stand he is only likely to be in that position for another 18 months or two years. I hope the Government will take cognisance of the motion I have moved.

Debate adjourned, on motion by Mr. Nalder (Minister for Electricity).

House adjourned at 9.35 p.m.

Legislative Assembly

Thursday, the 24th August, 1967

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

QUESTIONS (27): ON NOTICE

1. *This question was postponed.*

FISHING

Government Training Scheme

2. Mr. RUNCIMAN asked the Minister representing the Minister for Fisheries:
   (1) What training does the Government provide for those wishing to engage in the fishing industry?
   (2) What is the nature of this training?
   (3) Has the Government any plans to increase the purpose and scope of such training?
   (4) If so, can he give details of such a scheme?

   Mr. ROSS HUTCHINSON replied:
   (1) The only training available is provided by the Technical Education Division of the Education Department at the technical schools of Geraldton and Fremantle.
   (2) Courses in navigation, signalling, ship handling, and Marine Act rules and regulations, to meet Harbour and Light Department requirements.
   (3) Yes.
   (4) A combined departmental and industry committee is at present being convened to consider the form and scope of future training plans. Depending on the requirements of industry, it is believed that these courses should concentrate on such matters as fishing techniques, general fisheries administration, an understanding of conservation and control, and the like. It is hoped that a pilot course can be conducted in the early part of 1968.

Appointment of Extension Officer

3. Mr. RUNCIMAN asked the Minister representing the Minister for Fisheries:
   (1) When was an extension officer appointed to the Fisheries Department?
   (2) What are his duties?

   Mr. ROSS HUTCHINSON replied:
   (1) The 3rd July, 1967.
   (2) (a) Prepare for publication and dissemination results of research officers' investigations, and fisheries promotion generally.
   (b) Organise field days, lectures, and seminars.
   (c) Prepare and/or edit films, brochures, pamphlets, bulletins and news-sheets designed to inform industry of developments within Australia or elsewhere.
   (d) Organise training courses for fishermen.
   (e) Collaborate with other departments and instrumentalities in educating fishermen, and industry generally, on the need for better hygiene in handling methods and the improved marketing of sea foods and fishery products generally.

SCHOOL HOSTEL AT CARNARVON

Accommodation of Primary School Children

4. Mr. NORTON asked the Minister for Education:
   (1) Now that the Carnarvon Junior High School has been made a senior high school, does this mean that in the future primary school children from the stations will not be permitted accommodation in the school hostel at Carnarvon?
   (2) If "Yes," does this mean that these children will not be able to attend the primary school at Carnarvon if they are unable to find private accommodation?

   Mr. NALDER (for Mr. Lewis) replied:
   (1) and (2) The Carnarvon hostel, in common with hostels in other parts of the State, is provided for high school children. Primary school children are accommodated if there is room to spare, and this policy will continue.

WUNDOWIE CHARCOAL IRON AND STEEL INDUSTRY

Management Control, and Overseas Demand

5. Mr. HAWKE asked the Minister for Industrial Development:
   (1) For what period of time was the company, Australian National In-

dustries, actually managing and in complete control of the Wundowie charcoal iron industry and its associated activities?

(2) On what date did the company withdraw from its agreement with the State and cease completely to have any voice or influence in connection with those industries?

(3) What is the total amount of money paid by the State to the company in connection with its managerial and other operations at Wundowie?

(4) What specific reason or reasons were given by the company for its decision to withdraw from the agreement with the State?

(5) What are the names of the present members of the board of management of the Wundowie industries?

(6) What important addition and improvements to the charcoal iron industry were carried out during the financial year 1966-67?

(7) What are the proposals, if any, for further additions and improvements during the present financial year?

(8) How effective is the overseas demand at present for Wundowie charcoal iron and to which countries are major supplies being shipped?

(9) Have overseas prices for charcoal iron increased over the last 12 months?

Mr. COURT replied:

(1) From the 1st July, 1966, to the 30th April, 1967.

(In answering this question I have assumed that the honourable member is referring to Australian National Industries in its broadest sense to include the local subsidiary — A.N.I. (Wundowie Management) Pty. Ltd.—which was formed to assume management in accordance with the provisions of the 1965 amendment to the parent Act.)

(2) The agreement between the company and the State was cancelled at the request of the Government with effect from the 30th April, 1967.

(3) The company was paid management fee, in accordance with the terms of the agreement—$29,266.66.

Other amounts paid to the company by way of reimbursement but not as fee were—

New plant for foundry taken over by Wundowie when agreement terminated to form part of the improved foundry equipment—$48,825.00.

Reimbursement of salaries, payroll tax and superannuation for A.N.I. employees seconded to Wundowie—$65,944.10.

Other expenses paid by A.N.I. for Wundowie—$22,885.30.

(4) The agreement was terminated at the request of the State. At the time the agreement with A.N.I. was negotiated it was felt that the cash requirements to keep the industry operating would be manageable, but a detailed study by A.N.I., at the Government's request, during the period it was managing the industry indicated that losses and additional capital over the next six years would average more than $300,000 per annum.

In the light of this information the State was not prepared to guarantee that the funds would be made available, and there was no alternative but to request the company to cancel the agreement.

(5) Mr. N. Fernie (Chairman).
Mr. A. C. Harris.
Mr. J. R. Ewing.
Mr. P. K. Butterworth.
Mr. W. Heeps.

(6) (a) A fines plant to facilitate the injection of charcoal fines into the furnace was completed;

(b) New batch retort.

(7) (a) The installation of the "Birlec" 3.5 ton induction furnace will be completed, together with ancillary equipment;

(b) The heavy transport fleet of vehicles will be replaced.

(8) (a) The overseas demand for specification iron is weak. Improved metallurgical techniques developed overseas enable comparable material to be produced without using charcoal. Because this is manufactured nearer to the place of use, freight savings enable it to be sold at a price less than the Wundowie c.i.f. price.

(b) In 1966-67 various countries in Europe purchased 19,593 tons of Wundowie iron.

Japan purchased 18,176 tons.

Korea purchased 1,999 tons.

United Kingdom purchased 1,254 tons.

Thailand purchased 500 tons.

(9) No. The f.o.b. price has deteriorated.

RAILWAY CROSSINGS

Fitzgerald Street, Northam: Traffic Hold-up

6. Mr. HAWKE asked the Minister for Railways:

(1) What action is being taken to eliminate the hold-up of road traffic which now occurs regularly at the Fitzgerald Street level crossing on the standard gauge railway line at Northam?

(2) If no action is yet in hand, when is remedial action likely to be commenced and also completed to eliminate the existing time-consuming delays to hundreds of users of motor vehicles at that point?

Mr. O'CONNOR replied:

(1) To improve the position at this level crossing it is proposed to extend the southern platform at the Northam station in an easterly direction by 350 feet. This will avoid the necessity of trains standing foul of the crossing.

(2) It is expected to commence this work early in September and work should be completed in approximately two months.

HOSPITAL AT NORTHAM

Tenders and Completion

7. Mr. HAWKE asked the Minister representing the Minister for Health:

(1) Have tenders yet been called for the construction of the proposed regional hospital at Northam?

(2) If not, when are they to be called?

(3) What is the approximate date on which actual construction work on the regional hospital is likely to commence?

(4) What is the estimated period considered to be necessary to complete all construction work in connection with the project?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) It is planned to advertise tenders on Saturday, the 18th November.

(3) Approximately the middle of February, 1968.

(4) Two years.

KIMBERLEY FINANCE CORPORATION PTY. LTD.

Flats at Belmont: Refusal of Permit by Shire

8. Mr. TONKIN asked the Minister representing the Minister for Local Government:

(1) In connection with the proposal in 1965 by Kimberley Finance Co. to erect flats in Great Eastern Highway on land shown on plan 1638, folios 165 and 107, on what date was permission refused by the Belmont Shire Council?

(2) On what date was an appeal against the shire's decision lodged with the Minister for Town Planning?

(3) Was the shire advised of the lodging of the appeal?

(4) If "Yes," on what date?

(5) On what date was the appeal decided and upheld?

(6) On what date was the shire advised that the appeal had been upheld?

Mr. NALDER replied:

(1) The 24th March, 1965.

(2) On the 7th May, 1965, an appeal was lodged by Landall Construction and Development Co. Pty. Ltd., to the Minister for Local Government under section 374 of the Local Government Act.

(3) Yes.

(4) The 11th May, 1965.

(5) The appeal was decided on the 21st May, 1965. It was not upheld.

(6) On the 21st May, 1965, the shire was advised of the rejection of the appeal.

Mr. Tonkin: The appeal was upheld.

ROAD WIDENING

Acquisition of Land at Belmont

9. Mr. TONKIN asked the Minister for Works:

(1) In connection with certain road widening proposals affecting land owned by Landall Construction and Development Co. Pty. Ltd. and Kimberley Finance Co. on Great Eastern Highway, shown on plan 1638 folios 165 and 107, what was the area of land acquired by the Main Roads Department for which $36,000 was paid to the owners?

(2) On what basis was the amount of $36,000 calculated?

Mr. ROSS HUTCHINSON replied:

(1) 3 roods 14.6 perches was the total area from the frontage of Lots 1, 2, 3, and 4.

(2) $36,000 was the amount claimed by the Landall Construction and Development Co. Pty. Ltd.; and a valuation was obtained from a sworn valuator to confirm the price requested.

SEWERAGE AND DRAINAGE

Scarborough, Osborne Park, Yokine, and Maylands: Deferment of Building Permits

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

(1) Is he aware that the Council of the Shire of Perth has found it

necessary to seek approval to amend its health by-laws so as to prohibit the erection of a building containing more than two dwelling units on any land within certain areas totalling approximately 2500 acres in its district including such localities as Scarborough, Osborne Park, Yokine, and Maylands, unless there is available a sewer constructed under the provisions of the Metropolitan Water Supply Sewerage and Drainage Act, into which that land is capable of being drained and to which drains and fittings of the building may be connected?

(2) What programme and timetable has the Metropolitan Water Supply, Sewerage and Drainage Board to cater for the requirements of these areas?

(3) Will he arrange for an urgent examination of the problem in view of the fact that the present circumstances could result in the indefinite deferment of many thousands of much needed units of accommodation?

Mr. ROSS HUTCHINSON replied:

(1) Yes. The board believes that this situation has been brought about primarily by difficulties experienced by the shire in regard to controlling high density development of land unsuitable for building due to a high water table, and not specifically from the lack of sewerage facilities.

With the exception of these wet areas, soil conditions in the area covered by the Shire of Perth are suitable for the installation of septic tanks.

(2) The Metropolitan Water Board has approved a scheme for the sewering of Scarborough at an estimated cost in excess of $10,000,000. Provision has been made for this work to commence in the current financial year.

Provision has been made to extend the existing sewered area in Maylands this financial year, and work will commence shortly. This will include some of the wet area.

Sewering of other wet pockets in the areas referred to, such as Innaloo and the fringes of Herdsman Lake, if to be used for high density development will be dependent on the board diverting funds from other urgent projects, or the finance being obtained from other sources.

Pockets in Osborne Park and the large Yokine area, including Dianella, cannot be provided with sewerage back to the existing sewerage system and should await the development of the northern scheme which is being designed. Construction of the northern scheme will be dependent on future availability of funds.

