The Hon. A. F. Griffith: Do you think this sort of discrimination should be taken out of all Acts?

The Hon. J. DOLAN: I do not know all the Acts in which this occurs. I will certainly have a look at them. In my opinion this matter should be rectified.

The Commissioner of Police and his officers are in full agreement with the proposal to repeal subsection (3) of section 8 of the principal Act.

I wish to make reference to section 10(3) which is mentioned. Section 8(3) and section 10(3) are complementary. As long as section 8(3) remains in the Act, section 10(3) is also discriminatory. If section 8(3) is removed, then section 10(3) has no application at all.

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

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.40 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 17th August.

Question put and passed.

House adjourned at 5.41 p.m.

Legislative Assembly

Tuesday, the 10th August, 1971

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

SUPPLY BILL

Assent

Message from the Lieutenant-Governor and Administrator received and read notifying assent to the Bill.

QUESTIONS (19): ON NOTICE

1. HOUSING

Langford

Mr. BATEMAN, to the Minister for Housing:

(1) When is it anticipated the sewerage line will be extended to the Langford area?

(2) Was Mr. Brittain reported correctly when he stated the Commission was examining alternatives to speed up the occupancy of the homes?

(3) If (2) is "Yes" what are the alternatives he had in mind?

(4) When is it anticipated that the homes already constructed can be occupied?

Mr. TAYLOR replied:

(1) The sewerage system for stages 1 and 2 of Langford is operational. The system for stage 3 is expected to be fully operational by December, 1971.

Temporary measures for disposal of effluent will commence in September, 1971.

Stage 4 sewerage system (where building has not commenced) is expected to be operational March, 1972.

(2) Yes.

(3) (i) By amending the sewer reticulation schedule to coincide with the completion of homes.

(ii) By expediting connection procedures.

(iii) By implementing a tankering service pending completion of major pump stations.

(4) In stages 1 and 2, occupations are proceeding at present.

In stage 3, it is expected that occupation of completed houses will commence in September, 1971.

2. STATE HOUSING COMMISSION

Regional Office: Merredin-Yilgarn

Mr. BROWN, to the Minister for Housing:

(1) Is it proposed to establish a regional office of the State Housing Commission in the electorate of Merredin-Yilgarn?

(2) If "Yes" when and where?

(3) What staff would be required?

Mr. TAYLOR replied:

(1) Yes.

(2) At Merredin. The Commission has purchased premises previously owned and occupied by the Rural and Industries Bank in Bates Street. Arrangements are now in hand for renovations and internal modifications, and tenders will be called soon. It is hoped to commence operations from this office this financial year, dependent on overall Government policies for recruitment of additional staff.

(3) An establishment of fifteen officers has been approved.

3. MEDITERRANEAN FRUIT FLY

Eradication

Mr. REID, to the Minister for Agriculture:

(1) Is the Department of Agriculture at present undertaking an eradication programme for Mediterranean fruit fly in Western Australia?

(2) If "No" does the department intend to commence such a programme in the near future?

(3) What was the cost of employing fruit fly inspectors for the year ended 30th June, 1971?

(4) Will additional inspectors be required now that registration has been discontinued?

(5) If "No" how will the inspectors be able to maintain adequate control while now not knowing where the fruit trees are growing?

(6) If (4) is "Yes" how many?

Mr. H. D. EVANS replied:

(1) No. Eradication is not considered feasible technically or financially. Major control measures have been in operation for many years and will continue. These include provision for compulsory fruit fly baiting schemes and inspection of orchards and produce to see that mandatory control measures set out under the Fruit Fly Regulations are implemented. The movement of fruit and containers is also policed.

(2) Answered by (1).

(3) $101,500.

(4) No.

(5) Inspectors will have more time for inspection and checking control measures now that they are no longer concerned with registration matters.

(6) Answered by (4).

4. BACKYARD ORCHARDS

Registration: Income

Mr. REID, to the Minister for Agriculture:

What was the income from the registration of backyard orchards for the years 1969-70 and 1970-71?

Mr. H. D. EVANS replied:

Income from registration of backyard orchards was—

1969-70—$18,636.

1970-71—$17,208.

5. MOTOR VEHICLE ACCIDENT INSURANCE

New Scheme

Sir DAVID BRAND, to the Premier:

Referring to his policy speech of 3rd February, 1971, when he said: "We propose to institute a scheme for insurance covering motor vehicle accidents to provide compensation for motor vehicle damage, injury and death regardless of fault. We expect a much lower premium cost of motor vehicle insurance to result . . .", has any research been done on this promise, and when is it expected to initiate the scheme?

Mr. J. T. TONKIN replied:

Research has been in progress for several months and the scheme will be initiated as soon as practicable.

6. DEPARTMENT OF AGRICULTURE

Committees and Boards

Mr. BROWN, to the Minister for Agriculture:

(1) How many committees, boards and/or ancillary committees and boards under the Department of Agriculture are inherited from the previous administration?

(2) Would he identify each of the committees, boards, etc., and who are the members of each?

(3) How many in (2) are unremunerated, and who are they?

Mr. H. D. EVANS replied:

(1) to (3) There are more than 40 boards and committees. The information is being prepared and will be tabled shortly.

7. KWINANA-BALGA POWER LINE

Effect on Television Reception

Mr. BROWN, to the Minister for Electricity:

(1) Would the proposed power lines on the foothills of Darling Range have any effect on television reception?

(2) If so, what is the area?

Mr. JAMIESON replied:

(1) Normally the power line would not cause interference to television reception.

(2) Answered by (1).

8. COUNTRY HIGH SCHOOL HOSTELS

Merredin and Bunbury

Mr. BROWN, to the Minister for Education:

(1) What immediate steps are being taken to extend hostel accommodation for students at St. Michael House, Merredin?

(2) What long term plan is envisaged so that this serious shortage of accommodation which has been evident since 1967 is rectified?

(3) Is the hostel at Bunbury being considered to accommodate students from the eastern wheatbelt as alternative accommodation?

Mr. J. T. TONKIN replied:

(1) There is no immediate plan to extend the accommodation.

(2) Future accommodation requirements at Merredin and other areas, including the north-west, are under constant examination by the Country High School Hostels Authority, which is providing additional hostel facilities according to available finance. Further accommodation was provided at St. Michael's House in 1969 for 24 boarders, and in 1971 for 18 boarders.

(3) Parents in the eastern wheatbelt and other southern parts of the State are being given the opportunity of boarding their children at Bunbury hostel should it be opened in 1972.

9. ELECTRICITY SUPPLIES

Group Contributory Scheme: Line Maintenance Cost

Mr. BROWN, to the Minister for Electricity:

(1) What is the line maintenance cost to rural consumers under the group contribution scheme for lines extended—

(a) before 1966;

(b) after 1966?

(2) What are the reasons, if any, for variations in the charge?

Mr. JAMIESON replied:

(1) (a) 2½ per cent. of capital cost of the uneconomic portion of the line.

(b) 2½ per cent. of capital cost of the uneconomic portion of the line.

(2) Answered by (1).

10. BAUXITE

Pacminex Holdings at Koojan

Mr. O'NEIL, to the Minister for Mines:

(1) What bauxite areas are held by Pacminex in its own name and/or through others under option or assignment, etc., in the general Koojan area?

(2) Are these areas estimated to contain some 70 million tons of bauxite?

(3) What is the nature of the Koojan area in the way of agricultural or forestry potential?

Mr. MAY replied:

(1) Applications for mineral claims within a ten mile radius of Koojan and in which Pacminex has an interest either by option or assignment cover approximately 2,637 acres.

(2) The estimated tonnage is not known.

(3) There are no State forests within this 10 mile radius but the agricultural potential production is considered to be good.

11. BYFORD PRIMARY SCHOOL

Enrolment, Growth Factor, and Building Programme

Mr. RUSHTON, to the Minister for Education:

Relating to the Byford primary school, what is the—

(a) present student enrolment;

(b) estimated growth factor for 1971 and 1972;

(c) immediate and 1972 building programme?

Mr. J. T. TONKIN replied:

(a) August, 1971—161.

(b) Estimate for February, 1972—170.

(c) A demountable classroom will be provided to meet immediate needs and anticipated growth in 1972. No permanent buildings are listed at present but the situation will be reviewed when the 1972-73 building programme is being considered.

12. CONNELL AVENUE PRIMARY SCHOOL

Accommodation and Ground Improvements

Mr. RUSHTON, to the Minister for Education:

Referring to the recent granting of the contract for the construction of the Connell Avenue primary school, Clifton Hills, Kelmscott:—

(1) Will he give a brief outline of the accommodation to be provided?

(2) What ground improvements are to be completed, including paving, draining, filling, etc., by commencement of school in 1972?

Mr. J. T. TONKIN replied:

(1) The school will consist of a cluster of six classrooms which will include toilets, two practical spaces and a withdrawal area. A separate administrative block will also be provided.

(2) It is expected that a bitumen paved area for student use, pathways, bitumen car park, sewerage and drainage works and landscaping within the immediate vicinity of the buildings will be completed in time for the commencement of school in 1972.

13. ROADS

Albany-South Western Highways Junction

Mr. RUSHTON, to the Minister for Works:

(1) Has the design and estimate for the improved interchange at the junction of the Albany and South Western Highways at Armadale been completed?

(2) If "Yes" will he let me have a copy of the plan and advise the timetable and cost for the work?

Mr. JAMIESON replied:

(1) and (2) Yes. I have arranged for a copy of the plan to be forwarded to you. At this stage it is not possible to state the precise cost of the work as a detailed estimate has not yet been prepared. It is planned to commence the work during the current financial year.

14. TERTIARY EDUCATION

Rockingham Area

Mr. RUSHTON, to the Treasurer:

(1) What provision has already been made for tertiary education by way of land, plans, etc., in the Rockingham area?

(2) What are the short and long term intentions towards a technical college, institute of technology, teachers' training college and/or university in this area?

Mr. T. D. EVANS replied:

(1) Negotiations are at an advanced stage through the Tertiary Education Commission and the Metropolitan Region Planning Authority to reserve an area of land in the Rockingham area for future tertiary educational purposes.

(2) The matters mentioned are under consideration but it is too early to make a definitive statement about them.

15. ROCKINGHAM HIGH SCHOOL

Construction

Mr. RUSHTON, to the Minister for Education:

(1) Does his answer to question 7 on 4th August, 1971, relating to the new Rockingham High School mean the contract has been extended by two months or that the building will be completed on time and the additional two months is needed to equip the school?

(2) Have the oval, ground works, etc., been completed or will they be completed in the near future?

(3) Because local wind conditions can play havoc with disturbed topsoil, will he give immediate direction for an earlier planting than October?

Mr. J. T. TONKIN replied:

(1) It refers to the fact that the contractor is not expected to meet the specified completion date and it is estimated that the work will now be completed by the end of October.

(2) The ground works, oval, etc., are expected to be completed in the near future.

(3) Every endeavour is being made to undertake planting at the earliest possible date. However, planting must await completion of ground works which will then be reticulated. The bore and pump have been installed and connection will follow the laying of piping.

16. WORKERS' COMPENSATION

Pneumoconiosis

Mr. HARTREY, to the Minister for Labour:

(1) Was there issued to the State Government Insurance Office in 1952 (or in some other, and what, year) a Ministerial instruction that a mine worker disabled by pneumoconiosis to the extent of 65 per cent. or more should be awarded workers' compensation on the basis of total and permanent incapacity for work?

(2) If "Yes" is such instruction still in force and, if not, when, and by whom, was such instruction withdrawn?

(3) Has the Chairman of the Workers' Compensation Board more than once declared from the Bench that a mine worker disabled by pneumoconiosis to such an extent would be "an 'odd lot' in the labour market" as that expression appears in the judgment of the English Court of Appeal in the case of *Cardiff Corporation v. Hall*, and hence entitled *prima facie* to be compensated on the basis of total and permanent incapacity?

Mr. TAYLOR replied:

(1) A Ministerial approval was given on 19th August, 1949 "that miners suffering with not less than 65 per cent disability due to silicosis should be regarded as fully compensable."

(2) The above approval is no longer operative. It was withdrawn by Ministerial approval given 14th January, 1970.

(3) The Chairman of the Workers' Compensation Board is ill and unavailable for comment.

17. STANDARD GAUGE RAILWAY

Kalgoorlie-Perth: New Cars, and Stopping Places

Mr. BRADY, to the Minister for Railways:

(1) When will the new rail car service to Kalgoorlie be commenced?

(2) Will the new service have fixed stopping places, or put down and pick up as required?

(3) To avoid all eastern districts passengers having to go to Perth to join the train, could the old Guildford platform be used as the standard gauge line is passing this platform?

Mr. BERTRAM replied:

(1) Present planning envisages late October this year but this is contingent on the delivery dates of the railcars.

(2) Stops to pick up and set down passengers as required will be made at the following stations only:—

Toodyay
Northam
Meckering
Cunderdin
Tammin
Kellerberrin
Merredin
Burracoppin
Carrabin
Bodallin
Moorine Rock
Southern Cross
Koolyanobbing
Bonnie Vale.

(3) The rail car service will operate in accordance with currently accepted practice in other cities throughout the world, where long distance passenger trains do not stop within the areas served by metropolitan transport systems.

18. CORRIDOR PLAN

Appointment of Mr. P. Ritter

Mr. McPHARLIN, to the Minister for Town Planning:

With reference to the article on page 2 of *The West Australian* of the 5th August, 1971, titled "Govt. gets Ritter to study corridor scheme":—

(1) What are the terms of reference in regard to the appointment of Mr. Ritter to report on the corridor plan?

(2) What are the real qualifications which have led to the appointment of Mr. Ritter?

(3) What practical experience has he had in examining corridor plans which are being put into effect in other countries?

Mr. GRAHAM replied:

(1) To undertake an analytical study of the proposed corridor plan for Perth and possible alternative approaches to a regional plan for the metropolitan area.

(2) Master of Civic Design.

Bachelor of Architecture.

Fellow of the Royal Institute of British Architects.

Former member of the Council of the Royal Institute of British Architects (also a member of its Town Planning Committee).

Member of the Town Planning Institute of Great Britain.

Member of the Royal Australian Planning Institute.

Fellow of the Royal Australian Institute of Architects.

Author of "Planning for Man and Motor" an internationally recognised text book.

1962 President's Prize of the Town Planning Institute of Great Britain.

1963 National Book Prize of the Royal Institute of British Architecture.

(3) While Director of the International Traffic Separation Planning Research Office in Great Britain the standard and authoritative work *"Planning for Man and Motor"* was produced.

In Denmark, on request, he lectured on the application of the "finger plan" for Copenhagen.

Mr. Ritter was consultant to the City Planner of Leicester, England (population 300,000) for its traffic plan, which included corridor planning.

Mr. Ritter was invited to Sweden to discuss matters of corridor planning for the outline design of a new city of Goteborg of 250,000 people.

He was invited to Washington to observe and discuss aspects of planning.

He has for some 2½ years studied all aspects of planning in Australia and has contacts with those who have planned corridors and those who have planned otherwise; this being part of an extensive research programme which will result in the publishing next year of a comprehensive book *"Planning in Australia"*. The work has been financially supported by many private and Government agencies throughout Australia.

His experience was used by the City of Sydney Strategic Plan just published where he is listed as one of that City's specialist advisers.

19. TRAFFIC

Control in Country Areas: Authority of Police

Mr. WILLIAMS, to the Minister representing the Minister for Police:

(1) Have police officers stationed in areas where traffic control is vested in local authorities power to apprehend or arrest persons who contravene the Traffic Act or regulations?

(2) If "Yes"—

(a) would he detail all the forms to be completed and clerical work involved by the police officer in notification to the appropriate authority; and

(b) would he detail the forms to be completed and clerical work involved appertaining to this action by other officers in the Police Department?

