

Legislative Council

Tuesday, the 25th March, 1969

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

BILLS (33): ASSENT

Messages from the Governor received and read notifying assent to the following Bills:—

1. Taxi-cars (Co-ordination and Control) Act Amendment Bill.
2. Kwinana Loop Railway Bill.
3. Mangles Bay Railway Bill.
4. Builders' Registration Act Amendment Bill.
5. Hairdressers Registration Act Amendment Bill.
6. Reserves Bill.
7. Agricultural Products Act Amendment Bill.
8. Fruit Cases Act Amendment Bill.
9. Parliamentary Superannuation Act Amendment Bill.
10. Industrial Arbitration Act Amendment Bill.
11. Iron Ore (Hamersley Range) Agreement Act Amendment Bill.
12. Iron Ore (Hanwright) Agreement Act Amendment Bill.
13. State Housing Act Amendment Bill.
14. Appropriation Bill (General Loan Fund) 1968-69.
15. Health Act Amendment Bill.
16. Mining Act Amendment Bill.
17. Stamp Act Amendment Bill.
18. Land Tax Act Amendment Bill.
19. Land Tax Assessment Act Amendment Bill.
20. Traffic Act Amendment Bill (No. 2).
21. Wheat Industry Stabilization Bill.
22. Loan Bill.
23. Irrigation (Dunham River) Agreement Bill.
24. Housing Advances (Contracts with Infants) Bill.
25. Metropolitan Region Town Planning Scheme Act Amendment Bill.
26. Scientology Bill.
27. Public Trustee Act Amendment Bill.
28. Royal Commissions Bill.
29. Stock Diseases (Regulations) Bill.
30. Land Act Amendment Bill.
31. Mines Regulation Act Amendment Bill.
32. Metropolitan Region Town Planning Scheme Act Amendment Bill (No. 2).
33. Appropriation Bill (Consolidated Revenue Fund) 1968-69.

QUESTIONS (2): WITHOUT NOTICE SALES BY AUCTION ACT

Amendment

1. The Hon. J. M. THOMSON asked the Minister for Justice:

In view of the serious disclosures in the Albany Police Court and recent southern criminal court sittings relating to sale of stock by auction, would the Government give urgent consideration to amending the Sales by Auction Act, 1937, with a view to preventing a recurrence of such offences in the future?

- The Hon. A. F. GRIFFITH replied:

The Sales by Auction Act does not come within my administration, but I will be quite prepared to confer with the honourable member and to have a look into the matter.

SITTINGS OF THE HOUSE

Easter Adjournment

2. The Hon. W. F. WILLESEEK asked the Minister for Mines:

Could the Minister advise the House whether we will be sitting on the days immediately after Easter, such days being Tuesday, Wednesday, and Thursday, the 8th, 9th, and 10th April respectively?

- The Hon. A. F. GRIFFITH replied:

It is not intended that either House will sit during the days mentioned, but it is proposed to sit on the Thursday prior to Good Friday. However, because it is realised that this is the day prior to Good Friday, and that country members particularly will want to return to their electorates, it is proposed to sit earlier than usual on that Thursday, and consequently adjourn earlier on that day. So far as the Legislative Council sitting is concerned, that will depend on the notice paper of the previous day—if I can make that reservation—but we would not sit later than the other House.

QUESTIONS (18): ON NOTICE

TRAFFIC DEPARTMENT

International Signs

1. The Hon. G. E. D. BRAND asked the Minister for Mines:

- (1) Will the Minister inform the House the policy of the Traffic Department with respect to international road signs?

- (2) If there is no policy at present, will he have international road signs installed on all main city and country roads for the benefit of motorists from overseas, particularly foreign countries?

Question Sheets: Printing in Several Languages

- (3) Will he also make provision for question sheets issued by the department to be printed in several languages to avoid embarrassment to visitors or New Australian citizens?

The Hon. A. F. GRIFFITH replied:

- (1) The present policy of Australian traffic sign authorities is to erect signs complying with the recommendations of the Standards Association of Australia Road Signs Code No. C1-1960. This code is now under review at national level by the Australian Committee on Road Devices, subsequent to which the Standards Association is expected to ratify the committee's recommendations as the new Australian Road Signs Code. In reviewing the code, the committee is taking cognisance of both the recent United Nations Convention on Road Signs and Signals as well as the United States National Joint Committee on Uniform Traffic Control Devices recommendations.
- (2) Not at this stage.
- (3) No.

