Goods accepted by a bailee in the course of business range from expensive heavy machinery to, say, second-hand shoes. The strict procedural safeguards necessary in relation to disposal of expensive items are truly unrealistic when applied to goods of little value. It became necessary therefore to provide different procedural formalities in relation to the following subcategories:—

(a) goods of little value (to be prescribed goods);

(b) goods (not being prescribed) assessed at an amount not exceeding $300; and

(c) goods assessed at an amount exceeding $300.

It is now proposed that prescribed goods may be disposed of if uncollected after four months from the date of receipt, and after two notices to the bailor have been given at prescribed intervals. Disposal is to be by public auction or private treaty.

Where the value of goods—not being prescribed—does not exceed $300, disposal cannot be effected unless uncollected for a period of seven months. Notice of intention to dispose of this class of goods must be published in the daily Press and in the *Government Gazette*. Sale by auction must be attempted before any other means of disposal can be used.

It is required, in order to dispose of goods with a value assessed at over $300, that an order of a court of petty sessions presided over by a stipendiary magistrate must be procured. Notice of intention to dispose of the goods must also be published in the daily Press and in the *Government Gazette*.

In all cases, the bailor must be given notice that the goods are ready for delivery.

Goods which come into the lawful possession of a person otherwise than in the course of business may be disposed of only by order of a court presided over by a magistrate.

Notice of disposal of any goods coming under the provisions of this Bill must be given to the Commissioner of Police. Such notice, which is to contain sufficient information to enable a check against the reports of property lost or stolen, will prevent this legislation, if it is passed, being used for criminal purposes.

Provision has been made to deal with disputes arising as between bailor and bailee. Unclaimed moneys arising from the sales of goods are to be paid to the Treasurer. The benefits of the Bill are not to be available to a bailee who refuses or neglects to make redelivery to a bailor. This restriction will prevent the legislation being used as a debt collecting device.

The Bill will advantage sections of trade and commerce which have experienced problems in disposing of uncollected goods. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Davies.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR DAVID BRAND (Greenough—Premier) [10.00 p.m.]: I move—

That the House at its rising adjourn until 3.30 p.m. on Tuesday, the 17th November.

Question put and passed.

House adjourned at 10.01 p.m.

Legislative Council

Tuesday, the 17th November, 1970

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

BILLS (11): ASSENT

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

1. Road and Air Transport Commission Act Amendment Bill.
2. Totalisator Agency Board Betting Act Amendment Bill.
3. Betting Control Act Amendment Bill.
4. Bush Fires Act Amendment Bill.
5. Tourist Act Amendment Bill.
6. Criminal Injuries (Compensation) Bill.
7. National Trust of Australia (W.A.) Act Amendment Bill.
8. Murdoch University Planning Board Bill.
9. Betting Investment Tax Act Repeal Bill.
10. City of Perth Parking Facilities Act Amendment Bill.
11. Betting Control Act Amendment Bill (No. 2).

QUESTIONS (2): ON NOTICE

1. MINES DEPARTMENT

Appointment of Inspectors

The Hon. R. H. C. STUBBS, to the Minister for Mines:

(1) How many Inspectors of Mines have left the Mines Department since 1963?

(2) Of those who resigned, what reasons did each give?

(3) Have any of the previous Inspectors of Mines obtained similar positions in other States of Australia following their resignation?

(4) How many Inspectors are needed to meet the current requirements of the Western Australian Mines Department?

(5) Will the Minister Table the respective salary, benefits and conditions of Inspectors of Mines in all States of Australia?

The Hon. A. F. GRIFFITH replied:

(1) Eight (8) District Inspectors of Mines and three (3) Workmen's Inspectors of Mines.

(2) Of those Inspectors who resigned—

Three (3) left to accept positions in other States of Australia.

Four (4) left to take positions in private industry.

One (1) retired because of ill health.

(3) Answered by (2).

(4) There are 10 employed at present against an establishment of 16.

(5) The following table entitled "Inspectors of Mines in the Metalliferous Mines of Australia" covers the classification, distribution and salaries of Inspectors of Mines. Conditions and any benefits are normally as provided under the respective Public Service Acts.

INSPECTORS OF MINES IN METALLIFEROUS MINES IN AUSTRALIA

State	Area in Square Miles	Category of Inspectors	Total Number Authorised	Total Number Actual	Location Capital City	Location Other	Salary Range	Remarks
W.A.	975,920	Senior Inspector of Mines	1	1	1		$9,579 p.a.	
		District Inspector of Mines	10	4	2	2	$7,694 to $8,343 p.a.	
		Mechanical Engineer (Special) Inspector of Mines	1	1	1		$6,540 to $7,385 p.a.	
		Workmen's Inspector of Mines	4	4		4	$91 26 per week	($4,763 p.a.)
Queensland	667,000	Senior Inspector of Mines	2	2	2		$8,880 to $9,010 p.a.	
		District Inspector of Mines	8	7		7	$7,600 to $7,843 p.a.	
		Mechanical Inspector of Mines	1	1	1		Not known	
		Workmen's Inspector of Mines	2	2	1	1	$3,650	
N.S.W.	309,433	Senior Inspector of Mines	2	2	1	1	$9,000 to $10,200 p.a.	
		District Inspector of Mines	10	9	2	7	$8,850 to $9,500 p.a.	To be increased by two (2)
		District Inspector of Mines	(2)	(2)		(2)	Not known	(Retired Inspectors employed part time).
		Mechanical Inspector of Mines	2	2	Not known		Not known	2 Graduate Mining Engineers also employed in Mines Department
		Workmen's Inspector of Mines	2	2		2	Not known (paid by Union)	
Tasmania	26,383	Senior Inspector of Mines	2	2	1	1	$10,098 p.a.	
		District Inspector of Mines	5	4	1	3	$7,701 to $8,385 p.a.	
		Mechanical Inspector of Mines	1	1	1		$8,385 p.a.	
Victoria	87,884	Senior Inspector of Mines	2	2	2		$7,019 to $7,327 p.a.	
		District Inspector of Mines	8	7	3	4	$6,229 to $7,019 p.a.	
S.A.	380,070	District Inspector of Mines	5	3	3		$7,074 to $8,343 p.a.	

2. EDUCATION

Library Facilities

The Hon. N. McNEILL, to the Minister for Mines:

(1) What forms of assistance are available from—

(A) the Commonwealth Government; and

(B) the State Government—

for the provision of—

(a) library rooms or buildings; and

(b) other library facilities, including books, for—

(i) senior high schools;

(ii) junior high schools; and

(iii) primary schools?

(2) What are the estimated total allocations of money by the respective Governments for each of the purposes in (1) (a) and (b) above for the three types of schools referred to in (1)?

(3) In the provision of libraries, or library facilities and equipment, is there required to be any matching expenditure by Parents and Citizens' or similar organisations?

The Hon. A. F. GRIFFITH replied:

(1) Commonwealth Government: The Commonwealth Secondary Schools' Libraries Programme provides financial assistance for the erection

of libraries in secondary schools and the supply of books for use by post primary students in all schools.

State Government: Library accommodation is provided in all new secondary schools. A subsidy of 50 per cent. of the total cost, to a maximum subsidy of $5,000, is provided for the erection by Parents & Citizens' Associations of library accommodation in primary schools, including junior high schools.

Annual issues of library books are made to all schools. In addition, new schools receive foundation issues and senior high schools receive a matriculation issue. Library shelving is provided in all schools as needed. As from the 1st January, 1971 the present subsidy scheme will be replaced by annual grants.

(2) Commonwealth Government Grants: The amount available each year is $503,200. Of this amount $402,200 has been allocated for buildings in secondary schools and $101,000 for the purchase of books for post primary students in all schools.

State Government: Since libraries are built as part of the total secondary school project, it is not possible to identify the actual cost of the library.

Expenditure for library facilities and books in the coming year is expected to be $222,150 in Primary schools, including Junior High schools, and $102,500 in Secondary schools.

(3) No matching expenditure is required except to qualify for a subsidy on primary school library buildings.

DENTISTS ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. G. C. MacKinnon (Minister for Health), and read a first time.

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [2.46 p.m.]: I move—

That the Bill be now read a second time.

Members will, of course, be aware of the Government's dental programme. This commenced with fluoridation of water supplies, and some indication of the success of this has been given in the recent survey. Members will recall the publicised results which showed a 20 per cent. improvement already in the teeth of six-year-old children.

Step two was the revision of the school dental service and the tax subsidised inspection and dentistry scheme covering primary school children, pensioners, and kindergarten children.

Publicity has also been given to the fact that a school for dental therapists is proposed to commence in 1971. The activities of these girls is by now well known. The scheme commenced many years ago in New Zealand and has been copied in a number of States in Australia.

In the training of dental therapists there is one minor problem which must be adjusted as a matter of urgency. Section 50 of the Act states that no person other than a dentist shall practise dentistry. The section goes on to state certain exceptions to this rule. One of these is a student of the dental school of the University of Western Australia. The reason for this exception is that students must, of course, practise what is technically dentistry in order to learn their craft.

Dental therapists will have to do the same thing. It is therefore necessary to add an additional proviso to exempt students undergoing instruction in dental therapy from this ban.

In the next session of Parliament it will be necessary to further amend the Dentists Act in order to make very extensive provisions for dental therapists and various other matters requiring attention. The subject of this particular Bill, however, is the only one requiring urgent attention in order that the dental therapist can be properly protected at law in the execution of her studies. I commend the amendment to the House.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the Opposition).

LOCAL GOVERNMENT MODEL BY-LAWS (CARAVAN PARKS AND CAMPING GROUNDS) No. 2

Deletion of By-law 14: Motion

Debate resumed, from the 10th November, on the following motion by The Hon. Clive Griffiths:—

That the Local Government Act Model By-laws relating to Caravan Parks and Camping Grounds (No. 2) published in the *Government Gazette* on the 31st August, 1970, and laid on the Table of the House on the 9th September, 1970, be amended by deleting By-law 14.

THE HON. G. E. D. BRAND (Lower North) [2.49 p.m.]: As you are aware, Mr. President, I seconded this motion when it was introduced by Mr. Clive Griffiths. At the time I was thinking of the importance which is attributed to caravan parks in towns in the north where housing is hard to obtain and the only way to house people who go to perform labouring work in those towns is by the use of caravans.

I have made certain investigations since the introduction of this proposal and I now find that many local authorities in towns which have caravan parks are a little keen to see those parks upgraded to the extent where they will cater for the touring public.

That would appear to be the ambition of the two main towns in the north now that housing has become more plentiful and the towns are settling down a little. Despite this, I would still like to see some elasticity in the by-laws so that unusual circumstances could be met on occasions. I do not know whether it can be left to the discretion of the proprietor of the caravan park or the person who manages it to make the decision, but if a certain degree of elasticity were allowed with the administration of the by-laws so that the caravan park could be conducted to the satisfaction of everybody, I think this would be desirable.

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [2.51 p.m.]: Firstly, I would like to explain to Mr. Clive Griffiths that even if this motion is agreed to the situation will not be altered one iota. Section 258 of the Local Government Act enables model by-laws to be promulgated in the *Government Gazette*. The by-laws do not become effective until such time as a local authority accepts them in their entirety, or amends them, and then passes a resolution that it desires to have the by-laws promulgated. The promulgation has to be made by the Governor-in-Council and printed in the *Government Gazette*. So, in effect, the motion before the House is entirely ineffective and, if agreed to, will do nothing to alter the existing situation.

I think it is necessary that we should look at the principles involved in the motion. Firstly, caravans were established to cater for tourists and holidaymakers. This is the basic principle of the need to establish a caravan park and this principle has never altered. A limit of three months was first included in the by-laws as far back as 1951, under the provisions of the old Road Districts Act. At that stage a uniform by-law provided a limit of three months during which anyone could stay in a caravan park. In 1961 it was regazetted as a model by-law under the Local Government Act and it has been adopted by various local authorities at different times ever since. However, the by-law does not become effective until a local authority adopts it.

Only within the last two days applications have been received from two local authorities to adopt the new model by-laws and they are fully aware of all the attendant problems. However, they have applied to adopt the model by-laws and have them promulgated because, as Mr. George Brand has said, some of the local authorities require effective control over the administration of caravan parks. It must be borne in mind that the local authority has the responsibility of looking after any caravan park which comes within its jurisdiction and I think that responsibility should be left with it. If a local authority desires that a person residing in a caravan park shall stay no longer than three months, it is the prerogative of the local authority to fix that time limit.

We all know that certain characters settle in a caravan park and then refuse to leave, and unless the local authority has power to move them, such people could become a nuisance. I know for a fact that some people have become a nuisance in caravan parks. The time limit of three months is fixed to ensure that a caravan park will not develop into a substandard or semipermanent settlement, and that could not be otherwise if people are allowed to remain in a caravan park indefinitely.

Mr. Clive Griffiths tried to compare a caravan park with units of accommodation provided by the State Housing Commission.

The Hon. Clive Griffiths: There isn't any comparison.

The Hon. L. A. LOGAN: First of all, very few caravans would have a living area of over 2½ squares; most of them would have a living area of two squares or under. The minimum squarage of any accommodation provided by the State Housing Commission is over 300 square feet. It must be borne in mind that any unit that comes under the administration of the State Housing Commission has its own bathroom, toilet, and washing facilities; whereas in a caravan park a communal toilet block and laundry block is shared by all people occupying the caravan park. Therefore, in making a comparison between a caravan and accommodation provided by the State Housing Commission, there are two main differences: the accommodation unit provided by the State Housing Commission has a greater living area and has its own bathroom, toilet, and laundry facilities. So, in effect, no comparison can be made between a caravan and accommodation provided by the State Housing Commission. Mr. Clive Griffiths is thinking of open space, but that is only one consideration. There are many others, apart from that.

The Hon. Clive Griffiths: What are the others?

The Hon. L. A. LOGAN: The general environment is one, of course, when we get some characters living in a caravan park. I should not have to tell the honourable member that one, because he should know. The other point is, as I have already said, that caravan parks are established principally at holiday and tourist resorts. I can name quite a few caravan

parks that are situated around the beaches near the metropolitan area, so why should any person have an exclusive right to live for an indefinite period in a caravan park situated on a beach when the caravan park was established for the principal purpose of affording a place of accommodation for the residents of inland centres who wish to enjoy a holiday?

On many occasions people come from country centres with a caravan but find that the caravan parks situated along our beaches are full of semipermanent dwellers. This is not the purpose of caravan parks, so why should people living in the metropolitan area have an exclusive right to remain in a caravan park for over three months when that was not the intention in the first place? At the moment every one of the caravan parks in the metropolitan area has been licensed in accordance with the model by-laws, one of which reads as follows:—

> A person shall not establish, carry on or conduct a caravan park on any land under his control, except in conformity with the provisions of this by-law and unless there are provided on that land the amenities specified in clause 6 thereof, and in Caravans and Camps Regulations made under the Health Act, 1911-1960.

Further on, another by-law provides—

> A person shall not park a caravan or vehicle used for towing a caravan, or cause or permit any caravan or such vehicle to be parked or remain, on a caravan park, for more than three months in any one year, except with the express approval in writing of the Minister for Local Government.

By-law 18 reads as follows:—

> A person who commits a breach of any provision of this by-law shall be liable to a penalty of not more than $100 and also to a daily penalty of not more than $10 per day while any such breach continues.

I venture to say that at the moment nearly all caravan proprietors are breaching the law and are subject to the penalties provided in that by-law. They are also liable to have their licenses cancelled at the end of 12 months if they do not comply with the model by-laws.

I think it is most unfair that people who are prepared to apply for a license and who are granted one under the conditions set down in these by-laws should continue to flout them.

The Hon. F. J. S. Wise: Do you know what proportion of the local authorities have promulgated the model by-laws?

The Hon. L. A. LOGAN: Quite a number of them.

The Hon. Clive Griffiths: You just told us all of them have promulgated the by-laws.

The Hon. L. A. LOGAN: No, I did not say all of them have promulgated the by-laws; I said that all of the caravan park proprietors have accepted these conditions and the granting of their licenses has been based on the by-laws. If they are not complying with the model by-laws they must be flouting them.

The Hon. F. J. S. Wise: Unless they were not promulgated by the local authority.

The Hon. L. A. LOGAN: I am speaking of those caravan parks which are situated in areas that come under the jurisdiction of a local authority where the model by-laws have been promulgated.

The Hon. G. C. MacKinnon: If they were not promulgated, they would not be worrying about them.

The Hon. L. A. LOGAN: Of course they would not. Many people in the last few years have asked that the sites of caravan parks be rezoned. They then apply for a license to conduct a caravan park and after it is granted they immediately flout the law.

Some people want to continue to stay in the caravan parks for longer than three months without getting approval for an extension of time. The other night Mr. Clive Griffiths read out some letters he had received in connection with this matter. I would point out that I, too, have received innumerable letters.

The Hon. Clive Griffiths: I have had others since then.

The Hon. L. A. LOGAN: The position is chaotic. If I were to read these letters they would indicate just how bad things are. If in the ordinary course of events the people concerned had made applications for extensions of time, and the conditions under which they made such applications were reasonable, an extension would have been granted. Now, however, the position has been made more difficult.

As members know, a number of people are selling their houses and moving into caravan parks where they want to live indefinitely. Quite often we have the situation of a family with five children—three of whom are working—wanting to live indefinitely in a caravan park. Is this what the House wants? I do not think it is.

The Hon. J. J. Garrigan: Do you not think that circumstances alter cases?

The Hon. L. A. LOGAN: I have already intimated that this is so, and I have pointed out that the people concerned would have been given permission to extend their stay if circumstances warranted this action; particularly if they had no houses in which to live.

There are, however, any number of houses available at the moment; yet we find that a great deal of money which should be going towards the purchase of a

house is being put into caravans. In some cases as much as $5,000 or $6,000 is tied up in caravans and it would be far better if this amount were spent on the purchase of a house. I received a petition containing 89 signatures in connection with one caravan park. How valid can such a petition be?

The Hon. Clive Griffiths: Why would it not be valid?

The Hon. L. A. LOGAN: Of course it is not valid. Does the honourable member think that all the 89 people concerned are affected by the three months' stipulation? Of course they are not, and accordingly the petition is not valid. Only those who have a definite reason to apply for an extension of time are the valid cases. I know enough about petitions to appreciate that.

The by-laws were promulgated after a great deal of thought and discussion had taken place between various people, including the owners of caravan parks. I am aware that the owners did not accept the three months' provision, but I would point out that the by-laws were laid down for the specific purpose of ensuring that we did not set up substandard or semi-permanent residential areas.

Mr. Clive Griffiths wants to set up two standards—one standard for the people who live in houses and who are subject to the minimum requirements by-laws; and another standard for those who want to live indefinitely in caravan parks.

I will not delay the House any further. I have given my reasons for thinking the motion is ineffectual. The only way to make it effectual is to move to disallow the by-law as it relates to every local government authority.

I am not prepared to sit down and deal with all the letters I have received, but I am prepared to grant a six months' amnesty from January, 1971, so that those concerned might have a chance to put their houses in order. Between now and January we could look at individual cases that might arise.

I know there are one or two caravan parks in existence today which are actually construction camps; but there are no huts in such parks, only caravans. There may be merit in giving consideration to people in such circumstances. There could also be some merit in the point raised by Mr. Clive Griffiths in relation to percentages; but I do not think it would be correct to give somebody in Coogee, or Bunbury—which after all are holiday resorts and should be kept for that purpose—an exclusive right to live in such parks indefinitely.

I think the fairest way to deal with this position is to grant an amnesty of six months from January, 1971. Because the motion is ineffectual I hope the House will not agree to it.

THE HON. R. THOMPSON (South Metropolitan) [3.06 p.m.]: I do not support the motion, but for reasons different from those outlined by the Minister. There are two sets of by-laws which govern caravan parks. One sets out the conditions under which caravan parks shall be constructed and maintained and outlines the amenities which should be provided for each caravan in the park. The second set of by-laws, which are under discussion, lay down the conditions for the conduct of the caravan park. The only caravan park in my province which might cause me some concern is the Coogee Beach caravan park.

I believe that last Sunday week meetings were held in Geraldton, Bunbury, Gosnells, and Coogee Beach and instructions were issued for the people concerned to ring their members in the Legislative Council. I am sure that a number of the people who phoned me were not concerned about caravan parks at all, and I feel I must have been the only M.L.C. on the telephone, because my phone did not stop ringing between 6.45 and 11.20 a.m. I was still in my dressing gown at that time.

The Hon. Clive Griffiths: People know your great sense of justice.

The Hon. R. THOMPSON: I told them quite clearly and unequivocally where I stood in the matter. From what I am told there are something like 42 permanents living at Coogee Beach, and I understand the caravan park holds just over 100.

Some years ago an intolerable situation existed at Coogee Beach. At that time we had what might be called glorified boatsheds lining the beach within a chain of the water's edge. These were in a deplorable condition. They were not properly maintained and eventually, as a result of my efforts and those of the shire council, the huts were removed. The caravan park, which at the time was not fully developed, was brought up to the required standard by the shire council spending what money it could afford in connection with this matter.

Numerous letters were written to the Press complaining about the condition of this particular caravan park. The shire clerk and president approached me in the matter and we were successful in obtaining some land from the Railways Department, the major part of which is now incorporated in an "A"-class reserve—which, of course, Coogee Beach is—and the park is built on this railway land. The shire, with the approval of the Minister for Lands, leased the park to a caravan park proprietor who, I understand, has another caravan park in Scarborough. He developed this caravan park to a high standard of efficiency. I have no complaints. This person pays a percentage of the gross turnover as rental for the use of this land. He does not pay any annual rental, but he pays something like 1¾ per cent. of the turnover of the caravan park.

For the life of me I cannot subscribe to anyone camping or living on an "A"-class reserve in a caravan for an indefinite time. I have held this view since 1960, when an attempt was made to get rid of the beach shacks and boatsheds, because it was considered that "A"-class reserves should be for the use of all the public, and not a favoured few.

Among the phone calls I received on this occasion was one from a lady who advised me that some seven months ago she sold her house in Bicton, bought a caravan, and moved into a caravan park, because she reckoned that this way of life was better for the health of her children. In all probability it is correct in her case; I do not know what is wrong with her children, and there could be justification for her action. However, this was an isolated case, among the numerous telephone calls I received. I was given no concrete reasons as to why the other persons wished to remain in the caravan park.

I pointed out to those who contacted me that they had not met trouble halfway, but had run headlong into it, because they had organised petitions. On one petition I saw the names of people who do not even own caravans. I know this, because they are personal friends of mine, and they live in Medina. They are not associated with caravans at all. This bears out the old saying that most people will sign a petition, irrespective of what it means.

