

The Hon. Clive Griffiths: The Government guaranteed \$1,700,000 yesterday.

The Hon. J. DOLAN: I have often heard members say we have to think big. This is a question which can make or perhaps ruin farmers. It could put them on the up and up or leave the industry in a state of stagnation.

The Hon. L. A. Logan: How could the T.L.C. come into this without any investment? It would not be putting any money in.

The Hon. J. DOLAN: The T.L.C. would be well advised. Perhaps an analogy is worth relating. Members will know it is not long ago that the T.L.C., or its equivalent, in Victoria went into the retail business and entered into a co-operative with another store. It has never looked back.

The Hon. L. A. Logan: The T.L.C. is going into this without putting in any capital whatsoever.

The Hon. J. DOLAN: I shall not enter this discussion because it would be one-sided as I do not know the details. Mr. Logan would be telling me and I would be trying to let it sink in. I could not answer back because I simply do not know.

I have almost come to the end of my remarks. I know members support the Bill and I do not want to delay it but I thought the information I have was worth conveying to the House.

W.A. Meat Exports has operated on a profitable basis in its trading operations. I expect Midland will do the same. Mr. Neil's visit overseas has indicated some areas in which live sheep exports and mutton exports may be increased.

My final comment relates to an interjection made by Mr. Logan on Thursday last. Mr. Medcalf had said that he had received communications from a couple of firms who are terribly keen to enter the abattoir business. I think Mr. Logan interjected and agreed but added words to the effect "Until it is a case of putting up money and then they are not interested."

This position applies. To date, private companies have made no firm propositions to the Government with respect to abattoir establishment. In some cases companies demanded complete access to the market within the metropolitan abattoirs district.

At this stage I commend the Bill to the House. Once again I thank members for the way they have received the measure and also for the information they have given to the House. It will be recorded and of great value in future years when discussions on this subject take place.

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.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [10.19 p.m.]: I move—

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

House adjourned at 10.20 p.m.

Legislative Assembly

Tuesday, the 23rd November, 1971

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

BILLS (6): INTRODUCTION AND FIRST READING

1. Western Australian Institute of Technology Act Amendment Bill.
Bill introduced, on motion by Mr. T. D. Evans (Minister for Education), and read a first time.
2. Justices Act Amendment Bill.
Bill introduced, on motion by Mr. T. D. Evans (Attorney-General), and read a first time.
3. Reserves Bill.
Bill introduced, on motion by Mr. H. D. Evans (Minister for Lands), and read a first time.
4. Mining Act Amendment Bill (No. 2).
Bill introduced, on motion by Mr. May (Minister for Mines), and read a first time.
5. Consumer Protection Bill.
Bill introduced, on motion by Mr. Taylor (Minister for Consumer Protection), and read a first time.
6. Traffic Act Amendment Bill (No. 3).
Bill introduced, on motion by Mr. J. T. Tonkin (Premier), and read a first time.

QUESTIONS (21): ON NOTICE

1. DAY LABOUR FORCE

Government Departments

Mr. **MENSAROS**, to the Minister for Works:

- (1) Has the Western Australian Trades and Labor Council asked the Government to introduce day labour executing construction work for State departments?
- (2) If "Yes" has he or the Government taken any decision in this matter?

- (3) If (2) is "Yes" would he describe in detail this decision to the House?

Mr. JAMIESON replied:

- (1) No.
(2) and (3) Answered by (1).

2. EDUCATION

Teachers: Garages

Mr. REID, to the Minister for Education:

- (1) How many approvals for garage construction for school teachers have been made this year?
(2) How many garages have actually been erected this year?
(3) In what areas this year have—
 (a) the approvals been made;
 (b) the garages been erected?
(4) What is the present Government policy on garage construction for teachers?

