

Mr. Perkins: I have never promoted any of those. It was your previous Minister who let the people get the plates.

Mr. OLDFIELD: All the Minister has ever done is to create chaos.

Mr. Graham: The Minister handles the truth very carelessly.

Mr. OLDFIELD: And so the people who are dependent on this industry as a means of livelihood are the ones who should be given the first consideration. The Minister has indicated by way of interjection that he considers all should be owner-drivers.

Mr. Perkins: As many as possible.

Mr. OLDFIELD: That situation will not come about while there is such a heavy premium on plates transferred from owner to owner. For instance, it should not be that a set of plates which can be purchased from the traffic office at 8s. can change hands at £300.

Mr. Perkins: That does not happen now.

Mr. OLDFIELD: The member for Maylands and I travelled today with a cab-driver who said he had purchased his plates for £350 in the last few months.

Mr. Perkins: Where did he get them from?

Mr. Graham: Look on page 725 of this year's *Hansard*.

Mr. OLDFIELD: The Minister does not want to see what he does not wish to know, and he stands up here and makes utterances and generalisations, hoping to hoodwink us into believing that the situation is other than it is.

The Minister ought to have a talk with the people. He should go to Victoria Avenue of an evening and see the congestion; he should follow the cabs through town and ascertain what happens; he should stand in town and try to hire a cab, and from his own personal experience find out how the public is faring—not just stand back and say that the system is working very satisfactorily. I support the motion moved by the member for East Perth.

Debate adjourned, on motion by Mr. Heal.

House adjourned at 10.35 p.m.

Legislative Council

Thursday, the 28th September, 1961

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The PRESIDENT (The Hon. L. C. Diver)
took the Chair at 3 p.m., and read prayers.

QUESTIONS ON NOTICE

AUSTRALIAN BROADCASTING COMMISSION

Publicity of Agricultural Field Days

1. The Hon. A. R. JONES asked the Minister for Local Government:

As agriculture plays such an important part in the development of our State and the Commonwealth, will the Government approach the Federal authorities to make available additional finance to the Australian Broadcasting Commission for the publicity of field days by—

- (a) increasing the travelling allowance payable to officers engaged in field day coverage; and
- (b) arranging for television coverage by ABW Channel 2 of certain aspects of field days, which I consider to be far more important than the proposed sea trip by Mrs. Elsa Bartog which recently attracted this type of publicity at considerable cost to the Federal Government?

The Hon. L. A. LOGAN replied:

The Australian Broadcasting Commission has advised that—

- (a) The amount of travelling allowance payable to an officer of the Australian Broadcasting Commission has no bearing on the number of field days covered. If an officer legitimately incurs greater expense than his travelling allowance normally caters for, he is reimbursed accordingly.
- (b) The Australian Broadcasting Commission's television coverage is dictated by the importance of the event, the technical facilities available, and programme balance. In this State this is limited at present to within about 60 miles of Perth. Programme balance must be considered as television transmission time is limited. Rural programmes cannot be over-emphasised to the detriment of others.

TOTALISATOR AGENCY BOARD

Use of Premises Formerly Occupied by Mr. Blackburn

2. The Hon. J. M. THOMSON (for The Hon. N. E. Baxter) asked the Minister for Local Government:
 - (1) Is it the intention of the T.A.B. to operate an agency from the premises previously occupied by S.P. bookmaker Mr. Blackburn, situated on the corner of Lake and Brisbane Streets?
 - (2) If the answer to No. (1) is "No," will the board give it further consideration in view of the fact that Mr. Blackburn operated with a staff of six and the nearest T.A.B. agencies are approximately one mile away?

The Hon. L. A. LOGAN replied:

- (1) and (2) The board will be giving further attention to this particular area in the course of the next four to eight weeks.

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 27th September.

THE HON. H. C. STRICKLAND (North—Leader of the Opposition) (3.7 p.m.): The Minister introduced this Bill as a matter of urgency; and after listening to his explanation on the second reading yesterday afternoon one must agree there is some urgency in connection with it.

The urgency as stated by the Minister surrounds the financial requirements to provide some hostel accommodation in country areas. The Act as it stands restricts the expenditure by the authority in each year to £100,000. This amending Bill will enable the authority to raise loans to the extent of £200,000 per year, which means it will be able to double its expenditure.

I support the intention of the Bill because there is a very urgent need for hostel accommodation for school children in country areas. I was very pleased to hear the Minister make mention of a hostel being required at Carnarvon. There is quite a demand from station people in the Gascoyne, Ashburton, Pilbara, and Kimberley areas for hostel accommodation for school-children from primary school age up to high school age.

Although the titles of the parent Act and this Bill do not mention primary school hostel accommodation, I am sure members will recall that this House last session agreed to insert into the Act a provision so that hostels could accommodate both high school and primary school children.

While this is a matter of urgency, it is one which is also very commendable. I could say quite a lot in connection with the requirements of individual people living in the North Province who are in rather desperate circumstances with regard to obtaining hostel accommodation or boarding school accommodation for their children, whether it be in the metropolitan area or anywhere else in the State. Both the boarding schools and hostels are packed to their capacity. For that reason I feel all members in this House will give their wholehearted support to the measure before us.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) (3.10 p.m.): I would like to thank Mr. Strickland for his support of this Bill. During the course of my second reading speech there were one or two interjections seeking information which I would like to take this opportunity to supply. In the first place, the plan which I have here is available for honourable members to see, and I understand some have already seen it. I will lay the plan on the Table of the House for a week so that it will be available to anybody who has not seen it.