These by-laws do not amount to dictation by the Minister, because, as he correctly pointed out; the local authorities have to adopt them before they are applicable. If we look at the by-laws which govern Coogee Beach we find that the shire council has not adopted the model by-laws of 1961. It adopted its own set of by-laws prior to 1961, and in these the time limit is set down at six weeks and not three months. If a shire council decides to make a change and to adopt the model by-laws, then there will be a right of appeal to the Minister by the people affected.

In all fairness to the people who have stayed at the caravan park at Coogee Beach, although the time limit is set down at six weeks the shire council has not taken any action to evict anyone, unless it has been at the request of a person who wanted a notice of eviction in order to obtain a home from the State Housing Commission. The shire council has not issued notices to tenants to quit the caravan park, unless it has been at their request.

By organising petitions I say the caravan owners have run headlong into trouble. They do not appear to have read what the by-laws provide. I would point out that, in effect, they provide a right of appeal to the Minister.

Let us take into consideration the caravan parks at Port Hedland, Exmouth, Kambalda, and similar centres. If the shire council concerned had adopted the model by-laws, then I am sure that the Minister would, under justifiable circumstances, extend the period beyond three months, if their accommodation problems were due to a housing shortage. However, in my view there is no justification for people to stir up a hornet's nest, and in so doing say they are acting in a democratic manner. In fact, these people want the privilege of living on "A"-class reserves, but they want to deny access to these reserves by other people. I consider that the usage of any "A"-class reserve, or any caravan park which has been established on an "A"-class reserve from funds provided by the Tourist Development Authority, should be observed to the strict letter of the law; and these places should be kept for the use of tourists only.

There are camping areas available in which people can park caravans, but these are not registered caravan parks. I draw the attention of the Minister to the one at Mandurah known as the Beam Caravan Park. The owner conducts it very well. He has acquired some old trams which he has converted into flatettes. He lets these out on an annual basis. The tenants do not live in them permanently; they might go down for a week or two at Christmas and Easter, or spend weekends in them. These are not caravan parks in the true sense of the word; they are camping areas in which people have erected permanent annexes.

I consider that any privately established caravan parks at beach resorts should be permitted to let the sites to people on a permanent basis. This is all right, provided the owner has established the caravan park out of his own funds. If people want to live in these caravan parks for periods of, say, 12 months during an extended working holiday, I think they should be permitted to do so, provided the park has been set up for that purpose, and not as a tourist amenity. I do not know whether anybody has been enterprising enough to work out the economics of establishing this type of caravan park. I cannot see anything wrong with it.

I read many documents which came into my hands some years ago about the way of life of some people in America. Something like 3,000,000 people live permanently in palatial caravans, many of which can only be shifted by prime movers because they are so large. The conventional motorcar is not powerful enough to move them. These people float from city to city and from State to State permanently.

The Hon. G. C. MacKinnon: These are the mobile type of homes which measure up to the Public Health Department's definition of a house.

The Hon. R. THOMPSON: I would say so.

The Hon. G. C. MacKinnon: Many of the caravans in this State would not measure up to that definition. They would be considered substandard.

The Hon. R. THOMPSON: Some of the caravans in America are 45 feet long.

The Hon. G. C. MacKinnon: The ones in this State are not substandard so far as caravans are concerned, but they are substandard if used as permanent living units.

The Hon. R. THOMPSON: That is the way of life of about 3,000,000 Americans. I do not think we have yet reached that stage in Western Australia. We might be on the verge of it, so it is worth while our considering the establishment of similar parks. We should permit private enterprise to establish them. The Tourist Development Authority and the shires have limited funds for these purposes, and the funds that are available should be reserved for the establishment of tourist amenities.

I would like to mention other features of this matter. Some people in our community are forced to live in country areas; and I am referring particularly to school teachers who are sent to country towns. It is not uncommon for a school teacher, because of an accommodation shortage, to have to live in a caravan. In these cases there is normally no caravan park available, and the school teacher must park his caravan in someone's backyard and use the facilities of the house. However, this is not a desirable state of affairs either, and I certainly do not go along with it. A member of my own family had to put up with such conditions for four years, and it was most unsatisfactory.

Getting back to the point, I could not go along with this motion even if it would be effectual. It certainly would not be as far as Coogee Beach is concerned. The deletion of this by-law would not mean a thing, because the shire has its own independent regulations which are not the same as the model by-laws gazetted in 1961 and also again this year. Therefore, a great deal more research would be required by Mr. Clive Griffiths if he desires to have Coogee Beach included. He would also have to move to disallow the Cockburn Shire bylaws of 1960. Otherwise, this motion would not help the people there at all. I cannot support the motion.

THE HON. J. J. GARRIGAN (South-East) [3.22 p.m.]: I did not intend to buy into this debate, but I am supporting Mr. Clive Griffiths in his effort to obtain some uniformity with regard to caravan parks in Western Australia. I am not referring to private caravan parks, but to those which are run by the local authorities.

My home town of Boulder is at the moment overcrowded with caravans. However, if it were not for these caravans the people using them would not be able to work in the town as there is no other accommodation available. Those people come under this by-law, and I am led to believe that they can leave a caravan park today, go to Kalgoorlie for the night, and then return to Boulder the next day. They are then perhaps put in a different allotment and are allowed to remain for another three months.

The Hon. L. A. Logan: That is not right, either.

The Hon. R. Thompson: They make their own rules up there.

The Hon. J. J. GARRIGAN: Boulder is an industrial town; but let us consider the situation at Hyden which is not an industrial town. People merely visit that place in order to inspect Wave Rock and usually stay for only a couple of days. As Mr. Ron Thompson stated, this was the original idea of caravan parks; that is, to cater for tourists. However, the situation has been reached at places such as Port Hedland, Carnarvon, Boulder, Kalgoorlie, and others, where people have nowhere else to live but in caravans. They cannot park their caravans on vacant allotments, because no facilities are available at such places.

I support the honourable member because he has a very good argument. The matter should be left mainly in the hands of the local authorities concerned. They should know best how many people can remain in the caravan parks, and for how long. With those few remarks I support Mr. Clive Griffiths.

THE HON. F. R. WHITE (West) [3.25 p.m.]: I have been surprised at the lack of understanding the general public has regarding local authority by-laws and, in particular, draft model by-laws such as those being debated at the moment.

Draft model by-laws are merely by-laws which act as a guide for local authorities which may if they so desire, adopt them *in toto*, in part, or in an amended form. If a local authority does not consider any of the by-laws are desirable in its own local situation, it need not adopt by-laws of any description whatsoever.

A moment ago a question was asked concerning the number of local authorities in the State which had adopted the previous draft model by-laws which came into existence in 1961. A quick count of the local authorities mentioned in the answer to the question asked by Mr. Clive Griffiths indicates that 79 have adopted those original by-laws either in part or *in toto*. Therefore, even now many local authorities have not adopted those original draft by-laws.

The Hon. L. A. Logan: Some have no caravan parks, of course.

The Hon. F. R. WHITE: Possibly so. These draft model by-laws before us at the moment have not been adopted as at

this date by any local authority. A couple of resolutions for their adoption have been passed by councils. In order for this to be achieved the local authority at its council meeting must resolve to adopt them either in part, *in toto*, or in an amended form. Then the council must forward schedule 14 to the Local Government Department for approval by the Minister. Then it goes to the Governor for his confirmation, after which the by-laws must be published in the *Government Gazette* before they have the force of law. The by-laws we are discussing have no force of law whatsoever at the moment.

Mr. Clive Griffiths and others have mentioned that flexibility is desirable; that is, flexibility concerning how long caravans should be permitted to remain in particular caravan parks. I believe that flexibility exists now and that it is in the hands of the local authority concerned because it must adopt by-laws which suit its own particular situation. If a local authority adopts by-law 14 then it must, after confirmation from the Governor, advertise to this effect in a newspaper circulating throughout the district. This gives ratepayers and residents an opportunity to object to it.

Once the by-law has been circulated in the newspaper, and if no residents or ratepayers object, then the by-law can still be disallowed in Parliament. Therefore, I believe that plenty of flexibility is in existence at the moment.

However, I do sympathise with Mr. Clive Griffiths and others who say that possibly three months is not a desirable period to stipulate for all local authorities. Some members believe that three months is a desirable period. Others, like Mr. Ron Thompson, suggested that possibly six weeks would be adequate. On the other hand, I know some people suggest that a local authority should have the power to allow caravans to remain for six months with an extension of a further six months if it is considered necessary.

All these things are in the hands of the individual local authorities and I cannot see that there is any advantage attaching to this motion, whether it is passed or lost, except to give individual members of Parliament an opportunity to express their ideas and theories; but such expressions of ideas and theories will not alter the law as it stands today. I oppose the motion.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [3.29 p.m.]: I am sorry to hear the views of some of the members who have spoken to this motion. I am sorrier still to notice the silence on the part of many other members. I can only assume by their silence that they are not particularly affected by the motion or that, perhaps, they are not going to support it.

Some members have indicated to me that they would support a case if it was well presented. However, I am a fairly practical individual and I know that to have my motion passed I must have the numbers; and I would have been a much happier person had more members spoken and given me an idea of what they thought of it.

However, notwithstanding that, I would like to answer some of the points made by the members who did speak. I thank Mr. Garrigan for his undoubted support of my motion, and for the words he used when he indicated that he felt the case I had put forward was worthy of support.

Mr. George Brand mentioned that he represented an area which did have a couple of caravan parks, and he also indicated that he made some inquiries in his district to find out how the authorities felt. He made the inquiries from the local authorities and they indicated they wanted to maintain the present situation, which required people to move on after three months. That is their prerogative, and I have never said anything to the contrary.

I am surprised to learn that so many members were obviously not listening to me when I spoke because I made it perfectly clear that the local authorities which had adopted the model by-laws would have included this particular by-law. I stated that 80 local authorities were involved, and Mr. White said there were 79. However, approximately 80 local authorities have adopted the model by-law, and they are affected by my motion. Naturally, some local authorities want the by-law, and this is their business. However, I would have expected Mr. Brand to make, perhaps, some inquiries amongst the people living in the caravan parks to see how they felt about the situation. They are the people whom the honourable member represents, and they are the people entitled to be asked how the by-law would affect them. I am sorry he did not make such inquiries.

The Hon. G. E. D. Brand: A lot of them do not stay long enough.

The Hon. CLIVE GRIFFITHS: It was suggested by Mr. Brand that there should be some elasticity regarding the situation. This is what I suggested, and I implored the Minister not to discount my motion out of hand and oppose it. In fact, I suggested several workable alternatives. However, I can only assume that Mr. Brand will not support me. The Minister, of course, indicated quite clearly where he stood—where he has stood for many years. I thought he might have mellowed in his outlook, and I thought he might have a more lenient attitude at this stage. However, it is quite obvious that his point of view has not changed.

The Minister explained to the House—which I did not think was necessary to do in detail—the precise situation in relation

to draft model by-laws. Apparently the Minister, and others, thought the majority of members in this House were not capable of being familiar with the position. I gave members credit for knowing the situation. Of course, the passing of my motion will not alter the present situation at all. For the benefit of members who have not had an opportunity to examine the by-law as tabled, I will read part of it to the House. It is headed, "Local Government Act, 1960-1970," and reads as follows:—

> Local Government Department,
>
> Perth, 17th August, 1970.
>
> HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1970, has been pleased to cause the draft model by-laws set out in the Schedule hereto to be prepared and published, in substitution for the Local Government Model By-law (Caravan Parks) No. 2 published in the *Government Gazette* on the 28th September, 1961, as amended by notice so published on the 16th January, 1963.
>
> 2. Councils of municipalities proposing to adopt the draft model by-laws now published should, where they have adopted the former (No. 2) Model By-law, resolve to substitute the new by-law for that previously adopted.
>
> R. C. PAUST,
> Secretary for Local Government.

So the situation can well be affected by the decision of this House on my motion, because here, prefacing the particular model by-laws, we have a set of instructions which suggests to local authorities that those which have already adopted the model by-laws should substitute the new model by-laws. So I believe that, contrary to what has been said by those speakers who have indicated their opposition to the motion, the motion will, indeed, affect the situation. If local authorities carry out the instructions suggested, they will adopt the by-law which provides that people must move on after three months.

The Hon. F. R. White: They must run the course of an objection period.

The Hon. CLIVE GRIFFITHS: Of course they must. However, I point out to the House that my motion will have a very big bearing on the situation. The Minister went on to say that local authorities, if they wished, could adopt the model by-laws. I think I could mention Mr. Ron Thompson and Mr. White as having also expressed that view.

Whether or not we pass the motion to exclude by-law 14, local authorities can include other provisions if they so desire. Of course, that is the situation. However, I thought I made it perfectly clear that local authorities, as a rule, adopt model by-laws as presented to them by the Minister. The situation is then that everybody must comply with those by-laws.

The Hon. R. Thompson: I think the honourable member appreciated that irrespective of whether he is successful with his motion it will not affect the Coogee Beach caravan park.

The Hon. CLIVE GRIFFITHS: I appreciate that very much. The South Perth City Council has not adopted the model by-laws, but it has a by-law which precludes people from staying in caravan parks for more than three months. However, that was the business of the South Perth City Council, and it took that action because it felt it was necessary. That council did not adopt the model by-laws *en bloc*, as put forward by the 1961 and the 1963 amendments. That local authority has a special reason for including the three-month period. I thought I made that clear when I moved the motion, particularly in regard to the South Perth City Council—although I did not mention that council specifically.

I did mention that prior to 1961 there were something like five caravan parks in the metropolitan area, and all located in built-up areas. There was no possibility of those caravan parks expanding because houses and business premises were already constructed right alongside them.

When it was decided that Perth was to be host city for the Empire Games it was necessary to move the permanent residents out of the caravan parks. There were so few caravan parks, and such a limited space available, it was necessary to provide accommodation for the people we were enticing to Perth for the Games. I repeat what I said when I moved the motion: The situation these days does not resemble the situation that existed in 1961.

The Minister went on to say that I was endeavouring to set up some substandard type of living accommodation. That, of course, is absolute nonsense and is not true. I am not trying to do that at all. I believe people have some basic, fundamental rights. I believe people have genuine excuses. I presume the letters the Minister has received were written by people who were appealing against having to move on. The Minister said something to the effect that most of them were not genuine.

The Hon. L. A. Logan: Many of them were not.

The Hon. CLIVE GRIFFITHS: I would like to ask the Minister how he would know whether they were genuine or not. I hope his argument that they are not genuine is not based upon the letters—which I doubt he has read, but let us assume he

has read them all. He said he would not weary or burden the House by reading out the letters. I would have been pleased if he had read them. How can he stand up and say these people are not genuine if they have particular reasons that do not appeal to him? I will not have a bar of that.

At the time I moved the motion I mentioned that I had received something over 60 letters from people I had never heard of, in the majority of cases, but I did take the opportunity to go out and have a look at some of the situations and conditions under which people were living in caravan parks these days. I have come to the conclusion that if an individual puts forward a reason for wanting to live in a caravan park, that is a genuine reason as far as he is concerned.

I would like the Minister to tell me, by way of interjection, how many cases among the 79 appeals he has had in a fortnight he has actually been out and personally investigated.

The Hon. L. A. Logan: I told you I was going to grant an amnesty for six months.

The PRESIDENT: Order! Order! The Minister has made his speech, and I would ask Mr. Clive Griffiths not to entice him to interject.

The Hon. CLIVE GRIFFITHS: I am keen to know how closely the Minister has investigated the appeals that have been made to him.

The Hon. F. J. S. Wise: He will not tell you now.

The Hon. CLIVE GRIFFITHS: I would be interested to know, and I would like the House to know.

The Hon. G. C. MacKinnon: He is very thorough in everything he does, is he not?

The Hon. CLIVE GRIFFITHS: I have made a few inquiries at several of the caravan parks in an endeavour to ascertain whether the Minister is correct when he states that these people are not genuine. As I said when I moved the motion, it is extraordinary that a person must appeal to the Minister for Local Government if he wants to remain in a caravan park for another month, two weeks, or three months. That would petrify some people because they would not know how to go about it. They would be absolutely aghast at having to present a case to the Minister for Local Government.

The Hon. R. Thompson: What is the longest period that anyone has lived in a caravan at any of the parks you have visited?

The Hon. CLIVE GRIFFITHS: I do not know offhand.

Sitting suspended from 3.45 to 4.02 p.m.

The Hon. CLIVE GRIFFITHS: Mr. Ron Thompson asked me the longest period anybody had stayed in a caravan park—at least among those to whom I had spoken—and I indicated I was not sure, but I think it was about nine months. Whether it was nine months or 12 months is not altogether the point, because the majority of the people concerned are waiting to save enough money to purchase their own homes. There were also some who were on working holidays from other parts of the country.

The Minister indicated that the furthest he was prepared to go was to grant an amnesty of six months from the 1st January, 1971. I would like to feel that he will grant this amnesty and that it will apply to those who are already living in caravan parks and who will probably be there on the 1st January. The Minister does not seem willing to give me an indication as to whether or not this will be the situation.

The Hon. G. C. MacKinnon: It would be disorderly for him to do so.

The Hon. CLIVE GRIFFITHS: That may be so, but I would like to feel that those who are at present living in caravan parks—even though they may have been there for three months—will be eligible for the six-month amnesty referred to by the Minister.

The Hon. R. Thompson: A nod is as good as a wink to a blind horse.

The Hon. F. J. S. Wise: I think the Minister meant that it would start from the 1st January.

The PRESIDENT: Order!

The Hon. W. F. Willesee: It should be a point of clarification.

The Hon. CLIVE GRIFFITHS: I will leave the matter there for a moment, but I will come back to it later. Mr. Ron Thompson talked about the possibility of the situation reverting to the old shanty-town days that existed at Coogee Beach.

The Hon. R. Thompson: It was not so many years ago.

The Hon. CLIVE GRIFFITHS: I know that. I have pointed out very clearly to the House, however, that since those days a set of health regulations has been prepared by the Public Health Department and adopted, and these regulations are in fact law. They are not model health regulations which may or may not be adopted by local authorities: they are health regulations which are in fact the law—they apply to all caravan parks whether the local authority concerned has adopted the model by-laws or not.

It would be impossible, therefore, for the position in caravan parks to degenerate—as suggested by Mr. Ron Thompson—to that which obtained previously. This would just not be possible, particularly if the local authority were doing its job and ensuring

that the health regulations were carried out. Stringent penalties are provided in these health regulations for anybody who happens to contravene them. So, as I have shown, it will not be possible to revert to the old shanty-town days mentioned by Mr. Ron Thompson.

The Hon. R. Thompson: You are trying to protect five people living in one caravan 18 feet long.

The Hon. CLIVE GRIFFITHS: That is not the situation at all.

The Hon. R. Thompson: Of course it is.

The Hon. CLIVE GRIFFITHS: It is obvious that among the multitude of people living in caravan parks there are some who should not be living in such parks. I am prepared to concede this. I agree that some of them might be living under conditions which are not conducive to a good atmosphere and a good environment for young children.

While the Minister is prepared to concede that there would be only the odd one who might be genuinely entitled to live in a caravan park, I take the opposite view and say that there might be the odd case to which a situation like this should apply.

As I indicated when I moved my motion, if anybody is to make the decision it should not be the Minister but the local health inspector. This matter ought to be policed by the local authority whose prerogative it should be to decide from time to time whether people ought to be moved on or be permitted to stay. The model by-laws state that one cannot stay in a caravan park for more than three months, but they do not say that one cannot move to another caravan park. In the circumstances Mr. Ron Thompson's remark about the five people living in a caravan is not altogether relevant; because they are not prevented from moving a mile down the road to another caravan park.

The Hon. R. Thompson: That is an amazing statement: If you read the by-laws you will find that cannot be done. I do not think you read them right through.

The PRESIDENT: Order!

The Hon. CLIVE GRIFFITHS: I have read the by-laws until I can just about recite them from memory—though I do not propose to do so. Mr. Ron Thompson referred to circumstances where school teachers might be living in a caravan, perhaps in the backyard of one of their relatives. Both the model by-laws as tabled and the previous by-laws provide that a local authority may grant permission for a person to stay in a caravan in the backyard of a house—indeed they provide that there may be more than one caravan occupied—for a period of six months at the end of which period the local authority, if it so desires, may grant a further period of six months.

In the circumstances I cannot see why the Minister is so dogmatic in not supporting my suggestion; particularly as it relates to a properly constructed caravan park fully protected and governed by a stringent set of regulations. That being the case, it is difficult to understand why the people concerned cannot stay in such parks for more than three months without having to obtain the approval of the Minister for Local Government. On the one hand we have the situation I have just mentioned and on the other we find that a local authority, if it so desires, can grant permission for people to stay in a caravan in a backyard for a period of six months, or longer if this is considered necessary.

The Hon. R. F. Hutchison: The Minister was telling you that your ideas were not good.

The Hon. CLIVE GRIFFITHS: I feel my ideas are fantastic.

The Hon. G. C. MacKinnon: Look at the meaning of the word "fantastic" in the dictionary.

The Hon. CLIVE GRIFFITHS: I do not think the Minister can refute the case I have put forward, nor can he deny the validity of my arguments. If a vote is taken on the case that I put up I feel sure I will have an overwhelming victory. I hope the motion is decided on the merits of the arguments put forward, and I ask members to vote accordingly in support of the motion I have moved. If my motion is carried draft model by-law No. 14 will be deleted and I hope that in the near future another model by-law will be substituted by the department along lines similar to those suggested by me when moving my motion. I trust that when this is done a great deal more leniency will be shown and the matter will be placed under the jurisdiction of the local authority rather than that of the Minister.

Question put and negatived.

Motion defeated.

COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) BILL

Returned

Bill returned from the Assembly without amendment.

SALE OF LAND BILL

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

CHIROPRACTORS ACT AMENDMENT BILL

Second Reading

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.15 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Chiropractors Act by including a right of appeal when registration is refused or cancelled. This provision is common to many Acts of this nature, and members may recall similar amendments being made to the Chiropodists Act in 1967.

The 1964 Act under section 20, while providing for persons who had practised chiropractic for five years and possessed sufficient knowledge and practical experience to be registered as a chiropractor, limited the time of application to a period of one year from the commencement of the Act and contained no avenue for appeal for those who were refused registration at that time.