Mr. MAY replied:

(1) Yes.

(2) (a) Depending on circumstances and nature of offences.

(i) A complaint is made or sworn.

(ii) Summonses are issued.

(iii) A brief compiled.

(iv) Statements of evidence are obtained.

(v) Certificates obtained where appropriate.

(vi) Witness summons issued where necessary.

(b) After conviction.

(i) Notification to records of conviction.

(ii) Statistical forms prepared.

(iii) Record of demerit points where appropriate.

QUESTIONS (2): WITHOUT NOTICE

1. POWER LINES

Accuracy of Press Statement

Mr. THOMPSON, to the Minister for Electricity:

I draw his attention to an article that appeared in *The West Australian* of Saturday, the 7th August, under the heading of "No decision on lines," and quote from that article as follows:—

Mr. Jamieson said yesterday that he had answered Mr. Thompson's question off-the-cuff.

On checking with Mr. Gillies, he had found that the facts were not as Mr. Thompson had stated.

Was he correctly reported?

Mr. JAMIESON replied:

In so far as I recall the conversation with the Press reporter, the report is substantially correct.

2. ALLEGATIONS AGAINST LOCAL AUTHORITY

Release of Information

Mr. COURT, to the Premier:

I am sorry my late return from the Eastern States did not permit my giving the Premier any notice, but as I think the question is of a general nature I hope he will be able to make the information available. My question is—

In view of the very wide publicity that has been given to some suggestions of allegations about corruption in a metropolitan local authority, is he able to give any information to the House which, in fairness to the many local authorities in this area who have now been placed under something of a cloud, should be released so that they can, at least, be relieved of this suspense?

I gather no attempt has been made at this point in time to identify the particular local authority concerned and a great deal of apprehension has been expressed not only by councillors but also by members of the staffs of some of the local authorities in the metropolitan area because of the dragnet nature of the allegations.

Mr. J. T. TONKIN replied:

I appreciate that there being no specific information released in connection with this matter, suspicion could fall on various local authorities. I shall discuss the matter with the Minister for Local Government with a view to giving some publicity—as far as can be done—in order to alter the situation and to relieve, as far as possible, the existing anxiety.

STAMP ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th August.

SIR DAVID BRAND (Greenough—Leader of the Opposition) [4.50 p.m.]: As explained by the Treasurer, this Bill provides for three minor but, nevertheless,

important amendments which are necessary, firstly, to make the legislation effective; and, secondly, to clarify some of the amendments which have been made from time to time.

I believe that since the legislation was originally introduced it has proved to be beneficial to the State and has been the source of hundreds of thousands of dollars and, even, $1,000,000 or $2,000,000. It was common sense that whilst money was available in the Treasury or in any of the funds that accumulate from time to time it should be put to work, and as some of the other States had already taken advantage of what was called the short-term money market, it was very clear to me, as Treasurer at the time, that we too should legislate to enable this State to participate.

The legislation has worked very well indeed, but as is evident by the Bill the Treasurer introduced recently, owing to the changing times and the general sophistication of the money market in Australia, and in Western Australia in particular, some improvement can be made.

It must be recognised that our experience in the early days was that it was difficult to establish offices in Western Australia to represent any organisation and we found it hard to attract sufficient offices to work the money market here, mainly because of the receipt duty which applied at that time—that is, 3d. in £100—and the problem of communication which existed. It was not easy for those concerned to communicate by phone because many delays occurred.

It was decided by the then Treasurer that a practical way to resolve this problem was to offer some incentive by exempting those involved from receipt duty; and so this was done. Evidently, however, as time has gone by, there have been established in the State what the Treasurer was pleased to term unofficial offices such as banks, finance companies, and so on. Because of this, and because the law provides for an exemption for the official system, anomalies have developed. The Government has decided not to exempt both, because at the present time we have no receipt duty tax in any case, but to apply it to both and withdraw the exemption from the official offices. I think the Deputy Leader of the Opposition asked the Treasurer whether he could tell him whether this meant more revenue for the State—

Mr. T. D. Evans: The Treasurer can give this information.

Sir DAVID BRAND: —and if so how much. What alternative the Treasurer could have submitted as a solution to this problem I do not know, having regard to the fact that receipt duty tax has been repealed. The Treasurer gave a great deal of thought to the withdrawal of the exemption to the official offices from the payment of any of the taxes which apply at present, and which the proposed amendment would now correct by providing that stamp duty will apply to both official and unofficial, so called, transactions.

The second amendment provides for an extension of the time in which objections and appeals may be lodged. I can clearly understand the reason for this because, at present, a period of 21 days is provided but it is proposed to extend this to 42 days. This latter period is provided in other Acts and, from experience over the years, it has been decided that 42 days, or at least a period much longer than 21 days, is a reasonable one to provide. As a result of representations made to the Treasury the Treasurer has decided to take this course and so allow 42 days for the lodgment of appeals and objections against an assessment of the Commissioner of Stamps.

I think it is understood by members that in the event of a taxpayer being absent from the State for any time, 21 days is a little short and there is no reason for the longer period of 42 days not being provided.

The Commissioner of Stamps is given power to extend this period under certain conditions and no justifiable opposition can be raised against this, because we all know the commissioner is just as anxious as anyone else that the tax be obtained and that it be paid on time. Therefore the amendment concerning the 42 days is a reasonable one.

The final provision clarifies an amendment made in 1969, and is a very simple one. It provides for the inclusion of the word "and." Our amendments made in 1969 were copied from, I think, the Victorian law and inadvertently, when our legislation was dealt with, the word "and" was omitted. As a result, some of the lawyers, including our Crown Law Department, have had a difference of opinion which, of course, is nothing unusual. Lawyers will always disagree over this or that. However, it is reasonable that the Government should wish to clarify the position and ensure that the law which has operated in Victoria and evidently proved to be a legal document will operate satisfactorily here.

The Opposition supports the Bill, and can see no reason to oppose it because the principle which was applied originally and allowed the Government to operate in the short-term money market has been a profitable one. It has worked in the other States and I cannot see why we should not provide for clarity of our law, which, as a result of experience, has been found to require some amendments.

I hope that the Treasurer, when replying, will indicate what increased revenue he will derive from this source and whether the Bill will dampen the enthusiasm of those involved who will have to pay taxes they did not pay before. I

suppose this is the penalty the State must pay for growing up. As I have said, the law operates in all other States and I support the Bill.

MR. T. D. EVANS (Kalgoorlie—Treasurer) [4.59 p.m.]: I would like to thank the Leader of the Opposition for his speech which was obviously the result of a close examination of the provisions of the Bill, and I also thank him for his support of those provisions. As the Leader of the Opposition confirmed, the Bill contains three provisions, but I would like to make a comment regarding the amendment to section 16. This provides for the removal of the exemption which now applies to official short-term money dealers. In doing this I would like to emphasise that under the Commonwealth stamp duty legislation, and that of each of the other States of Australia, with the exception of Queensland, no exemption applies.

This is probably one of the compelling reasons for Western Australia deciding to remove the exemption rather than grant an exemption to the unofficial dealers in that market.

The second provision relates to extending the time during which a taxpayer may object, either to the Commissioner of State Taxation or to the court, subsequent to an assessment of stamp duty having been made by the commissioner.

Finally, the third amendment relates to section 112P which is concerned with credit transactions. As the Leader of the Opposition has observed and stated it seeks only to insert the word "and."

I thank the Leader of the Opposition for his support, but before I conclude I would like to advise, for the benefit of the Deputy Leader of the Opposition and other members, the revenue consequences, as far as they can be ascertained upon the passage of this measure.

Sir David Brand: This is for a full year?

Mr. T. D. EVANS: So far as the first amendment is concerned—the removal of the exemption for the short-term money market—I think the Deputy Leader of the Opposition would agree that it would be extremely difficult to estimate accurately as no statistics are available to give a reliable base or guide. However, the broad estimate would be $200,000 in the full year. Again, this would depend upon the volume of the market.

The second amendment—the extension of the time during which objections can be lodged—would have no revenue effect at all. The third amendment—that to section 112P—by way of the addition of the word "and," affects only one case at the present time. The case in question would involve the sum of $30,000 approximately. It is not known whether other cases may or could arise, nor how many they would be.

I thank the Leader of the Opposition, and the Opposition generally, for acceptance of this measure. I recommend the passage of the Bill to members of the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Norton) in the Chair; Mr. T. D. Evans (Treasurer) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Amendment to section 16—

Sir DAVID BRAND: I am not completely certain that I have chosen the right clause on which to raise a query, but I simply seek some clarification from the Treasurer following the information he gave in answer to a question originally asked by the Deputy Leader of the Opposition. My question concerns the revenue result of the first amendment which proposes to lift the exemption. Did I understand the Treasurer to say that one party was involved and that the sum of money was $30,000?

Mr. T. D. EVANS: The answer is "No" concerning lifting the exemption afforded now to official dealers in the short-term money market. I intended to indicate that it would be difficult to estimate, as we have no statistics. However, on a broad year basis, depending on the volume of the market, the sum involved could be up to $200,000.

I mentioned the proposed amendment to section 112P; namely, the insertion of the word "and." Only one party is involved in relation to that amendment and the sum of money involved is $30,000.

Clause put and passed.

Clauses 3 and 4 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th August.

MR. COURT (Nedlands—Deputy Leader of the Opposition) [5.07 p.m.]: Any Bill to do with the Offenders Probation and Parole Act is an important one, because the legislation in question deals with a vital social matter. It is fair to say that from time to time the Government of the day will find it necessary to bring forward amendments. I can hardly imagine that a piece of legislation which deals with so many human and social problems could be perfect the first time—or even the second or third times—when amendments are attempted. New situations will arise and it

is proper that the Government of the day, on its own initiative as well as on the advice it receives from the Parole Board and other officers associated with the people concerned, should be prepared to bring forward legislation where it is thought appropriate.

This particular piece of legislation deals with two important matters. The first is in connection with people who come under the Mental Health Act, and the second is in connection with juveniles. The part dealing with juveniles is the easier of the two to handle and I shall refer to it first.

If this amendment is not passed it is quite obvious there will be an anomaly and an unfortunate situation will develop. I think the Minister explained, briefly but adequately, why this amendment is required. Without it, the situation could arise where we could not resort to the proposed method of dealing with juveniles and, at the same time, have the full benefit of the operations of the Parole Board. Therefore, the Opposition has nothing to offer by way of opposition to this amendment.

I now want to talk about the mental health provisions. I believe the Minister could have given the House much more information in support of his amendment. I make it clear at the start that I will not oppose the amendment, but I believe the circumstances of it could have been explained in much more detail.

I well remember when I was on the other side of the House the said Minister, who was then the member for Mt. Hawthorn and a private member, was always saying, "You have not told us what is in the Bill. The Minister made a few perfunctory remarks and expects us to accept them." When we look at the remarks the Minister has made on a very important piece of social legislation, it would be possible to wax eloquent for the next hour as to why he let the place down. In all kindness, and not by way of opposition to the amendment, I say it would have helped the House and the cause—not only the Minister himself—if we could have had some more detailed explanation of the situation surrounding the people who are now to be dealt with under this amendment so that, for all practical purposes, the mental health legislation will prevail and they will no longer be the subject of reports from or the supervision of the Parole Board.

From the information I have been able to gather since the Bill was introduced it would appear that the authorities responsible under the Mental Health Act do, in fact, extend a considerable number of services and forms of assistance to people for whom they are responsible. I would not like to give the impression that the Opposition feels these people are just released and left to their own devices. I know from my colleague in another place that a tremendous amount of progress has been made over the last decade in dealing with the question of mental health. Members will recall that during the 1960s we introduced quite sweeping amendments and completely rethought and rewrote the whole of the law dealing with mental health. We took away a great deal of the stigma from legislation that existed throughout the years, some of which was quite repugnant to read. We put the question of mental health into an entirely different atmosphere and this action was long overdue.

Accordingly, I would be the last to want to do anything which would represent a retrograde step so far as the care, rehabilitation, and general help given to these people is concerned; because I think we still have a long way to go to perfect all the modern techniques available to people who suffer from mental ill-health and who need all the care and attention which they can get.

One problem has been raised with me in the study of the legislation and I hope the Attorney-General will explain it in considerable detail. I refer to the exact situation in respect of people who have been committed under the provisions of the law and who henceforth, if the Bill is passed, will come under the Mental Health Act and no longer under the jurisdiction of the Parole Board. I want to know what the possibility of danger is, from the public point of view, that one of the people concerned might be released under the Mental Health Act in a way which might not give the same safeguards as would apply had he still been subject to the Offenders Probation and Parole Act.

This is the point on which the Opposition would have liked more information from the Minister so that we could have some background as to why the present law is not desirable, apart from the main reason he gave to the effect that at the present time the Parole Board has to make a report on the people concerned each year and this seems to be unnecessary. The Minister also said that some people have expressed the view that those concerned could be handled best under the Mental Health Act.

I hope the Minister will deal with this at some length when he replies, even if it means adjourning the debate. If he cannot do it on this occasion, perhaps he could give more background when we deal with the Bill in Committee, or during the third reading. I consider it would be in the interests of the community if this information is recorded in *Hansard* in more detail. It should come from the Attorney-General or his colleague, the Minister for Health, so that when the Bill is passed the background will be thoroughly understood.

Mr. Davies: I think it was a matter of deciding where it could best be dealt with. The Director of Mental Health Services felt it would be better under that legislation.

Mr. COURT: As I said earlier, we are not opposing the principle at all. If it comes down to a straightout question of care, I understand the rehabilitation services which are offered by the Minister for Health's department, through its mental health section, are good and are expanding.

The question of mental health is being dealt with in an entirely different way from what it was, say, a generation ago. We go along with this. I am not questioning the sincerity of the specialists in the department that handles these people, but it must be realised that we are dealing with people who have committed an offence in the minds of the public—we will not split straws over the legal situation—and had it not been for the fact that they were people who could have come under the provisions of the Mental Health Act they would have been dealt with in an entirely different way. They would have been dealt with as criminals under the provisions of the Criminal Code, the Prisons Act, and the Offenders Probation and Parole Act; but because of their misfortune these people have been judged, through the proper channels in this community, as being people who have some mental illness.

This is the question that has been raised with me—not the competence of the Mental Health Services in handling these situations from a purely technical mental health point of view, but whether there could be a situation where somebody is released when there has been less thought and care for the public situation than there would be in the case of someone who was subject to the Parole Board. It has been suggested—and it is on this point that we would like further information—that to wipe the Parole Board completely out of this matter is not a good thing either for the community or for the person concerned.

I hope that when he replies the Attorney-General will give us some information on this matter—much more information than he has given us in the very brief notes with which he introduced the Bill. Subject to any explanations he may give us, I raise no opposition to the Bill. I hope some other members on both sides of the House will be prepared to say something about the general question of the Offenders Probation and Parole Act because it is an important issue to this House and to the community generally.

MR. MENSAROS (Floreat) [5.17 p.m.]: Like the Deputy Leader of the Opposition, I cannot see anything wrong with the first part of the Bill. In fact, I can see only good coming of it because, as the Attorney-General said, there is no reason why these juveniles should not have the advantages associated with Parole Boards, which they do not have at the present time.

The second part of the Bill raises some questions which have been mentioned by the Deputy Leader of the Opposition, and perhaps an additional question. It is obvious from the explanation and from the Bill that the Offenders Probation and Parole Act would not apply to a person who is not under conviction or sentence but who is ordered to be kept under strict custody or under the aegis of the Mental Health Services. The question is: When all the conditions of the Mental Health Act apply, would they compensate for all the benefits of the Offenders Probation and Parole Act from the point of view of both the prisoner, or the person who is detained in an institution, and the public?