The Hon. J. M. Thomson: Is that the Merredin plan?

THE HON. A. F. GRIFFITH: Yes. Work is proceeding according to plan and will be completed by the end of this year. It is expected to have the hostel ready for occupation at the beginning of the 1962 school year. The total overall cost is in the vicinity of £120,000; and when finished it will accommodate a maximum number of 96 children; and when opened it is expected that 96 children will be accommodated.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [3.14]: I move—

That the Bill be now read a second time.

The consolidation of the law relating to births, deaths and marriages was considered necessary in 1894 because colonial law was lagging behind the law in the mother-country. It has been amended only once in the past 46 years—that was in 1948. I shall describe this measure in as few words as possible, leaving any detailed explanation of specific provisions for the Committee stage. Apart from the provisions of the Bill being of more modern concept, several of the amendments proposed are rendered necessary because of the enactment recently of the Commonwealth Marriage Act of 1961 which will most likely come into operation early next year.

Should this Bill be passed, the resultant Act will be proclaimed to operate on the same day as the Commonwealth Marriage Act. I hope the House will deal with this measure expeditiously in order that both may become effective simultaneously.

The Bill introduces certain registration procedures necessary to meet present-day requirements, some of which are associated with the rapid development of transport and communications. The Commonwealth Marriage Act will deal with legitimation and will supersede our 1909 Act. This requires complementary State legislation.

The registration of ministers of religion for the celebration of marriage is to be covered by the Commonwealth legislation and may be deleted from our laws. There is a need to redefine a minister of religion in the terms of the Commonwealth Act so that he may meet the responsibilities of registration under State law.

The term "stillbirth" will no longer be used, and there is proposed a redefining of "birth," and also provisions dealing with the necessary qualification for registration. Removal of unnecessary restrictions regarding illegitimate children will provide

the child with a much more reasonable opportunity of acquiring the surname of its father.

Important and far-reaching improvements which will be helpful to legitimated children throughout their lives are also included. One of these will be the issue of an ordinary birth registration following upon notification by parents to State registrars of the fact of legitimation. Such children will then be enabled to obtain a normal extract of birth, in accordance with a special part—part VI—of the Bill. Existing provisions in respect to searches of documents concerning illegitimate children are being extended to include legitimated children to ensure that only those persons having proper reasons can have access to such registrations.

Special provisions regarding registration of deaths occurring elsewhere than in the State, or in flight, and certain other matters regarding cremations and schools of anatomy not envisaged when the parent legislation was introduced, are set out in this consolidation of the law. The Bill deals necessarily with many aspects of registration which have been given consideration from time to time, and opportunity is taken to correct these. I commend the Bill to the House and hope the measure will be passed without delay.

Debate adjourned, on motion by The Hon. G. E. Jeffery.

METROPOLITAN REGION IMPROVEMENT TAX ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st September.

THE HON. F. J. S. WISE (North) [3.18 p.m.]: This Bill does not cover very much paper. It has two principles of very great importance; the two principles being the levying of a tax and the making of that tax permanent. It provides for a reduction in the tax which expires at the 30th June next from 1d. to ½d., and provides for an elimination of the date so that it becomes a permanent tax.

Very many pages of *Hansard* have been devoted in the last year or two to debates on this Bill; and its association with the Metropolitan Region Town Planning Authority Act of 1959 is a very vital association. When that Act became permanent, I do not recall any member having any contrary view to the one that it was necessary to have such an authority established on a permanent basis, and that there was every need to have made permanent the statutes which controlled the operations of that authority; and, in addition, that every opportunity should be given to planning for the future.

I can recall a statement of my own in this connection, when I said it was necessary to ensure that funds be made available continuously to the authority to carry out its planned operations. So that the attitude of Parliament—and I refer to both Houses of Parliament—when the Metropolitan Region Town Planning Authority Act of 1959 was passed was that the authority is entitled to and requires permanency of life; and that it is entitled to moneys as provided for in the Act to do justice to the needs of the job with which the authority is entrusted and appointed.

There are, I think, only two points on which Parliament and the Government—I could narrow that down to, say, this House and the Minister—are at variance; and the principal point is the method to be adopted in the raising of the money. That is the principal point where we hold—and have held in the past—strongly differing views.

Last year, after very careful study of this matter and its relationship to State finance and the needs of the authority, I had a lot to say on the methods of finance as provided for in sections 38, 39, and 40, particularly, of part VI of the Act to which I have referred. The Minister read to me many pages of unsatisfying criticism of members' speeches which had been written by two officers; and to me and to others those criticisms and comments did not provide the answers—the answers specifically on the point of the capital earned from the tax being used and committed at that stage for capital expenditure, instead of for redeeming loans.

The reasons given by the Minister—about which the Government is obviously obdurate—is that until the tax is permanent, no commitment for loan raisings dare be taken or made by the authority. That is the point on which we substantially disagree; and that is the only point. How we are going to get over it, I still do not know.

The Hon. L. A. Logan: This Bill is an easy one to get over.

The Hon. F. J. S. WISE: I use the word "obdurate"; I could use others. It is not easy to get over; and it is not easy to explain that attitude.

The Act itself has been quoted in this Chamber—and I refer to the Act, the services for which this tax is being raised. Part VI deals with finance; and section 38, specifically dealing with the means of raising the money, gives the three ways in which the special fund to be kept at the Treasury is to be supplied with money. The first one is by the proceeds from the metropolitan region improvement tax, which is the subject of this Bill; the next one is by money borrowed by the authority from time to time under an authority conferred by this Act, which is dealt with in sections 39 and 40 of this Act; and the third one is by any other payments made to the authority.

