified and, at least, would bring some satisfactory results. I make this point, because I think it is only fair that we should acknowledge that the company has made an effort to assist us in this regard. However, it was considered necessary that this legislation should be introduced.

The Bill firstly defines cattle as also including horses and mules, and then provides that all cattle on the property after the 1st January, 1969, shall be vested in the Crown and may be disposed of in such manner as the Minister may direct.

Here again, I think I should make some more information available to the House in respect of this provision. I expect that by the 1st January, 1969, the majority of the cattle will have been removed from the area. However, it may be impossible under certain circumstances for the members of the company to muster the cattle. I am sure the member for Kimberley would appreciate that during the wet months of the year it might be quite impossible to muster the cattle. Accordingly, it may be necessary at the end of this period, or some months preceding the end, for some other action to be taken. This amendment allows the Minister to make a decision on this case. For argument sake, if in March or April of 1969 it is found there are still a number of cattle, if he considers it necessary and a good argument is put forward to the officers of the department, the Minister could allow the company's representatives to go onto the property to remove any straying cattle.

Mr. Sewell: Will this legislation apply only to the Ord River and Kimberley areas?

Mr. NALDER: Yes. I would like to mention that the legislation specifically mentions two stations, namely, the Ord River

Station and the Turner Station, because of the special provisions under which these pastoral leases are being resumed.

No compensation is payable by reason of the operation of the legislation. The area of land defined in the schedule is also known as the Ord River Station and the Turner Station.

I replied to the interjection made by the member for Geraldton and said that the legislation will apply only to those two stations. This is because they are in the Ord River catchment area. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Rhatigan.

## LICENSING ACT AMENDMENT BILL

*In Committee*

Resumed from the 19th October. The Deputy Chairman of Committees (Mr. Crommelin) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Clause 4: Section 33 amended—

The DEPUTY CHAIRMAN: Progress was reported on the clause after the member for Swan (Mr. Brady) had moved the following amendment:—

Page 2, line 31—Insert in lieu of the words deleted, the following passage:—

(a) by inserting after the word "except" in line 4 of subsection (3) the words "light refreshments for consumption on the premises,";

(b) by repealing subsection (6);

(c) by inserting after the word "except" in line 7 of subsection (7) the words "light refreshments for consumption on the premises,";

(d) by repealing subsection (10) and re-enacting it as follows—

(10) The provisions of subsection (1) of section one hundred and eighteen of this Act, relating to the supply of liquor and food by license holders, apply, with such adaptions as are necessary, to the supply of wine and light refreshments by the holder of an Australian Wine License:

(e) by adding, after subsection (10), the following subsection—

(11) In this section the expression "light refreshments" includes sandwiches, biscuits and like food, not requiring eating utensils, but does not include liquid refreshment other than that permitted by this section to be sold, or confectionery, or any food usually heated before consumption.

Mr. BRADY: I do not think it is necessary for me to go over all the statements I made the other evening in connection with this amendment. If this amendment is made by Parliament, it will mean that when a person is issued with a wine license, he will be able to sell light refreshments. The term "light refreshments" is defined in the amendment which is on the notice paper.

I cannot understand why the Minister will not agree to this simple provision. If he desires to pursue his own ideas that a wine saloon should be in the position to supply two or three-course meals, he could then move along those lines. I do not think there would be any great opposition.

As I said the other evening, I consider it is desirable that when people are drinking wine in either small or large quantities they should be allowed to have light refreshments. It is a well-known fact that counter lunches are served in hotels at various times of the day according to the whim of the licensee. As far as I know there has been no objection by anybody to that procedure.

All I am trying to do is gradually to improve the standard of wine saloons by permitting them to sell light refreshments, which they are not able to do at the moment. I do not want to go over the whole story of why I require this, because I think that is unnecessary. As regards proposed new subsection (10), my amendment is along the lines desired by the Minister. The Minister wishes to amend the subsection to ensure that people running wine saloons shall comply with section 118 of the Act. That section provides that those covered by it have to give a service. Actually, the legal term is "entertainment," which means lodgings, food, refreshments, etc.; and in proposed new subsection (11) I have defined the light refreshments which will be served in wine saloons.

The only part of my amendment to which I believe the Minister could take exception is that relating to partitions. With my amendment this provision would be repealed. I understand at present partitions are not permitted in wine saloons because they would divide the premises and make it awkward for people making inspections. However, I do not think the provision is necessary. I have been to some of these wine saloons recently, as a result of having moved my amendment, and I cannot see that partitions would do any harm. On the other hand, if they were removed, or not permitted, no harm would be done, either.

I am trying to provide that this Parliament and not the Licensing Court shall determine the simple issue that when a person obtains a license for a wine saloon he will be able to provide light refreshments—that is, refreshments that are not

cooked on the premises. If the Minister's proposal is accepted, and these people are forced to provide two or three-course meals, great difficulty will be experienced because many wine saloons are not big enough to enable facilities for the cooking of meals to be installed. Many of the saloons are not big enough even to provide tables and chairs to enable people to sit down to have a meal. As a matter of fact, I would say that in 50 per cent. of the wine saloons one could not even swing a cat. Most of the clients stand at the counter and drink their wine. If Parliament decided the issue, and light refreshments were provided, the Licensing Court would not enter into the matter.

If wine saloons are forced to provide two or three-course meals, proper cooking and other facilities will have to be installed; and before meals can be cooked on premises approval will have to be obtained from the Public Health Department and, if they were in the metropolitan area, the Perth City Council, or the local authority concerned.

I do not want to pursue the matter further, but there would probably be 50 or 60 wine saloons in the metropolitan area and the proprietors of these establishments would be put to a great deal of expense if the Minister's proposal were accepted. If my amendment is agreed to it will give people an opportunity to have a snack while they are drinking their wine, and I think that is a better proposition than for the saloon to have to provide two or three-course meals. Probably 50 per cent. of the clients could not afford such meals, anyway, and would not want that type of refreshment.

Mr. COURT: I oppose the amendment for reasons which I gave earlier. I understood from the honourable member's second reading speech that this objective was parallel with that of the Government —namely, to improve the standard of wine saloons. However, the proposition he has put forward, particularly as he has explained it, would do very little, if anything, to improve the standard and, in fact, there would be circumstances under which the amendment would bring about a deterioration in the standard of wine saloons.

The honourable member has referred to counter lunches in hotels. I submit this is an entirely different matter. Hotels, by virtue of legislation already on the Statute book, have commitments far beyond those of wine saloons. For instance, hotelkeepers have to provide accommodation, meals, and so on, and one could not possibly compare the question of counter lunches in hotels with the practice now proposed by the honourable member in respect of wine saloons. The member for Swan said he had make out a case for lifting the standard of wine saloons, and he referred to a number of reasons why the Government's proposals would not be acceptable. One of the matters he referred to was that some wine saloons were of such a size that one could not swing a cat in them.

I do not know that that is a good thing, or whether the honourable member means to preserve this situation. However, it is the Government's definite objective to create a situation, under careful supervision, whereby the standard can genuinely be lifted.

During the second reading debate I endeavoured to convey the fact that it would be quite unrealistic to expect every wine saloon to follow a certain pattern. The district in which they are located, the type of clientele, and a number of other factors dictate that some variation should be permitted. The only body the Government can see that is properly fitted to do this, in the light of experience, is the Licensing Court. I want to make it quite clear that so far as the Government is concerned it would not agree to the introduction of this arrangement for food in wine saloons unless the saloons were under the closest supervision of the court.

The honourable member has put forward a proposition whereby the permission to serve light refreshments, as defined in the amendment, would be automatic. We do not think that is a good thing. We believe that the court, with its greater experience and its responsibility in connection with all licensing matters, should be given the authority to consider each case on its merits.

If there is an application from a licensee, it is for the licensee to establish why he wants a permit and the conditions under which he wants it, and for the court to give its decision accordingly. In this reform we would be wise to move cautiously; little by little would not be a bad sort of outlook in this legislation.

Mr. Brady: Light refreshments and then meals would be little by little.

Mr. COURT: That would be tackling it back to front.

Mr. Brady: That is a matter of opinion.

Mr. COURT: If, in the light of experience, we feel that the Licensing Court is not interpreting the wishes of Parliament we can amend the situation. We should place this matter in the hands of the Licensing Court and let it determine what is a fair thing. While not being unduly onerous, it will demand a standard, and anyone who objects to that will be denying the principles put forward by the association, by members of Parliament, and by others. I oppose the amendment.

On a point of information, I hope it will still be competent for me to move the amendments I have on the notice paper if this amendment is defeated,

except perhaps subparagraph (d), which could be ruled out of order for the same reason as the original amendment would have been ruled out of order.

Mr. GRAHAM: I am disappointed at the attitude of the Minister. I trust this is not to be a party Bill. Members opposite should not slavishly follow the outlook of the Minister in charge of the Bill. It is only too true that the 50 members who constitute the Legislative Assembly are very narrow in their approach to licensing matters when compared with any cross-section of 50 people chosen at random from anywhere in the State. The Minister has indicated that he is in line with that narrow outlook.

Mr. Court: I would rather be accused of that than of being too liberal.

Mr. GRAHAM: That is because the Minister is a Liberal, and represents reaction and caution, and looking back in history. He does not represent progress. Recommendations made by the Labor Party for certain reforms have been rejected by the Liberal Party on several occasions, but in due course the Liberal Party has agreed to those very changes.

Mr. Durack: I thought the Bill was to be non-political.