CROSSWALKS

Installation of Sodium Lighting

2. The Hon. J. DOLAN asked the Minister for Mines:

What progress has been made towards the installation of sodium fluorescent lighting for crosswalks on highways in the metropolitan area?

The Hon. A. F. GRIFFITH replied:

Most of the equipment and material is to hand for the installation of sodium fluorescent lighting at crosswalks. It is expected that tenders will be called for the installation of these facilities in the near future.

GASCOYNE TRADING PTY. LTD.

Freight Franchise

3. The Hon. G. W. BERRY asked the Minister for Mines:
- (1) Is it correct that Gascoyne Trading Pty. Ltd. has the sole road franchise for all freight, except fuel, from Perth and Geraldton to Exmouth?

- (2) If so—

- (a) were tenders called, or;
- (b) on what basis was the franchise granted?

The Hon. A. F. GRIFFITH replied:

- (1) Yes. Refrigerated cargo is transported from Perth, but non-refrigerated cargo may be carried from Geraldton only.
- (2) (a) No.
- (b) A road transport service was already operating to the North West Cape prior to the introduction of transport control in the area. Gascoyne Trading Pty. Ltd., purchased the business of the existing operator.

LEONORA NATIVE HOSTEL

Rainwater Tanks

4. The Hon. G. E. D. BRAND asked the Minister for Mines:

Has any move been made yet to supply rainwater tanks at the Leonora Native Hostel?

The Hon. A. F. GRIFFITH replied:

Yes. An estimate of the cost involved is being obtained.

CLASS "A" HOSPITAL RESERVE

Change of Classification

5. The Hon. F. R. WHITE asked the Minister for Health:

Is it necessary for parliamentary approval to be obtained in order to change the classification of a Class "A" hospital reserve to a Class "A" reserve for use by a penal institution?

The Hon. L. A. LOGAN (for The Hon. G. C. MacKinnon) replied:

Yes. Section 31 (1) (a) of the Land Act 1933-1968 provides that lands classified as of Class "A" shall forever remain dedicated to the purpose declared in the proclamation, until by an Act of Parliament in which such lands are specified it is otherwise enacted.

GOSNELLS POLICE STATION

Appointment of Third Officer

6. The Hon. J. DOLAN asked the Minister for Mines:

- (1) Does the Police Department recognise the urgent need for a third police officer to be stationed at Gosnells to provide a satisfactory service for over 10,000 residents of the Gosnells district?
- (2) If so, when can it be expected that this officer will be appointed?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) A definite date cannot be given as this depends on recruitment and a number of requirements of higher priority.

ZONE "A" ALLOWANCE

Extension to Murchison-Eyre Electorate

7. The Hon. G. E. D. BRAND asked the Minister for Mines:

Will the State Government support the claim to have taxpayers residing in the Murchison Electorate and those on the trans-Australia railway line included in Zone "A" for taxation purposes?

The Hon. A. F. GRIFFITH replied:

The Government supported this claim in a letter addressed to the Federal Treasurer in October, 1965.

A reply from the Federal Treasurer indicated that the Government's submission would be taken into account when the zone allowance boundaries were next under review.

There has been no further correspondence in the matter but it is apparent that the Commonwealth has not been prepared to date to vary the present boundaries.

HOSPITALS

Provision in Kalamunda and Mundaring

8. The Hon. F. R. WHITE asked the Minister for Health:

What proposals, if any, are envisaged for the construction of a general hospital in—

- (a) the Shire of Kalamunda; or
- (b) the Shire of Mundaring?

The Hon. L. A. LOGAN (for The Hon. G. C. MacKinnon) replied:

There are no plans to construct a public hospital at either Kalamunda or Mundaring, except that a hospital reserve has been set aside at Kalamunda to permit the erection of a hospital some time in the future.

STRATA TITLES LEGISLATION

Examination by the Minister for Mines

9. The Hon. J. DOLAN asked the Minister for Mines:

- (1) Has the Minister had an opportunity to examine the 1966 strata titles legislation and the extent of its use by home unit builders?
- (2) If so, has he anything to report on his findings?

