ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [9.59 p.m.]: I move—

That the House at its rising adjourn until 2.45 p.m. tomorrow (Thursday).

Question put and passed.

House adjourned at 10 p.m.

Legislative Assembly

Thursday, the 19th August, 1965

CONTENTS

The SPEAKER (Mr. Hearman) took the Chair at 2.45 p.m., and read prayers.

QUESTIONS (21): ON NOTICE

HOUSES: TRANSPORT FROM SOUTH AUSTRALIA TO NORTH-WEST

Fees Paid by Vehicle Owners

1. Mr. BURT asked the Minister for Transport:

   (1) Is he aware that literally hundreds of dwellings are at present being carted by road from South Australia to the north-west of this State?

   (2) What fees do the owners of these vehicles pay to road authorities in Western Australia?

Load Dimensions and Authority for Transport

   (3) Are the dimensions of the loads carried greater than is permitted by regulation?

   (4) If so, by what authority are the vehicles allowed to travel on roads and highways in this State?

Mr. O'CONNOR replied:

(1) There is a considerable movement of prefabricated buildings by road from the Eastern States to the north-west of Western Australia. There is no record of the number of vehicles so operating.

(2) None, except for an occasional vehicle which may be registered in Western Australia and pays the normal registration fees.

(3) In many instances, yes.

(4) By special permit under the same conditions as are available to local vehicles.

STATE SHIPPING SERVICE

Tanker: Request for Provision

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

(1) Has any request been made to the Government for the State Shipping Service to have a tanker made available for its use?

(2) If "Yes", was such request made more than once?

(3) Why was it refused?

Mr. COURT replied:

(1) No.

(2) and (3) Answered by (1).

TRAINEE ENGINEMEN

Call Boys: Accommodation in Metropolitan Area

3. Mr. EVANS asked the Minister for Railways:

(1) When youths who have served as "call boys" at a country depot are transferred to the metropolitan area to commence duties as trainee enginemen, does the commission offer any assistance or advice to them with regard to their seeking suitable accommodation?

(2) Is any financial assistance available to these young men, beyond their normal remuneration to meet accommodation expenses?

Remuneration in First Year

(3) What remuneration does a first-year trainee engineman receive?

Mr. COURT replied:

(1) No. However "call boys" are automatically promoted to trainee enginemen on attaining 17½ years of age and, with the exception of Kalgoorlie, are appointed as trainee enginemen at the depot at which they are located.

(2) Yes, provided the employee complies with certain conditions included in the relevant industrial award.

(3) According to age at entry in service; under 18 years £11 2s. 6d.; under 19, £12 14s. 3d., under 20, £14 6s. 1d.; under 21, £16 7s. 10d.; over 21, £17 2s. 10d.

ASSOCIATIONS INCORPORATION ACT

Use of Word "Incorporated"

4. Mr. SEWELL asked the Minister representing the Minister for Justice:

(1) Is it the practice of the Registrar of Companies to allow associations proposing to become incorporated under section 6, subsection (1) of the Associations Incorporation Act, to elect whether or not the registered name of the association shall include the word "incorporated" or the abbreviation "(Inc.)"?

(2) Is it a fact that the Titles Office refused to effect a registration under the Transfer of Land Act on behalf of an association incorporated under the Associations Incorporation Act where the association did not include the word "incorporated" or the abbreviation "(Inc.)"?

Mr. COURT replied:

(1) Yes.

(2) Yes. Section 6 of the Associations Incorporation Act, 1895, as amended, provides that upon a certificate of incorporation being granted, the association shall, as from the date of such certificate, be incorporated for the purposes following, that is, to say—

(1) For the purpose of using the name of the association, adding thereto the word "incorporated" or the abbreviation "Inc.".

The Office of Titles considers that, because of the above provision, it is mandatory to add the word "incorporated" or the abbreviation "Inc." to the name of an association incorporated under the Act.

TAXIS

Leasing

5. Mr. GRAHAM asked the Minister for Transport:

In the metropolitan area—

(1) What is current policy in respect of owners being required to operate their vehicles?

(2) Are owners of taxis allowed to lease their vehicles to other persons?

(3) Is it a fact that the usual lease figures of £21 a week for a taxi is about to be increased by owners to £25 a week?

(4) Is he content to allow this position to develop?

License Plates: Sale Price

(5) What is the present approximate cost of a set of taxi plates to a person purchasing from an existing taxi owner?

Conductors' Licenses

(6) How many conductors' licenses have been issued during the last twelve months?

(7) How many conductors' licenses have been cancelled during the last twelve months?

(8) How many conductors' licenses are in existence at present?

License Plates: Number Issued

(9) How many taxi plates are on issue at present?

Mr. O'CONNOR replied:

(1) Taxi Control Board current policy favours all taxis being owner driven.

(2) The board recently gave consideration to whether taxis should be hired on a weekly rental or on a commission basis and came to the conclusion that the matter is a domestic one for individual owners and drivers to mutually arrange.

(3) The board has not been advised of any increase in rental for a taxi.

(4) Answered by (3).

(5) £1,200 is the current payment for goodwill stated on applications for transfer of taxis.

(6) 91.

(7) 3 cancelled. 24 refused.

(8) 1,044.

(9) 723.

CHILD WELFARE DEPARTMENT

Kalgoorlie Office: Appointment of Additional Staff

6. Mr. EVANS asked the Minister representing the Minister for Child Welfare:

As a means of improving the service to the public having dealings with the Child Welfare District Office, Kalgoorlie, and of relieving the district officer of some part of the burden of his clerical duties, would he please arrange for the services of a receptionist-stenographer, even on a part-time basis, perhaps on loan from another Government department, to be made available to the district officer, so as particularly to be in attendance at the office during times when the district officer is attending his duties in out-of-towns districts?

Mr. CRAIG replied:

The Minister for Child Welfare is aware of the problems in other centres in the State as well as those in Kalgoorlie referred to by the member for Kalgoorlie. Their solution is a matter of departmental policy. They will continue to receive consideration.

THIRD PARTY INSURANCE

Registration by Local Authorities in Wrong Categories, and Effect

7. Mr. HALL asked the Minister representing the Minister for Local Government:

(1) In view of the answer given on the 17th August pertaining to vehicles wrongly registered and claims by injured parties, can he advise the true position as to persons involved in motor accidents, negligence proved, and payments made by third party insurance, but such payments not meeting the full benefits as provided by the Third Party Insurance Act and which were brought about by the incorrect category of vehicle registration?

Concessional Licenses: Category and Benefits

(2) When concessional licenses are granted, what category would they be registered under, and would they have full benefits as provided by the Third Party Insurance Act?

Mr. LEWIS replied:

(1) Would the honourable member please be more specific in order that this question may be further considered?

(2) The granting of concessional licenses has no effect upon the third party insurance cover. Insurance premiums are payable in accordance with the class of vehicle.

HOSPITAL CHARGES

Comparison between Country and Metropolitan Area

8. Mr. HALL asked the Minister representing the Minister for Health:

Can he advise the comparable charges, as between Government hospitals, city area, and country areas, giving names of hospitals:

(a) Four-bed public wards, two-bed public ward, private ward;

(b) medical treatment charges;

(c) physiotherapy, country hospitals, city hospitals;

(d) benefits to pensioners, city and country areas;

(e) X-ray charges, city and country hospitals, Government controlled;

(f) pathology charges, city and country hospitals, Government controlled;

(g) radiology services, city and country hospitals, Government controlled, and the names of hospitals, city and country areas, where such service is in existence?

Mr. ROSS HUTCHINSON replied:

(a) The scale of charges is as follows:—

Major metropolitan public hospitals—Royal Perth, Fremantle, Princess Margaret, Sir Charles Gairdner, and King Edward Memorial Hospitals—

(1) Public cases—70s. per day.

(2) Intermediate cases—up to 90s. per day.

(3) Private cases—115s. per day.

Charges are not classified according to the size of the ward in the above hospitals.

Other metropolitan hospitals and country public hospitals—

(1) All beds other than 1 to 4 bed wards—70s. per day.

(2) 2 to 4 bed wards—90s. per day.

(3) Single rooms—115s. per day.

(b) Public cases are not charged medical fees in major metropolitan hospitals where there is an honorary medical staff. In all other public hospitals there is no honorary staff and medical charges are not known as this is a private matter between the doctor and the patient.

(c), (e) (f), and (g) Because of the extreme complexity of the information sought, it is suggested that the honourable member confer with my department on the subject matter for further clarification.

(d) Pensioners with medical entitlement cards are eligible to receive free public hospital treatment in both city and country areas.

SEAWEED

Uses: Research

9. Mr. HALL asked the Minister for Industrial Development:

As the matter of seaweed research and utilisation is a problem of world-wide investigation and significance as to usage for fertilisers, feeding stuff, and high-grade industrial products, what research and investigation has been made by the Department of Industrial Development as to the possibility of establishing such an industry in this State?