I would be very grateful if the Attorney-General would also give consideration to a further query which is perhaps a little more technical. Clause 4 of the Bill, which proposes to add section 34C to the Act, begins—

> When the Governor makes an order pursuant to section forty-eight of the Mental Health Act, 1962 . . .

Subsection (1) of section 48 of the Mental Health Act reads—

> Where any person, not being a person under conviction and sentence, is ordered to be kept in custody until Her Majesty's pleasure is known or during the Governor's pleasure, the Governor may, from time to time, order that that person be admitted as a patient to an approved hospital and may thereafter order that the person be liberated, upon such terms and conditions as he thinks fit.

Subsection (2) of that section provides that the Governor may free such a person.

Mr. Bertram: That is in the first paragraph.

Mr. MENSAROS: I am speaking about section 48 of the Mental Health Act. Subsection (2) of that section reads—

> Where a person liberated by the Governor under this section, subject to any terms or conditions, commits a breach of any term or condition, he may be re-taken and returned to the hospital or any other approved hospital—

So far it is all right, but the subsection continues—

> —or to strict custody, as the Governor may order.

In the event that such a person is released under these conditions and he violates the conditions, he might not be taken back to the hospital but taken into strict custody. In other words, he virtually becomes a prisoner.

The proposed section 34C applies in a case where the Governor makes an order to commit a person to a mental institution. I wish to know whether I am correct in understanding that this means that in a

case where a person who has been admitted to a mental institution under that provision is freed under conditions, and he violates the conditions and is not retaken to the hospital but is taken into strict custody, none of the provisions of the Offenders Probation and Parole Act would then apply; the Mental Health Services would have no jurisdiction over him either because he is not in a mental health institution. If my interpretation is correct, there seems to be a vacuum. I suggest that the Attorney-General should look into this.

I do not want to propose an amendment, which should be properly drafted, but the Attorney-General might consider adding to the proposed section 34C words along the following lines:—

> if, pursuant to subsection (2) of section 48 of the Mental Health Act, the person is not re-taken into strict custody.

That would eliminate the vacuum because the Offenders Probation and Parole Act would only cease to apply if the person were under the care of a mental health institution or had been liberated therefrom; the conditions contained in the Offenders Probation and Parole Act would not cease to apply in the case of a person taken into strict custody, which the Governor may order under section 48 of the Mental Health Act.

Perhaps the Attorney-General would be kind enough to deal with this matter in the Committee stage or to cause the Committee to report progress. If my interpretation is correct, this matter is worthy of consideration.

MR. BERTRAM (Mt. Hawthorn—Attorney-General) [5.24 p.m.]: I thank the Deputy Leader of the Opposition and the member for Floreat for their support of the Bill in principle. They have, nevertheless, raised one or two queries.

When I was sitting opposite, I recall having complained from time to time that Bills were not sufficiently explained, and it seems that I may have offended on this occasion. I will give the matter due consideration to ensure that it does not occur very often, although I must say that on other occasions I did not achieve splendid results in my endeavours to have Bills explained more fully by the members of the then Government.

Both of the members who have spoken to the Bill have indicated that they fully appreciate, recognise, and approve of the provisions in the Bill in respect of juveniles who are not prisoners but who are detained in custody under the provisions of section 19 (6a) of the Criminal Code. Whilst they are not prisoners, under this Bill they will be given the advantages and assistance which prisoners receive pursuant to the provisions of the Offenders Probation and Parole Act.

In respect of the other question as to what will happen and to what extent the public will be protected when a person is released, let me say, first of all, that I do not think we need concern ourselves a great deal about the release of a person, in the sense that a full inquiry will be made before he or she is released to ensure that there will be justification for the release, so that nobody will be hurt as the result of a desire of officials or the Government to help that person. The responsible officers will be quite satisfied as to the matter of public safety.

The member for Floreat read subsection (1) of section 48 of the Mental Health Act; he also read subsection (2) of section 48, which makes the position very clear. Subsection (2) of section 48 of the Mental Health Act reads—

> Where a person liberated by the Governor under this section, subject to any terms or conditions—

I would think that in the great majority of cases there would certainly be terms and conditions. The subsection continues—

> —commits a breach of any term or condition, he may be re-taken and returned to the hospital or any other approved hospital or to strict custody, as the Governor may order.

That is what may happen under the Mental Health Act. That section has been in existence for quite a long time, and I imagine there was a similar provision in the Act which it superseded.

Mr. Court: Do you say he can be returned under strict custody?

Mr. BERTRAM: Yes. No complaint has been made about this provision. It is a matter of whether a prisoner comes under this Act *via* a prison establishment to which he has been committed under the Mental Health Act or whether he comes straight under the Mental Health Act in the first instance. The protection provided is ample and adequate.

Subsection (2) of section 34A of the Offenders Probation and Parole Act reads—

> Where a person is so released subject to a condition that he be under the supervision of a parole officer for a period the Board may in respect of that person . . . .
>
> (c) after making any such order by warrant signed by any two members, authorise any member of the police force or other officer to apprehend the person and deliver him to the custody of the person or authority specified in the warrant at a place so specified.

It will be seen that those provisions are very close to analagous with the provisions which are now sought to be incorporated in the Act. I do not think there is any problem. Section 48 has been seen to work. No case has been made out to show why it cannot work in respect of this particular type of person. Indeed, it may already have been working for this type of person because the main concern in drafting this Bill was to make it clear to the public and to those people who are trying to implement the Mental Health Act and the Offenders Probation and Parole Act just whose responsibility these people were.

Clearly the purpose and the obvious good sense of the Bill is that if a person is being dealt with under the Mental Health Act, it is an absurdity or a waste of time to have annual reports which are otherwise required to be made for those coming under the Offenders Probation and Parole Act.

The only other query that has been raised—and I am not too sure that I understood it—was the proposition that if a person has been dealt with under the Mental Health Act and has been released under the provisions of section 48 of that Act, and is subsequently retaken or returned to the hospital or other place, can he thereafter be released again under section 48? I would say he most certainly can be. I think the Act makes it clear enough and I do not think I need go further into that query. I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Norton) in the Chair; Mr. Bertram (Attorney-General) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 34C added—

Mr. MENSAROS: I do not think the Attorney-General fully understood my point, so I will try to make it clearer. The proposed new section 34C states, "When the Governor makes an order . . . " which refers to an order made by the Governor to place a person into a mental institution. After that has taken place the person might be liberated on certain terms and conditions. He might then violate those terms and conditions and he might be taken back to the mental institution. I have no query about that. However, instead of being taken back to the institution under the Mental Health Act, that person could be taken into strict custody. The proposed new section 34C states, "When the Governor makes an order . . . the provisions of this Act cease to apply to that person." Therefore, once the Governor made the original order the provisions of the Offenders Probation and Parole Act cease to apply.

If the sequence of events I have described takes place and the person is finally taken back into strict custody and not to the mental health institution, then the provisions of the Act have already ceased to apply and no parole officer will be responsible for that person. The mental health institution was responsible for him but when he is taken back into strict custody instead of into the mental health institution there is a vacuum. The provisions of the Offenders Probation and Parole Act have ceased to exist, and presumably the mental health institution will not be responsible for a person who is in strict custody. Therefore nobody is responsible for him, and this is where I would like some clarification. I ask the Minister to consider an amendment to the proposed new section to make it clear that the provisions of the Offenders Probation and Parole Act do not cease to apply if a person who at that stage is obviously sane is taken back into strict custody.

Mr. BERTRAM: In the first instance if the person—we will call him the detainee —is in prison then, under section 48 (1) of the Mental Health Act, he may be admitted to a hospital. Subsection (2) states that if he is liberated and he breaches the terms or conditions of his liberation, he shall go back into the hospital or into strict custody. If he is returned to the hospital then, upon being cured or brought to a condition of health in which he may be safely released, I have no doubt he would be released.

Then we have the other case where instead of the person being taken back to hospital he is taken back to prison. Let us assume he is back in prison for a second time. I say simply that if he can be released in the first instance under section 48, he may be released a second time.

Mr. Court: The point raised by the member for Floreat is very clear to me because as I understand the amendment—and this is where we are trying to clarify it—once this machinery works the first time he is completely taken out of the jurisdiction of the Offenders Probation and Parole Act. All the member for Floreat is seeking to do, as I understand it, is to ensure that if the person does have to be recommitted and is taken back into a prison, the machinery will start again.

Mr. J. T. Tonkin: That is a long interjection.

Mr. BERTRAM: The Deputy Leader of the Opposition is speaking in terms of the person getting out under the provisions of the Offenders Probation and Parole Act, but he does not get out under that Act;

he is released under the Mental Health Act. Surely if he can do so once, he can do so twice. Section 48 (1) of the Mental Health Act states that the Governor may from time to time order that person to be admitted as a patient. I cannot make it any clearer than that.

Mr. Court: It hinges on this: We are not questioning it so far as the first time is concerned; but the man has been out and, because of some set of circumstances, he is apprehended and put back into close custody.

Mr. BERTRAM: This Act does not say "where a person is imprisoned for a first time and has on no occasion been released previously under section 48." It simply states that a person may be released. I believe that if a person is taken back under section 48 (2) of the Mental Health Act, not only into an approved hospital, but also into strict custody as the Governor may order, then the Governor may from time to time thereafter order that person to be admitted as a patient to an approved hospital. Taking it to its logical conclusion, that man may be released again. Surely that is the intention of the Act. What would be the point of taking him back and then forgetting him? That is certainly not my contemplation because the fellow may be taken back into custody and then recover completely.

Mr. O'Neil: We are asking you to ensure that he does not go back into strict custody and remain there.

Mr. BERTRAM: Seeing it is our mutual desire that that should be done, I would be happy to make a further inquiry and comment at the third reading stage. The law is not always as clear as it might be and it does not always necessarily say what it appears to say.

Mr. COURT: I do not want to appear to be an obstructionist about this matter, but the member for Floreat and myself have arrived at the same query for different reasons and from different points of view. The query I raised about people who come under the Mental Health Act was just as valid when I made it as it is now following the Attorney-General's attempt to explain the situation. The point concerning the member for Floreat and myself is the fact that proposed new section 34C states, "the provisions of this Act cease to apply to that person."

Let us assume a person is released in all good faith and, as often happens, things do not work out as planned and he has to be apprehended and is put back into a prison instead of a hospital as a result of the circumstances.

Mr. Bertram: What do you understand by this Act? This Act no longer applies to him; that is the whole purpose of the exercise.

Mr. COURT: No, I think the Attorney-General is dismissing too lightly what we are saying. He is saying that the Mental Health Act should apply in the first instance. We accept that; and we accept that the Act will be administered in good faith, that care will be exercised in the release of patients, and that there will be good after-release care, etc. But let us assume that even with all the goodwill in the world somebody offends and he has to be apprehended and for some special reason that person is not taken back to the hospital from which he was released but is put into prison. As I understand the amendment—which we are not opposing in principle, I hasten to add—from that point onward that person does not get the benefit, nor does the community get the protection, of the Offenders Probation and Parole Act.

Mr. Bertram: It does not need it.

Mr. COURT: We want some words added—unless the Attorney-General can give us a legal opinion that they are not necessary—which will mean that if the person is put back into prison he will, in fact, have the benefit of the Offenders Probation and Parole Act, and the community will have the protection of that Act. As I understand the proposed new section, if it operates for the first time it has operated once and for all.

I think the Attorney-General would be well advised to report progress and have this matter clarified so that we can pass the Bill in the form in which we want the Legislative Council to receive it. I know we can always receive an explanation at the third reading stage and in later stages of the session we often rely on the fact that amendments can be made in another place. However, in the early stages we should try to avoid that.

Mr. HARTREY: I am inclined to agree with the views expressed by the member for Floreat and the Deputy Leader of the Opposition; that is, there may be some ambiguity. It may be that the way in which the Attorney-General has interpreted this Act is correct, but I am not prepared to say he is definitely right. After all, it is our duty to avoid ambiguity; therefore, the matter should be referred for further advice, although I am happy with the intention of the Attorney-General.

Mr. DAVIES: Would the Deputy Leader of the Opposition explain to us for what causes does he imagine that such persons would be apprehended again? If a person committed an offence and was dealt with, first of all, under the Criminal Code and then under the Offenders Probation and Parole Act, and subsequently it was decided that he could be released under section 48 of the Mental Health Act, does that mean that the Crown had, at that stage, elected not to take any further

action against that person? From newspaper reading I seem to recall from time to time that the Crown Prosecutor decides not to proceed in a case, but the person is kept in custody. To all intents and purposes that person is no longer liable to stand trial for the offence for which he has been apprehended.

Such a person can then be released under section 48 of the Mental Health Act. If he is he becomes subject to the conditions which are imposed on him by the Governor, but these are not related to the original offence; these conditions are related to his mental stability.

This is where the query arises: if he commits another offence, is this person taken to a prison, to a hospital, to a mental institution, or into strict custody? If he offends again it is a completely new charge.

Mr. Court: No; if he breaches the conditions under which he has been released he can be apprehended again. He does not have to commit a new offence, but if he does the law starts all over again. We are concerned with where he breaches the conditions under which he has been released under the Mental Health Act, and is apprehended again. We want some assurance that if the circumstances are such that he is recommitted to a prison, the machinery of the Parole Board can be revived.

Mr. DAVIES: Is the Deputy Leader of the Opposition suggesting that provision should be made for such a person to be reapprehended under certain conditions, and that the Government should detail the conditions and the place to which he should be taken?

Mr. Court: We are not asking for a change in that law at all. All we are asking for is that if such a person has been released under the Mental Health Act, and is reapprehended and committed to a prison, he is not denied the benefits of and the community is not denied the protection under the Offenders Probation and Parole Act.

Mr. DAVIES: The Mental Health Services are happy to see this provision taken out of the Offenders Probation and Parole Act and placed in the Mental Health Act, because they believe there is sufficient scope to deal adequately with anyone who breaches the conditions under which he has been released. I can see that doubts, which are not apparent to myself or to the Attorney-General, exist in the minds of members of the Opposition.

Mr. O'Neil: The Attorney-General has been doing all right up till now.

Mr. DAVIES: I am trying to get the matter and the conditions under which a persor may be apprehended clarified. If a person is apprehended under the Mental Health Act obviously he continues to be subject to the conditions of that Act. If members of the Opposition believe that the security provisions provided under the Mental Health Act are inadequate they should put forward suggestions for amendments.

Progress

Progress reported and leave given to sit again, on motion by Mr. W. A. Manning.

LAND TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th August.

MR. RUSHTON (Dale) [5.51 p.m.]: As the Minister has already advised us, this amending Bill is in accord with the Government's projected promise to eliminate land tax on properties of half an acre and less. It also seeks to overcome some other problems affecting land of one acre or less which has been rezoned. In principle the Opposition agrees with the proposals.

However, I must point out certain inequities, iniquities, and unjust anomolies which I hope the Government will take into consideration, and I hope the Government will agree to certain amendments. I also hope the Government will be prepared to delay the passage of the Bill for a short time, in order to give consideration to the submissions that we will be putting forward.

To go back into the history of the exemptions which have been granted previously and will be granted now, it is interesting to note that the metropolitan region improvement tax was linked with the parent legislation when the last Bill which granted exemptions was passed. Will the Minister indicate whether such exemption from the metropolitan region improvement tax is intended to be applied to blocks of land which are now exempted from land tax? It might not be his intention to extend the exemption to include the metropolitan region improvement tax.

Mr. T. D. Evans: Will you explain that again?

Mr. RUSHTON: When the exemptions were introduced by the previous Government to apply to land up to a value of $10,000, with tapered adjustments of exemption on land valued up to a higher figure, the exemption from metropolitan region improvement tax was included at the same time. This is the query: What is the intention of the Government in this regard? Is it intended that in future the metropolitan region improvement tax will apply also to a person who has only one residential block; or is it intended that the metropolitan region improvement tax will apply but land tax on that block will be exempted?