Clause 4 of the Bill seeks to add a new section 21A to the Act. This provides that whenever the board—

(a) refuses to register any person as a chiropractor;

(b) causes the name of any person to be struck off the register of chiropractors or the record of students; or

(c) refuses to re-enter in the register of chiropractors or the record of students the name of any person whose name has previously been withdrawn from or struck off such register;

the person may within three months of such time apply to the board for its reasons and may subsequently appeal to a magistrate of the local court against the decision. The board, under sections 18 and 21 of the Act, has the power to say who shall be registered or deregistered as a chiropractor and whose name shall be struck off the record of students. Where a person is so summarily deprived of his means of livelihood, it must be a basic tenet of our law to provide a means for appeal against such a decision. A right of appeal is common to many Acts of this nature.

The Hon. G. C. MacKinnon: The statement you just made is not true. All that is denied him is the right to call himself a chiropractor.

The Hon. R. F. CLAUGHTON: It was added to the Chiropodists Act, referred to previously, and more recently we have included a similar provision in the Builders' Registration Act.

I would further point out that a right of appeal was recommended by the 1961 Royal Commission inquiring into the Natural Therapists Bill, from which the Chiropractors Act arose. Members will find this opinion expressed in paragraph (iii) of part 14, at page 15 of the report. We can only believe that the provision was inadvertently omitted from the original Act.

An amendment to the Bill is foreshadowed. Its purpose is to make quite clear that persons who applied for registration after the commencement of the principal Act, but were refused, will have the right to appeal against that refusal.

Debate adjourned, on motion by The Hon. G. C. MacKinnon (Minister for Health).

RESERVES BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [4.20 p.m.]: I move—

That the Bill be now read a second time.

In moving the second reading of this Bill, I propose to make some comment on each clause for the information of members, as its purpose is to adjust Class "A" reserves for other purposes.

Clause 2 refers to the cancellation of trust over Lot 2 of Lot 187 at Albany. It is held in trust by the Town of Albany for the purpose of a mechanics institute. Lot 187 in its entirety was originally granted in trust in Crown Grant enrolled No. 2797 in the year 1853. It was transferred in 1916 to the Town of Albany by Memorial Book 18, No. 488, in consideration of an undertaking and agreement by the town council to carry out the objects and purposes of the trust. By authority of Reserves Act No. 29 of 1936, portion of Lot 187, being Lot 1 on Office of Titles diagram No. 10297, was transferred by the town council to the W.A. Fire Brigades Board and was freed from trust.

The W.A. Fire Brigades Board now seeks to purchase Lot 2 of Albany Lot 187 from the Town of Albany, to enable the expansion of fire-fighting services, but the sale cannot be negotiated until the trust is removed. This clause seeks parliamentary approval to the cancellation of the trust over Lot 2 to enable the land to be sold and transferred by the Town of Albany to the W.A. Fire Brigades Board and, when so transferred, the land would be held freed and discharged from the trust.

Clause 3 refers to excision from "A"-class Reserve No. 24258 near Albany. This reserve situated near Albany comprises Plantagenet Locations 6111 and 6112 and contains about 8,911 acres. The reserve, set apart for the purpose of "national park and recreation," is vested in the National Parks Board of Western Australia. The provision of a road to serve the prison severed and rendered useless a valuable swamp used for potato growing by Messrs. John Peter Manoni and Ernest Albert Manoni.

To offset this loss, these gentlemen applied for and were allocated Plantagenet Location 6678 under the impression that a swamp was situated on that location. A

subsequent inspection of the area revealed that Location 6678 consisted mainly of steep sand dune country entirely unsuitable for agricultural usage. The applicants had cleared and drained a swamp located in the adjoining "A"-class Reserve No. 24258 under the mistaken impression that it was situated on Location 6678.

The National Parks Board of Western Australia has agreed to an excision from "A"-class Reserve No. 24258 of approximately 30 acres and to receive in exchange the area at present set apart as Plantagenet Location 6678. This clause seeks parliamentary approval to the excision of those 30 acres to be surveyed as Plantagenet Location 6678 and to authorise the Governor to grant a conditional purchase lease of the excised land to the persons whom I have already named, both of Albany; such grant to be made under the provisions of section 53 of the Land Act, 1933.

Clause 4 refers to the cancellation of Reserve No. 17803 at Balingup comprising Nelson Location 8147 and Balingup Lot 244 and containing 4 acres 2 roods 15 perches, which is set apart for the purpose of "Rifle Range (Balingup Rifle Club)". The Crown grant in trust is held by Messrs. John Lytton Rose, Edmund Moore, and William Morgan Jenkins, as trustees for the Balingup Rifle Club in Certificate of Title Volume 951 Folio 188.

The Shire of Balingup has advised that the rifle range has not been used for over 15 years and it considers that the club will not be reformed. The trustees of the rifle club are all deceased. The owner of the adjoining land has requested to purchase a portion of this land as the reserve runs through his property and it is necessary for him to maintain fences on both sides to control the spread of blackberries and also vermin.

The intention is to make Nelson Location 8147 available for selection by adjoining holders only and to retain Balingup Lot 44 as vacant Crown land. This clause seeks parliamentary approval to the cancellation of the reserve and for the land to be revested in Her Majesty as of her former estate and removed from the operation of the Transfer of Land Act, 1893. The land is to be disposed of in accordance with the provisions of the Land Act, 1933.

Clause 5 refers to the cancellation of "A"-class Reserve No. 10402 at Bayswater. This comprises Lots 23 and 24 of Subdivisional Lot 32 of Swan Location U and contains 1 rood 1-6/10ths perches and is set apart for the purpose of an "observatory site" and is classified Class "A".

The site was used for making astronomical observations in 1908, but has not since been used. The building and observation pillar which then existed have since disappeared and there are no reference marks remaining. The Shire of Bayswater desires to clean up the area and develop it as a children's playground. This clause seeks parliamentary approval to the cancellation of "A"-class Reserve No. 10402 and for the area to be reserved again for the purpose of a "children's playground."

Clause 6 refers to the cancellation of "A"-class Reserve No. 27678 at Dinninup comprising Nelson Location 2532 and containing 34 acres 2 roods 10 perches and set apart for "camping." The Shire of Boyup Brook considers that this reserve is unsuitable for the purpose of camping and that an area with a river frontage in the north-west corner of freehold Nelson Location 1602 owned by E. and M. O. McLaughlin should be acquired in lieu. The proposals are for an exchange of location 2532 for an area of approximately 15 acres of Location 1602 with a frontage to the Blackwood River. The owners have expressed agreement to the exchange.

This clause seeks parliamentary approval to the cancellation of this "A"-class reserve and for the area to be exchanged as indicated in order that the alternative site may be set apart as a new camping reserve.

Clause 7 refers to the excision from "A"-class Reserve No. 24653 at Flinders Bay comprising Augusta Lots 38 and 405 set apart for the purpose of "recreation and camping" and vested in the Augusta-Margaret River Shire Council and containing 14 acres 3 roods 18 perches. The shire council desires to upgrade the small caravan park at present in existence in the reserve and for this purpose desires to lease an area of five acres to a private operator who is prepared to develop the caravan park to a high standard. The vesting order does not give the shire council power to lease this reserve, nor is the purpose of the reserve appropriate. It is therefore necessary to establish the caravan park by excising the area from the reserve and creating a separate reserve for the caravan park, which would be vested in the shire with power to lease.

This clause seeks parliamentary approval to this excision and for reservation of the excised area as a "caravan park" and its vesting in the Augusta-Margaret River Shire Council with power to lease for 21 years.

Clause 8 refers to the lease of portion of Reserve No. 6066 at Fremantle which is held in fee simple in trust for cemetary purposes by the trustees of the Fremantle Cemetery Board. The trustees have received an application from a monumental mason for a lease of an unused portion of the reserve. They consider that a monumental masonry works would be an adjunct to the cemetery and would provide a service to the people, as well as providing revenue for the upkeep of the cemetery. The land will not be required for burial purposes for many years to come.

The trustees desire to grant a lease for the purpose and to have adjoining land available for leasing for a similar purpose if required; each lease to contain one acre. This clause seeks parliamentary approval for the leasing of portion of the reserve to a maximum of five acres by the trustees of the Fremantle Cemetery Board for a period of 25 years, commencing on the 1st January, 1971.

Clause 9 refers to the cancellation of "A"-class Reserve No. 7403 at North Fremantle comprising North Fremantle Lot 224 containing 1 acre 2 roods, which is set apart for the purpose of "recreation" and is not vested. The Main Roads Department proposes to locate a second traffic bridge over the river at Fremantle to form an integral part of the Fremantle eastern bypass project. A major portion of "A"-class Reserve No. 7403 is required for "road purposes" in connection with this bypass road. The reserve is in the boundaries of the City of Fremantle and the council is in agreement that the land be made available for the purpose desired. The clause seeks parliamentary approval to the cancellation of the reserve in question and for portion of the area to be made available for the desired purpose in connection with the construction of the Fremantle eastern bypass road. The balance of the land will be reserved for Government requirements.

Clause 10 refers to a change of purpose of Class "A" Reserve No. 12590 near Gnowangerup and comprising Plantagenet Location 6967 containing about 126 acres and is set apart for the purpose of "Resting Place and Protection of Flora" and is not vested. The reserve has been used over the years for indiscriminate camping by working parties and for the removal of gravel. Resulting from this, much of the natural bush has been ruined by excavations and a number of trees destroyed.

The Conservator of Forests considers the reserve should be retained as it contains many varieties of flora but the area is remote from any Forests Department establishment. The Western Australian Wildlife Authority is prepared to assume control of the reserve to protect the flora and fauna. To enable this to be done, it is necessary for the purpose of the reserve to be changed to "Conservation of Flora and Fauna." This clause seeks parliamentary approval to the change of purpose of this Class "A" Reserve as already indicated.

Clause 11 provides for the cancellation of "A"-class Reserves Nos. 7659 and 10863 at Hopetoun. The former reserve comprises Hopetoun Lot 117 and contains 8 acres 34 perches and is set apart for the purpose of "Recreation." Reserve No. 10863 comprises Hopetoun Lot 120 and contains 9 acres 2 roods and 16 perches and is also set apart for the purpose of "Recreation." Both reserves are situated within the Hopetoun townsite and are held in trust by Charles John Efford and Francis Hawthorne Stenike.

To make provision for further residential lots in the town, a redesign of an old subdivision, which included these reserves, became necessary. The new design requires the cancellation of both reserves to consolidate the area in a proposed new recreation reserve after making provision for a future road. The new reserve to be provided will contain 22 acres 1 rood 22 perches.

This clause seeks parliamentary approval to these cancellations and to the cancellation of the trust with the intention that the area be consolidated into a new recreation reserve after making provision for the future road.

Clause 12 refers to the change of purpose of Class "A" Reserve No. 16804 at Korijekup Estate near Harvey. This reserve comprises Korijekup Estate Lot 198 and contains 9 acres and 1 perch and is set apart for the purpose of "Public Utility" and is not vested. The Shire of Harvey has requested that the reserve be vested in the council for the purpose of "Picnic Area and Stopping Place" so that it may be developed to cater for motorists travelling along the South-Western Highway. This clause seeks parliamentary approval to the change of purpose of this reserve, as I have indicated.

Clause 13 is to effect the cancellation of "A"-class Reserve No. 998 at Lake Clifton comprising Wellington Location 4630 containing 55 acres 3 roods 29 perches and set apart for "Camping and Recreation," and vested under section 33 in the National Parks Board of Western Australia.

The National Parks Board has requested that this reserve be included in the Yalgorup National Park Reserve No. 11710, which is "A"-class and, again, vested in the National Parks Board for the purpose of "National Park." To implement the wishes of the National Parks Board, it is necessary to cancel Reserve No. 998. This clause seeks parliamentary approval to this cancellation and the incorporation of the area as indicated.

Clause 14 provides for an excision from "A"-class Reserve No. 4486 at Mundijong comprising Mundijong Lots 57, 166, and 167, and contains 16 acres 3 roods. It is set apart for the purpose of "Recreation" and is vested in the Shire of Serpentine-Jarrahdale.

The shire has resolved to build new administrative buildings and a new public hall. The existing office and hall is on Reserve No. 4330 adjoining "A"-class Reserve No. 4486. This existing hall will be dismantled but the existing offices and toilets will be retained on Reserve No. 4330. The new buildings cannot be accommodated on Reserve No. 4330 and the council

requests that Lot 167, portion of Reserve No. 4486, be vested in the council for the purpose of "Hall Site and Municipal Buildings."

This clause seeks parliamentary approval to excision from Class "A" Reserve No. 4486 of an area of about 3 acres surveyed as Mundijong Lot 167 and for the excised area to be reserved as indicated and vested in the Shire of Serpentine-Jarrahdale.

Clause 15 will effect the excision of Class "A" Reserve No. 10523 situated at Narrogin and comprising Narrogin Lot 264 containing 5 acres 23 perches and set apart for the purpose of "Civic Centre Site." It is not vested. The reserve was formerly reserved for "Park Lands" by Reserves Act No. 102 of 1964. The purpose was amended to "Civic Centre Site" to the intent that the land be used for municipal offices, public library, and civic buildings.

Lot 46 on which the public library is situated is held in fee simple by the Town of Narrogin. It contains 1 rood and 8 perches and the intention is that this area be included in Reserve No. 10523. The Town of Narrogin has requested that 1 rood 32.4 perches of this reserve be excised and granted in fee simple to the council by way of exchange for the transfer and surrender by the council to the Crown of Narrogin Lot 46, which abuts this reserve, in order that an office block for commercial purposes may be erected. The council proposes to sponsor the erection on the excised area of an office complex mainly for professional use. It has particular value for this purpose because of its proximity to the council offices, the Post Office, State Government offices, the courthouse, and the major banks.

This clause seeks parliamentary approval to the excision from this reserve of an area of land surveyed as Narrogin Lot 1579 together with abutting roads and rights-of-way, and for the area excised to be granted in fee simple to the Town of Narrogin by way of exchange for Narrogin Lot 46.

Clause 16 refers to the cancellation of Reserve No. 8909 at Yalup Brook near Harvey. This reserve is set apart for the purpose of the "Methodist Church of Australasia," is leased for 999 years to the Western Australian Conference of the Methodist Church of Australasia in trust, as Lease No. 365/42, and contains 1 rood 15 perches.

The lot has no buildings erected on it and the church has agreed to the cancellation of the reserve in order that the land may be sold to the adjoining landholders. The trustees are deceased and it is therefore not possible to obtain a transfer of the lease to the Crown.

This clause seeks parliamentary approval to the cancellation of this reserve with the intention that the Government may dispose of the land in accordance with the provisions of the Land Act, 1933, and for cancellation of the lease.

The next provision, that contained in clause 17, concerns the cancellation of "A"-class Reserve No. 20745 at Yanchep, comprising Swan Locations 3306 and 3307 containing 139 acres 2 roods 4 perches and set apart for "Park and Recreation," and vested in the National Parks Board of Western Australia.

The National Parks Board has requested that "A"-class Reserve 20745 be included in the Yanchep National Park Reserve No. 9868, which is "A"-class, and vested in the National Parks Board for the purpose of "Protection and Preservation of Caves and Flora and for Health and Pleasure Resort." To implement the wishes of the National Parks Board, it would be necessary to cancel Reserve No. 20745. This clause seeks parliamentary approval to the cancellation of this reserve and for this area to be incorporated with Class "A" Reserve No. 9868 and form part of Yanchep National Park.

Clause 18 concerns the excision from "A"-class Reserve No. 4561 at Bedfordale. This reserve contains about 1,135 acres and is set aside for "Parklands." It is vested in the Shire of Armadale-Kelmscott.

Adjoining the reserve is a freehold property owned by Guiseppe Antonio Raschella and Nicola Vincenzo Raschella. Messrs. G. A. and N. V. Raschella desired to partition their freehold property and this necessitated survey. During the survey, the surveyor determined that portion of Class "A" Reserve No. 4561 had been developed as part of the orchard property; that improvements consisting of fruit trees and a water tank were on the reserve; and that a house was partly on the reserve and partly on the freehold land.

It has been ascertained that the development of the reserve had been effected prior to the purchase of the property by Messrs. Raschella and is of considerable value. These gentlemen have applied to purchase the portion of the reserve on which the improvements are situated and their application is supported by the Armadale-Kelmscott Shire Council.

This clause seeks parliamentary approval to excise the area of 4 acres 1 rood 34 perches from Reserve No. 4561 in order that the portion so excised may be sold to the above-mentioned persons at the unimproved market value.

Clause 19 refers to cancellation of Reserves No. 17214 and 17215 at Latham. Reserve 17214 comprising Latham Lot 37 contains 2 roods and is set apart for the purpose of a "Hallsite," and is held in trust in a certificate of title by the Latham Agricultural Society Incorporated.

Reserve 17215 comprises Latham Lots 34 and 35 and contains 30 acres and is set apart for the purpose of an "Agricultural Show Ground" and is also held in trust in a certificate of title by the Latham Agricultural Society Incorporated.

The former trustees of the agricultural society are deceased and the society is not operative. There is no person now capable of dealing legally with the land. The Perenjori Shire Council desires to use the land for the purpose of recreation. The Royal Agricultural Society has no objections and the clause seeks parliamentary approval to the revestment of Latham Lots 34, 35 and 37 in the Crown and to the cancellation of the existing reserves in order that the land may be set apart as a reserve for "Recreation" and vested in the Shire of Perenjori.

Clause 20 deals with the change of purpose of Class "A" Reserve No. 27581 at Mandurah comprising Murray Locations 1561 and 1562 and containing 17 acres 1 rood 29 perches set apart for the purpose of "Recreation and Camping" and vested in the shire of Mandurah. It is situated on the western foreshore of the entrance to Peel Inlet adjacent to the traffic bridge. It has been developed by the planting of trees and grasses and the establishment of recreational facilities.

The area is centrally situated within the town of Mandurah and is open and exposed and the shire council desires to retain the area for recreational purposes only. Facilities for campers are being established elsewhere in the shire.

The clause seeks parliamentary approval to the change of purpose of Class "A" Reserve No. 27581 from "Recreation and Camping" to "Recreation."

Clause 21 refers to a change of purpose of Class "A" Reserve No. 24482 at William Bay near Denmark. This is a coastal reserve on William Bay and Perry Inlet, west of Denmark, containing about 4,644 acres, set apart for the purpose of "Recreation and Camping." Several islands are included in the reserve. Following negotiations between the National Parks Board and the Denmark Shire Council, it was agreed that the reserve, which contains outstanding examples of coastal scenery, was most suitable for a national park. The Denmark Shire Council has therefore relinquished control of the area.

This clause seeks parliamentary approval to the change of purpose of Class "A" Reserve No. 24482 from "Recreation and Camping" to "National Park."

Clause 22 refers to the cancellation of "A" Class Reserve No. 11375 at Boulder, bounded by Coronation, Violet, and McLaren Streets, and an unnamed street at Boulder and set apart for educational endowment and held in fee simple by the trustees of the Public Education Endowment. The area is of four acres.

The State Housing Commission has commenced the planning and development of an area of 330 acres in the south Kalgoorlie-Boulder locality which surrounds Reserve No. 11375. As part of the development, roads, drainage, and sewerage will be provided, which will require the closure and relocation of the existing road.

The trustees of the Public Education Endowment do not desire to participate in the development and have agreed that the land within Reserve No. 11375 be made available to the State Housing Commission, provided that an equivalent area of Crown land is set apart as a reserve for "Educational Endowment."

Section 37A of the Land Act empowers a trustee holding land in trust for a public purpose to surrender the land, and to receive a grant of other land by way of exchange to be held in trust for the same public purpose.

This clause seeks parliamentary approval for the cancellation of Class "A" Reserve No. 11375 in order that the land contained in the reserve may, after surrender of the certificate of title by the trustees of the Public Education Endowment by way of exchange for other land, be granted in fee simple free of trusts to the State Housing Commission.

Clause 23 refers to an excision from Class "A" Reserve No. 30071, Chichester Range National Park, situated in the Chichester Range south of Roebourne and containing approximately 372,483 acres, and set apart for the purpose of a national park and vested in the National Parks Board. The Iron Ore (Cleveland Cliffs) Agreement Act authorises the construction of a railway and service road from the mine workings at Mount Enid on the Robe River to a port to be established at Cape Lambert. The Chichester Range lies between these two localities. Engineering requirements make it necessary for the route of the railway and the accompanying service road to pass through the Chichester Range National Park. This clause seeks parliamentary approval to the excision from Class "A" Reserve No. 30071 of two strips of land in part contiguous to be surveyed as De Witt Locations 61 and 62 containing a total of approximately 320 acres, and for the areas excised to be leased to Cliffs Western Australia Mining Company Pty. Ltd., Mitsui Iron Ore Development Proprietary Limited, Robe River Limited, and Mount Enid Mining Proprietary Limited as tenants in common, pursuant to the provisions of the Iron Ore (Cleveland Cliffs) Agreement Act.

This Bill, Mr. President, is I think rather more lengthy than usual, yet it is in the interests of members to explain in as much detail as is reasonable the proposals now submitted to Parliament which will affect a number of our Class "A" Reserves.

Debate adjourned, on motion by The Hon. R. Thompson.

LIQUOR ACT AMENDMENT BILL

In Committee

Resumed from the 12th November. The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

The DEPUTY CHAIRMAN: Progress was reported after clause 17 had been agreed to.

Postponed clause 9: Section 69 amended—

The Hon. A. F. GRIFFITH: Members will recall that I asked for clause 9 to be postponed because I felt that the debate which ensued the other night left some uncertainty in the minds of members regarding what was required as against what was intended, and in order that I could give further consideration to this clause and perhaps come up with an amendment which is more suitable than the present wording. I refer members to section 69 (3) of the Liquor Act which presently provides that an honorary member must have his name posted on the club premises for a period of at least seven days prior to his election. Members must realise, when talking about difficulties experienced by clubs in relation to honorary members, that that is the existing law as set out in the Liquor Act which passed through Parliament earlier this year.

The other night members expressed views in relation to a group of people visiting clubs and going from one to another: in relation to sporting events which might last for more than a day; and in relation to a person who, being a member of one club, might want to become an honorary member of another club at short notice. Members spoke of these things, probably without realising what is contained in section 69 (3).