There is no better guarantor to any instrumentality, or any person, or any entity of any kind, than the Crown; and this Act is very definite in how far the authority is permitted to go in the raisings of moneys which, subject to the approval of the Treasurer, may be raised by the authority. Indeed, it not only provides for direct loans from the Treasury—loans from moneys which would have been included in loan programmes of the State, and which if so included, would have the benefit of a reimbursement from the Commonwealth Government of part of the redemption money—but it also provides for outside borrowing powers: the power to borrow generally.

The Minister had some comments to make on that point a week ago today, when he said it was not easy at this stage to borrow money, but that inquiries had been made in connection with a loan of £200,000 which, for a term of 40 years, would cost about £500,000 to redeem; and because of that he was not very happy or satisfied. I am not sure of his exact words, but he did not like the idea of long-term loans. But I would point out to the Minister that that is the method of public finance and of Government finance everywhere: long-term loans redeemable, as a rule, over 53 years in which the general redemption amount for every £1,000,000 borrowed is approximately £55,000 a year. So that for every £1,000,000 borrowed, the whole of the community contributes for a very long period and the redemption costs more than exceed twice the amount borrowed. That is customary. That applies to the money that is invested in all our schools, our hospitals, our water supplies, and everything else in this State.

The Hon. H. K. Watson: And Parliament House extensions.

The Hon. F. J. S. WISE: Parliament House extensions, and everything else. That is the common practice.

The Hon. G. C. MacKinnon: Does that automatically make it good?

The Hon. F. J. S. WISE: I would ask the honourable member: How does he think substantial sums could be made available to do current works in this generation without such provision in public finance? Has he a solution to that? How could a loan programme of £50,000,000 or £60,000,000 be launched for one State or two States, or £100,000,000 for six States, if the present population had to redeem the lot? It is by the very fact that it is a progressive repayment that we are able to have our high schools and our hospitals of today paid for—not by the taxpayers during the next ten years or even two decades, but through two generations. And surely that is sound; and surely it is good if a young country such as this can do the remarkable things that it is doing and has done

because of the control by the Loan Council of Australia over the borrowings of all the Australian States to meet such needs.

The Minister, in introducing this Bill, told us that in two years £431,720 has been collected from the tax; or £435,211 to the end of August, 1961. The expenditure and commitments total £432,965. Most of this money is spent or committed on land for regional roads and open spaces. If, as was instanced last year and the year before in this Chamber by more than one speaker, the amounts to be collected had been assigned to the servicing of loans, it would not have mattered very much if at that stage £1,000,000 had been borrowed to meet the needs of two or three years on expenditure to be made and committed.

We know, because last year the Minister gave us the figures, the anticipation was that a little more than £6,500,000 would be needed. The other day I asked the Minister for further figures, and this afternoon he has kindly supplied me with a revised estimate of costs. As near as can be gauged, I take it at the moment that £7,802,000 is the figure in the current estimate of costs for land acquisitions of all kinds. It is a very big sum and one which I submit is far beyond the taxing capacity of the people taxable under this law to meet from revenue rather than from loan.

I repeat: I am quite unsatisfied with the statement that since this tax it not permanent we cannot commence to borrow; because every safeguard is in the Act itself. I could think of no quicker way of getting the Bill through this House, with the present rate intact, than if the Government had committed the authority, or the authority were committed to a loan for a substantial sum; because Parliament does honour obligations of that kind when it makes them. So that in the foreseeable future—within the lives of members present in this House; not in my lifetime, but within the lifetime of young men like the Minister, or Ministers—they might stand up—

The Hon. A. F. Griffith: We are not allowed to do that.

The Hon. F. J. S. WISE: Within the lives of members in this Chamber at present, at least £7,000,000 or £8,000,000 can be anticipated for acquisitions. But surely in their lifetime, or their generation, they do not expect to be paying for capital raisings; and that is the important difference in our line of thinking. I have pointed out that three sections in the Act which govern the workings of the authority give, under the signature of the Treasurer, the widest possible scope—a wider scope than is given to any other authority. It is a most unusual authority to give to an autonomous body; may I point that out?

What is the position in regard to water rates, or all sorts of other rates, if there is an insufficiency of funds? An amount

is borrowed and arrangements are made for it to be redeemed; and a rate is struck to redeem it. But in this case a very much wider authority than that is vested in this body. Therefore I say that it is of no use the Minister adopting the attitude which he has, on two occasions previously, of being annoyed about criticism of this legislation. Parliament has the right, and not merely the right but the very great responsibility to the taxpayers, to ensure that when measures of this kind are before it not to adopt them in a chancy or happy-go-lucky way but, as far as may be investigated from the information supplied, or made available, to express views on the subject. So I suggest that if we believe that the heavy expenditure involved should be paid for by the generations to come—and I think the Minister really believes that—

The Hon. L. A. Logan: I would not be asking for this if I didn't.

The Hon. F. J. S. WISE: If he believes it he must also see the point of view which others hold that now is later than it need have been, and that last year, at least, was the time when preparation should have been made for the authority to commit itself to loan raisings for this very purpose. I cannot for one minute share the view—and I have said it very definitely—that the Government cannot raise loans, or is not going to raise loans, until it is sure that the authority has a continuity of revenue to service the loans. It has that, and has had it; and if we go back to the many long speeches of an analytical kind that were made on this subject last year, in particular, we will find that members clearly stated that the loan raisings and the loan needs must be made objective; and to make them objective they should be sponsored by the State Government on behalf of the authority.

