Clause 2—Certain statutory bodies Crown agencies:

The Hon. A. F. GRIFFITH: As there was no opposition to the Bill I thought that, rather than make a reply to the second reading debate, I would, when we were in Committee, reply to the points raised by Mr. Watson. He asked for information as to what could be embraced in the exclusions which follow the granting of immunity to these institutions by the Crown. He also desired a simple explanation as to what rights and remedies, or preferential rights and remedies, these institutions would have as against private individuals.

The questions raised by Mr. Watson were referred to the Solicitor-General and he points out, firstly, that the Crown is not bound by any statute unless bound expressly or stated by necessary implication. That, I think, covers the position in the over all, and is a very good description of Crown immunity. The Solicitor-General also said that, in a recent case, the courts would not allow any whittling down of those provisions. Secondly, he pointed out that the Crown is exempt from the payment of rates; and, thirdly, that the Crown has priority in the matter of debts; and the Crown has rights in the matter of notice given of civil action taken under the Crown Suits Act. In addition, there are privileges in the matter of production of official documents which are required to be withheld when in the public interest.

It follows, therefore, that when, by any action the Crown is empowered to do certain things, these powers may be exercised by the instrumentalities covered by the Bill. As I said before, it must be implied in writing that the Crown is responsible, otherwise it is free from most of these things.

The Hon. H. K. WATSON: I am obliged to the Minister for his explanation, but since I spoke on this matter I have given it further thought. Following on what I said in my second reading speech, it seems to me that the Bill goes the wrong way to clarify the legal doubt and obscurity which have arisen in the past as to whether the instrumentalities named are or are not agents of the Crown. In my opinion clause 2 of the Bill should read as follows:—

> It is hereby declared that each body corporate referred to in the schedule to this Act is not and never has been for the purpose of any Act an agent or servant of the Crown in the right of the State.

The general concensus of legal opinion is that the doubt should be removed by saying that the Crown as a trader ought not to enjoy any special privileges above other traders who are its competitors. The logical way to resolve the doubt is not to declare that the Rural & Industries Bank and the State Government Insurance Office are Crown agencies, but to declare that they are not Crown agencies, thereby putting them on precisely the same basis as other banks and other insurance companies. As I would like to place some amendments on the notice paper, I would be obliged if the Minister would report progress.

The Hon. A. F. GRIFFITH: I will be happy to do so. I suggest to Mr. Watson that concurrently with putting the amendments on the notice paper he send me a copy so that I will be ready to provide him with answers on Tuesday next.

Progress reported, and leave granted to sit again.

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT AMENDMENT BILL

Second Reading

Order of the Day read for the resumption of the debate from the 1st September.

Question put and passed.

Bill read a second time.

In Committee

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

House adjourned at 5.8 p.m.

Legislative Assembly

Thursday, the 15th September, 1960

CONTENTS

CONTENTS—*continued*

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

BILLS (4)—RETURNED

1. Supreme Court Act Amendment Bill.
2. Church of England in Australia Constitution Bill.
3. Land Act Amendment Bill.
4. Fruit Growing Industry Trust Fund Committee (Validation) Bill.

Bills returned from the Council without amendment.

LOCAL AUTHORITIES, BRITISH EMPIRE AND COMMONWEALTH GAMES CONTRIBUTIONS AUTHORISATION BILL

First Reading

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

QUESTIONS ON NOTICE

PUBLIC WORKS DEPARTMENT

Employees in Roebourne Jetty Gang

1. Mr. BICKERTON asked the Minister for Works:

   Further to my question of the 30th August dealing with Public Works Department employees, will he advise how the figure of 13 employees mentioned in his answer as being the number employed in the jetty gang at Roebourne, was obtained?

   Mr. WILD replied:

   Latest available wages sheet information showed 13 men employed, of whom three were engaged mainly on maintenance of rolling stock.

   The question of the 30th August referred to jetty maintenance gangs and the term "jetty maintenance" covers maintenance of jetty structure and of necessary equipment and jetty facilities, such as rolling stock, transit sheds, etc.

POINT SAMSON GOODS SHEDS

Ban on Admittance of Natives

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

   (1) Is it a fact that natives are not allowed in Harbour and Light Department sheds at Point Samson for the purpose of picking up goods and stores?

   (2) If so, who imposed this ban, and why?

   Mr. COURT replied:

   (1) Yes, unless they are the holders of membership tickets of the A.W.U., a party to the A.W.U. Stevedoring Industry Award of

1955, clause 28 of which gives preference to members of the A.W.U.

(2) The Harbour and Light Department at the request of the union. I will have the matter further examined for the honourable member.

ELECTRICITY SUPPLIES

Payment for Extensions

3. Mr. OWEN asked the Minister for Electricity:

(1) Under the new contributory scheme whereby would-be consumers may pay for the extension of electricity to their properties, what charge will be made by the S.E.C. for—

(a) each pole erected, together with necessary wires;

(b) each bay of wire when poles are already in position?

Provision of Poles by Consumers

(2) Would consumers be permitted to supply suitable poles where such are readily available on privately owned land?

Mr. WATTS replied:

(1) and (2) The answer to these questions would frequently depend on the circumstances in each case because of the many factors involved. If the honourable member has any particular case in mind, the General Manager of the State Electricity Commission would be glad to discuss it with him.

EGGS

Establishment of Grading Floor at Albany

4. Mr. HALL asked the Minister for Agriculture:

Would he give the departmental view regarding the claim by the Albany district for the establishing of an egg floor in that area, bearing in mind the substantial production and sale of local eggs over recent years as disclosed in answers to my questions of Tuesday, the 13th September?

Mr. NALDER replied:

The economics of establishing an egg-grading floor at Albany have been under review by the Egg Marketing Board. Because of the capital expenditure involved, action is not proposed yet, but the board believes that the further likely development of the district would make the establishment and conduct of a floor at Albany an economic proposition.

RACING AND TROTTING

Check on Attendances

5. Mr. JAMIESON asked the Treasurer:

(1) What check has the Treasury on the attendances at race or trotting courses?

(2) Are sealed turnstiles used?

(3) Are Treasury inspectors on duty at such meetings?

Mr. BRAND replied:

(1) In the metropolitan area patrons attending the Western Australian Turf Club must purchase serially-numbered tickets. In addition, those entering other than by motor vehicle must pass through turnstiles. Patrons attending the Western Australian Trotting Club all enter through turnstiles. Both the tickets and stile readings are checked for strict numerical sequence. In the country serially-numbered tickets are used for paid admissions. Periodical spot checks are made by Treasury inspectors at the meetings.

(2) Yes. In the metropolitan area and at Kalgoorlie.

(3) Periodical inspections are made.

COACHING IN EDUCATIONAL SUBJECTS

Qualifications and Activities of Tutors in Western Australia

6. Mr. MOIR asked the Minister for Education:

(1) Has his attention been drawn to a report in *The West Australian* newspaper of the 12th September of a warning uttered by the Queensland Minister for Education directed to coaching colleges?

(2) Is he aware that certain individuals in this State are approaching parents of schoolchildren and informing them that their children are backward in their education and require special tutoring for which they offer their services?

(3) Is any information regarding school pupils given to these people by members of the Education Department?

(4) Has he any knowledge of the qualification of these individuals to give tuition in educational subjects?

(5) Will he give consideration to some method of curbing these people, to ensure that only qualified organisations are permitted to offer such services?

Mr. WATTS replied:

(1) Yes.

(2) I have no personal knowledge of this action, but if any member has such knowledge I should be glad to have information in writing.

(3) Neither I nor any senior officer of the department has any knowledge of such action.

(4) No.

(5) The matter is being carefully watched. It was discussed at the meeting of the Australian Council of Education last February.

MILING SCHOOL

Installation of Septic System

7. Mr. LEWIS asked the Minister for Education:

In view of the pending completion of water reticulation at Miling early in 1961, is it intended to proceed with septic installation at the Miling School and quarters during this financial year?

Mr. WATTS replied:

As soon as the department is advised that the water reticulation at Miling has been completed, action will be taken to have a septic tank installation provided at the Miling School and quarters.

FISHING VESSELS

Radio Installations

8. Mr. HALL asked the Minister for the North-West:

In view of the many cases of lost fishing vessels, would he consider a scheme to subsidise radio installation on such vessels; and, if necessary, introduce legislation making it compulsory for fishing vessels over a certain tonnage to carry radio?

Mr. COURT replied:

It is not considered a subsidised scheme is necessary.

No legislation is necessary to make the carrying of radio on fishing vessels over a certain tonnage compulsory. Regulations already exist making it compulsory for trawlers and seagoing fishing vessels over 100 tons to carry radio. Most seagoing fishing vessels over 25 tons voluntarily carry radio.

It would be difficult, for practical and technical reasons, to carry radio effectively on the smaller types of fishing boats, among which is the greatest degree of danger.

HARBOURS IN WESTERN AUSTRALIA

Adequacy of Depth

9. Mr. HALL asked the Minister for Works:

(1) What is the depth of the following harbours in this State at present—

Princess Royal Harbour, Albany;
Frenchman's Bay, Albany;
Bunbury;
Esperance;
Fremantle;
Geraldton?

(2) What is considered a safe harbour depth for

(a) a 45,000-ton vessel;

(b) a 20,000-ton ship?

Comparison with Suez Canal and Colombo Harbour

(3) Does he consider the depth of harbours in this State adequate to handle shipping using the Suez Canal or the Cape route?

(4) Does he know the depth of the Suez Canal and Colombo Harbour?

Mr. WILD replied:

(1) Princess Royal Harbour.
New berths: 30 ft.
Entrance channel: 33 ft.
Frenchman's Bay—
Mooring area for oil loading: 36 ft.
Bunbury—
Deep-water berths: 30 ft.
Esperance—
Inshore end of berth: 25 ft.
Seaward end of berth: 36 ft.
Fremantle—36 ft.
Geraldton—29 ft.

(2) (a) For 45,000 tons (gross) passenger vessel—36 ft.
For 45,000 (gross) oil tanker —45 to 48 ft.

(b) For 20,000 tons (gross) passenger vessel—30 to 31 ft.
For 20,000 (gross) oil tanker or cargo vessel—38 ft.

(3) Only Fremantle provides the accepted minimum depth.

(4) The maximum draft permitted through the Suez Canal is 36 ft. It is dredged to 42 ft. below low water, and they are aiming at 45 ft.

Colombo Harbour has 38 ft. depth of water at the buoy berths.

DINGOES AND WILD DOGS

Employment of Doggers in Kimberleys

10. Mr. RHATIGAN asked the Minister for Agriculture:

(1) Is he aware of the serious menace of dingoes and wild dogs to the pastoral industry in the Kimberleys, particularly in the northern portion?

(2) If so, will he employ Government doggers in the East Kimberley and increase the number employed in the West Kimberley?