Bearing all that in mind, I propose to ask the Committee to delete proposed new subsection (4a) as amended the other evening and to substitute a new subsection. I have circulated copies of the amendment. The proposed new subsection reads as follows:—

> (4a) Notwithstanding any other provision of this section,—

That pertains to section 69 (3), and the seven days' notice etc. To continue—

> —where a club has as its object, or one of its principal objects, the conduct of a prescribed competitive sport a person who is on any day visiting the club—

The words, "of a prescribed competitive sport" deal with the matter mentioned by Mr. Ron Thompson concerning clubs which conduct indoor sports as distinct from outdoor sports. This amendment gives the court the opportunity to prescribe the sport. To continue—

> (a) as a member or an official of, or a person assisting, a team that is to contest a pre-arranged event in that sport on that day; or
>
> (b) as an invitee of a member of that club to engage in that sport on that day,—

Perhaps I could interpolate again to say that those two circumstances provide for a group of members of one club who might be visiting other clubs for the purpose of a prescribed sport, and also to enable one club member to say to a member of another club, on the day of the event, "Come and play at my club." The amendment continues—

> —is deemed to be an honorary member of that club during its authorised trading hours for that day if a proposal in writing, by a member, setting out that the person is, or will be, so visiting on that day, has been posted on the club premises, by the secretary, with the date and time of posting endorsed on it.

The Hon. F. J. S. Wise: I think that wording is splendid.

The Hon. A. F. GRIFFITH: Thank you. I am grateful to the draftsman. I think the amendment covers the situation as well as we can expect to cover it. It will enable a group of people to go from one club to another at shorter notice than is presently required; it will enable a man who is a member of a club to invite a member of another club, in a singular manner, if necessary, at shorter notice than is presently required; and, at the same time, it will not open the gate too far. I think in that respect we have a responsibility to keep the matter within reasonable bounds. Therefore, I move an amendment—

> Page 4—Delete proposed subsection (4a), as amended by a previous Committee, and substitute the following:—
>
> (4a) Notwithstanding any other provision of this section, where a club has as its object, or one of its principal objects, the conduct of a prescribed competitive sport a person who is on any day visiting the club—
>
> (a) as a member or an official of, or a person assisting, a team that is to contest a pre-arranged event in that sport on that day; or
>
> (b) as an invitee of a member of that club to engage in that sport on that day,

is deemed to be an honorary member of that club during its authorised trading hours for that day if a proposal in writing, by a member, setting out that the person is, or will be, so visiting on that day, has been posted on the club premises, by the secretary, with the date and time of posting endorsed on it.

The Hon. C. R. ABBEY: I wish to support the amendment. I think the Minister has admirably met the situation. As the Bill stands it certainly would be very detrimental to any sport, and particularly to the sport of bowls in which I am interested. I think the amendment meets the requirements of the Act and also the requirements of the clubs. I can see no hidden bugs in it and I have pleasure in supporting it.

The Hon. W. F. WILLESEE: I would like briefly to thank the Minister for producing the amendment. I think it covers the problems I envisaged, and it certainly covers the situation which caused an almost direct conflict within the legislation. The amendment is well worth a trial and I think it will be successful.

The Hon. R. THOMPSON: I also support the amendment. I would like to raise a query concerning that part of the amendment which states, "has been posted on the club premises, by the secretary, with the date and time of posting endorsed on it." We could possibly run into difficulties inasmuch as many clubs have honorary secretaries who do not work full time. They are not on the premises all the time; they may work only in the evenings. Many bowling club secretaries, for instance, go about a normal day's work whilst still being the registered secretary of the club.

It would be difficult for someone to take a visiting member of another club into a club on a week day because the secretary might not be present. Probably the secretary could leave notices signed by him or by someone authorised by him that could be posted on the board; that would probably be the solution to the problem. Perhaps the Minister would tell us his views.

The Hon. N. E. BAXTER: I believe the wording of the amendment is quite good, but I might not have heard the Minister correctly when he was explaining it. The term "prescribed competitive sport" is now to be used; whereas in the Bill, as originally introduced, the term was "competitive sport." I have a query: who will prescribe what is a competitive sport? Will it be the club or the Licensing Court?

The Hon. A. F. Griffith: The court, on application.

The Hon. N. E. BAXTER: That clears that up. I think the new subsection clearly sets out the position.

The Hon. G. W. BERRY: I have just one query. Is a member qualified to list a number of persons on the one application; or does each individual have to be listed on a separate application—that is, each person visiting a club?

The Hon. A. F. GRIFFITH: As the purpose of the proposal is to deal with organised sport a list will be supplied of people who will be competing, and that list will be posted on the day on which the event takes place.

As regards Mr. Ron Thompson's query, there may be something in it but, on examination, I think members will find the position will be all right. It is the secretary's job, of course, to post the notices.

The Hon. W. F. Willesee: He could delegate the authority to post the notices.

The Hon. C. R. Abbey: It does not say that.

The Hon. A. F. GRIFFITH: There are one or two ways we could cover the position. We could take out the words "by the secretary," but that would leave the position too open. There must be somebody with responsibility to post the notices. Also, we could add the words "or some other official of the club," which would leave the posting of notices to the secretary or some other official of the club.

The Hon. L. A. Logan: The secretary delegates his authority.

The Hon. R. Thompson: I would imagine it would be the bar manager who would have to do it.

The Hon. A. F. GRIFFITH: Does the honourable member wish to press the point?

The Hon. R. Thompson: No.

The Hon. A. F. GRIFFITH: Then I shall not stonewall the amendment.

The Hon. C. R. ABBEY: The term "by the secretary" is rather restrictive and it would seem to me that the proposal should be widened to cover an authorised official of a club. I would imagine the club Mr. Ron Thompson is thinking about is the one which is active every day.

The Hon. F. J. S. Wise: It could be "the secretary or his nominee."

The Hon. C. R. ABBEY: That would do. I think the position needs tightening up to that extent.

The Hon. A. F. GRIFFITH: Frankly, I do not think it needs tightening up. If a person is the secretary of his club he can do his job by getting the barman to post the notices. After all, who will prosecute this matter? Who will make inquiries about a question of this nature?

The Hon. R. Thompson: As long as the notice is posted on the board there will be no problems. If the notice is not posted there will be problems.

The Hon. A. F. GRIFFITH: I am happy to leave the position as it is.

The Hon. W. F. WILLESEE: I do not think we need to go beyond the amendment that is in front of us. Probably the secretary would never post the notices, anyway. He would delegate that job to somebody else. Who sticks the pins in the notices to post them on the board does not really matter.

Amendment put and passed.

Clause, as further amended, put and passed.

Title put and passed.

Bill reported with amendments.

Recommittal

Bill recommitted, on motion by The Hon. W. F. Willesee, for the further consideration of clause 10.

Clause 10: *Section 72 amended*—

The Hon. W. F. WILLESEE: In the first instance I circularised an amendment which I thought would suit the occasion better than the original proposal in the Bill. I had the feeling that the amendment proposed in clause 10 was too all-embracing. However, the Parliamentary Draftsman, after looking at my proposal, came up with a much shorter and clearer amendment. Perhaps I should withdraw my original proposal.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): The honourable member's original amendment was never moved.

The Hon. W. F. WILLESEE: Then I shall not speak about it any further. As I was about to say, the proposal now contained in clause 10 widens too much the scope for the sale of liquor. The purpose of the amendment I intend to move will simply be to extend the hours but not to extend the sale of particular types of liquor. In effect, if a particular license covers the sale of wine and spirits, for instance, to a given hour, and my amendment is passed, the hours can be extended but not the sale of the liquors that the licensee can sell under his license. In other words, if the proposal in the Bill is agreed to we will be extending the hours of sale and also the orbit of sale, if I can use that term.

My amendment will be to restrict the situation to the *status quo* except for an extension of hours. I move an amendment—

> Page 5, line 11—Add after the word "section" a passage as follows:—
>
> , and substituting for it the passage "but any restaurant licence in respect of premises that relate to another licence which is a winehouse, or an Australian wine, licence shall not authorise the sale or supply of any liquor that is not authorised by that other licence"

The Hon. R. F. CLAUGHTON: From my reading of the amendment it does not preserve the *status quo*. A restaurant license permits the consumption of all types of liquor with a meal on the premises. However, the amendment restricts the alcoholic liquor that may be supplied to those which are covered by a winehouse license. I do not intend to oppose the amendment, but I think it will restrict the position more than we wish to do.

If one goes to a restaurant with a party of people, and the majority in the party enjoy wine with their meal but there are others who prefer beer, those who want to have a beer would not be able to obtain it if the amendment is agreed to. Perhaps a further amendment could be moved in the Legislative Assembly to cover the position so that a person with a restaurant license will be able to supply a particular type of liquor such as in the case to which I have just referred.

The Hon. A. F. GRIFFITH: In addition to circularising his original amendment Mr. Willesee also sent a copy to my office. As I do with all such amendments, I had it examined by the Parliamentary Draftsman. He has suggested that if it is intended to adopt such an amendment, it will be more suitable in the form he has put forward. As I understand the situation, section 72 of the Liquor Act as adopted by Parliament earlier this year states—

> The Court may grant any licence other than those mentioned in sections 63 to 71, inclusive, if no objection is made to the granting of the licence or, if made, the validity of the objection is not established to the satisfaction of the Court; but the Court shall not grant a restaurant licence in respect of premises to which any other licence relates.

That was a complete cut-off. The court could not grant a restaurant license in respect of premises to which any other license related. It was submitted to me that this provision might be too severe; therefore, in clause 10 of the Bill, an amendment is sought to delete the passage "; but the Court shall not grant a restaurant licence in respect of premises to which any other licence relates." This would leave the position wide open, and the court would be able to grant a restaurant license to anybody without any of the previous prohibitions applying.

The amendment of Mr. Willesee seeks to insert the words mentioned in the amendment after the word "section," being the last word in clause 10. If the court thinks fit to grant a restaurant license to a winehouse licensee then he will have to abide not by the original intention of the Act, but by the original intention of Parliament; that a winehouse licensee shall be permitted to sell wine.

On the other hand, if the amendment which the Committee agreed to the other evening is accepted then, in the granting of a restaurant license to any winehouse licensee, he will be able to sell wine under his winehouse license, and beer and spirits under his restaurant license. That probably goes further than Parliament intended at the time. I do not think a store licensee can obtain a restaurant license, but I think he can obtain a caterer's license.

What the amendment before us will do is to permit a winehouse licensee to apply for a restaurant license, but his sales will be limited to the liquor covered by his original license; that is, the sale of wine under his winehouse license. I have no objection to the amendment, because it is clothed in the terms of the original intention of Parliament.

Amendment put and passed.

Clause, as amended, put and passed.

Further Report

Bill again reported, with a further amendment, and the report adopted.

NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. R. H. C. STUBBS (South-East) [5.21 p.m.]: This Bill to amend the Nickel Refinery (Western Mining Corporation Limited) Agreement Act, 1968, must please everyone connected directly or indirectly with the mining industry on the goldfields. Personally I am delighted.

There has been a terrific upsurge in mining activities; there has been a terrific upsurge in exploration for minerals; thousands of men are operating in the field; new towns are being created; new mines are being developed; a nickel refinery has been established; and now a nickel smelter is to be established.

Five years ago the goldfields area was dying, and people were hoping that a miracle would occur to save the goldmining industry. Towns in the Murchison and in other outback parts of Western Australia were affected.

The PRESIDENT: Order! Will members please pay attention to the honourable member who is on his feet. There were at least seven different conversations going on at the one time.

The Hon. R. H. C. STUBBS: Towns were dying, and the people were hoping for a miracle to occur. Now there has been a terrific upsurge in mining. All this has happened since Cowcil and his partner found nickel ore, or rather the Western Mining Corporation found nickel in the area it prospected. A nickel smelter is to be established 9½ miles from the Kalgoorlie Post Office; it is to cost $30,000,000; and it is to produce 20,000 tons of nickel matte containing 70 per cent. nickel. I understand that already plans are being made to increase the output to 40,000 tons a year.

I read somewhere that the smelter will use the flash method of smelting—which is the method that was used in Canada and Finland. It is a sort of self-generating process, and is similar to the process of burning pulverised coal in fireboxes. Of course, the other methods of heating are used in the smelting process; such as the use of coal, fuel oil, and the sulphides themselves, and oxygen is applied to control the quality of the matte.

In other countries sulphur is recovered in the process, and it is condensed into a liquid form—as sulphur dioxide. The Falconbridge Company of Canada uses this process, with a subsidiary of the company actually carrying out the operations.

In New Caledonia the smelting process is slightly different. There the nickel is found in silicate ore of the laterite family; it will not concentrate like other ores. Sulphide ores concentrate, and from this ore it is possible to obtain small but rich concentrates of nickel; and the tailings are discarded at the mill. With the laterite ore of New Caledonia the only way it can be reduced is by screening the ore and eliminating the lumps. With this method a large quantity of ore has to be processed to obtain a similar amount of nickel as is obtained from a smaller quantity of sulphide ores. It is a costly process, but in New Caledonia the additional cost is offset by the cheapness of the mining operations. The method adopted is the open-cut method of mining with the use of heavy machinery, and the ore is moved on conveyor belts. It is quite a viable proposition.

In the New Caledonian smelter Australian coal and gypsum from Mexico are used in the processing of the ore. Of course, the gypsum is used to provide the sulphur that is needed in the smelting process.

The refinery at Kwinana is based on the Sherritt Gordon Process which is pressure leaching with ammonia at an elevated pressure and temperature. Not only is nickel metal produced in the process, but also by-products such as fertilisers. As the Minister pointed out when he introduced the second reading of the Bill, there will now be a complete cycle of operations —mining, concentrating, smelting, and refining. This will enable other metals, such as cobalt, copper, and the platinum group of metals, to be recovered.

We are told that the Ora Banda lateritic ores might amount to 120,000,000 tons. of 1 per cent. nickel. Using the short-ton

method of calculation, about 20 lb. of nickel is recovered, leaving 1,980 lb. of tailings.

I do not agree with the Minister when he said that the people of Kalgoorlie have become acclimatised to sulphur fumes. Now and again there has been a stir about the sulphur fumes drifting to the Eastern Goldfields High School. Whilst these fumes do not affect everyone adversely, people suffering from asthma and bronchial troubles have a trying time. Everyone in Kalgoorlie is aware that the iron fences and roofs of buildings have rusted through as a result of the effects of sulphur dioxide. I understand that in 1952 a committee of investigation obtained evidence on the effects of sulphur dioxide in Canada and other countries; but because there was a decline in the goldmining industry it was decided that, rather than embarrass the industry with added costs, nothing be done.

The answer now seems to be the construction of a chimney stack 500 feet in height. The theory is that when sulphur dioxide is emitted into the atmosphere it takes four days for it to dilute and to become harmless when it reaches ground level. We know that these operations will be watched very closely by those administering the Clean Air Act; that being the case we should not experience any problems. The other day, when I was referring to pollution in Canada, I mentioned a chimney stack in which electrostatic precipitators have been installed. I suppose these precipitators will also be installed in the 500-foot chimney stack that will be established south of Kalgoorlie.

Years ago there was trouble in Kalgoorlie in relation to the height of chimney stacks, because the Department of Civil Aviation restricted the height. I suppose the department took that action because the chimney stacks concerned were in Kalgoorlie, and in the flight path of the aircraft which landed at and took off from the aerodrome. However, this chimney stack will be 9½ miles south of Kalgoorlie, so I cannot see that it will be a hazard to aircraft.

I understand the International Nickel Company of Canada is working on a method whereby it will soon use all the sulphur dioxide, and none at all will be emitted from the smoke stacks. I understand the research into the processing of sulphide ores is well advanced.

Another gratifying aspect of the agreement is that another standard gauge railway will be constructed, and Western Mining Corporation will contribute $9,000,000. If the standard gauge railway had been mentioned 10 years ago we would have been told we were not right in the head. The present proposal shows the influence of mining and the glamour of nickel. The construction of the railway will also help farmers considerably because it will mean they will be able to transport their stock to the metropolitan area much faster than is the case at present. We have to admit that Esperance is a little out of the way and is fairly isolated. I agree that the construction of the railway will be of benefit to all.

I am not against the granting of concessions, and the Western Mining Corporation has received some generous concessions. Concessions have to be granted in the interests of decentralisation, and it has been the practice to grant them in England and in the Eastern States of Australia. This is not the first Government to give concessions to the mining industry. We all believe in decentralisation, and in my opinion the only true decentralisation has occurred in the mining industry.

I hope the nickel development will rejuvenate the towns of Coolgardie and Widgiemooltha where there is already an upsurge in population. The new towns of Kambalda and Kambalda West have been created as a result of mining, and new mines have been opened up. Mines are now operating at Kambalda, Nepean, and Scotia, and it looks as though Mining International intends to sink two shafts, one going down to a depth of 1,000 feet. Another company is reported to have found nickel in four locations between Widgiemooltha and Norseman.

I would like to read a few extracts from the report of my study tour overseas. As is known, I made inquiries into nickel mining in other parts of the world. I do not intend to read the whole of the report, but I will read the sections relating to nickel. They are as follows:—

> During my Study Tour, which embraced several countries, I visited many deep mines, open cut mines, concentrating plants, smelters, refineries, iron ore recovery plants, rolling mills, and several Research Laboratories.
>
> NICKEL
>
> The long-term market for nickel is strong. Nickel-containing materials are being put to greater use in many ways. There has been a very great upsurge in the world in the last ten years for nickel and nickel-containing alloys.
>
> In three years the growth of nickel demand was an increase of 20% with expectations of a very long-run growth.
>
> The fast rising demand in the last 10 years has spurred nickel research and development and many mining companies are actively exploring to find new nickel deposits in many parts of the world. Research carried out

by the French company of New Caledonia estimates that nickel consumption in the world will double every eight years.

Canadian researchers expect the non-Communist world's nickel production to double from 1966 to 1975.

Most of the nickel produced is from sulphide ores of Canada. In Australia, except in the case of New Caledonia, the ore is a hydrated silicate of nickel iron and magnesium; and in Cuba, nickeliferous laterite. There is much exploration being applied to lateritic ore deposits in New Caledonia, Cuba, Guatemala, Dominican Republic, Philippines and Indonesia. Canada is the world's major producer of nickel, followed by New Caledonia, Cuba and Australia. Many other countries have deposits which do not warrant large-scale mining, and so their production is not great by world standards.

Stainless steel remains the largest single outlet for nickel, followed by nickel plating and high nickel alloys, construction alloy steels, iron and steel castings, and copper and brass products.

It is estimated there are over 3,000 alloys containing nickel in proportions of from 99% in malleable nickel to 0.02% in a hardenable silver alloy.

Nickel is used in producing from hairsprings in watches, pins in reading glasses, to bulldozers, and for the processing of high quality material for jet engines to space ships and booster rockets.

Nickel is a joiner of metals, as it joins readily and easily, and in doing so toughens the alloy and gives it strength. It also protects the metal against corrosion, salt water, sulphuric acid, and extremes of heat and cold—booster rockets and space ships made from a stainless steel nickel alloy withstand temperatures of minus 297°F. to 1200°F. and at speeds of up to 17,500 miles per hour.

My report continues—

The two World Wars had a great effect on nickel production, and nickel companies expanded greatly. New uses were found for nickel after its use was no longer required for war materials.

Most of the world's nickel is currently produced from nickel sulphide deposits of Canada, South Africa, Australia and the U.S.S.R. These nickel ores have many other elements associated with them. They are deep underground ores of hard rock, and in the treatment of the ore can be concentrated easily.

Nickeliferous laterite ores are produced in Cuba, New Caledonia, Guatemala, The Philippines, Indonesia, the Dominican Republic and the U.S.A., and are being developed in many countries around the world, and therefore will play a very significant part in the source of the supply of nickel in the years to come.

The garnierite triple silicate ores and nickeliferous laterites are usually mined by open cut, or quarried; the deposits are of shallow depth. Excavators, scrapers, dragline and bulldozers are the source of exploitation machinery used.

To continue—

There are several types of nickeliferous lateritic deposits; the garnierite ores are not amenable to concentration in treatment so smelting is necessary. The ores are highly refractory, and high temperatures are necessary in smelting.

World production and the uses for nickel are due to the research carried out by the large producers in Canada.

The International Nickel Company of Canada has Research Laboratories and pilot plants at three locations in Ontario, two in America, and two in England.

The Falcanbridge Nickel Mines have Research Laboratories at three centres in Ontario, one in Norway, and one in the Dominican Republic.

Sherritt Gordon Mines Limited have Research Laboratories in Canada, at Fort Saskatchewan, where they do considerable research on lateritic and sulphide ores from many countries. They also developed the ammonia pressure leach process known as the Sherritt Gordon process.

Many countries are benefiting, without cost to themselves, due to the research carried out by metallurgists, scientists, chemists and technicians employed by these companies.

The estimated free world consumption of nickel in 1969 was almost 900 million pounds and it is expected to double in eight years.

Referring now to New Caledonia—

New Caledonia is a French possession in the Pacific Ocean, north-east of Australia's eastern coast. It is a very mountainous island, approximately 250 miles long and 35 miles wide.

The French Company "Societe Le Nickel" accounts for three-quarters of the mine production of nickel, and 15 small producers account for the remainder. These people are known as "small producers".

Societe Le Nickel has five areas being mined, some areas being over 100 miles from the metallurgical plant at Doniambo in Noumea, and sea transport by ore carriers is necessary.

To continue—

One-third of the island (about 2,300 square miles) is geologically favourable for the discovery of nickel-bearing ores.

There are lateritic ore bodies on the island of very large tonnages, and preparations are in hand to mine them in the near future. These laterite ore bodies are scattered beneath high plateaux of the island, and have a width of 23 feet average, with an average thickness of overburden of 20 feet. The ores are highly refractory and high temperatures are necessary in the smelting process.

The method of mining is to remove the overburden by mechanical methods, leaving the ore body exposed. The ore body is then mined by open pit method, using highly mechanised equipment, such as power shovels, front end loaders, bulldozers, trackless equipment and trucks.

The mined ore is conveyed from the top of the mountain to a central loading station by endless conveyor belts from two mines. The conveyor belt then takes the ore 8½ miles to the loading station by the sea (this is the longest conveyor belt in the world) where it is stockpiled near the ship loading station ready for transport to the smelter at Doniambo in Noumea, a distance of 110 miles by sea.

Most small producers in New Caledonia sell their nickel ore to the Japanese market for smelting in Japan.

Societe Le Nickel sends its matte—a finished product—to France to the Nickel Refinery in Le Havre.

The grade of nickel being mined is about 2.6 per cent. nickel.

At the Doniambo smelting plant the ore is screened and sintered on travelling grates. The sinter is smelted with coke, gypsum and with ore pellets in a blast furnace. Iron nickel sulphide is produced containing 25 per cent. nickel.

Electric furnaces produce crude ferronickel—the matte is treated to remove the iron, leaving a resultant matte of 80 per cent. nickel and 20 per cent. sulphur.

Regarding reserves the report goes on—

The ore reserves on the island are 60 million tons of a grade of 2.6 per cent. nickel; 400 million tons at 1.5 per cent.; and 1,500 million tons of 1.1 per cent.—enough nickel, at the present rate of production, for hundreds of years. The present output of nickel metal is at the rate of 80,000 tons per year.