There was nothing new in that proposal. That is as it should be, and an analysis of that point can be found running through the speech of more than one member. One public servant criticised the thought; he said, if £1,500,000 was needed, why should North Province member Wise merely suggest—glibly suggest were the words used—that it required only £93,000 a year to service the loan. The point is that that is the truth; and another point, which is also the truth, is that more than one member in this House made it clear, when it was moved to reduce the tax to a farthing, that with rising values—

The Hon. L. A. Logan: It was £d. last year.

The Hon. F. J. S. WISE: It was moved to reduce the tax to a farthing. Does the Minister remember that.

The Hon. L. A. Logan: In 1959, was it?

The Hon. F. J. S. WISE: Yes. It will be found in the speech I made that the anticipation was that between £600,000

and £700,000 would be collected by June, 1962. That was not accepted at all. But how very close it is going to be. Two years ago that was the forecast on the principle that values were rising, and on the figure of a halfpenny, which was then in the Act. As I mentioned a few moments ago, up to the 31st August we have already collected £435,000 of it; and, with approximately one year's collections to go, my anticipation will not be far out. If we had steered the course suggested then, the authority and the Government would have been able to see the position much more clearly than they do now, because a lot more resumptions could have taken place, and a lot more arrangements for resumptions could have been considered and approved by the authority.

The Minister has mentioned that after a year or two it may be possible to obtain loans with a shorter term than 40 years, and repayment adjustments will have to be made if that is the case. I hope that is not to be the case. If future generations are to pay for this, why place the burden onto the present generation? It seems to me that the many millions which are required, and which must be found, will be found on the well-established principle of borrowing them; and it is important to see that the law provides that we do borrow them; and that it provides, too, that by properly arranging it, it is to be within the capacity of at least two generations to redeem the money borrowed.

If at all possible I would like to see it arranged through the State loan programmes, when the Commonwealth Government would contribute to the sinking fund. I repeat: I am very disappointed that there has been no move at all by an actual act of borrowing. The Minister has told us that there has been a move by inquiry; but there has been no actual borrowing to meet the immediate needs, or any of the projected future needs.

I should like to make a passing reference to the Minister's comment on an interjection I made, when he said that the tax is being reduced now, and it may be possible to reduce it to a farthing later on. I said that that was a pious hope, and the Minister replied to my interjection, "How can it be a pious hope? We are reducing it now from a halfpenny to three-eighths of a penny." But of course we are reducing a tax that is terminable, and the intention is to replace it with something that is permanent.

If the Minister will go to the trouble of studying more than one taxation law of this Commonwealth, Federal or State, he will be hard pressed to find many examples of where, once a tax is imposed as a temporary measure for a specific purpose—even in the case of uniform taxation itself—it has been abolished, or in fact has been substantially reduced. Once it becomes permanent it is something we can

anticipate; and if there is any alteration in the value of money, or in the value of property, and there is a desire to alter the tax, the alteration will be upwards at some time in the future.

The Hon. L. A. Logan: There is no reason why it should be.

Sitting suspended from 3.45 to 4.1 p.m.

The Hon. F. J. S. WISE: I think that interruptions of the kind to which we have just been subjected are not desirable or helpful, particularly when it is the intention of the interruption to partake of food. I am sure most members will appreciate your leaving the Chair, Mr. President, but I would like to recall a very important statement made by a well-known playwright and author to the effect that after a good dinner one could almost forgive one's relations.

The thought he was trying to convey, of course, was that one is in such a good frame of mind after a good dinner, or other meal, that one's criticism falls rather flat. It not being my intention to criticise, but to examine and analyse, I will continue in that strain. I appreciated the Minister sending to me as soon as he possibly could the annual report for 1960-61 of the Metropolitan Region Authority. The Minister has advised me that this report was only available this morning. It would have been a most helpful document in preparing a speech on this subject—from what I can see on turning over its pages—but scant opportunity has been offered one to study it since the House met. One thing appears obvious, namely, that the authority itself is thinking much more along the lines of Parliament's thinking than it was two years ago.

The Hon. L. A. Logan: The authority was not in existence then; it was not formed until early 1960.

The Hon. F. J. S. WISE: The authority is certainly thinking more along the lines of the thinking of Parliament than was the Government two years ago, or last year. Under the heading of "Finance" in this report we find in paragraph 65 an analysis by the authority of what it had to examine at its first meeting. In paragraph 68 the report states—

It was immediately clear that because of the long-range nature of many of the planning proposals, and because of the likely rate of income into the metropolitan improvement fund, there was no sound alternative but to aim at financing capital costs through long-term loans.

That was the attitude of the authority at that stage. In paragraph 71 the committee referred to recommendations which it made in connection with finance, and it repeats that sentiment when it says—

In principle, and subject to continuation of the taxing measure, the cost of implementing the Region Scheme should be met through long-term loans.

Again we have the intrusion of the sentiment which appears to govern the continuity of planning as the authority sees it. But there seems to be very much planning without its being bound, by provisions of statutes, to find certain sums of money. There are very many examples of this that could be given.

In particular, in this case, there is no doubt that there is no threat to the continuity of the moneys being available under the provisions of the Metropolitan Region Town Planning Authority Act itself. So I conclude on that note, and repeat my disappointment that at this stage the Government has not seen fit to arrange for the authority to have long-term loans serviced from the income of the authority from this tax which is paid into a special fund at the Treasury.