Mr. T. D. EVANS replied:

- (1) 88 for the financial year 1971-72.
(2) Nil.
(3) (a) as per following list:—

Balingup.
Beacon.
Beverley.
Boyanup.
Boyup Brook.
Brookton.
Bruce Rock.
Buntine.
Cadoux.
Carnamah.
Caron.
Coorow.
Corrigin.
Cranbrook.
Dalwallinu.
Donnybrook.
Dumbleyung.
Frankland.
Gairdner River (South).
Greenbushes.
Harvey.
Hyden.
Jerramungup.
Kalgardin.
Kirup.
Kojonup.
Kukerin.
Lake King.
Lake Varley.
Lancelin.
Mandurah.
Manjimup.
Mingenew.
Moorab.
Morawa.
Mount Barker.
Mount Manypeak.
Mount Walker.
Nannup.
Narembreen.

Newdegate.
Norseman.
Northcliffe.
Pemberton.
Perenjori.
Pingaring.
Pingelly.
Qualradung.
Rocky Gully.
Salt River.
Southern Cross.
Three Springs.
Wagin.
Walpole.
Warroona.
Wongan Hills.
Woodanilling.
Wubin.
Wyalkatchem.
Yandanooka.
Yarloop.
York.

(b) Nil.

- (4) The Government Employees' Housing Authority is implementing a programme to provide garages subject to availability of funds.

3. JUNIOR HIGH SCHOOLS

Number and Deputy Headmasters

Mr. A. R. TONKIN, to the Minister for Education:

- (1) How many class I junior high schools are there in Western Australia?
(2) How many class I junior high schools have deputy headmasters actually serving in the school and who are fully qualified to hold that position?

Mr. T. D. EVANS replied:

- (1) 26.
(2) 18.

4. ELECTRICITY SUPPLIES

Merredin-Yilgarn Electorate

Mr. BROWN, to the Minister for Electricity:

- (1) In view of the recent undertaking to supply State Electricity Commission services to Kondinin this summer, what negotiations have taken place with the Kondinin Shire Council?
(2) What is the estimated cost of construction of the proposed S.E.C. line from Corrigin to Kondinin?
(3) When is it proposed to extend the S.E.C. services to Kulin?
(4) Are rural services curtailed because of the inability of the Commission to link the high tension main between Wagin and Merredin?

- (5) When is the link between Wagin and Merredin listed for construction, and what is the proposed cost?

Mr. MAY replied:

- (1) No negotiations have taken place at present due to lack of funds this financial year for the extension to Kondinin.
 (2) \$75,000.
 (3) After construction of Merredin to Kondinin transmission line.
 (4) and (5) No line is planned between Merredin and Wagin.

5. INSTITUTE OF TECHNOLOGY

Geology Faculty

Mr. A. R. TONKIN, to the Minister for Education:

- (1) What percentage of geology students in the various years and categories at the Western Australian Institute of Technology passed with the various grades in 1969 and 1970?
 (2) How many W.A.I.T. students also act as—
 (a) lecturers; and
 (b) tutors, in geology?
 (3) What is the average staff-student ratio in geology and what is the range of such ratios?

Mr. T. D. EVANS replied:

- (1) The percentage of students who obtained each grade of pass in the various Geology units in 1969 and 1970 is as follows:—

1969 ANNUAL EXAMINATIONS

													Pass													
													A		B		C		Total Pass		Fail		Total			
													No.	%	No.	%	No.	%	No.	%	No.	%				
1st year students—																										
Geology 140				....	....	....	....	....	2	15	8	62	10	77	3	23	13				
Geology 170				....	....	....	4	7	13	24	25	45	42	76	13	24	55						
Geology 180				....	....	....	....	....	3	6	20	68	23	74	8	24	31				
2nd year students—																										
Geology 240				....	....	....	....	....	2	29	4	57	6	86	1	14	7				
Photogeology 240				....	....	....	....	....	2	33	4	67	6	100	....	....	6		
Geophysics 242				....	....	....	3	33	4	45	2	22	9	100	....	....	9				
3rd year students—																										
Geology 340				....	....	....	1	25	3	75	....	....	4	100	....	....	4		
Geochemistry 340				....	....	....	1	20	3	60	1	20	5	100	....	....	5				
Engineering geology				....	....	....	....	....	....	....	....	....	....	....	....	....	....
Hydrogeology				....	....	....	....	1	20	4	80	5	100	....	....	5				