(3) The problem has already been examined and discussed with the Shire of Perth.

Provision of sewerage for the wet areas referred to is largely a matter of finance and the Metropolitan Water Board has already suggested to the shire that a town planning scheme be brought down to cover these areas, and, under this, developers and other interested parties can make financial contributions to the cost of sewering these areas, which, due to soil conditions, will be high.

FISHERIES ADVISORY COMMITTEE

Report on Industry at Shark Bay

11. Mr. NORTON asked the Minister representing the Minister for Fisheries:

(1) Has he received the report of the Fisheries Advisory Committee in respect of the fishing industry at Shark Bay?

(2) If so, will he table the report?

(3) If not, will he table the report when it is received by him?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Answered by (1).

(3) The committee's submission will be tabled when received.

SHARK BAY SALT PTY. LTD.

Leases of Inlets, Loops, and Bays

12. Mr. NORTON asked the Minister for Lands:

(1) How many inlets, loops, or bays have been leased to Shark Bay Salt?

(2) What are their names and what is the individual acreage?

(3) Have any further inlets, loops, or bays been applied for; if so, what are their names and their total acreage?

Mr. BOVELL replied:

(1) The one area leased and the three areas held under Mining Act temporary reserves are delineated on the plan which it is requested be tabled for one week.

(2) The locality names are indicated on the plan and the acreages are as follows:—

(i) Special Lease 3116/3415 (under Land Act)—4,888 acres.

(ii) Temporary Reserve 4172H (under Mining Act)—6,000 acres.

(iii) Temporary Reserve 4173H (under Mining Act)—10,000 acres.

(iv) Temporary Reserve 4174H (under Mining Act)—8,000 acres.

(3) No further applications have been made to the Lands and Surveys Department.

The plan was tabled for one week.

Lease of Island for Stockpiling

13. Mr. NORTON asked the Minister for Lands:

What is the name of the island leased to Shark Bay Salt for the stockpiling of salt from Useless Loop?

Mr. BOVELL replied:

Slope Island.

14. and 15. *These questions were postponed.*

TIMBER

Hawker Siddeley Building Supplies: Leases, Royalties, and Permissible Intake

16. Mr. ROWBERRY asked the Minister for Forests:

(1) What is the extent of the leases of forest land held by Hawker Siddeley Building Supplies?

(2) What royalty per load do Hawker Siddeley Building Supplies pay?

(3) Does this royalty cover marri or redgum?

(4) If not, is it the intention of the Government to review these royalties?

(5) Do the leases granted to Hawker Siddeley Building Supplies give the company the right to exploit all timber on the leases?

(6) What percentage of permissible intake does Hawker Siddeley Building Supplies cut at present on the mill sites at Deanmill, Shannon, Pemberton?

(7) In the light of the performance of the new saw mill at Pemberton (described as the most modern mill in the southern hemisphere) does the Government have full confidence in the ability of Hawker Siddeley Building Supplies to install machinery capable of fulfilling the terms of an export contract for wood chips?

Mr. BOVELL replied:

(1) and (2)

Locality	Area Acres	Royalty per load
Shannon River	133,820	$2.65
Pemberton	72,811	$2.80
Kent River	39,340	$2.60
Buckinghams	86,833	$3.35
Banksindale	135,978	Part 1—$3.38 Part 2—$3.10
Dwellingup	31,450	$4.25
Worsley	42,873	$3.60
Deanmill	118,474	$2.85

(3) No.

(4) A review has not been considered.

(5) No.

(6) Deanmill—98 percent.
Shannon—88 percent.
Pemberton—63 percent.

(7) Yes.

17. *This question was postponed.*

MILK BOARD

Membership and Resignations

18. Mr. GRAHAM asked the Minister for Agriculture:

(1) What are the names of the chairman and members of the Milk Board?

(2) When was each first appointed?

(3) When was each last appointed?

(4) When does the term of each expire?

(5) Has there been any advice received of intention to resign?

(6) If so, by whom, at what date, and for what reason?

Mr. NALDER replied:

(1) to (4)

	First Appointment	Last Appointment	Date of Expiration of Current Term
F. J. E. K. Wright, Chairman	1/5/1962	21/12/1962	21/12/1969
A. E. McLeod, Member	21/12/1957	21/12/1966	21/12/1969
H. F. Cook, Member	1/4/1960	1/4/1966	1/4/1969

(5) No.

(6) Answered by (5).

METROPOLITAN MARKET TRUST

Membership and Resignations

19. Mr. GRAHAM asked the Minister for Agriculture:

(1) What are the names of the chairman and members of the Metropolitan Market Trust?

(2) When was each first appointed?

(3) When was each last appointed?

(4) When does the term expire?

(5) Has there been any advice received of intention to resign?

(6) If so, by whom, at what date and for what reason?

Mr. NALDER replied:

(1) to (4)

	First Appointment	Last Appointment	Date of Expiration of Current Term
Mr. F. J. E. K. Wright, Chairman	Sept., 1957	August, 1966	August, 1969
Mr. J. B. Hawkins, Government representative	August, 1960	August, 1966	August, 1969
Mr. A. C. Curlewis, Perth City Council representative	March, 1957	August, 1966	August, 1969
Mr. W. R. Stevens, growers' representative	August, 1966	August, 1966	August, 1969
Mr. J. G. White, consumers' representative	Sept., 1954	August, 1966	August, 1969

(5) Yes.

(6) Mr. F. K. Wright.

The chairman tendered his resignation on the 12th January, 1967, due to pressure of Milk Board duties. He has agreed to my request to carry on for a further 12 months.

SWAN DISTRICT HOSPITAL

Bed Accommodation, Additions, and Nurses

20. Mr. BRADY asked the Minister representing the Minister for Health:

(1) What is the total number of beds available at the Swan District Hospital?

(2) What was the average number of beds occupied to the 30th June last?

(3) Are any plans in hand for additional adult accommodation at the hospital?

(4) If "Yes," when is it likely to be carried out?

(5) What is the total number of trained nurses employed when the staff is at full strength?

(6) How many trained nurses are at present employed at the hospital?

(7) What has been the turnover in trained nurses in the past two years?

Mr. ROSS HUTCHINSON replied:

(1) 77 beds and four cots.

(2) 61.3.

(3) Yes.

(4) It is hoped to call tenders late this financial year and that work will commence in 1968.

(5) 23.

(6) 22 full time and two part time.

(7) 142 per cent. per annum.

IRRIGATION

Dardanup-Boyanup: Survey and Planning

21. Mr. I. W. MANNING asked the Minister for Water Supplies:

What progress has been made with survey work and planning for the provision of water storage and irrigation works to supply water for irrigation purposes to landholders between Dardanup and Boyanup?

Mr. ROSS HUTCHINSON replied:

A number of possible dam sites in the Ferguson River valley have been surveyed.

The most promising of these sites has been surveyed in considerable detail. The information is now being evaluated in relation to the economic benefits which could result from irrigation development of an area between Dardanup and Boyanup.

ESPERANCE LAND AND DEVELOPMENT COMPANY

Sale of Land to American Company

22. Mr. MOIR asked the Minister for Lands:

(1) Is it a fact that the Esperance Land and Development Company has sold 25,000 acres of undeveloped land to American interests to develop?

(2) If "Yes," where is the land situated?

(3) Has the Crown grant been issued to the vendor or purchaser?

(4) If this land has not been sold, under what conditions is this American company holding it?

(5) What is the name of the American company?

(6) What was the date of this transaction?

Mr. BOVELL replied:

(1) I am unaware of such sale.

(2) Answered by (1).

(3) Crown grants are issued only when development required under the agreement Act has been effected.

(4) It is understood a domestic arrangement between Esperance Land and Development Company and the assignor company under the Esperance Lands Agreement Act, 1960, was entered into, providing for the return of certain lands to the original company, but I am unaware of details.

Whatever arrangements may have been made by the company, no Crown grants are available until the terms of the agreement are met.

(5) and (6) I have no information on these matters.

EDEN HILL SCHOOL

Sports Ground

23. Mr. BRADY asked the Minister for Education:

In view of the rumours that the ground normally used for recrea-

tion by Eden Hill School children is likely to be leased by a local sporting body, will he state if a suitable playground site has been secured for these school children to replace Jubilee Park?

Mr. NALDER (for Mr. Lewis) replied:

The department has not secured a playground site to replace Jubilee Park. The use of local authority reserves by school children is a matter for negotiation by the headmaster concerned. To date the school children are still using Jubilee Park and no indication has been given to the headmaster at Eden Hill that the use of Jubilee Park is to cease.

DENTISTS

Ratio to Population, and Trainina Facilities

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

Referring to question 13 of the 17th August, 1967, Perth Dental School—Enrolments and Vacancies—can he advise—

(1) How the present 1 : 2,500 ratio of dentists to population compares with—
(a) other Australian States;
(b) New Zealand;
(c) United Kingdom;
(d) New York State, U.S.A.?

(2) What dentist-population ratio is expected to result from the programmed 290 additional dentists by 1980?

(3) How many, or what proportion of, graduates of the W.A. Dental School are now in practice in Western Australia?

(4) With regard to replies (2) and (4) of the question relating to submissions to the Australian Universities Commission, can he advise—
(a) when will the submission be completed;
(b) when will it be submitted;
(c) how soon after submission may a reply be expected;
(d) how soon after the receipt of a favourable reply can construction be started?

Mr. ROSS HUTCHINSON replied:

(1) (a) Other Australian States: The following are the latest figures available and were obtained in August, 1966:—
N.S.W.—1 : 2,297.
Victoria—1 : 3,137.
Queensland—1 : 2,291.
South Australia—1 : 3,237.
Tasmania—1 : 3,574.
A.C.T.—1 : 1,430.

(b) New Zealand: It is difficult to make a comparison here because of the number of dental nurses who also carry out dental treatment. The most recent figures readily available relate to 1963 and are as follows:—
No. of practising dentists—821.
No. of dental nurses—965.
Total population—2,533,419.

(c) United Kingdom: The number of dentists on the register in January, 1967, was 16,960. The most recent population figure available from the Bureau of Census and Statistics is for 1961, *viz.*, 51,435,567.

(d) New York State U.S.A.: No recent figures are available, but in 1965 there were approximately 15,470 dentists on the register.

(2) It is expected to remain the same, or a little improved. (I refer the honourable member to the reply to question 13 on Thursday, the 17th August, 1967).

(3) 155 students have graduated from the school and 114 are currently in practice in Western Australia. (This figure includes four full-time members of the University teaching staff).

(4) (a) and (b) The University's submission to the A.U.C., which will include the Dental School submission, will be completed and submitted by the 30th November, 1967.

(c) If the Universities Commission follows the normal practice, about September, 1969.

(d) If the University gives it highest priority, construction could commence early in 1970.

MEDICAL PRACTITIONERS AND DENTISTS

Litigation by Patients: Insurance

25. Mr. CROMMELIN asked the Minister representing the Minister for Health:

(1) Are medical practitioners and/or dentists compelled by law to carry

insurance as a safeguard against possible litigation for neglect, etc., by patients?

(2) If so, what is the minimum amount of insurance to be carried?

(3) If not, do they through their respective organisations take such precautions and is there a minimum sum of insurance carried by each practitioner?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Not applicable.