THE HON. H. K. WATSON (Metropolitan) [4.7 p.m.]: In one respect, at any rate, I find myself on precisely the same ground as the Minister. I stand by what I said last year, just as the Minister stands by what he said last year. I think we should be clear on this point: that the Bill before us is not a Bill to reduce a tax. The position is quite clear. At the moment we have on the statute book a tax of $\frac{1}{4}$ d. in the pound which expires on the 30th June next. That is the clear position. This Bill does not propose to reduce the tax; not even for the current year. It proposes to keep it at $\frac{1}{4}$ d. in the pound.

What the Bill proposes to do is to impose, as from the 1st July, 1962, a new tax of $\frac{3}{4}$ d. in the pound. It is therefore a new tax; it is not a reduction of an old tax. The Minister has said that the small amount— $\frac{3}{4}$ d. in the pound—is negligible, and will not seriously affect anybody. I would concede the accuracy of that proposition if it were the only tax that was being imposed on the property-owner; whether he be a householder or the owner of city property.

But we know the position is very different from that. We know that the house-owner and the city-property owner are sitting shots for tax-gathering authorities from numerous directions. They pay heavy water rates; they pay heavy municipal rates; and they pay most extortionate land tax rates. It was with that burden in mind—with that very heavy burden in mind—that the Premier, in his policy speech two years ago, included as part of his policy a reduction of land tax by 20 per cent. That was the position.

It was recognised two years ago that the property-owner was being taxed up to the hilt: that he was being taxed more than was a fair thing. As I say, it was proposed to reduce the land tax by 20 per cent. That was two years ago. In the interim we find that the land tax has been reduced by 10 per cent., but it is not intended to

make any further reduction for reasons which were explained when the 10 per cent. reduction was effected last year.

So you see, Mr. President, that so far as the property-owners are concerned they not only have not received the reduction in land tax which was promised, but they have in fact had a 10 per cent. reduction which was more than offset by the metropolitan region tax of $\frac{1}{4}$ d. in the pound. If my memory serves me aright, we were informed, when the $\frac{1}{4}$ d. in the pound was imposed, that it would produce approximately £140,000 a year; and that £140,000 a year would be adequate to service the requirements of the metropolitan regional authority.

At the time I did express the opinion that the estimate of the proceeds of this tax of £140,000 was probably rather conservative; and the results of the actual collections during the past two years have more than confirmed the view which I then expressed; because we find that instead of producing £140,000 a year this tax has produced £220,000 a year. I would say it is £220,000 a year on a rising scale. It could well be £250,000 during the current year; and if it continued at the $\frac{1}{4}$ d. in the pound, I suggest it would not be very long before it was in the order of £300,000, £350,000, and continuing to rise.

Accordingly, having regard to the proposition that £140,000 was a fair amount—and that was the authority's estimate—required to service the works of the authority, I would have thought, and still think, that if it is to be made a permanent tax, a permanent tax of $\frac{1}{4}$ d. in the pound would be sufficient to meet the requirements for which it is being raised; that is, of course, on the assumption that it is necessary and desirable to have a sectional tax in order to finance this particular class of work.

With regard to imposing a sectional tax to finance this class of work, I feel that if a sectional tax has to be imposed it would probably be more equitable if it were imposed on motorcar licenses as distinct from homes and properties. However, for myself, I feel that it should not be imposed at all as a sectional tax.

I agree with Mr. Wise that this ought to be financed like any other Government scheme; and for the life of me I cannot see the logic or the justification for the view that the authority cannot or will not raise money under a Government guarantee unless there is a permanent tax in force. I read somewhere the other day that in respect of country high school hostels, instead of the authority being able to borrow £100,000 on a Government guarantee, it is proposed that it be given power to borrow £400,000. There is no suggestion in that regard of raising a special tax; nor should there be. By the same token I cannot see, as I have said before, the logic in imposing a special tax for this particular purpose. Indeed, if it

were absolutely essential to raise the money, then I suggest the logical course would be to increase land tax by so much in the pound instead of introducing a special Bill to impose a separate tax.

I think there is not much more I can usefully add to what I said last year. Mr. Wise's reference to authors and plays, and so on, reminds me of the fact that Horatius was only required to keep the bridge once, whereas the battlers in this House who have the interests of the community at heart, appear to be required each year to do battle and repeat their objections. For the reasons I have mentioned I find myself unable to support the Bill.

THE HON. R. THOMPSON (West) [4.19 p.m.]: Like the previous speakers I do not favour this Bill in its present form. During the last two years when this subject has been before the House, I think every argument that could be brought forward has been brought forward and expounded.

As both Mr. Wise and Mr. Watson have pointed out, this is a sectional tax; and for the life of me I cannot see why it cannot be a State-wide tax. Mr. Watson mentioned just a few moments ago that the Country High School Hostels Authority is to be given power to raise £400,000. Would it be just if it were laid down that as the authority had been established to provide a service for children in the country areas, a tax was to be raised on the country people to pay for that service? Likewise, is it just that because a person owns a block of land in the metropolitan area he is called upon to pay this tax in order to meet the many millions of pounds which will be spent in the long run? Of course it is not.

It would be far better if this tax were imposed on a State-wide basis on landowners. I interjected during the course of the Minister's speech to the effect that at present the tax was farcical even as far as the metropolitan area was concerned. Many people who are only about a mile or two from the city, and who have properties defined as "rural" do not have to pay this tax even though the land is not being used for a rural purpose but merely to live on. We find if there is a cow or a few sheep running around a property—and there are many such properties in my electorate—the owner is exempt from paying this tax.