1970 ANNUAL EXAMINATIONS

														Pass											
														A		B		C		Total Pass		Fail		Total	
														No.	%	No.	%	No.	%	No.	%	No.	%		
1st year students—																									
Geology 140														4	10	22	52	26	62	16	38	42	
Geology 170														5	7	11	15	33	46	49	68	24	32	73
Geology 180														5	18	8	28	13	46	26	93	2	7	28
2nd year students—																									
Geology 240														4	36	5	46	9	82	2	18	11	
Photogeology 240														4	40	4	40	8	80	2	20	10	
Geophysics 242														1	14	2	28	2	28	5	71	2	29	7
3rd year students—																									
Geology 340														5	....	5	....	1	....	6	
Geochemistry 340														1	33	1	33	2	66	3	
Engineering geology														1	33	....	2	66	3	100	....	....	3	
Hydrogeology 340														1	3	1	5	100	5

- (2) No students act as lecturers. Four final year students act as tutors in 1st year laboratories for not more than three hours per week.
- (3) Typical staff/student ratios for Geology subjects are as follows:
 - Geology 140, Lecture 35-1, 45-1; Laboratory 13-1.
 - Geology 240, Lecture 26-1; Laboratory 13-1.
 - Geology 340, Lecture 8-1; Laboratory 8-1.
 - Geology 170, Lecture 34-1, 43-1; Laboratory 15-1, 20-1.

6. ELECTRICITY SUPPLIES

Additional Power Station

Mr. RUSHTON, to the Minister for Electricity:

Referring to part (4) question 15 on 18th November—

- (1) Does this mean Long Point, Warnbro, will be considered for siting of the next power station?
- (2) When is this investigation expected to be finalised?
- (3) Is it intended to consider nuclear power for generating purposes in the next power station?

Mr. MAY replied:

- (1) All suitable sites which are available for electricity generation purposes would be considered for the next power station.
- (2) When the annual review of load trends indicates that plant on order would be insufficient to meet forecast growth.
- (3) Yes, but on present indications it is unlikely that the next generating units to be installed will be powered by nuclear fuel.

7. POWER BOATS

Registration Fee

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

- (1) Has the Government had second thoughts on the matter of power boat registration fees as announced in answer to question 38 asked by me on 7th October, 1971?
- (2) Since the estimated revenue under the new proposals appears to be twice the last recorded cost of administering the regulations, would he advise what extra services to boat owners will accrue?
- (3) Is there any truth in the rumour that the Harbour and Light Department proposes to erect a residence for an inspector on Rottnest Island?

Mr. JAMIESON replied:

- (1) No.
- (2) Three additional marine inspectors are being appointed and two new seagoing patrol boats purchased so as to provide efficient control of boating activities in the Fremantle outer harbour area, including Rottnest Island, Cockburn Sound and Rockingham, and also at Geraldton. It has been estimated that apart from capital expenditure to purchase this new equipment, annual operational cost to maintain the boat registration system and field control will be approximately \$94,000.

Registration fees for powered pleasure craft in the Eastern States are:—

	\$
(a) New South Wales	5
(b) Victoria (over 15 feet and 3½ h.p.)	10
(c) Queensland: Basic fee up to 40 feet	4
Plus speed boat over 10 knots	2-6
Plus ski boat (in lieu of speed boat)	4-8

- (3) No.

8.

ABATTOIRS

Trades and Labor Council and Farmers' Project

Mr. COURT, to the Premier:

Is he prepared to give an undertaking that, if the Government decision is to assist the Trades and Labor Council-United Farmers and Graziers Association \$8 million abattoir project—currently being studied by the Department of Development and Decentralisation—the proposal will be submitted for ratification by Parliament before any binding commitment is entered into?

Mr. J. T. TONKIN replied:

Yes.

9.

ROYAL PERTH HOSPITAL

Chief Pharmacist

Dr. DADOUR, to the Minister for Health:

- (1) What qualifications are necessary for the position of chief pharmacist at Royal Perth Hospital?
- (2) Has an appointment been made?
- (3) (a) If "Yes" what is the appointee's name;
- (b) If "No" why?
- (4) Does he agree that it would be preferable to appoint an Australian or better still a Western Australian if possible?