The Hon. A. F. GRIFFITH replied:

- (1) Since the Act came into operation, 17 plans have been registered requiring the issue of 301 strata title certificates. Consideration has been given to problems experienced by some persons desiring the issue of strata title certificates and amending legislation to overcome the difficulties will be submitted during this sitting of Parliament.
- (2) Answered by (1).

RAILWAYS

Norseman-Esperance Line

10. The Hon. R. H. C. STUBBS asked the Minister for Mines:

- (1) With reference to the permanent way between Norseman and Esperance on the Western Australian Government Railways, is the Minister aware that—

- (a) the railway line is in a deplorable and dangerous condition;
 - (b) there is an urgent need for ballasting with substantial materials in many places to replace the earth material that becomes mud under wet conditions, thus allowing the rails and sleepers to sink and to move;
 - (c) the rails have broken at the fishplates owing to lack of foundation due to sleepers creeping from 4-hole fishplates;
 - (d) the rails when broken drop over 2 in. when trains are passing over, thus creating a dangerous situation to W.A.G.R. personnel and possible derailment of rolling stock; and
 - (e) severe speed restrictions are in force on many sections of the line?
- (2) Can the Minister inform the House when the work necessary to upgrade the line will commence, and what will be the estimated cost?

The Hon. A. F. GRIFFITH replied:

- (1) (a) to (e) The general condition of permanent way on this branch line is not dangerous but proposals for ballasting and rerailing are currently receiving consideration. Over the past two years there have been five instances only of broken rails but no special speed restrictions are in force at the present time.

- (2) Work on upgrading the section will commence within the next three months and will proceed over a period of two to three years. Estimated cost for reconditioning between Widgiemooltha and Esperance is between \$3,000,000 and \$4,000,000.

TRANSMISSION LINES

Erection in South-East Metropolitan Province

11. The Hon. J. DOLAN asked the Minister for Mines:

- (1) Does the State Electricity Commission intend to erect transmission lines in the South-East Metropolitan Province similar to those now being erected in Thelma Street and Labouchere Road, South Perth?

- (2) If so, where and when?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
(2) Where and when the load demands.

WORKERS' COMPENSATION ACT

Coverage to Include Nickel Mine Workers

12. The Hon. R. H. C. STUBBS asked the Minister for Mines:

Does the Workers' Compensation Act completely cover and protect employees for compensation claims that may arise in the future for those who work with nickel ores or concentrates in the mining, milling, refining, or transporting of the product of the nickel mines, with particular reference to—

- (a) pneumoconiosis;
(b) dermatitis;
(c) nickel carbonyl;
(d) cancer of the lung; or
(e) nasal sinuses?

The Hon. A. F. GRIFFITH replied:

- (a) and (b) Yes.
(c) to (e) It is understood that the nickel carbonyl process of refining is not used in this State but developments are kept under review.

APPLECROSS HIGH SCHOOL

Gymnasium

13. The Hon. F. R. H. LAVERY asked the Minister for Mines:

- (1) Can the Minister advise as to what stage the planning has advanced for the proposed gymnasium and amenities at the Applecross High School?

- (2) Is it proposed that this project shall be completed in 1969?

The Hon. A. F. GRIFFITH replied:

- (1) Construction work has started.
(2) Completion in 1969 is anticipated.

EDUCATION DEPARTMENT

Teachers: Resignations and Number Employed

14. The Hon. J. DOLAN asked the Minister for Mines:

- (1) How many full-time permanent teachers resigned from the Education Department in 1968 in each of the primary, secondary, technical, and teacher education divisions?
(2) What were the reasons for the resignations?
(3) How many teachers are employed full time or full-time equivalent, in each of the primary, secondary, technical and teacher education divisions?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) This information will not be available until the end of April.
(3)

	1968	
	Full-time plus on-leave	Full-time equivalents
Primary	3,450 + 50	11
Secondary	2,362 + 50	60
Special schools	89 + 1	3
Teachers' colleges	117 + 4	1
Technical (full-time only)	528 + 14	not available
Special branches	121 + 2	3

STANDARD GAUGE RAILWAY

Perth-Kalgoorlie Service: Type and Timetable

15. The Hon. R. H. C. STUBBS asked the Minister for Mines:

Further to my question on Thursday, the 1st August, 1968, in reference to the Kalgoorlie-Perth and return train service—

- (a) have timetables been resolved; and
(b) what will be the timetable for the road bus service from Esperance to Kalgoorlie for passengers joining the train to Perth, and also departing Kalgoorlie on returning south?