The reason I am raising these matters in relation to previous exemptions is that inequities now creeping into this legislation have been highlighted.

In the past exemption from the payment of land tax was granted on blocks worth $10,000 and under, and then I think the figure was increased to $18,000 on a tapered basis.

The amendment in the Bill now seeks to break new ground by including land regardless of its value. It could be a household block valued at $150,000 or $50,000. I think all members agree that there are many blocks in the metropolitan area which could command such figures. Some of the blocks of land in the Premier's electorate could attract valuations of $30,000 or $40,000. My point in mentioning this is that it highlights the injustice that will be felt by a certain section of the community.

I have no desire to disparage what the Minister is seeking to do, but I submit there are many blocks where this Bill would create even greater anomalies than those which occurred before. We accept the principle that all people who own one block of land on which a home is erected, and who do not own any land other than that, should be entitled to be exempt from the payment of land tax. As I have pointed out, the block of land could reach any figure. The valuation could be $150,000 for a half-acre and the owner could be exempt from the payment of land tax. On the other hand, a man could own a block of land at Midland which is worth only $4,000 and he, of course, is still exempt from the payment of land tax.

I would also point out that there are other areas in the State associated with our early history in which there are blocks that are statutorily required to be three-quarters of an acre, one and a quarter acres, or some other size, and on which the only improvements consist of a dwelling house; and, in accordance with the criteria laid down in this Bill, the owners of such blocks would not be exempt from the payment of land tax. I therefore ask the Treasurer to give favourable consideration to including such people within the provisions of the Bill.

The member for Canning would have many residents in his electorate who own blocks that exceed an area of half an acre. Such blocks could vary from one and a quarter acres to two acres, for example. I have many in my electorate, and I am sure the Minister for Housing who represents the Cockburn electorate is in the same position.

Mr. Jamieson: You have to draw the line somewhere.

Mr. RUSHTON: We could handle this without any risk of the Treasury running out of cash.

Sir David Brand: That is what we said in regard to half an acre. The line is in the wrong place.

Mr. Jamieson: Make it 1,000 acres and it will solve everything.

Mr. RUSHTON: In the past the valuation figure could be lifted to $20,000 and then related to a man's land could bring equality, but in this Bill an attempt is made to break new ground by saying, "Each owner, regardless of whether his block of land is worth $100,000, is entitled to be exempt from land tax." One does not quarrel with that point of view, because there are so many blocks that could attract such a valuation. I could point to many cases in my own electorate and I have already mentioned that there are several in other areas represented by members in this House that will be subject to the anomalies I have referred to. They are certainly within the periphery of the metropolitan area.

It could be argued that blocks of land below the value of $10,000 will be exempt from land tax. It might be easy to suggest this. I would suggest that as land values have risen higher and higher, the person who should qualify under the criteria set out in the Bill is a householder owning one and a half or two and a half acres and who is unable to subdivide. He should attract exemptions. Such a householder should be treated in the same way as a man who lives at City Beach, Mosman Park, or Alfred Cove and whose block is valued five times greater than the blocks I have mentioned.

Just as an aside, I would mention that it was rather intriguing the other day to note that the Treasurer gave a hint by a report in the Press that many people have been paying land tax unnecessarily. Surely the taxation assessor should give some notice to such people to indicate that they are not liable to the payment of land tax.

Mr. Jamieson: Does the Federal authority do this?

Mr. RUSHTON: I am not dealing with the Federal authority. The State Taxation Office should inform those people who have been paying land tax that they are, in fact, not liable for the payment of such tax. The taxation assessors would know, surely, that they have been paying the tax unnecessarily and should prevent the position from continuing. That anomaly should be removed as soon as possible.

Let me return to the point I was making in regard to the anomalies that are evident from a reading of the explanatory notes to the Land Tax Assessment Act Amendment Bill of 1970.

Mr. T. D. Evans: The Treasurer's hint was that people should equip themselves with that very booklet.

Mr. RUSHTON: The Treasurer will agree that in those instances where a taxation assessor knows that people are paying land tax when they are not liable to do so he should advise those people accordingly.

Mr. T. D. Evans: They do just that.

Mr. RUSHTON: Their assessments could be adjusted. Apparently the Treasurer agrees on that point. Returning to the anomaly which appeared on page 16 of the explanatory notes, in my opinion this highlights the position. A man with a block of land worth $50,000, in accordance with the exemption granted under the Brand Government's legislation, paid $500 in land tax. He did not gain any relief under the last legislation which granted exemption from the payment of land tax, but under this Bill he will pay nothing. Instead of paying $500 in tax he will pay no tax at all. Under the Bill, this is what the Treasurer is seeking to bring about.

On the other hand, an owner of two acres of land, no matter in which suburb the land is situated, may not be able to subdivide because of the terrain of the country or for some other reason. He is prevented from subdividing by the provisions of the Town Planning and Development Act and the Local Government Act. His block could be worth $12,000, and even under the legislation introduced by the Brand Government last session he could pay $13.75 in tax. Therefore, a man with a block worth $12,000 will be liable for the payment of $13.75 in land tax, but another, with a block worth $50,000 will not be liable for the payment of any tax under this Bill. This does not seem reasonable.

I merely ask the Treasurer to give some consideration to this anomaly by delaying the passage of the Bill so that inquiries may be made with a view to ironing out the situation. I offer two suggestions as to how the situation could be ironed out. The criteria laid down in the Bill relate to two examples where exemption from the payment of land tax could be granted, and these criteria could be retained, because I think the intention of the Government is to give consideration to those people who own one block purely for domestic purposes and who do not earn their living from it. What the Government is seeking is to grant exemption from land tax to any person who *bona fide* owns one block on which there is only one dwelling house. That is all the Treasurer sets out to do. There are two suggestions that can be made with a view to removing the inequalities.

The first is that we vary the acreage from half an acre to five acres, or whatever acreage is considered suitable, but still subject to the criteria applicable with regard to exemption. The second suggestion involves an amendment to section 11A which I understand could be made because this Bill is for an Act to amend the Land Tax Assessment Act. Therefore I understand we are able to amend any section. Consequently I suggest we should raise the basic sum allowable for exemption. Perhaps this amount could be $20,000, or whatever is considered fair. We all know there are many blocks valued around the $20,000 mark, although some are valued as high as $40,000 or $50,000. If a person has a block valued at $20,000 he will be exempt to the extent of $78.25 while a person who has a block which is a fraction over a half-acre and worth $12,000 will be charged $13.75. We must realise that many blocks are in this category. This is a real anomaly and I hope the Minister will give consideration to an amendment to rectify it.

I do not think I need to stress the point which applies to both parts of the proposal which is accepted in principle by members of the Opposition. We ask only that the Minister give consideration to the two points raised. We believe that the legitimate genuine home owner whose block is over half an acre—and I stress that he is just as genuine a home owner as the person whose block is under half an acre—should be given some relief. It would be very much appreciated by those on this side of the House if the Minister would indicate how many people are affected in this regard. However, even if only one would benefit by an exemption, we feel he should be granted the exemption the same as is the more favoured section of the community.

I am sure the Government intended to remove the anomalies, and I believe that we should ensure this is done, especially in view of the Attorney-General's concern for "looking after the little people." This Bill does just the opposite and I am sure this is not intended.

Another matter concerns me and I have no doubt the Minister will be able to help me. The Minister for Industrial Development has often said that we should put pressure on those holding large parcels of land and that land tax is one way of doing it. However, what does this Bill do to those genuine home owners who are not exempt? I am sure the Minister will agree that these people will be placed in an inequitable position and therefore it is reasonable we should delay the passage of this legislation until the matter can be considered further.

I do not think the Minister has indicated the total value of the tax exemption. What is the estimate of the financial involvement? He might think that it will be very little as a grand total because those with valuable blocks will not be included in the

benefit. However, this is not reasonable because many people with valuable blocks still have the one block only.

We must also consider the position of the future. All Governments need finance and they must gain this through taxation in order that they might balance the Budget. When it is decided in the future to raise a tax to upset the speculator or to gain more taxation, the people who will be hit are those I have mentioned and those in the commercial field; that is, those with businesses. These are the very people we hope will provide us with goods at reasonable prices, but they will be carrying an extra burden because of the very creditable gesture of exempting from land tax those people who have one block only. This will be very much like the old practice of robbing Peter to pay Paul. This is the type of philosophy this Government has developed and it concerns those on this side of the House. However, I am sure I have impressed the point upon the Minister.

Sir David Brand: I am interested to know whether agricultural land is exempt under clause 4.

Mr. RUSHTON: Improved rural land receives certain exemptions under the legislation introduced by the Brand Government. However, I would ask the Minister the position of a person who owns a home and also happens to have a farming property which is exempt. I know of a farmer in Trayning who lived in the township but also had a farm. Many farmers operate this way for various reasons, including education, and we must accept the fact that a person is entitled to decide where he wants to live and how he will run his farm. However, in the case to which I have referred, would the person be exempt if, apart from the house in which he lives, he also owns a farm which is already exempt because it is classed as rural property? Because he owns two blocks of land does he then attract land tax? This is another point on which I would like the Minister to supply some information.

I think I have covered the anomalies. I have not given illustrations in detail although I could do so, but I do not wish to prolong the debate. I am certain the intention of the legislation is to extend the benefit to all home owners who can qualify under the criteria.

We have not had any advice from the Minister concerning the metropolitan region tax, and this is a real issue.

By and large this legislation indicates a strange change of view for a socialist Government which is extending the benefit to the favoured and to those who have no doubt richly earned their rewards in life. However, the same benefit is not applied to the less favoured people, and this is the point I wish to make.

I do ask the Minister to give very careful attention to this legislation which I hope he will delay. I particularly ask him to consider the two points I have raised. As I have said, we could add another clause after clause 4 which now amends section 10.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. RUSHTON: I want to make a couple of points before summing up my address. I think I have a very keen ally in the Deputy Premier when I seek the change I have mentioned. The Deputy Premier very strongly, very vocally, and very forcibly presented the situation to us last year when the extensive change took place and land tax exemptions were granted. On that occasion the Deputy Premier stressed the need for exemptions to help those who found themselves in an awkward situation, not of their own making. The Deputy Premier received a good deal of sympathy in relation to his proposal, but it was a case of working out how to allow such exemption.

I am not objecting to what is proposed in this Bill, but it will create many anomalies. It would be reasonable to expect the Minister to give us more information in this regard because he has not informed the House of the cost involved. In fact, we are short of a good deal of information relating to this Bill and although the Minister is not present at the moment I hope he will provide the information I am seeking when he replies to the debate.

A Bill of this nature is very difficult to judge when it deals with finance, as it does not set out the cost involved. We should insist that this sort of information is made available when future amendments are brought to the House.

It is interesting to consider the disparities and inequities related to this land tax Bill. This policy, if consistently implemented, will mean persons will pay unequal taxes. At the moment a person is paying the same tax on a block of land which is of the same value. Without the Minister being present there does not seem much point in my stressing my argument further.

I would like to sum up my address by saying, firstly, that the Government did notify the people of its intention to introduce this legislation. However, the legislation does create grave anomalies and inequities. We hope the Government will consider rectifying the anomalies, and I have pointed out the two methods by which this could be done. The passage of this Bill should be delayed until the points I have mentioned are given full consideration and the difficulties ironed out.

Secondly, I hope the Treasurer will see that the State Taxation Department advises those people who are paying more tax than is necessary. I hope the message I received from the Minister, through the normal signals, signifies that he agrees.

The Taxation Department should do everything in its power to ensure that people are not paying more tax than is expected of them by law.

I have set out two methods by which the anomalies can be overcome. Firstly, an extra clause could be included in the Bill to enlarge the acreage to come under exemption. People living on the perimeter of the metropolitan area should enjoy the same exemption benefits as those living on the smaller blocks in the city area. The people living on the outskirts of the city play an important part in the development of the State and they do not enjoy the same advantages of travel and employment as are available to the city dwellers.

I have suggested that the Bill should be amended to enlarge the acreage which will be exempted. Also, the clause relating to subdivisions should be amended to lift the exemption—at present $10,000—to a figure which is comparable with the exemption applying to the more expensive blocks.

In conclusion, I again ask the Minister to delay the passage of this Bill so that it can be amended to overcome the inequities and injustices which exist; so that the situation will be a reasonable one for all the people who can be covered by the criteria of owning a block of land on which their home is built, as laid down in the amendment.

MR. MENSAROS (Floreat) [7.38 p.m.]: I am sorry the Treasurer is not present in the Chamber so that he can answer the queries we are raising. The Bill before us, as has already been said, will amend the Land Tax Assessment Act.

Dealing with the second part of the Bill first, the provisions of clause 4 allow for the genuine home owner, who does not own any other property, to be exempted from land tax if he complies with the other conditions as set out in the Bill. The second concession in the measure will lift the burden on the owners of properties of between a half-acre and one acre. Those who own properties up to a half-acre are already enjoying this benefit as a result of the amendment which was passed last year. Many people have been faced with the burden of paying heavier land tax for reasons which were entirely outside their own actions, and for which they did not ask, and about which they could not do anything.

It is somewhat difficult to examine all the consequences of this Bill, because there have been five fairly substantial amendments since the Act was reprinted in 1959. Some members may recall that I have been interested in this question of land tax which I brought up three times in the last Parliament. Some of my recommendations were included in amendments made in 1969 and 1970; to a certain extent some of them are contained in this Bill.

I would like to point out some inequities, and some anomalies, which could arise from the provisions in this measure. I realise and appreciate that it is, and was, fairly difficult to legislate to further alleviate burdens of land tax. So far as the concessions in the second part of the Bill are concerned, we see that these are to apply only if the owner owns no other land within the State. I am referring to the fourth condition contained in clause 4. I wish to make two remarks on this condition.

I refer to the definition of "owner" in section 2 of the principal Act. It is a fairly lengthy definition and, in fact, extends over the page. The definition starts—

> "Owner," as applied to any estate or interest in land, includes every person who is, jointly or severally, whether at law or in equity—

Six paragraphs, (a) to (f), are then listed. It is quite obvious from the definition that each of the joint tenants of a property is equally affected as an "owner." I imagine that most of the properties affected by the measure under discussion would have joint tenancy by husband and wife. If any of the joint tenants has some other property then, of course, the conditions would not apply. These people would not be exempt and would only enjoy the benefit of amendments which have already been enacted; namely, the value limits up to $10,000 and the tapered tax up to $50,000. Even if there are several owners of a property—and it could be a family —the same thing would apply.

I shall take a practical case which is not hypothetical at all. Suppose a husband and wife own a property and all other conditions are fulfilled; namely, they reside in the residence, it has no use other than domestic, and it contains only the main building and an outbuilding. Suppose the husband or the wife inherits a small part of a property—say one thirty-second—because an aunt dies. The land tax on the inherited part-property would not be more than 20c. Although the person concerned would still enjoy the monetary exemption up to $10,000, because of the minute land tax on another property which has been inherited under a will, the main property of the husband and wife would not be exempt.

This is a case which, I think, can happen often. Of course, I realise the accusation could be levelled against me that when some benefits are given I am looking at the other side and stating cases where they would not apply. Still, I think we wish to legislate equitably and this is one case where equity is perhaps lacking.

My other comment on inequity stems from the same clause, wherein it is stated that the land shall be used only for residential purposes. Perhaps before I deal

with this I shall make one other remark in connection with the condition which states that the owner cannot own any other land. We can be confronted with a case where the owner has another property or even a part of another property which he must have to earn his income. I refer to farmers and pastoralists. The definition of "land" in section 2 of the principal Act says—

> "Land" includes all lands, tenements, and hereditaments, whether corporeal or incorporeal, in Western Australia, and also includes all chattel and other interests therein.