(3) They may on a voluntary basis take out such an insurance. There is no minimum sum.

GAOL OFFICERS

Resignations and Strength

26. Mr. FLETCHER asked the Chief Secretary:

(1) How many resignations were received from gaol officers during the years ended the 30th June, 1964, 1965, 1966, and 1967?

(2) What was the respective strength at each of these dates?

(3) What is the—

(a) present authorised numerical strength;

(b) actual strength;

at Fremantle and at each other individual prison employing gaol officers throughout the State?

(4) What is the present overall strength of gaol officers engaged in State prisons?

Mr. CRAIG replied:

(1) 30/6/1964—25.
30/6/1965—24.
30/6/1966—18.
30/6/1967—28.

(2) 30/6/1964—149.
30/6/1965—153.
30/6/1966—154.
30/6/1967—200.

(3) (a) and (b)

	Authorised Strength	Actual Strength
Fremantle	148	124
Albany	17	17
Bartons	17	17
Broome	7	7
Geraldton	14	14
Karnet	16	16
Pardelup	7	6

(4) 201.

27. *This question was postponed.*

(22)

QUESTION WITHOUT NOTICE

SHEEP FROM SOUTH AUSTRALIA

Inspections for Burr Infestation

Mr. GAYFER asked the Minister for Agriculture:

(1) Is he aware that in a consignment of sheep from South Australia last Monday to one buyer in Western Australia 1,250 were cleared through Parkeston but 950 were held back for reshearing for Bathurst burr although relatively "hot off shears in South Australia"?

(2) In this consignment, sheep branded ED from the same source were amongst the 1,250 cleared and the 950 detained. Would not he think that all the sheep branded ED could be suspect and should have all been shorn?

(3) Of the 950, so far 60 have died following shearing at Parkeston. Could he explain why a check is not made on the South Australian border and the animals' entry into Western Australia barred?

(4) Do the regulations governing unbranded sheep differ between Western Australia and South Australia, inasmuch as unbranded sheep can be brought into Western Australia?

Mr. NALDER replied:

I thank the honourable member for giving me some notice of this question, the answer to which is—

(1) Yes, but two lines totalling 1,076 were held back for further shearing as noxious weeds seeds were present despite relatively recent shearing in South Australia.

(2) The consignment comprised 13 lines all from different properties. The main line of 960 marked only with a reversed red "4" on the back was held to remove Bathurst burrs. Horehound was found on a line of 116 marked "ED" on the rump with a "4" in the middle of the back, but not on a further line marked "Eq" (reversed D) on the rump with no additional marking. These lines were declared as coming from different properties.

(3) Losses in the consignment of 2,200 were—
On arrival at Parkeston—15 dead.
Afternoon of arrival—4 dead.
Second day after arrival—4 dead.

All deaths occurred among lightweight lambs in poor condition.

The establishment of a rail check point on the South Australian border has been considered but is not practicable.

(4) South Australia does not enforce the Brands Act and South Australian brands do not often appear on introduced sheep. However, all introduced sheep bear some identifying agent's mark.

BILLS (2): INTRODUCTION AND FIRST READING

1. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.
   Bill introduced, on motion by Mr. Ross Hutchinson (Minister for Water Supplies), and read a first time.
2. Taxi-cars (Co-ordination and Control) Act Amendment Bill.
   Bill introduced, on motion by Mr. O'Connor (Minister for Transport), and read a first time.

LOTTERIES (CONTROL) ACT AMENDMENT BILL

Second Reading

MR. CRAIG (Toodyay—Chief Secretary) [2.45 p.m.]: I move—

That the Bill be now read a second time.

This Bill is one which was classed as a privilege Bill. I suppose I should thank the Premier for allowing me the opportunity to introduce it. The measure is one which could be considered as being of a minor nature but, nevertheless, it is very important, in so far as certain organisations are concerned, particularly those of a charitable nature. The measure refers to the operation of a device, as quoted in the Bill, commonly known as a chocolate wheel. The Bill seeks to legalise this form of game of chance which, in actual fact, is illegal at the moment.

I do not suppose members have a copy of the Act in front of them, so in order that they may appreciate what is involved I shall quote the relevant section.

Mr. Bickerton: This is not a Bill for the benefit of the Swan Districts Football Club, is it?

Mr. CRAIG: I think we had better be careful about this subject because I could name a few other clubs.

Subsection (1) of section 18 of the Act reads as follows:—

> The Commission may grant a religious body or charitable organisation a permit to hold any guessing competition, raffle, or art union, in connection with any bazaar or fair proposed to be held by the religious body or charitable organisation, on such terms and conditions as it may think fit to impose.

Subsection (2) is as follows:—

> Where the permit is granted the provisions of section twenty-two of this Act apply.

Section 22 of the Act, in brief, states that notwithstanding the provisions of the Criminal Code or the provisions of the Police Act, if a lottery is conducted by any person pursuant to a permit, no person is subject to any penal consequences under those Statutes by reason of being a subscriber or contributor to, or carrying on or conducting the lottery. Subsection (3) of section 18 states—

> In this section the expression "charitable organisation" means any organisation which in the opinion of the Commission has for any of its objects the raising of money for charitable purposes or for the promotion and advancement of social welfare, including public recreation and sport.

This, in effect, means that the commission may grant permission to charitable organisations and the like to conduct an art union or a day lottery, or a similar form of lottery. The Bill seeks to add the words—

> or to operate a device commonly known as a chocolate wheel.

I think the definition of chocolate wheel can be correctly interpreted by members, but I sought the opinion of the parliamentary draftsman in this connection because I felt what was intended by the inclusion of this particular game of chance should go on record. As the name suggests, the chocolate wheel was originally used as a game of chance for the distribution of prizes in the form of chocolates on payment of some small entry fee.

The expression now is something of a misnomer, as prizes, with the exception of money prizes, are now given. The prizes are many and varied. The organisers of fetes and similar affairs rely for the most part on the generosity of tradespeople and wholesalers to donate prizes. The legal interpretation of "chocolate wheel" is—

> The device consists essentially of a circular board or disc, divided into equal sections, generally numbered from one to 20. The board or disc can be spun on an axis by hand and the position at which it comes to rest determines the winning number. Entrants who have prior to that, been sold numbers by way of a numbered bat, ticket, or similar means, succeed according to the chance of their number being thus fortuitously determined. An alternative operation of the device is that of having a disinterested person

throw a dart at the spinning board, thus determining the successful number.

As games of chance go, the device is comparatively innocuous as entrants pay only a small amount and, at the same time, the organisers, if they succeed in filling the game by selling all the numbers, are rewarded for their efforts.

I am also told that a cynical view of persons attending charitable fetes and such-like is that they go there expecting to be robbed for a good cause, and the chocolate wheel is one of the milder means by which this is effected. Indeed, I am sure that you, Mr. Speaker, and other members on many occasions in the past have assisted charitable and other organisations in the operation of these chocolate wheels.

Mr. Sewell: Any permission given would be at the commissioner's discretion.

Mr. CRAIG: This is so, and I will briefly explain that point in a moment. I draw attention to the provisions of the Police Act and, in particular, to subsection (6) of section 66 which reads—

> Every person playing or betting at thimblerig—

I interpolate here to say that I would be grateful if anyone could tell me what thimblerig is. To continue—

> —or at or with any table or instrument of gaming, other than a totalisator lawfully permitted to be used, or at any unlawful game, or at any game or pretended game of chance in any public place, to which the public (either upon or without payment for admittance) have or are permitted to have access.

In effect, this means that they commit an offence. Therefore, the fact is that a game of chance by the device commonly known as a chocolate wheel is an illegal game. However, over the years the Commissioner of Police has taken no action against those organisations which have conducted this game at charity fetes, and similar functions.

Mr. Davies: The commissioner has been issuing permits, hasn't he?

Mr. CRAIG: Yes. What I am saying is that he has not taken any action against those who have conducted chocolate wheels. In fact, he has even gone to the extent of issuing permits. This is a policy which has been followed by successive commissioners down through the years.

In more recent times the commissioner has been inundated with requests for permits. This might be because there are more fetes, bazaars, gymkhanas, and similar functions being conducted, and it may be because the organisers of the different groups—whether they be charitable or otherwise—realise the value of being able to conduct a chocolate wheel. As a result, the commissioner has had more or less to draw a line of demarcation as to who should be entitled to receive such a permit.

To a degree it has been unfortunate that some organisations have been refused this permission. Quite a number of members on both sides of the House have made representations to me to have the decision reversed in order that these organisations, which in every case are very worth while, should be able to adopt this means of raising money for the particular purpose which they serve.

I explained the position to them, but I did point our that, on review, it would be possible that amending legislation would be introduced this session. I am now fulfilling part of my promise.

It was felt that the Police Act possibly could be amended to cover this situation. However, I think it will be realised that this is not the desirable approach to the problem; because, in effect, the commissioner is responsible for the enforcement of the law and it would place him in the position of deciding which organisations are worthy of such a permit. It is considered that the Lotteries Commission, itself, is in a far better position to assess the value, or otherwise, of any applications received for the operation of a chocolate wheel.

Therefore, the Bill proposes to amend the Act on these lines; namely, the Lotteries Commission will consider applications, and the applications will be made in the normal way as they would be for a day lottery or a normal lottery conducted by charitable and other organisations.

Therefore, I trust this Bill will have the support of all members, because I am sure they realise what a valuable means it is to so many organisations to raise funds for their own particular cause. Also, we should bear in mind that so many of these charity fetes, church bazaars, and the like, are only small affairs where there is very little entertainment provided other than the good old chocolate wheel which, I consider, contributes greatly towards the success of the events.

Debate adjourned, on motion by Mr. Brady.

EVAPORITES (LAKE MACLEOD) AGREEMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [2.59 p.m.]: I move—

> That the Bill be now read a second time.

The Bill which is now before us is to ratify an agreement dated the 16th February, 1967, between Texada Mines Pty. Ltd. and the Government of Western Australia.

The agreement has some special features which will be of interest to members, quite apart from the fact that it gives us the possibility of bringing into production an

area which was previously thought to be of no economic value. The agreement contemplates the establishment of a potash industry based on the evaporite deposits at Lake MacLeod, north of Carnarvon.

Lake MacLeod is very large, being approximately 80 miles long and it is about 30 miles north of Carnarvon. Those who have flown over the area will realise it remains in sight for a long time; if one is flying in a DC3 it is in sight for well over half an hour. I want to stress that the Bill is to ratify an agreement which contemplates, rather than provides for, the establishment of a potash industry, because the company still has to carry out considerable research to prove, beyond doubt, that the Lake MacLeod brines will yield potash as a commercially viable operation.

The company was granted a temporary reserve over the area, under the provisions of the Mining Act, in June, 1965, and between that date and February of this year it has carried out a considerable amount of exploratory work to determine the extent of the reserves of evaporites and their ability to yield brine for processing. This work is to increase within five years so that production can be of the order of 200,000 tons of potash per annum.