Mr. DAVIES replied:

- (1) Minimum qualification—Member of the Pharmaceutical Society of Western Australia, or approved equivalent.
- (2) No.
- (3) (a) Answered by (2).
(b) Appointments involving overseas applicants take a long time. Short listed candidates will be interviewed on 10th December, 1971.
- (4) The Royal Perth Hospital Board is responsible for appointment of staff and I am confident that it will take into account all the attributes of candidates, including local service.

10. DAY LABOUR FORCE

State Housing Commission

Sir DAVID BRAND, to the Minister for Housing:

How many day labour employees were employed by the State Housing Commission on—

- (a) 1st March, 1971;
- (b) 1st July, 1971;
- (c) 1st November, 1971?

Mr. BICKERTON replied:

	Housing Maintenance	Caretaking and Gardening	Other	Total
(a)	78	53	2	131
(b)	76	50	2	130
(c)	76	54	2	132

In addition there are five women employed on a part-time basis.

11. STAMP DUTY ON RECEIPTS

Refunds

Sir DAVID BRAND, to the Premier:

- (1) In *The West Australian* of 11th November, 1971 he was stated to have estimated that about \$4 million was due to be refunded from receipt duty tax paid to State Treasury—
(a) How did he arrive at this estimate;
(b) what are the total claims made to date?
- (2) As he is quoted as saying that the Commonwealth would have a windfall through income tax from refunded receipt duty, why is he so anxious to give away State revenue?
- (3) (a) Does he still intend to ask the Commonwealth for a return of this money to Western Australia;

(b) If so, on what grounds would he expect to succeed in view of the fact that Western Australia is the only State currently planning refunds?

Mr. J. T. TONKIN replied:

- (1) (a) The estimate is based on the total collections of receipts duties over the repayment period and the experience with limited refunds made by the previous Government.
(b) Nil.
- (2) Because I believe the duty was improperly collected.
- (3) (a) No.
(b) Answered by (3) (a).

12. DAY LABOUR FORCE

Government Departments

Sir DAVID BRAND, to the Premier:

How many employees were employed by the Government in all Departments other than the Public Works Department under the day labour system on—

- (a) 1st March, 1971;
- (b) 1st July, 1971;
- (c) 1st November, 1971?

Mr. J. T. TONKIN replied:

The accepted definition of "day labour" interpreted in the question is the particular work force engaged by the Government for specific projects and which is terminable at the end of such project.

The normal weekly "contract of service" employees who form the general work force establishment of the average Government Department are not considered to be the subject of the question.

Enquiry of the major employing Departments of the Government (excepting the Public Works Department and the instrumentalities) indicates that the answer to the questions (a), (b), and (c) is "Nil".

13. ROAD MAINTENANCE TAX

Collections

Sir DAVID BRAND, to the Minister representing the Minister for Transport:

- (1) What was the monthly collection from road maintenance tax in each of the months for 1971, and for the same months of 1970?
- (2) What was the total collected since 1st January, 1971 and for the same period of 1970?

Mr. JAMIESON replied:

(1) Road maintenance collections—

	1970	1971
	\$	\$
January	287,925.53	326,777.47
February	275,093.39	280,549.45
March	285,218.45	292,226.52
April	329,220.09	317,872.43
May	320,644.44	285,616.22
June	329,467.85	402,266.57
July	341,348.55	280,363.09
August	326,473.98	333,307.57
September	328,536.61	318,073.03
October	353,981.15	354,289.28

(2) Road maintenance collections 1st January, 1971, to 31st October, 1971:—

\$3,191,341.63.

Road maintenance collections 1st January, 1970, to 31st October, 1970:—

\$3,177,910.04.

14. EGGS Quotas

Mr. W. A. MANNING, to the Minister for Agriculture:

- (1) Has he rejected any appeals regarding egg quotas because the defined limits of the Act are too restrictive?
- (2) Will he consider urgent legislation to enable greater Ministerial discretion?

Mr. H. D. EVANS replied:

- (1) and (2) The provisions of the Act are broad enough progressively to overcome any anomalies which occur.