Mr. COURT replied:

The Department of Industrial Development has investigated the possibility of establishing seaweed-based industries in Western Australia, but the prospects are not hopeful.

During World War II agar-agar was in short supply and was produced in small quantities by a local company. The industry ceased when supplies became available from other sources. This was due mainly to the fact that products can be obtained more cheaply from seaweed that is collected more easily and gives higher yields than that available in Western Australian waters.

The question is kept on the list of matters for periodical review in case new methods and sources of raw material are discovered.

WORKERS' COMPENSATION

Pneumoconiosis Claims: Grounds for Rejection

10. Mr. MOIR asked the Minister for Labour:

In regard to the answer to question 26 of the 17th August—Workers' Compensation Pneumoconiosis Claims—what were the circumstances of each of the five claimants whose claims were rejected on the grounds stated in the reply to part (4) of the question?

Mr. O'NEIL replied:

It would be unethical for the State Government Insurance Office to make public the personal circumstances of particular claimants. In general it can be said that in each of the five claims mentioned the industrial history showed a very short period of

employment as a "worker" within the meaning of that term in the Workers' Compensation Act and a relatively long period of self-employment in the mining industry. It was considered that any disablement from industrial disease did. not arise from the short period of employment as a "worker" but from the long period of self-employment. These five files are held at present by the General Manager of the State Government Insurance Office and will be made available for inspection by the honourable member if he so desires.

Reciprocal Application: Countries Affected

11. Mr. MOIR asked the Minister for Labour:

Will he enumerate what countries have reciprocal application to the Workers' Compensation Act, as provided by section 6 (5) of that Act?

Mr. O'NEIL replied:

New Zealand.

Pneumoconiosis Claims: Degree of Disability

12. Mr. MOIR asked the Minister for Labour:

(1) How many successful applicants for workers' compensation payments for Pneumoconiosis since the 14th December, 1964, have had a degree of disability apportioned according to the provisions of section 8 (13) of the Act?

(2) In each of these cases, who made the determination?

Mr. O'NEIL replied:

(1) The information requested is not readily available and will entail considerable research of records in Perth and the Kalgoorlie branch of the State Government Insurance Office. In view of the fact that the General Manager of the State Government Insurance Office informs me that the liability of the employer is not affected by subsection 13 of section 8 of the Workers' Compensation Act in so far as quantum of liability and amount of weekly payments is concerned, it is considered that this information should not be supplied unless the honourable member has some other reason for wishing this expenditure in time and money to be incurred.

(2) In each case the determination was made by the Medical Board mentioned in subsection (1d) of section 8 of the Act.

Employers Insured with the State Insurance Office

13. Mr. MOIR asked the Minister for Labour:

(1) Will he supply the list of employers who are insured with the State Government Insurance Office as provided by section 13 (5) (a) of the Workers' Compensation Act?

(2) Are any employers in this category exempted from the provisions? If so, who are they?

Mr. O'NEIL replied:

(1) It would be quite unethical for the State Government Insurance Office to make public the names of its clients. The general manager of that office assures me that, as far as he is aware, every employer to whom subsection (5) (a) of section 13 of the Workers' Compensation Act applies is either insured with the State Government Insurance Office under a policy issued by that office or has been exempted by the Governor by Order-in-Council under the provisions of section 13 of the Act.

(2) Yes, in accordance with the proviso to section 13 (1) the following employers are exempted:—

Australian Iron and Steel Pty. Ltd.,
Broken Hill Pty. Co. Ltd.,
Alcoa of Australia Pty. Ltd., and its subsidiary Western Aluminium N.L.

SCHOOL CHILDREN'S TRAVELLING ALLOWANCE

Basis of Payment

14. Mr. ROWBERRY asked the Minister for Education:

(1) Upon what basis is a travelling allowance paid by the Education Department?

(2) To whom is it paid?

Manjimup High School: Payment to Northcliffe Parents

(3) Are the parents of students at the Manjimup High School residing at Northcliffe eligible for a travelling allowance because of having to travel 40 miles twice a week to connect with the school bus at Pemberton?

(4) If not, why not?

Mr. LEWIS replied:

(1) and (2) Under regulation 13 which provides—

(a) For travel on public transport the parent must pay the first 5s. per week and the Government pays up to 7s. 6d. per week thereafter.

(b) Where public transport is not available and the pupil has to be driven more than five miles to school or more than four miles to a bus service, an amount for one return trip of 2s. 6d. per child per day or 4½d. per mile, per vehicle, whichever is the greater, is paid.

(3) No.

(4) These students are receiving a boarding allowance to board away from home.

LOTTERIES CONTROL ACT

Conduct of a Lottery by a Club: Commission's Instruction on Payment of Prizes

15. Mr. TONKIN asked the Chief Secretary:

(1) With reference to the answers given by him to questions on the Swan Districts Old Players' Association raffle, was the instruction which was stated by him to have been given by the commission to the association to honour its obligation to pay the prizes in each series of tickets given verbally or in writing?

(2) On what date and to whom was it given?

(3) If it was a written instruction, will he table a copy of the letter?

Mr. CRAIG replied:

(1) In writing and amplified verbally.

(2) The letter was dated the 7th October, 1964. The actual date of the verbal instruction is not known but I believe it to have been late October. Both instructions were directed to the president of the association.

(3) Yes.

The letter was tabled.

16. and 17. *These questions were postponed.*

TEACHERS' BURSARIES

Number Awarded, and Proposals for Current Year

18. Mr. NORTON asked the Minister for Education:

How many bursaries were awarded by his department to enable post-Junior students to take their Leaving and to be subsequently trained as teachers in—

1962, 1963, and 1964—

and how many is it planned to award this year?

Mr. LEWIS replied:

1962—370.
1963—350.
1964—225.
1965—92.
1966—Not known. Offers will depend upon the number of qualified applicants and the effect of Commonwealth secondary scholarships.

GOVERNMENT PUBLICITY OFFICER

Mr. W. W. Mitchell: Salary

19. Mr. JAMIESON asked the Premier:

What is the current salary of W. W. Mitchell, the Government Publicity Officer?

Mr. BRAND replied:

£3,111 per annum.

ROAD SIGNS ON CURVES

Indication of Safe Speed

20. Mr. FLETCHER asked the Minister for Traffic:

(1) Is he aware that road signs indicating curves ahead in certain Eastern States have also on such road signs the speed in miles per hour at which such curves can be safely negotiated?

(2) Will he recommend similar road signs for use in this State?

Mr. CRAIG replied:

(1) Yes.

(2) Advisory speed signs will be introduced in conjunction with graduated speed zoning. Surveys are being conducted for this purpose and the necessary signs are being made. It is not expected that the signs will be used on the same scale as in the Eastern States because of the difference in the general terrain, but they will be placed wherever it is considered a useful purpose would be served.

STATE FORESTS

Orders-in-Council: Procedure for Disallowance

21. The SPEAKER (Mr. Hearman): Yesterday the member for Murray asked me a question and I undertook to make an endeavour to obtain an answer for him today. The question he asked was—

Would he please examine subsection (1b) of section 20 of of the Forests Act and inform the House whether, in his opinion, it is necessary when moving for the disallowance of an Order-in-Council, for separate motions to be passed in each House of Parliament after notice has been given.

or whether it is sufficient for one motion which originates in one House, after notice has been given, to be passed by both Houses and thus satisfy the requirements of the section?

I now advise the honourable member that I have examined subsection (1b) of section 20 of the Forests Act. It would seem to me to be a legal question to which the honourable member seeks an answer and it should be more properly referred to the Minister for Justice or the Minister for Forests who administers the Forests Act.

The subsection of the section of the Forests Act to which he refers clearly imposes a time factor and there may be more than one procedure that could be adopted to meet the requirements of this time factor.

The question is of a hypothetical nature and it is not usual for presiding officers to answer hypothetical questions.

QUESTION WITHOUT NOTICE

AIR TRANSPORT

Approaches by Airlines for Government Support

Mr. BICKERTON asked the Premier:

Has any airline, other than M.M.A., approached the Government to support a commercial air service in Western Australia either for the carriage of freight and passengers, or for freight only, since he became Premier; and, if so, what is the attitude of his Government towards the approach?

Mr. BRAND replied:

I am not aware of any, but if the honourable member will place the question on the notice paper I will have an examination made of any new avenues where such approaches may have been recorded, and I will report again to him.

EDUCATION ACT AMENDMENT BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [3.6 p.m.]: I move—

That the Bill be now read a second time.

This Bill is introduced as a result of an undertaking given by the Government at the last elections, and is consistent with its undertaking to bring down legislation to enable a greater measure of financial assistance to be provided to the independent schools. I shall explain briefly the various measures in the order in which they appear in the Bill.