Under the agreement now to be ratified the company is granted a further two years to carry the experimental work to a stage where potash will be produced in a semi-commercial plant. Simultaneously with the experiments to prove production methods which, incidentally, are the subject of patent rights held by the company in Peru, investigations will be undertaken to determine—

- by a thorough geological and geophysical investigation the extent of the evaporite deposits;
- the best route from the production site to the seaboard for development of a heavy duty road or railway;
- the most suitable design and location for a wharf;
- source of water for the mining areas;
- dimensions and location of stockpile area;
- and markets.

On completion of this two-year period of further study the company is to submit detailed proposals for the establishment of a full-scale commercial plant and associated facilities capable initially of producing and loading into ships 75,000 tons of potash per annum which, within five years, will be expanded so that it will be possible to produce and load into ships 200,000 tons of potash per annum. The plant and all facilities are to cost an estimated sum of not less than $13,000,000.

That is the broad concept of the agreement, and at this stage I will digress a little to give members more background information on potash, Lake MacLeod, and the investigations undertaken to date. At the present time all the Australian requirements of potash are imported. For the year 1965-66, Australian imports of muriate of potash were valued at $2,371,487, representing 75,000 tons. New Zealand's imports in the same period were 170,000 tons. By 1970 it is expected that Australia will be using 100,000 tons per annum and that New Zealand's consumption will have risen to 200,000 tons per annum. It will also be of interest to members to know that Japan currently imports 1,000,000 tons of potash—that is the figure for 1965-66—and importers in that country estimate they will require 1,300,000 tons by 1970.

The agreement provides that the company will use its best endeavours to have potash available at all times for sale in Western Australia and the Commonwealth. Therefore the company will not only be making a contribution to Australia's economy by exporting a product for which there is a strong demand, but will also save Australia the outlay of considerable sums in foreign exchange for the purchase of an essential fertiliser used by our primary industries. The interest within Australia is considerable. In fact, I have been very surprised at the degree of interest that has been shown in the Eastern States in this project. In our case we thought of it more in the light of its being an export industry, but quite obviously, since the possibility of this project was announced in the Eastern States, where the demand for potash is likely to increase, interest has quickened.

I have already mentioned that Lake MacLeod is about 30 miles north of Carnarvon, but I would now point out that the area of the Lake bed is approximately 800 square miles. It is about 80 miles long. Some of the background of the lake is of considerable interest and I think it should be recorded. The bed of the lake lies from 10 feet to 12 feet below mean sea level and is flooded to some extent almost every year. The Lyndon and the Minilya Rivers discharge their waters directly into the lake bed, and the Gascoyne River can enter the southern end of the lake during major floods. The lake bed is an absolutely featureless level plain, completely free of vegetation. Even when there is no water, most of the lake bed is soft and will not support conventional vehicles. This has brought some problems to the company which has had to use a special type of vehicle.

The company's geologist is of the opinion that in very recent geologic past Lake MacLeod was a shallow arm of the sea. Sediment brought down by the Gascoyne River when in flood, gradually filled the entrance to the open sea. As the connection became more restrictive the trapped sea water began to concentrate through evaporation, finally reaching saturation, and depositing firstly gypsum, and then common salt. The deposition of 25 feet of these evaporite salts is equivalent to the evaporation of 2,500

feet of sea water indicating that the connection to the sea was partially open for some period of time. Finally the inlet was completely closed off by shifting sand dunes and the bay evaporated to dryness, but it is still subject to periodical flooding by fresh water when the rivers run. Invariably this quickly evaporates leaving the subsurface brines unaffected.

I also invite the attention of members to the fact that although salt is very largely in evidence in the work of the company, in the comments I have made, and will make, it will be seen that this is a different project to the one to be conducted by the Leslie Salt Company of Port Hedland, and that operated by the Shark bay Salt Pty. Ltd. in Useless Loop, Shark Bay. The immediate concern of those two companies is the collection of salt for export by evaporating sea water. The bitterns, which can contain many chemicals, are, in the early stages of the project, returned to the sea.

In the case of the Leslie Salt Company at Port Hedland, later on it will develop a chemical industry for the purpose of processing the bitterns instead of their being poured off into the sea, but this is a major chemical operation. With the Lake MacLeod industry the reverse is the case. During the course of its operations the company has to stockpile the salt to free the potash for export. As a result, in obtaining a production of about 200,000 tons of potash for export per year, the company will handle something like 3,000,000 tons of salt annually. That will be stockpiled in the early stages, but I will mention that again in a few moments.

During the course of its study of the lake, Texada drilled 13 holes. This work disclosed that the lake bed consists almost entirely of gypsum with a core of rock salt in the central part. The total depth of the evaporites in the centre is at least 25 feet. From the information obtained by drilling it is estimated there are approximately 2,000,000,000 tons of common salt in the bed of Lake MacLeod. This quantity of salt could have been produced by evaporating 60,000,000,000 tons of sea water leaving the bittern containing approximately 70,000,000 tons of potassium chloride equivalent in solution.

Part of the study by the company involved the digging of a four-mile long collection ditch, which has been pump-tested with satisfactory results. The company has also determined that in the southern part of the lake there is an area where the ground is naturally impermeable, which would be suitable for development as solar evaporation pans.

I will now refer to the more detailed terms of the agreement. Members will know that the company, if the further investigations it has to undertake produce favourable results, is obliged to submit to the State proposals for the development of the potash deposits including—

details of plant for the mining extraction and loading of potash;
wharf and adjacent worksite areas;
berth at the wharf and dredged channel;
turning basin, etc;
roads, housing and associated facilities;
fresh water and brine supplies;
any other works or facilities proposed or desired by the company; and
satisfactory evidence of the availability of finance.

On acceptance of these the company will be entitled, under clause 8 (1) (a), to a lease with renewals for a term which shall not exceed 63 years. It will also be entitled to special leases of land for a wharf, for an area to be dredged, and for a railway, roads, air strip, etc.

The agreement also provides that the company will progressively make full use of the available reserves of evaporites so that the maximum annual production will be achieved. This is a most important provision in the agreement—in view of the very large size of Lake MacLeod—to ensure that the State has certain rights in respect of part of this area if the company does not, of its own volition, undertake a sufficiently aggressive developmental programme once the project is approved.

It is also provided that the State and third parties may use the company's wharf and facilities upon reasonable terms and at reasonable charges. At the present time it does not appear likely that the company will use the existing jetty at Carnarvon. There is only 16 feet of water available. The jetty structure itself would have to be strengthened and modified, and any dredging to increase the draught available would likely be subject to sedimentation from future floodings of the Gascoyne. No final decision, however, has been made.

Finding a suitable site for the development of port facilities will be one of the major problems of Texada, and a thorough engineering investigation will need to be undertaken.

A royalty of 50c per ton on potash is provided. There is also a royalty payable on salt, although at this stage the company has no immediate intention of marketing this product, even though it is estimated that approximately 3,000,000 tons per annum will be available as a by-product from the production of 200,000 tons per annum of potash. This salt would need some further treatment to be suitable for export.

If the world market for salt improves and Texada is able to negotiate sales, then the royalty payable will be 5c on the first 500,000 tons shipped in any year—that is, 5c per ton—6.25c on the second 500,000 tons, and 7.5c on all tonnage in excess of 1,000,000 tons per year. These rates are identical with those provided in the Leslie Salt Company agreement.

In the future, after the potash project is launched successfully, the company has indicated that other elements contained in the bitterns, such as boron, bromide, magnesium, iodine salts, etc., will be recovered. The royalty payable on such products will be 2 per cent. of the f.o.b. value. It was felt desirable to specify this as a percentage rather than as a figure in terms of cents per ton. At this stage we would not have any reliable information regarding the respective values of these added chemical products.

Under clause 10 (a) the company has the right to lease 150 lots in the township of Carnarvon for the purpose of building houses for employees. Subject to the building of accommodation, the company will be able, eventually, to purchase the lots. All houses needed by the company will be built at no cost to the State. It was considered desirable to encourage the company to think in terms of having its work force resident in the town of Carnarvon, rather than at the mining site.

Under clause 10 (u) there is provision for escalation of rents and royalties, subject to the world market price of potash or common salt. Members will be interested in the current state of the site work.

I am hopeful that out of this agreement Carnarvon will obtain a new industry, producing an essential material which will be used for expanding Australia's primary production, and for export. It will create additional employment opportunities and give the town another basis on which to grow.

Despite flooding of the lake bed, which has persisted since the beginning of the year, the company has made good progress. A one mile square area of crystalliser pans at the southern end of the lake has been constructed. This work involved the placement and compaction of approximately 230,000 cubic yards of material. At the present time there is almost two feet of water over the lake bed. It is expected, providing there are no unreasonable rains, that this will have evaporated by mid-November.

Immediately it is possible to move equipment on site, a 20-mile ditch will be excavated between the crystallising pans and the southern extremity of the lake's salt deposits. Once the ditch is constructed, pumping of brines into the evaporating ponds will commence, and then will follow a 12-month period of experimentation to determine the feasibility of the project. During this period the company intends to have consultants examine possible port sites and other engineering aspects of a commercial full-scale plant.

If all goes well, development of the commercial plant and export facilities could commence early in 1969. I want to emphasise again that in spite of the very encouraging developments that have taken place, the project is, however, essentially at the pilot plant stage only. There is a great deal to be determined both on the engineering as well as on the chemical side of the project; and not the least of the problems is how best to work this area, in view of the unusual nature of its formation, and the difficulties of access to it.

No doubt, during the course of the study of the Bill, members will have some queries they want answered, and I will endeavour to reply to these later in the debate.

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

Message: Appropriations

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

ALBANY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [3.19 p.m.]: I move—

That the Bill be now read a second time.

This amending Bill proposes to make four fairly simple changes to the parent Act. These are as follows:—

(1) to change the title of the authority from the "Albany Harbour Board" to the "Albany Port Authority";

(2) to change the title of the board's executive officer from "secretary" to "managing secretary" and also to enable the board to appoint servants other than senior officers of the board;

(3) to provide for the board to carry out certain harbour works from its own funds; and

(4) to provide the board with the necessary power to acquire land for the purposes of the Act.

The title "Harbour Board" is not felt to be in keeping with modern-day thinking, nor is it entirely satisfactory from a descriptive point of view; for a harbour is generally considered to be a place into which ships sail for protection from the elements, whereas a port is a place where ships are loaded and unloaded and where all the necessary equipment is available for this sort of work. Already the Fremantle authority is known as the Fremantle Port Authority and it is considered that the other port authorities should be brought into line with regard to their names. This change is in keeping with the increasing importance and status of the outports.

The board's secretary carries out a deal of work which is managerial rather than secretarial, as he conducts the day-to-day affairs of the board under the board's

direction. This again is a modern trend, to call an officer holding this position "Managing Secretary" rather than just "Secretary."

It is also proposed in this Bill to enable the board to make its own appointments to its staff, other than senior officers, without having to obtain the consent of the Governor-in-Council. The present method is somewhat cumbersome, and in many cases, including that of the State Public Service, the methods proposed in this Bill have been adopted.

At the present time the board has no authority to carry out harbour works from its own funds. All harbour works and the construction of all new works are deemed to be Government work within the meaning of the Public Works Act, and are undertaken by the Public Works Department. This does not allow the board any real flexibility, and it is considered appropriate that certain small works should be carried out by the board acting on its own authority. A limit to the amount to be spent on any such work is placed at $10,000.