There are very large laterite deposits in New Caledonia and, at present, Sherritt Gordon Mines Limited, of Canada, and Societe Le Nickel, have a pilot processing plant at Fort Saskatchewan, Canada, for researching these ores.

To continue—

The main source of manpower comes from France, and from the New Hebrides and Tahiti, French possessions in the Pacific.

Referring to the Giant Mascot Mine—

I inspected the Giant Mascot mine, mill and concentrating plant at Hope, British Columbia.

This mine is situated 13 miles north of Hope, and is 130 miles by road from Vancouver.

The grade of ore mined for treatment is 0.9 per cent. nickel and 0.5 per cent. copper, and the mill produces a 15 per cent. concentrate made up of 10 per cent. nickel and 5 per cent. copper.

The concentrate is hauled, in 24 ton loads, 130 miles by road to the Vancouver docks, for transport to Japan—quite a hazardous project when the roads are covered with snow, and trailers are attached to vehicles.

Regarding servicing I had this to say—

The mine is serviced by adits driven in the side of the mountain. The ore being a sulphide type in ultrabasic rock, contains pyrrhotite, pentlandite and chalcopyrite, and is therefore quite amenable to concentration.

Referring now to the Britannia Mine, British Columbia, my report reads—

Whilst this mine is not a producer of nickel, it has been a large producer of copper, zinc, gold and silver, in the past, and was, at one time, the largest producer of copper in the British Empire.

My report continues—

As a matter of interest, the Britannia Mine has produced up to 1969—1,269,926,000 pounds of copper from 50,000,000 tons of ore, and large tonnages of zinc, gold and silver have also been produced.

Regarding copper the report reads—

An interesting facet of this mine's copper extraction was a ramp-like plant where water, pumped from the mine, flowed over old cans and old iron scrap, this being agitated by a small shovel device to keep the iron surface exposed to the water; the water is recirculated until all copper is extracted. This simple plant produces a 10% copper concentrate.

Referring to Canada, my report states—

Nickel was first discovered in Canada in 1848, was first produced as a matte in 1873.

Nickel mines are in the Provinces of British Columbia, Manitoba, Ontario and Quebec.

There are nickel refineries in Alberta, Manitoba, and three in Ontario.

Three smelters are in the Sudbury district of Ontario, and one in Manitoba, 15 mines in the Sudbury area of Ontario, and 10 currently being in development stages and not as yet producing.

There are research, metallurgical and pilot plants in Ontario, Manitoba and Alberta.

The main companies researching nickel are the International Nickel Company of Canada Limited, Falconbridge Nickel Mines Limited, and Sherritt Gordon Mines Limited.

As a result of advances in processing of nickel ores, low grade deposits can now be worked, some as low as 0.8% nickel with 0.5% copper.

The ores being mined in Canada are the sulphide type, which require underground mining in hard rock.

The ores in the Sudbury area contain not only nickel, but also copper, silver, gold, platinum, palladium, rhodium, ruthenium, iridium, osmium, cobalt, selenium and telluride, in various amounts.

SUDBURY, ONTARIO, CANADA

Nickel was discovered in Sudbury in 1856, but little interest was shown until during the construction of the Canadian Pacific Railway through the area in 1883. Workmen, whilst excavating a cutting for the line, exposed gossan and, as a consequence, serious prospecting commenced. The resultant mine was worked to a depth of 3,000 feet to a length of 1,500 feet, and had a width of ore up to 500 feet.

The nickel mining industry in the Sudbury basin has 12 towns supporting it. The district is 300 miles north of Ontario.

The nickel ores have a very close association with norite and micropegmatite. The basin is 37 miles long and 17 miles in width.

The principal minerals of the sulphide ores are pyrrhotite, pentlandite and chalcopyrite.

Further on, the report states—

In the Sudbury basin 34 nickel-copper mines have been developed.

There are 15 mines, three smelters, and one refinery in the district, with a workforce of approximately 22,000 men.

The early history of nickel production was haphazard until a satisfactory economic process of extraction was found.

In 1965 the International Nickel Company of Canada Limited produced 18 million tons of ore, and the Falcanbridge Nickel Mines Limited produced 2.3 million tons of ore. The district produced 5.2 million tons of nickel and a similar amount of copper since commencing operations.

The average nickel-copper content of the ores in Sudbury is 1.3% nickel and 0.75% copper, plus cobalt, and 10 other elements.

The ore reserves are 300 million tons of 1.5% nickel, plus copper.

The throughput capacity of the four concentrating mills is 66,000 tons of ore per day.

Another part of the report reads—

Oxygen is used in the smelting process, and a total of 1,200 tons of oxygen per day is manufactured on site and used in the plant.

The sulphur-dioxide gases are treated by a separate company to produce liquid sulphur dioxide and sulphuric acid, at the rate of 90,000 tons per year.

The three smelter smoke stacks are being replaced by a huge smoke stack of large diameter and a height of 1,250 feet—nearly as high as the Empire State Building in New York. The construction of the chimney and the installation of additional dust control equipment, will ensure that the quality of the air in the Sudbury area is better than in any industrial area in Ontario.

A refinery is being built by International Nickel in Sudbury with the object of producing 100 million pounds of pure nickel pellets, 25 million pounds of pure nickel powder, plus cobalt powder, sulphur and copper residue. It will also centralize precious metals concentration for shipment to the company's refinery at Acton, London, England.

The refinery will cost $85 million, and will be in operation in 1971. The process will involve pyrometallurgy (roasting, smelting and converting), vapometallurgy (chemical reaction, using carbon monoxide based on the process discovered by Ludwig Mond), and hydrometallurgy (extraction of metals by chemical dissolution).

Further on, the report states—

Precious metals are recovered from the sludge of the electrolytic tanks containing silver, gold and platinum.

The company owns a standard gauge electrified railway system of 100 miles of track, and handles 20 million tons of material annually.

The company has 33,500 employees in 18 countries; 24,300 in Canada; 4,600 in the United Kingdom; and 4,200 in the United States of America.

The free-world consumption of nickel in 1969 was over 800 million pounds, of which the International Nickel Company of Canada Limited accounted for 480 million pounds—about 60% of the total.

Copper deliveries amounted to 314 million pounds.

The Falcanbridge Nickel Mines Limited are operating in the Sudbury basin. The company has a refinery in Norway, where its production is shipped for refining at a rate of 37,500 tons of nickel.

The Falcanbridge company's production of ore was 3,118,000 tons. It produced 80,647,000 pounds of nickel, and 49,456,000 pounds of copper, plus cobalt, and many elements (similar to Inco.).

Two paragraphs further on, the report states—

The company is constructing a 35 million dollar nickel-iron refinery in the Sudbury area and will be in operation in December, 1970. Using a new metallurgical process it will treat 500,000 tons of pyrrhotite (iron sulphide) and produce 300,000 tons per year of iron-nickel pellets containing 90% iron, and 1.5% nickel. The pellets can be used directly by the steel industry.

The company also has an adjacent plant, Allied Chemicals of Canada, which will recover sulphur in elemental form from the gases produced by the company's refinery roasters.

Sherritt Gordon Mines Limited has interests in many parts of the world. As regards that company, the report states—

The Sherritt Gordon company owns and operates a nickel-copper-cobalt mine and concentrator at Lake Lynn, Manitoba, and a chemical and metallurgical plant at Fort Saskatchewan, Alberta, for the production of refined nickel, cobalt, and fertilizer.

Sherritt Gordon has interests with a company in the Philippines, and will use the Sherritt Gordon process for mineral extraction.

At Fort Saskatchewan, the complex includes a nickel refinery, cobalt refinery, ammonia plant, ammonium sulphate plant, ammonium phosphate plant, a urea plant, and ancillary facilities.

In its refinery the company uses the ammonia pressure leach process, which is owned by Sherritt Gordon.

That process is similar to the one used at Kwinana. Under the heading, "Matters of Interest," the report states—

The International Nickel Company of Canada Limited, in partnership with Societe Le Nickel, is expected to place another 100 million pounds of nickel on the world market by 1974 from New Caledonia.

In Guatamala the International Nickel Company of Canada Limited will, in the near future, add 60 million pounds of nickel to that already being marketed in the world.

The report later states—

By 1972 International Nickel's production in Canada will be 600,000,000 pounds of nickel per year.

I visited the Clydack Refinery in Wales. This refinery has an annual capacity of 40,000 tons of nickel metal. It uses the carbonyl method of extraction, by which it takes four months for the nickel to go through the plant. It comes out like the ball bearings one sees in a bicycle. Further on, the report states—

I consider the method of the great nickel producers, in fixing the price of the metal, is very sound, as it makes for a stable industry. With the enormous sums of money involved in the exploration and development of mines, the costly construction of plant, and the continued research for better alloys, the industry must avoid any 'stop-go' methods caused by fluctuating metal prices.

Although huge tonnages of nickel are being produced for the world market, the demand is not being satisfied, and so a shortage exists. Larger tonnages will come on the market in the future, but more and more uses are being found for nickel, and a stable industry will therefore exist for a long, long time.

Thank you, Mr. President, for allowing me to read portions of my report.

I want to congratulate the parties concerned in this agreement, which will mean a great deal to the goldfields. I hope that before long it will be found that another smelter is necessary. It has been a privilege for me to speak to this Bill because I know what it will do for the mining industry and the towns on the goldfields, and I have much pleasure in supporting it.

THE HON. J. DOLAN (South-East Metropolitan) [5.53 p.m.]: I think all members should be grateful to Mr. Stubbs for the manner in which he has treated this subject. It was not possible to follow what he said in detail but members will look forward to reading next week's

Hansard so that they can perhaps use the speech of Mr. Stubbs concerning this industry as a textbook for future discussions about nickel refineries, and prospecting and mining for nickel.

I do not want anybody to think I am in any way opposed to what is proposed in this Bill, but I would like to refer to the matter of railways for mining companies, and compare our policy with that of Queensland. Queensland and Western Australia are the two States which have had mining developments of outstanding world prominence in recent years. In the past 10 years alone, Queensland has spent over $100,000,000 on new railways in order to develop its various mining fields.

I refer first of all to the rehabilitation of the line between Mt. Isa and Townsville in order that it might take smelted minerals to Townsville to be refined. That rehabilitation work cost approximately $54,000,000 and was only made possible by co-operation between the Queensland Government and the Commonwealth Government. The Commonwealth Government was very generous to Queensland in providing the money which made the rehabilitation of the line possible.

There are other lines, to which I will briefly refer. Currently under construction is 125 miles of railway from Goonyella—which is south-west of Mackay—to Gladstone, which will cost $36,000,000. Another 112 miles of railway from Gladstone to Moura was constructed to open up coalfields, the coal from which is being exported principally to Japan. That line was completed two years ago at a cost of $27,500,000. Two other lines have been constructed: one is from Blackwater to Gladstone, which will be completed this year at a cost of $10,000,000; and the other is a 26-mile spur line to provide access to the South Blackwater coalmine, on which the railing of coal to Gladstone commenced on the 21st September last.

I mention those lines because I feel that in the long term Queensland will receive a benefit which perhaps we might miss out on. I am not prepared to take sides as to which is the better policy, but a study of the annual reports of the railways departments in all the States will reveal that Queensland is the only State that is on the way to making a profit from its railways. I think that is worthy of comment because when we read of the railways showing a loss it is very difficult to assess overall how many hundreds of millions of dollars a year the railways are responsible for in all fields of our economic endeavour. I would never look at the bare figures of profit and loss of the railways and say, from them, that the railways are doing a poor job or a good job.

In some cases Queensland has had to obtain financial assistance from outside sources, but, generally speaking, that State has made itself responsible for the raising of the money, and in the long term the State will reap the benefit from it.

The Western Mining Corporation is making available $9,000,000 towards the standard gauge line. That is an enormous sum of money which it is beyond the capabilities of the State to raise; but, as Mr. Stubbs has said, the corporation must receive concessions in exchange, and I understand the concessions will be to the order of approximately $1,000,000 a year when the line is in operation. It is a good investment from the corporation's point of view, and, overall, it may be a good investment from the State's point of view.

I do not wish to debate that aspect but I felt it was worthy of mention with a view to investigating the possibility of the State in some way negotiating loans from various sources in order that it might receive all the profit, rather than some of it going elsewhere. I agree with Mr. Stubbs that the mining industry is at the stage where it must be encouraged in every possible way, and that where companies are prepared to invest money they are entitled to receive concessions.

I am personally indebted to Mr. Stubbs for the treatise he has given us on the industry, which I think will also be appreciated by other members. What Mr. Stubbs has said will be of invaluable assistance to members when discussing any other mining industry, but particularly when discussing nickel. Those who are associated with the industry will derive hope and confidence from the figures Mr. Stubbs has produced, which lead us to expect that the demand for nickel will double over a period of eight years. As more and more uses are found for this valuable metal, we will look forward to a bright future. I wish the agreement and the smelter every success, and I hope the expectations of Mr. Stubbs and other members from the goldfields area will be fulfilled.

The goldfields area has had two shots in the arm. It had one towards the end of the century when goldmining really put this State on its feet, and now nickel mining is not only putting the State on its feet once again, but is making Western Australia known throughout the world.

THE HON. G. E. D. BRAND (Lower North) [6.01 p.m.]: I support the Bill which I consider to be a most important one not only to the areas around Kalgoorlie where I used to reside, but also to the rest of the State. I take this opportunity to compliment the Western Mining Corporation. When the mining industry was in rather a parlous position because of the increased cost of production in raising the ore from underground and processing it, and the fixed price for gold, the Western Mining Corporation was courageous enough

to look to the future by acquiring other mineral fields and exploring other ventures. Might I say that the corporation changed from the poor cousin to the rich uncle within a short space of time. I heartily congratulate the corporation on its success and I thank it for what it has done for Western Australia.

In a State which we hear is on the move, it is rather strange to find that some people are in a very poor economic position, while others are enjoying prosperous times as a result of the upsurge in nickel development.

In supporting the Bill, Mr. Stubbs referred to concessions. I would mention that the figure of $1,500,000 that was quoted in another place as being the amount that will be gained by the corporation will be subject to tax by the Commonwealth, and this will amount to 47½ per cent. of the profit made. This tax is regarded as profit. I do not know whether all members were aware of that fact, but I have been informed that that is the true position.

I am pleased to see that the State Government has granted concessions to the corporation. I think that, in the long run, the cartage of thousands and thousands of tons of nickel ore, together with large quantities of nickel concentrates to Esperance, the backloading of fuel to Kalgoorlie, and the cartage of nickel matte for treatment at Kwinana or to a port of discharge for export overseas, will bring to the railways much needed finance. I am sure that, in the future, this freight loading will financially assist the department no end. We will, of course, have to wait for two or three years before any financial gain is derived from this new venture.

The more technical aspects of the Bill have been dealt with by other speakers more ably than I could, and so I conclude by wishing the Western Mining Corporation every success and, furthermore, I thank it for what it has done for the State.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [6.03 p.m.]: Members will recall that I introduced the second reading of this Bill at some length. In fact, at the time I thought I was asking members of the House to endure, for a longer period than they might wish, an explanation of a Bill which I regarded then—and still regard—as being a very important measure, together with its attendant agreement. not only from the point of view of goldfields residents, but also from the point of view of all people in this State.

It is heartening to hear the remarks made by Mr. Stubbs, Mr. Dolan, and Mr. Brand in support of the Bill and its accompanying agreement. I believe I would be wasting the time of the House unnecessarily if I were to do more than to accept with gratitude the remarks that those three members have made, except perhaps to say that the situation relating to railway freights was well explained during my second reading speech. I would like to add, however, that the corporation is making a very considerable contribution towards the cost of constructing the railway line. In fact, the corporation has, as members know, also made quite a substantial contribution to other Government undertakings that are necessary for the establishment of its works at Kambalda, and I do not think I need say more than that.

It does seem, Mr. Dolan, that Queensland has received quite generous treatment from the Commonwealth.

The Hon. J. Dolan: It has.

The Hon. A. F. GRIFFITH: Whilst I do not begrudge the Queensland Government getting all it can from the Commonwealth, I am hoping that we will get the same sort of treatment. I would remind the House that we will need some assistance from the Commonwealth in financing these undertakings and approaches are being made in that direction. In regard to the construction of railways in Western Australia during the last five to eight years, we have not really gone short. We have had standard gauge railway lines built through certain parts of the north-west of this State. I believe that, in the past, members of this House, even those who have represented the north for many years, would never have conceived these railways being constructed.

The Hon. F. R. H. Lavery: Do you remember some of the remarks made by the late Don Barker?

The Hon. A. F. GRIFFITH: I remember many of his remarks, but perhaps I should not recount all of them.

The Hon. F. D. Willmott: Spoken in a voice that one could hear, too.

The Hon. A. F. GRIFFITH: These railway lines have been made possible by the infrastructure necessary for their construction being provided by the companies concerned. This has been part of the whole deal—if I can use that expression—and the whole basis of the agreements made between the companies and the Government.

Under this agreement the Western Mining Corporation is making substantial financial contributions in many ways with its own interests at heart and, of course, the Government is also making contributions with the interests of the State at heart. As Mr. Brand has said, it is perfectly true that of every dollar profit made by the corporation, the first skim off the

milk will go to the Commonwealth Government which is providing us with funds—I am not talking about Loan Bills or Appropriation Bills; we may hear a little more of those as we go along.

So I do not think there is any necessity to speak further, and I thank members for their contributions to the debate. I am glad to see the Bill, with the agreement, accepted by the House in the manner it has been accepted. Its benefit to Kalgoorlie and to Western Australia as a whole will indeed range alongside many other benefits from mineral agreements we have made previously.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.10 to 7.30 p.m.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

SECURITIES INDUSTRY BILL

Second Reading

Debate resumed from the 5th November.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [7.34 p.m.]: It can truly be said I have had considerable time and opportunity to consider this Bill. My starting point was a report that was made to a Senate Select Committee earlier this year. The points I noticed were that legislation to supervise the securities industry of Western Australia was being considered, and that there was a case for a national stock exchange in Australia. A statement was made that a securities and exchange Act of New South Wales was contemplated and, quite by coincidence, it was indicated that Justice Minister Griffith said the Government intended to introduce its share-trading legislation in the session of Parliament due to start.

In March the State Attorneys-General and the Justice Ministers agreed on a pattern of uniform legislation to clamp down on share rigging and stock market manipulation. The Chairman of the Stock Exchange said that the problems of separate stock exchanges including separate sets of rules had been considered and discussed. A number of prepared replies to more than 100 questions asked by the committee were submitted as evidence.

Knowing what would be before us I secured a copy of a Bill that had been submitted in support of the matters I have mentioned. I refer to the Securities Industry Bill which was introduced in New South Wales in March, 1970. I felt sure that the New South Wales legislation would be very similar to that which was proposed here. In essence, I think that could be said to be the case.

In the interim we have had a meeting of Attorneys-General in Western Australia and this, no doubt, had some effect upon the New South Wales legislation to which I have referred which was introduced in March, and also upon the matters which I have already outlined from the abbreviated article on the question.

The legislation before us is very important indeed and it must be treated with a great deal of circumspection. Since so much thought can be given to it and so much can be written into it, I was a little concerned after having secured the adjournment of the debate on the Bill some time ago, to read a bold black headline in the newspaper stating "Bill could be emasculated."

The Hon. F. J. S. Wise: That is a serious matter.

The Hon. W. F. WILLESEE: I do not think I deserve that for what might be called a long adjournment. It was a relief, however, to read further into the article and to note that it referred to the Securities Industry Bill.

A little later I noticed a further headline which read, "Can this Bill prevent dishonest deals?" This is quite a poser and it would catch anybody's eye. On that point I go further to another heading which says, "Securities Bill could be difficult to police." That is another profound statement with which we agree.

In support of the headlines I have read let me quote from the *ipa Review* of September, 1970, in which there is an article called, "Spotlight On The Share Market." This is an extract of a statement by a Wall Street analyst—Mr. Gerald Loeb—who states—

> Market values are fixed only in part by balance sheets and income statements; much more by the hopes and fears of humanity; by greed, ambition, Acts of God, invention, financial stress and strain, weather, discovery, fashion and numberless other causes.
>
> Are any major reforms of the share market needed to provide additional protection for investors and to minimise the possibility of manipulation by unscrupulous share traders or promoters? There must be safeguards to ensure a fair market in shares, but no controls can protect people against their own financial foolhardiness.
>
> A certain amount of irrationality is inherent in all human institutions and the share market which largely reflects the opinions, prejudices, hopes and fears of fallible human beings is perhaps the classic example.

It is in those terms that I approach this legislation. I feel it is a definite and determined attempt to do something within our province as legislators to protect the happenings of the share market; to protect the buyer and the seller within the scope of the share market; to protect the broker, and so on.

It is obvious in a question like this that we cannot sit here as individuals—whether as members of the Opposition or of the Government—and right every situation that could develop in the future. We cannot anticipate the actions of those who would be prepared to go outside the law. This is a most forward piece of legislation because it seeks to regulate the promotion of stock exchanges, and because it sets up an operation for share brokers.

No doubt, great problems will be experienced in the future if tomorrow another nickel find like that experienced by Poseidon were encountered. In such an event how would it be possible to control the speculative natures of individuals? How would it be possible to control the desire of individuals to make money quickly? Accordingly I daresay that we as legislators could be regarded as being behind the eight ball. In this legislation, however, we propose to outlaw short-selling which for many years has been frowned upon. We now propose to outlaw the person who says to the broker, "Buy me X number of shares," even though he might not possess those shares.

The Hon. A. F. Griffith: Surely you mean "Sell my shares that I have not got"?

The Hon. W. F. WILLESEE: I thought that was what I said.

The Hon. L. A. Logan: We knew what you meant.

The Hon. W. F. WILLESEE: I do not intend to go into the details of this legislation because it would be idle to try to find minor faults that it might contain. It is basically an Australia-wide attempt to cope with a situation that has developed over the last 18 months or two years; a situation which has thrust itself upon the particular organisations which have had to cope with the position—the stock exchanges and the ancillary bodies which control this aspect.

Clauses 46 and 47 deal with the appointment of an independent auditor. I would have preferred the word "investigator" used and I speak mainly from an accounting point of view. In simple terms, an accountant is regarded as a watchdog and an investigator is the bloodhound. So, in principle, an accountant warns that something is wrong, but an investigator has a set purpose which is to track down and pursue a matter right to its conclusion.