From this definition it is quite obvious to me—although I stand to be corrected if I am wrong—this includes pastoral or farming properties. If a farmer has a town house to live in but earns his living from a farm, his dwelling house would not be exempted because he owns another property, although this other property is not subject to land tax.

This creates an inequity between farmers and those who earn their living in a way which is not connected with any property. For example, an agent has only to hire an office; the professional man equally hires premises; and the salary earner makes his living without owning property. The dwelling houses of all these people will be exempted by the provisions of the Bill, but the dwelling houses of people who earn their living in connection with another property will not be.

I can think of other cases where the condition in question would cause inequities. Take, for instance, the case of a builder or developer who is not in a big way but who owns other properties because of his business. He will live in one, the same as a doctor or a public servant, but in conducting his business and earning his livelihood he has to buy a block of land, build a house, and sell it. This process could be repeated. The same comment applies to a developer, of course.

I can think of another example where the owner of a dwelling house may own another property purely and solely for the reason of supporting his parents whom he keeps in this other property. In this case, those concerned take a burden away from the State and the Government. They do not believe in leaving their parents in homes for the aged. Nevertheless this gesture will work against them under the conditions of the Bill.

Perhaps I have pointed out some of the inequities which I foresee. I am sure the intention of the measure was not to penalise such people as those to whom I have referred, but was aimed at people who are investors in property and who make profit out of property investment. I am sure it was not the intention to apply the conditions to those who make their livelihood in a way which is connected with a property.

On the other hand, under the same conditions there could also be some anomalies. Again referring to the definition of "owner," which I read before, it is quite obvious that the definition does not include as an owner anyone who has shares in a company which, in turn, owns property. It is quite obvious that I would not be the owner of other land if I had one Bank of New South Wales share, and the Bank of New South Wales obviously owns several properties.

Under this condition an anomaly would arise if an owner had a substantial dwelling house which could not qualify for land tax exemption under the present law if the unimproved land were in Mosman Park or somewhere along the river where it would be worth, say, $60,000 or more, which would be outside the tapering provisions. Such a person could then create a company and have all his other land owned by that company, of which he could be the sole shareholder. The property on which his dwelling was situated could then become exempt from land tax. This is a matter which could be looked at objectively and quite apart from party lines.

Clause 4 also provides that the land must be used only for residential purposes. As I understand it, that is one of the conditions required in order to derive the benefit of not being liable to pay land tax. In this case a question could arise as to the position of the numerous small businessmen who do not necessarily work in their homes but work from their homes. I am thinking of building contractors—the small plasterer or concreter—and some of the cartage contractors who work physically outside but conduct their business from their homes, even if it only means they have a file on the kitchen table for invoices and orders and their wives answer the telephone. Legally, they work from their homes, but obviously they could not satisfy the condition that the land must be used only for residential purposes. This is another matter which could be looked at.

I realise that local authorities close an eye to this situation because some of these small contractors are in purely residential zones and cannot even claim acquired rights, having gone there after the zoning had been done. Yet this part of the Bill would not apply to them.

People who are engaged in any type of small domestic industry are another class of people who would not enjoy this concession, apart from the benefit which exists in the $10,000 limit. One can think of a wife who has learnt pottery and decides to sell a few of the pots she has made. Even a few of these sales would place her outside the condition that the land must be used only for residential purposes.

Oddly enough, however, in my interpretation that condition would apply to someone who had a substantial dwelling house and let the rooms separately—one of the

old residences in West Perth, for instance. Such a person would earn a large income, yet the house is used only for residential purposes and the owner resides there as his normal place of residence. If he or she does not own any other land, the property would be exempt from land tax under this condition because it is also a personal dwelling.

It should be mentioned that the concession applies only if the taxpayer makes application to the commissioner. I suppose there is nothing wrong with that but it must be realised that not all people know all details of the law. It would therefore be advisable for the Treasurer to circulate a small notice, perhaps enclosing it with assessments, in order that people will know they have a right and indeed an obligation to make application, otherwise the concession will not apply to them.

The second concession in the first part of the Bill refers to land the increased value of which was not a matter of preference or choice on the part of the owner. If this concession is right in principle—as I think it is—it is very difficult to accept that the principle is only right if a property does not exceed one acre. I know it could be said that we have to draw the line somewhere. It could also be said that the Bill which was introduced by the Liberal-Country Party Government drew the line at half an acre, which would be worse than one acre. The obvious answer is that two wrongs do not make one right.

I think there are such cases in my electorate, even though there may not be many of them. There are many cases, however, in other parts, not only in the fringe areas but also around Morley Park, for instance, where the original subdivisions were two acres and many people remained on their properties and built a house right in the centre of the property. As was the case in the example which the Deputy Premier brought up last year when debating the 1970 amendment, they are therefore unable to subdivide their properties, yet they would not enjoy these benefits because the property happens to be in excess of an acre, which is the maximum.

The Treasurer mentioned over 200 cases involving properties of between half an acre and one acre which were the subject of rezoning with consequent increased value. It would be interesting to know how many properties would be involved if the limit were lifted from one acre to any given larger area.

Perhaps it sounds too theoretical, but I mention the fact that all these problems would be solved if land tax were a pure indirect tax as it is almost all over the world. As I pointed out at length last year, because of the peculiar situation of the division of sources of revenue between the Commonwealth and the States, land tax is one of the few sources of revenue available to the State. It is therefore more in the nature of a direct tax than an indirect tax. It is progressive and it is not based on the objective value of the land which is taxed but on the aggregate value of the land owned by one owner. However, I realise that because of the Commonwealth-State financial relationship, this position cannot be expected to change in all practicality.

Finally, it would be interesting to know what would be the effect of this Bill as regards lost revenue to the Treasury. I would appreciate it if the Treasurer could inform us of the position.

It is not extraordinary to ask this because, if we look back at the second reading speeches of members of the previous Government, we will see the then Treasurer invariably stated the amount of lost revenue or saving—whichever the case happened to be—to the State, as the result of implementing a particular Bill. If we are to sit here and make decisions on these serious monetary matters affecting the State, I think we are entitled to know the result as this obviously would influence our deliberations. With these remarks I support the Bill.

MR. R. L. YOUNG: (Wembley) [8.02 p.m.]: Mr. Speaker, I do not intend to go into the Bill to the same depth as has the member for Floreat; nor do I intend to cover the same ground as the member for Dale. I think these members have made it clear enough to the Government at this stage that this Bill will bring about many anomalous situations which will mean that the measure would not achieve the result the Government hopes for. However, I wish to speak about a few matters. Firstly,—

Sir David Brand: I think the Minister ought to be here.

Mr. Graham: The trouble is your members are bouncing up too quickly. We are anxious to adjourn.

Mr. O'Connor: Why not request it?

Mr. Graham: Any of your previous speakers could have moved for the adjournment.

Mr. R. L. YOUNG: To go on with what I was saying—

Mr. Graham: They could have asked for permission to continue at a later stage.

Mr. R. L. YOUNG: I certainly do not wish to waste the time of the House.

Sir David Brand: You say your piece.

Mr. R. L. YOUNG: Clause 4 requires that exemption will be provided to certain properties which are one-half of an acre or less, improved land, that the owner must be regularly resident on the land, and the land must be used for residential

purposes only. Property must consist of a dwelling house and the owner must own no other land.

By reading this clause it would appear that the matter was fairly well wrapped up and airtight. However, as pointed out by the member for Dale and the member for Floreat, this is not necessarily so. Clearly there are those who could comply with the provisions of this clause and yet who are obviously not in the situation where they need relief from land tax. I know many people personally who own properties of this size who could quite easily request exemption under the provision, and who would, in fact, be so exempted. However, these people own shares in private companies and the private companies in turn own many properties. These properties could be factory premises or the private companies may be developers in the business of buying and selling land. In the course of that business they may own many hundreds of acres and yet, because of this situation, they would be exempted.

With all due respect to these people I do not think there is any necessity for this exemption. It is not necessarily good policy emanating from either side of the House to have people such as these exempted from paying land tax on their properties.

As the member for Floreat has pointed out, where people do own properties worth many thousands of dollars in areas such as Peppermint Grove and Claremont, they could subdivide their properties, perhaps making $20,000 out of the subdivision, but under clause 4 they would still be exempted from land tax. It is quite conceivable that a half-acre property could be subdivided into 30 or 40-perch properties and the owner would receive a large sum of money. This situation does not seem to have been considered.

The other point I want to make is that I hope, as other speakers have said, that the Government will consider the suggestions that have been made from this side of the House. Perhaps the Government will have another look at this matter and build into the Bill some sort of ceiling clause. By this means we could have a limit on the value of the property instead of a blanket piece of legislation exempting people from land tax on a half-acre property. The limit, of course, may be higher than the existing limit which was set by the Brand Government. This would ensure that the State's revenue is not robbed of a lot of money that it deserves. In my opinion many people not only deserve to pay but are well and truly in the position to pay.

When the Bill is brought before the House again and is finally passed in an acceptable form, I hope the Government will give the matter good publicity. The member for Dale pointed out how much publicity is necessary to advise taxpayers of their obligations and their rights. I hope the Government will consider giving this matter good publicity to make the public generally aware of their obligation to make application for exemption where the provisions of these amendments apply. It should be made known to the taxpayer, perhaps through the Press and elsewhere, that the taxpayer should make application to the State Commissioner of Taxation before these exemptions will apply to his property.

Debate adjourned, on motion by Mr. Harman.

SNOWY MOUNTAINS ENGINEERING CORPORATION ENABLING BILL

Second Reading

Debate resumed from the 5th August.

MR. COURT (Nedlands—Deputy Leader of the Opposition) [8.08 p.m.]: This is a Bill to ratify, for all practical purposes, the legislation passed by the Commonwealth Government in 1970 in connection with the Snowy Mountains Authority. We on this side of the House are not only disappointed but critical of the fact that when the Minister introduced the Bill he did not give us any of the background leading up to the request by the Commonwealth Government for the passing of this measure.

As I remember the situation when we were on the other side of the House, the Snowy Mountains project was coming to a conclusion so far as construction and supervision were concerned. Some apprehension was felt about the future of the people who had been gathered around Sir William Hudson as a team to implement this project. One does not question for one second the fact that they were a very competent team. This team developed an expertise in tunnelling and in matters relating to hydraulics.

Normally, when a project of this kind was brought to a conclusion and the project had reached the operational stage, it would have been handed over to the operating people. The responsible construction team would have been wound up in the ordinary course of events. However, the Commonwealth was moved to endeavour to preserve some of the old team—or perhaps I should say some of the existing team—at the time when the matter was under discussion and to form a corporation to undertake work not only here, but in Australia generally. The Commonwealth approached the Brand Government in connection with the matter and I remember the then Minister for National Development coming to Western Australia to discuss the matter with us, and Ministers concerned indicated

to him that we did not view very favourably the proposition that was put forward. Quite frankly, we could not at that stage see the need for it because the authority had done its job—and, undoubtedly, had done a good job—and there is a limit to the extent to which one can get these people to go.

In any case, time marches on and the personnel, no matter how brilliant they might have been at the time, would not stay there forever. They would be attracted, as are all people of outstanding capacity, to other projects in other parts of the world and the team would be dispersed. However, the Commonwealth saw fit to proceed with the matter and it brought down legislation to create a corporation. That legislation became Statute No. 39 of 1970 in the *Commonwealth Acts* which are available to all members. Later a minor amendment was made and that subsequently became No. 125 of 1970, but for all practical purposes it was only a formal amendment to give effect to some machinery matters.

The original Bill, which became an Act, set out not only the form of the corporation—its administration, its accounting, and its constitution, etc.—but also the sort of work it can do in Australia and outside Australia, and the limitations which are imposed on that work both inside and outside Australia. There is some provision for the Commonwealth Minister to have some power in authorising the type of work the corporation is allowed to undertake.

I was never quite convinced that the Commonwealth was right in saying that it could not set up a corporation which could function without State legislation. However, it was not for me to argue. The Commonwealth insisted on complementary legislation if the corporation is to undertake its work in other States. It is well known to the members of this Chamber that the Snowy Mountains Authority—and I am not talking about the corporation—did, in fact, undertake some work for the Brand Government in connection with the Ord River scheme. Some calculations had to be checked and some engineering advice obtained; and it was felt politic at the time, in view of the fact that the Commonwealth was a little touchy about all matters associated with the Ord scheme, that the checking should be done by the authority.

That was done—I forget the exact extent of the authority's participation beyond that specific assignment—and it did in fact become involved in that scheme and we have had a very good relationship with it. I personally had a very good relationship with the chairman, Sir William Hudson, and many of the senior people of the authority. I think it would be surprising if quite a few members of this House did not visit the authority and see Sir William Hudson and his team at work. I emphasise that these things took place during the construction and not the operation of the Snowy Mountains project, and it is not normal to expect a team like that to be kept together indefinitely.

I would like to invite the attention of the House to the situation in this State, and explain one of the reasons—not the only one—we have a reservation about this matter. It is this: When we go back to 1959-60 we find that the expertise available in Western Australia, in the form of engineering and other forms of consultation, was very limited indeed. The firms that existed were small in size and were most restricted in the disciplines in which they could engage.

This was only natural because there was not the large project work that came later. In fact, it is fair to say that there were very few large firms in Australia at that time. There were a number of firms in the Eastern States which were fairly substantial and had undertaken works which were then considered to be of a considerable size. For instance, if consultants received a job worth $2,000,000 or $3,000,000 in those days, they would have thought it was a very big one. However, things have now changed throughout the whole of Australia and not only have some of the Australian firms expanded and new firms been formed with competent technical people, but also some overseas firms have established substantial permanent offices in Australia with permanent managements who, with their families, are permanently resident in Australia. Some of those firms have branches in Western Australia.

So the situation is quite different from that which applied in 1959-60, and we now have a great deal of expertise in the consulting field in the several States of Australia. This applies not only to engineering; it has extended to a number of other fields as a result of the magnitude of the projects and because of the sophistication of the projects. I want to hasten to say that we on this side support the development of a large-scale consulting service in Australia, whether it be in engineering, generally, or any of its specialised branches such as electrical, mechanical, civil, hydraulics, or electronics, or in any other of the many fields of consulting work of a highly specialised nature today.

It so happens that Australian firms, encouraged by State and Commonwealth Governments, have been endeavouring to obtain more work internationally, and they have succeeded in doing so. For instance, the Department of Trade takes positive action to assist some of the Australian consulting firms to obtain work abroad. Some of the international agencies in the world, such as the World Bank, employ

Australian consultants. I am referring now to the private consulting firms which are developing a very good international reputation for the sort of work they perform, not only in engineering matters but also in a wide area of professional and technical activities.

It is not unusual for any country to do this because most of the old-established countries earn many dollars from their consultative services. The French have a strong, well-established consultative service. They are famous in matters related to hydraulics; in fact, they have the biggest private hydraulics research centre in the world. The Italians have a famous consultative service. They have a number of firms which accept jobs in all fields, whether it be hydraulic, electronic, electrical, civil, or mechanical engineering. It is interesting to note, for instance, that when the Russians wanted to establish a large motorcar industry in Soviet Russia they did not go to one of the Government-owned works in the various countries of the world; they went into the very heart of private enterprise in Milan and made a deal with the head of the Fiat organisation to plan and supervise the installation of a large motor vehicle works in the U.S.S.R. In fact, if that works is not already in production it is getting close to it.

We have all heard the announcement in recent days where the Russians—again not going to Government instrumentalities—went to America to obtain the expertise to establish what is going to be the biggest heavy truck plant in the world. They went to the Mack people to obtain that expertise. The first contract of $140,000,000 was announced this morning and that involves not only a lot of expertise, but also a great deal of equipment. It will eventually be a $900,000,000 project. I mention this to make the point that we on this side of the House realise and believe that Australia must and will expand its expertise and sell it abroad. At the present time we have much of this in countries like Indonesia.