15. ALWEST ALUMINA REFINERY Establishment at Collie

Mr. WILLIAMS, to the Minister for Development and Decentralisation:

On what occasion and date did he state quite openly that because of the high cost of land at Bunbury, Alwest was being asked to look at the Collie region?

Mr. GRAHAM replied:

The question refers to a statement by the Premier, reported in the *South Western Times* of the 4th November. The Premier should have attributed the comment to Mr. Kommer, General Manager of Alwest Pty. Ltd., who had openly referred to the high prices being asked for land near Picton.

16. PUBLIC SERVANTS Sick Leave: Medical Certificates

Dr. DADOUR, to the Premier:

- (1) Does he agree that the public service medical certificate, compulsorily required of all public servants who absent themselves

from work on account of sickness, is an invasion of their privacy, in unnecessarily requiring them to reveal the nature of the illness?

- (2) Does he also agree that when a medical practitioner certifies a public servant as unfit for work that this certification as being unfit is in itself sufficient justification for that patient absenting himself from work without the doctor being compelled to reveal the nature of the illness?
- (3) Would he agree that intrusion upon the privacy of an individual in sickness is undesirable and should be eliminated?
- (4) Would he give the House an undertaking that he will investigate this matter and have the public service medical certificate revised in accordance with these principles?

Mr. J. T. TONKIN replied:

- (1) to (3) The Public Service Board has considered a certificate from a medical practitioner in itself sufficient justification for absence from work, but the cause of the illness could be relevant in deciding whether the public servant should be paid during his absence. Although there have been occasional objections to the certificate by medical practitioners, very rarely has an officer objected to the supply of the information. Where the illness is of a confidential nature there is provision for the medical practitioner to inform the Commissioner of Public Health instead of the Public Service Board and the commissioner's advice is accepted without question.
- (4) The Public Service Board will examine the matter further and will be happy to consider any representations which may be made to it.

17. POWER BOATS Registration Fee

Mr. MENSAROS, to the Minister for Works:

- (1) Was he correctly reported on 16th October, 1971 in *The West Australian* stating that boat club members will receive a rebate from the proposed increased power boat registration fees?
- (2) If so, what will the rebate amount to with various fees?
- (3) Would he define boat clubs for the purpose of this rebate?
- (4) Would he consider allowing a rebate—for the same reason as he was reported to have stated—to

qualified (e.g. harbour and river tickets, ex-ship's master) boat owners who are not boat club members?

Mr. JAMIESON replied:

- (1) Yes. However, it always was the intention that the rebate from the increased registration fees should be payable to approved boating clubs and not to the individual members of such clubs.
- (2) The rebate will be \$1.50 for each power boat registered with an approved boating club.
- (3) A boat club approved for the purpose of receiving the rebate of \$1.50 for each boat registered would have to be a properly constituted and recognised boating club and not groups of boat owners formed for the purpose of claiming the rebate.
- (4) No.

18.

PRISONS

Pardelup Prison Farm

Mr. THOMPSON, to the Minister representing the Chief Secretary:

- (1) What is the area of land comprising the Pardelup Prison Farm?
- (2) How much of this land is cleared and being used for agricultural purposes?
- (3) What has been the financial result of the conduct of the farm for each of the last five years?
- (4) How many inmates, at any one time, are held at Pardelup?
- (5) Is the prison farm self-supporting; if not, how much has it cost the State to operate the establishment for each of the last five years?
- (6) How many of the inmates are employed in running the farm as distinct from those employed in the conduct of the prison?
- (7) How many people are employed on farms of similar size in the area?
- (8) Has the Department of Correction ever considered quitting their involvement in the farm?
- (9) Would it not be cheaper to accommodate and rehabilitate prisoners in a complex designed for that purpose, than to continue with the present institution involving a large capital investment in rural pursuits which may be uneconomic?

Mr. TAYLOR replied:

- (1) 6,385 acres.
- (2) 2,079 acres under pasture.

(3)	Expenditure	Revenue
	\$	\$
1967	26,614	28,743
1968	24,912	27,891
1969	20,760	23,662
1970	36,375	20,936
1971	24,518	19,720

(4) 60.