I can quote an authority in this regard. It is, perhaps, not necessary, but I like to quote the late Sir Ronald A. Irish on many matters, and on this occasion, in chapter 19, page 282, under the heading, "Investigations" he said—

> Almost all analytical accountancy work, outside normal auditing, can constitute an investigation. It is probably the most interesting and certainly the most skilled section of professional practice. While auditing procedures may be adopted for a great deal of the work, an investigator must approach his task in a critical and perhaps suspicious state of mind. He may be deeply concerned about what should have been done rather than confirmation of what has been done. Furthermore, he may be intensely interested in questions of policy, a problem which is legally outside the scope of an auditor's responsibility.

I make that comment with due respect for the fact that this Bill has been considered by many eminent legal men in the country, the chairman of which group is the Leader of this House. I have no doubt that the independent auditor selected would have powers similar to those conferred, by implied rights, on an investigator. Nevertheless, I believe that more impact would be felt if the Minister ordered an investigation by an investigator, bearing in mind that the Minister would have first received a complaint from an auditor.

I believe this matter is worth mentioning. Once an auditor has ruled on a certain point, another auditor should not then be brought in with the same inherent rights. A person should have the power of investigation which ultimately would lead to a prosecution with the report of an investigator being the basis of that prosecution.

I have one further comment to make and that concerns a provision towards the end of the Bill which stipulates that companies must disclose their records over a period of time. I am basing my remarks on an accounting theory which is regarded as one of the four doctrines upon which accountancy is based. I am referring to the doctrine of disclosure. The basis of the doctrine is that there should be scrupulous honesty in the presentation of a balance sheet. Some in this State are well known for this great capacity.

Some doubt exists in that the application of this doctrine will disadvantage certain people to some extent. It is a very difficult situation to meet, but I must say that I noticed this principle in the Bill.

I will say no more than that at this stage except that I think this is good legislation. It must be given a trial; and I end on the note on which I began: we will not beat the man who intends to beat the law; but we will make people who are endeavouring to do the right thing aware that Parliament is behind them. We will equip them with the power to do the right

thing. We will give them the opportunity to be trusted in the buyer and seller atmosphere. We will eliminate the feeling that there is some snide dealing going on in the inner circle of the stock exchange. I would like it to be completely eliminated.

The stock exchange does a terrific business and the amount of money which passes through it annually is enormous. In fact, that amount has increased to figures which are almost beyond our comprehension, particularly during the recent boom; and there will be other booms. Western Australia will start them, have no doubt about that. If we have better control of the situation in the future than we have had in the past, and thus give those who invest through the stock exchange a feeling of security, we will have done a good job. I congratulate the Government sincerely on its introduction of this legislation.

THE HON. I. G. MEDCALF (Metropolitan) [7.53 p.m.]: I, too, support the Bill. I have given it as careful an examination as I have been able since it was introduced; and, with the exception of one part of it, to which I shall refer in a moment, I do give my unhesitating support to the Bill.

It is highly desirable that the stock exchange, like other responsible bodies in the community, should be subject to discipline. In the past it has been subject explicitly to its own discipline and I think, by and large, its members have managed its affairs very well. They certainly have done so in the last few years since I have had anything to do with the members of the stock exchange. They deserve great credit for the way they have handled the affairs of the stock exchange and for the way they have endeavoured to clear up areas of difficulty which existed in stockbroking firms and the stock exchange in the past.

They do have a very definite responsibility, of course, because the public invests so much on the stock exchange and so many shares are bought and sold all the time that the members of the stock exchange must subscribe to high principles, otherwise there is bound to be trouble. By and large, the bulk of share brokers do subscribe to high principles and conduct their affairs and business on a high plane.

Perhaps the stock exchange might have felt some surprise that it was to be the subject of statutory discipline. Over the last few years, since it has become obvious that some form of statutory control would be introduced, members of the stock exchange might even have felt some resentment at the fact that Parliament might find it necessary to control their activities when they believed they were controlling them quite effectively themselves.

On the other hand, I consider the Government has done an extremely good job in modifying this legislation—as the Minister indicated in his second reading speech—to suit the particular requirements of the stock exchange in Western Australia. As he mentioned, the stock exchange here for some years has conducted a fund from which it has compensated members of the public; or, at any rate, the fund has been available from which to compensate them in the event of any defalcation on the part of any of its members.

Recently there was quite a stir—it was reported in the Press—concerning a stock broker and the members of the stock exchange, and its committee met continually until they had sorted the matter out. The fund which the exchange established voluntarily was available to pay for the defalcation, and it is still available and is increasing in size.

I believe the Minister has done a good job in succeeding in modifying this legislation, as compared with the complementary legislation in the other States, to cater for the particular requirements of the stock exchange here, which already has its fund. Therefore the Minister, instead of providing what is in the legislation of the other States—that is, that there should be interest on trust accounts in banks—has changed this considerably so as to allow for the fund of the Stock Exchange of Perth—which fund is already in existence—to be utilised and, in fact, to be supplemented in the manner indicated in the Bill. That is one respect in which the Minister has modified the uniform type of legislation in order to suit the requirements which are quite satisfactorily dealt with already by the Stock Exchange of Perth.

I believe it is important legislation and I agree with Mr. Willesee when he said that legislation of this sort is good legislation and that it is desirable we should have legislation for the protection of the public in stock exchange transactions.

I did say that I had one qualification, and that refers to part IX of the Bill which deals with the obligations of listed companies. This part contains six clauses, and I am sorry to say I cannot find myself in agreement with the inclusion of this part in the Bill. I say that with considerable diffidence because I would not wish to oppose a part of the measure which was portion of a general plan which the Government had for the Stock Exchange of Perth.

However, I am fortified in my comments by the Minister's statement in his second reading speech that this is unique to Western Australia and it has not, at this stage at any rate, been adopted by any of the other States in their legislation.

Now, I would like to state that anything I say about part IX is no reflection at all on the rest of the Bill, to which I give my unhesitating support. I also compliment the Minister and the Government on the measure, and anything I say about part IX results entirely from my own fairly detailed study of this legislation in relation to the working of the stock exchanges here and in other States.

I would also like to say that none of my comments are to be taken in any respect as a reflection on the stock exchange which, as I have already indicated, I believe conducts its affairs extremely well. Further, I believe it will support this legislation and make it work.

For many years the Stock Exchange of Perth, in common with the Associated Stock Exchanges, has had what are called listing requirements, which are set out in the Australian Associated Stock Exchanges Listing Manual. These requirements lay down the obligations of the various companies which are listed on any particular exchange; for example, on the Stock Exchange of Perth, or the Stock Exchange of Sydney. The requirements are common to all exchanges and lay down the obligations of companies to furnish certain information to the stock exchange and to subscribe to certain rules of the exchange. These obligations are quite detailed and quite comprehensive. They are very well understood by companies and have gained universal acceptance by companies throughout Australia. I might say that not all other parts of the world have such comprehensive requirements as we have in Australia.

It is true one hears criticism from time to time of our own stock exchange and often it is said that stock exchanges in Australia are not sufficiently tight in their listing requirements or in their control of share trading or share manipulation. By and large, the listing requirements, as set out in the A.A.S.E. Listing Manual are quite comprehensive and quite sensible. They do provide a means whereby stock exchanges can require companies listed on the stock exchange to supply them with information which they require so that they may know what is going on in companies.

As I say, I believe that these listing requirements are generally observed by companies because, if they are not observed, the company has to answer to the committee of the stock exchange which will conduct an inquiry, as it is empowered to do, and take disciplinary action against the company concerned. Normally, of course, the severest form of disciplinary action would be to delist the company. Any company which did not subscribe to the listing requirements or failed to obey rules would be delisted by the stock exchange if the breach were serious enough. This has happened on more than one occasion and no doubt it has been a salutary lesson to any company concerned. Shareholders of the company do not welcome a company being delisted because then they cannot trade in the shares of that company. This makes it very difficult for the company itself and its credit suffers accordingly.

I hope I have not been too lengthy but I want to make it as clear as I can that I have no objection whatever to the listing requirements of stock exchanges, as amended from time to time jointly by all stock exchanges throughout Australia. Amendments are made from time to time which all the stock exchanges may adopt and the new requirements apply to all companies throughout Australia. I believe it is right and proper for stock exchanges to have these requirements and to enforce them in the disciplinary way in which they do in respect of companies which are listed on the various exchanges.

Unfortunately the obligations of listed companies, as contained in the Securities Industry Bill, go much further than the listing requirements set out in the Australian Associated Stock Exchange Listing Manual. I have examined these in considerable detail but, unless members want any particular details, I do not propose to weary the House with them all. However, there are quite a number of significant variations between the listing requirements in the Bill which is now before us and the listing requirements set out in the Australian Associated Stock Exchange Listing Manual.

I do not object to listing requirements being increased. I would not object to this at all. If the Australian Associated Stock Exchanges met together and decided to increase their listing requirements in line, for example, with the obligations set out in the Bill, I would not raise any objection whatever. In fact, I would consider that to be the business of the stock exchanges and, if they conduct their business properly, it would not be a matter for me to interfere, although I might have my own views as a private citizen, as any other private citizen might have his views, too.

The Hon. W. F. Willesee: At this point do you think that the stock exchanges are in favour of this particular part of the Bill?

The Hon. I. G. MEDCALF: I would say that the portion of the Bill in question would meet with the approval of the Stock Exchange of Perth. Unfortunately this provision appears only in the measure which we are proposing to bring in to apply in Western Australia and it does not appear in any measure of the other States. At some future stage it may appear in the other States and that would change

my view entirely. If this were part of uniform legislation that would completely change the attitude I am adopting.

That brings me to my next point. I believe that if we greatly increase the listing requirements for Western Australian companies, as now set out in the Bill, we will place Western Australian companies at a disadvantage compared with their competitors in the Eastern States which are not required to supply this detailed information to anybody—not to the Stock Exchange of Melbourne or Adelaide, not to the Registrar of Companies in Melbourne or Adelaide, or anywhere else, not to their own shareholders, the Press, or the public at large.

If we require Western Australian companies to supply this additional information, I honestly believe we will place Western Australian companies at a disadvantage in relation to their competitors. Let us consider various types of businesses which we all know—and which it is unnecessary for me to repeat—are highly competitive. We find that companies are competing in different States. However, a Western Australian company which is listed here would have to supply far more detailed information about its activities to the stock exchange than its rival in another State, which is also competing with it for the Western Australian market. What situation would we disclose? We would have a situation where, with all the goodwill in the world and with all the intention of doing the right thing, a Western Australian company would be at a disadvantage. Incidentally, I do not for one moment question the motives of the Government in this respect because they are high and proper.

It seems to me that we must think a little more about this and must not impose an additional burden on Western Australian companies until the same thing is done in other States; that is, until other States decide to adopt the same sort of legislation on a uniform basis I do not believe that it is proper we should do it here.

That brings me to another point. This legislation requires Western Australian companies to supply this information to the stock exchange, which means that it may go to their competitors, but it does not require the information to go to the Registrar of Companies. The Registrar of Companies will not receive this information. He will receive only the information as set out in the ninth schedule to the Companies Act. It would be a different story if we were to amend the Companies Act and, by uniform legislation, require this information to be given to the Registrar of Companies. Then it would become a matter of public knowledge, because information in the hands of the Registrar of Companies is available to interested people through search once they have made the proper request to the registrar.

There is not even any requirement that this information will become public. Although it will go to the stock exchange, there will be no obligation on the stock exchange to publish it. It is true that the stock exchange may publish it and probably it would send it around to members of the stock exchange. However, it would not necessarily reach the Press or the public. It would not necessarily reach the shareholders of the company concerned. In fact, there would be very little chance of it reaching those shareholders *via* the stock exchange but it could well reach competitors and another extremely important group of people whom possibly we cannot ignore. There is a time when we should face fairly and squarely the fact that there are groups of people in our community who make it their business to take over the interests of other groups of people by various methods which are quite legitimate at the present time.

We have all heard of takeover offers and, in fact, takeover offers are perfectly legitimate and are provided for in the Companies Act. Section 184 of the Companies Act says that if a company proposes to take over at least one-third of the shares of another company, it has to do it in a particular way. If a company proposes to acquire at least one-third of the shares, it must do it in the way set out in section 184. This is to give all the shareholders an equal opportunity to hear the case and to make known all the facts concerning directors, their shareholdings and interests in the company, and whether what is called the golden handshake is being given; that is, whether retiring directors are receiving large gratuities.

All this must be set out because of the existence of section 184 of the Companies Act. However, if a company is not proposing to take over one-third of the shares in another company there is no requirement whatever that it give notice to the stock exchange, to the Registrar of Companies, or to the shareholders.

The Minister may correct me if I am wrong—and I believe he would confirm this if asked—but I believe the Eggleston committee, which was appointed by the Standing Committee of Attorneys-General, recommended that this type of first come first-served offer, which is what I am talking about—a kind of sneak attack, one might call it, or a takeover offer of a limited extent of up to 10 or 15 per cent., not 33⅓ per cent.—should be dealt with. This is the recommendation of the Eggleston committee. Further provisions should be incorporated in the uniform companies legislation to provide that the figure of 33⅓ per cent. is dropped. I think the

recommended figure in the Eggleston committee report was 15 per cent. In any event, it indicates that the Eggleston committee was well aware of the possibility of this first-come first-served offer not operating fairly as far as all the shareholders of a company are concerned.

I am referring to the unfair situation that only those who answer the circular within 24 hours can benefit. Sometimes not even a circular is sent out, but instead an announcement appears in the Press to the effect that so much is offered for shares in a certain company —up to 500,000 or some other figure. Shareholders who see the announcement and get in first can take advantage of it, but others are left lamenting

This is not regarded as being in the best interests of shareholders generally and is referred to by the Eggleston committee. Much more than what I have said appears in the Eggleston committee report which I have here.

Therefore, I believe we should not aid and abet this type of activity. I believe we will be aiding and abetting that activity if we force Western Australian companies, so many of which have been the subject of the type of takeovers to which I have referred, to disclose information greatly in excess of what their Eastern States counterparts have to disclose to their respective stock exchanges.

I have already indicated that I give the greatest support to the way the stock exchange conducts its affairs; I believe it does its job well and I support it. If we are to put into our legislation provisions, as set out in part IX of the Bill, which bring in the full scope of the criminal law to enforce additional requirements, I believe we will be doing a disservice to local companies.

The Hon. F. J. S. Wise: You think the whole of part IX should come out?

The Hon. I. G. MEDCALF: In answer to that question, Mr. President, I believe the whole of part IX should come out. There are only six clauses in it, but I believe they are all interlocked and, further, it would not make any difference to the other very good provisions of the Bill if they came out.

I would like to refer once more to the criminal sanction of this part. When I use the word "criminal" I am using it in a loose sense. It might be called quasi-criminal. It is not criminal in the sense of someone who commits an offence under the Criminal Code, but it is enforceable under the criminal provisions of the law.

It is provided in clause 83 that a company which contravenes or fails to comply with any of the sections to which I have referred is liable to a penalty of $2,000 and $100 for every day the offence continues after conviction. That is, of course, a rather severe sanction and it means that we are giving a tremendous power to the stock exchange. As I say, I do not object to the committee of the stock exchange. I believe it is an admirable committee and it does its work well. However, I believe we should look at this matter dispassionately. As legislators, we would be giving a tremendous power to the stock exchange to use the criminal provisions by making a complaint to the Registrar of Companies.

We would be giving a tremendous power to a group of people who conduct their business in an admirable way, but who are not bound under any oath or bond of secrecy in respect of information which may be disclosed under part IX. I have studied the Bill and I am not aware of any oath or bond of secrecy contained in the legislation. I would think that just as the Registrar of Companies is bound by his oath of secrecy—as are public officials—the committee of the stock exchange should not only be bound by an oath of secrecy in a situation like this, but it should also be bound not to engage in any activity by which it could take advantage of the information it could gain as a result of disclosures made by companies. I believe that would be a necessary prerequisite to including this part of the Bill.

The Hon. W. F. Willesee: The implication you have just made is very serious.

The Hon. I. G. MEDCALF: Yes, it would be most serious indeed and this would be the effect of it. Anyone who receives this information should, in my view, be clearly bound by an oath or a bond and should clearly be required not to take any advantage personally, or through his family or company connections, of any information disclosed. I am not suggesting—and I trust no member will think I am—that any member of the stock exchange or its committee is likely to do that. I think those people are honourable; certainly the ones I know are, and I do not think they are likely to do that. However, I do not believe we should legislate in this way.

I believe if we are going to impose the sanction of the criminal law and impose additional requirements upon Western Australian companies, which their competitors in other States do not have to suffer, then we should at least impose very stringent requirements upon those persons who will receive the information, both in respect of secrecy and in respect of benefiting in any way whatsoever from the receipt of that information. I think the legislation imposes a very severe burden and requirement on the committee of the stock exchange at this stage in its history. I feel I have made my point on this matter. I am opposed to part IX, without reflecting on anybody concerned. I support the rest of the Bill and I believe it is excellent legislation in all other respects.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [8.19 p.m.]: First of all, may I thank both Mr. Willesee and Mr. Medcalf for the remarks they made in connection with this Bill and for their support of it—even if it was qualified in one or two respects. This piece of legislation has the background mentioned by Mr. Willesee, although I would like him to know that the conference of Attorneys-General held in Perth last October—it was held in this Chamber—did not have any real effect on the legislation. The discussion that ensued on that occasion was really in the nature of a progress report, as I think I indicated in my second reading speech. We knew that New South Wales had introduced similar legislation some time ago and that it had found certain imperfections—if I might use that word—in it, and so that State was proceeding to some amendment. We knew that Victoria had similarly introduced legislation and, as a result of the experience of New South Wales, it was likely that Victoria, in turn, would proceed to some amendment. Bear in mind that the New South Wales Parliament was the first State Parliament to deal with the problem of securities industry legislation.

I think I also pointed out in my second reading speech that this legislation was thought about and talked about in an atmosphere—so far as Western Australia was concerned—of a boom, in relation to the share market; although we had had one or two unfortunate occurrences. Of course, the question might well be raised as to whether this Bill will catch the dishonest dealer, and whether the legislation will be difficult to police. Those are some of the opinions that were expressed by the Press during the last weekend, and I am sorry the reference to the emasculation of the Bill seemed to upset the Leader of the Opposition.

The Hon. W. F. Willesee: It was quite disconcerting.

The Hon. A. F. GRIFFITH: However, that comment was directed at the Securities Industry Bill. Mr. President, you will recall that at the conclusion of my remarks when introducing the Bill I said—

> The Bill has been devised in consultation with the Stock Exchange of Perth, and I am authorised to say it has the blessing of that body. We know it is not going to be completely effective, but it is a start and, as time goes by, and experience is gained in its administration, it can be improved on.

I think basically that is a necessary atmosphere in which to accept this piece of legislation. It is, to a considerable extent, administrative.

In relation to the general approach to the Bill of people who are likely to be affected by it, I found that it was accepted almost in total, although there is no doubt that there is opposition to part IX. Many suggestions have been made to me in respect of what part IX might do. Some of the matters that have been suggested to me were contained in the speech made by Mr. Medcalf this evening. I will outline to the House some of the questions that have been posed to me.

It has been said that we do not need such power in the legislation because the stock exchange can delist a company if it does not abide by the listing requirements of the stock exchange. That is perfectly true; but, on the other hand, delisting action by the stock exchange might have a detrimental effect upon the shareholders of the company. Up to date the Stock Exchange of Perth, diligent as it has been in the operation of its organisation, has had occasion to delist one or two companies for reasons I will not go into. The only effect of delisting that I can see is that it may affect the shareholders. So I pose that question in answer to the statement that has been made.

It has been suggested to me that Western Australian companies would be placed at a disadvantage, and Mr. Medcalf mentioned the matter again tonight. I am the last person in the world who would want to do that, and I do not think any member of this Chamber would want to do it. The legislation was certainly not directed at that.

It has been said that the Bill goes further than the listing requirements of the stock exchange. I believe it does go further; and, this being so, I think it is arguable whether or not the five or six clauses in part IX of the Bill are better than the actual listing requirements of the stock exchange itself. Many people have told me that the situation which prevails at the moment in respect of listing requirements is quite satisfactory and there is no need to write a provision into the legislation because it should be included in the Companies Act, or else the Registrar of Companies should have the power.

I merely say this: The Registrar of Companies has certain powers under the Companies Act, and disclosure of the facts which come into his possession is no different from the lack of disclosure of the facts which come into the possession of the stock exchange. If the stock exchange does not disseminate its knowledge to the public, the Registrar of Companies certainly does not; because what information he receives in the execution of his duty is not, by and large, disseminated to the public. So I think it is arguable whether or not part IX of this Bill should be included in the Companies Act or otherwise. If any action can be taken against a company for not doing something in respect of securities, I think it is arguable

as to whether the power should be included in the Securities Industry Bill or the Companies Act.

It has also been said to me that companies operating in Western Australia have had little or no time to consider the whole contents of this Bill. Of course, I am obliged to agree with that point. This is one of those pieces of legislation in which all the information necessary for its preparation must come to me from the stock exchange itself. It is very much a piece of legislation which has the intention of disciplining members of the stock exchange, allowing the creation of stock exchanges, and laying down rules under which members of stock exchanges shall operate.

I have to admit that the companies have not had much time in which to consider the implications of the legislation, and strong representations have been made to me not to proceed with part IX. They have left me with a doubt in my mind. I do not want to ask the House to force through any part of this Bill which might operate in a manner detrimental to the companies of Western Australia. I am equally interested, of course, that no part of this Bill should operate in a manner that does not fully protect the investing public of this State, bearing in mind that a fool and his money are easily parted and that one cannot advise people concerning the stocks and shares they should buy or the investment they should make. Those who invest always want to make an honest dollar and they want to make it as quickly as they can. As Mr. Medcalf said, it is surely human nature that this will occur.

After giving the matter full consideration I do not want to drop the Bill because, as Mr. Willesee said, and as Mr. Medcalf also said, the main part of the measure is perfectly all right as far as I can see. Nobody has said to me that the method by which the stock exchange will be registered and permitted to operate, or the method by which stock brokers will be registered and able to operate, is wrong. Neither has it been said that the short-selling provisions that are in this Bill should not be there. The provisions in relation to short-selling are not to be found in any other Act in Australia; and in discussing this matter we have to bear in mind that New South Wales and Victoria are the only two States that so far have introduced similar legislation.

In this regard I suppose I cut myself short by not reporting the rest of the situation in regard to the other States. At the October meeting of the Standing Committee of Attorneys-General, which was held in this State, we were told that the Governments of South Australia, Queensland, and Tasmania had not as yet submitted legislation to their Houses of Parliament; whether they have done so since I do not know.