I would support a State-wide tax because only an infinitesimal amount would have to be paid by every landowner in Western Australia. However, at present the tax is 3d., and it is a permanent tax. I have no intention of supporting the imposition of a permanent tax of this nature, and I sincerely hope that country members will not support it either. I realise that the ratio of country members to city members is 21 to 9. Admittedly, some of the members who represent country electorates do have properties in the city and will therefore have to pay the tax; but, by and

large, I am sure that if the tax were being levied on the country folk only, the country members in this House would not support it.

The Hon. G. C. MacKinnon: Would you finance all the country town schemes out of this tax as well as the metropolitan scheme?

The Hon. R. THOMPSON: I do not see why they should not be financed if the tax were made State wide. I think members should adopt the same attitude I adopted when I first came into this House. I believe we are not here to represent a certain section of the community but Western Australia as a whole. Therefore I would give support to such a measure if it were introduced.

These responsibilities are the responsibilities of Governments. Admittedly the Government changes from time to time, but the overall prosperity and development of Western Australia should be the responsibility of this Chamber. Therefore we should ensure that no sectional tax is imposed on metropolitan dwellers only. During the last two years, State-wide taxes have been levied to help or to subsidise the dairying industry and the developmental works throughout the north-west, the goldfields, and other places.

The Minister stated in his second reading speech that if the tax had been levied on rural properties in the metropolitan area, an extra £8,000 would have been obtained. As far as this taxing legislation is concerned it is lopsided and not justified.

Debate adjourned, on motion by The Hon. R. C. Mattiske.

BETTING CONTROL ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.26 p.m.]: I move—

That the Bill be now read a second time.

I desire to let members know that the object of this measure is to close up a loophole which has become evident in the Betting Control Act. Before proceeding any further, I think it only fair to say that the Government received some early indication of the likelihood of such a weakness in the Act before bringing the Act before Parliament last session.

The Government had the benefit of the advice of the Royal Commissioner on those matters; and also the advice of its Crown Law officers which was to the effect that provisions along the lines of those set out in this Bill could well have been included in earlier legislation brought to Parliament.

The main purpose in introducing this measure is to prevent unlawful betting, particularly by telephone, if possible. The

Bill states, in detail, that should a justice receive a complaint to the effect that there are reasonable grounds for suspecting that unlawful betting is, or is about to be, carried on in any place, he may issue a search and arrest warrant.

The warrant would authorise the police to enter and search such a place, and all persons found therein; and, of course, a female would have to be searched only by a female member of the Police Force. Further, the police would be empowered to arrest all persons found in such place, and to bring them before a stipendiary magistrate or two justices. Provision is also made for the seizure of betting material and money which may reasonably be supposed to have been used or designed for use in connection with such suspected unlawful betting.

Unlawful betting used in this sense means failure to observe any provisions of sections 23 or 27 of the Betting Control Act, 1954-1960. It having been proved to the satisfaction of the court that such betting material or money had been found and was suspected of being used for unlawful betting, in circumstances which would raise in the mind of the court reasonable suspicion that such was being used in contravention of the sections previously referred to, such proof would, in itself, be deemed *prima facie* evidence of the commission by the accused person of the offence charged against him in the complaint.

To put it briefly, in the event of material found in circumstances raising a reasonable suspicion, the proof of its finding would be accepted as sufficient evidence of guilt of act or intention.

There is a complementary Bill to this measure under the title Totalisator Agency Board Betting Act Amendment Bill of 1961, the provisions of which are very nearly identical to those in this measure. The other Bill provides further, however, that the magistrate or justices may confiscate all or any of the betting material if the owners do not appear before the magistrate within 21 days after its seizure, or if they are unable to show to the satisfaction of the magistrate or justices that the betting material was not in the place or upon the persons found therein for the purpose of being used in relation to unlawful betting.

I make reference to the complementary Bill at this stage; otherwise it would be incumbent upon me later in its explanation to cover the whole ground now necessary to outline this Bill.

Very close consideration was given to the need for the introduction of this specific legislation which the House is asked to agree to in order to authorise the issuance of the particular form of warrant considered desirable.

Search warrants may be issued under section 711 of the Criminal Code should it appear to a justice on complaint on oath of a credible person that there are reasonable grounds for suspecting that there is in any house, vessel, or place—

- (a) anything with respect to which any offence has been or is suspected, on reasonable grounds, to have been committed; or
- (b) anything as to which there are reasonable grounds for believing that it will afford evidence as to the commission of any offence; or
- (c) anything as to which there are reasonable grounds for believing that it is intended to be used for the purpose of committing any offence.

It will be noted that that section of the Criminal Code does not expressly authorise forcible entry, and the Government is advised by its Crown Law officers that it is doubtful, in the absence of the express mention of the power to enter forcibly, whether a person holding a warrant issued under this section could, if entry were refused, forcibly enter the premises named in the warrant.

The advice tendered to the Government in connection with the drafting of this Bill suggests that search warrants that may be issued under the amendment now before the House provide not only that forcible entry may be made, but also that anything found in the premises may be forcibly opened, and should generally give wider powers for the purpose of suppressing the offence of illegal betting, which is always carried out surreptitiously. Members will appreciate that these powers are wider and could be more effective than those provided under the section of the Criminal Code previously referred to.