(3) If not, will he ascertain the facts from his department and the Pastoralists' Association?

Bonus on Scalps

(4) For how many years has the amount of £1 per scalp been paid in the Kimberleys?

(5) Would he ascertain the amount per scalp paid in the Northern Territory?

Mr. NALDER replied:

(1) and (2) No. The general situation has improved considerably over recent years, with signs of a slight build-up at present. However, as the East Kimberley is devoted to cattle raising, the employment of doggers in that area is not considered to be warranted. Action is taken to prevent movement of dogs to the West Kimberley region.

(3) Recent reports from the regional vermin control officer do not indicate any serious deterioration in the situation.

(4) Since the 23rd September, 1949.

(5) £1 per scalp until recently. This is being confirmed, and I will advise the honourable member later.

KOONGAMIA BUS SERVICE

Restoration and Changed Route

11. Mr. BRADY asked the Minister for Transport:

(1) Were M.T.T. buses withdrawn from Koongamia route when the suburban rail service was extended to Koongamia?

(2) Has consideration been given to replacing the service withdrawn by buses following a changed route?

(3) Has the M.T.T. given consideration to running buses via Helena Valley and Bushmead to Midland or Guildford to cater for passengers in those areas?

Mr. PERKINS replied:

(1) Yes.

(2) Yes.

(3) Yes.

MIDDLE SWAN

Rail Service via Morrison Road and North Midland

12. Mr. BRADY asked the Minister for Railways:

(1) Has the Railways Department given any consideration to running a rail service to Middle Swan via Morrison Road and North Midland to cater for the passengers offering in the above areas?

(2) If no action has been taken, will he arrange with the Midland Railway Company Ltd. to conduct such a service?

Mr. COURT replied:

(1) No. I am advised there is already a bus service operated by the M.T.T. via Morrison Road and North Midland to Swan View.

(2 This question has been referred to the General Manager, Midland Railway Company, who advised that his company has not the necessary facilities and would not be prepared to conduct such a service.

PILBARA PASTORALISTS' COMMITTEE

Implementing of Recommendations

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

What action has been taken to implement the recommendations of the Pilbara Pastoralists' Committee, whose report was made available some 18 months ago?

Mr. COURT replied:

(1) It is assumed the reference to recommendations of the Pilbara Pastoralists' Committee is to the report of the special committee set up by the Government to examine the problems of the pastoral industry in the Pilbara.

(2) The recommendations have been under consideration by departments concerned.

(3) Some aspects have been discussed with pastoralists and local authorities regarding the practical aspects concerning recommendations and, in particular, vermin control, rehabilitation of pastoral properties, and reoccupation of unoccupied leases.

(4) There have been differences of opinion amongst local pastoralists on the recommendation for a major fence project. As a result of a special conference of district committees held in Port Hedland, the Government has been formally advised that the pastoralists

in the areas concerned, with the exception of Nullagine, are opposed to the fence project.

(5) The complex problems of the area are under active consideration by Government departments and in close co-operation with local pastoralists.

PORT HEDLAND

Exports

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

What were the tonnages and values of goods shipped from Port Hedland for the years 1956-57, 1957-58, 1958-59, and 1959-60?

Mr. COURT replied:

(1) Tonnages of goods shipped ex Port Hedland:

1956-57—

Manganese—18,060 tons.
Copper—1,357 tons.
Wool—6,344 bales.
Other general — 5,429 tons (Mostly scrap metal).

1957-58—

Manganese—22,303 tons.
Copper—2,847 tons.
Wool—6,267 bales.
Other general—612 tons.

1958-59—

Manganese—25,518 tons.
Copper—3,875 tons.
Wool—5,264 bales.
Other general—1,835 tons.

1959-60—

Manganese—44,101 tons.
Copper—2,660 tons.
Wool—5,440 bales.
Other general — 11,266 tons (Mostly empty drums).

(2) The following are figures obtained from the Bureau of Census and Statistics, W.A. office, showing values of goods exported interstate and overseas ex Port Hedland. No statistical records are kept of values of goods shipped intrastate.

Year	Interstate	Overseas	Total
1956-57	£211,411	£160,047	£371,458
1957-58	£ 94,480	£526,599	£621,079
1958-59	£126,067	£393,610	£519,677
1959-60	£ 68,735 (estimate)	£820,125	£888,760 (estimate)

STATE ELECTRICITY COMMISSION

Liability for Damage to Vehicles

15. Mr. FLETCHER asked the Minister for Electricity:

(1) Is it a fact that under the State Electricity Commission Act a driver of a vehicle which causes damage to State Electricity Commission property is liable for such damage, even though the accident may be of an inevitable nature or in the nature of an Act of God?

(2) Does a person called upon to pay such damage receive an itemised account of cost of material and labour involved?

(3) Will he consider amending the Act to make provison for non-liability in regard to No. (1) and provision for an itemised account as in No. (2)?

Mr. WATTS replied:

(1) No; but section 51 (1) of the Electricity Act, 1945, provides that any person who carelessly or accidentally damages any electric works belonging to or under the control of the supply authority shall forfeit and pay to the supply authority by way of satisfaction for the damage done a sum (not exceeding £50) to be fixed by the commission on the application of the supply authority.

Subsection (2) of the same section of the Electricity Act provides that the amount of compensation fixed by the commission under subsection (1) of the section shall be a debt payable by the person concerned to the supply authority and as such shall be recoverable by the supply authority by action in any court of competent jurisdiction.

I am advised, however, that it is doubtful whether the commission is a supply authority within the meaning of the Electricity Act, 1945, and if that is so the commission would probably now have to prove negligence.

(2) No; but such a statement is made available on request.

(3) In view of the doubt expressed in answer to question No. (1), the situation will be further considered.

16. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

LOCAL GOVERNMENT BILL

Copies for Local Authorities

1. Mr. TOMS asked the Minister for Labour:

   (1) Arising out of a question I asked on Tuesday, the 13th September, with respect to the Local Government Bill, will he inform the House when instructions were issued to post copies of this Bill to local authorities?

   (2) Have copies of this Bill been posted?

   Mr. PERKINS replied:

   (1) and (2) This matter does not come under the jurisdiction of my department, but I will obtain that information for the honourable member. I understand that copies of the Bill have gone out, but I cannot be sure on that point.

TELEVISION PROGRAMMES

Effect on Schoolchildren

2. Mr. BRADY asked the Minister for Education:

   (1) Has the Education Department given any consideration to the effect of television programmes on the schoolchildren of this State?

   (2) Is the Minister able to advise the House of any decision arrived at?

   (3) Is the department taking any action to influence the type of programmes being screened?

   Mr. WATTS replied:

   (1) Two minutes ago the honourable member sent me a draft of this question.

   Mr. J. Hegney: You wouldn't need more.

   Mr. WATTS: I shall find it difficult to give the honourable member a sufficient answer. However, in regard to No. (1), I can say that the Education Department is giving consideration to the probable or possible effect of television programmes on schoolchildren.

   I might interpolate here that the Director of Education, at the present time, has a television set in his office for the purpose of assisting towards giving the matter consideration.

   (2) and (3) I am not sufficiently advised to give a definite answer to these questions. If the honourable member cares to place them on the notice paper, I will endeavour to obtain an answer.

PAPER MILL AGREEMENT BILL

First Reading

On motions by Mr. Court (Minister for Industrial Development), Bill introduced and read a first time.

CRIMINAL CODE AMENDMENT BILL

Second Reading

MR. WATTS (Stirling—Attorney-General) [2.37]: I move—

That the Bill be now read a second time.

This Bill is to amend sections 333 and 343 of the Criminal Code. The reason for the submission of this amendment lies in the recent happening in New South Wales where, apparently for the first time in Australia, a child was kidnapped and a ransom demanded of several thousands of pounds.

In other countries in the world there have been several occasions on which offences of this kind have taken place, and in a number of those cases, the kidnapped person has been murdered. This, unfortunately, was the result of the crime that was committed in New South Wales in connection with Graeme Thorne, which as I have said, was believed to be the first serious case of this kind in the Commonwealth.

There has, in consequence, in the several States, been a public demand for the consideration of a considerable increase in the penalties that are provided for offences of this nature. We must bear in mind, of course, that if the person kidnapped is ultimately murdered, the relevant provisions of the Criminal Code in regard to murder or wilful murder, whatever they may be, will become effective; and therefore the penalties proposed in this Bill, and those in fact now existing in the present sections that I mentioned, will be applicable only where the death of the person kidnapped does not take place as a result of the kidnapping.

Kidnapping of a child of tender years is obviously a crime with which nobody can sympathise—one which everybody must abhor—not only because of the effect on the person kidnapped in such circumstances, but also upon his parents and others of his family, not to mention other parents, particularly mothers who can readily imagine a similar fate befalling one of their own children.

With all those considerations in mind, the Government considers it desirable that the House should consider substantial increases in the penalties imposed in these

sections of the Criminal Code; and also another change, or addition, to which I will make some reference later.

The present section 333 of the Criminal Code reads—

> Any person who unlawfully confines or detains another in any place against his will, or otherwise unlawfully deprives another of his personal liberty, is guilty of a misdemeanour and is liable to imprisonment with hard labour for three years.

While that section of the Criminal Code could obviously have reference to a child as a person, it is clear that it could also apply to an adult; and as section 343 makes special provision in respect of children, as I will indicate later, it will be clear that the use of section 333 would be confined to the case of persons who do not come within the age limit proposed to be stipulated in section 343 in lieu of the present stipulation of 14 years. In other words, offences or misdemeanours under section 333 would be those to which an adult person over the age limit would be dealt with.

It is now necessary to turn to section 343 of the Criminal Code, to deal with what I think is the major aspect of this matter. Section 343 provides—

> Any person who, with intent to deprive any parent, guardian or other person who has the lawful care or charge of a child under the age of 14 years of the possession of such child, or with intent to steal any article upon or about the person of any such child forcibly or fraudulently takes or entices away or detains the child; or receives or harbours the child knowing it to have been so taken or enticed away or detained, is guilty of a crime and is liable to imprisonment with hard labour for seven years; and if under the age of 16 years is also liable to whipping.

Section 343, which I have just read, further states in the subsequent paragraph to that section that it is a defence to a charge of any of the offences defined in the section to prove that the accused person claimed a right to the possession of the child or, in the case of an illegitimate child, is its mother or claims to be its father. I think it will be readily appreciated why that particular paragraph was added to the section when the Criminal Code was prepared many years ago.

There is one particular comment that I wish to make here. It should be noted that, as the section now stands, the liability to whipping is confined to an offender under the age of 16 years. There has never been, as the code now stands, any liability for a whipping for the criminal if that criminal was over the age of 16 years. The reason for this peculiar provision, as it exists in the present code, is not known; and it appears to us in these days, I think, to be somewhat unreasonable. It could be more readily understood if the section had provided that if the offender or criminal were over the age of 16 years he should be liable to a whipping; but that is not the provision in the section as it now exists.