Mr. GRAHAM: So it is, but the Minister intruded his politics into the discussion. Surely it is better for food to be available to those partaking of liquor; and that is why I have some humble amendments on the notice paper, one of which is to permit wine saloons to sell even cordial, though I do not know whether that can be classed as food or drink. Another one will permit them to sell matches, and I do not know how dangerous that is, or whether it should be left to the discretion of the Licensing Court or be decided by the members of this Chamber as responsible legislators.

The member for Swan wants to go a little further and provide light refreshments—biscuits and cheese, sandwiches, potato crisps, and so on—for those who want them. We know the situation now in homes and at cocktail parties where light refreshments are available with drinks. We have the whole world in front of us as an example. The Minister feels that where a wine saloon keeper wishes to supply meals he should apply to the court, which will ensure that proper cooking facilities and other requirements are available. We should adopt all the suggestions put forward. There is nothing revolutionary in them. They do not break new ground. Western Australia is away behind the times in this matter—as in so many other things—as one of our previous Prime Ministers indicated comparatively recently.

I am appalled at the narrowness of our outlook in regard to licensing. It would seem that we wish to ensure quite deliberately that people become intoxicated. We should support the amendment of the member for Swan.

If I spoke a little strongly when I opened, it was because of the interjection which was made, and I hope I will be pardoned. There is nothing wrong in enabling an hotelkeeper or a wine saloon keeper to make light refreshments available for his patrons.

I agree with the Minister that any wine saloon keeper who feels it an advantage personally, and to his business generally, to serve meals, should be permitted to do so; but because certain standards and facilities are required, the Licensing Court should decide what is necessary. I appeal to the Minister and members to give serious thought to this matter.

In previous years there has been a tendency to titivate and amend the Licensing Act by the insertion of comparatively minor amendments, so that now it has become a thing of shreds and patches. We should be bolder and more realistic in our outlook when dealing with the Licensing Act. We should not carry our little prejudices forward and finish up by making a compromise which is unacceptable to the community and which may require further amendments to be made in following sessions.

I hope and trust that this Bill is being treated on a non-party basis and that members on all sides of the Chamber will be free to express themselves and vote in accordance with their individual outlook. Such, incidentally, has been the practice over the years in the matter of amendments to the Licensing Act, irrespective of from which side proposed amendments have emanated.

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

| Ayes—16 | |
|---|---|
| Mr. Brady | Mr. Kelly |
| Mr. Evans | Mr. Moir |
| Mr. Fletcher | Mr. Norton |
| Mr. Graham | Mr. Rhatigan |
| Mr. Hawke | Mr. Sewell |
| Mr. J. Hegney | Mr. Toms |
| Mr. W. Hegney | Mr. Tonkin |
| Mr. Jamieson | Mr. May *(Teller)* |

| Noes—21 | |
|---|---|
| Mr. Bovell | Mr. Lewis |
| Mr. Brand | Mr. McPharlin |
| Mr. Burt | Mr. Marshall |
| Mr. Court | Mr. Nimmo |
| Mr. Craig | Mr. O'Connor |
| Mr. Durack | Mr. O'Neil |
| Mr. Elliott | Mr. Runciman |
| Mr. Gayfer | Mr. Rushton |
| Mr. Grayden | Mr. Williams |
| Mr. Guthrie | Mr. I. W. Manning |
| Mr. Hutchinson | *(Teller)* |

| Pairs | |
|---|---|
| Ayes | Noes |
| Mr. Davies | Mr. W. A. Manning |
| Mr. Bickerton | Mr. Young |
| Mr. Hall | Dr. Henn |
| Mr. Rowberry | Mr. Dunn |
| Mr. Curran | Mr. Mitchell |

Amendment thus negatived.

Mr. GRAHAM: I indicated earlier that in my view the present provisions are most inadequate, indeed, untidy, because it provides in the Act that a wine license applies to premises used for the sale of Australian wine, in which no goods of any other kind except aerated waters, cigars, cigarettes, and tobacco are sold, or offered or exhibited for sale, or apparently for sale. Why these items were included and others not, I do not know. I desire to move several amendments to include cordials as well as aerated waters, and matches as well as cigars, cigarettes, and tobacco, which are already in the Act.

I have one other provision here, "unless otherwise approved by the court," the idea being that the court could approve of the sale of, say, A.P.C., and a few things like that. Knowing the general attitude of the court, I do not think it would allow the sale of drapery, groceries, or anything of that nature. I move an amendment—

Page 2, line 31—Insert after the word "amended" the following passage:—

(a) by inserting after the word "which" in line three of subsection (3) the passage "unless otherwise approved by the Court";

Mr. COURT: I rise to oppose the amendment, but in doing so, I would indicate to the honourable member that the two subsequent amendments he proposes in respect of cordials and matches are not objected to because, I understand, in practice this is the position. The provision has been interpreted with a degree of commonsense, so much so that when it was suggested we add these words, I could not see the necessity to go to this trouble. If the honourable member feels it is better to include them, I certainly have no objection, because it is plain good sense that cordials and matches can be sold.

On the question of extending this list of items to include anything the court approves, I would oppose an amendment along those lines, because it is to a large extent opposed to what the Government seeks to achieve. We feel we are going as far as we should at the moment, in regard to the question of meals on a properly controlled basis. The fact is that if we add the words proposed by the Deputy Leader of the Opposition, the court would be avalanched with a whole host of things which would be quite irrelevant. I can see all sorts of propositions being put up to the court from time to time. If we want to extend the list of items handled in a wine saloon, let us face up to it as a Parliament and say so.

For that reason I oppose the amendment but I indicate to the Deputy Leader of the Opposition that so far as his other two amendments are concerned, in respect of cordials and matches, I join heartily with him.

Mr. GRAHAM: Having regard to the division just taken I would assume that when the Minister speaks, that is it. For that reason I will not press this matter. I wanted to avoid the situation where every time there is occasion for some comparatively trivial item to be decided, a serious body such as Parliament has to discuss the item. Incidentally, I cannot help remarking that a few minutes ago the Minister had complete confidence in the Licensing Court and he felt it was the appropriate body to resolve matters. Now he thinks it is a job for Parliament rather than the Licensing Court. I think the legislation would be better with the amendment which I seek, but I will be thankful for small mercies if it be the wish of the Committee to pass my other amendments.

Amendment put and negatived.

Mr. GRAHAM: I move an amendment—

Page 2, line 31—Insert after the word "amended" the following passage:—

(a) by inserting after the word "waters" in line four of subsection (3) the word "cordials"; and

(b) by substituting for the words "and tobacco" in line five of subsection (3) the words "tobacco and matches";

Amendment put and passed.

Mr. COURT: I now wish to move parts (a), (b), and (c) of the amendment standing in my name on the notice paper. I move an amendment—

Page 2—Insert after new paragraph (b) the following passage:—

(c) by adding, immediately after the word, "sale", being the last word in subsection (3), the passage, ", except in conformity with a permit granted under section thirty-three A of this Act";

(d) by adding, immediately after the word, "compartments", in lines seven and eight of subsection (6), the passage ", unless pursuant to a permit granted under section thirty-three A of this Act";

(e) by adding, immediately after the word, "tobacco", in line eight of subsection (7), the words, "or except in conformity with a permit granted under section thirty-three A of this Act";

I do not seek to add part (d) of the amendment which appears on the notice paper. There is a complication both in respect of the original amendment which was on the notice paper and this amendment. I propose to deal with this matter by a subsequent reference back to the

Committee through the Chamber itself, if this is acceptable to the Committee. There is no need for me to elaborate on the reason.

By this amendment the Licensing Court will be given power to consider the applications and to issue permits under which wine saloons can serve meals and food with wine, and other permitted refreshments. The actual machinery provisions with respect to the serving of food are, of course, covered in more elaborate detail in the new clauses which are proposed and which, presumably, I will have to move at the end of the Bill if I am successful with this amendment. However, it is pertinent to invite the attention of members to what is proposed in respect of the conditions under which the court will consider and grant permits for the serving of light meals on premises which are the subject of an Australian wine license.

The DEPUTY CHAIRMAN (Mr. Crommelin): I would point out to the Minister that the new paragraphs will be (c), (d), and (e), having regard to the amendment successfully moved by the Deputy Leader of the Opposition.

Mr. GRAHAM: If we accept this amendment does it mean that a wine saloon will not be permitted to be divided into compartments? In other words, does it mean the whole of the premises in which liquor is served must be in view of the person behind the bar, and that any departure from that requirement applies only in respect of the serving of meals? If that is so then, again, I do not think we are doing the right thing. It is recognised in hotels and clubs, and similar places—such as licensed restaurants—that there should be facilities for what one might call a public bar, a saloon bar, and a lounge bar, and there should perhaps be facilities for private parties and events of that nature.

It would appear that whereas in some of us the hope is born that there would be a reform in this out-moded thinking, it is only if the wine saloon, through the Licensing Court, obtains a permit to serve meals that the dining room portion can be screened from the part of the premises where liquor is served. In other words, so far as drinking is concerned there is no advance whatsoever other than for those few people who partake of a meal. Is my interpretation correct, and does the Minister feel that this amendment goes far enough?