Legal advice available to the Government suggested the power to search individuals on the premises named in the warrant, and their arrest, if necessary, adding that the warrant be executed by day or night without special authorisation from the justice. This advice has been heeded in the drafting of this Bill; and I desire to let members know that the procedure which would be followed by the police after having obtained the warrant is for the police officer named in the warrant, in proceeding to execute it either by day or by night, to present himself at the place or public place named in the warrant and demand admittance to the premises after having announced his identity as a police officer when producing the warrant. Should he be refused admittance he would be authorised to break open the doors, or otherwise forcibly enter the premises.

Needless to say, a warrant directing a search in one particular place would not justify a search in another; and, of course,

the police constable would be required to have the warrant in his personal possession at the time of the search, and to produce it. The terms of the authority given through the passing of this measure would be most specific in their application in the prevention of unlawful betting. Such stringent powers are considered necessary under the peculiar circumstances attending illegal betting practices.

The existing provisions of the Criminal Code are considered inadequate; nor would it suffice to proceed under section 70 of the Police Act of 1892. Under that Act, a search may be granted by a justice on the oath of a creditable person that there is reasonable cause for suspecting that anything stolen or unlawfully obtained is concealed or lodged in any place, vehicle, or package; and, under that section, a justice—should it appear to him necessary—may authorise the police officer to whom the warrant is given, he having previously made known his authority, to use force for the effect of entry. This cannot be applied effectively in respect of a search of premises where illegal betting is suspected, because the authority only relates to goods which have been stolen or unlawfully obtained.

The provisions now being made and which the Government thinks might well have been made earlier are included in South Australian legislation; and something very similar is in the Queensland legislation. It was not considered desirable when the legislation was previously before the House to make it any more restrictive, or to take its powers further than was considered absolutely necessary; nor, I think, was it expected that certain interests in the community would go to such great lengths in the establishment, legally, of loopholes in State law.

The Minister who was in charge of this measure in another place said that in the short time the Totalisator Agency Board has been established, it has been proved that there has been a disquieting amount of illegal telephone betting. The Minister holding the portfolio of Minister for Police went further and said that persons could even be named, and the telephone numbers could be given as to who are conducting this particular illegal telephone betting and that such bets could be placed by telephone when certain formalities were carried out.

Mr. Perkins stated that it was also fairly obvious from advice given to him by the Police Department, by the Crown Law Department, and also by the members of the Totalisator Agency Board, that the parties who are engaged in this illegal telephone betting have had very good legal advice. Such an expression of opinion would imply the existence of a loophole in the Act about which the intended forcible entry by the police into suspected premises is devised to overcome.

In another place there were certain assertions, insinuations, and—I believe—even charges, that unlawful betting was being carried out on Totalisator Agency Board premises. The Minister, in defending the board against such allegations expressed the view that those who laid the charges were mistaken when making accusations about the board betting after the starting times of races. He had frequently visited board premises unannounced, he said, and had found them to be well conducted. Furthermore, the Minister expressed the view that he had no reason to think that any of the agents who had been operating had done other than observe the law, and that no bet had been made against an account that had not the necessary deposit, pointing out, nevertheless, that it is possible for private loans to be made to make sure that an account is held in the necessary credit.

The Minister went on to allege from the information available to him that, among the people at whom this amending legislation is directed, are some who formerly were members of the Premises Bookmakers' Association, and who were licensed under legislation now defunct. He knew who some of the offenders were, and this legislation was designed to apprehend them. A person who is not breaking the law has nothing to fear from the passing of this Bill; and the support of members is sought in this move devised to provide the Police Force with the necessary power to see that the law is observed.

I desire to make further reference to important information imparted by the Minister in another place; and, in the interests of accuracy, shall use his own words. He said that he had obtained fairly definite information that the Premises Bookmakers' Association was trying to expand this illegal phone betting, either for the purpose of breaking down the Totalisator Agency Board, or to gain additional profit for themselves; and also that they were apparently encouraging some of their members to break the law. Consequently, he emphasised that the people who were either premises bookmakers in their own right, or employees of such concerns, were being very carefully screened before being employed by the board.

It is very unlikely that any system of legalised betting could be destroyed by purely legislative action. The best that can be done is to frame legislation to control it with police support, with a view to keeping it within bounds.

It is desired to lessen the amount of betting and gambling that is taking place. The turnover in areas taken over by the Totalisator Agency Board has been greatly reduced. The figures are not much more than 50 per cent. of the turnover of the shops previously operating in those areas.

Present figures could be expected to increase somewhat with the suppression of illegal betting, which this Bill intends.

The only capital money which has been used by the Totalisator Agency Board has been the £2,500 from the Turf Club and the £2,500 from the Trotting Association. The board is now in the happy position to pay back as a dividend more than it collected in capital money from those two organisations. It can be expected that the financial operations of the Totalisator Agency Board will improve as time goes on, so long as off-course betting is controlled. An extract from a recent report to hand from the Totalisator Agency Board reads as follows:—

The board has also kept figures showing how it would have fared had it operated as a bookmaker under the conditions which applied to licensed premises bookmakers up to the 31st December, 1960.

Such figures show that on the investments held the board would have made a gross profit of 17 per cent.—0.2 per cent. below that actually experienced by the board.

This 17 per cent. profit as a bookmaker is, of course, very much different to the 11 per cent. advanced by and on behalf of bookmakers, not only to this House but before the Royal Commission.

It must be remembered, of course, that the board does not engage in concession doubles and all-up betting (apart from a very limited amount on the first day)—the two most lucrative sources of profit for the bookmaker. It is understood that the profit on concession doubles and all-ups would average 25 per cent.