It is proposed by this Bill to amend section 333—that is the one which I read, and the one that I said would have more reference to the abduction of adult persons. It is proposed to amend that section by striking out the word "misdemeanour" in the fourth line of the present section with a view to inserting the word "crime", and by increasing the maximum penalty under that section from three years to seven years.

As I have already stated in relation to child abduction, the provisions of section 343 would be more applicable; and in that section, as I will explain later, it is proposed to make the penalty much more severe. Under the Criminal Code, offences are of three kinds; namely, crimes, misdemeanours, and simple offences. Section 5 of the Criminal Code provides that the definition of an offence as a crime imports that the offender may be arrested without warrant.

The major reason, therefore, for the intention to alter the word "misdemeanour" to "crime" under section 333 is to enable the arrest by a police officer of an offender for an offence under that section, without the necessity of obtaining a warrant. Obviously, having to obtain a warrant might lead to unnecessary delay and thus prevent the police officer from taking action when the actual circumstances might be coming under his notice. It is considered that these two amendments to section 333 are sufficient.

In regard to section 343—the section which, as I have already mentioned, deals with the abduction or kidnapping of a person of tender years—it is proposed to increase the age from 14 to 16 years in the third line of the section so that the section will apply to a child up to the age of 16 years.

Section 343 already provides that the offence is a crime, and therefore the offender may be arrested without warrant. So there is no need to make any change in that respect. But it is proposed to empower the courts to impose, in relation to this crime, a maximum penalty of life imprisonment.

In view of what I have said in regard to the existing provision of whipping, it will be clearly understood that it is also proposed to strike out the words "and if under the age of 16 years is also liable

to whipping". The Government does not propose to impose any penalty of whipping, no matter what the age of the criminal, as it is considered that the maximum penalty of life imprisonment—which, as now governed by regulations, imposes not 20 years but imprisonment for the term of his natural life, if so ordered—would be sufficient; and, moreover, the punishment of whipping has fallen into disuse.

Mr. Nulsen: If his life hereafter could be given a similar penalty, I would be very pleased.

Mr. WATTS: So would we all. But we can only deal with the life we have on earth. It is proposed—and this is the new proposal in the Bill—to restrict for a limited period, and under the conditions set out in the Bill, the right of the Press and other means of publication to distribute information by methods in use these days. Before I explain these provisions, I will briefly state the reasons for their insertion.

It was perfectly clear in the New South Wales case that the tremendous publicity given to every aspect of the case immediately after notification of it reached the police probably resulted in the murder of the child; and it is felt there would have been a much better prospect of the child being alive if the publicity, particularly in the first few days after the information of the crime had been received, had been somewhat restricted.

In a memorandum to the Minister for Police, dated the 5th August, 1960, the Commissioner of Police, among other things, said—

> Consideration should also be given when amending the Act to provision being made to prohibit the publication by newspapers or other means of news distribution of any matters relating to the suspected kidnapping other than matter which is officially approved. Experience in other parts of the world has shown that in many cases of kidnapping where the victim has been a child of sufficient age and understanding to identify or give information regarding his abductors his chances of survival have been slim. It is known that in a great many cases the child has been murdered shortly after the abduction and it seems that the only chance of the kidnappers negotiating is where they are convinced the police have not been alerted. It will be readily realised that secrecy in this regard cannot be preserved when news agencies have a free hand.

To indicate the views of at least one Western Australian newspaper in this regard I cannot do better than quote from an article which appeared in the *Daily News* of the 17th August, 1960. It read, among other things, as follows:—

> The Sydney Press in particular must accept responsibility for its reckless behaviour in the first vital 24 hours after Graeme's disappearance when he was probably still alive. Though the State Government's reward was offered for information leading to the return of the boy the Press emphasis was on trapping the culprits. In this delicate period the main thing that mattered to the persecuted Thornes, and to all of us suffering with them, was that Graeme should come back unharmed to his parents but by July 8, when Graeme had been missing for only a day, a Sydney paper was revealing that the net for the kidnappers was heavily baited. There was top level talk about a summary amendment to the State laws to provide life imprisonment for convicted kidnappers and possibly the death penalty. It seems horrifyingly probable that it was then that the abductors gave up any thought of collecting the ransom money and began to think only of avoiding the terrible anger of an aroused nation. They had almost certainly reached the point in their malevolent reasoning where they realised they had made the one mistake that experienced kidnappers seldom make. They had taken a child who, if abandoned, or even allowed to live, was old enough to recognise them again, to supply the evidence now, or in years to come, which would convict them.

The Bill therefore provides that any person who prints or publishes any report of an offence committed, or alleged to have been committed under section 343, in any newspaper, periodical, broadcast, or telecast, or transmits any such report or matter to any person for the purpose of its being so printed or published before the expiration of seven days from the date on which the offence was committed, or alleged to have been committed, or before the child in respect of whom the offence was committed is returned to his home, whichever event first happens, without the proposed report or matter being first approved by the Commissioner of Police, is guilty of an offence. This offence will be punishable on summary conviction before a magistrate, and the maximum penalty provided is imprisonment for one year or a fine of £500. It is further provided, however, that a prosecution of this nature may not be commenced unless authorised in writing by the Attorney-General.

Mr. Bickerton: That could only be effective if it were Australia-wide.

Mr. WATTS: It would be substantially effective if the views were transmitted from one State to another, because the

action of transmission would take place here. It is confidently expected that in the great majority of cases the utmost co-operation will exist between the persons able to publish or transmit such information in the general interests of the child; but it is felt desirable, in view of the possibility of some individual publicist not appreciating the necessity for reticence in such circumstances as I have mentioned, to lay down a substantial penalty.

However, in order that a prosecution will not take place without careful consideration having been given by Crown Law officers, the provision for the consent of the Attorney-General to be required in writing has been inserted—that, of course, would include the Minister for Justice if there were no Attorney-General. The necessity for such a provision in the Bill is evident in the light of the circumstances that existed in New South Wales, and the evident possibility, in view of the competition among Press people, of obtaining what I believe is sometimes called a "scoop," with possible resultant harm to the abducted child.

In view of the very worth-while comments of the Commissioner of Police, based not so much on local experience but on his knowledge and inquiries as to what has taken place elsewhere; and in view, too, of such expressions of opinion as I read from the *Daily News* of the 17th August, it will be readily realised that it is desirable to give earnest consideration to this matter. It is a little difficult to determine with certainty what the limiting time should be; but, as members will have noticed, it is seven days after the commission of the offence or up to the time of the return of the child, whichever is the shorter period.

As will be noted from the comments of the Commissioner of Police, and also from the circumstances as they existed in New South Wales, it is clearly apparent that the worst danger to the abducted child is in the first few days after the abduction or kidnapping. It was not desired to place unlimited restriction on the Press in a matter of this kind, nor to prevent in any event the publication of information which the Commissioner of Police considered was warranted or desirable, but only to prohibit, for the period mentioned, or until the child was returned, the "reckless behaviour" which was referred to in the article I read.

I think that the provisions of the Bill are reasonable in the face of the circumstances that we all know of, and the public demand, and I think we are justified—in fact there is no question about it—in making some amendments to the law. I believe these amendments are fair and reasonable.

On motion by Mr. Nulsen, debate adjourned.

ARCHITECTS ACT AMENDMENT BILL

Second Reading

MR. WILD (Dale—Minister for Works) [3.0]: I move—

That the Bill be now read a second time.

Following representations made by the Architects' Board of Western Australia the Government has decided to make certain minor amendments to the Architects Act. Firstly, provision is to be made to allow architects not resident in Western Australia to be registered with the board; and, secondly, it is sought to provide for increased registration fees from a maximum of £2 2s. to a maximum of £4 4s.; and the maximum annual subscription from £3 3s. to £5 5s.

At present the Act prevents the board from registering an architect who has not resided in Western Australia. This provision was made in the original Act of 1922 when Western Australia was the only State providing for registration of architects. At present all States other than South Australia and Western Australia have the provision enabling architects from other States to be registered. Under present conditions, architects from other parts of Australia commissioned to carry out work in this State, are debarred from so doing, because the board is unable to register them as they are not resident in Western Australia.

The board strongly feels that qualified architects residing outside Western Australia should be able to carry out work in this State; and to permit this the board is of the opinion that the residential bar to registration should be removed.

The present fees have been operating since 1921; and although the board does not intend to increase them at present, it feels that some provision should be made for future requirements. At present the fees are the maximum allowed under the existing provisions. I would say that in the main this legislation has been recommended by the board because some 12 months or so ago the Perth City Council advertised, all over Australia, a competition for architects for its new town hall. Subsequently, the Government, three or four months ago, gave instructions that a similar competition for the design of the new Public Works buildings should be open to architects throughout Australia. Accordingly, to enable these architects to compete and to win, it is obvious that they must be registered.

On motion by Mr. Tonkin, debate adjourned.

HEALTH ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th September.

MR. NULSEN (Eyre) [3.4]: This is a very important Bill to provide further protection for the future mothers of our State. It is one that the House should take seriously, and consider fully. The Minister has put up a very good case. He has not tried to hide anything at all. As a matter of fact he said that the Bill could be controversial, because of its provisions to help future mothers and to assist in reducing the mortality rate of pregnant women.

The mothers of this country should be our first consideration; and I think we should provide every facility possible towards the education of people generally in this regard, rather than employ threats, through investigations; or use punitive measures. As I have said, the Bill seeks to reduce the mortality rate in this State, and because of that we find the amendment contained in clause 3 which seeks to substitute for the words "nearest stipendiary or resident magistrate" the word "commissioner."

I would like to quote the relevant section which it is sought to amend. It reads as follows:—

> Wherever any woman shall die as a result of pregnancy or childbirth, or as a result of any complication arising from or following upon pregnancy or childbirth the fact of such deaths shall be reported forthwith to the nearest stipendiary or resident magistrate by the medical practitioner and any nurse who were at the time of the death attending such woman.

As I have said, the word "commissioner" is to be substituted for the words "nearest stipendiary or resident magistrate;" and I think that is far more suitable. I do not mean that the operations of section 336 of the Health Act have not been helpful. They may have been to some extent, because there has been a great reduction in the maternal mortality rate since 1948.

Nevertheless the regulations could have failed somewhat in their application owing to the punitive measures that might have been taken against those who made the investigations. So I think the amendment will provide a better opportunity for education; and it will help do away with the idea of punishment being inflicted. I think it is fairer because, over the 22 years, there has not been one case of professional negligence brought before the court. Through practical experience I know the State Health Council has always been anxious to see something done to reduce the maternal mortality rate. In 1937 there were 4.18 deaths per 1,000 live births. In 1951—under section 336—there were 1.8 deaths per 1,000 live births.