Many other countries will be seeing Australian consultants becoming engaged on this work. Some firms in Western Australia have been very critical about being bypassed. No doubt they have been to see the new Minister. They used to see me at regular intervals when I was Minister and I would take such action as I could to identify them. They were not only interstate firms, but also local firms, and I identified them with some of the big projects, because there is a tendency when a big project is commenced to think only of firms such as Bechtel Pacific, Ralph M. Parsons, and firms of a similar type with an international reputation.

Fortunately some of our firms have been successful in performing part of this work and have established a reputation for their capacity. When in Government we encouraged this and no doubt the new Government will do the same. It is not always easy to get an organisation in charge of a big project to accept a firm it has not heard of and to entrust it with work valued at millions and millions of dollars, mainly on the recommendation of somebody who has only seen that firm perform a job worth, say, $1,000,000 or $2,000,000.

Nevertheless, the local firms are making great progress and I believe they will continue to expand, not only in size, but also in the diversity of the skills they are able to offer. The Minister did not explain to us what reaction he had had from those in the local consultative field about the idea of extending this legislation to Western Australia. If he has conferred with them, no doubt he will tell us. For my part, having been away since the Bill was introduced, I have not had a chance to follow this up, but I know that when the original Bill was mooted by the Commonwealth Government the consultative services throughout Australia were not very pleased about it. In fact, I could hazard a guess—I do not know authoritatively—that some of the restrictions that are built into the 1970 Commonwealth legislation—that is, in respect of section 17—were built in at the request of the consultative services in order to limit the extent to which the Snowy Mountains Corporation would be in competition with those services.

No doubt some people would say, "What is wrong with its being in competition?" I say quite frankly that there is no need for it at this stage of Australia's economy. We have advanced a great deal since its inception and this Government instrumentality has many advantages in competition with people who have to plough their own furrow to establish themselves, and who have to stand on their own feet in every possible way.

The Government might be rather intrigued as to why we on this side of the House are opposing a Bill that was virtually introduced by our political counterparts in Canberra. However, the fact that we are opposing it will not, I am sure, come as any surprise to the authorities in Canberra; because some of us, when we were in Government, endeavoured to make it clear to them that we did not think it was necessary for them to proceed with this legislation at the time.

I also invite the attention of members to the fact that in the Minister's very brief introduction of the Bill he did not actually explain some of the provisions of this very small Bill. He dismissed the measure as being a brief Bill—which it

is—but that does not mean it does not require a great deal of explanation. For instance, in clause 3, which appears on page 2 of the Bill, the last two or three lines read as follows:—

> . . . but each such exercise shall be subject to the approval of the Minister and to any conditions to which the approval is expressed to be subject.

I assume that under our Interpretation Act, in view of the fact that there is no definition of "Minister" in the Bill, the Minister to whom this particular legislation will be entrusted will be selected by the Premier of the day. In this case we have to assume it will be the Minister for Industrial Development who will have the power to approve or not any particular project the Snowy Mountains Corporation wishes to undertake in Western Australia. Perhaps the Minister could clarify this for us.

Under the Commonwealth legislation again we must assume that the Minister will be the one to be entrusted with the legislation by the Prime Minister of the day, because I cannot recall seeing the definition of "Minister" in the Commonwealth Bill. Presumably the Commonwealth equivalent of our Interpretation Act would in fact provide that the Minister in charge of the legislation is the one who will be entrusted with it by the Prime Minister of the day.

So, in making a summary, the Opposition does not support this legislation. We do not think it is necessary. We believe we have not been told enough about the reaction of some of the local consultative services that have developed considerable expertise in recent years and who, in fact, have been complaining about the competition to which they have been subjected by outside bodies, and have been asking the Government—I am now referring to the Brand Government—to assist them to establish themselves both here and abroad so that they may expand their activities. Therefore, it appears to us that it is quite unnecessary to superimpose, under this State Statute, yet another Commonwealth body—which has certain advantages built into it because it is a Commonwealth body—to compete with the local consultative services.

Before I conclude, I want to say that I know there have been occasions when private firms have used the services of the Snowy Mountains Corporation, either in its old form or in the corporate form, but this does not in any way change my view. At the time it was a question of convenience that its services were made available to those private firms, and for the life of me I cannot see why we should make it easy for the corporation to enter Western Australia in competition with local firms to obtain a toehold, and therefore we oppose the Bill.

MR. W. A. MANNING (Narrogin) [8.27 p.m.]: I am surprised the Minister, when introducing the Bill, did not give us more information. I do not know whether it was because he was not enthusiastic or that he did not know much about it, but he certainly did not tell us why he was introducing the Bill. He stated a few facts that did not go very deep and he left us with the rest.

I agree that many members of this Chamber have had the opportunity to inspect the work that has been performed, especially that at Cooma, by the Snowy Mountains Corporation. It has certainly shown its ability to carry out a huge undertaking, and the research done on it was out of this world. I understand because of the work it did perform, the idea was that when the Snowy Mountains Corporation reached the concluding stages of its undertaking, its organisation should be preserved principally with the object of carrying out work for overseas countries.

To me this seemed to be a good idea, because if we can attract contracts from other countries, well and good. I have no argument with that objective. Nevertheless, I do not think we had in mind that the corporation should engage to any extent in undertakings in the various States of the Commonwealth, although there is no particular reason why it should not extend its activities in this manner. However, it does create a peculiar situation when we have the Minister for Industrial Development advocating that we should support the entry of an Eastern States' concern to this State to compete with local firms. I can recall his standing at the front Opposition bench on many occasions and, adopting his particular stance accompanied with a great scowl on his face, saying, "Do you think we are a lot of kindergarteners over here? Why should we follow what the Eastern States are doing? Why should we bow to them?"

For many years, whilst he was on this side of the House, that was the attitude adopted by the present Minister for Industrial Development. Now he puts forward a proposition that supports, purely and simply, something from the Eastern States. It is not that we want to derogate anything from the Eastern States; but surely, in view of the fact that this State has grown tremendously over the past few years and is continuing to grow, we can provide our own services, based on the same lines on which the Snowy Mountains Corporation was established, to carry out any undertakings in this State.

I will not attempt to enumerate any of these, because the Deputy Leader of the Opposition, from his experience as a former Minister for Industrial Development—one who has established many industries in this State—has put forward the case in

opposition to the measure. So, it would be futile for me, in saying these few words in the debate, to follow the line that he has taken. However, I do support what he has said.

Western Australia, as a growing State, should be able to provide this type of service for itself. Great as was the ability of the Snowy Mountains Authority in the past, I cannot see why we should use its services in Western Australia for any purpose that the Government might have in mind now or in the future. Surely we can generate our own specialists, our own experts, and our own engineers, to carry on along the lines followed by the Snowy Mountains Authority in the past. So, without some further explanation of intentions, of purposes, and of reasons from the Minister, I see no reason why we should support the Bill.

MR. WILLIAMS (Bunbury) [8.32 p.m.]: I would like to say a few words in this debate, mainly from the point of view of one who is making his first speech in opposition to a Bill. Having heard so much criticism over the past few years about Ministers introducing Bills and not giving sufficient description or information, I was surprised to find that in introducing the Bill before us the Minister for Industrial Development spent the whole of three minutes in explaining it. In his introduction he told us that Western Australia had been asked by the Commonwealth to pass the Bill. That is not good enough.

We all realise that the Snowy Mountains Engineering Corporation has a great deal of expertise, and we are aware of the amount of good work it has done throughout the Commonwealth. However, I would point out that local people in Western Australia have done equally good work in this State and in the Eastern States. As a matter of fact, several Western Australian engineering firms have established branches in the Eastern States.

As the Deputy Leader of the Opposition stated earlier, prior to 1959 there was not a firm in this State which could take on a reasonably sized job in the advisory engineering field; but at the present time I believe there are no fewer than six Western Australian firms and no fewer than eight Eastern States firms with branches in the State which are capable of taking on very large projects.

I remember the occasion in about 1963 when the first contract was let for the Bunbury land-backed wharf. The firm of D. H. Fraser, consulting engineers, had to bring a firm from the Eastern States to help it in this project. However, this same firm today can handle jobs many times larger than the Bunbury wharf job.

I fail to see why we have to agree to the passage of this legislation, when the Minister has not told us the reasons why we should agree. I do not go along with the argument that because the Commonwealth has asked this State to agree to the legislation we should bow to the Commonwealth's request and say "Yes."

I presume that at the present time the Snowy Mountains Authority is engaged on work in Western Australia, and perhaps the Minister can tell us something about this. On page 44 of its 1969-70 report, which is the latest one available to me, it is stated that this authority is doing work for the Western Australian Government on the Ord River dam, and that Western Australia has seconded three engineers and seven technical officers from that authority. That is fair enough.

I ask the Minister this: if we do not agree to the passage of this Bill, will the services of this authority be available to Western Australia in the future? If its services are available, why is there need to pass the Bill? The State has already used its services on the Ord River dam. If there is not a need for Western Australia to pass the Bill to have available the expertise from that authority, then it should not be passed.

In the past we have heard the Minister for Industrial Development telling the people of Western Australia to buy Western Australian goods and products, and to support Western Australian services. I wholeheartedly agree with those sentiments. That being the case, why should the Government turn around and allow the Snowy Mountains Engineering Corporation to take over the work in Western Australia, when the State has people capable of doing that work?

I wonder whether this is not, perhaps, the first blow in the reintroduction of what used to be known as the day-labour force of the Public Works Department! Perhaps, in the future, the State will face the situation of private business being pushed aside, and of work being given to a Government authority. I would like the Minister to tell us whether or not that is the intention. If he does tell us, it would clear up a few questions in the minds of some people.

I would like to know whether people in the local engineering field have approached the Minister on this matter. I would be surprised if they have not. I know that this section of the engineering industry is not particularly happy at the thought of Big Brother, with his force, pushing them out of business. I hope the Minister will clarify the matters I have raised, and that in future when he introduces legislation he will give us more information than he has on the Bill before us. I oppose the measure.

MR. GRAHAM (Balcatta—Minister for Industrial Development) [8.37 p.m.]: In the first instance I feel I should congratulate speakers on the opposite side of the House for the imagination and the ingenuity which they have demonstrated. It would appear that the appointment of a research officer in the Liberal Party is having its effect, and that the order has gone forth that in all circumstances members of the Opposition must wave their arms, speak furiously, and imagine all sorts of unimaginable things, so long as they are criticising the Government! It seems that is all that matters.

It is beyond me that in respect of a Bill which has one operative clause, and one only, and which is capable of being read—and I hope capable of being assimilated—by one of only mediocre ability, all these frightening submissions should be put forward.

I have already explained the purpose of the legislation and its effect. I thought when I did that I was spreading myself a little by speaking for three minutes.

Mr. Williams: You should do it better next time.

Mr. GRAHAM: I am certain there was a great deal of tongue-in-the-cheek when members opposite spoke in this debate. All that this legislation seeks to do is to enable the Government of Western Australia and the private concerns in Western Australia to avail themselves of some expertise which has been gathered together, and which has demonstrated itself in the construction of a mighty project in eastern Australia.

There is no Big Brother; there is no compulsion; there is no stealing a march on private enterprise; and there is no denying those who have the ability in Western Australia at the present time. All this Bill seeks to do is that if on any occasion we in Western Australia have need, or we think we have need, of the advice and assistance of this authority, we will be able to avail ourselves of such advice and assistance without any ifs, buts, or doubts.

Mr. Williams: Could not that be done without this Bill?

Mr. GRAHAM: I do not know, but supposing that were possible—and I would not range myself as a constitutional lawyer as the member for Bunbury has—and supposing that by the passage of this legislation we are not disturbing that fact or adding anything to it, then all we are doing in passing the Bill is to make doubly certain that if in the immediate future, or in the distant future, we have the need of the service and the expertise of this authority, such service and expertise will be readily available.

It would be just too bad if the Government or some private concerns decided that in respect of a matter the services of these people were required and it was then found that some constitutional hitch prevented those services being obtained. After all, this organisation was established by the Commonwealth and as a result of its legislation, and the Commonwealth requested that we pass complementary legislation in order that we might avail ourselves of these services. It would be a wonderful state of affairs if we failed to do this and were then unable to make use of this expertise!

If this Government neglected to take action which is detracting from no-one and nothing, but is just making doubly certain of a situation—if there be any doubt about it at all—the Opposition would have been the first to criticise and say that Western Australia was placing itself in the position of there being some possibility of missing out.

Mr. Williams: Are we not using them still in the Ord at present without this Bill?

Mr. GRAHAM: That may be so. I am not too positive whether certain officers have been seconded or whether the corporation itself is acting in a certain capacity. However, with all these figments of the imagination I would like some member of the Opposition to point out how this legislation, or the Commonwealth legislation with which this is to act in a complementary way in our interests, is likely to endanger Western Australia as a State or any persons engaged in any sort of activity in the State.

Mr. Williams: Does it not depend on the policy of the Government as to whether or not it uses them?

Mr. GRAHAM: That would be so no doubt only in respect of the Government sector. After all, any concern outside pleases itself entirely.

Mr. Williams: If the Government sector takes over the majority of the constructions it leaves the private sector without anything.

Mr. GRAHAM: I hope and trust this Government in this respect is a little more responsible than its predecessor; because I am aware that the previous Government sought consultants and advisers from the four corners of the earth and in the last three years involved the State in an expenditure on these consultants in excess of $5,000,000.

Mr. Williams: Are you going to use consultants on some of these jobs or not?

Mr. GRAHAM: Apparently there is nothing wrong with going to the other side of the equator to get people to give advice, but if there is an organisation in Australia which has proved itself then that, of course, is to be damned. I say, "be damned to that argument!"

Mr. Court: Have you thought about the international advice you sought? For example, for advice on the Narrows Bridge where did you go?

Mr. GRAHAM: I am not necessarily criticising this.

Sir David Brand: I did not sense any praise in what you said.

Mr. Court: You are very proud of that bridge.

Mr. GRAHAM: I say it ill becomes the Opposition to suggest something is wrong with passing legislation which will enable us to make use of Australian expertise when those who constituted the Government for 12 years did nothing but run to the other side of the equator in order to get advice and expertise. Obviously a prophet is not without honour save in his own country. I am of the opinion that the Opposition is in desperate straits—

Government members: Hear, hear!

Mr. GRAHAM: —and is concocting all sorts of—

Mr. Court: You have "Cashitis!"

Mr. GRAHAM: —arguments in order to talk for the sake of talking. I commend the Bill to the House.

Several members interjected.

The SPEAKER: Order!

Question put and a division taken with the following result:—

Ayes—23

Mr. Bateman	Mr. Jones
Mr. Bertram	Mr. Lapham
Mr. Brady	Mr. May
Mr. Brown	Mr. Moller
Mr. Burke	Mr. Norton
Mr. Cook	Mr. Reid
Mr. Davies	Mr. Sewell
Mr. H. D. Evans	Mr. Stephens
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. J. T. Tonkin
Mr. Hartrey	Mr. Harman
Mr. Jamieson	*(Teller)*

Noes—18

Sir David Brand	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Coyne	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Lewis	Mr. Rushton
Mr. W. A. Manning	Mr. Thompson
Mr. McPharlin	Mr. Williams
Mr. Mensaros	Mr. R. L. Young
Mr. Nalder	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. T. D. Evans	Mr. Hutchinson
Mr. A. R. Tonkin	Mr. W. G. Young
Mr. McIver	Dr. Dadour
Mr. Bickerton	Mr. Grayden

Question thus passed.

Mr. Graham: The Opposition ought to resign!

Mr. Court: Yes; and become the Government!

Mr. Graham: No; out!