Firstly, it is proposed to subsidise the cost of erecting swimming pools. Departmental schools at present are eligible to receive a subsidy of 25 per cent. of the total cost of a swimming pool up to a maximum subsidy of £1,000. It is now intended to extend this concession to independent schools.

The Bill provides for the supply of additional free stock such as duplicating, and first aid and cleaning materials. In an endeavour to help the parent in the most direct possible way the Government will pay a tuition fee subsidy. Secondary scholars in first, second, and third years will receive £15 per annum, and fourth-year and fifth-year scholars will receive £18 per annum. These payments will be made to the school but must be shown as a deduction on the school's account to the parent. Payment will be retrospective to the 1st January this year.

Power to make regulations for administering the subsidy is also provided in the Bill. It is further proposed to assist schools to meet their interest payments on loans raised for the provision of residential accommodation. The subsidy rate and the terms for repayment are to be determined from time to time by the Treasurer; but, initially, the Government will meet interest charges of up to 5 per cent. per annum, provided the loan is paid off in equal instalments over a maximum period of 20 years. Adjustments will be made where this condition cannot be met. This assistance will be available to schools for loans raised since the 1st January of this year and there will be no limit to the amount that may be borrowed. I commend the Bill for the approval of the House.

Debate adjourned, on motion by Mr. Norton.

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [3.10 p.m.]: I move—

That the Bill be now read a second time.

It will soon become apparent to members that the Bill before the House has no relationship either to the Bill introduced by the Deputy Leader of the Opposition last night, or to the motion moved last night for the disallowance of regulation 102. The Bill does, of course, have relationship to the Marine Act, in that it sets out to amend that Act. Quite apart from seeking to amend the Marine Act, the Bill has been drafted as a result of

the desire of the Government to implement certain recommendations of the Royal Commission on boat safety, which met and decided that these recommendations should be made in regard to the safety of ships.

Evidence was given before the Royal Commission that the Harbour and Light Department had been hampered in its endeavours to enforce the provisions of the Marine Act, and its regulations, by lack of power under such Act. Vessels coming within the jurisdiction of the Act were required to be surveyed annually and obtain, in effect, a certificate of seaworthiness; and this is contrary to the assertions made by the Deputy Leader of the Opposition last night when he said that too much power had been given under the Act. A number of fishing vessels were evading this requirement, and there was no power given to the department to make snap inspections and, if necessary, to order vessels not complying with the requirements, to go ashore. The commissioner recommended in his report that this power should be given to the department, and members will see from the Bill before them that this step is being taken.

In clause 2 of the amending Bill it is proposed to give power to a duly authorised person to board any vessel being navigated in jurisdiction to inspect the vessel, the machinery, and equipment; and to require the production of any license, permit, or certificate required in connection with the ownership, use, or navigation of the vessel.

In other words, it enables snap inspections to be made at sea or in other places; and if, after inspection, it is found that the vessel is unseaworthy for any reason whatsoever—that it is overloaded, it does not hold the required certificates, or is not manned in accordance with the Act—power is given to order the vessel to the nearest port or place. It also authorises the removal of the vessel if the order is not complied with.

Evidence was also given during the hearing of the Royal Commission that the enforcement of the regulations had been hampered by the difficulties confronting departmental officers in proving allegations in support of prosecutions.

In order to assist the department in ascertaining the facts, provision has been made for an obligation on the owner, or on any person in charge of a boat, to give such information as may lead to the identification of the person or persons by whom a vessel was at any time manned and in what capacity it was manned. This provision, which is to be found in clause 3 of the Bill, is in line with section 34 of the Traffic Act, 1919, and is thus no new provision in our Statutes. For the information of the House it might perhaps be appropriate if I give some idea of the provisions of section 34 of the Traffic Act, which reads—

> 34. (1) Duty of owner to identify offending driver.
>
> Any owner of a vehicle and any person to whom for the time being the possession or control of a vehicle may be entrusted shall, if required by a member of the police force, or an inspector, give any information which it is in his power to give, which may lead to the identification of any person who was driving or who was in charge or control of such vehicle when an offence under this Act is alleged to have been committed.

A penalty is also provided. So it will be seen that clause 3 to which I have referred has relevance to section 34 of the Traffic Act.

Further assistance is also given in clause 4 of the Bill which provides—

> . . . an averment in the complaint that any person is, or was, or is not or was not, the holder of any particular certificate or any particular class of certificate shall be deemed to be proved in the absence of proof to the contrary.

I believe the Bill to be necessary, and the Government feels it will comply with the recommendations of the Royal Commission; indeed the Bill sets out to implement the particular recommendations to which I have referred.

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

EDUCATION ACT AMENDMENT BILL

Message: Appropriations

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

BUSH FIRES ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [3.18 p.m.]: I move—

> That the Bill be now read a second time.

With oil and gas exploration and industrial expansion generally that has taken place in the State to date, it is sometimes necessary to burn industrial waste, and it is therefore considered desirable to make provision in the Bush Fires Act for approval to be given for the burning of industrial waste where the occasion arises.

The Bill provides that where the Minister for Lands is advised in writing by the Bush Fires Board that in the opinion of the board all necessary precautions have been taken for the control of any fire lit

for the burning of industrial waste, including the disposal during testing and drilling operations for petroleum, oil, or gas, the Minister may give approval for any such action.

For example, the search for oil in this State has now cost £27,000,000 and, to date, 149 wells have been sunk. Oil and gas have been located in several of these, and in one case in particular—Yardarino—it was found necessary to burn the test production. More discoveries will, of course, undoubtedly follow. Gas, particularly, is a very dangerous commodity to handle, and it is essential that provision should exist enabling it to be properly controlled. The local authority in which the Yardarino discovery was located supported action of this nature.

I think members generally will recognise the need—in view of the industrial development, and the exploration for oil, gas, and petroleum which are currently taking place—for some provision to be made to enable permission to be given by the correct authority—in this case the Minister—for the disposal of industrial wastes.

Debate adjourned, on motion by Mr. Rowberry.

BUNBURY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [3.23 p.m.]: I move—

That the Bill be now read a second time.

This amending Bill, as with the companion Bill—the Albany Harbour Board Act Amendment Bill—which is next on the notice paper, is being introduced to provide that payment of fees to the board shall be on an annual basis, and that the amounts shall be prescribed by regulations made possible by the inclusion of a regulation-making power. At present the fees are paid, as stated in the Act, on an attendance-at-meetings basis.

The reasons for the change lie in the fact that many complaints have been received over the years regarding anomalies and differences in amounts that have been paid in fees to various boards and Government instrumentalities of one kind or another. A small but high-level departmental committee was formed to look into this matter, and it endeavoured to resolve some of the anomalies and differences.

As a result, a number of alterations have been made where it was possible to make them by regulation. One of the recommendations of the committee was that this Act and the Albany Harbour Board Act be amended so that the payment of fees would be on an annual basis. The Albany board meets twice monthly, and the Bunbury board meets each week. However, it is found in practice that these business organisations have to function, more often than not, outside the regular meeting times. Because of the work they do, their fees have been increased; and it is more appropriate that an annual fee, rather than a fee based on attendances at meetings, be paid. I would point out that action was taken last year to implement this type of proposal for the members of the Fremantle port authority.

Debate adjourned, on motion by Mr. Rowberry.

ALBANY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [3.26 p.m.]: I move—

That the Bill be now read a second time.

I could use exactly the same remarks, and will more or less do so, to introduce this Bill to amend the Albany Harbour Board Act. Its companion Bill is the one which I have just introduced to the House.

The Bill before us is being introduced to provide that the payment of fees to the board shall be on an annual basis, and that the amounts shall be prescribed by regulations made possible by the inclusion of a regulation-making power. At present the fees are paid, as stated in the Act, on an attendance-at-meetings basis.

As I have outlined in the previous Bill, the reasons for the change lie in the fact that many complaints have been received over the years from the various boards and Government instrumentalities regarding the anomalies and differences that have existed in the amounts paid.

The small committee to which I referred eventually recommended that the differences should be overcome and the anomalies wiped out. As a result, a number of alterations were made where it was possible for them to be made by regulation.

However, one of the recommendations of the committee was that this Act and the Bunbury Harbour Board Act be amended so that payment of fees could be made on an annual basis. As I have already pointed out, the Bunbury board meets each week and the Albany board meets twice monthly. It is found in practice that these business organisations have to function outside the normal meeting hours and times. The members of the board, in particular the chairman, have to devote many hours to work associated with the harbour; and because of the work they do and the responsibility they hold, it was decided by this committee that the fees be increased.

Mr. Rowberry: Can you make available the report of the committee?

Mr. ROSS HUTCHINSON: No.

Mr. Rowberry: Is it a confidential report?

Mr. ROSS HUTCHINSON: It is not a report. It is merely a list of figures, which can be supplied in answer to any question which the honourable member may ask, if he is interested in the scale of fees applicable to any board or Government instrumentality. This list will enable the Minister to give such information. There is no report that can be tabled; it is not a report in the sense that the committee had been given terms of reference, and had made recommendations accordingly.