The Hon. A. F. GRIFFITH replied:

- (a) No.
(b) The timetables for road bus services between Kalgoorlie and Esperance will be dependent upon timetables for interstate rail services between Perth and Kalgoorlie.

KWINANA HIGH SCHOOL*Upgrading, and Additional Accommodation*

16. The Hon. F. R. H. LAVERY asked the Minister for Mines:

Further to my question on the 22nd October, 1968, relating to the Kwinana High School, and in view of the fact that the number of students now attending the school is between 910 and 930, and still rising, will the Minister advise—

- (a) whether this high school will be upgraded to a 4th and 5th year high school at the commencement of the 1970 school year; and
- (b) has work commenced on the building of the extensive permanent additional accommodation proposed to be completed in 1969 in the Minister's answer to part (2) of the original question?

The Hon. A. F. GRIFFITH replied:

- (a) Enrolment figures are at present being examined to determine which schools will be upgraded to senior high schools in 1970.
- (b) Actual building operations have not yet commenced but plans have been prepared and it is anticipated that work will begin in the mid-year.

FITZGERALD SCHOOL*Cause of Fire*

17. The Hon. R. F. HUTCHISON asked the Minister for Mines:

With reference to my question on the 17th September, 1968, relating to a fire which destroyed the school at Fitzgerald, will the Minister now advise the particulars then requested?

The Hon. A. F. GRIFFITH replied:

The questions posed by the honourable member on the 17th September were as follows:—

- (1) Was the fire which destroyed the school at Fitzgerald due in any way to the use of strawboard in the construction of this school?
- (2) Was this strawboard made more dangerous in conjunction with the heating apparatus used at the school?

The answers to those questions are—

- (1) No.
- (2) Yes.

Strawboard, faced externally with asbestos and internally with hardboard (masonite), formed the external walls and ceiling of the school.

The district architect's report indicated that the fire could have started from two points—

- (a) At ceiling level where the flue passed through the strawboard ceiling;
- (b) At floor level behind the firebox of the heater.

There could have been faults in design at either of these two points which could have contributed to the commencement of the fire which destroyed the building.

All combustible materials are made more dangerous when used in conjunction with heating apparatus.

COOLBELLUP PRIMARY SCHOOL*Group Contract*

18. The Hon. F. R. H. LAVERY asked the Minister for Mines:

- (1) With reference to my question on Tuesday, the 22nd October, 1968, relating to the Coolbellup Primary School, and other schools, will the Minister advise whether—

- (a) a completion date was set for each school, and if so—
- (b) were the
 - (i) South Coolbellup; and
 - (ii) Orelia
 schools completed on the dates so specified?

- (2) If there has been any delay, what is the reason?

The Hon. A. F. GRIFFITH replied:

- (1) (a) Yes. The 24th January, 1969.
- (b) No.
- (2) Reason for delay was that the contractor found difficulty in obtaining sufficient labour to maintain the time programme.

PROPERTY LAW BILL*Second Reading*

Debate resumed from the 9th October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.6 p.m.]: When the Minister introduced the Property Law Bill he referred to it as purely "lawyers' law," and he went on to say that the draft had been distributed to His Honour, the Chief Justice, the Law Society of Western Australia, the Law Reform Committee, and the Commissioner of Titles. So it was in that somewhat august legal company that the

measure was launched in this House, and it would be reasonable to assume that after their scrutiny of the measure anything which was not completely and utterly satisfactory as a component of the Bill would, as a result of their scrutiny, result in some amendment.

Up to date, at least, there are no amendments on the notice paper, and therefore one could assume that if anything had developed as a result of this examination of the Bill it would not be of a very serious nature. For my own part, as I studied it, I could see nothing but good in the legislation. I like the principle that is involved in the Bill; that is, the principle of uniformity. I think uniformity in law throughout Australia is unquestionably good. The more definite, purposeful, and consistent the result that can be obtained from Acts with similar titles throughout the States, the better it is for the interpretation of the law.

This Bill has entailed a tremendous amount of work in its preparation. I found even the studying of the definitions to be a long job, and in some cases I struck definitions which were, to say the least, unusual to me. For example, I had to search for the meaning of "constructive notice," and I was not helped very much when I found it was a right, liability, or status created by law without reference to the intention of the parties. However, as the Minister said, this would be easily understood by anyone who was familiar with the jargon of lawyers, if one could term it as such, or who could speak to them in this language.