This Bill also provides the board with the necessary power to acquire land for the purposes for which the board was established. At the present moment, if the board wishes to acquire land this has to be done through the Public Works Department; and the land, of course, then belongs to that department. This seems a cumbersome and unreal way for the board to acquire land and, therefore, it is proposed to allow it to acquire land for "port authority purposes" in its own right.

In addition to these four major adjustments, the opportunity has been taken to revise the amount of penalties which can be imposed under the Act to bring them into line with modern values.

The Albany Harbour Board has requested these amendments and there seems no reason why they should not be made. This Bill appears to be a particularly long piece of legislation, but this has been brought about by the consequential changes arising from the necessity to change the name "Albany Harbour Board" to "Albany Port Authority" wherever it occurs in the Act. In fact, the Bill only alters the Act in the manner I have described, and I commend it to the House.

Debate adjourned, on motion by Mr. Toms.

BUNBURY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [3.25 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Bunbury Harbour Board Act is almost identical with the measure I have just introduced to amend the Albany Harbour Board Act. The only alteration that needs to be made is to substitute "Bunbury" for "Albany." The provisions of the two measures are the same. I would like to comment that the Bunbury Harbour Board has also requested this piece of legislation.

Mr. Bovell: This is indicative that the Government gives equal treatment to Bunbury and Albany.

Debate adjourned, on motion by Mr. Toms.

IRON ORE (NIMINGARRA) AGREEMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [3.27 p.m.]: I move—

That the Bill be now read a second time.

This agreement which I am introducing today relates to the mining, transport, shipment, and processing of Pilbara iron and manganese. I emphasise that, like similar agreements, it is merely the authority for the company to proceed with exploration and negotiations for sales, etc., on a basis that the terms and conditions for future development will be clearly understood, if the project proceeds.

Previous agreements ratified by Parliament have, in the main, dealt with the export of iron ore, in the first instance as direct shipping ore, and later secondary processing including pelletisation; and in the case of Hamersley and Mount Newman the establishment of an iron and steel industry.

As in the past it is the aim of the Government to ensure that processing of the iron ore deposits is carried out within the State to the most reasonable economic extent practicable, and in this respect the Nimingarra agreement provides not only for the initial export of iron ore but later for the establishment of a plant for the production of metallised products from iron ore or a plant for the production of ferro manganese. Should the company decide, following completion of its investigations, to establish a plant for the production of ferro manganese this will represent a departure from commitments which other companies have under their respective agreements, and will mean diversification of processing in the mineral field in the north-west of the State.

In explanation I would say that metallised products as defined in the agreement are those resulting from thermal refining of iron ore or concentrates including semi-reduction or other comparable changes in the chemical character of the iron ore or concentrates, whereby the original oxygen content of the iron oxide of the iron ore or concentrates is reduced by 50 per cent. or more. In simple terms this means that the final product is a material that contains metallic iron and could be used either

as feed for a blast furnace or as a replacement for scrap steel in the manufacture of steel.

So far as ferro manganese is concerned, it is defined in the agreement as a metallic alloy which basically comprises manganese and iron but has a content of not less than 16 per cent. manganese. This product would be used in the manufacture of special steels. The agreement provides for processing on a logical programme, the phases of which I will endeavour to summarise.

To deal specifically with the Nimingarra agreement, I should explain that the agreement is with a company known as the Sentinel Mining Company Inc., a company incorporated in the United States of America and registered in Western Australia. This company is a wholly owned subsidiary of National Bulk Carriers Inc., a Delaware Corporation. I think it is more generally known in the public mind as "the Ludwig Agreement" in view of the close association of D. K. Ludwig with the companies I have mentioned.

This agreement is based on deposits at Nimingarra, some 90 miles almost due east of Port Hedland, and deposits at Mt. Rove, which are situated approximately 180 miles south-east of Port Hedland.

The phases to which I have referred are similar to those provided in previous agreements and could be described as investigation, export, and secondary processing. The company's commitments under these respective headings may be briefly summarised as follows:—

Since November, 1963, the company has spent in excess of $3,000,000 on—

(a) a geological and geophysical investigation of the iron ore deposits and the testing and sampling of such deposits at Nimingarra;

(b) a general reconnaissance of the various sites required for the operations proposed under the agreement;

(c) an engineering investigation of a route for a railway or road or other appropriate form of transport from Nimingarra—known as mining area "A"—to the port and wharf installation for the export of iron ore;

(d) an engineering investigation of a port site at a location to be mutually agreed on, the most likely site being near Cape Keraudren some 80 miles north-east of Port Hedland. As is usual in these agreements any location finally agreed upon will have regard to the proper development use and capacity of the port as a whole by parties other than the company;

(e) an investigation of suitable water supplies for the townsites and port;

(f) the planning of a suitable townsite in consultation with the State but again having regard for the general development of the port and the deposits townsite for use by others as well as the company; and

(g) metallurgical and market research.

The first phase of the agreement, concerned with investigation, will lead to the submission of plans and proposals by the 30th September, 1967—or agreed later date—for overseas export of iron ore of not less than 2,000,000 tons in the aggregate in the first three years and not less than 1,000,000 tons thereafter in satisfaction of a required contract of not less than 10,000,000 tons.

Following the investigational period, export along the lines I have indicated is required, and investment must not be less than $25,000,000 on all the facilities needed for iron ore export. These include a port to enable the use of the wharf by vessels having an ore carrying capacity of not less than 60,000 tons, but at the option of the company expandable to enable use by vessels having an ore carrying capacity of 240,000 tons.

I should add that Mr. Ludwig is, of course, famous throughout the world for his actions in anticipating most other people in developing very large tonnage bulk carriers, particularly in respect of liquid cargoes such as petroleum. This provision in the agreement has been inserted at the request of the company, although the Government has the feeling that whilst big bulk carriers will be the order of the day, it looks as though the general consensus of opinion in industry is that the carriers will be somewhere between 70,000 tons and 120,000 tons, as carriers of this size are more suitable for dry cargo.

I do not want to mislead the House on this point and I am not suggesting the bigger bulk carriers will not be the order of the day for liquid cargoes such as petroleum, but they are not so suitable for dry cargo such as iron ore and the like. With a larger carrier there are many advantages when dealing with a liquid bulk cargo such as petroleum.

With the bulk carriers of 200,000 tons and over, there are different problems when dealing with dry cargoes. For instance, when a large bulk carrier is handling a liquid cargo such as petroleum, some of its cargo can be transferred at sea to other transporters much easier than is the case with dry cargo. Already there are cases where these big carriers come within a few miles of some of the big

ports, but the ports cannot take the full 200,000 tons capacity. With these large carriers, part of the cargo is unloaded to tankers which are met at sea; and when the carrier is riding high enough it can go into the port with the balance of its load.

Initially, the company may construct either a railway or a road, or use some other appropriate form of transport, for transport of the ore from the mine townsite at Nimingarra to the port, a distance of some 40 miles; but, as later phases of the project develop, the company will be required to build a railway in excess of 160 miles in length from Mt. Rove in mining area "B" to Nimingarra, and thence to the port.

As is normal with these agreements the company is also required to construct towns complete with power and water at the mining and port sites, ore extraction and handling facilities, and roads. The company should be ready to begin exports within three years after its proposals have been approved by the Government, but there are provisions for reasonable extensions of time.

So far as processing is concerned, I would like to state that after initial export the company may apply for rights of occupancy of mining area "B" including the right to search and prospect for iron ore, manganiferous ore, and manganese ore, and continue its preliminary exploration and investigations preparatory to making a complete and thorough geological and—as necessary—geophysical investigation of the area. This investigation must be completed within two years following the date of the agreement. The investigations must also include a general reconnaissance of the mining area with a view to establishment of various sites required for the purposes of the agreement.

After completion of the investigations I have referred to, the company may within three years from commencement date apply for a mineral lease in respect of mining area "B." The mineral lease must not be in excess of 300 square miles, plus an area equivalent to some mineral claims for manganese then held by the company.

With its application for this second mineral lease, the company must submit detailed proposals for the establishment of a plant for the production of metallised products or a plant for the production of ferro manganese requiring investment of not less than $15,000,000 for the metallised products plant and not less than $8,000,000 for the ferro manganese plant. The metallised products plant must be capable ultimately of processing not less than 750,000 tons of ore per annum with progressive increase in capacity from not less than 250,000 tons of ore during year five to 750,000 tons in year 11.

If the company elects to construct a ferro manganese plant instead of a metallised products plant, this plant must be capable ultimately of treating 150,000 tons of ore per annum with progressive increase in capacity to process not less than 50,000 tons during year seven to 150,000 tons in year 13.

If the State can be shown that the tonnages required cannot be treated on an economic basis at any particular time, it may temporarily reduce these figures to not less than 375,000 tons in the case of metallised products, and not less than 75,000 tons per annum in the case of the ferro manganese plant.

There is also a provision in the agreement for progressive increase back to the maximum tonnages on a revised programme.

Mr. Bickerton: Has the Government satisfied itself there are sufficient reserves of manganese to allow the export of the quantities that will be required under this agreement?

Mr. COURT: That is something that cannot be answered definitely, because the company has a large amount of work to do to satisfy itself that the quantities of iron ore, manganiferous ore, and manganese ore are present there to justify its going on with the project.

This is part of the exercise it has to do. Quite apart from any other consideration this company in particular has spent an extraordinarily large sum of money on exploration. It has already spent over $3,000,000 on its works to date, which is in excess of its commitment for exploration work. Neither the company nor the Government disguises the difficulties in the exploration and eventual proving of this area, and particularly area "B." It will be something of a triumph if this company can find deposits of the right grades and types in area "B" to justify going on with the commitment envisaged in this agreement.

It is not an easy area, and this statement is confirmed by our own geologists as well as the company's people; but we are encouraging the company. After all it is costing the State nothing for this exploration work to be done and the company is applying itself with considerable energy to try to prove the area. Expressed another way, the project will not go on unless the company satisfies itself and the Government that the required tonnages are there. This is basic to the company's investment.

The reason for the qualifications I mentioned before I answered the query raised by the member for Pilbara is related to the fact that investigations are not at the present time sufficiently advanced to guarantee supply of the requisite quantity of ore to meet these commitments.

When submitting its proposals in respect of a metallised products plant or a ferro manganese plant, the company must

include proposals for additional port development as may be necessary, including expansion of the port for the use by vessels having an ore-carrying capacity of not less than 100,000 tons, additional dredging, additions to wharf, berth, swinging basin, and port installations and facilities.

The company must also submit proposals for a railway between mining areas "B" and "A" and thence to the port if a railway is not already in existence between these later points. Members will appreciate that between Nimingarra and the coast is a very short distance and it may be initially that a railway is not justified and that some special other type of transport would be preferable. However, when the company goes back to area "B" a railway is obligatory not only from area "B" to area "A," but also from area "A" to the port.

The proposals must also cover a townsite on mining area "B" and, if necessary, for extension of the townsite on mining area "A."

It is important to note that should the company not apply within three years from commencement date or cease to be entitled to apply for a mineral lease in respect of mining area "B," it will not have any rights or interests in respect of mining area "B"—other than in respect of mineral claims acquired by it apart from the agreement—and the agreement will continue for a period of 21 years from the export date or until the company has mined all the available iron ore from the mineral lease in respect of mining area "A," whichever later happens, or until the agreement is determined. The reasons for this will be apparent to members who study the project in detail. The idea is that if the company does not prove that area "B" can be satisfactorily developed, then it will lose all its rights to this, and the whole agreement has a fixed term during which the company can operate on area "A."