Because of the work which the members of the board undertake, and the responsibilities which they hold, the fees have been increased. It is considered more appropriate that the fees should be on an annual basis determined by attendances at meetings. I reiterate the point I made when I introduced the previous measure: that action similar to the action proposed in the Bill was taken last year in respect of the members of the Fremantle port authority.

Debate adjourned, on motion by Mr. Hall.

SPEAR-GUNS CONTROL ACT AMENDMENT BILL

Second Reading

MR. CRAIG (Toodyay—Minister for Police) [3.32 p.m.]: I move—

That the Bill be now read a second time.

This amending Bill is not a lengthy one; and, in my opinion, it is not a contentious one in that it seeks only to broaden a definition already in the Act.

Recently, a local authority sought and was granted permission, for the prohibition of the use of spear-guns at its beaches, under section 5 of the Spear-Guns Control Act. I think it opportune, at this stage, to mention that approaches by local authorities to have areas banned are made on the ground of safety; and it must be admitted that the local authorities, who are responsible for the care and control of beaches under their jurisdiction, are in a very good position to judge whether danger exists.

I would also like to mention that I am appreciative of the efforts of organisations of spear-fishermen to control their members; but, unfortunately, not all spear-fishermen are members of an organisation and are thus not subject to discipline. It is the lack of such discipline that endangers others. It must also be pointed out that there is no intention to completely ban spear-fishermen from enjoying their sport. Bans proclaimed cover only populated beaches in certain areas, and allow ingress to and egress from the sea.

An example of this is shown in the most recent proclamation where bans were placed on Scarborough Beach, Trigg Island, Mettam's Pool, Hammersley Pool, North Beach, and Waterman's Bay. A blanket ban was not placed on the entire seafront but only areas where the public swim were named in the proclamation. On proclaiming these bans it was subsequently noted, however, that under the Act as it now stands the local authority had no power of enforcement of such prohibition, as the authority under the Act is vested in an inspector who, by the definition, must be either a member of the Police Force or an inspector under the Fisheries Act.

With such a wide area to cover, and the impossibility of making available policemen or fisheries inspectors for the period of time necessary to provide the necessary enforcement, it is very evident that the local authority should have some power to appoint persons to police the Act.

To remedy this position, it becomes necessary to substitute a new interpretation of "Inspector"; and this is done by including, in addition to a member of the Police Force or an inspector of the Fisheries Department, any person appointed by a municipality constituted under the Local Government Act, 1960, as an inspector by or under the Act.

This new interpretation will enable a much more efficient policing of the Act and, for that reason, I commend it to members.

Debate adjourned, on motion by Mr. Toms.

STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT BILL

Second Reading

MR. O'NEIL (East Melville—Minister for Labour) [3.36 p.m.]: I move—

That the Bill be now read a second time.

The amendments which this Bill proposes to make to the State Government Insurance Office Act fall broadly into three categories: Firstly, extensions to the present scope of insurance business undertaken by the office to enable it to cater for modern demand and to allow for flexibility of operation within the current franchise. Secondly, clarification of some of the current provisions of the Act, together with the deletion of certain provisos and requirements now determined to be unnecessary. Thirdly, amendments designed to improve the wording, as well as amendments in respect of references to other legislation which appear in the State Government Insurance Office Act, which legislation has been the subject

of either amendments or repeal since the last occasion when this Act was before Parliament for review.

It is proposed to extend the cover granted under the employers' indemnity policy (Workers' Compensation Act) to cover a worker employed under a contract of service in Western Australia, but who works outside the State—usually only temporarily—and who, having met with an accident at work, decides to claim against his employer for workers' compensation in the terms of the legislation of the State in which he was injured.

At present, cover can be given to the employee only in the terms of the compensation provided in the Western Australian Act, although he may be injured outside the State. It is not a cover that is required very often; but, as the State grows and employers require occasionally to send some of their employees to another State from time to time, those employers feel the need for protection against a claim payable in the terms of an Eastern States Workers' Compensation Act when the injured employee elects, as he can, to claim under the Act of the State where the injury was received.

It is proposed to provide for the acceptance of reinsurance from other insurers in return for the acceptance by them of some or all of the reinsurance business offered to them by the State Government Insurance Office. At present, the S.G.I.O. cannot accept reinsurance at all, and this consequently results in all the business which the office has to reinsure being placed with reinsurance brokers or reinsurance companies who, in turn, remit the money overseas, usually to London, England. This adversely affects Australia's overseas trade balance.

Although no arrangements have yet been made, it is hoped that if this amendment is agreed to, the office will be able to accept some reinsurance either from brokers or other insurance companies in return for some of the S.G.I.O's. reinsurance premiums.

State Government Insurance Office premiums approximate £3,000,000 per annum. Of this sum, about £215,000 is paid away in reinsurance premiums. This Bill provides scope for keeping a proportion of this amount within the country. This will assist the State by reducing our trade deficit, and the Commonwealth by reducing the drain on our overseas funds. Of course, some time will probably elapse before new arrangements can be made, as this is a field where considerable skill and care is needed to ensure that a satisfactory cover is obtained at a reasonable premium.

The acceptance of reinsurance in return requires equal skill and care. There are no commitments at present, but if the amendment is agreed to, then an approach will be made to local insurance companies and insurance brokers in an endeavour to achieve the aim of retaining within the State as much as possible of the moneys now being paid overseas.

It is proposed to delete the proviso in relation to the power given to transact motor vehicle insurance. At present, the right to issue this insurance is conditional upon the continuance of the law compelling insurance by motor vehicle owners against third party risks arising from the use of motor vehicles. Such a proviso is now considered unnecessary, as it is inconceivable that at any time in the future there will not be compulsory third party insurance.

At present, the Act requires the office to keep separately from the other accounts the transactions referring to industrial diseases. This has never been done, as it is impossible of performance. The third schedule to the Workers' Compensation Act lists numerous diseases as industrial diseases, yet no separate premium is collected in respect of them, nor are the claims paid separated from other claims.

There is no point in having a provision in an Act for the performance of the impossible. Even if it were possible and performed, it would seem to be of no particular value. If it was intended to refer to pneumoconiosis disease only, then there is still no necessity for this being mentioned in the Act. This information is kept separately in the accounts, as members will know from reading the accounts tabled each year, and they will continue indefinitely to be so kept. The proposed amendment will not in any way alter the practice being adopted by the S.G.I.O.

The office has been undertaking reinsurance as well as insurance under the general interpretation of "insurance business." There is some legal doubt as to whether the terms "insurance" and "reinsurance" are synonymous in this regard. An amendment is proposed to put the matter beyond doubt. Without reinsurance, the office would not be able to function efficiently. It is a necessary corollary to almost all types of insurance.

It is intended to provide for the issue to local authorities of policies of insurance under the provisions of section 37 of the Bush Fires Act, 1954. This power was regarded as having been provided by the section dealing with the issue of policies to local authorities, but this amendment places the matter beyond doubt. There are 109 policies current at present.

The opportunity has been taken to improve the wording used in the Act in one or two places. This applies, for instance, to the words used in the interpretation section in relation to employers' indemnity insurance where words such as "workers" and "compensation" have been replaced by the words "employees" and "payments or allowances." These words are regarded as

being more appropriate. The substitution does not affect the cover under the policy in any way. The term "manager" will be replaced by the term "general manager", consequent upon the change in this title as from a Public Service reclassification effective as from the 1st January, 1959. The definition of "local authority" requires amendment because of changes made by Parliament to the legislation dealing with local authorities. Mention of the Employers' Liability Act, 1894, has been deleted, as this Act was repealed in 1951.

I trust that this explanation will make clear what purposes lie behind the introduction of this Bill. As will have become plain, I hope, the Bill refers mainly to minor amendments which should assist the office to function more efficiently. I commend the Bill to the House.

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

Sitting suspended from 3.44 to 4.7 p.m.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT AMENDMENT BILL

Second Reading

MR. CRAIG (Toodyay—Chief Secretary) [4.7 p.m.]: I move—

That the Bill be now read a second time.

The present Registration of Births, Deaths and Marriages Act, 1961, which repealed earlier measures, was enacted primarily to modernise registration procedures and to provide legislation in respect of registration of marriages and legitimations, complementary to the Marriage Act, 1961, of the Commonwealth.

Both the abovementioned Acts were proclaimed on the 1st September, 1963. The Bill I now present to the House seeks to amend the present Act, again largely in terms of modernisation of procedures and also again to embrace concepts which are to have application throughout the Commonwealth.

The Bill comprises four proposals which I will now describe. For some years pressure has been steadily applied in Australia to have registerable birth so defined as to include a product of conception of at least 20 weeks' gestation.