"Valuable consideration" was another interesting definition. According to the authority I have read it is not a nominal consideration in money, and it includes marriage. So it shows how laymen who approach what appear to be nominal terms would find a very different appreciation of them when they are applied to the law.

Without on my part endeavouring to criticise the law as it stands, or the definitions which will become basic in this piece of legislation, I think it would be better if I tried to look at it on the basis of what it seeks to do. In that respect it does a lot, because the first schedule contains a list of adopted Acts which will cease to have effect. These are Acts which have been adopted over the years, mainly from the English law; with the passing of this Bill they will no longer have any effect in Western Australia.

It is worth while that I quote them at this point. They include an Act to amend the law of real property; an Act to facilitate the conveyance of real property; an Act to facilitate the granting of certain leases; an Act to further amend the law of property and to relieve trustees; an Act to further amend the law of property; and

an Act to give to trustees, mortgages and other certain powers now commonly inserted in settlements, mortgages, and wills. Therefore I feel somewhat relieved that even the lawyers will no longer have to interest themselves with these very old pieces of legislation which have been handed down to us from the English law.

In the second schedule to the Bill this sort of principle extends to the position where whole Acts are to be repealed. They include—

Real Property Transfer Act, 1832
Freehold Estates Conveyancing Act, 1843
The Partition Act, 1878
Contingent Remainders Act, 1878
The Apportionment Act, 1891
Light and Air Act, 1902-1922
Landlord and Tenant Act, 1912

Included in the second schedule is the Supreme Court Act, 1935-1964, some subsections of which are to be repealed. Then the schedule sets out two more Acts which are to be repealed wholly—

Simultaneous Deaths Act, 1960-1962.
Law Reform (Property, Perpetuities and Succession) Act, 1962.

So, in getting rid of what might be termed deadwood in our laws, this measure comes before us with much approval. It does more than that, because, as I see it, the removal of these laws from our Statute book will bring the legislation to an up-to-date form, without in any way interfering with the basic system of transfers that we have adopted through the principle of the Torrens title.

I think it was fortunate that the basis of this Bill was the subject of an address given at the Summer School of the University of Western Australia earlier this year by no less eminent a person than P. R. Adams, Q.C., who himself made a very large contribution towards the preparation of this legislation. Without dealing with the whole paper he presented, in which he stuck fairly closely to the explanatory memorandum with which the Minister supplied us, he did make some interesting comments in the course of his address.

He said that most Australian lawyers these days accepted and supported the trend towards some uniformity in the commercial laws of the States, even if they did not always agree with all the principles expressed in a particular Act, and that the object of the Bill was to close the gap as far as the general laws of real property were concerned. He went on to emphasise that the Transfer of Land Act would not be impaired in any way, nor would the Bill impair the Torrens title system of registered title which would remain sacrosanct so far as the measure was concerned.

He then went on to deal with various clauses in the Bill. One is reminded very forcibly of some obsolete legislation which I have never heard of. For instance, who has heard of the rule in Shelley's case, which is to be abolished by the Bill, and which was in force in some of our legislation in the past?

Also, in the part dealing with the general rules affecting property, what is known as an estate tail is abolished by clause 23 of the Bill. I am pleased to see that this has been done. I was particularly interested in the provision concerning joint tenants. I have always understood that only a man and wife, or close relatives, could enter into a joint tenancy, but I notice that under the legislation before us the provision is to be extended to cover corporations. In the future, if the Bill is passed, two corporations could hold land in joint tenancy. As I understand the position in regard to joint tenancy, when one of the joint tenants dies the remaining tenant becomes the sole owner of the property or land in question. As a result, I wondered how the provision which is to cover corporations would operate in certain circumstances.

I suppose a corporation could cease to exist as a result of bankruptcy, but I wonder if the creditors of that corporation would have any claim on land which was held under a joint tenant agreement with another corporation. Also, a corporation could cease to exist as a result of a take-over by another company. That sort of thing happens every day in the week and I wonder whether the company taking over would also take over any rights in a joint tenant agreement. It seems to me that this provision could create certain problems. If A and B held a property as joint tenants, and A ceased to exist through being absorbed by C, then I think the property held jointly by A and B would automatically be taken over by B, because that company would be the only company still in existence.