Accordingly there has been a great reduction. But I feel that the council set up under the Act was perhaps not altogether responsible for it. I think it might have been due mainly to greater scientific knowledge possessed by our obstetricians, and also to the strides that have been made in medicine and drugs. As I have just said, no professional negligence has been uncovered since section 336 of the Health Act was brought into operation. I believe that now the mortality rate is one per 1,000 live births; and, of course, the aim is to bring it down as low as possible. I understand that in Minnesota—one of the States of the U.S.A.—they have brought it down to a mortality rate of .5 per 1,000 live births, or even less. That is the lowest maternal mortality rate I know of.

Doctor Snow went overseas on study leave. He made an investigation into this matter, and I want to congratulate him on his effort. Although his visit might have cost the State a little expenditure, we have been more than repaid by the information which he has brought back. Under the system, the proposed committee will consist of seven doctors.

In my view this Bill is commendable. If it is passed, in the future there will be a frank and open statement made in any investigation as to whether or not there has been negligence or error. I do not know whether errors have been made, because this aspect has not been indicated. I want to point out that for 22 years, since 1938, not one court case has been taken in respect of this matter.

Although we will be taking some legal right away by the passing of this Bill, nevertheless the public will be safeguarded in the future by the Coroners Act, the common law, and the Criminal Code. Should there be occasion for indictable cases to arise they could be dealt with in the ordinary course.

It gives me great pleasure to support this Bill, because I consider it will be very helpful to the State in reducing the maternal mortality rate from 1 per 1,000 to less than .5 per 1,000. I have studied the Bill carefully. I am aware of the position in regard to maternal mortality, because I have been a Minister for Health; and I also realise the anxiety of the Commissioner of Public Health to reduce that rate considerably. I hope that result will be achieved. Already the rate of 2 per 2,000 has been reduced to less than 1 per 1,000.

I trust that the Bill will be passed in its present form. I want to congratulate the Minister for the way he introduced it. He made a frank and open statement, and even intimated that in certain respects the Bill

could be controversial and contentious; but I do not think so. This Bill has been well thought out. Dr. Snow has made a thorough investigation of the maternal mortality rate not only in England but in the U.S.A. The Bill has been submitted to us as a result of the knowledge he acquired, and its provisions will be the means of affording greater protection to the public in the future. I commend the Bill to the House.

DR. HENN (Leederville) [3.14]: I support this Bill. I agree with the remark of the member for Eyre that the Minister should be congratulated on bringing forward this measure. I would ask the Minister to give the House an assurance that none of the provisions in the existing legislation in respect of maternal mortality will be altered by the passing of the Bill, and that the right to take criminal action against people charged with offences in respect of pregnant women will not be removed. The Minister should not find any difficulty in giving us that assurance. As I see the position, nothing in that direction will be changed.

The concepts of this Bill are indeed noble, because they endeavour to reduce the maternal mortality rate; that is, the death rate of pregnant women during childbirth. It is worth while tracing the position back a few years by examining the history of the maternal mortality rate in Western Australia. Before doing so, I want to point out that the member for Eyre has stated that the State Health Council has always been interested in this matter.

I was glad to hear that comment, because I asked the Minister for Health a question in this House as to the function of the State Health Council. At the time the Minister was not able to give me very much information, except to say that the minutes of that council were for the perusal of the Minister only, and therefore he could not give the information to the House. No doubt the State Health Council was responsible for Dr. Snow's visit overseas on study leave. We know he visited the U.S.A., where he did not lose much time in travelling to Minnesota to delve into the question of the maternal mortality rate. It is a well-known fact that that rate in Minnesota is the lowest of any in the world.

Dr. Snow and the Department of Health are to be highly congratulated for their efforts in this matter. Dr. Snow went to Minnesota and learned what arrangements are made in that State for the reduction of the mortality rate of mothers in childbirth. Without going over the ground in detail again—because the Minister has already given us the information as to what takes place in Minnesota—I want to make the plea that instead of having a punitive inquiry, as it were, the inquiry should be conducted on educational lines. It should be made to discover mistakes on the part of obstetricians, doctors, midwives, and other people associated with the pregnancy of women.

It may be difficult for some members to understand that the practice of medicine is not an exact science; even less so is the practice of obstetrics. I might mention some details which will enlighten members as to the difficulties facing an accoucheur or doctor in his duties when attending to a child birth. The commonest cause of death in midwifery cases is collapse and shock.

Let us take a hypothetical case of a patient who has given birth to a baby. This is what usually transpires: The doctor leaves the hospital and all is going well. But all of a sudden, a couple of hours later, he receives an emergency call. He arrives to find the patient in a moribund state. It is a well-known fact that in cases such as this hypothetical one I am quoting, the more desperate the patient's condition, the more difficult it is to form an accurate diagnosis. I am not able to remember all these things, but I have just studied a text book to refresh my memory with regard to this matter, and there are exactly 24 different diagnoses which can be made in regard to a case of collapse in this particular instance. I will not bore members by mentioning them all; but the fact is that when a doctor is confronted by a case of collapse, he is faced with the task of ascertaining which of the 24 different conditions applies.

Medicine is not a clear-cut, exact science but is based on experience, as well as knowledge. It is because of this fact that I believe this amendment has been made to establish an educational inquiry so that any doctor, accoucheur, or midwife who has made a mistake will quite openly admit it without any fear of future police action being taken. That is the way I interpret this amendment. As I have stated, a lot of people believe that the practice of medicine is an exact science; but that is very far from the truth, and I hope I have shown that to be so from the hypothetical example I gave.

Mr. Hall: It is a trial and error job, is it?

Dr. HENN: I would not say that. I entirely disagree with the member for Albany, but I have no time to go into a lengthy dissertation on the subject.

I would now briefly like to give a history of the maternal mortality rate in Western Australia over the last 30 years. We find that in 1932 the maternal mortality rate per 1,000 was 4.2. In 1933, it was 5.2; in 1934, 4.9; in 1935, 3.8; in 1936, 5.1; in 1937, 4.2; and in 1938, 4.1 From those figures

we can see that the rate hovered around four per 1,000 live births. That was the first phase, the second phase being from 1939 to 1948 in which time there was a marked reduction. Without quoting the yearly figures, I can safely say that it went down to about 2.5.

Mr. J. Hegney: Do you think it possible that the high rate—4.1—between 1932 and 1938 was because of the depression years when many people were worried because they were out of work?

Dr. HENN: I dare say that could have been so; but I intended to explain the reason later. The next phase—1949 to about 1957—brought about a further reduction in the death rate per 1,000 live births. In 1949, the number was 1.2, and during those years the rate hovered around that figure.

The reason I give for the sharp reduction after the first phase is the introduction of the sulphonamides and magisterial inquiry; and that, I think, has been proved. The explanation of the next reduction is probably the introduction of antibiotics. It has been shown statistically that there has been very little reduction since that time, which is the reason for the importance of the introduction of this Bill. I feel sure the provisions in this measure will be responsible for reducing still further the mortality rate of mothers.

When it is realised there are 16,000 live births in Western Australia every year, and 400 still births, it does not require any mathematics to know that even if only a small reduction were made, at least eight or ten mothers would be saved in this State alone each year. However, I do not believe that it would end there. If this Bill were passed, I am sure that it would be copied in other States of Australia and, for all I know, in every democratic country throughout the world.

Therefore, I do hope I have demonstrated in a short time my reasons for wholeheartedly supporting this Bill. The main result from it, I feel sure, will be the saving of at least eight lives each year, and even more, in this State, and possibly throughout the whole country and the world.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health—in reply) [3.26]: First of all I would like to thank the member for Eyre for his approach to this Bill. He spoke on behalf of the Opposition, and I think he took a very responsible attitude in the way he dealt with it. It would have been comparatively easy to take some political advantage of the possible controversial nature of one of the clauses of this Bill—that which relates to the maternal mortality committee.

I would also like to thank the member for Leederville for his thoughtful and well-informed speech. He provided us with statistics to illustrate the trend in the maternal mortality rate over the years. I think the figure I quoted was not the most recent. However, I will inform myself on later figures subsequently. Our maternal mortality rate is comparatively low on world standards.

Mr. Jamieson: What is the actual percentage. Do you know?

Mr. ROSS HUTCHINSON: The most recent figure which I know of is one death per 1,000 live births.

Mr. Jamieson: That is one death amongst the mothers, is it?

Mr. ROSS HUTCHINSON: Yes. But I am inclined to think, after a brief consultation with the member for Leederville, that that figure has been lowered in recent years, and I will investigate to find out whether that is so.

The point is, as has been expressed by both the member for Eyre and the member for Leederville, that whilst the maternal mortality rate is reasonably low, it has reached a level from which it is difficult to lower it further. However, this Bill is an attempt, through educational methods, to lower the rate; and I think that is an admirable objective. I therefore again thank members for their support of this Bill.

Question put and passed.

Bill read a second time.

In Committee

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

BILLS (3)—RETURNED

1. Vermin Act Amendment Bill.
2. Evidence Act Amendment Bill.
3. War Service Land Settlement Scheme Act Amendment Bill.

Bills returned from the Council without amendment.

HEALTH ACT AMENDMENT BILL (No. 2)

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health) [3.34]: I move—

That the Bill be now read a second time.

The Bill contains a number of comparatively small amendments. The measure is in the nature of a portmanteau Bill, and I

originally intended to have its provisions included in the measure which passed to the third reading stage a few moments ago.

The first amendment concerns assistance that might be given by local governing authorities to pensioners and other people in low-income groups. At present the Act authorises local authorities to connect private premises to the sewer when requested by the owners, and the cost is repaid over a period by the owners. The Local Government Association, following many requests from individual local authorites, has asked that the power at present in the Act be extended to authorise the provision of baths, basins, sinks, and troughs, together with the pipes and other fittings necessary for their functioning. It is hoped that the House will agree to this amendment.

It will probably be readily appreciated that to pensioners and other people in the low-income group, the cost of the installation of the items and fittings to which I have referred is frequently such that they find it impossible to finance it. By the method that can be adopted under this provision, the financial impact can, through the good offices of the local governing authorites, be cushioned over a period of years. There is nothing mandatory about people having to install baths, basins, etc. in their homes.

Mr. J. Hegney: Will the local authorities make any payments?

Mr. ROSS HUTCHINSON: Yes. That is the purpose: to permit local authorities to supply funds which the owners will repay over a period of years.

Mr. J. Hegney: If they do not want to repay the money, can it be written off against the estate?

Mr. ROSS HUTCHINSON: I have not considered that point, but I would not think the local authorities would do that.

The next amendment concerns the control of pests—principally flies and mosquitoes. The relevant section of the Act authorises local authorities to supply "some sufficient disinfectants for use in sanitary conveniences." This was a suitable provision when the Act was introduced in 1911. At that time disinfectants were known to have a certain value in regard to the pan system which then operated. Also at that period the disease of typhoid was rampant, and attempts were made by the Health Department and the local authorities to combat that disease. With the passing of the years, however, this section of the Act has become outmoded with the introduction of pesticides which have been used in the control of such pests as flies and mosquitoes.