The World Health Organisation, the National Health and Medical Research Council, and conferences of statisticians have been pressing continuously for general acceptance of the foregoing proposal. Under registration law in Australia, for many years now, the minimum period of gestation stipulated for registration of children not born alive has been seven months—28 weeks in some cases. This minimum has precluded any record, by registration, of those children whose period of gestation was between 20 weeks and seven months.

It is now considered that 20 weeks' gestation is the lowest limit at which live birth is possible and by establishing this limit as that for registration, an official and continuous record of such births will be available. As the majority of children in the lower gestationary periods are not born alive, registration would provide a basis for the desired research into the causes of such foetal deaths. The proposed lower limit is acceptable in Western Australia.

The present definition of "birth" should be amended to read as follows:—

> means the complete expulsion or extraction from its mother of a product of conception born alive or which is of such period of gestation or such weight as may be prescribed.

The foregoing definition would thus enable the introduction at the appropriate time of a 20-week period or alternatively grammes weight where the gestationary period cannot be determined.

The above proposal is designed to enable us to prescribe the gestationary period at whatever point in time agreement by the other States is reached on its introduction. Until such agreement is reached the prescribed period will be as at present stated in the Act.

Another matter which would require an amendment of the Act, is a proposal to turn to automatic data processing of all registrations of births, deaths, and marriages. The proposal stems from an approach by the Commonwealth Statistican to the Registrar-General which has as its objective the supplying of data on vital statistics to the statistician, with less time lapse than at present, and in a form easily convertible to computer operation.

Implicit in the proposal is the ability of the State to machine process for its own purposes, material such as birth extracts and various returns at present prepared by hand. An approach to the Premier by the Prime Minister has been made on this matter and the necessary machines and the servicing thereof will be at the Commonwealth Government's expense.

As the processing of registration, together with an automatic production of a taped record for computer operation, can be done only in Perth, it follows that the registration of births, deaths, and marriages at present being done in the 26 registry districts outside the metropolitan area, would be effected in the Registrar-General's Office.

The proposed change is purely an internal matter. It does not impose any additional obligation on the public whatsoever, nor does it curtail any of the services the department provides. District registrars throughout the State will still furnish the services, documents, and information they now provide.

Victoria is at present the only State in which registration of all births, deaths, and marriages is effected at a central office. In consequence, the provisions of the 1960 Act of that State have been closely studied.

The Registrar-General is already empowered to refuse a search or a certified copy, of an entry in a register, if such would reveal illegitimacy, adoption, or legitimation. It is considered desirable and necessary that the power to refuse be extended to cover all registrations.

In the first place, except for the limitation already mentioned, any person can secure a copy of the birth, marriage, or death registration of any other person. This facility can, however, be used to circumvent the limitation above by checking on marriage registrations and the registrations of the births of other issue.

It is felt that unless a person has a proper reason it should be possible to refuse access to any registration. The provision has been a feature of Eastern States legislation for a long time, notably in South Australia, Victoria, New South Wales, and Queensland. The Bill, however, provides for the right of appeal to the Minister where a request is refused.

The final matter I have to mention is a proposed amendment to remove certain restrictions to the registration of a death, where such has occurred more than 12 months prior to registration being sought. Whereas at present the approval of the Registrar-General is required in writing up to a period of seven years and the approval of a judge after that period, the Act requires a death to be so well authenticated that the above authorisations are not really necessary. The other mainland States have no such restrictions. It will be noted that the amended Act, if passed, will be proclaimed at a suitable date. It is desirable that it should operate from the 1st January, 1966.

Debate adjourned, on motion by Mr. Evans.

LAND ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [4.15 p.m.]: I move—

That the Bill be now read a second time.

Under section 47, subsection (5) of the Land Act, a lessee of conditional purchase land is entitled, at the expiration of the lease, or at any time after five years from its commencement—if the conditions have been complied with, the fencing and improvements maintained, and the price of the land fully paid—to a Crown grant for the subject land.

Section 143 (3) of the Act provides that, except in special cases to be approved by the Minister for Lands, no holding under part 5 of the Act shall be transferred or sublet until after the expiration of two years from the commencement of the lease, unless the holder has expended on the land in prescribed improvements the full amount required to be expended during such period—that is, two years. Therefore a sale can be negotiated after two years from commencement of the lease if the value of the improvements is two-fifths of the total purchase price of the land.

With the unprecedented demand for Crown land for agricultural development there have been instances lately where conditional purchase lessees have requested approval to transfer the leases, the consideration being in excess of the value of improvements effected.

Legal opinion is to the effect that as Minister I have a duty to approve of a transfer if the improvements and rent are current and the transferee is eligible to hold the land. Consent cannot be withheld simply because the purchase price is considered by the Minister to be excessive.

Action should be taken now to strengthen section 143, subsection (3) of the Act. It is considered that by increasing the period from two years to five years, improvements and development of a reasonable standard would be established, and should overcome the tendency of the lessee to transfer merely for profit.

The five-year period has been included in the Bill to coincide with requirements under section 47, subsection (5) of the Act, previously referred to. This will ensure that the original lessee will be required to develop the land in accordance with lease conditions, and expend an amount at least equivalent to the full purchase price of the land.

I would emphasise that under existing conditions a lessee may expend only two-fifths of the full purchase price of the land within the first two years when the Minister would be obliged, subject to other conditions being fulfilled, to approve of the transfer. It is believed that this Bill will stabilise the position; because I would emphasise again that at the expiration of five years, subject to certain conditions, a Crown grant can issue and therefore the land could become freehold and the owner has his rights under freehold conditions. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Norton.

PETROLEUM PRODUCTS SUBSIDY BILL

Second Reading

MR. CRAIG (Toodyay—Chief Secretary) [4.21 p.m.]: I move—

That the Bill be now read a second time.

On the 12th May of this year the Minister for National Development introduced into the Federal Parliament the States Grant (Petroleum Products) Bill, 1965, the purpose of which is to provide for payment to be made to the States to meet the proposed subsidy on distribution of petroleum products in country areas.

This was done on the understanding that the various States would then introduce appropriate complementary legislation under which the States, subject to a number of safeguards, would be able to pass these moneys to the distributors. An undertaking was also given that this legislation would be introduced as soon as possible in order that the subsidy scheme would come into effect shortly after legislation had been passed and it was expected that the scheme would operate by the 1st October. Hence the early introduction of this Bill.

It is felt appropriate at this stage that members should be given an outline of the Commonwealth's proposals which originated following the Prime Minister's 1963 policy speech. In this, Sir Robert undertook to do something about the burden placed upon rural costs by the higher prices of petroleum products in the more remote areas. He proposed that it should be brought about that the normal price of these products would not, in any State, be more than 4d. per gallon above the level of the relevant capital city price.

It was stated that the Government would put this proposal into effect by arrangement with the petrol companies and by arranging with the States for the payment out of Commonwealth moneys made by grants of assistance to the States under section 96 of the Constitution. The Commonwealth decided that the subsidy would apply to motor spirit, power kerosene, automotive distillate, aviation gasoline, and aviation turbine fuel. From this list it will be clear to members that the purpose of the subsidy is the reduction of transport costs to country areas and that it will effect a considerable saving to consumers.

As previously mentioned, the broad outline of the plan to reduce the price of the five products in the country is that payments are to be made to the States to enable them to subsidise sales of the eligible products by oil companies and certain direct purchase agents. The sales to be subsidised are, in general, those made at country locations which, on the 30th June, 1964, were recognised distribution points at which the wholesale price, because of the addition of freight costs, was more than 4d. above the wholesale price in the relevant capital city. The rates of subsidy in respect of these locations will be based on the freight differentials above 4d. per gallon ruling there on the 31st December, 1964.

The amount of subsidy varies considerably, as is to be expected. For instance, the subsidy for motor spirit, power kerosene, and automotive distillate at Baandee will be 1d., 2d., and 1½d., respectively; whereas, for the same products at Deakin, on the transcontinental line, the subsidy will be 19d., 20½d., and 19½d. I feel there are two aspects of the Commonwealth's operation of the subsidy plan to which I must draw the attention of members as they directly concern our State and are such that they may, at least initially, fall short of the Federal Government's intentions in that the full extent of the benefit will not be obtained.

The first point is the extent by which the subsidy covers outback pastoral properties. Some of these properties are covered by differentials established by the industry and those, of course, are fully covered by subsidy rates set out in the schedule. Others, however, were not so recognised and are not established distribution centres. As a result, these places, initially at least, will enjoy the benefit of subsidy, in effect, only to the nearest recognised distribution point.

Perhaps at this stage I had better make clear to members what the position would be at one of these pastoral properties. For the purpose of the illustration I am going to use the figure of 3s. 8d. as the retail price for super-grade motor spirit. We know, of course, that there have been some variations in that price since these negotiations were put in hand.