Mr. COURT: My understanding of the situation is this: Where a licensee does not apply for a permit, the present situation will prevail in respect of these permits. But where he applies for a permit the court can then lay down the conditions under which the permission will be varied. This makes good sense because we are seeking to lift the standard of these premises. Most members of this Committee are sufficiently sophisticated in the ways of the world and have sufficient knowledge of the past history of some of these places to understand why the present conditions are laid down. We are trying to get away, step by step, from that situation. Again, I counsel some caution even at the risk of being called conservative. I do not mind being branded conservative on this occasion, and I know that some members on the other side are conservative with regard to the licensing law, and good for them.

However, if we amend the law in this way it means the court will review the premises and the method of operation proposed, and it will make a decision as to what is necessary for the permit to be granted, and the conditions under which the licensee will operate.

Therefore, I think it is desirable to leave this particular change to premises which qualify for a permit, and have the conditions of change laid down in the permit.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 5 and 6 put and passed.

Clause 7: Section 46 amended—

Mr. GRAYDEN: I move an amendment—

> Page 4, lines 17 and 18—Insert after the word "manufactured" the following words "provided that where the vineyard or orchard is more than 25 miles distant from the Town Hall in Perth, when measured by the shortest road route, the owner thereof shall be entitled to maintain a depot for the delivery of wine within the said 25 miles".

The clause, as printed, seeks to permit a vigneron to sell on or from the vineyard where the wine is manufactured, but will not permit him to sell the wine from a central depot in, say, Perth. This amendment may be quite satisfactory to a winegrower living close to the metropolitan area, but in relation to a winegrower in a country district it is quite illogical.

The amending Bill will assist the retailers of wine in wine shops, hotels, and in chain stores. It will make a concession to a vigneron who lives close to Perth, such as in the Swan Valley district, but it will cut completely across the recommendation put forward by experts as to the future areas suitable for winegrowing in Western Australia. In a recent issue of *The Countryman* Mr. Jack Mann stated that in future the winegrowing areas of this State will be in the Busselton, Margaret River, Dandaragan, and Gingin districts.

Government experts have also reviewed the position and recently a survey into soils in the south-western portions of this State was conducted by Dr. Gladstones, an agricultural scientist of the Institute of Agriculture. He made a summary of his

findings, which will indicate to members where the future winegrowing areas of the State will be located, and it will emphasise the necessity for drawing a distinction between growers near the metropolitan area and those in the country districts. Dr. Gladstones had this to say—

Summary and Conclusions:

An examination of the soils and climate of South-Western Australia reveals several regions where natural conditions are highly favourable for viticulture. For light dry table wines, very good conditions appear to exist in the cooler southern part of the State, especially around Mt. Barker and Rocky Gully and, perhaps even more, in the area north and north-east of Margaret River. Along the West Coastal plain, from Busselton northwards to Gingin and thence to Dandaragan, climatic conditions are ideal for table grapes, sweet table wines, and dessert wines. The southern end of the West Coastal Plain would also be climatically suitable for full-bodied dry table wines, while the northerly section around Gingin and Dandaragan are especially indicated for dessert wines for sherry, and also appear suitable for currants.

For wine grapes, the situation may be substantially different. In recent years there has been a renewed interest in, and growing demand for, high quality table wines throughout Australia. As has been shown, certain regions in Western Australia appear to be very well suited, perhaps better than anywhere else in Australia, to the production of such wines.

*Sitting suspended from 3.45 to 4.6 p.m.*

MR. GRAYDEN: I was referring to the summary of a report by Dr. Gladstones relating to the possibilities of wine production in Western Australia. The last paragraph I would like to quote is—

The most interesting long term possibility is that of quality wine exports. The wine export market is not easy to break into, being fraught with well entrenched consumer tastes, customs, and, to a marked degree, prejudices. However, it is elastic and by no means impenetrable, providing that a high quality product can be supplied at a reasonable price. Essential conditions of success would be a most rigorous attention to quality, and an imaginative and properly controlled system of marketing. Given these, there seems no reason why Western Australian wines could not establish themselves and compete successfully on the international quality wine market.

This report by a leading authority emphasises that Western Australia has the opportunity to enlarge greatly an existing industry. Certainly there has been a wine-producing industry in existence on a limited scale since 1880, and even before that time, but this authority emphasises that Western Australia can produce wines superior in quality to other wines manufactured in Australia, and has large areas of suitable land on which to grow the grapes.

If the existing growers, or their children, in the Swan Valley are to be induced to develop an industry in the more suitable areas, then they should be permitted to establish a depot in Perth from which they can deliver wine. At present the vignerons who produce wine experience great difficulty in selling it to the hotels, the chain stores, or the wine saloons, because in many cases those places have their own sources of supply or they sell a great deal of imported wine. We have been told by the Minister for Police that approximately 1,000,000 gallons of wine is imported each year into Western Australia. The existing producers here have to contend with the retailers of the imported wine and with the high-pressure salesmen engaged in selling it.

If a person started a vineyard for the purpose of manufacturing wine at, say, Dandaragan, he would be permitted to sell 10 gallons to a crayfisherman—and the crayfishermen are large consumers of wine—and he would have to deliver the wine from Dandaragan. In such a situation the plight of the vigneron would be intolerable.

Many of the crayfishermen cannot speak English, and it would be impossible for them to put a trunk call to a country district to order wine; further, it would be quite uneconomical for a vigneron to deliver 10 gallons from a country district. It is imperative that country wine producers be permitted to establish depots in Perth from which to deliver wine. They do not seek the right to sell wine from those depots, but they want the right to deliver wine from them.

Recently the Cockburn Shire Council wrote to members of Parliament pointing out the difficulty it was experiencing in connection with the subdivision of blocks and the servicing of those blocks with water and electricity. The council said that whenever it made application for a subdivision the town planning authority would not agree until water and electricity had been connected. The council would then contact the State Electricity Commission and the Metropolitan Water Board to inquire whether these amenities would be supplied, but was told that they would be supplied when the subdivision had been approved. This is a case of which comes first: the chicken or the egg!

The position in respect of the development of the winegrowing industry is similar, because in Western Australia we have large areas suitable for winegrowing, but the people cannot be induced to pro-

duce wine in those areas because they are denied the right to establish a depot in Perth from which they can deliver wine. This Government has a wonderful record in respect of industrial development, but I think it is a reprehensible policy to develop some industries and leave out others which are capable of development. Everyone agrees that the wine producing industry is capable of development.

Instead of doing everything possible to induce the existing winegrowers, or their sons, in the Swan Valley, to go further afield to establish vineyards in the more suitable areas, it seems that at this stage an amendment to the Act is being introduced to make it impossible for them to start up elsewhere. I therefore consider that the provision in the clause is illogical. People generally, and they include winegrowers, seem to judge the Government on little issues; and when the existing vignerons are to be interfered with in this way, I cannot help but feel that they will tend to lose confidence in the parliamentary institution. This occurs at a time when we should be fostering the industry, but it seems that under the provision in the clause we are making it impossible for the industry to flourish.

This is only one of the many arguments which could be advanced to support the amendment I have moved. I hope the Government will agree to it and will appreciate the necessity to make it possible for wine producers to start an industry in the more remote areas.

Mr. COURT: I oppose this amendment because I think it defeats a principle we have tried to establish and to which we must adhere. Firstly, my understanding is that the amendments in the Bill are acceptable to the great body of wine producers. No doubt the Minister for Police—he is also the member for Toodyay—who has a detailed knowledge of the growers, and their ambitions and problems, will have something to say on this clause.

My understanding is that the growers themselves understand what the Government intends, and are, in fact, happy about it. There may be the exceptional one with other ideas. However, leaving the existing growers out of the question for the moment, as I understand the honourable member's second reading speech and his comments this afternoon, he is concerned about the situation which will develop when some of the new areas are established.

The Government is anxious to find areas which can be successful wine-producing areas. For this reason the experts have been directed to undertake not only studies, but also experimental plantings, and I personally share the optimism that eventually we will have areas growing crops for wine which will be superior to other species we have had and equal to anything we can get in Australia. However, this is some time off and when the time arrives and we find the marketing situation is embarrassed by our legislation, we can easily deal with the situation. The appropriate time to deal with the matter is when we have a specific situation in front of us.

The object of the Government's amendment was, in fact, to protect the industry, and I can assure the honourable member that the object was to permit the vigneron or orchardist to sell wine, cider, or perry on or from premises situated at the vineyard or orchard.

This in itself was to give encouragement to the industry. The particular point here is that the amendment in the Bill will enable the producer of the liquor to sell his product on or from premises situated at the vineyard; whereas the honourable member proposes an amendment which will enable the vigneron to bypass the appropriate section of the Act; in other words, he will not have to obtain a license.

It is considered by the Government that the provision in the Bill is not unreasonable. Once we get away from the principle that the Government seeks to establish, we would be giving preferential treatment to people who should be willing to make application for an Australian wine and bottle license under section 34, and pay tax the same as any other retailer.

This has been accepted as a fair thing—at least that is the assurance given to me—by the main body of vignerons who sell wine, cider, or perry. I am assured that if the applicants comply with the requirements of a license, they will experience no difficulty in obtaining one; and that is the way they should go about it, otherwise the industry could become completely chaotic and many people would be disadvantaged for the benefit of a minority.

The future of the industry, when it is established in, say, Mt. Barker or south of Bunbury, will be a long-term one. At that time it will be sufficient for the Government of the day to deal with the situation if it is found that the growers concerned, because of distances, are disadvantaged in the distribution of their product.

Mr. GRAYDEN: I must disagree with the Minister for Industrial Development on a couple of the statements he made. He said that my amendment will enable the vignerons to bypass the existing legislation. What he should have said is that it will enable the growers outside the 25-mile limit to compete with those within it; because that is precisely what it does.