However, to get back to part IX of the Bill: While I do not concede entirely that that part is not necessary, I do feel that it could well be necessary in an abridged form. However, I am of the opinion that it would be conducive to the continued successful operation of both the stock exchange and the companies, at least for the time being, not to proceed with part IX, and I shall ask the Committee, during the Committee stage, to delete that part from the legislation. I do this in the knowledge that the listing requirements of the stock exchange pick the situation up.

A company asking for its securities to be listed on the exchange is obliged to say that it will fulfil the listing requirements of the stock exchange; and a company should fulfil its part of the contract. The stock exchange, in turn, should behave in the manner that it is intended it should behave. The exchange should do what it can in the interests of the public to protect people against the sort of thing that is covered by the provisions of this legislation in relation to certain things which we know go on from time to time.

However, I would like to discuss part IX of the Bill at the next meeting of the Standing Committee of Attorneys-General to see whether my colleagues in the other States would be prepared to contemplate some uniform approach to this problem. I will be able to get the benefit of their advice and as to whether they think the provisions in part IX should be in the Companies Act.

It is true, Mr. Medcalf, that the Eggleston committee, headed by Mr. Justice Eggleston, made certain recommendations in respect of takeovers. New South Wales has given some effect to the recommendations in an amendment to the Companies Act. I still have to get my Bill —if I can call it my Bill; and if I do members will understand what I mean— properly prepared. The Bill that will be introduced into this Parliament is still in the course of consideration and preparation. It is a very weighty and mighty document. As I said, I would like to discuss part IX of this Bill with Ministers in other States with a view to endeavouring to get a uniform approach. In the meantime I do not think it will do any harm to take part IX out of this legislation. I would rather take it out than leave it in and be sorry; because I have no desire, by a Bill of this nature, to create anything between the stock exchange and companies which might cause disharmony in the operations of both. Both the exchange and companies have to work very closely together.

The Hon. F. J. S. Wise: If something similar to part IX was approved by all States most of Mr. Medcalf's objections would fall.

The Hon. A. F. GRIFFITH: I think that depends on two things: what is approved by all States on a uniform basis; and, secondly, where it will go. People who have made representations to me in the last week strongly believe that the provisions in part IX should be in the Companies Act. I do not deny this flatly; but I am not sure that this definitely should be so. I think I could profit by the advice I might get from Attorneys-General in other States who have had a great deal of experience in this matter.

On the other hand, if I were asked to take the short-selling provisions out of the Bill I would say "No"; because I think I could completely justify an argument to ask Parliament to agree to pass provisions which will prevent short-selling. I think I am justified in asking Parliament to agree to provisions which will prevent a man from saying to his broker, 'Sell for me something that I do not have. Sell for me some securities that I do not own in order that I can deflate the market and come in later on." To me, and to the members of the stock exchange of Perth, this is a nefarious practice which we should put an end to; and the legislation seeks to do just that.

So far as the fidelity fund is concerned, I am quite satisfied with the idea put forward by the Stock Exchange of Perth. The legislation provides for the payment of $100,000 in cash by members of the stock exchange plus an insurance policy to the extent of $400,000 which will provide a fidelity fund of $500,000 immediately. Each year the fund will be provided with a payment of .03 per cent. of the turnover of the exchange, or $50,000, whichever is the lesser. A sum of $50,000 is the amount that will go into the fund and as the fund builds up, in a cash sense, so will the value of the insurance policy dip until in about eight or nine years' time the deposits by members of the exchange, plus the earning capacity of the money in the fund, should enable the fund to stand at $500,000.

This is something for which I think we should commend the members of the Perth Stock Exchange; because the fund is actually in operation. All the exchange is asking us to do is to give it some legal status. That has been done by this Bill.

I thank members who have spoken to the Bill for their contribution and for their support of the legislation. I fully realise it is legislation of an experimental nature and, in many respects, it is quite bold. I hope and trust it will serve the purpose which it is intended to serve and, as I said, I will ask the Committee, when we reach the Committee stage, to remove part IX. I do not think that will do any real harm to the legislation. However, I would like to give that part of the Bill further thought and to get advice from my ministerial colleagues in the other States.

Question put and passed.

Bill read a second time.

STAMP ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

APPROPRIATION BILL (GENERAL LOAN FUND)

Second Reading

Debate resumed from the 11th November.

THE HON. F. J. S. WISE (North) [8.40 p.m.]: This very short Bill involves the appropriation of many millions of dollars. It covers the expenditure from the General Loan Fund for this year and includes the supply of $46,000,000 previously approved by this Chamber.

It is a most interesting little Bill for what it does in approving appropriation, and in its schedules members will find provisions for expenditure on the services of very many State departments up to this stage of this financial year. The summary of those expenditures exceeds $76,000,000. In connection with the General Loan Fund there have been expenditures such as those on the Kewdale marshalling yards, certain harbour works, water supplies, and sewerage development in different parts of the State.

Expenditure on all those matters has been made from the Loan Fund and this Bill, on its passing, will give sanction to such expenditure. However, I would like to draw the attention of members, particularly those who do not take much interest in financial Bills, to a certain feature which is common only to Appropriation Bills—whether it be appropriation from loan funds, or from the Consolidated Revenue Fund. This Bill, and kindred measures, are provided with a certain sort of preamble; and I would like to draw the attention of members to this preamble because it is only, at the most, on four occasions in the year that this House of Parliament has Bills with such a preamble. As a rule we have two Supply Bills, the Appropriation Bill (General Loan Fund), and at the end of the session the Appropriation Bill covering the Revenue Estimates. The preamble reads as follows:—

> *Most Gracious Sovereign,*
>
> We, Your Majesty's Most Dutiful and Loyal Subjects, the Legislative Assembly of Western Australia, in Parliament assembled, towards making good the supply which we have

> cheerfully granted Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sums hereinafter mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted: And be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows (that is to say):—

Those words are steeped in tradition. They are more or less bathed in antiquity, and they have come down to us in this Chamber after usage for at least 600 years.

Many British Commonwealth nations, with Parliaments based on the Mother of Parliament—the British House of Commons—have discarded such preambles long since. I have often wondered, not merely during the long years that I have endeavoured to serve this Parliament but in a study of this subject through the years, whether such preamble needs modernising. I say, without any reflection on Her Most Gracious Majesty, and as one of her dutiful and loyal subjects, that this is a matter which in these days requires some attention, and in that regard I will be making a suggestion later.

I now quote from Erskine May's *Parliamentary Practice*, 17th edition—this being the most recent edition of this famous compilation of the procedures of Parliament. On page 515 will be found a review of the authorities and the references which are involved in the long title and the short title of Acts of Parliament. In the case of the short title members have heard my objections, from time to time, on the grounds that it does not indicate for the purpose of indexing what might be the contents of the Bill or Act.

In this case if members will study the chapter in that publication dealing with the preparation of Bills they will find that in the early part of the 15th century, in 1412, there originated an enacting formula which became the preamble of the money Bills in those days. I refer to those words because they are identical with the words in the Bill before us, which I have read out. This is a most interesting formula which has been developed for the main purpose of the preamble of a Bill which, in effect, is to set out the reasons for and the intended effects of proposed legislation. In particular, in Western Australia, the preamble is now confined to Bills which appropriate moneys. Those words are used simply because the Bills involve Consolidated Revenue Funds, and in their preparation and design their purpose is to initiate expenditure of finance.

I have some volumes of the Statutes of the other States in front of me. New South Wales has, in part, departed from the use of such preambles in money Bill So that there can be no suggestion, an no-one will dare to say, that I am in an way a person who will defame or wh does not have other than the greates admiration for Her Most Gracious Majesty I would point out that in the case of Sout Australia at the time when the Premie of that State received a high honour fror Her Majesty, he took the opportunity t remove from his Statutes dealing wit finance the words which have had a usag of at least 600 years.

Act No. 29 of 1960 of South Australi is an Appropriation Bill, and it contain the schedules and the amounts of mone that were to be expended. Those word have been left out of the preamble. Again in Bill No. 2 of 1960 of South Australi the short title is merely—

> An Act for the further appropriatio of the revenue of the State fo the year ending on the thirtiet day of June, one thousand nin hundred and sixty, and for othe purposes.

In clause 2 it is provided—

> Out of the moneys paid to th State by the Commonwealth of Aus tralia, and any other General Revenu of the said State, not otherwise b law specially appropriated, there ma be further issued, in addition to al sums . . . any further sum or sum . . .

It seems to me that irrespective of hov deeply any of us might believe in ceremon and in things that rightfully belong to th tradition of Parliament—be it the time o the opening of this institution by the Gov ernors of the State to enable us lawfull to proceed, or any other occasion—ther is no need for us to be hog-tied to some thing although we might like the associa tion with and the splendour of thes occasions, simply because they are bathe in antiquity. But these things have littl modern application.

Since this wording applies only to Ap propriation Bills of which each year ther are four—and the Appropriation Bil (Consolidated Revenue Fund) has yet t come to us—I suggest to the Minister i charge of the House that a review of thi Bill and its preamble and of similar Bill and their preambles is a matter which i very appropriate to be referred to the Law Reform Committee for study. I would lik to see that take place, because at the tim of their original introduction the words am referring to had a specific intention but at the present stage their continue use requires examination.

I intend to speak at some length on th Loan Bill, which is further down on th notice paper, and deal with the raising o loan funds. In respect of the Bill befor us. I simply say I support it.

THE HON. R. THOMPSON (South Metropolitan) [8.53 p.m.]: I support the Bill. When we look at clause 3 we find that the sum of $76,769,000 is to be appropriated, as set out in the schedules to the Bill, and this is a great deal of money. However, that is not the purpose of my speaking to the measure.

I want to speak on behalf of people who do not have much money and who are in need of assistance. Over a number of years I have been concerned with, in particular, the plight of deserted wives. In this regard we find that in the main they have relied for a long time on financial assistance from the Child Welfare Department. Some succeed in their applications for widows' pensions, but others do not. For many years these people have relied on the State for their maintenance—for periods of up to 16 years and even longer.

It is about time that in this State we set up an easy method for people seeking divorce. I am disgusted—and that is the only word I can think of to describe the situation—with the legal profession in the fixing of fees for divorce cases.

The Hon. G. C. MacKinnon: This law has now been taken over by the Commonwealth.

The Hon. R. THOMPSON: I am talking about divorce costs in Western Australia. We find that the legal profession here charges a fee of $300 for a divorce case. I have questioned a number of solicitors as to what are their actual out-of-pocket expenses in such cases; and on the average I found that these expenses came to $30 in uncontested cases. That is the amount required to prepare a case and take it before the court.

Many people are under the impression that it costs $200 to get a case before the Supreme Court; this is spread around, but I do not know by whom. I have heard this figure quoted many times to people who have been saving for some years to obtain a divorce. From my inquiries I find that it does not cost anything to get a case before the Supreme Court, other than the cost for the lodgment of the necessary papers. There are no court expenses involved; and the State pays the salaries of the judges.

In view of the expenditure that is incurred by the Child Welfare Department to assist financially women who have been deserted—in most cases the women are decent types, and the desertions were brought about through no fault of their own—we are lagging in our efforts to assist these people by not helping them to obtain cheap divorces. If we did help them in this way I feel sure that in a short time many of the women concerned would be off the hands of the Child Welfare Department.

The Hon. L. A. Logan: Not only husbands desert; many wives also desert their partners.

The Hon. R. THOMPSON: I will deal with both situations. It is a crying shame that women in this position have to exist on the lowest rung of society, and some have four or five children. They have no chance of attaining a position in life where they can give the attention to their children which rightfully belongs to them. They cannot afford the good things of life.

If a free form of divorce was available to these people they would become less of a burden to the Child Welfare Department. In many cases the deserted wives could find husbands to look after their families. I know many of these people will not enter into *de facto* arrangements, although some do. Many of these women wish to retain their dignity, and they refuse to enter into these arrangements. It is about time we acknowledged the plight of these people who urgently need assistance. We should enable them to obtain cheap divorces, so that they do not have to go on their hands and knees to solicitors.

I find there are solicitors in Perth who are prepared to take on these divorce cases on the payment of a deposit and the balance in instalments. If a woman has saved $100 and the case is an uncontested one, generally a solicitor will accept the $100 as a deposit, with the balance to be paid off later. Many of these people have struggled for years, and in the main they honour their obligations. It is grossly unfair to deserted wives that they should be deprived of the opportunity to obtain divorces.

Let me refer to the professional fee that is fixed for divorce cases. I have contacted many solicitors, and I can assure members that the fee for an uncontested case is $300; but if a case is contested the fee is higher.

Ofter when a woman consults a solicitor she asks him what chance there is for her to recover money from the husband who has deserted her. The lawyer tells his client that is strictly an arrangement between the client and the lawyer. The figure for the divorce is $300 and if the client wants the solicitor to try to recoup the money from the husband it involves a separate action through the court, and that costs more. So it will be seen that the person who cannot afford the expense is the one who cannot take action to recover the costs from the husband.

I would like to compare professional charges set by an eminent specialist in this city. Last year I had what could be termed a major operation and, possibly, another operation which could also be termed major. One of the most eminent surgeons in this town visited me on five occasions, operated on me for three hours,

and visited me on three other occasions after the operation. I received a bill for $200.

The Hon. A. F. Griffith: He had a fair amount to put up with, didn't he?

The Hon. G. C. MacKinnon: That is cheating.

The Hon. R. THOMPSON: That charge to me was a gift; I expected to pay $500, and I would willingly have paid that amount.

The Hon. F. D. Willmott: Did the honourable member write to the specialist and tell him so?

The Hon. R. THOMPSON: I would do many things for that specialist because he saved my life.

The Hon. A. F. Griffith: Watch out the specialist does not ask for another $300.

The Hon. R. THOMPSON: I know it might sound humorous, but after the pain I was suffering that man performed a miracle.

The Hon. I. G. Medcalf: I do not think the honourable member is in a position to form an unbalanced judgment.

The Hon. R. THOMPSON: At least he gave a service and did a worth-while job.

The Hon. F. R. H. Lavery: In your opinion.

The Hon. R. THOMPSON: In my opinion; I will go along with that view.

The PRESIDENT: Order!

The Hon. R. THOMPSON: Seriously, for a solicitor to ask $300 for a job which takes from 15 to 30 minutes in a court, when the person who is seeking the divorce has to supply all the information, is beyond reason. Some six months ago a lady whose husband had left her went to a solicitor and was quoted a figure of $300 for a divorce. She paid $40—all the money she had in the bank—and was then told that she should engage a private investigator. This she did and within two nights the private investigator obtained the necessary evidence. However, that cost her an additional $200. So the cost was $500 for a divorce which should have been clearcut. When compared with the charges made by a specialist to perform an operation, that figure is much too high.

The Hon. I. G. Medcalf: Does the honourable member think the evidence was required? Would he have divorce without evidence? Does he believe in slot-machine type of divorce?

The Hon. R. THOMPSON: No, I believe in uniform divorce laws. After a number of years a person should be able to apply to a court for a divorce and if the respondent does not appear the divorce should be virtually automatic.

The Hon. I. G. Medcalf: Automatic; slot-machine type.

The Hon. W. F. Willesee: What the honourable member is seeking is cheaper lawyers.

The Hon. R. THOMPSON: I want to see some ethics, and some fairer reasoning on the part of lawyers instead of seeing them fleece people, which is what is occurring at the present time. A charge of $300 for an uncontested divorce cannot be justified and I hope that Mr. Medcalf will speak and attempt to justify that charge. I know that he will not be able to justify it.

The Hon. I. G. Medcalf: The honourable member said he hopes I can justify the charge, and then says that I will not be able to justify it. What is the good of my trying?

The Hon. R. THOMPSON: Knowing the honourable member I would say that he will try. I hope he does try because the further he goes the more he will convince the Chamber that I am correct.

The Hon. W. F. Willesee: With all due respect, I wonder why the honourable member is in this Chamber after hearing the figures quoted by Mr. Ron Thompson.

The Hon. R. THOMPSON: There are lawyers and lawyers, of course.

The PRESIDENT: Order!

The Hon. R. THOMPSON: I did not want to be personal, and I did not want to be side-tracked. However, I feel it is the duty and responsibility of the State to do something to help support people who have been deserted. Sometimes deserted wives have three, four, or five children and it is not a good thing for a woman to be faced with a costly divorce when she knows that if she can get a divorce she can remarry and bring up her children in a different environment.

Such action would save expense on the part of the Child Welfare Department over a period of years. My suggestion is that we should, at least, give it a go. We should appoint and retain two solicitors for the purpose of assisting the people to whom I have referred. People should be able to obtain a cheap and ready divorce after waiting a period of time. Naturally they would be screened; it would not be a case of a woman just getting rid of her husband. Assistance would be given to a person registered with the Child Welfare Department. The department would already know her history, and the history of the husband. I think it is a fair and reasonable proposition that we should try to uplift people rather than keep them in their present circumstances.

That is all I wish to say and I hope some notice will be taken of my remarks. I hope some relief can be given to this section of the community, and I support the Bill.

THE HON. G. W. BERRY (Lower North) [9.08 p.m.]: I rise to support the Bill, and there is one matter which I wish to touch on. I refer to the desperate plight of the wool section of the pastoral industry, particularly as it affects the province I represent. I want to bring the situation to the notice of this House, and to the notice of the Government.

In recent times the spotlight has been on the plight of the farming community. I will not deny their plight; their ills have not been solved by any stretch of the imagination. However, some notice, at least, has been taken of their plight and endeavours made to assist the farming industry in this time of stress.

We have not heard very much about the stresses facing the wool section of the pastoral industry at the present time. There has been a series of dry seasons throughout the Murchison, eastern goldfields, and Gascoyne areas, and a serious situation has arisen. Stock firms are no longer meeting the everyday requirements of the people concerned. Only last week a pastoralist spoke to me in Carnarvon, and apprised me of his position. He said he did not intend to make any secret of his position because it would soon be common knowledge, and he passed the information on to me in the hope that I would be able to get the message across where it might be appreciated.

The pastoralist concerned owes in the vicinity of $105,000 to a stock firm for which the stock firm is secured for approximately $100,000 from the sale of another property. The pastoralist owes a further $5,000. He has 40,000 sheep, and 2,000 head of cattle on his property, and he is about to commence shearing.

He recently received a letter from his stock firm stating that as from that date the firm would no longer meet pastoral rents or shire rates. He asked me where he could go from there, and what he could do. As a member of the shire council he said he would probably be debarred from holding his seat because he was unable to meet his rates. However, in consultation with the shire clerk the Governor can waive that provision. The situation is that the shire will still have to proceed against the pastoralist for his rates, but he will not lose his seat on the shire council.

The situation of that pastoralist is no longer serious; it is desperate and he is looking for any straw to grasp. He requested that I raise the matter, and bring it to the notice of people in authority to see whether the seriousness of the position of the industry, because of the low price of wool and rising costs, could be brought to the notice of the Government.

Criticism that no interest is taken in the pastoral industry has been levelled at the Government. The industry is one which resented any interference, particularly on the part of the Government. It might be said that memories are short but I have no doubt that the plight in which the pastoralists find themselves is such that they do not know in which direction to turn and they do not know what to do.

I am not suggesting that this Government, or members in this Chamber, can supply answers to the questions raised, but I do want to bring the plight of the industry to the notice of the people of the State, to the members of this House, and to the Government. Any measure which might assist the industry in any way whatsoever should be given every consideration possible. I do not intend to give a long dissertation of the desperate plight of the industry; I merely want to state the position as it exists at the present time. I hope some notice will be taken of my remarks.

THE HON. R. F. CLAUGHTON (North Metropolitan) [9.14 p.m.]: While speaking to the Appropriation Bill (General Loan Fund) I would like to draw attention to a town planning problem which exists in urban areas. The topic on which I will speak is not a matter entirely concerning the State Government. It involved local government, but the State Government is also involved in spending in these areas.

Problems are growing in many areas—not only in my own province, but also elsewhere—and some of them relate to districts which were established before town planning, as a concept, had gained a great deal of acceptance. Scarborough is a typical area having a gridiron pattern of streets, which creates a traffic hazard at each intersection and contributes to the carnage on the roads, which has been the subject of publicity in the Press today.

There are problems associated with sewerage, because septic tanks contribute to the pollution of underground waters. There are problems related to flat development within the area, which increases the density of population and throws an extra burden on the local authorities in providing the facilities to cater for those people. With flat development there are problems related to lack of privacy. There are problems connected with the noise of traffic, traffic congestion, and air pollution as a side effect, as well as dangers arising from traffic patterns.

In the past I have made reference to several sectors of the Subiaco City Council area. I would like to illustrate what I am saying by giving particulars of a traffic count that was taken at streets selected at random in various suburbs; this shows how uncontrolled planning can affect the environment. This traffic count took place between 8 a.m. and 8.30 a.m. on a day in August. The streets and suburbs in which the count was taken, and the number of residential units in each place, are as

follows: Herbert Street, Shenton Park—61 houses and one hall; Forrest Street, Cottesloe—77 living units; Geddes Street, Victoria Park—58 living units; Swanbourne Street, Fremantle—68 living units; Sandgate Street, South Perth—46 living units; Glendower Street, North Perth—75 living units; Gallop Street, Nedlands—43 living units.

As members know, those are normal suburban streets, apart from Herbert Street and Geddes Street, which face particular problems. I will not give all the statistics; I will select some of them in order to illustrate my point.

Herbert Street is affected by redirection of traffic from Selby Street subway, where the traffic moving south from Selby Street goes under the subway and then into Shenton Park, where it disperses towards Nedlands and the city. In the half-hour, 122 vehicles passed in both directions. At Geddes Street, which is affected by similar conditions, there were 125 car movements. By way of contrast, at Forrest Street, Cottesloe, there were 10 vehicles, and at Swanbourne Street, Fremantle, there were 83, which demonstrates the significant difference in the traffic movements in the two types of street.

Herbert Street is a normal residential street which does not, in itself, generate a great deal of traffic. The cars that were counted at that street were passing through the area. It is affected by the type of planning that has taken place and by the street pattern around the Selby Street subway. Each of these streets I have mentioned has a history of accidents.

I would like to quote some figures from a book entitled *Planning for Man and Motor*, by Paul Ritter. On page 306 of that book, when speaking of traffic accidents where there is a gridiron street layout, the author quotes the results of research which was undertaken in Los Angeles in the United States. The quotation is as follows:—

> The study included eighty-six residential subdivision tracts with a total developed area of 4,370 acres, representing a population of 53,000 persons. It embraced 108 miles (173.8 km) of residential streets including 660 intersections.
>
> The study period included a five-year accident history for each tract. Since right angle collisions represent approximately 84 per cent. of all vehicular accidents within subdivisions, this initial study has been limited to right angle collisions at intersections of local streets.