(5) Cost to State.

	\$
1967	67,214
1968	83,993
1969	90,002
1970	114,098
1971	123,511

(6) 22 on farm work, 38 on other work.

(7) The majority appear to only employ casual seasonable labour.

(8) No.

(9) The department has endeavoured, over the last five years, to develop functional facilities for the training and rehabilitation of a wide variety of types of inmates.

Pardelup has provided an essential and specific type of training which could only be given on a farming property and which could not be effectively provided in a complex. Additionally, the farm is being developed to provide produce for other institutions.

19.

TECHNICAL SCHOOLS

Student Hours, Courses, and Apprenticeships

Mr. WILLIAMS, to the Minister for Education:

- (1) Since 1964 what have been the total student hours per year up to 1968 inclusive and the student hours per term since and including first term 1969 in the technical schools and centres at Eastern Goldfields, Bunbury, Albany and Geraldton?
- (2) What—
 - (a) full-time courses;
 - (b) part-time courses,
 were conducted at each centre in 1970 and 1971?
- (3) In each course during 1970 how many students—
 - (a) commenced;
 - (b) sat for exams;
 - (c) passed exams;
 in each centre?
- (4) What apprenticeships are catered for at each centre?
- (5) In each apprenticeship course how many students—
 - (a) commenced;
 - (b) sat for exams and trade tests;
 - (c) passed exams and trade tests,
 at each centre?

Mr. T. D. EVANS replied:

(1)

Total student hours per year				
	Albany	Bunbury	Eastern Goldfields	Geraldton
1964	28,823	111,690	172,414	20,876
1965	32,046	143,378	162,792	27,048
1966	32,080	154,595	159,868	37,508
1967	37,044	142,392	149,688	56,746
1968	35,122	154,589	151,912	68,012
1969	57,528	182,444	141,372	73,372

Total Student Hours Per Term Since 1969				
1969—				
Term 1	18,911	68,395	52,857	23,594
2	21,562	97,012	49,047	30,287
3	17,044	47,032	39,483	19,480

1970—				
Term 1	22,591	66,058	52,024	23,288
2	25,491	75,530	55,041	28,198
3	16,249	45,777	32,666	18,904

1971—				
Term 1	22,417	94,890	56,218	20,683

(2) Courses conducted at Albany Technical Education Centre 1970-71—

(a) Full-time courses, Nil.

(b) Part-time courses—

Apprentice day release. See answer to question (4).

Other—

Certificate in accounting.
Certificate in art studies.
Certificate in agriculture.
Certificate in sheep and wool.
Certificate in business studies.
Certificate in commercial studies.
Certificate in local government.
Public examination subjects junior and leaving.
Welding.
Automotive science.
Homecrafts.
Adult education subjects.

Courses conducted at Bunbury Technical School 1970—

(a) Full-time courses—

Diploma and certificate in accounting.
Certificate in commercial studies.
Advanced commercial courses.
Certificates in civil and structural drafting.
Pre-apprenticeship carpentry and joinery.

(b) Part-time Courses—

Apprentice day release—See answer to Question (4).

Other—

Administration—

Diploma and certificate in local government courses.

Diploma in public administration.

Diploma in management studies.

Diploma in transport administration.

Automotive—

I.A.M.E. course.

Automotive electrical (preparatory).

Automotive electrical course.

Motor maintenance.

Building—

Diploma in building.

Builders' registration.

Timber clerk's course.

Commerce—

Diploma in accountancy.

Diploma and certificate in accounting.

Diploma and certificate in business studies.

Engineering—

Certificate in functional electricity.

Related part-time units.

Certificates in engineering drafting.

Certificate in engineering surveying.

Certificate in television servicing.

Diploma in mechanical engineering.

Related part-time units.

General courses—

Coastal navigation.

Public and qualifying examinations (junior and leaving examination subjects).

Home crafts and adult education activities.

Short courses as demanded—

Scaffolding.

Explosive power tools.

Rigging.

Courses conducted at Bunbury Technical School 1971—

(a) Full-time day courses—

Diploma and certificate in accounting.

Certificate in applied science.

Certificate in commercial studies.