Most members know that a serious nuisance can arise from the prolific breeding of mosquitoes and flies in areas where there are many septic tanks. Strangely enough, at the present time a local authority is not permitted by law to supply pesticides to ratepayers, although it is done almost every day of the week. A rather strange thing happened the other day when one local authority was actually prevented by a department from supplying pesticides.

Mr. J. Hegney: They supplied stuff to control the Argentine ants.

Mr. ROSS HUTCHINSON: That is so. This amendment seeks to overcome the anomaly to which I am referring; and it will overcome the present rather strange state of affairs. It will validate actions that have been taking place in the past, such as that referred to by the member for Middle Swan.

Another amendment has to do with eating houses and this one has two parts. The definition of "eating house" contained in section 160 of the Health Act excludes premises licensed under the Licensing Act. Members will recall that amendments made to the Licensing Act in 1959 have the effect of exempting licensed restaurants from normal controls exercised under the Health Act. It is considered to be essential for such restaurants to again be subject to inspection and control by qualified health inspectors appointed under the provisions of the Health Act.

As I said, the amendment is in two parts; and the second part, which also has relation to the definition of "eating house," provides for what may be a new trend in eating houses, which trend has become quite evident in other States of Australia and other parts of the world. I refer to outdoor or pavement restaurants. I have no doubt that it will not be long before this type of eating house will be introduced in the City of Perth, and the Health Department wants to ensure that these establishments are brought under the control of the Health Act. Therefore, an amendment to the definition in the Bill will cover such places.

A further amendment concerns prosecutions which follow the inspection of deficient foods and drugs. At present, an inspector, when taking a sample of a food or drug, divides it into three parts. One portion is sent for analysis; one is given to the vendor; and the remaining portion is kept to be produced at the discretion of the court. The manufacturer, who probably will be the party prosecuted, is denied the right to receive a portion of the sample.

The amendment therefore seeks to provide that if an inspector samples a food or drug and intends to prosecute a party other than the vendor, he shall give written notice to the manufacturer within three days of the taking of the sample. This

would allow the manufacturer, if he so desired, to obtain the portion of the sample given to the vendor for analysis.

Another amendment seeks to add a new subsection to the Act to revoke or vary proclamations. At present the Act provides for a number of executive acts to be carried out by proclamation, declaration, or Order-in-Council. But once done, those acts cannot be varied or undone. It has been found that proclamations issued almost half a century ago are still binding, and they can obstruct or impede essential reform and progress. The relevant amendment in the Bill seeks to provide that the Governor may vary or revoke proclamations. I have here a couple of examples which highlight this lack or omission in the Act at present; but if it is found necessary to read them, I think they can well be held over until the Committee stage of the Bill.

On motion by Mr. Nulsen, debate adjourned.

Sitting suspended from 3.45 to 4.5 pm.

OPTOMETRISTS ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health) [4.5]: I move—

That the Bill be now read a second time.

This Bill contains a number of amendments, the principal one being to assist in the protection of the public regarding the treatment of eyes and eye diseases. The original Optometrists Registration Board, as set up by the Act, is in favour of the amendments, as is the department.

The first amendment concerns the definition of "optometry." Reference to the Act reveals that there are two parts to this definition, which reads as follows:—

> "Optometry" or "the practice of optometry" means—
>
> (a) the employment of methods, other than methods which involve the use of drugs, for the measurement of the powers of vision; and
>
> (b) the adaptation of lenses and prisms for the aid of the powers of vision.

The effect of the conjunction "and" between those two parts of the definition means that a person is not required to be a registered optometrist unless he carries out both of the activities referred to in the definition. Therefore any person without qualifications may carry out either one of the two legs I have referred to. This being the case, it is possible under the Act for two different unqualified people each to practise one leg of the definition of "optometry." This can be done in adjoining rooms and one patient can be referred from one unqualified person to the other unqualified person.

What would purport to be an optometrical service would be provided by two unqualified people. This, I submit, is in defiance of the principle of the Act, and the intention of Parliament when the Act was originally passed. The deletion of the conjunction, "and"; and the insertion of the word "or" will remove this situation and will restore to the Act what was first intended. It will also protect the public, so far as machinery can, from unqualified practitioners.

A further amendment refers to the Optometrists Registration Board and to its constitution. At present, a section of the Act provides that the Optometrists Registration Board shall consist of seven members to be appointed by the Governor; and the seven members of the board are named in the Act. The Optometrists Registration Board considers it desirable that the present number of seven should be increased to eight by the inclusion of a medical practitioner, to be nominated by the British Medical Association.

Optometry is an ancillary medical service; and now that a medical school is established, it is more important than ever that there should be definite liaison between an ancillary medical service and the medical service itself. The amendment to include a medical practitioner on the Optometrists Registration Board will ensure this liaison.

Another section of the Act to be amended has reference to the remuneration of members of the board. At present the section provides that no member of the board shall be entitled to receive any remuneration for his services as a member. This, with the passing of the years, has become completely outmoded; and to bring this Act into line with other Acts under which boards are constituted, the amendment will provide that members of the board may receive such remuneration and expenses as are prescribed in the rules of the board, from time to time.

A further amendment has to do with the deletion of certain words, and concerns the financial statement that must be submitted to the Auditor-General by the board each year. Section 16 of the Act requires that the board shall prepare a financial statement at the 30th June each year showing receipts and expenditure, including liabilities of the board; and this financial statement shall be submitted to the Auditor-General for his examination. It is felt that the substitution of the words, "receipts and expenditure, including liabilities of the

board" by the words, "income and expenditure" will convey more properly the intention of the Act. In addition, it will obviate the completely unnecessary work that is undertaken at present. This particular amendment has been referred to the Auditor-General, who says it will facilitate work generally in the preparation of the financial statement; and he has no objection to it whatsoever. Another section of the Act to be amended, if this Bill becomes law, concerns increases in registration fees and certificate fees. At present, the relevant section places a limit of £5 5s. on the initial registration fee, and a limit of 5s. on the certificate fee. These fees are charged by the Optometrists Registration Board to persons who become registered under the Act.

There seems to be little reason why a specific figure should be stated; and I have been informed that the certificate fee bears no relationship to the cost of the certificate itself. I believe the certificate costs in the vicinity of £1, whilst the fee charged is only 5s. In order to avoid recourse to legislation, from time to time; and in order to bring this figure up to date, it is considered that the responsibility might well rest on the Optometrists Registration Board to prescribe fees as may be found to be necessary. These fees can then be adjusted according to circumstances.

There is a further amendment which merely deletes certain redundant words from section 32. There is no necessity for those words; and the amendment, if passed, will merely delete them. I feel that where we can do away with redundant words, we should do so.

A further amendment concerns the annual license fee that is charged by the board. At present, a limit of £6 6s. is placed on that fee. It is pointed out that the revenue of the board is not high, and the board has to conduct a course of study in optometry and has to face up to a number of expenses which go hand in hand with the workings of the machinery of the Act. It has been ascertained by the board that optometrists generally are willing to pay a higher annual fee in order that the requirements of the Act may be properly carried out.

The amendment provides that the annual license fee shall be as prescribed in the rules. This is like the previous amendment which, as I have already stated, will enable the board to avoid having to approach the Minister for legislative action when there is necessity from time to time to alter the figure.

I submit these several amendments to the House in the hope that they will be passed. When doing research on the Bill, I considered the speech made by Mr. Panton in 1940 when he introduced this legislation; and I think that if the member who secures the adjournment of the debate on this Bill will study that speech, he will see there is actual necessity for the primary amendment in this amending measure.

Without delaying the House unduly, I feel that I should read the opening words used by the Minister for Health in 1940. The late Mr. Panton said—

> The Bill is expressly designed to control the practice of optometry and to ensure the competence of optometrists who will be registered under this legislation, the object of which is, in effect, to provide a safeguard for the eyes of the public of Western Australia. The necessity for the Bill must be apparent when it is realised that any person, without any training or knowledge in the complex science of optometry, may set himself up as an optometrist. Endless trouble has been caused by such people, as they are unable to detect conditions of the eyes that demand medical attention, conditions that a qualified optometrist would immediately observe and refer to the oculist.

Various other sections of the speech make very good reading with regard to this present amending Bill.

On motion by Mr. Nulsen, debate adjourned.

NOXIOUS WEEDS ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [4.20]: I move—

> That the Bill be now read a second time.

The purpose of this Bill is to expedite action by the Agriculture Protection Board against certain noxious weeds where time is the major factor in ensuring success.

Section 22 of the principal Act provides that when the Agriculture Protection Board is satisfied that reasonable endeavours to destroy primary noxious weeds are not being made, the board may by notice in writing direct that they be destroyed in the manner specified by the notice. Unless the notice is served and not complied with within a reasonable time the board is not in a position to undertake the work and recoup the cost.

The present procedure has been generally satisfactory in individual cases and where weeds of a perennial nature are being dealt with. Unfortunately, in more recent times the spread of calthrop and carnation weeds has necessitated district drives involving numerous landholders and

household blocks at the same time. With a weed like calthrop, which matures within a few weeks of germination, there is a very limited time in which to serve individual notices, inspect areas for compliance, and undertake control measures before seeds have been produced.

Considerable time will be saved and operations against such weeds greatly facilitated by the proposals contained in this Bill which firstly provides for the local authority in which the private land is situated to be given at least seven days' notice of the Agriculture Protection Board's intention to take action. It is then proposed that after the seven days, instead of individually served notices, an over-all direction shall be published in the *Government Gazette* and appropriate local newspapers —that is, newspapers circulating in the areas concerned—giving landowners fourteen days to commence action against specified primary noxious weeds in the manner directed by the notice. A similar provision for publicly notifying landholders exists in the Vermin Act and Plant Diseases Act.

In anticipation of an inquiry as to why the Bill specifically refers to private land, I have ascertained that section 17 of the Act provides that where land is under Government control the department concerned is responsible for the destruction of primary noxious weeds. Section 24 relieves a private landowner from the necessity to destroy primary noxious weeds on his land within a distance of 20 chains from the common boundary of public land on which noxious weeds occur, until work on the Crown land has been commenced. Generally speaking, Government departments, including the railways, have been quite co-operative with the Agriculture Protection Board in dealing with such weed pests as caltrop, cape tulip, and blackberry.

No-one likes to be directed to do certain things; but unfortunately stronger measures are sometimes necessary to ensure that the action of the minority does not undo the good work by the majority. It is quite obvious that in the battle against noxious weeds much more remains to be done, and the co-operation of everyone is essential to ensure a maximum degree of success.