When the provisions of this Bill become effective and the Totalisator Agency Board has control of the situation, it is expected that there will be a very substantial reduction in illegal betting. The Minister in another place has been advised that since the Totalisator Agency Board has been established there has been a big improvement in the general atmosphere of racing and trotting.

The Minister said, in conclusion, that he had a strong suspicion that the illegal betting that was going on was not being done with a desire to make additional profits; because, from the information available to him, the former off-course premises bookmakers' association members who are now betting illegally by telephone had made so much money that additional profits cannot be of very great interest to them from here on.

He expressed the view that there was an anxiety on their part to prevent the Totalisator Agency Board from becoming too effective, and that there were indications that more of those people were moving into the illegal field of betting as they

became aware of the legal advice which apparently had been given, and which is proving to be correct, and making it difficult for the police to apprehend them for their illegal operations.

I believe I have touched on most—if not all—of the many related facets of betting, and illegal betting, and I hope I have given members sufficient information to leave no doubt as to the great importance which the Government places on this legislation, and on its early passage through the House.

The provisions of the Bill, as set out, are stringent, and will be very forcible in their application; and, I trust, will, under the extremely provocative circumstances put before members, commend themselves to the House.

Debate adjourned, on motion by The Hon. W. F. Willesee.

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.43 p.m.]: I move—

That the Bill be now read a second time.

This is the complementary Bill to the measure I have just introduced; and I believe that when explaining the previous Bill I covered very fully the purpose for the introduction of the measure now before the House, and that I outlined the manner in which its provisions will become effective should it be passed. Nevertheless, as I believe there is an obligation on the Minister to explain the provisions of every measure of which he is in charge, I will briefly recount the clauses of this Totalisator Agency Board Betting Act Amendment Bill.

Leaving clause 1, dealing with the short title and citation, I point out that the second clause of the Bill will authorise a justice, upon receiving a complaint made on oath before him that there are reasonable grounds for suspecting that unlawful betting is, or is about to be carried on, in or upon any place or public place, to issue a warrant to a member of the Police Force in the form of the second schedule of the Act.

I invite members' perusal of the second schedule which in itself is quite explanatory, but in doing so, I would point out that the form of warrant will empower police officers to use force in their search in upholding the law, and also to arrest all persons on premises being searched.

Subsection (2) of the new proposed section 46A set out in clause 2 enumerates in detail the practical application of the authority contained in the form of warrant. I make particular reference to paragraphs (e) and (f) which refer to the

seizure of betting material and the detention of betting material, and suggest that these be read in conjunction with subsection 3 of the new section which makes provision for the confiscation of such material in the event of owners not appearing within 21 days before the justice; or if, when appearing, they are unable to give a satisfactory explanation that such material was not possessed at the place searched, for the purpose of unlawful betting.

Subsection (4) contains some necessary definitions. Subsection (5) entails obligation on the police to ensure that only a female member of the Police Force shall search females found on premises being searched.

The new section 46B empowers the court to accept as *prima facie* evidence of guilt, even if there be only a reasonable suspicion that the betting material proved to have been found was possessed for unlawful betting.

As mentioned in my opening remarks, this is complementary legislation, and its import must be viewed in relation to the Betting Control Act Amendment Bill of 1961.

Debate adjourned, on motion by The Hon. W. F. Willesee.

CHURCH OF ENGLAND (NORTHERN DIOCESE) BILL

Second Reading

Debate resumed from the 27th September.

THE HON. W. F. WILLESEE (North) [4.47 p.m.]: This Bill has emanated directly from the administrators of the Church of England in this State. They seek, in effect, to amend the Northern Diocese Statute of 1907 of the Synod of the Diocese of Perth, which amendment will bring about an alteration to the existing boundaries of the Northern Diocese so that they will include an area in and around Geraldton. The Bill lists the new areas that will be embraced and confirms the old ones—these are covered in the schedule—and it would appear that the Bill is sought purely for administrative purposes in the good judgment of the church itself.

The north-west, as a title, will be dropped. Apparently there will be created a Northern Diocese with the existing personnel and the present leader in control not only over the existing northern church area, but also over the Geraldton area, which will be embraced in accordance with the new schedule and which will, in the future, be divorced from the Church of England administration in Perth.

One might say that the Bill gives the impression at least of a policy of decentralisation being carried out within the

confines of the church; and apparently Parliament is merely requested to approve and ratify the proposals that have been put forward in order that they may be implemented, so that the new arrangement can function smoothly and efficiently for the good purpose sought by the church.

I feel, therefore, that the House can only give its approval of the Bill; and, when the amended legislation is passed, I hope it will operate as successfully as the Church of England administrators desire.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

CHURCHES OF CHRIST, SCIENTIST, INCORPORATION BILL

Second Reading

Debate resumed from the 27th September.

THE HON. G. E. JEFFERY (Suburban) [4.52 p.m.]: I see no reason why this House should not agree to this simple Bill as presented by the Minister. Apparently the Churches of Christ, Scientist, is seeking incorporation in each State of Australia. It has already achieved its objective in Victoria and, in a short period of time, incorporation will also be effected in Queensland and New South Wales.

The members of the church concerned wish only to protect their own people, and the measure will have effect on only those who are adherents of this particular faith. After making a few inquiries, I can see no objection to the Bill because, as I have said, it affects no one but the members of this particular church. Therefore, there is no reason why the House should not give the measure its blessing.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 4.57 p.m.