Then the Minister said it would give them preferential treatment; but it will not do that at all. However before I get onto those two points I want to say that apart from being completely illogical, for the reasons I mentioned earlier, the

amendment in the Bill is a most unjust one. It is so unjust that it cannot be tolerated.

Let me take the case of one man—Frank Nesci—who resides in Victoria Park. He has been in the industry for 13 years and has an overdraft of many thousands of pounds which he incurred developing his industry. He has a vineyard at Muchea, which is 35 miles away, and anyone who travels there would see his sign for Campagna wine. It is a well-known brand of wine and has been for many years. He developed it and sells it under that label perfectly legitimately—not by means of a loophole or anything else.

This man erected a depot in Perth, and what are we now going to do? He is a struggling man and sells largely to crayfishermen and chain stores. Hotels will not buy from him. Now we are going to tell him he can stay in existence, but that every time he sells any wine he must go to Muchea to do so. He must deliver from Muchea and not from the depot on which he spent some thousands of pounds.

The Minister has said that type of man will receive preferential treatment. Let us see just how preferential the treatment will be. The Minister said that everyone else who will come under this provision has accepted it. I am referring to those in the Swan Valley. However I have been informed that they have accepted it under duress and only because they will at least be permitted to sell wine on or from their premises; and the situation could be much worse. Consequently they have been grateful for small mercies and have accepted the provision.

However in the process they will throw people like Frank Nesci to the wolves, and I do not like that idea at all. Those in the Swan Valley are quite happy to deliver from their orchards because they are reasonably close to Perth, but anyone in the country has to come infinitely further and would be disadvantaged. The only way Frank Nesci and people like him can put themselves on a comparable basis with those relatively close to Perth is to do precisely what the Minister suggested—take out an Australian wine and bottle license.

When this is done, the license holders will be liable for a 5½ per cent. tax on everything they sell. Therefore when the Minister talks about preferential treatment, we can see which section will receive it. Those concerned will get it both ways—firstly because they are close to Perth; and, secondly, because they will sell free of tax. The ones in the country must pay the 5½ per cent. tax. Therefore on a question of straight out justice I do not think we can do other than support the amendment I have submitted.

The other day the Minister for Industrial Development said that he had seen the wine industry in South Africa where an orderly marketing system is in force. He indicated that ultimately we would have a somewhat similar orderly marketing system. I applaud that because that is the way the industry should be approached. However, in the process he said that there were some influential men in the industry contemplating going into the country districts. The Minister said that when the producers were established in the country we would have to take another look at the legislation. He acknowledged that it would be necessary because it would be impossible for country growers to operate without a depot in the city. Despite this fact, although we already have a man operating in the industry and producing wine, the Minister will not consider him, but will put him out of business. How can we possibly do this? On a question of logic and justice, we must pass my amendment.

Mr. CRAIG: In view of the remarks of the member for South Perth, I feel I must make a contribution to this debate. At the outset I would say that he is completely wrong in his interpretation of the amendment in the Bill and the reaction among the winegrowers. I give the honourable member full credit for the comments he made, particularly during the second reading stage, about the possible expansion of the industry, particularly in an area known as Dandaragan. I think I said at the time I was hopeful that that particular area would be developed along these lines, but that it would not be for many years. We are trying to get some interest in Dandaragan and Gingin, but even if some definite proposals were put forward now, it would take a number of years before the stage of production would result in the manufacture of wine. By that time, if necessary, a review of the Act would be made and some amendments effected to fit in with the wishes of the honourable member.

The member for South Perth stated that wineries or wine makers beyond a distance of 25 miles from the Perth Town Hall should be precluded from the requirements of the provision in the Bill. If he had said 50 miles or 60 miles, I would have felt he was sincere in his desire to provide for the future when new areas will be opened up. However, when he mentioned 25 miles I immediately became suspicious and I naturally thought of areas like Muchea, which is possibly the nearest to the Swan Valley. Of course, Muchea is just over 25 miles from Perth. When I thought of Muchea, I thought of the gentleman referred to by the honourable member, namely Mr. Nesci, who leases a property but does not own one.

I think all members received a circular which was dated the 25th September, His address is 32 Cargill Street, Victoria Park. He refers to himself as being a vigneron, but this I doubt, because I think most of his time is devoted to selling his wine from Victoria Park, either in the

metropolitan area or somewhere in the country. I have known this gentleman for quite a while. I have also known his parents for many years, and I hold them in the highest esteem. The circular he sent out is quite wrong and it is particularly wrong in the first paragraph. He came to see me before he sent it to the Press. I will quote his first paragraph, which is as follows:—

> As a vigneron myself, I wish to protest most strongly against the proposal to prohibit the sale of wine by small vignerons except from their own properties. This means that the small wine producer—and there are many of them—will be more or less slaughtered. It would seem that only one side of the story has been taken into consideration, and this, I feel, is not fair from the public's or the growers' points of view.

I told Mr. Nesci at the time he was completely untrue in making this statement, because the small producer was not being slaughtered. The provisions of the amendment were conveyed to the wine-growers and they are completely acceptable to them. Mr. Nesci agreed with me that he was wrong in his assumption; but, nevertheless, he did not withdraw the statement contained in the letter published in the Press. He also adopted other means of publicising his own particular case. Mr. Nesci does not speak for the industry. It is the viticulturists' union that speaks for the industry. I asked him why he did not attend the meeting held in this connection as it was so vital to him. However, he made some excuse. I consider he did not want to go, because all those involved at the meeting accepted the proposals unanimously. The member for South Perth said they accepted them under duress, but I can assure him this was not the case.

I also wish to say that there are four or five other wine makers who are in a similar position to Mr. Nesci in that they have been operating from depots in the metropolitan area. They have all agreed that it is only reasonable to expect them to pay their tax in the same way as a wine licensee or a hotel licensee; otherwise, they would be gaining an unfair advantage through the exemption that has existed in the past. This amendment does not affect the other small wine makers in any way whatsoever.

I trust the member for South Perth will accept my assurance that these proposals have been accepted unanimously by the growers. The meeting was attended by approximately 85 per cent. of the growers. Afterwards, many of them—people who, I thought, would possibly be offended by the proposal—came forward and asked me to convey congratulations to the Government for introducing amending legislation. That action may be rather surprising to the member for South Perth. This is a fair proposal. I have the highest respect for these growers, and I do not think they would want to gain any advantage over another licensee, whether he be a wine licensee or a hotel licensee. They will stand by the quality of their wine which they have no difficulty selling. So far as Mr. Nesci is concerned he leases, I understand, 11 acres. One can imagine how much wine would be produced from 11 acres. It would not be too much.

Nevertheless, he can operate from Victoria Park where I understand he has vats for the bulk wine which he bottles. Admittedly he must buy grapes to make wine and, doubtless, he buys manufactured wine which he blends with his own. He has to do this in order to have enough available to meet the orders he receives. Why cannot he apply for a license in the same way as the other four or five people who are in a similar position? Application can be made for a wine bottling license under section 34. The other four are quite prepared to do this, but for some reason or other Mr. Nesci is not.

The only part of the remarks made by the member for South Perth with which I agree are his references to the possible expansion of the industry. I am pleased to know we are in accord on this point. I must oppose his amendment on the grounds I have stated.

Mr. GRAYDEN: I appreciate the remarks made by the Minister and I appreciate also that he has been a representative of the people in the Swan Valley for a very long time. To a large extent he is an authority on the industry which is the subject of discussion. However, I disagree with virtually everything he said when he was speaking a few moments ago. I am sure that virtually everything could be denied.

Mr. Craig: I will get up and disagree with you, and we could go on indefinitely.

Mr. GRAYDEN: I think we should examine a couple of the statements which the Minister made. He asked why Mr. Nesci could not do what the other growers who operate from the metropolitan area are prepared to do; that is, take out a wine license. This is not the situation at all. Of course, there are some people from the Swan Valley who operate from the metropolitan area, but that virtually applies to every grower in the Swan Valley.

Mr. Craig: You are quite wrong there.

Mr. GRAYDEN: No, I am not. They do it in a dozen different ways. They are selling from Perth as surely as anyone who actually has a shop, much less a depot. Certainly, Frank Nesci might only rent or lease 11 acres at Muchea. I think he probably leases the vineyard from his parents. However, like every other wine producer he buys grapes in large quantities, and he certainly does not manufacture the wine in Victoria Park.

It is manufactured on the vineyard at Muchea. The situation is that he actually manufactures it there, even though he buys the grapes from other vineyards. How can he possibly be put into the same category as the other growers on the Swan when they are relatively close to Perth? Some are further out than others, but at least they can operate from their areas.

The Minister says they did not agree under duress, but they did. The original amendment which was introduced in another place stipulated that they had to sell actually on the vineyard. This was an impossible situation. They had to sit down and wait until somebody came to the vineyard before any wine could be sold. They could not go out and seek sales. They protested about this. Then the Minister turned to them and said that it could be sold on or from the property. Naturally, they jumped at the alternative. It meant they could go out and seek sales and sell on or from the place of manufacture. Mr. Nesci manufactures wine much further out. Perhaps there is also a person at Toodyay in a similar position. I do not know if there are any in the northern area. However, people such as Mr. Nesci are going to be placed in an impossible situation in comparison with the growers who are close to the city.

Mr. Craig: The one at Toodyay operates through a license.

Mr. GRAYDEN: He will not be inconvenienced.