The company is not permitted to produce from the mineral lease more than 3,000,000 tons of ore—other than locally used ore—in any year without consent of the Minister. If, however, the quantity of ore mined in any financial year after three years from the commencement date and shipped for export is less than 500,000 tons, then the State may, within a period of six months following expiration of that financial year, give notice to the company that it intends to determine the agreement if in that financial year and the next two succeeding financial years the tonnage of ore shipped is less than 1,500,000 tons. This is entirely to ensure that the company does effectively work the deposits.

To ensure that revenue from products of either type of plant—metallised products or ferro manganese plant—is at least the same, the agreement contains a provision that if a plant for production of metallised products is not constructed and instead a plant for the production of ferro manganese is constructed, the ferro manganese plant will be of such capacity that it will provide for products including ferro alloys and ferro manganese that beginning with year seven after the Minister's approval the sale of products will result in gross revenue equal to, or greater than, that which would have resulted from the production and sales of a metallised products plant. This is to protect the economic value to the State of the alternative methods.

By way of amplification, the capital investment expected in these two types of production is considerably different. One is expressed in terms of not less than $15,000,000, and the other not less than $8,000,000. However, to ensure the economy of the State is not detrimentally affected by one method being adopted in preference to the other, the final result has to be, for all practical purposes, of the same economic value to the State, whichever method is selected.

Mr. Bickerton: Are you tabling a locality plan?

Mr. COURT: Yes.

Sitting suspended from 3.45 to 4.4 p.m.

Mr. COURT: Before the afternoon tea suspension I explained why the agreement provided for an equivalent economic return with regard to the two methods used. They are the metallised products and the ferro manganese products.

Royalties are the same as in other iron ore agreements previously ratified and cover the fields of direct shipping ore, fine ore, and fines, with the addition that royalties on manganiferous ore and manganese ore is at the rate of 15c per ton. There is, however, one very important change which provides for the State to receive increased royalties to the extent of a further 50 per cent. on direct shipping ore and slightly more than 50 per cent. on fine ore if by the end of the sixth year from the date of the agreement the company has not in production a plant for the production of metallised products or a plant for the production of ferro manganese. This means that the direct shipping ore royalty will be increased from the usual 7½ per cent. and 60c minimum to 11¼ per cent. with 90c minimum, and in the case of fine ore from the usual 3¾ per cent. with 30c minimum to 5¼ per cent. with a minimum of 46c.

In addition to the increased royalty payable, the company, if it fails to establish the secondary processing plants referred to by the end of the sixth year, must pay to the State a lump-sum royalty equivalent to a further 50 per cent. of the total sum paid as royalty in respect of iron ore shipped or sold by it up to the end of the sixth year. It will therefore be seen by

imposing this penalty in respect of royalties the State is pursuing its policy of encouraging companies to proceed to secondary processing.

The company will also be charged a rental for its chosen mineral leases—which can be slightly in excess of a maximum total area of 600 square miles—from its existing 2,626 square miles of temporary prospecting reserves. Rents would range from 36c an acre for the maximum area down to 20c for less than 100 square miles. This is to encourage contraction of areas. The company has not as yet submitted a firm proposal for a port site, but it is expected that when this is submitted the operation will be based at or near Cape Keraudren. Currently the company is awaiting advice from the Commonwealth concerning its application for an export license. However, exploration work is going ahead on mining areas "A" and "B" where three drilling rigs are at present engaged.

In addition to exploration, metallised test work is proceeding both in the Amdel laboratory in Adelaide and in a research laboratory in Cleveland, Ohio. Upgrading tests on medium grade ore—this is ore well under 60 per cent. Fe—are proceeding also in the Amdel laboratories and in the Lurgi laboratory in Frankfurt, Germany. Design study contracts have been let to the Netherlands harbour works and these involve the design, followed by a feasibility report on marine structures required for the Nimingarra project. A similar design contract has been let to the Utah Construction Co. for railways, crushing and screening plant, and stockpile and materials handling facilities.

All this means that the company has been vigorously pressing its research and exploration work and has, I think, shown commendable tenacity in trying to find out the real value of area "B." Area "A" is, of course, a much more simple area and does not contain a large quantity of ore by the standards we know in our north. It is a deposit which is fairly close to Mt. Goldsworthy and, in round terms, contains about 20,000,000 tons of exportable ore. However, the main value to the State is the success the company might achieve in area "B." It is a difficult and complex mineral area and if the company is successful in its work and can get to ferro manganese, it will be more important than having a pelletising industry, because of the greater diversity in our mineral processing.

Mr. Bickerton: Referring to royalties, is there any difference in this agreement? In the other agreements which have been signed, the royalty was considerably reduced for fines. There is great difficulty experienced in selling fines, but since Mount Goldsworthy has been operating, that company has sold a considerable quantity. Is there any adjustment in this regard?

Mr. COURT: There are three types of royalties. There is the direct shipping type of 7½ per cent., with a minimum of 60c. In other words, if the value of ore inflates, we follow it with higher royalties, but the royalties never fall below 60c.

In the case of fine ore, which in the commercial trade is known as "fines" and which is usually referred to in the Press as "fines" but we define it as "fine ore," we get 3¾ per cent. or 30c, whichever is the higher. There is another definition in our agreements for fines, which refers to ore below 60 per cent. That carries a standard royalty throughout Australia, and is the same as for ore used for actual processing within Australia.

Mr. Bickerton: Has any of that ore been exported?

Mr. COURT: Just a little. I think Hamersley Iron Pty. Ltd. was successful in getting an initial order for some ore below 60 per cent. That company was able to sell some overburden ore as low grade ore. There is not very much demand for that ore. In the main, it has to be upgraded. We hope that most fines will be upgraded to pellets. The companies do not like shipping ore below 60 per cent. these days when there is so much ore available throughout the world which is plus 60 per cent.

Mr. Bickerton: Why is there a variation from 30c to 60c for the two types of ore?

Mr. COURT: Because there is a very big difference in the selling price. The two ores sell at different prices, and this is acknowledged commercially.

Mr. Bickerton: We are sending a lot of fines from Port Hedland.

Mr. COURT: This is so, and it is necessary to sell some fine ore; otherwise there is a disparity in the mining practice and stockpiles. Members will notice that the price for fine ores—which, in commercial terms, are known as fines—is much lower than the price for lump ore. This lower royalty reflects partially these different prices. One could not expect to obtain the full direct shipping ore royalty rate on fine ore. In our own case, we will, of course, be processing quite an amount of the fine ore within our own State. Next year Hamersley Iron Pty. Ltd. commences the processing of fine ore through its pellet plant, and this is something which we want to encourage. Two million tons of ore in pellets will be based on some of the fines, but we have to be prepared to sell some fines to the iron and steel industries of the world.

I would like to digress slightly before I conclude, because what I have to say is relevant to the honourable member's question. The whole of the emphasis in our research work is on metallising. We had to negotiate all these agreements on the basis of getting the companies into

production as quickly as we could. This meant the construction of the mines, towns, railways, and ports. It was therefore logical to allow some cash flow to generate through the export of ore. There is a programme in all the agreements for us to proceed by logical phases through pellets, and then to more advanced forms of processing. It is our conviction that the trend in the world in the future will be towards the export of metallised products from countries such as our own. This could take one of several forms. The most likely form is metallised agglomerates. Hamersley Iron Pty. Ltd. is one of the leaders in the world with respect to research in this field. I think it will be exporting metallised products much quicker than anyone expected, and certainly ahead of any of its competitors.

As a result of research and advice throughout the world, in our opinion this will set a new method in the buying pattern of the steel industries of the world in countries which do not have indigenous raw materials such as, in particular, countries like Germany, Britain, and Japan. Obviously they cannot go on bringing in these huge quantities of ore and coal with all the space problems they have. Gradually these industries in countries which do not have indigenous raw materials are coming around at least to talking with us on the question of metallised agglomerates for the future. This could be the greatest single development that takes place in the north as a result of the iron ore developments.

Had I been asked three years ago when this was likely to commence, I would have said, "Not until the 1980s at the very earliest." However, it is reasonable to assume that this will happen in the early 1970s, and as early as 1972 or 1973.

From an economic point of view, this is the most important part of our research work at the present time. It is largely because of this that there is a lower royalty for the ore that is processed in our own State. I consider this is logical, because the economic gain to the State from the processed ore, especially in metallised agglomerates, can be considerable.

There is another advantage of the metallised agglomerates, and, that is, they do not require coking coal. They can be processed with ordinary steaming coal, such as is available at Collie. In spite of the adverse criticism I received in connection with this subject, a lot of work is being done by the Government in conjunction with Hamersley Iron Pty. Ltd. to work out the economics of Collie coal as part of the fuel needs for Hamersley metallised agglomerates early in 1970. One has to realise that the iron and steel industry changes its buying habits rather slowly, because the very nature of the investments in blast furnaces and plants is a colossal one. It takes approximately a generation to change buying habits in any one aspect.

In connection with this subject, we have seen that the Japanese steel industry was very slow to react to pellets, but now it has started to buy, it is buying in ever-increasing quantities. This is a worldwide trend. Once the production of metallised agglomerates and/or some equivalent commences, I think this will set a new pattern of buying in the steel industry over a generation. I am referring, as I said before, to countries which do not have indigenous raw materials. This will not apply to North America which has practically everything; it has iron ore, coal, and plenty of power and water.

In moving the second reading of this Bill, I would like your permission, Mr. Speaker, to table plans of mining areas "A" and "B" which are referred to in this agreement.

The plans were tabled.

Debate adjourned for one week, on motion by Mr. Bickerton.

Message: Appropriations

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

INDECENT PUBLICATIONS ACT AMENDMENT BILL

Second Reading

MR. CRAIG (Toodyay—Chief Secretary) [4.20 p.m.]: I move—

That the Bill be now read a second time.

My colleague, the Minister for Industrial Development, suggested I should clear the gallery before I commenced to explain this Bill, but on looking up at the gallery I do not think it could be cleared much more than it is at present.

This Bill deals with a subject which is of widespread and topical interest; that is, censorship. As will be observed by the long title, the Bill seeks to amend the Indecent Publications Act of 1902. It is worthy of note, therefore, that the principal Act has not been amended since that date; moreover, that it is confined to indecent and obscene publications. Although the Act has not been amended since 1902, I cannot help but say that our thoughts on this subject have changed considerably over the years. Certain books which would have been frowned upon years ago and banned from publication or sale to the public, today would be found on our bookshelves. For example, although *Ulysses*, written by James Joyce, is banned today, possibly, within a couple of years, we will see it on our bookshelves.

Members would, no doubt, be aware that there are many aspects of censorship. It is a subject of much argument and recrimination, whether it be concerned with security, newspapers, films, books, photo-

graphs, or other issues. In some respects such issues involve individual rights and liberties, the protection of which we all value so highly. No matter what the subject may be, however, there will always be those who will overstep the mark, not necessarily with regard to the matter involved—that is, censorship itself—but on other matters as well, and this is why some form of restrictive legislation is necessary. I will give the reason for this later.