I might add that the work of the Agriculture Protection Board is a very important one, especially in connection with the control and eradication of noxious weeds. Only today I had my attention drawn to the fact that large numbers of stock are being imported from the Eastern States; and almost without exception, in recent months, it has been necessary for the officers at Kalgoorlie to take very strict action against the manner in which stock have to be forwarded to their destination. I refer mainly to sheep.

In almost every case, a number of sheep have been found to have Noogoora burr in their fleece; and this has meant that instead of going direct to the properties, the stock have had to be consigned to Fremantle for reshearing, because it has been stipulated that when woolly sheep come from the Eastern States they must be reshorn, except in special circumstances where stud stock are sent here for special sales and shows, where they can be shorn before they are despatched to the properties. I refer mainly to large consignments of flock sheep coming to this State; and it is essential that we take every action possible in order that we can keep this State clean of noxious weeds that are such a problem in the Eastern States.

I think members will support this measure. It gives an opportunity for all landholders to be notified; and, before they are notified, the local authority in the area will be notified. I do not see that what can be termed the restrictive part of this clause presents any problem, because it will assist the Agriculture Protection Board in carrying out the work for which the board was brought into existence.

Sir Ross McLarty: I can show the Minister a good crop of Cape tulip close to Perth, half an hour's run from here.

Mr. NALDER: As the member for Murray has said, this is a problem that is developing in quite a few parts of this State, especially in the areas south of the metropolitan area and extending in an easterly direction towards the Great Southern, and south from there. But the measures being taken by the Agriculture Protection Board are already proving successful. I know that the member for Narrogin has been concerned about the spread of this noxious weed in some areas in his electorate.

We have seen definite results from the work that has been done, and I think that most landholders are taking the necessary steps and acting on the advice that is being given by the officers of the department. I feel sure that the spread of this particular noxious weed is well in hand. But we cannot take an easy attitude towards it, nor towards other noxious weeds. If there is any further information I can give members, I will be happy to do so.

On motion by Mr. Kelly, debate adjourned.

MARKETING OF ONIONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th September.

MR. KELLY (Merredin-Yilgarn) [4.29]: In introducing this Bill, the Minister indicated that it was probably the smallest

one that had come before this House this session. I think he could also have added that it is one of the least important Bills to come before the House, because the amendment he proposes is merely designed to correct what appears to have been a printer's error.

The error, when drawn to one's attention, becomes obvious; and it is rather remarkable that it has remained in the Act for so long without having been discovered. I think it is probable that that particular section of the Act has never been brought into effect at any stage during the ensuing years. There is no principle involved in the Bill. It is purely a correction; and, as the correction will place the Act in order, I have no objection to it.

Mr. Nalder: The Act has to be reprinted.

Mr. KELLY: Yes; it will have to be reprinted to correct a very obvious error. However, I support the second reading.

Question put and passed.

Bill read a second time.

In Committee

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

NORTHERN DEVELOPMENTS (ORD RIVER) PTY. LTD. AGREEMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for the North-West) [4.35]: I move—

That the Bill be now read a second time.

This Bill is to ratify an agreement made on the 14th June, 1960, with Northern Developments (Ord River) Pty. Ltd. The company is a wholly-owned subsidiary of Northern Developments Holdings Ltd., which is developing the Camballin scheme in the West Kimberleys.

When the decision was made to undertake the Ord River diversion dam project as a preliminary to the greater Ord dam scheme, it was also decided to make every endeavour to build up practical irrigated farming experience during the diversion dam construction period. The information and experience thus gained would supplement the valuable research information already available from the Kimberley Research Station activities. The combination of farming experience, plus research station information, will be a vital and indispensable part of the case to be presented to the Commonwealth Government for the main Ord dam project in three or four years' time. The information produced will also give a pattern and provide advice for future farmers in the area as and when large-scale development and settlement takes place.

Concurrently—but, I emphasise, quite independent of this farming project—another important work is being undertaken; namely, the regeneration of approximately 750,000 acres of eroded land which is in the dam catchment area. This work is to minimise the siltation of the dam; likewise it is vital to the main scheme and representations we will need to make in connection with it.

I should explain that the diversion dam is an integral part of the final scheme. Whether the main dam is built at the same time or later, it is still necessary to have the diversion dam; and, as its name implies, it will divert the waters as they come down from the main dam. After proper consideration of the problem, and the fact that one scheme could be established for approximately £3,000,000, whereas the other involves something like £20,000,000, a decision was made to build the diversion dam first to enable preliminary farming and other experience to be gained.

After consideration of the best way to obtain farming experience and information, as distinct from research station practice, and in the most economical manner, it was decided to approach Northern Developments Holdings Ltd. to see whether they would enter into an arrangement to undertake the initial farm project. This company has already shown its interest in the north through its work and substantial investment in the Camballin scheme. It is also backed by a strong organisation with irrigated farming and marketing experience in the Murrumbidgee area, and in later years in the West Kimberleys.

We were also recommended to approach Northern Developments Holdings Ltd. to undertake this scheme by senior representatives of the C.S.I.R.O., who felt it was desirable to approach somebody with experience of this type of farming, and also to run it as an independent farming project and not as a Government project. The company readily agreed and formed a subsidiary for the purpose, and we are fortunate in having Mr. Keith Gorey, with his experience at Camballin, supervising the Ord scheme. In preparing a contract the object was to arrive at an arrangement which would, firstly, give the information and practical experience sought; secondly, involve the minimum cost; and, thirdly, give an incentive to the company.

The contract now presented for ratification should meet those requirements. In framing the agreement the Government

has had the benefit of the advice of the Ord River Diversion Dam Project Committee. This committee comprises senior officers of the Departments of Works, Lands, Agriculture, and the Treasury, and is constituted to consider all aspects of the diversion dam scheme. The object of the committee is to achieve some co-ordination with the many phases of the work in this area. It is not as easy organising a project in a remote area, such as the Ord area, as it is in the metropolitan area or in one of the more developed country areas in the south.

Emphasis in the agreement is on rice, cotton, safflower, and linseed production; but that is not an exhaustive list. Due provision is made for work on other crops and on pastures. Close co-operation with the Kimberley Research Station and the Department of Agriculture is provided for, and there is ample provision for the keeping and passing on of information, the right of entry, inspection, consultation, etc. The area to be farmed is to be not less than 2,000 acres.

Important information sought relates to the economics and methods of farming a variety of crops; equipment; and the appropriate sizes for individual holdings. A useful guide to capital needs should also be obtained in addition to valuable experience with living conditions and the needs of the area to maintain and service it in a satisfactory manner to encourage settlement.

For the purposes of the diversion dam project, it has been necessary to resume approximately 19,200 acres from Pastoral Lease 396/454, held by the Ivanhoe Grazing Company Pty. Ltd. The farm area comes within this area. I am advised that the land concerned, and which was the subject of the pastoral lease, had no improvements on it, and therefore the resumption does not involve compensation and is in accordance with the lease provisions. The Government will advance up to a total of £100,000 spread over a period of three years. Naturally it is expected that a considerable part of this sum will be recouped, but it is impracticable to make a reliable estimate at this stage. The final net cost to the State will not be clarified until the agreement has been finally implemented and results finally known.

Special projects undertaken at the request of the Government could materially affect the costs and results. Provision has been made in the agreement that the Government can request certain works to be undertaken. Obviously, as the scientists and the departmental officers see the work being undertaken by the company and the results being achieved, they might want other experiments carried out in a practical way, as distinct from the research station work, and there is provision for this to be undertaken by the company. If they were of a major character it could involve some readjustment of the financial arrangements; but the important thing is that the Government should have the right to have these things done as and when it wants them done so as to obtain the maximum benefit from this very important period.

Provision is made for budgets to be presented at regular intervals by the company, and to be approved by the Government. These budgets will show work proposed as well as financial information. Provision is also made for audited financial information to be presented to the Government, including credits to be given to the State for—

(a) the proceeds for sales of plant, equipment, machinery, and other things purchased or acquired wholly or in part with moneys provided by the State;

(b) the total net proceeds from sales of agricultural produce from the pilot plant; and

(c) the amounts due to the State for hire and use of plant, equipment, and machinery, as referred to in clause 5 (g) of the agreement.

The agreement provides for the development of the pilot farm over five years, but provision is also made for a review of the agreement early in 1963. This latter provision was considered desirable in view of the many unpredictable factors at this juncture. It was acknowledged by both the Government and the company that at this stage it was difficult to be specific in respect of every problem or every circumstance that was likely to arise, and so a provision was incorporated in the agreement indicating the intention and desire of both parties to re-negotiate, if necessary, the contract in 1963. If, of course, mutual agreement cannot be reached, the agreement runs its normal course. So the Government is completely protected in that regard. It is hoped that valuable experience will have been gained by 1963 and the review could be mutually advantageous.

The company has to construct as part of the budget items all subsidiary channels and drains within the farm area from the main channels constructed by the State. The appendix to the agreement shows clearly the main channel that is the State responsibility. The subsidiary channels and drains within the farming property are the responsibility of the company.

The Government undertakes to construct and mantain main water supply channels to the highest practical level or levels in or near the farm area. It will also make available to a reasonable extent a constant

supply of water to the main channel or channels. When members read the agreement they will note that we have been careful not to accept too arbitrary a commitment in respect of the supply of water, because there are unpredictable factors; and the Government is only committed to a reasonable supply of water under reasonable conditions.

The Government undertakes to make available, during the first three years of the agreement, at least sufficient water for the following maximum areas:—

200 acres, 1960-61—wet-season rice.

200 acres, 1961—dry.

400 acres, 1961-62—wet-season rice.

400 acres, 1962—dry.

Up to 600 acres, 1962-63—wet-season rice.

600 acres, 1963—dry.

These areas were arrived at after consultation between officers of the Public Works Department and the Department of Agriculture. They took into account the contractor's requirements for water during the period of the construction of the diversion dam.

It must be remembered that during the construction period the contractor will have a fairly heavy demand for water, and his needs are paramount during that period. However, it was the considered opinion of the advisers, both of the Public Works Department and of the Department of Agriculture, that the programme provided for an adequate supply to be made available. The water will initially come from the Ord River upstream from the diversion dam. Those who know the area upstream from Bandicoot Bar will know that normally there is a supply of water at all seasons which is estimated to be more than adequate to meet this farming programme as set out in the agreement; and also to meet the contractor's requirements.

The company is permitted, at its own cost and risk, to breed and run livestock on the farm area and/or enter into contracts with third parties for, or in relation to, the development of lands outside the area of the pilot farm: provided, however, that the company shall not allow or suffer any such breeding or running of livestock, or any such contract, to operate to the detriment of the development of the pilot farm as contemplated by this agreement. This could encourage the company to produce some valuable information and experience for the State's use. It should be borne in mind, of course, that the whole of its operations are in co-operation with and under the supervision of the scientists from the research station, and the officers of the Department of Agriculture.