Taking a place such as Derby, which is a considerable distance from the source of supply, the freight differential to Derby is 10d. Under the Commonwealth plan, the costs will be subsidised over and above 4d., which, of course, means that the subsidy will amount to 6d. at the port of Derby. There again, no doubt there will be a pastoral property out from Derby for a distance of, say, 100 miles, and that pastoral property will be responsible for meeting the cost of the transport of the fuel from Derby to the point of consumption at the pastoral property. However, there is no provision for the concession to extend beyond Derby because that is the last point of distribution.

It was put to the oil companies by the Federal Government that it was prepared to provide for these properties within the subsidy plan if the Government was satisfied that a company had made the property an agent by contractual agreement; that the agent had undertaken to supply products to the public when required; and that the company had also undertaken to invoice supplies to the agent at a delivered price. In other words, if the pastoral property outside of Derby was appointed an agent of the company that would satisfy the Commonwealth Government.

The companies, however, are unable, at present, to meet these conditions for various reasons. The legislation, nevertheless, provides for the inclusion of new centres of distribution in the schedule and it will be open to any company to initiate arrangements with an outback property to have it admitted as such a centre. These comments apply to the illustration I have just made.

The second aspect is that, because there is a variation in differentials in the mark-up—that is, the resellers' margin—in certain centres, and because the Commonwealth scheme is based on wholesale prices plus freight costs, there will not, in every instance, be a simple price differential of 4d. at this retail level.

Members may recall that it was felt that nowhere in Australia would the price of motor spirit—this being one of the fuels affected—exceed the capital city cost in any State by more than 4d. In the metropolitan area the resellers work on a margin of 6¾d. over and above the wholesale price. Also, for the purpose of the exercise, I am referring to the prices that were operating at the time these negotiations were in train. The wholesale price was then 3s. 1¼d. per gallon for super-grade motor spirit. If we add to this the resellers' margin of 6¾d. per gallon we obtain the retail price of 3s. 8d.

There are various parts of the State, however, where the turnover in, say, a very remote centre would be so small that the reseller would not be able to operate if he were unable to work on a higher reseller's margin. If he were unable to do this he would be put out of business and would not be in a position to supply the needs of that small community. There are other circumstances where it is felt that possibly there should be some adjustment to bring about a variation over and above what is considered to be the uniform 6¾d. margin.

I mentioned Derby earlier, and here at this point of sale the margin is the normal 6¾d. Then we come closer to the source of supply to, say, Carnarvon where the resellers' margin is 1s. ¼d. per gallon. At that point we take the wholesale price of 3s. 1¼d. plus the resellers' margin of 1s. ¼d. and the freight cost to Carnarvon of 4½d., making a total of 4s. 6d. As the subsidy will only apply to the halfpenny of the 4½d. freight cost it means that the price of the super-grade petrol at Carnarvon would be reduced by a halfpenny to 4s. 5½d. So, making it available at 4d. above the intended price is not being put into effect.

I must add that the Automobile Chamber of Commerce has been most helpful in this matter; and, although it cannot direct its members in regard to the mark-up, it strongly appealed for uniformity and, as a result, several operators have agreed to the request.

The legislation now before the House provides for the payment by the State to persons who are registered distributors of amounts ascertained in accordance with the scheme.

Provisions also relate to the appointment of the authorised officers, who will be officers of the Department of Customs and Excise, to examine and certify claims by registered distributors; the powers of authorised officers to inspect accounts of registered distributors; the protection of authorised officers in the performance of their duties; and the provision of penalties for false returns.

By agreeing to the Bill, we will be doing our part in assisting people in country areas, and will make a real contribution to decentralisation.

Debate adjourned, on motion by Mr. Bickerton.

MARKETING OF ONIONS ACT AMENDMENT BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [4.34 p.m.]: I move—

That the Bill be now read a second time.

There are a number of important provisions contained in this Bill that will remedy deficiencies which limit the powers of the Onion Marketing Board at the present time.

Considerable thought has been given to these amendments, which will assist the board to control more effectively the selling of onions. Some of the sections are not sufficiently clear to enable operative regulations to be formulated. These amendments will also bring the board more into line with other marketing boards in this State.

Firstly, this Bill repeals the Marketing of Onions Act Amendment Act, 1953. Although this Act, which was to come into force from a date to be proclaimed, would enlarge the powers of the board, it also contained provisions which would disrupt the board's control over sales to merchants.

Unfortunately, the board was not consulted in regard to this 1953 Act; it had no hand in its preparation, and, therefore, was not acquainted with its terms; otherwise the board may have had the opportunity to have the Bill redrafted to suit its requirements.

As this amending Act contains clauses unacceptable to the board, it—the board—has never recommended, and is not likely to recommend, its proclamation to bring it into operation. In addition, the board desires the Marketing of Onions Act and regulations consolidated, but this cannot be done until the 1953 Act is either proclaimed or repealed. Accordingly this is another reason why its repeal is sought.

The second amendment concerns the interpretation of "grower," which is ambiguous. At present, it would seemingly refer to any person growing or producing onions for sale on a residential block of a quarter acre, even though the dwelling and other improvements thereon occupy the major portion of the land area. This amendment will stipulate growing onions for sale only and delete reference to the area, which is not easily calculated and plays no part.

The next amendment deals with the qualifications to vote, which at present is the harvesting of a quarter of an acre of onions during the last preceding growing season. The Bill seeks to amend the section to provide as a qualification to vote, or take part in a petition or poll, the selling through the board of at least three tons of onions in either of the last two preceding growing seasons.

The reason for this amendment is that it is virtually impossible for a returning officer to check existing qualifications as to an area harvested. The requirement of three tons is based on an average harvest of 12 tons per acre, so that the existing electors will not be affected by the change. The two-year period would prevent the event of a bad season disqualifying an elector. In this amendment provision is also made for ascertaining which persons are growers, should the board not be in existence.

The amendment that follows will deal with subsections (3) and (4) of section 4 of the Act—with a new subsection (5) added. Firstly, I will deal with subsection (3). The Act provides that the Governor may at any time, on application by the Onion Board, declare by proclamation that the property in all onions belonging to growers shall become vested in the board. Subsection (3) of section 4 exempts onions, the subject of interstate trade, from this proclamation and the control of the board.

It is proposed to repeal subsection (3) and substitute a subsection that will retain the exemption of the proclamation to onions for interstate trade, and also make provision for a grower, intending onions for trade between the States, to give notice and make a declaration to the onion board to that effect.

The need for this amendment has arisen in recent years because growers have been taking advantage of this subsection to evade selling their onions through the board. They simply avoid the control of the board over their onions by claiming that they are being grown for interstate trade; whether or not they are, in fact, grown for this purpose.

Now I refer to the present subsection (4) of section 4 of the Marketing of Onions Act. This subsection, the repeal of which is sought, deals with onions harvested between the 31st July and the 1st November in each year, which are excluded from the board's control. This subsection was introduced by a private member in 1956, in the belief, then entertained, and at the request of Carnarvon interests, that this relaxation of the Act would assist onion growing at Carnarvon.

The then Minister for Agriculture stated at the time that he doubted very much whether the Bill would, in the long run, do all that the honourable member wanted it to achieve. The supporters of the amendment claimed that it would give an incentive to Carnarvon production, which would provide onions for the State in the out-of-season period.

However, since the passage of this amending Act in 1956, statistics show there has been no increase in out-of-season production of onions; in fact, production at Kalgoorlie, York, and the North-West Division is less now than before this amendment was passed. In the past seven years the combined production from these three areas has only averaged 18 acres.

As the quantities produced have been negligible, the Onion Marketing Board has, in its endeavours to reduce importations of onions, undertaken to cold store quantities for this period. Also growers are given a premium as an incentive to produce quality onions to compete with importations of onions during the winter period. It would seem therefore that the board should not be subject to competition in the market from onions not vested in the board.

Production patterns are changing, as can varieties, and the board contemplates storing larger quantities of onions to further reduce the season's importation of onions from other States.

The belief that the relaxation of the Act would assist Carnarvon onion production was erroneous. Even if growing in that area had proved successful, existing competitive and fluctuating markets made it even more essential that new areas seeking to become established should operate under the cushioning benefits of orderly marketing, such as the board alone can provide. The position might arise where the board is selling cold storage onions and long-keeping country onions against non-controlled out-of-season production. The marketing chaos created would act to the detriment of all growers.

The fixing of the dates for exemption presupposes the times at which onions will be short. This may or may not be the case, as in some years there have been gluts of onions on the market during August, and also with the early crop. The Onion Marketing Board is in the best position to judge at which time producers should receive encouragement for their efforts, and it has adequate powers under the original Act to exempt such sales as it thinks fit.

It is proposed to insert a new subsection (4). The new subsection will require the necessary returns to be submitted to the board indicating quantities of onions grown for trade in other States, following the giving of notice and declaration that onions are being grown for this purpose.