However, without dealing with the legal aspects, and speaking simply as a layman, it seems to me that where a take-over occurs, and all the assets of a particular company are taken over, it is possible that those assets may include any joint tenancy arrangement which may be in existence at the time of the take-over. Later on in the debate I hope to hear our legal friend opposite, Mr. Medcalf, enlarging on that aspect, because his comments would be of great help to us.

Possibly I may have misunderstood the meaning of the word "irrevocable" as it applies to the power of attorney—the provisions relating to the power of attorney are covered by part VIII of the Bill. I cannot see how a power of attorney could be irrevocable. I would say the person who made the appointment would have the right to revoke that appointment at any

time if it was not in his best interests to permit such power of attorney to continue, whether this appointment were made by a company or an individual. I did not think it was possible for the power of attorney to be made irrevocable but possibly there should be a limited time before such power can be revoked.

I may be looking at this matter from the wrong angle, but that was my view of the position and my reaction after looking at the Bill and trying to interpret the part in question. The language is clear enough, but the part dealing with the powers of an attorney covers several clauses. If there have been difficulties in the past as regards the power of attorney it is possible that some explanation which was not set out in the notes would make the position clearer than it is to me at the moment.

One could go on dealing with various parts of the Bill without making the position very clear and without being able to offer anything constructive, or putting forward anything which would improve the legislation; I do not propose to weary the House with conjecture. I think the comments on page 1 of the explanatory memorandum to the Bill were most helpful to anyone who was trying to find out why this legislation is before us. The portion to which I refer reads as follows:—

It is likely that the demand for reform legislation on the lines of the United Kingdom Act would have come earlier, had it not been for the establishment of the Torrens title system of land registration in Australia and New Zealand and the growth of that system on an ever increasing scale. The Torrens system was itself intended to, and did, simplify the transfer of and dealing with land which came under the operation of the system. There is still however some land which is under what is known as general law or old system title, and in regard to this the rules of conveyancing are still as archaic as they are technical with the result that the conveyance of a general law title entails not only trouble and expense but the risk of loss by failure to observe technicalities of an historical nature which now serve no useful purpose.

Besides the necessity for reform as regards old system conveyancing it is desirable to codify and modernise the general rules of property in order to bring the property laws of the State up to date with the other States and New Zealand.

The explanatory memorandum goes on to give details of the construction of the Bill and then states—

The broad pattern is the same in all these jurisdictions, but in some cases the detail of part of one Act has appeared to be more suitable than

another to the present needs of the State legal system. A feature of all the Property Law Acts is the inclusion as far as possible of existing legislation on subjects related to property so that the Act becomes a comprehensive measure covering the ground formerly covered by many separate Acts which will now be repealed.

As a result many parts of the Bill are only re-enactments in modern style of some older existing legislation. Other parts are new to the State and are intended to bring the legal system of the State on these matters up to date and into line with current legislation in the other Property Law jurisdictions. At the same time opportunity has been taken to include some measure of law reform where it appears necessary.

One could do nothing else but commend such a statement. On that basis alone the Bill before us is deserving of a trial, and I have little doubt that when it comes into effect, bearing in mind that it will be the means of removing a great deal of deadwood from our Statute book, it will be a workable measure.

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

House adjourned at 5.26 p.m.

Legislative Assembly

Tuesday, the 25th March, 1969

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

BILLS (33): ASSENT

Messages from the Governor received and read notifying assent to the following Bills:—

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QUESTIONS (63): ON NOTICE

CHEYNE BAY

Mineral Sands Deposits

1. Mr. HALL asked the Minister representing the Minister for Mines:
 - (1) What are the findings of the geological surveys carried out on mineral sands deposits in the Albany and Cheyne Bay areas?
 - (2) Is it intended to allow holders of mineral sands leases in the Albany and Cheyne Bay areas to retain the leases after non-compliance with conditions laid down by the Mines Department?

Mr. BOVELL replied:

- (1) A survey by the Geological Survey Branch indicated that the deposits did not contain sufficient mineral sands to warrant development at that stage.
- (2) The position is being kept under review as it is intended to interview the claim holders in the near future. Meantime, of course, any interested parties can seek forfeiture of mining tenements if the provisions of the Mining Act and regulations are not being complied with.