The percentages are quite revealing. The quotation continues—

> Fifty per cent. of all intersections in grid-iron subdivisions had at least one accident during the five year period . . . only 8.8 per cent. of intersections with limited access experienced accidents within this period.

That indicates the need to try to replan this type of subdivision so that the gridiron pattern is eliminated. In this text there is an illustration of how this can be done by closing off streets and by detouring traffic at a right angle instead of allowing vehicles to cross over. By using these methods, the number of intersections is greatly reduced and the accidents that occur are proportionately reduced.

By this means, not only is the number of accidents reduced, but a locality is made a more favourable place in which to live. The streets are quieter; the children are not subjected to hazards every time they go outside the door; they are not faced with traffic speeding up and down.

After comparing the percentage of accidents which occurred in the gridiron pattern with the percentage which occurred on limited access roads, the quotation continues—

> . . . this is particularly significant since there were 65 per cent. more intersections in the limited access areas.

Eight times as many accidents occurred each year in the gridiron layout.

The extract I have quoted points not only to the need to examine this matter, but also to the need for people who are qualified to examine it. There is a need for qualified town planners and road engineers in local government, and it is also desirable that those people should have the power to implement their ideas.

Earlier in this session I quoted from the report of a seminar on "Urban Transport in the Years Ahead," which took place in Melbourne in 1968. Mr. R. D. Fraser, the Chairman of the Victorian Town and Country Planning Board, gave an address to that seminar, from which I draw the remarks that follow. Mr. Fraser compared what has happened in Australia and overseas, and he stated that town planning development in Australia followed the United States pattern; that is, we are always lagging behind but we also gain from the experience in that country.

The studies in traffic control in the United States have become more and more sophisticated because it was found that conclusions could not be drawn merely from traffic patterns and the simple movement of vehicles and persons. It was found necessary to take into account the needs of the community and the location of facilities; that is, where shopping centres, schools, and high density flat development will be located. All these things affect the traffic pattern, and traffic studies are therefore broadened and deepened.

The conclusion he reached—as discussed on page 37 of this report of the seminar—is that it becomes necessary for more positive action at a State Government

level; that we cannot leave it entirely to local authorities who have limited powers and, as a result, can only plan within their own districts.

I certainly would not advocate taking away all town planning matters from the local authorities, because they are the people who are familiar with the local problems and they must have their say. But there is a need for greater co-ordination between what the local authorities are doing and what is being done in the overall scheme. I think, on the whole, this is the kind of pattern that has developed here with the M.R.P.A., the Town Planning Board, and the local authorities.

However, the gentleman to whom I have referred claims that the trend is for the State Governments to lay down very firmly what the guidelines for future development should be. When this type of planning comes to be implemented at a local government level we find that there are few local authorities in Western Australia which have the resources to employ qualified experts in town planning, road engineering, health matters, and so on.

If there is a criticism to be made I think it is that this situation has been allowed to continue, while the problems of urbanisation have grown even larger. We are content to let the local authorities go their own way and dictate the pattern without making a more strenuous attempt to ensure that they plan on sound principles of town planning.

Early in the session I asked about the site occupied by Whittakers in Hay Street being used for flat development. We found that industrial site could be used for flat development without any reference to the Town Planning Board. This site is in a most unfavourable situation for this type of development. It is at a busy intersection at which a number of accidents take place. I know this, because I have travelled up and down this street frequently. Yet we find a noisy, busy intersection may be set aside for flat development for 1,000 or 2,000 people. The figure I have quoted is, of course, only hearsay.

This is the sort of thing that could happen. If it does happen then here again will be an illustration of the need for a more rational approach to our urban problems. I could speak for a great deal longer on this topic, and perhaps raise the necessity for the provision of reasonable recreational facilities within each district so that the people living in the area might use them and recover from the stress of their daily occupations; where the children might have room to run around and develop.

In the Scarborough area there are no recreational facilities provided within a reasonable distance of such development for either grownups or children; and, of course, there are many children in this area. The indiscriminate placing of flats on what were once single-unit residential lots is not a rational way to tackle the problem of town planning or to provide a reasonable environment in which the people can live.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.36 p.m.]: I do not think there is any call upon me to do more than acknowledge the remarks made by speakers on this Bill. I will have each individual speech examined in the course of time and if any action can be taken along the lines indicated the honourable member concerned will be advised accordingly.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

LOAN BILL

Second Reading

Debate resumed from the 12th November.

THE HON. F. J. S. WISE (North) [9.40 p.m.]: This Loan Bill has a distinct difference when compared with the Bill which has just been passed. This measure and Bills of a similar nature really have their origin in the formation, in 1927, of the Loan Council of Australia, when it was necessary to pool the requirements of the different States and have them decided by that council.

This very important Bill shows how the moneys come to be raised for the projected works which are referred to in the schedule to the measure. Although it might appear to be a fairly large sum of money, when it is associated with what is done in cutting up $758,000,000 throughout Australia it is not really a very big amount. There are many people who consider that the loan indebtedness of Western Australia—which amounts to $887,000,000 in round figures—is a colossal sum for this State to bear. Indeed, for the year 1970 it works out at $904 per head of population —each man, woman, and child in Western Australia owes that much in relation to the State's loan money.

Some people have the idea that this is a terrific burden for the community to carry as an indebtedness. If members will look at the tables within the Budget tables of the loan assets of the State—a

subject on which I have addressed myself in this Chamber on more than one occasion—they will find that although we have only $82,000,000 totally productive in returns from interest on borrowed money, and $627,000,000 partially productive, we have $166,000,000 which returns nothing to the State from its investments in loan funds.

It is very pleasing for me to see that the Wundowie Charcoal Iron and Steel Works have for the last two years been fully productive; that these works have paid interest in full on the amount owed by them. We all recall arguments in this Chamber in connection with these works but they have once more raised themselves into the list of fully productive enterprises.

I mentioned the figure of $904 per capita and a total debt of $887,000,000. How small is that debt really? Why, in the Pilbara district alone private enterprise in the last five years has spent $800,000,000 which the State would have had no capacity to borrow and no ability therefore to spend.

So how great are the assets of this State if we take into account not only the buildings associated with our law courts, schools, and hospitals, all built on borrowed money, but when we also contemplate those sums side by side with what the latent resources of this State have been able to offer as security on which people will spend money.

The Hon. A. F. Griffith: There is a lot more to be spent in the north, too.

The Hon. F. J. S. WISE: I make the comparison that the amount to be spent in one region of the north-west of the State is almost equivalent to our total known debt. Surely that is a remarkable happening; and, indeed, if we look around us at the skyline of the City of Perth—a skyline which has altered considerably during the last five years simply because the embargo was lifted on the export of iron ore; that was when it all started—we have another example.

The Hon. A. F. Griffith: That triggered it off.

The Hon. F. J. S. WISE: Yes. Do not all of those who were here at the time recall how we were told that the Commonwealth did not have enough iron ore for its own requirements and therefore we could not pass a Bill in this Chamber or agree to a motion to allow 1,000,000 tons of iron ore to be exported?

The Hon. A. F. Griffith: Don't be mischievous.

The Hon. F. J. S. WISE: I am not going to be.

The Hon. J. Dolan: He only has to be truthful.

The Hon. F. J. S. WISE: That is a fact. The Government of the day was denied the right to export 1,000,000 tons of iron ore a year because Australia did not have enough ore for its own requirements. That was in 1959. What a remarkable change has occurred since that embargo was lifted.

I referred a moment ago to the Perth skyline. This simply is a reflex action as a result of what is occurring in the Pilbara and elsewhere. In Perth itself during the last decade over $400,000,000 has been spent on what are almost skyscrapers to Perth and which have so altered our skyline.

I know the background of this matter as I have attended a few Loan Council meetings, as members would be aware, and I know the background of financial agreements and the institution of Loan Council proceedings. However, what a change there has been from the days when Dr. Hislop first entered Parliament. Then our Loan Bill would have been about £8,000,000; that is $16,000,000. Now we talk of hundreds of millions for government and hundreds of millions invested by other people with vested interests in our resources.

It is wonderful to have lived through that part of our history and while history was being made. I support the Bill and I hope it has a speedy passage because, if members study it and read it side by side with the Budget tables, they will see how important it is to have access to the money of the type, kind, and volume we have today.

THE HON. G. E. D. BRAND (Lower North) [9.49 p.m.]: I rise to support the Bill and also to support Mr. Berry in his remarks in respect of the wool section of the pastoral industry.

As members are aware, we have been fighting for quite a long time now against the unfortunate environmental problems associated with no rain and thus no feed, and similar adversities. As a consequence, members of the pastoral industry have had anything but a good time. For many years in the past they have enjoyed quite a deal of prosperity, but that prosperity has, of course, come to a sudden stop.

For some time now efforts have been made to gain some measure of relief for these people, not the least of these efforts has been on the part of the wool industry itself in the Eastern States. It has been decided that any wool unsold will be taken over at a reasonable price in order that the pastoralist will be able to obtain some reasonable figure for his product. Of course, they must have some wool available for sale in order that something might be gained from this policy.

I can assure members that the industry is in a terrible plight and I do hope that someone in the Government will submit a reasonable solution in order to help

these people. It has been done before and I can see no reason why it should not be done again.

I have always been worried in case some bright individual might come up with a substitute for wool. Of course, quite a deal of fibre has been manufactured which it is hoped will take the place of wool; but personally I do not think that wool itself will ever be replaced. It is a commodity which once upon a time supported Australia, but now, unfortunately, it is one which needs support.

The pastoral industry has many other worries, too. Some people have turned to the selling of the meat and skins of kangaroos, but they are filled with a certain amount of worry now lest some or most of them will not be able to carry on with this type of money-making. It is hoped, as I said before, that someone will come up with something to help these people. Such help would, I am sure, be gratefully received and thankfully applied.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.52 p.m.]: I would first like to say that I appreciate the fact that the House was prepared to allow this Bill to go through, this being the Loan Bill. Members will be able to speak on a number of subjects, despite the fact that they have not spoken on this Bill, because we have yet to receive from the Legislative Assembly the Appropriation Bill (Consolidated Revenue Fund) which will afford them the opportunity.

I would like to express appreciation of the remarks made by Mr. Wise and Mr. Braid. I feel I must say that it is particularly refreshing for me to hear the sort of thing said by Mr. Wise because it demonstrates what can be done in a community such as ours when we have the benefit of minerals and people who will bring capital into the State and invest it in the manner in which it has been invested. The sums expended in the north, in my humble opinion anyway, are very good investments for which the State is never obliged to meet any interest. It is money found by companies in partnership with the Government; they have got together to get a number of mineral pursuits off the ground.

We are now starting to reap very great benefits from these projects, and when we have a combination of the loan moneys the State raises, the royalties which come in from the sort of project about which I have been speaking, and the investment value of the money from private enterprise, it brings us to the situation in which we find ourselves in 1970.

What Mr. Wise says is perfectly true. It has all happened in the last few years really, and I am most grateful to hear this kind of approach on a Bill of this nature. I am grateful to hear this approach on any Bill but, in regard to this particular Bill, I am indeed grateful; and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

CITY OF PERTH ENDOWMENT LANDS ACT AMENDMENT BILL (No. 2)

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [9.58 p.m.]: I move—

That the Bill be now read a second time.

I would like to inform members that this legislation is brought to the House to make it possible for certain actions of the Perth City Council, in respect of the development of certain lands, to be brought strictly within the framework of the principal Act. More particularly the Bill is designed to validate the Perth City Council's expenditure of funds from sales of land from the City Beach endowment lands proper over the total area covered by the principal Act and allow development to proceed as commenced.

I would mention that the provisions of the City of Perth Endowment Lands Act, which was passed in 1920, apply to three distinct areas; namely—

Reserve No. 16921 being the beach foreshore;

The endowment lands proper, comprising 2,281 acres; and

The Lime Kilns Estate which was purchased by the Council in 1917 for the equivalent of $62,130, and which comprises 1,290 acres.

Together the three areas are described in the Endowment Lands Act as the "said lands."

A clear distinction between the use of moneys received from sales of land in the Lime Kilns Estate and the sale of land in the endowment lands area is made in section 39 (2) of the Act.

The proceeds of sales in respect of lands in the Lime Kilns Estate can be spent on development anywhere within the said

lands; that is, within the Lime Kilns Estate, the endowment lands, or the reserve which is the beach foreshore. In the case of the endowment lands, however, the proceeds of sale can be spent only on development work within the endowment lands area.

It is a fact that the Perth City Council has not complied strictly with the provisions of the Act since the first land sale which was held on the 9th February, 1929, in so far as it has not segregated the receipts and development expenditure in the Lime Kilns Estate from the receipts and the development expenditure in the endowment lands area.

Although such sales have been conducted for the past 40 years, the Minister for Lands has been advised that it was not until the 30th June, 1970, that the combined receipts exceeded the combined development expenditure. The excess amounted to $198,153.

Development work in the area is continuous and to date in this financial year expenditure to the extent of $244,525 has been incurred out of a budgeted expenditure of $750,691.

At this point I would make it clear that the figure of $244,525 expended was the figure given to the Minister for Lands by the Town Clerk just recently, and is not necessarily the figure as at today's date.

It is desirable, I think, to record that the President of the City Beach Progress and Ratepayers' Association, a Mr. P. H. Samuell, mentioned in a letter dated the 21st October, 1970, which was addressed to some 3,500 electors in the City Beach-Floreat Park area that, and I quote—

> Now after years of stagnation, beach front development is starting to move and there is some sign that the area is receiving the attention envisaged by the legislators responsible for the original Act.

I quote further—

> This will be your opportunity to participate in a meeting which will have far reaching effect for every resident and rate payer in Floreat Park and City Beach, the endowment lands.

The president addressed a further letter under date the 9th November, 1970, to the Perth City Council, and that correspondence includes the following:—

> On behalf of the above Association I would advise that our attitude to the amending of the City of Perth Endowment Lands Act is as follows:—
>
> 1. We have no disagreement with amending section 39 to allow the proceeds of sales of endowment lands to be applied to the development of any of the (three) said lands, viz., Reserve No. 16921; (the area known as) the lime kilns estate; and the endowment lands proper.

Here I would emphasise "development" as against "development and maintenance." To continue—

> 2. We have no disagreement with such an amendment as outlined in 1. above, being applied so as to have effect retrospectively to 1920.

Should members desire to refer to the *Hansard* reports and the speech made by the then Attorney-General (The Hon. T. P. Draper) when he introduced the Bill in 1920, I suggest they would be likely to assume from the debate which took place that it was the intention—even though it was not prescribed in the Act—that the funds from the sale of the endowment lands proper would be to develop the whole area. While that is not stated, nor was such provision contained in the Bill which was passed, it is believed that it was implied. This is a fact.

The Minister for Lands takes the view that anybody reading the debate which took place in 1920 would be likely to infer that that was the intention, and doubtless this view has some bearing on the introduction of this measure. Obviously the council thought the same thing.

However, the matter has been going on since 1929, so the Minister for Lands is informed, and it is apparently high time that something was done to validate the actions of the Perth City Council in regard to this matter.

Two plans have been made available for tabling in this Chamber, Mr. President, during the period that this Bill is under consideration. One plan shows the whole area of the three estates and the other shows the area of the Perth City Council endowment lands as it abuts the foreshore, and this shows that most of the new development is on the endowment lands proper.

However, the new surf club building does abut partly on the endowment land and partly on the foreshore reserve. The new changerooms and kiosk, which are in course of construction, are entirely on the foreshore reserve.

The plans were tabled.

Debate adjourned, on motion by The Hon. R. F. Claughton.

STAMP ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.04 p.m.]: I move—

> That the Bill be now read a second time.

This Bill repeals the provisions imposing stamp duty on receipts, and also provides further concessions in the duty imposed on credit and rental business.

The Prime Minister advised at the Premiers' Conference held in Canberra on the 8th October, that the Commonwealth intended to legislate for the purpose of validating the collection of receipts duty in the excise area, subject to the legislation applying only to amounts received up to the 30th September, 1970.

That legislation was passed by the Commonwealth Parliament and has received Royal assent. It operates on and from the 18th November, 1969, to the 30th September, 1970. All collections under this law by the Western Australian commissioner, who is to be appointed collector for Commonwealth purposes, will be retained by the State as general revenue grants from the Commonwealth.

The Prime Minister as a result of discussions at the conference, accepted the States' view that it would not be practical for it to continue to impose the remaining valid State laws after the 30th September, 1970.

The Premiers gave many examples of the problems which came about in deciding what was an excise and, therefore, not subject to the State's laws, and what was validly taxable by the States. Continuation of valid State laws with these inherent problems would have resulted in an untenable situation for both the taxpayer and the States' administrations.

Because of this it was decided that as from the 1st October, 1970, State laws imposing duty on receipts would be repealed. The Prime Minister agreed to arrange for the Commonwealth to meet the resulting shortfall in collections in the current financial year.

As to the future, the Commonwealth has agreed to recoup the States for receipts duties they would have collected had both the Commonwealth and State laws continued to operate. To give effect to this, the amount which would have been received if both laws had operated for the whole of the year 1970-71, is to be added to future financial assistance grants and accordingly will be subject to the increases which the grants formula produces each year.

It follows that for the balance of the period of the existing agreement—that is, for the financial years 1971-72 to 1974-75—the revenue collections of the States are to be protected by the receipt of additional Commonwealth grants.

The agreement to impose a Commonwealth receipts duty and reimburse the States for revenue losses as a result of abandoning receipts duty, did not include the stamp duty levied on receipts given for salaries, wages, and pensions. However, as announced by the Premier when introducing the Budget this year, it is intended to repeal this duty on and from the 1st January next.

In accordance with the arrangements made with the Commonwealth, those taxpayers who have continued to pay all duty, whether valid or invalid, will have no further obligation under the Commonwealth law. This is because the Commonwealth law contains an overriding exemption. It provides that where all obligations, whether valid or otherwise, have been met under State law, the provisions of the Commonwealth Act shall not apply.

However, where taxpayers have either not paid, or paid duty in part, they will now be required to pay all duty withheld under either one or both laws. If they decide to pay under State law, the overriding exemption in the Commonwealth law will apply.

In order to assist these taxpayers to comply with the law, the State Taxation Department will send circulars to all taxpayers who used or are using the returns system, detailing their obligations and advising them of the ways in which they may be met.

Press announcements will be made and public notices inserted in newspapers advising those who have been using adhesive stamps of the position now pertaining.

The Bill now before members contains provisions to implement the arrangements which I have explained.

The remaining provisions in the Bill concern that part of the Stamp Act which imposes duty on credit and rental business.

There are three proposals. These are—

Extension of the present exemption of housing loans from this stamp duty to cases where money is borrowed at high rates of interest to purchase land on which the borrower intends to erect a home.

To grant exemption from this type of stamp duty for loans made to members by registered credit unions.

To give the Treasurer power to declare from time to time that loans which bear a simple rate of interest not in excess of that specified in the declaration, be exempted from this stamp duty.

Since the coming into operation of the legislation imposing stamp duty on credit transactions, repeated representations have been received seeking relief from the duty of 1½ per cent. applied to loans raised for the purpose of purchasing land on which it is intended to erect a dwelling-house for the borrower and his family.

It has been brought to the attention of the Government that this concession is given in one of the other States imposing similar stamp duty on loan transactions and, as it is desirable to encourage home ownership, it has a great deal of merit.

Because it reduces taxation on those who borrow for the purpose of securing land on which to build a house, it benefits the home builder directly.

The provision to exempt these loans is to operate as from the 1st January, 1971, and is estimated not to exceed a cost of $40,000 in this financial year.

Members will recall that when the legislation to impose duty at 1½ per cent. on loans was introduced, strong representations were received from credit unions for exemption for loans made by them to their members on the grounds that the unions were non-profit in the sense that they were a co-operative movement and kept their rates of interest to the lowest practical level.

At that time the Premier pointed out that this exemption was not granted in other States imposing this duty, but if there were a change in the position elsewhere in Australia, he would be prepared to review the decision.

Recently Victoria, the State on which we based our legislation, agreed to exempt loans by credit unions and legislation has been introduced in that State for this purpose.

In conformity with the Premier's undertaking to representatives of credit unions, the position has now been reviewed and a provision to exempt loans made by these bodies is included in the Bill. It will operate from the 1st January next and is estimated to cost $47,000 in 1970-71.

The remaining proposal in the Bill will confirm an administrative decision put into operation some months ago.

It will be recalled that when stamp duty was imposed on various forms of loans and credit arrangements which had taken the place of hire-purchase agreements, duty was only payable where the rate of interest for the accommodation exceeded 9 per cent. per annum.

As a result of an increase in the general interest rate towards the end of last year, transactions to which the legislation was not intended to apply became subject to duty.

For this reason it was decided that as from the 1st July, 1970, the provisions be administered as though the rate of interest or discount specified in the Act was 10 per cent. per annum instead of 9 per cent. per annum.

No doubt general interest rates will vary in the future and, in order to prevent this situation arising again, the Bill contains a proposal to allow the Treasurer, from the 1st July, 1970, to declare and publish an appropriate rate of interest from time to time.

As I have indicated, the provisions in this Bill are designed to bring into operation undertakings already announced in respect of receipt duty and to provide concessions in the taxable credit field.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the Opposition.)

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.13 p.m.]: I move—

That the House at its rising adjourn until 2.30 p.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 10.14 p.m.

Legislative Assembly

Tuesday, the 17th November, 1970

The SPEAKER (Mr. Guthrie) took the Chair at 3.30 p.m., and read prayers.

BILLS (11): ASSENT

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

1. Road and Air Transport Commission Act Amendment Bill.
2. Totalisator Agency Board Betting Act Amendment Bill.
3. Betting Control Act Amendment Bill.
4. Bush Fires Act Amendment Bill.
5. Tourist Act Amendment Bill.
6. Criminal Injuries (Compensation) Bill.
7. National Trust of Australia (W.A.) Act Amendment Bill.
8. Murdoch University Planning Board Bill.
9. Betting Investment Tax Act Repeal Bill.
10. City of Perth Parking Facilities Act Amendment Bill.
11. Betting Control Act Amendment Bill (No. 2).

QUESTIONS (32): ON NOTICE

1. PUBLIC HEALTH DEPARTMENT

Annual Reports

Mr. DAVIES, to the Minister representing the Minister for Health:

When is it expected the annual reports of the Public Health Department for the years ended the 30th June, 1969 and 1970, will be tabled?

Mr. ROSS HUTCHINSON replied:

When the Commonwealth Bureau of Statistics provides the statistical data that is annually published in the report.