Mr. Craig: The others will not be.

Mr. GRAYDEN: Mr. Nesci will be, because it is a completely different situation. These winegrowers are giving up something which has been in existence in this State since 1880. We have been misled on this question. I know it was not intentional, because the Minister would not do that; nevertheless, we have been misled in this Chamber and in another place. The Minister in charge of the legislation in the Legislative Council said—

> It is further intended, in order to ensure that the spirit of the Act is not departed from—and that is not meant to be a pun—in this direction, to make provision that persons making wine on vineyards and conducting sales under the provisions of section 46, shall also deliver the wine to the purchaser on such vineyard.
>
> The necessity of taking this action arises from the reports which have been received from the liquor inspection branch and elsewhere, that the intention of the Act has been departed from to such a degree that persons making wine at vineyards are not only conducting shops, as previously mentioned, but are also conducting delivery services all over the metropolitan area, and calling for orders by telephone and other means by the publicity of their premises or on their delivery vehicles.
>
> As neither the liquor for sale nor the premises are under the control of the court, and as no revenue is being paid by these persons, it is clearly necessary that the proposed words should be inserted to restore the original intention. I believe the obvious intention was that the transaction was to be completed at the vineyard, the purpose being not to prevent the sale of wine from its source of production.

When the Minister introduced the Bill in this Chamber, he was not, of course, the author of the legislation but was merely acting on behalf of the Minister in another place. He said—

> I believe the original intention of the provisions contained in section 46, which is the section dealing with this matter, was for the transaction covering the sales of a vigneron's own produce to be completed on the vineyard. The object of the amendment in the Bill is to ensure that such sales are completed on vineyard premises.

The two Ministers said this was the original intention of the Bill. Subsequently references were made to the fact that some vignerons had taken advantage of a loophole which they had found in the legislation. That statement can be disproved in one moment. Firstly, if we look at the existing Licensing Act, we will see that Parliament went out of its way to draw a distinction between those people who produce and sell from their own vineyard, and those who produce wine and sell it elsewhere; that is, from other premises. In one part of the same section it says—

> No license under this Act shall be required to be held by any person who—
>
> (c) being the occupier of an orchard of not less than five acres, sells on such orchard, in quantities of not less than one reputed quart bottle at any one time, cider or perry manufactured by such person.

In other words, it is specifically stated that if a man manufactures at, and is an occupier of, an orchard of not less than five acres, he can sell a quart bottle of wine. I turn now to the other person who produces wine to sell from other premises. It says—

> No license under this Act shall be required to be held by any person who—
>
> (a) sells on the premises of such person wine in quantities not less than two gallons at any one time, the produce of fruit of his own growing within the State.

Clearly this is going to apply to the person who sells on the vineyard. He is going to be permitted to sell a quart, and the person who produces and sells from other premises is going to be permitted to sell not less than two gallons.

Parliament has gone out of its way to draw these distinctions. It is quite ridiculous for anyone to say that he has found a loophole in the Act. This is quite wrong. I refer to the original legislation which was introduced in 1880. The title of the legislation was, "The Wines, Beer, and Spirit Sale Act, 1880." This is what was written into the original Act and what the wine industry in Western Australia was founded upon—

> No license under the principal Act shall be required for the sale by any person, the occupier of a vineyard or orchard of not less than one acre in extent, and the delivery after sale in quantities of not less than one gallon, at any time, of wine, cider or perry, manufactured by such person from fruit grown in the Colony.

So in 1880 the need to help the local growers was recognised. A provision was written into the Act that no license was required for that type of man. That section was subsequently amended in 1911, and the provision was then made to read—

> No license under this Act shall be required to be held by any person who—
>
> (a) Sells on the premises of such person wine in quantities not less than twenty-five gallons at any one time, the produce of fruit of his own growing within the State.

That dealt with the person who grew the grapes and made his own wine and sold that wine from his premises. No license was required. Then we come to the next person and paragraph (b) reads—

> (b) Being the occupier of a vineyard or orchard, sells on such vineyard or orchard, in quantities of not less than one reputed quart bottle at any one time, wine, manufactured by such person and the product of fruit of his own growing.

They were the two categories dealt with and Nesci is in the second category. He grows wine in Western Australia, but because his vineyard is relatively remote he has a depot, which he has been entitled to have since 1880. But at this stage, without any thought at all, we are going to say to him, "Go out of business Nesci, because you cannot possibly deliver from there or you pay the 5½ per cent. liquor tax." However, the growers in the Swan Valley will not pay that tax, because they can deliver from their own homes.

The DEPUTY CHAIRMAN (Mr. Crommelin): Order! The honourable member's time has expired.

Mr. DAVIES: It was not my intention to enter into the debate but the Minister in charge of the Bill seems to be singularly deaf to the arguments advanced by the member for South Perth.

Mr. Court: I have listened to all of them and I have stated the Government's position.

Mr. DAVIES: The Minister certainly stated the Government's position but, as was pointed out by the member for South Perth, it was a very biased position; because the position as the Government sees it is not the same as the member for South Perth sees it. I did not know Mr. Nesci even lived in Victoria Park until I had a letter from him; and that letter is the only contact I have ever had with him. I doubt whether he knows I exist. Certainly the Minister for Police, when he spoke, put forward a very biased point of view, and it was obvious he was representing the majority of the winegrowers who happen to live in the Swan Valley. He said there had been a meeting of the people concerned and they had finished up very happy with the outcome.

Of course they would be happy; because when the meeting started they were not aware that concessions would be made by the Government, and the Government, no doubt, came quickly to realise what would happen if the concessions these people had enjoyed for many years were taken away—there would be serious trouble in the area. I imagine the Government would have looked at the matter votewise. The Government did what was reasonable and just; it gave the growers the right to sell wine from their own properties, but that affected only the majority of growers.

The Minister for Police said there were only four or five other growers in the same position as Nesci. If that is so—and the Minister is *au fait* with the wine industry—I think he should have given us some indication of where these four or five people are situated, the size of their vineyards, and the area in which they operate. The Minister said he had known Nesci's parents and they were fine people. But then he proceeded to blackguard him by saying that the information in the letter Nesci had sent out was completely untrue because Nesci described himself as a vigneron.

I would like to know what is the Minister's idea of a vigneron. Does it mean that he has to tread on the grapes that he has grown on his vineyard, supervise the manufacture of the wine, and then sell it? No single person can do all those things. If this man wants to describe himself as a vigneron, and he is associated with one or all of the aspects I have mentioned, he should be entitled to do so.

As the Minister has said, his property at Muchea comprises 11 acres and possibly Nesci is associated with all aspects of wine making. He is one whom we should encourage. Apparently his wines have some public appeal in certain quarters, from what the member for South Perth has said; but the rights which have been granted to people like Nesci since 1880 are now to be taken away. Is this fair or just?

Obviously the other winegrowers are not very concerned whether he goes out of business or not. Probably it will be better for them if he does. Because this man lives outside of the normally accepted wine-growing territory he is to be placed in a completely different category, and he will be at a severe disadvantage as compared with the big body of winegrowers in the Swan Valley. Surely that is completely unfair and unjust. He wants the right to be able to cart the bulk wine or bottled wine to Perth and distribute from a point in the Perth area. The Government will get the tax when and if the wines are distributed through the hotels; and, surely, if the Government does not get the 5½ per cent. tax—and it seems to be very worried about it—it will not break the Government. On the other hand, it will encourage a man to put his money and his work into the State.

It is obvious from what the Minister for Police said that the areas will expand in due course. He also said that if at that time the situation arose where one of the growers wanted to establish a point we could amend the Act. Why wait until then? Why not deal with the situation now and allow this man to operate in the future as he has done in the past? I cannot see that his operations will have the slightest effect on winegrowers generally. Apparently, if he has only 11 acres, the vineyard is fairly small and he should be encouraged. If he buys grapes from other growers in the Swan Valley to make his wines, then he is helping them.

I think this man is being slaughtered because he has gone outside the usual scope of the wine industry. Surely he should not have to travel to Muchea every time he wants to get some wine that has been ordered, and then have to bring it back to Perth. That is absurd. The Government very quickly reversed its decision in regard to the other growers in the general winegrowing area; and, of course, Nesci can still sell direct from Muchea; but it is too far away. He has that added distance to travel. I cannot see any reason at all why this man cannot be included in the concession. I support the member for South Perth.

Mr. GRAYDEN: There are one or two points I would like to mention. To get away from Nesci, I would refer to the position of Eastern States' producers. The Minister said that 1,000,000 gallons of wine per annum is brought into Western Australia each year. Obviously the Eastern States' producers will not be forced to go back to Adelaide, or N.S.W., or wherever else they might be situated, to get 10 gallons of wine, or whatever the quantity is, every time somebody wants to buy their wine. They will have their own depots. The Australian Constitution, in section 113, makes some reference to this matter and it reads—

> All fermented, distilled, or other intoxicating liquids passing into any State or remaining therein for use, consumption, sale, or storage, shall be subject to the laws of the State as if such liquids had been produced in the State.

So what is the position of Eastern States' producers who wish to come to this State to sell their produce?

Mr. Tonkin: You should not ask questions like that. That one will be put in the too-hard basket.

Mr. GRAYDEN: We are already buying 1,000,000 gallons of wine a year from the Eastern States, which indicates that insufficient is produced in this State and, also, that some of the wine from there is being dumped in this State. The Eastern States' producer who wants to sell his wine in this State is permitted to have a depot in Western Australia, and that is at the expense of our own growers. Therefore, why cannot all our local growers have a depot?