If plant, equipment, or machinery covered by the agreement is used for purposes other than the farm project, rental will be payable to the State. This could result in a more economic use of equipment than if it is solely restricted to the farm area.

Capitalisation in the form of equipment for this project is fairly heavy; and if it is possible to find other uses for the equipment through the company undertaking work on other projects, or under contract for other people, it could have the effect of enabling more economic use of the plant throughout the year. Rentals are to be agreed upon by the Government, and any proceeds from those rentals will be a credit to be given to the State under the terms of the agreement.

If the company performs its part under the agreement, it may elect between the fourth and fifth years—or earlier if mutually agreed—to acquire a Crown grant of lands comprised within the pilot farm area. The price to be paid will be calculated on the basis of £1 per acre plus the economic value of all improvements on the pilot farm at the date of giving the request mentioned in this subclause, and together also with the economic value of all further improvements subsequently effected on the pilot farm with money provided by the State prior to the issue of the Crown grant.

Considerable difficulty was experienced in arriving at a formula which could be regarded as fair to both parties; and the Government was eventually advised by its advisers to place a basic price per acre on the land and then apply an economic value in respect of all improvements.

Mr. Tonkin: Doesn't that mean that if the company so desires it can acquire the whole 2,000 acres?

Mr. COURT: Up to the pilot farm, but not in excess.

Mr. Tonkin: That is one-tenth of the total area available.

Mr. COURT: It is approximately one-tenth of the total area resumed for this diversion dam project. But it must be realised that the whole project we are working towards in phases is between 100,000 and 200,000 acres. That is the objective of this Government; and I am sure it was the objective of the previous Government: to eventually get to the phase when we will have developed the full potential of the waters of the Ord River.

Sir Ross McLarty: What is the area of the pilot farm?

Mr. COURT: The area must not be less than 2,000 acres. The company must undertake to develop not less than 2,000

acres. In default of agreement as to price, it shall be determined by arbitration. In addition to this specific arbitration provision there are, of course, the normal arbitration provisions in the agreement. The company shall also have the right to purchase—at a price to be agreed or determined—the plant, equipment, and machinery acquired by it wholly or in part with moneys provided by the State under this agreement.

What will be the value at the end of the agreement is only conjecture; but provision is made that the company can acquire it at a price either agreed upon mutually, or determined by arbitration. It is envisaged, in view of the rugged nature of the work involved, that some of the plant initially acquired would be replaced before the end of the agreement; but whatever plant is there will be available to the company at a mutually-agreed price, or at a price determined by arbitration.

A further point relates to rights to process and market agricultural products from the first 15,000 acres brought into cultivation of the area of 19,200 acres resumed. The processing and marketing of the products is a very important part of this project, and Northern Development Holdings Ltd. had the added attraction of having had considerable experience with processing and marketing. The appropriate provision reads—

> The State agrees with the company not within five years from the date hereof to dispose of or grant any rights to the processing and marketing of agricultural products from any portion of the first 15,000 acres brought into cultivation of the area referred to in clause 2 hereof without first giving to the company notice in writing with full particulars of the proposals for such disposition or grant and the company shall thereupon have an option to be exercised within three months of the receipt of the notice of taking and acquiring such rights upon the same terms and conditions as are set out in such notice.

It should be emphasised and noted that the company only has the right of first refusal of any proposal upon the terms and conditions served by notice on it—not a basic right to the processing and marketing on its own terms.

It was considered fair and reasonable to give the company—in view of the pioneering work we wanted it to do—an opportunity to consider whether it would like the rights of processing and marketing in respect of the first 15,000 acres developed upon the terms and conditions that the Government, in effect, was prepared to grant them to a *bona fide* processor and marketer.

If the conditions laid down by the Government in the notice served on the company are not attractive to the company, of course, after three months it has no rights in the matter. But if the company is prepared to undertake the processing and marketing on the terms laid down by the Government in its notice, it will have the right to say so.

Mr. Bickerton: Would that prevent the Government from calling tenders?

Mr. COURT: I should not think so. It would, of course, have to be made clear in the tenders that the Government had this obligation under the agreement to give this company the first right of refusal on those terms. All things being equal, the terms stated in the notice would be the best terms offered through tenders. In practice I think the Government would determine what it considered to be the best proposition for processing and marketing, after conferring with its advisers in the matter. It would then put a proposition to this company under the terms of this agreement.

I have a feeling that when the time comes there will be a few people interested in processing and marketing. It is very important that we should have this produce processed and marketed in the area, because it is part of the concept of the whole scheme: that if we are to get more people to live there, not only must we grow this stuff on a closer settlement basis, but we must have it processed in the area. This will all tend to build up the area and give stability to the townships of Kununarra and Wyndham, and other townships that would develop as the whole scheme progressed.

The company's right to participate as a water consumer for ten years following the first three years of the agreement is only upon the usual terms applicable to any irrigation scheme effected by the State to serve, or reasonably capable of serving, the pilot-farm area. During the first three years, of course, the company will be operating under rather extraordinary conditions, because it is a pioneer venture. The building of the dam will be proceeding; and the Government therefore has to have some special responsibility to endeavour to keep up the water supply during that development programme. But after three years, and for the next ten years, the company will not be protected beyond the normal right to participate as a consumer in any scheme that is completed by the Government.

That was considered fair by us, and the company accepted it, although it would have preferred to have some special provision to ensure that it had some greater protection for the first ten years. However, it was explained that in the ordinary

course of irrigation schemes, general conditions are laid down which are applicable to all people participating in such schemes. That has been accepted by the company.

It will be appreciated by members that this could be rather a history-making project. We hope it will be the forerunner of the major development under the Ord River scheme, and provide for closer settlement in this area. We must realise that, if this scheme is successful, it will then be the pattern for other similar schemes in the Kimberleys generally. We can be confident that with the knowledge we now have of the area, the scheme will be successful if it is carefully managed.

Not only is it intended that this will be an agricultural scheme to provide for closer settlement and for an increase in the primary production of this State, but it is also envisaged that the end result of this scheme will be complementary to the pastoral industry. It is generally acknowledged that for the foreseeable future the pastoral industry must remain the strongest economic unit in the Kimberleys.

The agricultural side, as envisaged by this scheme, can play a very important role in the upgrading of the pastoral industry. All the crops that are envisaged in this agreement have the great advantage that they produce, as a by-product, important foods for the pastoral industry. Having those foods readily available in the area, instead of having a terrific freight burden attached to them, could be a very important factor in encouraging pastoralists to take action on their stations to improve pasture management and animal husbandry.

There has been criticism in the North that everything has gone overboard in favour of agriculture in the Kimberleys. That is not so. I am sure it was not the concept of the previous Government; nor is it the concept of the present Government. The pastoral industry must remain the predominant economic unit in the Kimberleys for a long time to come. Therefore, this industry which we hope will be got under way has a very important part to play in the upgrading of the cattle industry.

If one thinks ahead of what could develop from the complementary nature of this industry, in relation to cattle, it is not difficult to imagine increased yields and increased productivity in respect of the cattle industry by three or four times over a reasonable period.

Mr. Rhatigan: That is, of course, subject to the absentee owners taking advantage of this scheme.

Mr. COURT: I am pleased to report there has been a general air of co-operation abroad. I think the honourable member will agree there has been a new order, as it were, in the Kimberleys, in the thinking of the pastoralists themselves. I know an increasing number of pastoralists are anxious to take advantage of the scientific advice available to them. The work that has already been done by some of the pastoralists voluntarily is indicative of their general endeavour to upgrade the industry. We hope, for instance, that the work on the regeneration of the catchment area will encourage others to follow the practice. There is nothing which breeds success like success. One practical example, of course, will do more to change the thinking of some people in that area than all the lectures in the world.

Mr. Norton: Have the pastoralists contributed anything to the regeneration costs?

Mr. COURT: The Government will be undertaking certain responsibilities in connection with that project. I can tell the honourable member the Government will not be paying all of it.

Mr. Norton: What portion?

Mr. COURT: That has not yet been determined. In considering that regeneration project I must point out that there are two phases: One is the pastoral side, and the other is the engineering side. The engineering side is directly related to siltation. If the area is not regenerated it follows that the life of the dam will be restricted. The other side is purely the pastoral side. I can assure the honourable member that the Government is not going to pay all the regeneration costs.

When finality is reached in the arrangement it will be acknowledged as being a fairly commonsense and practical approach to the problem—one that is worrying not only the Government but the pastoralists themselves. If we are successful in the regeneration programme the result could have far-reaching effects throughout the Kimberleys.

Mr. Brady: Does the Minister anticipate any Commonwealth assistance in regard to this proposal?

Mr. COURT: Not the particular proposal itself—the one covered by this agreement.

Mr. Tonkin: Regarding this assurance you have given us, is it a real one or a sham?

Mr. COURT: I shall let that interjection slide.

Mr. Tonkin: I thought you would. So the position will remain as it is.

Mr. COURT: I have given it as an assurance, and it is an assurance.

Mr. Tonkin: You have given assurances before.

Mr. COURT: All of which I have honoured.

Mr. Tonkin: No you haven't; not the one in regard to the Electoral Districts Act.

Mr. COURT: The approach that has been made on this project is, I think, the logical one. It has followed through the research phase, which was longer than the normal research phase. There were good reasons for that. We have had the advantage of considerable research at the Kimberley Research Station; and the work of that station is known to many members of this House. The time came when we had to develop from the research experience or the research station practice to farming experience. Rather than go straight into the major scheme, it was considered desirable to have this transitory phase which, I think, is very sensible and will pay dividends.

The project will give confidence to future development; it will give confidence to the Commonwealth Government from whom obviously the finance for the main scheme must come, if it is to be undertaken in a reasonable time. So, if we have the experience of the research station and then this farming project, I am certain that in three or four years' time we will be able to present a fairly convincing case to the Commonwealth Government in favour of the major Ord River dam scheme.

These two phases—research and pilot-farm experience—are essential prerequisites of the ultimate project. I am certain that this company will have a good, practical approach to the problem. It has had a lot of experience; it has very strong backing of practical farmers, as well as strong backing of financial people. I am certain it will be co-operative. It is important that we give the company some incentive to make this scheme succeed. I think we have given the company an incentive without giving it too much.

On reflection, when members read the agreement, they will appreciate that the three main principles which I enunciated earlier have been achieved in a balanced way. It was necessary to get on with the job, pending the ratification of this agreement. I thought members would be interested to know what has already been achieved in the area in respect of this farming project. Those who are not acquainted with the area may not be as conscious as those who are, of the need to have full regard for the seasons, because there are periods during which only very limited work can be undertaken.

In anticipation of the forthcoming wet season, the following has been achieved in respect of this project:—

(1) Farming machinery, motor vehicles, and equipment have been purchased and delivered to the area.