A new subsection (5) has been added to ensure that, should a grower do anything regarding onions he has declared to be for interstate trade only, that is inconsistent with their sale or disposal in the course of that trade, then the property in the onions shall be vested in the board and be subject to the provisions of this Act. The operation of these three subsections will remove defects and enable the board to receive information necessary to give it the power of control over the marketing of onions.

Further amendments contained in this Bill concern section 11 of the Marketing of Onions Act, which deals with provisions relating to the acquisition of onions by the board. Firstly provision is made for the bailment of onions which are on delivery to the board to continue until the onions are actually delivered.

This means that although onions, by proclamation, become the property of the board, they remain with the grower as bailee in possession, who is responsible to the board for his onions until actual delivery. At present the bailment is terminated upon the giving of notice to deliver the crop. The Act states that bailment is terminated on the issuing of the board's order to deliver. As a result there is a period between that time and actual delivery of onions when no legal responsibility for them appears to be imposed on anyone.

The next amendment provides for an increase in penalty from £50 to £100, should any grower, while a bailee in possession of onions, sell or deliver onions to any person other than the board without the board's authority. Also, any person who buys or receives onions from a grower, unless authorised by the board, is liable for a similar penalty.

At present officers of the board finding onions known to have been purchased in contravention of the Act cannot recover them, and the person is free to retail them for his own benefit. Often the financial advantage accruing from the illicit sale and purchase of onions far exceeds the penalty awarded. If the maximum penalty were doubled, a more serious view would be taken of the offence.

Another small amendment to section 11 seeks to clarify subparagraph (i) of paragraph (d) which at present reads, "such small growers as the board may think fit," by changing the wording to "sales of onions by any growers whose total crop does not exceed three tons." This paragraph was obviously meant to refer to small crops, and the amendment defines this.

To continue, there is a general tidying up of this section with the deletion of the provisos in subparagraph (ii) of paragraph (g) and its reinsertion as subparagraph (iv) of paragraph (g). In subparagraph (iii) of paragraph (g) the word "under-estimated" has been added. The reason for this addition is to cover the situation, which is a prevailing one, of growers deliberately underestimating their crop. While this paragraph sought to give the board advance figures upon which to operate, it contemplated overestimating only. In fact, the general practice is to underestimate, and the grower may, as a result, be left with onions with which he might then deal illegally.

Finally, a subsection is added to give authority to a court convicting a person of buying or receiving onions from a grower without authority to order the offender to pay to the board an amount equal to the retail value of the onions at the date of conviction. This amount may be recovered in the same way as a penalty.

This Act, which was introduced in 1938 by the late Mr. Thomas Fox, M.L.A., a private member, had no clear conception of the marketing of onions, and its powers fell short of those necessary for an expanding industry, both in numbers of growers and production. At that time no-one could have foreseen the difficulties of the future; and subsequent experiences have shown the need for the amendments I am now introducing.

The crop grown last year was an all-time record, and necessitated the export of at least two-thirds of this local crop to the Eastern States, South-East Asian markets, and Mauritius. The increase in local production has led to the possibilities of additional export markets being explored.

Without orderly marketing, sales would be chaotic and would lead to unstable prices. This would mean a large drop in production and the virtual extinction of the export portion of production. Onion areas might be replanted with other perishable vegetable crops, which could already be in excess of supply.

This amending Bill seeks to protect the onion growing industry, by the provision of normal powers that are given to other marketing boards created under more recent legislation. The growers are represented on the Onion Board; and, although their term of office is for three years, I understand the representatives of the growers have not been changed for many years: invariably they have been re-elected. The relationship between the board and the growers is a very happy one.

There are in excess of 400 growers in this State. It requires a petition by 50 of them either to abolish the board, or to hold a referendum on any matter in respect of which they are dissatisfied; yet I am informed that in the whole of the operations of the board no such petition has ever been presented.

Debate adjourned, on motion by Mr. Fletcher.

MARKETING OF EGGS ACT AMENDMENT BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [4.51 p.m.]: I move—

That the Bill be now read a second time.

This small but important amendment to the Marketing of Eggs Act has become necessary as a result of the Commonwealth Parliament passing the Poultry Industry Levy Act, 1965, the Poultry Industry Levy Collection Act, 1965, and the Poultry Industry Assistance Act, 1965. These Acts were passed by the Commonwealth as a result of the efforts of the Council of Egg Marketing Authorities to devise a national stabilisation scheme for the egg industry.

The Council of Egg Marketing Authorities, which comprises the total membership of each State Egg Marketing Board with a strong majority of direct producer representation, engaged itself fully from its inception in January, 1962, in preparing an acceptable national stabilisation scheme for the egg marketing industry.

The main purpose of such a scheme was to overcome difficulties arising from the protection afforded by section 92 of the Commonwealth Constitution to producers, particularly in the Eastern States, which were enabled to sell interstate large quantities of eggs outside the State orderly marketing schemes, and without making a contribution of any kind to stabilisation schemes aimed at equalising losses on eggs sold on diminishing, and increasingly competitive, markets overseas. In addition, the scheme provides for all State Egg Marketing Boards to sell eggs overseas through one central authority. This will benefit Western Australia greatly as this State has suffered substantial sales losses on overseas markets, largely pioneered by the Western Australian board, because of competition from other States reducing prices to unnecessarily depressed levels.

The State Egg Board will cease to apply a "pool contribution" on eggs produced to equalise export losses, and, instead, the Commonwealth, through the agency of the State boards, will impose a levy. This levy will be on hens over six months of age in excess of the number of 20 in a flock kept for commercial purposes. The rate, which in the initial stage is 7s. per hen per year, payable fortnightly, is to be collected by the egg marketing authorities in each State. This new hen levy is unlikely to exceed the total amount collected in the past as "pool contribution," as the equalisation burden will be shared more equitably and over a much larger number of producers and laying flocks than before, to the advantage of both producers and local consumers.

The Marketing of Eggs Act in this State does not provide for the Western Australian Egg Marketing Board to act as an agent for the Commonwealth for the purpose of collecting the levy on hens, as the present Act only deals with eggs. On the other hand, the Commonwealth Acts deal with hens only, and not eggs.

This amending Bill will make it possible for the Western Australian Egg Marketing Board to deal with hens under the stabilisation scheme, and as authorised by the Commonwealth legislation. In short, the present Marketing of Eggs Act enables the State Egg Board to act as an agent for the Commonwealth in relation to an egg levy, but it does not give the board the authority to act as an agent for the Commonwealth for collection of a hen levy. The amending Bill seeks to remedy this.

Debate adjourned, on motion by Mr. Jamieson.

ARCHITECTS ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [5.57 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this amending Bill is to permit corporate bodies concerned with architectural matters to be registered under the Act, and to permit such bodies to describe themselves as architectural organisations. At present, the Act provides only for the registration of individual architects, but the tendency these days is for individual business and professional people to join together to form companies in order that there shall be a greater operating strength and stability to the enterprise and their company.

The whole purpose of the Architects Act is to ensure that people who operate as architects have sufficient qualifications to adequately carry out their duties; and it is just as important, of course, that a company engaged in architectural work should be composed of people having the necessary qualifications. It is for this reason that the proposed amendment is brought forward.

To ensure that the operations of any corporate body dealing with architectural matters are in the hands of qualified architects, provision is made in the Bill that no less than two-thirds of the directors of such a corporate body shall be individuals capable of being registered under the Act. In short, they should be qualified architects.

The remaining one-third of the directors must be persons who belong to one or other of organisations, which might be said to be related organisations in these company enterprises. These organisations are: The Institute of Engineers, Australia; Australian Planning Institute Incorporated; The Institute of Quantity Surveyors (Aust.).

This will allow room for inclusion in the corporate body of allied professions that are in fact an integral part of an architectural business organisation. It would not be of any use for the Bill to provide that the majority of directors of such a corporate body be registered architects unless action were taken to give them voting strength and a major voice in the decisions of the board. So, to achieve this end, provision has been made in the Bill to ensure that the architectural members of the board will have two-thirds of the voting power.

Mr. Graham: If they were two-thirds of the personnel, wouldn't they automatically have that?

Mr. ROSS HUTCHINSON: It does not automatically follow. It is an extra safeguard to ensure that the qualified architects possess at least two-thirds of the voting power. It should be clearly understood that because architects organise themselves into registered companies, this will in no way relieve the individual members of the responsibility for negligence should they be guilty of such.

To summarise briefly, this Bill provides for architectural companies to be registered under the Act. The members of the board of directors of such organisation must consist of at least two-thirds qualified architects, and the qualified architects on the board must possess at least two-thirds of the voting power. Thus when people deal with an architectural firm, they will know that the company is operated by people the majority of whom are qualified architects.

These proposed amendments have been discussed with the Architects Board of Western Australia, the members of which are in agreement. The council of the institute very much favours this proposal, which is similar to measures which operate in other States or which are contemplated by other States. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Graham.