Let us take another situation. I understand that trucks pick up barrels of wine at Perth or Geraldton and take that wine from town to town in the north-west. In other words, those trucks are travelling depots. Obviously, every time an order for 10 gallons is lodged, the drivers of the trucks could not be expected to return to Perth to pick it up. Therefore they are in effect travelling depots.

Mr. Davies: Do they pay tax?

Mr. GRAYDEN: Of course not. I will explain that position in a minute. If such people can operate in the north-west, surely depots can be permitted for people like Nesci in Perth. If this sort of thing can happen in the north-west, why should not Nesci be able to load his truck with wine and sell it in various parts of the metropolitan area?

Mr. Burt: Wouldn't they be committed for sly-grogging?

Mr. GRAYDEN: Of course not. This sort of thing is permitted in the north-west, and there is no tax evasion. Any producer of wine in Western Australia, provided he does not sell less than the quantity stipulated in the Act, is entitled to sell it without paying tax. That has always been the position, and it will still be the position when the Bill is passed.

None of these people will pay the tax. The tax will only be paid when the wine is sold retail through a wine shop, a hotel, or a chain store. In those circumstances

a tax of 5½ per cent. will be paid after a return of the amount sold has been submitted. These wine producers are selling in bulk—in two gallon lots, in the one case, and in anything above quart bottles in the other.

We are trying to make Nesci take out an Australian bottle license to ensure that he pays tax while the other producers will not. That is completely illogical, particularly at a stage when we should be trying to capture a market for wine. What a wonderful field it would be for young people to enter. There is nothing to prevent them from growing grapes and producing wine. They could sell 1,000,000 gallons from Western Australia alone. Dr. Gladstones has said there is a tremendous market overseas for Australian wine.

Instead of taking advantage of this, we propose to pander to a few growers in the Swan Valley who are prepared to accept what is thrust on them. We are throwing people like Nesci to the wolves. If we do this sort of thing, people will have no confidence in the justice being meted out here or in the legislation we pass, and this will result in lawlessness. Those it will benefit will be the hoteliers who will be happy to see people like Nesci paying this tax. The Minister referred to four people, but it would appear that only one person is affected. He sells his wine wholesale.

Mr. Craig: He is the only one.

Mr. GRAYDEN: Why are we making this concession?

Mr. Craig: Because he will not comply with the regulations that apply to others.

Mr. GRAYDEN: We are making this concession because he is further out than the others. We know, and the person concerned knows, that he cannot operate from Muchea. The Minister is not right when he says that the growers in the Swan Valley will be at a disadvantage in comparison with Nesci. They will be glad to see Nesci placed at a disadvantage by his having to pay 5½ per cent. tax.

The DEPUTY CHAIRMAN (Mr. Crommelin): The honourable member's time has expired.

Mr. COURT: The member for South Perth gives the impression that we are discriminating against Nesci. This is not so. The laws that govern other growers will govern him. When the honourable member spoke on the second reading he spoke in respect of a principle, as he did when he introduced his amendment, but later his remarks referred to the case of one man. The great majority of growers fully understand the position and are satisfied with what the Government proposes.

This is in keeping with the spirit of the arrangement whereby the winegrowers had some special advantages if the wine was produced and sold from their premises. There was a narrow interpretation of this in some minds, while others thought it was too wide, and Parliament was asked to clarify the position beyond doubt. If these growers want to go through a depot they are entitled to do so, but they take the normal procedure and seek a license which enables them to act in accordance with the law and pay tax.

If we accept the contention of the member for South Perth, we will give an advantage to one man which will not be enjoyed by others. We feel it is better to look after the interest of the industry—the genuine winegrower—rather than select the case of one man who wants to be different from the rest of the industry.

The member for South Perth has given the impression that if the amendment is not accepted we will lose a lot of business to the Eastern States. This happens to be a matter I have followed closely because of its impact on industrial development, and I assure the Committee there is no difficulty in selling the product of this State. The only difficulty we have is in selling what is affectionately known as "plonk," and this is difficult to sell in any case.

There is no intention to discriminate against Nesci. We are seeking to introduce something which will clarify, for all time, the exact position of a winegrower who is selling the produce of his work.

Mr. GRAYDEN: I disagree with the Minister. The Minister said Nesci is being made to comply with laws that affect all the other growers in Western Australia. I agree, but in the process we are doing him a dreadful injustice, because he is established further out than the other growers. The people on the borderline can survive under the amending Bill, but Nesci cannot, because he is beyond the line of demarcation. He cannot deliver from his own premises, and he must go out of business unless he can get a wine bottle license. But there is no certainty that he will obtain such a license from the Licensing Court. This would mean he would have to go out of business. If he is given a license the Minister says he will be put in the position of having to pay 5½ per cent. tax on everything he sells; but no other grower in the Swan Valley conducting the same type of business would pay this tax. One or two of the large firms like Houghtons and Valencia, which have their own shops, might be paying this tax; but they take out a different type of license. They can afford to do this, because of the advantages they enjoy as a result of their retail outlets, and their ability to sell single bottles of wine.

Mr. Hawke: What was the voting on this issue at the party meeting?

Mr. GRAYDEN: The Minister said I had forsaken the principle for the case of an individual. My amendment seeks to benefit the future of the great wine industry in Western Australia It is completely

unjust to penalise an individual such as Nesci in the manner we propose, and, talking about justice, if we refer to the time of King Canute in about 1,000 A.D., we will recall that he issued an edict throughout Britain to say that justice was to be done to every individual in that country. That was 900 odd years ago; but 900 years later we are taking quite a different view altogether.

All I want is justice for Frank Nesci who, over a period of 13 years, has built up a wine industry in Western Australia and who now sells 30,000 gallons of wine per year. I want him to be able to continue, because ultimately he will have a very big wine business in this State. Surely he is the type of man we should assist. We should go out of our way to foster this little man rather than knock him out of existence. At the same time, as indicated by the Minister, we are thinking in terms of subsequently amending this Act to enable influential wine people to enter the wine industry in Western Australia. When that happens we will look at our legislation to ensure that those people will be able to obtain markets.

We are going to put a man out of business; and I cannot see why this should happen in a democracy, as it is so unjust. All I am asking is that the individual further than 25 miles from the Perth Town Hall shall be permitted to have a depot in Perth from which he can deliver. I have already emphasised that it is not possible for him to conduct that type of business unless he has a depot. If somebody on a crayboat is going to sea for a week, he may just have time to ring up the depot in Victoria Park and have wine delivered; but if Nesci has to go to Muchea, he will lose that type of sale. It is unthinkable that he should have to conduct his business from Muchea.

In those circumstances, I think the Minister should report progress in order to give this clause careful consideration, otherwise a lot of people will lose faith in the parliamentary system. What sort of outlook will Nesci have from now on? He has three young children, a bank overdraft of $5,000, and a promising future before him, as a result of the business he has developed because of legislation introduced in 1880. Yet we are not prepared to accept an amendment to enable that man to continue.

Mr. Graham: Do not say, "we"; say, "the Government."

Mr. GRAYDEN: It is a matter of principle, and it affects all small businessmen in Western Australia. These are the people we should assist whenever the opportunity arises. Certainly we should not go out of our way to put them out of existence. I have never heard of a situation where the facts were so much on the side of a little businessman as they are in this instance.

If we pass legislation to allow this man to have a depot, it will not affect other growers one iota, because they have depots within the 25-mile limit. This is a small businessman who sells 30,000 gallons of wine a year.

Mr. Craig: From 11 acres?

Mr. GRAYDEN: No, the Minister is misleading us.

Mr. Craig: He is engaged in business.

Mr. GRAYDEN: He is leasing 11 acres, but he buys in grapes in order to manufacture wine, just as Houghtons, Valencia, and others do on occasions.

Mr. Craig: They pay their tax.

Mr. GRAYDEN: What about the other vignerons in the Swan Valley? The little men like Nesci do not pay tax now and will not do so when this amending Bill is passed. However, Frank Nesci will, provided he can get an Australian wine bottle license. This is so obviously unfair that I cannot understand why the Minister is not prepared to accept the amendment. I hope he will report progress and have another look at it.

Amendment put and negatived.

Clause put and passed.

Clauses 8 and 9 put and passed.

Clause 10: Section 51D amended—

Mr. GRAHAM: I think the Government should make up its mind in connection with the matter in respect of which I have amendments on the notice paper. If there is false advertising of the standard or grade of a hotel, then surely the person who holds the license is the person who should be responsible. If the Government is going to allow this alternative, it might as well use the same words as those used in regard to liquor being sold outside lawful hours, and for 101 other offences which can be committed under the terms of the Licensing Act.

The Licensing Court can direct that licensed premises be closed and can suspend the license until the licensee has complied with certain requirements. I mention this to show that the responsibility properly lies with the licensee.

I do not know whether somebody tosses a penny in order to ascertain whether the owner of a building or the person who holds the license is the one to be charged when there is a question of falsely representing a hotel or licensed premises as being of a standard different from that assessed by the Licensing Court.

I started to go through the Licensing Act, in which there are far too many sections, and I found that almost invariably the responsibility is on the licensee. After all, he is the person who has been granted the license by the court; and he is the one against whom all charges are to be laid and is the one who

would lose the license. The owner of the premises might be in some other part of the world.