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Norton) in the Chair; Mr. Graham (Minister for Industrial Development) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Functions and power of the Corporation—

Mr. COURT: We could almost have written the speech for the Minister for Industrial Development because we are so used to his tactics in this place when he does not have the answers. He seems to have something of a phobia about this research officer, whoever he might be. I can only assume the Minister has "Cashitis." I wish to refer again to subclause (2) of clause 3.

I did ask the Minister in the course of my remarks—and I hope he will take this seriously as he has treated the Opposition with absolute derision up to date, which is not fair nor becoming of a Minister—to explain the reference to "Minister" in subclause (2) of clause 3, because it could have some unusual implications. The situation in respect of the Minister in the Commonwealth sphere, under the 1970 Commonwealth legislation, is fairly clear and I can only assume that the Commonwealth Minister was induced to include these words in the Bill to allay the fears of the private consultants, especially in respect of Australian operations.

The specific question I would like the Minister to answer, in his State role, is whether this means that if the corporation desires to undertake work in Western Australia it will, in fact, not only have to get a client but will also have to go to the State Minister to get his approval to proceed with the work? Is that understanding correct; because that is how I read the Bill? It appears that the corporation will have to go to the Minister of the day in the State sphere, and tell the Minister that it has a prospect of doing work for the Public Works Department or for a private company, and obtain the Minister's permission. Is this correct? Will the approval of the State Minister be superimposed on the approval to be obtained from the Federal Minister?

Mr. GRAHAM: It could operate in two ways, but rather obviously the Minister is the Minister of the State, in the State of Western Australia. There could be two methods of approach: one of a firm seeking the services of the corporation and the corporation making a request to the Minister; or a local Western Australian company approaching the Minister in order to get his approval for the use of the services of the corporation. Whichever way it goes I do not think it affects anything in any way whatsoever.

I am not too certain on the point, but I imagine that in the Commonwealth legislation there is probably the suggestion that the authority has some power itself and that this Statute, by embodying the Commonwealth principles, might allow that corporation to come here of its own volition, which would be absurd.

We are a State with our own rights, and it should be within the competence of the State to say "Yes" or "No" to an intrusion by this Commonwealth body. When I say "intrusion" I do not use the word in any slighting sense. However, the corporation would come here with our knowledge and with our consent, and not automatically because of any power reposed in it by the Commonwealth legislation.

Mr. COURT: I appreciate the explanation given. It is not for me to criticise the drafting of the Bill because I am not a lawyer. However, I think the Bill would be worth looking at a second time if the Minister wants it to work, but that is not for me to say.

The other point on which I would like some information is whether or not the Minister has had discussions with the local firms of consultants, either collectively or individually, regarding their attitudes towards this legislation. My understanding was that some people were very unhappy about the legislation the time the corporation was mooted. Some of the local people expressed grave concern and said they hoped we would never introduce the legislation here.

Mr. GRAHAM: I know nothing of the reservation or doubts in the mind of the Deputy Leader of the Opposition. He expressed doubts without being specific. Is he worried about the position of the State Minister, or the Federal Minister?

Mr. Court: I am accepting the Minister's explanation of his role in the matter.

Mr. GRAHAM: I want to point out that the Interpretation Act states—

> "Minister" means the Minister of the Crown to whom the administration of the Act or enactment or the Part thereof in which the term is used is for the time being committed by the Governor, and includes any Minister of the Crown for the time being discharging the duties of the office of the Minister.

Mr. Court: I explained that would be the situation. I am not now talking about the legal aspect, but about the actual wording used here and the role the State Minister will play when the corporation wants to undertake some work.

Mr. GRAHAM: The clause is designed to stop the corporation springing into action uninvited. The Minister is the intervening authority between the corporation and any activity that might be contemplated in the State of Western Australia.

Mr. Court: In other words, the State Minister will have the same powers as the Federal Minister?

Mr. GRAHAM: In their respective domains.

Referring to discussions with consultants in our State, that has not taken place. I feel there is no necessity for it. The passing of this legislation has no effect whatsoever in itself. It merely enables certain things to be done. If a private company decides it wants to go to the corporation for its advice and assistance it can do so. Surely it is not suggested there should be any narrow view. If that were so then surely the Deputy Leader of the Opposition, when in Government, would have introduced legislation debarring the State of Western Australia from going beyond the boundaries of Western Australia when it sought advice in order to placate people within the State. That suggestion is being far too narrow.

I repeat: The legislation is nothing in itself. It merely enables us to take advantage of some knowledge and some expertise built up over a number of years.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

BULK HANDLING ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th August.

MR. GAYFER (Avon) [9.00 p.m.]: The Minister, in his second reading speech, very concisely explained the purpose of the proposed legislation.

Mr. Williams: You were lucky, weren't you?

Mr. GAYFER: That is correct. There was not much arm waving. It is quite a comprehensive speech if anyone cares to read it. The speech covers some 15 pages and I will support the Minister wholeheartedly in the legislation he has brought down.

Mr. Davies: Hear, hear!

Mr. O'Neil: The Minister could have done it in three pages.

Mr. GAYFER: The purpose of the Bill is to free Co-operative Bulk Handling from the necessity to pay taxation. This means, in turn, it will help C.B.H. retain its annual surpluses for the purposes of reconstruction, construction, and modernisation of its facilities. It will be able to do this when it does not have to pay any taxation.

The superior service given by the grower organisation, C.B.H., Western Australia, is recognised not only throughout the States of the Commonwealth but indeed throughout the whole world. No other grain handling organisation in the world renders the service—or even a comparable service—which is rendered by C.B.H. Western Australia to the grain growers of Western Australia.

The Minister pointed out that at the present time growers have some $37,000,000 of capital invested in Co-operative Bulk Handling. The Minister rightly said in his speech that this has been achieved at great sacrifice to themselves. The avoidance by the company of the payment of taxation on surpluses when held will materially assist the company and, in time, will enable it to reduce the tolls or the direct capital investment of the growers. Likewise, the Minister pointed out in his speech that this will increase the financial stability of the company and enable the reduction of contributed capital to be brought about over a period by the gradual reduction in the rate of toll or the compulsory loan, made by the growers to the company.

For some years the board's policy has been as far as possible to avoid the payment of taxation. This has meant the distribution of surpluses to grower-shareholders on a *pro rata* basis to the grain delivered by a grower-shareholder in a particular year. However, it has also meant the company has not been in the position to accumulate reserve funds, as it should have done and as dictated by sound business practice.

As the Minister pointed out, the objective of the legislation is to place the company, taxation-wise, in the same position as every other State grain handling authority in Australia. This could have been achieved through amendments to the memorandum and articles of association of the company, but the proposed amendment to the parent Act is straightout, simple, and achieves the same result.

In the discussions which Co-operative Bulk Handling had with the Taxation Department on the acceptability of the proposal, it was realised it would be most complicated to have the income of the company divided in any one year into a taxable portion and a non-taxable portion. From a taxation point of view it is proposed that the legislation should come into force at the beginning of the company's next financial year. In the meantime, C.B.H. has to meet its financial commitments and I have ascertained that the directors propose to request a reduction in the applicable rate of toll from the season following this financial year. In other words, with the passing of the legislation, the rectified taxation position should apply for the year commencing on the 1st November, 1971, and ending on the 31st October, 1972. It is proposed the toll shall be reduced from 5c to 4c and that this shall apply from the 1972-73 season. As funds are accumulated and the company's construction and modernisation programme proceeds, further reductions will be made in the rate of toll in future years.

Mr. Nalder: What year did you say?

Mr. GAYFER: I mentioned the year 1972-73. As the Leader of the Country Party knows, the financial year of Co-operative Bulk Handling is from November to October. As the Minister mentioned, the whole scheme was placed before a shareholders' meeting last March. Full publicity was given to the proposal and it was debated at the shareholders' meeting as a separate item. The whole scheme was outlined in detail to the shareholders present and, with one exception, approval to the proposal was given.

To assist members to understand the legislation fully, some more detail may possibly help. The first part of the Bill provides that the company will not be permitted to pay its shareholders any dividends, rebates, or bonuses on each year's trading. The second part provides that, in the event of the company winding up, the Government will have control of any assets remaining after all other debts including debentures and tolls have been paid. This does not necessarily mean the Government would appropriate the net assets, but rather would exercise control of their allocation.

The amendments to the Bulk Handling Act are the most practical way of meeting the requirements of the Income Tax Assessment Act. Section 23H of the Act exempts from taxation the income of a society or corporation carried on for the benefit of the agricultural industry of Australia. In South Australia, Co-operative Bulk Handling secured exemption from the payment of taxation by including in its memorandum and articles of association provisions forbidding it to pay dividends or rebates, and permitting the Government of South Australia to control its net assets in the event of the company winding up.

As I have said before, the same exemption could have been obtained by C.B.H. Western Australia amending its memorandum and articles of association in like manner. However, the amendment to the Bulk Handling Act is just as satisfactory. The proposed amendments will not affect the control of Co-operative Bulk Handling, which will still be controlled by the growers through their elected directors. The only shareholders of the company will be growers and the rule of one member one vote will still apply. The provision for the Government to control the disposal of the net assets in the event of the company winding up is only reasonable as, without it, the company could later distribute to shareholders funds which it had accumulated tax free.

I should point out the company would only be wound up in one of two manners: in the first instance by its creditors securing a court order to that effect; and, in the second instance, by voluntary liquidation approved by 75 per cent. of the total shareholders. Either possibility is extremely unlikely.

Without the amendments the net assets of the company, so wound up, would have to be distributed to anyone who had been a shareholder during the previous five years in proportion to the business which he had done with the company during that five-year period. This would mean that anyone who had been a shareholder before the five-year period would not receive any part of the net assets. I am sure the growers of C.B.H. who, over the years since its inception, have built the company to what it is would not wish this nor would it be equitable for such a distribution to take place. The amendments will not affect the right of growers to repayment of debentures or tolls, and this is most important. It does not alter its obligation in any way. Growers will continue to receive payment of interest-free loans and any other moneys lent to the company.

When the Act is amended the rate of toll will not be increased. Initially, the company's proposal is to reduce the toll payable from 5c to 4c. It is clear that without this amendment an increase in the rate of toll would have been necessary. The increase would have been justified because of the building costs, which are continually rising, and also because more growers are pressing for an acceleration of the building and modernisation programme. It cannot be said that the rate of toll will never be increased but the directors hope that it can be reduced progressively. That is the aim towards which they are working.

The moneys formerly distributed as rebates will be retained and appropriated for reserves and the continuation of the modernisation programme or for assisting to repay any indebtedness arising from borrowing. This will increase the financial stability of the company. Whilst the assets are at present sufficient to cover liabilities, the margin is insufficient to withstand a series of bad seasons without reducing the building programme, which occurred two years ago when this State was faced with drought. The company could overcome this financial stress by either reducing the building programme, deferring the debenture payment instalments, or increasing the rate of toll, which is permissible upon application by Co-operative Bulk Handling to the Governor-in-Council and receiving his approval.

The retention of the funds or surpluses to which I have referred should enable Co-operative Bulk Handling to withstand better the vagaries of future seasons, particularly in view of the future debenture repayment commitments arising from present toll collections. At the present time, the surpluses each year and the annual repayments are almost the same amount, so that a serious decline in toll income in any one year could be offset for that particular year by using the amount retained for a debenture repayment.

One very important feature of this proposal is that it appears that the position of the average grower-shareholder should remain roughly the same. Under the Companies Act as it stands at the present time, someone must pay tax on the profits. If they are retained by Co-operative Bulk Handling, the company must pay almost 50 per cent. of its surpluses in taxation. If the profits are paid out to growers, the tax rate depends on the total income of the individual.

The rate of tax on each dollar of taxable income immediately above $2,400 a year is 25 per cent. If the net income of a grower-shareholder were $3,200 a year, or $61.50 a week, the rate of taxation above that figure would be 32c in the dollar. Therefore, assuming that a grower had a taxable income at the modest rate of $61.50 a week, if the situation remained as it is at present he would pay 2¼c tax on the present toll of 5c, and 2c rebate on each bushel, which is the current deduction and refund.

The rebate therefore disappears in taxation and, as a grower receives about half of his rebate in a long-term debenture in actual cash, his total outlay is roughly 6c a bushel. With the introduction of a reduction in the toll, which is now proposed, his outlay will be only 4c a bushel.

The amendment will also assist the company to secure borrowings. In the past lenders have drawn particular attention to the lack of reserves of Co-operative Bulk Handling and have insisted that the maximum permissible rate of toll should be higher than the rate charged to growers. This has provided lenders with a guarantee that funds will be available to meet borrowings. A sound policy in regard to reserves along the lines proposed will induce further confidence in lenders.

It is fairly obvious that Co-operative Bulk Handling has never been able to extend its business operations in the State without the help of Governments by way of guarantees and Commonwealth and international borrowings. At present, the holding of reserves attracts the payment of considerable taxation. For example, on an amount of $550,000 which was held by the company as a reserve last year, the company had to pay $450,000 in taxation. In other words, of the $1,000,000 held back from surpluses, $550,000 actually went to the company and $450,000 was paid to the Taxation Department.

All the other handling authorities in Australia are exempt from taxation. Currently, the handling authority in Western Australia is the only one paying taxation. When the amendment becomes law,

the company in Western Australia will be on exactly the same footing as the other authorities. Over the years growers and growers' organisations have advocated that the company endeavour to alter its constitution or take other appropriate steps to avoid paying taxation to put it in exactly the same situation in regard to taxation as the other companies in the Eastern States. At the same time they have stipulated that this should only be done in a manner which would not involve their losing full control of their company, which has been built up through their endeavours and their funds.

As I said previously, at the annual general meeting on the 8th March the shareholders considered the directors' report and adopted it. To record fully the feeling of members, and to give them ample opportunity to discuss the issue, the board's taxation proposals were debated separately. The meeting resolved that the action of the board be endorsed and that the Government be requested to place before Parliament the proposed Bill to amend the Bulk Handling Act. There were 102 shareholders present at that annual meeting, of whom 101 voted in favour of the resolution and the remaining one voted against it. A copy of the report was despatched to all shareholders, and the suggestion has been freely discussed at many meetings since that date.

I would like to take this opportunity to thank the Minister for introducing the legislation and to assure him that I have no intention whatsoever of opposing it.

MR. McPHARLIN (Mt. Marshall) [9.18 p.m.]: I would like to give my support to this measure and commend my colleague, the member for Avon, for the manner in which he presented his case in support of the Bill. As we all know, he is the Chairman of Directors of Co-operative Bulk Handling, an honour which we think is fitting because of the tremendous effort he has put into that organisation over the years.

I would like to go back a few years to the time when Co-operative Bulk Handling was not operating. Those of us who were engaged in the industry at that time saw the difficulties wheatgrowers had in getting their products to the railheads, the hard work entailed in the bagging, the handling and weighing of bags over the scales, and the hard work of the wheat lumpers at the sidings in stacking the wheat and protecting it from rodents, insects, the weather, and so on. We can only commend those who were responsible for their tremendous dedication and effort in establishing a bulk handling organisation to meet the needs of the wheatgrowers at that time.

I think we should commend these people for their work and for the progress of the company. The directors were elected by the growers and they had a responsibility in respect of the development of the company. These directors were democratically elected, and I think all of them over the years have discharged their duties with distinction and honour.

As time progressed, the need arose to handle other grain. The company expanded to meet this need, and I think it now handles 18 types of grain. This, of course, involves some complicated measures.

Coming now to the present time, the company has studied the position in an effort to effect economies for the company, the wheatgrowers, and the growers of other grain. This measure is now before the House seeking approval for the implementation of those economies.

I do not think it would be fitting for any of us to oppose the amendments that are submitted. After all, this body of directors was democratically elected and must have the confidence of the people. The recommendations of the directors must be considered to be in the best interests of the organisation they represent. The directors have not made these recommendations without a great deal of study and effort.