This Bill deals simply with the subject matter of books. I repeat, it does not cover other forms of publication, such as magazines, etc., or films. It is confined entirely to books.

Mr. Bickerton: Why is that?

Mr. CRAIG: This is the purpose of the Bill. Perhaps at a later stage we can go further. If this form of legislation proves to be acceptable not only to this State, but also to the other States and the Commonwealth, I cannot help but feel that this will be the first stage of extending this principle of censorship to films also. It is the desire of the Commonwealth and the States to bring about a uniform approach to what is indecent or obscene in this particular field. Other States have taken, or are taking, similar action to what is being taken in this State in regard to what is proposed in this Bill in an effort to bring about this uniformity. My latest information is that Western Australia is the only State which has not yet carried out its part of the arrangement with the Commonwealth.

By way of explanation, I should say that at the present time laws in respect of censorship of books and publications operate under Commonwealth jurisdiction and in the six Australian States. The Commonwealth deals with the matter under the Customs Act, and the States, under their own legislation, through statutory boards or departmental jurisdiction. Such a set-up has led to a great deal of confusion, and publishers, distributors, and the like claim that, because of such varying laws throughout the Commonwealth, they do not know where they stand. The general public also complain. I cannot help but admit that there must be general confusion in the minds of many people over the authority on censorship.

It has thus become very evident that steps should be taken to end such a position and, during the last few years, several ministerial and officers' conferences have been held in an effort to unify an approach on the matter, it being agreed that the most pressing need is to clarify attitudes to those types of books and publications which may be obscene, but for which literary, artistic, or scientific merit is claimed.

In essence, what the Commonwealth and the States have been seeking to do is to provide a standard national outlook on books of this nature and to protect the publisher and distributors of works which conform to standards applied by a proposed advisory board. As previously indicated, the Commonwealth acts in this matter under the authority of the Customs Act. It applies censorship by restricting a book or publication as a prohibited import. In general, screening is done at a departmental-officer level, but certain books are referred to a Literature Censorship Board. Appeals may be made to an appeal board.

Naturally, under the Customs Act, Commonwealth powers do not extend to locally-produced books and this aspect, and the fact that in some States there has been strong disagreement with the Commonwealth over books released but held to be obscene under State laws, make it essential for some nation-wide agreement. I think members will recall the controversy in Victoria over the infamous book, "Lady Chatterley's Lover," and the action that was taken in that State. The States and the Commonwealth have, therefore, agreed that—

(a) A widely-based joint Commonwealth-State advisory board be substituted for the Commonwealth Literature Censorship Board, comprising adequate representation from the Commonwealth and the States, to examine both imported and locally-produced books.

(b) The Commonwealth and the States should recognise the decisions of the board that it is proper that a book should be allowed to be published.

(c) A publication shall not be the subject of a prosecution if it has been approved by the board; on the other hand, the States shall not be bound to institute proceedings in respect of a book not so approved, and

(d) The obscenity of any book which has not been examined by the board may be made the subject of action in terms of any State law concerning obscenity, but if the book is then submitted to the board with a claim that it is one of literary, etc., merit, the proceedings would be stayed pending a decision by the board.

The Commonwealth has produced a draft agreement to give effect to this policy. I can assure members that such an agreement was only prepared after extensive consultation had been held between the various States and the Commonwealth.

It is proposed that the agreement be made between the several "Governments" and not the Commonwealth and the States. The effect of this, I am advised, is that the agreement has no legal force in the sense it can be litigated. It makes provisions for the machinery to provide for a widely-based joint Commonwealth-State advisory board to be substituted for the Commonwealth Litera-

ture Censorship Board, comprising adequate representation from the Commonwealth and the States to examine both imported and locally-produced books, and provides that a State may, by a month's notice in writing, be no longer bound by it.

This agreement, in effect, provides that the board will have on it representatives from the States, which representation does not exist at present. The agreement will also provide that the States will legislate to ensure that the proposed board and its members will be indemnified against all actions and proceedings that may arise out of its, or their, decisions. It is not necessary that the agreement itself be ratified by legislation; but, as I have already indicated, it requires that certain legislation be introduced by the consenting parties, and this is the purpose of the Bill.

As the prepared agreement, in all respects, gives effect to the matters mentioned in the agreements between the States and the Commonwealth following consultations, the Government agreed to its recognition and it now follows that certain amendments will have to be made to the Indecent Publications Act, 1902. A consequential amendment will also be necessary to the Police Act, 1892, but that will be the subject of complementary legislation which will be introduced following the submission of this measure.

Dealing with the Bill, it will be noted that section 5 of the principal Act is amended by extending the expression, "literary merit" to read, "literary, artistic or scientific merit," thus extending the scope of this particular section. As they stand at present, the provisions of section 5 are too narrow in their reference to literary merit only.

The Bill allows for section 6 of the Act to be repealed and a new section inserted. As the Act stands, a prosecution may be brought by any person in respect of an indecent book, except against a newspaper, in which event the authority of the Attorney-General is required. If the references to the board are to be given any value, it follows there should be a general restraint on prosecutions by requiring ministerial consent in each case affecting a book, as defined in the agreement. If this were not so, the uniformity which it is hoped to obtain from the board's decisions as to the literary, artistic, or scientific merit of any book, would be frustrated, and the whole purpose of the exercise would be brought to nought. Steps are taken in the Bill to ensure uniformity by requiring such ministerial consent.

As it may be necessary for the Minister to obtain advice on the merits of any particular book, locally, in order to ascertain whether or not it should be submitted to the board, it is logical that such person, or persons, offering such advice should be indemnified in a similar manner as members of the board will be, and the Bill accordingly makes such a provision.

There is also a provision which increases the penalty from £20 to $200 to bring the figure more into line with present-day needs. As pointed out in my opening remarks, the aim is to provide a standard national outlook on works of literary, artistic, or scientific merit, and to protect the publisher and distributor of works that conform with that standard. In doing this it becomes necessary to provide that where the work does conform, no prosecution will result. Where it does not conform, leave will readily be granted to any person, be it a departmental officer or a member of the public, to take any action.

I reiterate that this legislation deals only with books. The contents of the Bill are very limited indeed. It is necessary, however, more or less, to ratify the agreement that has been made between the respective States and the Commonwealth. I have gone to some lengths to explain the terms of the agreement that has been made. This is a first attempt to bring about a greater degree of uniformity.

I admit there are, possibly, loopholes; I will also admit that it will not satisfy everyone. We can only learn by experience; but I think members will agree that it is, at least, a sincere attempt to bring about uniformity of thinking between the Commonwealth and the States; and to this end we will have State representation on the board.

The question of censorship, generally, will always be a contentious one. It has been said that it all depends on one's mind as to how one interprets a particular book or publication. I think the member for Pilbara interjected and asked, "Why only publications?" There has been some controversy in recent times in regard to films. The Bill before us does not include that subject, but I can foresee the time when this legislation will be extended to cover films, particularly if the present arrangement, as proposed between the States and the Commonwealth, proves successful in regard to books.

The matter of censorship is one that will always exercise the minds of those in authority. I am frequently in receipt of protests from responsible people, organisations, and the like, which refer to certain publications that appear on the shelves of the various bookstalls; and I am asked why the police do not take action.

The answer is, of course, that if any action were instituted by the police, it would no doubt be unsuccessful for a number of reasons; as it is purely a matter of interpretation. Most of the cheaper types of publications have a double meaning. For instance, many members of this House have made representations to me concerning the *King's Cross Whisper*. It only needs a glance through this publication to see that a double meaning can be read into almost any article in it.

There is a further publication issued by the same group entitled *The Girls from Whisper*, in which there is a series of photographs. In my mind I clearly, interpret these as having some artistic value; though others might not do so. I am not seeking your permission to table these publications, Sir, not so much because I fear for the minds of members, but for the reason and the fear that if I tabled them I would not get them back.

Another example to which I wish to refer is entitled *Second Sitting*. I feel sure that if one got through the first sitting one would be doing pretty well. In this publication there are a series of photographs of various models, but I think they do really have some artistic merit. Yet if certain sections of this book were extracted and published in paperback form they could possibly be classed as being obscene. But as they appear in this book I cannot see anything obscene about them.

I daresay the same type of thinking applies to many types of books which are available to us today. I think it all gets back to one's own state of mind. In our parliamentary library, for example, there are a number of books of a particular class which, in the minds of some people, might appear to be obscene, but they do have literary merit. I am sure that when members of Parliament select any of these books they do so for their literary value.

Some people are inclined to think that we should have no censorship at all. That might very well be so. If something does not affect us individually, why have censorship? We would then be permitted to select the type of literature we wanted to read. People who have clear minds, and not perverted minds, will not buy books which can be classed as obscene. I think that is the attitude of so many clear-thinking people.

On the other hand, we must have some legislative protection against people who wish to step over the line, and publish books which are perverted, or of a pornographic nature. I think greater concern is felt by parents with children—particularly those with children in the teenage group. This aspect does not concern older people, like myself, whose families are off their hands, and who would not have the same responsibility within the family.

As I have said, the Bill is a first attempt by the States and the Commonwealth to get some degree of uniformity on the question of book censorship in order to try to meet the wishes of everybody.

Debate adjourned, on motion by Mr. W. Hegney.

Tabling of Papers: Statement by the Speaker

The SPEAKER: The Minister who has just resumed his seat mentioned some papers, and he said he did not want them to be tabled. Of course, under parliamentary procedure any papers that are quoted from must be tabled. However, Standing Order 226 provides—

> All Papers and Documents laid upon the table of the House shall be considered public. Papers not ordered to be printed may be inspected at the Office of the House at any time by Members, and, unless otherwise ordered by the Speaker, by other persons, and copies thereof or extracts therefrom may be made.

In this case I do not think it would be right, when the papers are tabled, to withhold them from members. On the other hand, it could, perhaps, be most undesirable that they be made available to the public. To that end I suggest the papers should be placed under the control of the Clerk, and should be made available to members on demand only. This appears to be an occupational hazard which the Clerk has to face.

POLICE ACT AMENDMENT BILL

Second Reading

MR. CRAIG (Toodyay — Minister for Police) [4.45 p.m.]: I move—

> That the Bill be now read a second time.

Before proceeding I would like to thank you, Mr. Speaker, for your guidance as to the tabling of papers in connection with the previous Bill; and I am pleased to know that you are interested.

The Bill before us is a very small measure, and was referred to by me when I introduced the previous one. It is complementary to that Bill and simply ensures that the matter of prosecution with regard to obscene books will be dealt with under the Indecent Publications Act and not under the Police Act. It is considered that it is more appropriately dealt with in this way.

The explanations which I have given with regard to the subject matter have, I submit, already been adequately dealt with when I introduced the Indecent Publications Act Amendment Bill.

Debate adjourned, on motion by Mr. Brady.

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [4.47 p.m.]: I move—

> That the Bill be now read a second time.

The Prevention of Pollution of Waters by Oil Act, 1960, arose out of the International Convention for the Prevention of Pollution of the Sea by Oil held in London in April, 1954.