I have spoken to people in the trade and they are dumbfounded to think the trade should be left with this "take it or leave it" proposition, and that a person who has nothing whatever to do with the conduct or the advertising of a place can, in fact, be charged with what is a comparatively minor breach, compared with many others, for which provision is made in the Act that the occupier is the one held wholly responsible. Because of my inquiries, I move an amendment—

Page 6, line 4—Delete the words "owner or."

Mr. COURT: I oppose this amendment because if it were accepted it would leave the way wide open for the objective of the grading system to be defeated by a conspiracy between an owner and a licensee. Simply stated, there could be a situation where an owner erected signs which indicated the hotel was a five-star hotel. By its outside appearance, the general public would think it was a five-star hotel whereas in point of fact it had never been approved or graded as such by the Licensing Court. I understand that in that situation it would not be possible to succeed in a prosecution. The owner could not be caught for the offence, nor could the licensee, because he did not commit the offence. That is the simple reason why the amendment is in the Bill in its present form. It was only after consideration of the situation that the amendment was included. It is the view of the Government that the amendment of the Deputy Leader of the Opposition should be opposed.

Mr. GRAHAM: I do not think the protests of the Minister are particularly valid. After all, the owner of premises, if he were that sort of a person, could arrange for a children's playing area to be built on his licensed premises, or adjacent to it, as was the case a few years ago, until Parliament decreed that should not be permitted. If a licensee allows that to continue, he is responsible; and if the licensee allows a false sign to remain on premises, again he is responsible. One could quote quite a number of instances that would be parallel with that.

If there is any merit in what the Minister says—and I doubt it—I think the position could be tackled in another way. Let me illustrate what I mean by showing the type of thing to which exception should be taken. A hotel could be graded three-star or four-star and on an adjoining property there could be a prominent sign mentioning the name of the hotel stating that it was a five-star hotel, and an arrow could point to the hotel. Under this proposition, no action could be taken against the person responsible for that sign because the one who commits the offence has to be the owner or the licensee who falsely represents the position.

Surely it would be better to lay the charge against the person who is, in fact, responsible. This could be done by deleting all words in paragraph (a) commencing from the word "being" down to the word "hotel". In other words, delete the words "being the owner or licensee of an hotel" so as to make it read, "a person who falsely represents that the hotel has been graded to a higher class commits an offence." I think that would be a more sensible proposition than, perhaps, the amendment I have submitted.

If I owned a hotel and happened to be the type of person who would deceive the public into believing my hotel was of a higher rating than it really was, then I could, without any difficulty at all, arrange for the person next door—for a consideration—to allow a sign to be erected on his premises. Under the terms of the proposition in the Bill at the present time there is nothing to stop that, and it is not an offence.

I want to assure the Minister and the Government that I am not pushing any particular barrow in connection with this. However, I think that if a wrong is committed, then action should be taken against whoever is responsible. The owner of the premises could have no knowledge of the offence and I think it would be wrong for him to be charged. The local police will have to toss a penny to decide against which of the two parties—the licensee or the owner—action will be taken. I ask the Minister to give consideration to my proposed amendment.

Mr. COURT: I can see that under certain circumstances what the Deputy Leader of the Opposition proposes would extend the scope of those to be prosecuted. In this case I think it is important and desirable to be specific and to say who will be responsible for this situation at the hotel itself. I cannot think of anyone more logical to be prosecuted than the owner or the licensee. After all, they have a direct interest, and if the owner advertises the premises wrongly he should be prosecuted. If the licensee does it, he should be prosecuted, and if both parties conspire together, then both should be prosecuted.

Regarding the other proposition put forward, referring to the erection of a sign on the other side of the road with an arrow pointing across the road and an advertisement stating that the hotel across the road is a five-star hotel, if my memory serves me correctly there is plenty of legislation to deal with that situation. That would be a straight out false advertisement if ever there was one.

I would prefer to be specific and say the owner or the licensee, so that it is quite clear who is to be prosecuted if this false representation takes place. It is important that we keep this grading of

hotels properly supervised, otherwise it would cease to have any purpose or meaning.

Amendment put and negatived.

Clause put and passed.

Clauses 11 to 17 put and passed.

Clause 18: Section 122 amended—

Mr. JAMIESON: I hope the Committee will not agree to this amendment but will reject it, because I see a considerable amount of difficulty involved by substituting the word "beer" for the word "liquor." The definition of beer covers many liquids, yet not as many as one would imagine. It would appear that the definition of beer is as follows:—

> A fermented liquor brewed from malt or from a mixture of malt and malt substitutes and having a bitter flavour communicated by hops or by some other wholesome bitter.

The definition also states—

> Any of various fermented but undistilled liquors, especially a fermented extract of the roots or other parts of certain plants, as spruce, ginger, sassafras, sorghum, etc. Also, in the United States, any of certain non-alcoholic carbonated drinks resembling these in flavour.

The member for Darling Range likes a Dietale, but he would be excluded from having his drink because it is not beer as defined in Webster's Dictionary. I would suggest that anyone who wanted to drink claret instead of beer should be permitted to do so. One should not be restricted. Perhaps this amendment is to protect a few against themselves—those who would possibly buy a couple of bottles of wine or spirit to drink on a Sunday.

Pale ale could not be bought under the provisions of this Bill because it cannot be defined as beer. There are two types of brewing. One is what is called the top brew, and the other is the bottom brew. What would happen if a man wanted to take home a bottle of stout for his wife and a bottle of beer for himself to drink with their Sunday meal? The situation would become ridiculous. Not everybody should be forced to drink beer because they are unable to get other liquor under the provisions of this section of the Act. I do not think we should define what is meant as long as the quantity is limited to two bottles.

Perhaps, on occasions, there has been some trouble with natives who cannot handle the liquor. Surely we are not to legislate against the wishes of the majority, to cover these people. We should not cut across the drinking habits of the people. If a person likes stout he should have stout. Do not let us confine the sale of bottled liquor on Sunday mornings to one particular variety. We would be well advised to defeat the proposal and leave the situation as it stands.

Mr. COURT: I made myself clear on this matter during the second reading of the Bill but I will briefly reiterate the position so far as the Government is concerned. We have been requested to clarify this part of the licensing law so that it covers the intention of Parliament. One has only to read the debate—and rather humorous it was; one of the lighter moments in this Parliament's history—to see what was meant. I studied the arguments which were advanced as to why this amendment should be made at the time. The Bill was called "The Two-Bottle Bill" and it successfully ran the gauntlet of both Houses. I would venture to say it would not have had a chance if the two bottles had been represented as anything but beer.

The member most prominent in this House during the passage of the Bill was the then member for Murchison. He gave us a straightforward and down-to-earth reason why the two bottles of beer were necessary, and his remarks make worthwhile reading. I commend the method used by that member to the newer members as a method of getting a Bill through in a lighthearted vein when science and logic would probably fail. The member for Murchison, on that occasion, gave us an explanation of fracture headache and explained that the only known cure was a bottle of beer. At that stage someone interjected and wanted to know why two bottles of beer were required when one would cure the headache.

In all seriousness I put forward the proposition that the amendment in the legislation at that time was only made because of the case put forward for two bottles of beer. The use of the word "liquor" was probably unfortunate and we propose to correct the situation by including the word "beer".

I am afraid I cannot share the misgivings felt by the member for Beeloo. If we include the word "beer" everyone will know what it means. The intentions of Parliament will be incorporated in the Act.

Mr. GRAHAM: We have heard from the member for South Perth how this Government is 900 years behind the times. We have another illustration here. The Minister is looking back 10 years, or more, when Parliament made a certain decision which had an element of generosity about it. That is to say, it allowed people in certain outback areas to obtain liquor in bottles on Sunday mornings if they so desired. Parliament did not seek to say liquor or stout, or something else. That was left entirely to the purchaser. I think that should be so.

I have spoken to those people who grow grapes in the Swan district—to those who supply grapes for winemaking—and also to those who manufacture wine. Those people are somewhat annoyed—and I think they are justified—that the Government is discriminating against their product. After

all, wine is made exclusively from a local primary product. Beer is made largely from a local product.

If there are to be concessions they should be to the local industry and for that reason there should be no discrimination between beer and wine. I use the word "beer" in its broadest sense. On the other hand, in order to go part of the way with the Government, in a spirit of compromise, because it has been suggested there is a greater alcoholic content in wine than in beer. My amendment proposes that there be sold a reputed quart only—which is one bottle—of wine, as against two bottles of beer.

The majority of people prefer to drink wine with their meals rather than any other intoxicating beverage. It is true that beer would be the more popular drink when it comes to a question of drinking merely for the sake of drinking. There is no doubt that the sales of bottled beer would be much higher than the sales of any other bottled liquor, but surely it is not our prerogative to stipulate that people must drink beer just prior to their meals. It is becoming more pleasant to drink wine with meals because it is an aid to digestion.

As late as today I received correspondence from the wine and spirit merchants who consider no differentiation should be made between beer, wine, and spirits, and I think they have a point. In an endeavour to insert a provision a little better than that which has a 100 per cent. bias towards beer, on the notice paper I have placed an amendment which shows a little more spirit of compromise. However, on further consideration, I would like to amend the amendment which appears on the notice paper.

Those members who visit the parliamentary bar will note that honey mead is available. I have had the pleasure of drinking it, and it is a light and pleasant drink manufactured in Western Australia. Therefore I cannot see why it should be excluded from this provision.

The DEPUTY CHAIRMAN (Mr. Crommelin): May I ask the honourable member what perry is?