(2) Three persons are now permanently employed on the farm, but that does not cover the whole of the labour used.

(3) The whole of the 2,000 acres of the farm area has been chain-dozed.

(4) 200 acres of the farm area—which is known as Block 6—have been completely cleared, ploughed, contour-banked, and prepared for sowing and irrigation of the first crop of wet-season rice. This will be planted in November, 1960.

(5) Work is proceeding to complete the clearing and ploughing of the 400 acres of Blocks 1 and 9, which will be used for irrigation crops to be sown in the dry season of 1961. Ten acres of Block 1 will be used to grow cotton this year and this will also be planted in November next.

(6) Storage and workshop sheds are on the site and will shortly be erected. Work will soon commence on the fencing of the boundary of the farm area, for which material has been delivered.

All that work was necessary to keep up with the programme that is envisaged in the agreement and to keep it properly balanced in parallel with the building of the dam itself, so that the maximum experience is gained during this construction period.

Earlier in the afternoon, for the benefit of members who have not been to the area, I tabled a plan which shows the relationship of the Kimberley Research Station, the new townsite of Kununurra, the Bandicoot Bar, where the diversion dam will be built, the area where the pilot farm project is to be undertaken, and the port and township of Wyndham. It will give members who have not actually been on the site some indication of the relative distances between the port, the research station, the township of Kununurra, and the proposed dam site. I commend the Bill to the House.

On motion by Mr. Rhatigan, debate adjourned.

MESSAGES (4)—APPROPRIATION

Messages from the Governor received and read recommending appropriation for the purposes of the following Bills:—

1. Health Act Amendment Bill (No. 2).
2. Optometrists Act Amendment Bill.
3. Noxious Weeds Act Amendment Bill.
4. Northern Developments (Ord River) Pty. Ltd. Agreement Bill.

STATE HOUSING ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th September.

MR. W. HEGNEY (Mt. Hawthorn) [5.14]: In the absence of the member for East Perth, I would like to make a few brief comments on the second reading speech delivered by the Minister for Health on behalf of the Minister for Housing. The Bill is a short one, and when I perused its details I found it comparatively clear.

The State Housing Act in the first place provided for an income limit, apart from child allowances, of £250 when the basic wage was about £5 a week. Later on, in 1950, a further amendment was passed providing for the £500 income limit to be increased to £750.

Mr. Ross Hutchinson: It was in 1951.

Mr. W. HEGNEY: Yes. Although during the year the basic wage was increased by £1, at the time the Bill was passed, at the end of 1950, it was £7 6s. 6d., which gave an annual figure of approximately £381. The Minister mentioned that the margin at that time was £369, which coincided with the £750 which took the place of the £500. The proviso included in this Bill reads as follows:—

> Provided further that the sum of one thousand one hundred and ninety-six pounds referred to in this paragraph shall be ascertained without taking into account any variation of the basic wage made after the second day of May, One thousand nine hundred and sixty, pursuant to the provisions of the Industrial Arbitration Act, 1912.

The basic wage on the 2nd May was £14 6s. 4d.; and although there has been an increase since of 5s. 11d., that must be disregarded. The £14 6s. 4d. amounts to approximately £744 a year; and when one adds the £369 margin—and I do not know where that originated—£1,113 is obtained, which has been the amount.

The Minister mentioned that as a result of what is known as the marginal increase of 28 per cent. granted by the Commonwealth Arbitration Court and adopted largely by the State Arbitration Court, the margin should be adjusted. He stated that the average marginal increase as the result of the decision of the Commonwealth Arbitration Court was 22½ per cent.; and applying that 22½ per cent. to the £1,113, the figure of £1,196 mentioned in the Bill is obtained; and that is to be the income limit in regard to future applications.

I believe that is a reasonable amendment because of the decreased purchasing power of money and the increased marginal rates. There is, of course, so far as I can ascertain, no reference to the child allowance, and that will continue as at present, I presume.

Mr. Ross Hutchinson: That has not been altered.

Mr. W. HEGNEY: No. Therefore it seems to me that no objection can be taken to the amendment, and I have pleasure in supporting the second reading.

MR. BICKERTON (Pilbara) [5.19]: I support this Bill; but there are one or two small matters which I would like to bring to the notice of the Minister. I know he is only representing the Minister for Housing, but the matters I wish to discuss are those appertaining to the North-West. The limit referred to has, of course, never been enforced in the North-West. Perhaps one should say that exception has been made to the North-West, and this is readily understood when it is realised that the wage of £25 or even £35 a week is not very big there owing to the increased cost of living and the increased rent on homes. As a result of that, the Housing Commission has made exceptions according to the amount of income.

But the point does arise from time to time that a person is himself living and working in the North-West; and for some reason or other—perhaps for reasons of health, or in order to educate the children—his family cannot live there. There was a case recently in Wittenoom Gorge, where the wife of one of my constitutents became ill, and the doctor suggested that she move to Perth where she could receive better and more specialised medical attention. The family had been living in a Housing Commission home; but when the husband applied for a Housing Commission home in Perth, his income was taken into consideration and he was found to be earning somewhere around £35 a week, which precluded him from obtaining a Housing Commission home here. I was able to get around that particular case because the person concerned was a returned serviceman, and arrangements were made through war service. I know of four or five such cases.

We cannot afford to lose the work force up there. It is doubtful whether there are many men in that area—taking into consideration the work they are doing—who would be earning less than £35 a week. They are needed in the area; and in some instances their families require houses in Perth. I am going to rely on the Minister to assist me here, in that I am not sure whether the Bill will enable the Minister to make exceptions in cases similar to the one I have mentioned, or whether the Minister is tied by this Bill not to go beyond that particular figure—as far as Perth housing is concerned. The Housing Commission will not go beyond that figure.

Perhaps the Minister can advise me whether an amendment could be moved in the Committee stage which would give the Minister some latitude in such cases. I will accept his guidance on that point. I support the Bill, but I feel this matter should have been considered by the Minister in introducing it.

MR. ROSS HUTCHINSON (Cottesloe—Chief Secretary—in reply) [5.24]: I would like to thank members for their general support of this Bill. It is one which lifts the income eligibility of workers as defined in the Act; and, as such, should of course receive general agreement. It also provides—as a previous amendment provided—that there is no necessity for any adjustments to be made to the eligibility income, with the increases in the basic wage, in view of one of the amendments in this Bill, namely paragraph (c) on page 2. The member for Pilbara has mentioned something which bears examination.

Mr. Brand: I don't think it does.

Mr. ROSS HUTCHINSON: He has given some idea of the difficulties that a divided family will have to face. He has instanced a worker who earns above this stated figure and who is forced, by virtue of having to educate his children—as far as secondary education is concerned—or through ill-health, to house his family in more southerly regions of the State.

Perhaps some adjustment might be made, although I feel there is no necessity to bring in any amendment under this Act. I have ascertained that the great majority of houses—if not all houses—that are constructed in the North-West, are constructed not under the State Housing Act, but under the Commonwealth-State Housing Agreement. So adjustments can be made under that.

Mr. Bickerton: For houses up there, but not here.

Mr. ROSS HUTCHINSON: The point raised by the member for Pilbara is one that could be examined. I have made a note of it and I will see that the Minister for Housing is fully informed of the difficulties that face some constituents.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Ross Hutchinson (Chief Secretary) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Section 6 amended:

Mr. J. HEGNEY: This measure originated in the days when what was known as the old Workers' Homes Act was brought into existence. In those days the purpose of the Act was to give workers, on workers' income, the opportunity of obtaining homes built under the Workers' Homes Act. At that time it was very difficult to obtain finance. If I remember correctly, the then Treasurer, the late Mr. Willcock, was also the Minister controlling the Workers' Homes Act; and the money that was available for the construction of homes—I am speaking of pre-war days—consisted of surplus funds, or funds requiring investment, such as the superannuation and State Insurance Office funds. Those funds had to be invested, and they helped to provide money for the building of workers' homes.

It was provided in the Act that homes were to be available to those on the basic wage, or a margin above it, so that all workers could be included. This increase was made because many workers who were working on overtime—such as waterside workers—although workers within the meaning of the law, were earning much more than the basic wage. At that time money was difficult to obtain for the construction of homes. Today, however, under the State Housing Act, funds are available from various sources, but particularly from the Commonwealth Government.

There are many people in the community who, possibly because their incomes are just above those allowable in the Act, find difficulty in securing finance to engage in home building. Many of these people would be the salaried type of workers, such as school-teachers and the like. Their salaries might only be £50 above the limit, but that is sufficient to prevent them from obtaining a loan.

The old Workers' Homes Act and the State Housing Act have proved most beneficial over the years, and many people have been able to finance the building of homes at a reasonable rate of interest. They obtain the money on a long-term basis and the capital is reduced, probably on a daily basis. They have about 35 years in which to redeem their commitments, and so the Act has been of considerable benefit to them. However, I think the stage has arrived where possibly the benefit could be extended to people whose incomes are just a little beyond the range set out.

I would like to comment on the last paragraph. If the basic wage is increased at the next quarterly adjustment it could mean that an applicant whose name had been on the list for some time would be

prevented from obtaining a home because, with the increase in the basic wage, it would take his income beyond that allowed.

Mr. Watts: I think you will find it is the other way round.

Mr. J. HEGNEY: Then that is all right. I merely wanted to say those few words in supporting the measure.

Clause put and passed.

Title put and passed.

Report

Bill reported without amendment, and the report adopted.

STAMP ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th September.

MR. TONKIN (Melville) [5.35]: This is a very desirable enactment. It is proposing to legalise something which has been carried out administratively for some time, and it is quite right that this step should be taken. In my view the Government has done what ought to be done in such circumstances. The people to benefit are charitable organisations, and there is every justification for saving them this expense. Therefore, the Opposition is not opposed in any way to the Government's proposal. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee

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

House adjourned at 5.38 p.m.

Legislative Council

Tuesday, the 20th September, 1960

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CONTENTS—*continued*

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

QUESTIONS ON NOTICE

KIKUYU GRASS

Eradication at Mt. Yokine Reservoir

1. The Hon. J. M. A. CUNNINGHAM asked the Minister for Mines:
   (1) What has been the cost to date of attempts to eradicate kikuyu grass at Mt. Yokine Reservoir in—
      (a) machinery, bulldozers, etc.
      (b) manpower, labourers, etc.;
      (c) materials in sprays, etc.?
   (2) Has the work been successful in eradicating the grass?
   (3) Has the effort necessitated the employment of extra workers?
   (4) Have the difficulties encountered in this work resulted in the unnecessary harassing of regular employees?
   (5) If the cost involved is out of proportion to the success achieved, will the Minister take steps to curtail unnecessary activities?

   The Hon. A. F. GRIFFITH replied:
   (1) As this is only a minor operation in the maintenance of service reservoirs, separate detailed costs were not kept. However, the total sum is assessed at £120.