Delegates and representatives from 40 nations attended the conference with the

object of taking action by common agreement to prevent pollution of the sea by discharge of oily sludges, wastes, and persistent oils from ships. The articles of the convention, agreed to at the conference, became operative on the 26th July, 1958, which was 12 months after the date on which no less than 10 Governments, including five Governments with not less than 500,000 gross tons of tanker tonnage, became parties to it.

The Commonwealth Government became a signatory to the convention on the 12th May, 1954, and the Department of Shipping and Transport sought the co-operation of port authorities throughout Australia in implementing the articles of the convention.

To implement the articles of the convention it was proposed that legislation on a uniform basis be introduced through each of the State and Commonwealth Parliaments. A Bill was drafted by the Department of Shipping and Transport and forwarded to the Australian Port Authorities' Association for perusal and comment. The Commonwealth Act, No. 11 of 1960, was finally assented to on the 13th May, 1960. Meanwhile the Australian Port Authorities' Association had a complementary draft Bill prepared in similar terms to the Commonwealth Bill to serve as a model for each State's legislation. The Western Australian Act, No. 33 of 1960, was assented to on the 1st November, 1960.

Broadly, the Act provides penalties for the discharge of oil or any mixture containing oil into any waters within the jurisdiction of the State, unless such discharge is for the purpose of securing the safety of the ship, preventing damage to the ship or cargo, or saving life at sea. So much for the history of the Act.

Briefly, the provisions of the Bill can be divided into two parts—

(1) amendments to make the discharge of oil within a harbour because of a wrongful act or because of the negligence of some person or persons an offence with appropriate penalty;

(2) amendments involving certain equipment that is used, together with the necessity to provide that a record system be kept showing when oil has been discharged from a ship.

The proposed amendment to section 7 and the addition of section 7A arises from an experience in the Port of Melbourne on the 23rd March, 1965, when the S.S. *Warringa* was being bunkered from a road tanker. The tanker and the ship were connected by a four-inch rubber wire-reinforced hose, and after being advised by the ship's representative that it was ready to receive the oil, the driver commenced the pumping operation. Shortly afterwards, excessive agitation was noticed in the hose, and before pumping could be stopped it burst near the pump connection on the road tanker. On investigation, it was discovered that a valve in the receiving line on board ship was shut, even though the "all clear" had been given by the ship's representative to commence pumping. This had resulted in a build-up of pressure, which eventually burst the hose. All the equipment appeared to be in reasonably good order.

The Victorian Act at that time provided that in the event of a spillage of oil occurring from apparatus used for transferring oil from or to a ship, then the person in charge of the apparatus shall be guilty of an offence. It thus appeared that, although the spillage was a result of mismanagement aboard ship, the only person who could be charged was the person in charge of the pumping apparatus; namely, the tanker driver.

However, if a charge had been brought against the driver, legal opinion considered that the charge would have been dismissed under section 7 of the Act which provides that it is a defence to a charge if the person can prove that the spillage had occurred as a result of circumstances which could not have been avoided, foreseen, or anticipated.

The provisions of the Western Australian Act are similar to those in the Victorian Act, and this proposed amendment to section 7A will enable the master or owner of the vessel to be prosecuted in similar circumstances to those of which I have just spoken.

The proposed amendments to sections 8 and 9 of the Act result from an amendment to its articles by the International Convention for the Prevention of Pollution of the Sea by Oil made at a meeting held in London in 1962. The Commonwealth Act has been amended, but will not be proclaimed until all the State Acts have been amended, the State Acts being, as I have already said, complementary to the Commonwealth Act.

Section 8 (1) of the Act deals with the power to make regulations to cover such equipment as is deemed necessary to be fitted to intrastate ships for the purpose of preventing the discharge of oil. The proposed amendments will allow regulations to cover the maintenance, operation, and management of such equipment.

The addition of subsection (2a) to section 8 will allow regulations prohibiting or restricting the carriage of water in any tank which has contained oil on certain types of intrastate ships.

Section 9 of the Act provides that regulations may be made requiring the master of an intrastate ship to keep records of any occasion when oil or a mixture containing oil is discharged or escapes from a ship for any one of a number of reasons. The proposed amendment to subsection (5) of section 9 will provide that the records be made promptly after the occurrence

and in the prescribed place. Provision is also made that if records are not kept as required, then an offence is committed.

It will be noted that the proposed amendments to sections 8 and 9 cover intrastate ships only, the State having no jurisdiction over interstate ships which are provided for in appropriate Commonwealth legislation.

All proposed amendments were adopted at a conference of the Australian Port Authorities' Association, held in Melbourne in October, 1966. By way of interest, it is significant to note that the Port of Fremantle is the largest oil bunkering port in Australia, and in terms of oil fuel bunkered is amongst the first five ports in the southern hemisphere. I think this is probably a fact that is not widely known or recognised by members of this Chamber.

The prevention of pollution of the shores of this State by oil is of great importance to the citizens of the State, and I think it goes almost without saying that it is necessary that all possible measures should be taken to prevent such pollution occurring.

Debate adjourned, on motion by Mr. Fletcher.

SHIPPING AND PILOTAGE BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [4.57 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to repeal two existing Acts and re-enact them both as one Statute. The Acts concerned are the Shipping and Pilotage Consolidation Ordinance of 1855 and the Ports and Harbours Act, 1917.

The Consolidation Ordinance, as its name would suggest, is a very old piece of legislation, having been on the Statute book for 122 years—a very long time.

Mr. Graham: One hundred and twelve years.

Mr. ROSS HUTCHINSON: Thank you.

Mr. Graham: A school teacher, too!

Mr. ROSS HUTCHINSON: Many of the provisions of this Statute, as might well be supposed, are now positively archaic and many of the matters dealt with in the Act are no longer matters coming under the jurisdiction of the Western Australian Government.

As an instance of this, sections 19 and 20 deal with desertion, but this is a matter now dealt with in Commonwealth legislation; that is, the Commonwealth Navigation Act and the Migration Act.

Section 1 of an amending Ordinance, 37 Victoriae No. 4—the very words are redolent with old age—empowers owners of vessels in the coastal trade to make agreements with the Collector of Customs, but the Collector of Customs is, indeed, no longer a servant of the State.

In addition, the Ordinances provide for matters which are now dealt with in other legislation and with organisations which no longer exist.

Section 14 of 18 Victoriae No. 15 makes provision for the burial of persons who die at sea and this is a matter that is now covered by the Coroners Act, No. 24 of 1920.

Section 24 refers to courts of quarter sessions. These courts were discontinued as long ago, I understand, as 1921.

Not only does this Bill propose to correct these somewhat anomolous and archaic provisions but it also proposes to increase the penalties which can at present be imposed for a breach of regulations made under the Act. When the Ordinances were originally drawn up, many matters concerning ships entering and leaving harbour did not have the same significance as today and the maximum penalty which the present Statute provides for breaches of regulations is $20; yet the regulations deal with a number of offences of quite a serious nature.

One of these deals with the failure to take proper precautions and the necessity to follow the prescribed procedures in the berthing, loading, and unloading of oil vessels. When it is realised that serious consequences could follow a failure to observe the proper precautions in these circumstances, a penalty of $20 is obviously quite insufficient. This Bill proposes that the maximum penalty for this type of offence should be $200 or imprisonment for three months.

Increased penalties are also provided for persons who unlawfully interfere with port equipment such as buoys, lights, and beacons. The maximum penalty for these cases is $200.

I think members will agree that the Statute as it stands is outdated and needs thorough revision; in fact, I have been advised that at least 30 of the 36 sections in the Ordinances require some amendment and that a great deal of difficulty has been experienced in the past in framing regulations made by authority of these Ordinances. Crown Law Department officers considered the matter and were of the opinion that the best way in which the problem could be overcome was to repeal the Ordinances and re-enact new legislation which would include only those matters over which the State has jurisdiction and in a manner more applicable to modern conditions.

At the same time it was felt desirable to repeal the Ports and Harbours Act, 1917, and include its provisions in the same Act as the provisions formerly contained in the Shipping and Pilotage Consolidation Ordinance.

The Ports and Harbours Act is a very short Statute, having only four sections which can all be printed on one sheet of paper. Its basic purpose is to empower the Governor to proclaim areas which will be a port or harbour for the purpose of the Shipping and Pilotage Consolidation Ordinance. Consequently the Ports and Harbours Act is really an appendage to the Shipping and Pilotage Consolidation Ordinance and this appears a good opportunity to consolidate these two pieces of legislation in the one Act.

This Bill therefore includes the following provisions:—

(1) Authority for the charging of pilotage and conservancy dues at the prescribed rates, and for the continuance of the present exemptions therefrom.

(2) Appointments of harbour masters and pilots, and their respective powers.

(3) Authority for harbour masters to—
  (a) direct berthing, mooring, and moving of vessels in harbours and generally to have the control of the movement of persons and vessels within harbours;
  (b) compel the removal of obstructions in and about harbours and approaches thereto at the owner's expense;
  (c) exercise within harbours such powers of control and direction of persons and vessels as are prescribed.

(4) Authority for making compulsory the use of pilotage and tug facilities, and for granting exemptions therefrom.

(5) Empowering harbour masters to require the removal or, in the last resort, the scuttling of vessels that constitute an immediate hazard to other vessels, property, or persons in and about the harbour, and empowering harbour masters themselves to effect the removal or scuttling if the master refuses or is absent.

(6) Creating offences of—
  (a) refusal to obey lawful directions of harbour masters;
  (b) unlawful interference with moorings, beacons, buoys, and other harbour facilities;
  (c) depositing or removing spoil beneath high water mark in navigable waters.

(7) The provision of a regulation-making power relating to—
  (a) the general control of harbours;
  (b) special precautions to be observed by oil vessels;
  (c) tide signals and signals for use in harbours.

(8) Imposing penalties of fines not exceeding $200 or imprisonment for three months for breaches of the Act or the regulations.

(9) Continue to empower the Governor to proclaim areas to be ports and harbours and provide for the continuation of ports and harbours already created under the Ports and Harbours Act, 1917, but exempts the Port of Fremantle from certain provisions of the Act which are already dealt with in the Fremantle Port Authority Act.

Members will appreciate that this is quite a short Bill. It consists of only 12 clauses. The repeal of the old legislation and the enactment of a new Statute will enable the provisions contained in the Act to be administered more efficiently and effectively and will provide a long-needed up-dating of many of the former archaic and outmoded provisions. I commend the Bill to the House.

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

House adjourned at 5.5 p.m.

Legislative Council

Tuesday, the 29th August, 1967

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

QUESTIONS (2): WITHOUT NOTICE

HOSPITALS

Television Programme, and Local Facilities

1. The Hon. H. R. ROBINSON asked the Minister for Health:

  (1) Did the Minister view the A.B.C. television production *Four Corners*, screened at the weekend, on the 26th and 27th August, with the segment showing dilapidated operating theatres and outmoded equipment used in some leading Eastern States hospitals?

  (2) If the answer is "Yes," will the Minister inform the House if there are any major hospitals in this State with similar bad facilities?

  (3) Will the Minister advise on the broad situation in respect of hospitals in this State?

  The Hon. G. C. MacKINNON replied:

  The honourable member was kind enough to advise me of his intention to ask this question. The replies are as follows:—

  (1) Yes, I did see the programme, once right through, and once partly through.