Mr. GRAHAM: Perry is an intoxicating liquor derived from the juice of pears in the same way as cider is derived from the juice of apples. The words "cider" and "perry" already appear in the Act. To give effect to what I have outlined it will be necessary for me to move the amendment in two parts. Accordingly, I move an amendment—

> Page 9, line 14—Insert after the word "amended" the paragraph designation "(a)".

Mr. COURT: I oppose the amendment for the reasons I gave earlier. Whether one bottle or two bottles of liquor are mentioned in the clause, the issue is not altered. When this provision was inserted in the Act it was for a particular purpose. To listen to the Deputy Leader of the Opposition, one would think we were taking away all the rights of the people.

Mr. Graham: The Liberal Party apparently takes the view that it is not prepared to let an individual make his own choice.

Mr. COURT: If the Deputy Leader of the Opposition had his way we would repeal all the liquor laws and introduce merely a taxing measure. I do not care whether the original provision was introduced 10 years ago or two years ago, there was good reason for it. At that time Parliament decided that a concession should be made, and we intend to abide by the wishes of the Parliament at that time. If any person wants to drink wine or spirits with his meals he has ample opportunity to do so. The reason this provision was inserted in the Act was to allow a person to buy two bottles of beer on a Sunday in certain areas.

Mr. JAMIESON: At that time I do not think it was the intention of the Committee to restrict the sale to beer. In my opinion it would have a wider application. The Minister now says the provision will be interpreted to include other liquors—other than those that are brewed by the Swan Brewery, I take it—and might not restrict the sale of liquor to beer. Surely, we, as members of Parliament, can clearly state our intention and not leave the Licensing Court to place its interpretation on the provision. In my opinion the word "liquor" should be left as it is and anyone can please himself what he purchases.

When the provision was first agreed to in this Chamber, I think it was the humour of the speech made by the member in charge of the Bill that won the day rather than the logic of his argument. If I remember rightly, at that time the present Deputy Leader of the Opposition, who was then the Minister for Housing, could not understand why the provision should not extend to other areas. I cannot see any necessity to change the word "liquor." Have there been any breaches of this provision? I cannot recall any. I maintain that this section of the Act should be left alone.

Mr. DAVIES: In his usual manner, the Minister when replying to the Deputy Leader of the Opposition, used the tactic of saying that he had given all the reasons in his second reading speech as to why the amendment was necessary and he did not intend to repeat them. The only reason he gave was that the member for Murchison was in favour of it and that the Murchison ward of the Country Shire Councils Association also favoured it. However, no reasons have been given to explain why the amendment is sought. The Minister also stated that when the Act was amended several years ago beer was implied with the use of the word "liquor." This is his own interpretation. Possibly he is correct, but the mem-

ber for Beeloo has indicated that the intention of the Committee was otherwise. The Minister also stated that the Chairman of the Licensing Court has assured the Government that if Parliament agrees to the amendment it will apply to all customers. Does this indicate there has been some discrimination in the past?

Admittedly some hotelkeepers have been able to select the customers to whom they will sell liquor. Is the Chairman of the Licensing Court asking for this amendment, or is the Government merely asking its opinion? Is it a fact that the only people who seek the amendment are those on the Murchison, and the goldfields members supported by the Murchison Ward of the Country Shire Councils Association? That is sufficient reason why the amendment should not be agreed to.

The Deputy Leader of the Opposition has been reasonable in his approach. If the Government is worried about the alcoholic content of the various types of liquor it should provide against this. Possibly one of the reasons why this provision was inserted in the Act initially—and this has not been mentioned—is that in those times there was little refrigeration on the goldfields and it was more convenient for the liquor to be kept cold in the hotel refrigerators. Nowadays, of course, refrigerators are more common in homes and that reason no longer carries any weight. Therefore the provision may as well be deleted altogether.

We cannot discriminate, and we cannot support an amendment for which the Minister says there are good and sound reasons, but which, on investigation, are not reasons at all.

Mr. BURT: I hold very broad views on liquor, but I oppose the amendment on the notice paper in the name of the Deputy Leader of the Opposition. I feel it is necessary to call a halt to the practice that has developed in recent months as a result of the provision which allows the purchase of two bottles of liquor on the goldfields on a Sunday morning. I have found that bottled beer is almost exclusively the only type of liquor sold on the goldfields on a Sunday morning since the Act was amended some 14 or 15 years ago.

In fact, publicans in practically every district I visit make a habit of wrapping bottles of beer early in the morning and placing them in the refrigerator so they can cope with the rush just before they close at 12.30 p.m. They only think of wrapping up beer; never anything else. This is the drink called for in 99 per cent. of instances.

Since we extended the rights to natives on the goldfields they have been able to purchase wine, which has proved very detrimental to their well-being. They do not know when to stop in their consumption of liquor. Very often drunken parties and orgies are held on a Sunday evening with liquor purchased on a Sunday morning. Because of their drinking habits the families of the natives also suffer.

There is no basis at all for the bogies thrown up by the Opposition. We must remember that a person can drink what he likes over the counter for two hours while the hotels are open on a Sunday morning; and he can purchase whatever liquor he likes for six days of the week. Surely it is not too much to place a restraint such as this for two hours on a Sunday morning, remembering that 99 times out of 100 beer is asked for. If we did not do this we would not be helping the natives or their families. We should restrict the type of liquor sold on Sunday mornings.

Mr. JAMIESON: The member for Murchison put up a good case for not agreeing to the amendment when he said that 99 times out of 100 beer was asked for. Surely we are not going to legislate for the 1 per cent. We must legislate for the majority. I know that refrigeration is more effective now than it was in the past, and people can buy what they like and keep it if necessary. At the moment a person can fill himself up for two hours with wine and then go on to two bottles of beer.

Mr. Burt: Two bottles of water would be sufficient.

Mr. JAMIESON: He might even get to the stage where he would need the water.

Mr. Norton: They have a three-hour session at night.

Mr. JAMIESON: It would seem that the goldfields people are getting a fair sort of a go. If there is a necessity for restriction, let us restrict them so that they cannot buy anything at all. We should not allow to take place the sort of thing that has been referred to this evening. The points were made that the climate was hot and dusty; that miners were not able to have a cold drink; and that they should be permitted to take one home on Sunday to drink with their wives. On the other hand, of course, the wives might not drink beer at all.

We should either leave this alone, or the Minister should report progress with a view to giving thought to abolishing the situation that exists at the moment. We would then have no worries. The member for Murchison could justify his stand to the people by saying, "Why should they be restricted to a certain drink?" The honourable member referred to the ill effects that wine had on the natives and their families; that it prevented them from appearing for work on a Monday morning. Often the same thing happens after Sunday sporting fixtures; the participants have a reduced capacity for work on the following Monday.

Mr. Burt: Not if they drink beer only.

Mr. JAMIESON: The effect on the Monday depends on the type of liquor

consumed. The effect is less severe with the consumption of light wines or beer, but it would be greater if plonk were consumed.

I suppose it is left to the individual to decide whether he drinks beer or wine. This State is now trying to promote industries, and an effort should be made to promote the wine industry by permitting the sale of wine on the goldfields on Sundays rather than restrict sales to beer.

*Progress*

Progress reported and leave given to sit again, on motion by Mr. Runciman.

## LAND ACT AMENDMENT BILL

*Returned*

Bill returned from the Council without amendment.

## MOTOR VEHICLE (THIRD PARTY INSURANCE) 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 6.10 p.m.*

# Legislative Council

Tuesday, the 31st October, 1967

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

## ACTS (4): ASSENT

Message from the Governor received and read notifying assent to the following Acts:—

1. Evidence Act Amendment Act.
2. Justices Act Amendment Act.
3. Town Planning and Development Act Amendment Act.
4. Country High School Hostels Authority Act Amendment Act.

## QUESTIONS (6): ON NOTICE

### INSTRUMENTALITIES

*Pension Schemes: Government Contributions*

1. The Hon. J. J. GARRIGAN (for The Hon. R. H. C. Stubbs) asked the Minister for Mines:

(1) How many instrumentalities receive Government financial contributions or assistance to pension, superannuation, or any other retiring allowance schemes?

(2) What is the amount involved in each of the categories referred to in (1)?

(3) How much is contributed in each case by the Government and under what circumstances?

(4) What does this amount to *per capita?*

The Hon. A. F. GRIFFITH replied:

(1) Other than the Government pension funds, the only pension scheme which receives subsidy from the State is the Coal Mine Workers' Pensions Scheme.

(2) and (3) $80,000 per annum. The Government subsidises the Coal Mine Workers' Pensions Scheme because the bulk of coal production in Western Australia is utilised by the Government. A precedent also existed in that other States introduced pension schemes for coalminers as an incentive for the maintaining of coal supplies.

(4) $61.49 at the 30th June, 1967.

### MIDDLETON ROAD

*Widening between Northcliffe and Shannon*

2. The Hon. V. J. FERRY asked the Minister for Mines:

(1) Has the Main Roads Department programmed construction work, involving widening, on the Middleton Road between Northcliffe and Shannon early in 1968?

(2) If the answer to (1) is "Yes"—

(a) what will be the width of the widened road?

(b) what is the estimated cost of this work?

(c) what amount has the Main Roads Department provided to the Manjimup Shire Council for routine maintenance work on this road?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) (a) An 18-foot wide gravel pavement with two four-foot wide shoulders.

(b) $20,000 has been provided in the 1967-68 programme of works.

(c) $550.