Perhaps at some future date there may come a time when a further toll will not be necessary and the building programmes may reach a stage where the great concrete structures which are being erected will be sufficient. Then there may be no need for the tolls to be continued as there may be a considerable reduction in the amount of money required. However, in many of these things unforeseen circumstances and problems may arise.

I do not think we can assume in the future that no toll will be required to continue the good work which this bulk handling authority is now doing.

The Minister who introduced the Bill made a point which was also mentioned by the member for Avon—that is, that we in this State have the only co-operative bulk handling authority which is still paying tax. I think this move to bring us into line with other States is a move in the right direction.

Mr. Speaker, I have no hesitation in giving my support to the Bill before the House.

SIR DAVID BRAND (Greenough—Leader of the Opposition) [9.23 p.m.]: I wish to add a few words in support of the legislation presented by the Minister.

Prior to the change of Government the then Minister for Agriculture brought to Cabinet for approval certain suggestions and requests from Co-operative Bulk Handling Ltd. It was agreed that subject to a shareholders' meeting we would proceed with the request that was made. The present Government has seen fit to come to

this Parliament with the necessary legislation and I am very pleased indeed that it has done so. Leaving politics aside, I am sure the Government recognises that we in Western Australia are very fortunate in having such an organisation, as has been pointed out by the member for Mt. Marshall.

Going back to the time when the wheat industry began to expand, there were many hardships that had to be faced by the people in the wheat industry, particularly in the handling and transporting of the grain. Because of foresight, courage and determination on the part of the leaders of the industry on that occasion, the whole principle of bulk handling was carried through. The system was improvised where necessary but all the while an adequate and up-to-date service of bulk handling of grain was provided.

In more recent years the directors have had to face up to the growers when it was realised that more money was necessary and that a toll or some other charge had to be imposed. The wheatgrower generally is an individualist; he is not very happy to be asked to pay a toll on the produce he is growing. Nor is he happy to see a large sum of money accumulating when he feels he could do more with it by way of increasing his production and improving his farm. I must give credit to those who have toured this State, faced up to individual farmers and to farmers' meetings, and achieved what I believe and my Government believed was a very good result.

As a result of the directors' decision, large sums of money were available which enabled Co-operative Bulk Handling Ltd. to install some very up-to-date facilities throughout the country and at ports, where these facilities are so vital. Without the port facilities the installations at the sidings throughout the State would not have achieved the desired result. I have no doubt some wheat producers still wonder about the wisdom of the measures that were taken.

Co-operative Bulk Handling Ltd. faces a decision regarding large bulk installations at Kwinana. To the members of this Parliament it was a wise decision; the directors were looking to the future. This decision shows that the people are dedicated and are looking to the future of a very important industry in this State. Whilst the industry is facing certain problems at the present time, I have no doubt that quotas might be increased in the next few years. It will then be very important to make sure that we have adequate storage and up-to-date facilities to provide the cheapest means of handling our grain.

It is my pleasure, and I am sure that I speak for those who sit behind me, to see this legislation here. I hope in expressing a few words of encouragement to the directors, to the chairman, and to anyone associated with Co-operative Bulk Handling Ltd., that they will go forward and maintain their policy of looking to the future. This is so vital to the industry. I support the Bill.

MR. NALDER (Katanning) [9.29 p.m.]: I would like to make some comments on the Bill before us and to say how much I appreciate the action of the Government in bringing this matter forward so early in this session.

I think it is realised that it is necessary to pass the legislation to enable C.B.H.—as was stated by the member for Avon—to operate by the beginning of October. The legislation will enable that organisation to prepare for the coming season on the understanding that an agreement has been reached with the Taxation Department to allow it to proceed according to the information already given to this House. C.B.H. has played a wonderful part in the handling of grain in this State and, as one who has had practical experience right from the early days when bags were used to cart wheat and when the carrying was done by horse and wagon, I realise the organisation has achieved a tremendous amount in a short period of time.

Sir David Brand: Those were the days.

Mr. NALDER: Yes; I suppose when one mentions wagons one recalls a vehicle with four wheels—and the various adaptations of it—with horses linked at the front. Some horses were in shafts and others were used as leaders, and they used to haul heavy loads over some terrible roads. I should say on many occasions it was a real story of Dad and Dave—I am not referring to the Leader of the Opposition—and many amusing incidents occurred on many farms in this State.

Having said that, one realises that over the years C.B.H. has kept abreast of the times in providing handling facilities for grain. This has been done by a wide-awake organisation, and I give full credit to the present manager, Mr. Lane, who has taken trips overseas in order to inform himself of the latest developments in other grain handling countries and who has adapted them to suit conditions in Western Australia. Recently we were fortunate to be able to look over the latest facilities erected in Perth, and there are plans for a continuation of the facilities in the metropolitan area. We also had the opportunity to view the latest facilities in country areas.

This equipment has been designed to make available to the farmer facilities for handling grain at the lowest cost. I give full credit to the directors of C.B.H. for endeavouring to keep the costs down, and they have done that by considering every aspect of the financial arrangements necessary to keep the facilities abreast of the times in order to handle the grain in a manner acceptable to the growers of the State and also the overseas purchasers.

The member for Avon indicated that C.B.H. hopes to be able to reduce its tolls. This move will be accepted with enthusiasm by the growers and it will also allow C.B.H. to plan for the future. The facilities which have been provided lately in the various areas of the State will last for many long years, and it is hoped this will reduce the costs of handling in future years.

So I commend the amending legislation and, in so doing, congratulate all those who have in any way contributed to the very wonderful set-up we have in Western Australia. As mentioned by the member for Avon, our facilities are not equalled by those in any other State or in any other country in the world. In my view C.B.H. deserves to be congratulated for what it has done, and on that basis I have much pleasure in supporting the Bill.

MR. W. A. MANNING (Narrogin) [9.35 p.m.]: I wish to add a few words in support of the Bill. I feel the measure is a most important one in the history of this State because of the dimensions of Co-operative Bulk Handling and the way that organisation is providing modern facilities. C.B.H. has acquired approximately 52 acres of land at Kwinana upon which it is building modern storage facilities for the various grains. I have been through the building, and it is of huge dimensions. A long conveyor belt is to be constructed out to sea so that no interference with the shoreline will take place. The object of this is to so improve the handling of grain that the cost of handling may be reduced, and it is hoped to reduce the cost by at least one half; in fact, it is said the cost might be reduced down to one third if that can possibly be achieved.

I think it is not generally understood that C.B.H. handles a large number of grains of different types and grades. There are 16 types in all, including various grades of wheat, oats, two-row barley, six-row barley, sorghum, rape seed, and linseed. Indeed, the activities of the organisation extend not only throughout the southern part of the State but also right up as far as Wyndham where sorghum is being handled by C.B.H. I think we have in this State an organisation which has set the pace for all the States in Australia. Many States have lagged behind us, and many still do. This was proved at a conference which was held here only last week which was attended by 45 representatives from the other States of Australia who came to inspect the C.B.H. installations in this State. They were taken through the grain growing areas of our State and there is no doubt they were highly impressed with what they saw and with what has been accomplished here.

I felt I would like to add those few words of commendation and also to indicate the magnitude and the value of the work performed in the past and planned for the future by C.B.H.

MR. BROWN (Merredin-Yilgarn) [9.38 p.m.]: I would like to add a few remarks in support of this Bill which is to be enacted for the assistance of the rural community in particular. The services provided by Co-operative Bulk Handling in Western Australia have been well described already. However, I think it is worth reminding members of the services rendered by those people responsible for the facilities, who have ensured that the facilities are used to their utmost—I refer, of course, to the employees of C.B.H. right throughout the length and breadth of the grain growing areas of the State.

We realise, of course, that they live under rather primitive conditions and in isolation in many cases. Perhaps on occasions their accommodation did not match the standard of the service they provided. However, I am quite sure the management of C.B.H. is well aware of the requirements of those people who perform this service, and I join with other speakers in commending the Bill to the House.

MR. H. D. EVANS (Warren—Minister for Agriculture) [9.39 p.m.]: I would like to think that in regard to any future pieces of legislation I could depend upon the same unequivocal support given to this legislation tonight. However, I am not quite that optimistic.

The main achievements of C.B.H. over the years have been pointed out by the speakers who supported this measure—and in particular by the member for Avon. The figures mentioned by the member for Narrogin are substantially accurate. C.B.H. handles 16 grades embracing seven different kinds of grain, with an aggregate total tonnage of 145,500,000. This represents a tremendous volume and indicates the magnitude of the operations of Co-operative Bulk Handling Ltd.

Mr. Gayfer: It is bushels, not tons.

Mr. H. D. EVANS: I am sorry; the honourable member is correct—it is bushels and not tons. I am pleased to note that the directors have already formulated a policy which is in keeping with the advantages that will be derived from the new situation in which C.B.H. will find itself. I would say that the announcement of a reduction in the toll from 5c to 4c in the 1972-73 season will be very acceptable throughout the length and breadth of the wheatgrowing areas, and the prospect of the extension of the co-operative's building programme is also very pleasing to hear.

Mr. Nalder: The reduction of 1c a bushel would apply to all grains, would it?

Mr. H. D. EVANS: I understand that that is so.

Mr. Nalder: You referred to the wheatgrowing areas.

Mr. H. D. EVANS: The wheatgrowing areas would cover a number of grains, but the benefit will be general and will be distributed throughout those areas which, to my way of thinking, is desirable.

That C.B.H. will take advantage of its operating capacity to extend, in particular, its port terminals is once again a heartening piece of news to the cereal growers and the seed growers of this State. A certain amount of emphasis was placed on the benefit to be derived from the provision that will free Co-operative Bulk Handling of the need to pay taxation on surplus income. I did not think exception could be taken to this. Indeed, I feel it is not a straightout relief from taxation, but a relief that is earned in a particular kind of way.

Virtually, growers are assisting themselves through a co-operative movement and, at the same time, they do lessen, and indeed obviate, the need for Government assistance. So this form of benefit is probably as desirable as one could possibly hope for and I would like to dispel any thought that it is purely a straightout taxation relief measure. It does have qualifications which make it acceptable and very difficult to substantiate any argument put forward against it.

The Leader of the Opposition expressed his confidence in the ultimate future of the grain growing industry of Western Australia, and I do not think anybody would disagree with this line of thought, because its future, I feel, is assured. No doubt changes will be made in regard to the growing of grain and one change will come through the handling and other facilities provided by the large amount of finance that will be required to keep pace with the growing demands in this modern technological world.

In conclusion, I thank the speakers from both sides of the House who have supported this measure, and I commend its passing.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

CLEAN AIR ACT AMENDMENT BILL

Second Reading

MR. DAVIES (Victoria Park—Minister for Health) [9.48 p.m.]: I move—

That the bill be now read a second time.

This Bill is introduced in response to representations made by the Air Pollution Control Council. The council has expressed concern at the lack of suitable powers in the Clean Air Act to control the considerable health hazards associated with sandblasting.

The council already controls sandblasting where premises are regularly used for this purpose. Its problem concerns the mobile contract operator who uses portable equipment.

Frequently the mobile operator undertakes work close to other workmen, who are exposed to the fine silica dust given off. Dry sandblasting is especially dangerous, but because it is easier and cheaper it is the process chosen by some operators.

Clause 2 of the Bill provides for the amendment to come into operation on a date to be fixed by proclamation. This is to allow time for persons who will have to secure a license to make application and for the council to frame regulations.

Clause 3 inserts a new part—IVA: Sandblasting Operations—in the Act. Clause 4 defines "sandblasting operations" as referring to those operations which take place other than on scheduled premises. As I have pointed out, sandblasting carried out on fixed locations is already controlled.

The principal feature is contained in clause 5 of this Bill. It requires a person who intends to carry out sandblasting operations, as defined in clause 4, to secure a permit from the clean air council. Provision is made for the manner of making the application, and for the withdrawal of a permit if an operator is convicted of an offence against the provisions of the Clean Air Act relating to sandblasting.

It is proposed by clause 6 that regulations will be made to prescribe safety factors to apply to sandblasting operators. Among the controls now envisaged is the prohibition, except in special circumstances or defined areas, of dry sandblasting. Controls will also be applied to the type of equipment and methods to be used in these operations. In specified circumstances sandblasters will be required to obtain permission before operating in prescribed areas, or if they desire to use certain methods. I commend the Bill to the House.

Debate adjourned, on motion by Mr. O'Neil.

ANATOMY ACT AMENDMENT BILL

Second Reading

MR. DAVIES (Victoria Park—Minister for Health) [9.54 p.m.]: I move—

That the Bill be now read a second time.

This short Bill is presented to make clear the purposes of the Anatomy Act, and to define the respective fields covered by the Anatomy Act and other legislation.

From time to time situations arise wherein coroners, medical teaching authorities, and the medical profession are uncertain as to their position under the Anatomy Act. The purpose of the original

Statute of 1930 was to make lawful, subject to certain stringent safeguards, the use of human cadavers to teach anatomy.

It was not intended that the Act should apply in a case where the coroner had specific jurisdiction, nor was it intended to interfere with the performance of autopsies by doctors where permission has been given by the next-of-kin or person lawfully in possession of the body. A further factor was introduced with the passing of the Tissue Grafting and Processing Act in 1956. This provides for people to donate organs after death for use in corneal transplants and other medical applications.

The Bill provides that the position with relation to the Anatomy Act will be clear by stating that nothing in that Act shall extend to or prohibit the procedures to which I have referred.

The last sentence is, in fact, the entire Bill. I tried to ascertain whether there was a need for any further explanation to be given, but I cannot see that there is anything more I need to say to the House. I commend the Bill to members.

Debate adjourned, on motion by Mr. W. A. Manning.

House adjourned at 9.56 p.m.

Legislative Assembly

Wednesday, the 11th August, 1971

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

QUESTIONS (28): ON NOTICE

1. WATER SUPPLIES

West Swan and Herne Hill Schemes

Mr. MOILER, to the Minister for Water Supplies:

(1) When is it anticipated that work will commence on the West Swan and Herne Hill high level water schemes?

(2) What is the anticipated date of completion of the schemes?

Mr. JAMIESON replied:

(1) Work is expected to start on the cast iron pipe sections of the Herne Hill scheme about the end of September, 1971, and on the West Swan scheme about mid-January, 1972. However, commencement of work on some sections of the schemes is dependent to some extent on the supply of steel plate from the Eastern States.

(2) By the end of 1971 a large portion of the Herne Hill scheme will be laid but the construction of a concrete tank as part of the permanent supply, will not be complete until August, 1972. However, water at a low pressure will be available in the mains that are laid by the end of 1971. The West Swan scheme will be completed by the end of May, 1972, and water will be available progressively as the mains are laid.

2. LOCAL AUTHORITIES

Traffic Charges

Mr. MOILER, to the Minister representing the Minister for Police:

(1) What were the total number of charges laid by local authorities under the Traffic Act and regulations for the years 1970-71 and 1969-70?

(2) Which four local authorities laid the greatest number of charges, and what were the number laid respectively?

(3) Which local authorities laid the least number of charges, and what were the number laid?

Mr. MAY replied:

(1) to (3) No records are maintained in the Police Department concerning charges laid by local authorities under the Traffic Act.

Information regarding convictions is received from local authorities and police stations for the purpose of recording on record cards but these are not collated in a way which would show those resulting from charges laid by local authorities.

3. KINDERGARTEN ASSOCIATION

Application for Financial Assistance

Mr. RUSHTON, to the Minister for Education:

(1) Will he advise whether the application referred to in my question 21 on 5th August by the Kindergarten Association of Western Australia (Inc.) for financial help to give relief to parents was—

(a) approved; or

(b) declined?

(2) If approved, will he indicate the terms?

Mr. J. T. TONKIN replied:

(1) The application was declined.

(2) Answered by (1).