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL

Second Reading

MR. O'NEIL (East Melville—Minister for Labour) [5.3 p.m.]: I move—

That the Bill be now read a second time.

With the exception of one small amendment in 1953 which concerned fees, the Hairdressers Registration Act is still the same as assented to in January, 1947.

Mr. Fletcher: The prices aren't.

Mr. O'NEIL: The original Act provided for an area of operation within a radius of 25 miles of the General Post Office, Perth. The main object of the Hairdressers Registration Act is to protect the public from incompetent hairdressers. Modern hairdressing techniques, involving as they do—especially in regard to ladies' hairdressing—a complexity of electrically-operated equipment, as well as chemicals used in both styling and colouring of hair, require a high degree of competency on the part of operatives. Adequate training, experience, and control are essential in the interests of the public.

This Bill will assist the Hairdressers' Registration Board to supervise more effectively the industry in general and to ensure the highest standards possible. It is considered that people in country districts are entitled to the same protection and to the same guarantee of skilled operatives as their city counterparts. It is for this reason that the Bill makes provision that from time to time, or at any time, any area or areas of the State may be proclaimed as subject to the provisions of the Hairdressers Registration Act.

Obviously, it would be most difficult and futile to attempt to apply the provisions of the Act in some of the smaller country centres with, perhaps, only one hairdressing establishment; but it is envisaged that the Act will, by proclamation, be progressively extended to larger country and seaport towns.

The present Act has created very few difficulties in the many years it has been in operation, and it is not anticipated that there will be any problem in administering or policing it in the larger country centres. Provision is also made in the Bill now before the House to safeguard the interests of those who are at present operating in any centres which, by proclamation, are brought within the scope of the Act.

Other amendments proposed in this Bill are of a relatively minor nature and are designed to bring the parent Act up to date and to facilitate the operation of the Hairdressers Registration Board in the regulation of the industry. For example, the present definition of apprentice is not in accord with the definition contained in the appropriate award now operating. The proposed amendment will ensure that in future the definition of an apprentice will

always be in accord with that as prescribed from time to time in duly registered awards.

Provision is also made for the board to cancel or suspend the registration of a person on the ground of unsatisfactory conduct or where the person is not of good character.

There have been instances where, because of a conviction for a serious offence —e.g., relating to moral conduct—the board has been of the opinion that a hairdresser's registration should be cancelled or suspended. Currently, it has not the power to do so. It is proposed to grant to the board this power. It should be pointed out, however, that there is adequate right of appeal in this regard.

I think perhaps this point could be amplified a little. Last year there was the case of a person being registered, and subsequently it was discovered that he had been found guilty of an offence prior to registration. The offence was of a nature to render the person, in the opinion of the board, not suitable to be engaged in the hairdressing profession.

It is a requirement of initial registration that a person be of good character. In the absence of any provision that a person must continue to be of good character the board has no power to suspend that person. Once again I reiterate there is an adequate right of appeal in regard to such suspension or cancellation, or, in fact, in regard to initial registration.

The Bill also provides that, where there has been a cancellation, suspension, or voluntary relinquishment of a certificate of registration by an operative for a period beyond eight years, re-entry to the industry shall be by way of re-examination. It is felt that with the ever-changing techniques, this is not an unreasonable requirement.

Other amendments propose to make the determination of fees for both registration and examination the subject of regulations —currently they are provided for in the Act—and to remove the statutory limitation of the total annual amount of fees which may be paid to members of the registration board. These fees are provided by regulation, but the Act places a limit on the amount.

I trust that the purposes of the Bill as described are clear. It is considered to be in the best interests of all concerned. The amendments proposed are the unanimous recommendation of the Hairdressers Registration Board, the personnel of which consists of a Government representative as chairman, a member of the Master Ladies Hairdressers' Industrial Union of Employers, a member of the Master Gentlemen's Hairdressers' Association of W.A., and two members nominated by the Metropolitan Hairdressers Employees' Union of Workers. I commend the Bill to the House.

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

AUDIT ACT AMENDMENT BILL

Second Reading

MR. BRAND (Greenough—Treasurer) [5.10 p.m.]: I move—

That the Bill be now read a second time.

The present Audit Act has been in force for over 60 years and the purpose of this Bill is to amend certain outmoded definitions, to clarify the provisions relating to the office of "Auditor-General", to establish a recognised surcharge procedure, and to provide a clear legal basis for the charging of audit fees and the making of regulations to ensure the proper care and custody of stores and other property.

The Bill proposes to substitute the title "Accounting Officer" for "Public Accountant", and provide a more appropriate definition of the title "The Treasurer." In relation to the office of Auditor-General, it is proposed that the Governor be empowered to grant a limited extension of the term of appointment in special circumstances, and also to provide for the appointment of some person to act as Deputy Auditor-General, who would automatically act during the absence of the Auditor-General.

It is also proposed that the Auditor-General be designated a permanent head, as he is required to exercise the relevant powers and functions for the purposes of the Public Service Act. Other proposals are to clarify and simplify the procedure of salary determination and to extend the authorised period of absence from duty to meet changed annual leave conditions.

At present, the Act provides that all votes appropriated for any year and not fully expended at the close of that financial year, shall lapse. It is proposed to modify this requirement by authorising the Treasurer to set aside for future payment any unexpended portion of a vote which is represented by a relevant accrued unpaid commitment. This principle is already embodied in the audit Acts of several other States.

The Bill also proposes to ease the present rigid surcharge requirements by allowing the Auditor-General discretionary power to accept suitable remedial action without recourse to surcharge. The Act, in its present form, requires the Auditor-General to surcharge any officer who, in his opinion, is responsible through negligence, fraud, mistake, default, error, or omission, for any deficiency, loss, or unauthorised payment, or who has, in any respect, failed to comply with the law relating to the receipt and disbursement of public moneys.

In most cases procedural errors and omissions are promptly rectified on reference to the department concerned; and defalcations and losses occasioned by

criminal act, are dealt with by normal process of law. The raising of surcharges in these circumstances serves no useful purpose and it is proposed to give the Auditor-General discretionary power to dispense with surcharge unless, in his opinion, there is no other satisfactory means of protecting the State finances.

It is also proposed to standardise and clarify surcharge procedure. The Auditor-General is required to audit the accounts of all Government departments and a wide range of semi-governmental and statutory bodies. Departments and concerns which operate directly on the Consolidated Revenue Fund are not charged for audit, but it is the practice to assess and recover nominal fees for a number of other audits.

Except where specifically authorised by a relevant Act, the Auditor-General has no clear legal power to charge for audit service. To resolve any doubt in this regard, it is proposed to confer on the Auditor-General the right, subject to any statutory requirement, to charge a reasonable fee for audits of other than departmental accounts. All audit fees recovered are credited to the Consolidated Revenue Fund.

Apart from minor procedural and consequential amendments, the only other proposal is to provide specific regulation-making power in relation to plant, equipment, and stores. With the proposed introduction of separate tender board legislation, some provision is essential in the Treasury regulations to ensure the effective control and custody of stores, etc., held by departments. The Bill contains specific authority for the making of appropriate regulations.

The proposed amendments will bring the Act into line with modern practice and assist in maintaining the present high standard of efficiency of the department. They have been submitted by the Auditor-General and have the full support of the Under-Treasurer. I commend the Bill to members.

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

MINING ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [5.17 p.m.]: I move—

That the Bill be now read a second time.

This Bill has been passed in another place and for the information of members I desire to advise that an application was made to the Mines Department towards the end of last year for a license to treat tailings. These were tailings lying on abandoned tailing areas—Crown land areas.

The Mining Act is quite clear in the granting of Crown ownership of tailings on abandoned leases. It has always been the understanding and practice of the Mines Department to assume that such tailings were Crown property. Some doubts have been entertained recently, however, as to ownership of tailings on abandoned mining tenements other than leases—such as tailings areas, machinery areas, etc., which would all produce tailings.

As a consequence of the doubts as to the scope of the Act in this regard, the advice of the Crown Law Department was sought. This resulted in Mines Department officials' views being confirmed and the particular application made last year was refused.

The purpose of this Bill is firstly to rectify the position, as unquestionably the original intention in the Act was for the Crown to have ownership in regard to tailings from abandoned mining tenements of all descriptions, not solely ownership of tailings from abandoned leases.

The second consideration is to validate any past licenses granted in respect of similar applications previously approved. On the passing of this measure the relative provisions will apply to mining tenements which comprise either Crown or private land.

A further amendment is purely a machinery measure to amend subsection (9) of section 322 in order to replace the word "Court" with the words "W.A. Industrial Commission." This small matter was overlooked when consequential amendments of a similar nature were dealt with previously when the Act was before the House in 1963.

Debate adjourned, on motion by Mr. Norton.

House adjourned at 5.19 p.m.

Legislative Council

Tuesday, the 24th August, 1965

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