Advanced commercial course.

Certificates in civil and structural engineering drafting.

Certificate in engineering surveying.

Pre-apprenticeship carpentry and joinery.

Pre-apprenticeship automotive mechanics.

(b) Part-time courses—

Apprentice day release—
See answer to Question (4).

Other—

Administration—

Diploma and certificate in local government.

Diploma in public administration.

Diploma in management studies.

Diploma in transport administration.

Automotive—

I.A.M.E. course.

Automotive electrical (preparatory).

Automotive electrical course.

Motor maintenance.

Building—

Diploma in building.

Builders' registration.

Timber clerk's course.

Commerce—

Diploma in accountancy.

Diploma and certificate in accounting.

Engineering—

Certificate in functional electricity.

Related part-time units.
Certificates in engineering drafting.

Certificate in engineering surveying.

Certificate in television servicing.

Diploma in mechanical engineering.

Related part-time units.

General courses—

Coastal navigation.

Public and qualifying examinations (junior and leaving examination subjects).

Home crafts and adult education activities.

Short courses as demanded—

Scaffolding.

Explosive power tools.

Rigging.

Courses conducted at Eastern Goldfields Technical School 1970-71.

(a) Full-time courses—

Certificate in commercial studies.

Pre-vocational aboriginal education (boys).

Pre-vocational aboriginal education (girls) (1971 only).

(b) Part-time courses—

Apprentice day release—
See answer to Question (4).

Other—

Diploma in accountancy.

Diploma and certificate in accounting.

Certificate in commercial studies.

Ledger machine operation course.

Machine shop practice I.

Motor maintenance.

Metalwork.

Welding I and II.

Automotive electrical (preparatory).

Automotive electrical course.

Trade calculations carpentry.

Woodwork.

Dressmaking.

Pottery.

Cake decorating.

Public examination subjects (junior and leaving).

Adult education classes.

Courses conducted at Geraldton Technical Education Centre 1970-71—

(a) Full-time courses—

Pre-apprenticeship carpentry and joinery.

(b) Part-time courses—

Apprentice day release—See answer to Question (4).

Other—

Certificate in accounting.

Certificate in commercial studies.

Diploma in building.

- Builders' registration course.
 Coastal navigation (1970 only).
 Public examination subjects.
 Motor vehicle maintenance.
 Marine engine driving (1970 only).
 Automotive electrical course.
 Welding.
 Homecrafts.
 Adult education subjects.
- (3) Examination statistics for courses at different centres are not maintained. Examination results are compiled for the Technical Education Division in terms of subjects.
- (4) Apprenticeships catered for (1970).
 Albany Technical Education Centre—
 Welding.
 Automotive mechanic.
 Panel beating.
 Carpentry and joinery.
 Blacksmith.
 Lead burner.

- Sheetmetal.
 Plumbing.
 Ladies hairdressing.
- Bunbury Technical School—
 Fitting and machining.
 Welding.
 Automotive mechanic.
 Panel beating.
 Electrical radio and television.
 Carpentry and joinery.
 Saw doctor.
 Instrument mechanic.
- Eastern Goldfields Technical School—
 Fitting and machining.
 Automotive mechanic.
 Electrical carpentry and joinery.
 Metal construction.
 Spray Painting.
 Plumbing.
- Geraldton Technical Education Centre—
 Automotive mechanic.
 Electrical.
 Carpentry and joinery.
 Plumbing (commenced 1971).

(5) EXAMINATION RESULTS 1970

Trade	Centres and Schools											
	Bunbury T.S.			Albany T.E.C.			E.G.T.S.			Geraldton T.E.C.		
	A	B	C	A	B	C	A	B	C	A	B	C
Fitting and Machining	9	31	27	....	....	....	6	34	28	....	....	....
Welding	9	26	22	7	20	14	....	....	....	....	....	....
Automotive mechanic	19	71	64	14	40	36	12	34	33	9	38	35
Panel Beating	2	17	13	2	9	9	....	....	....	....	....	....
Electrical fitting	3	26	21	....	....	....	6	25	16	6	27	15
Installing	9	19	14	....	....	....	1	....	....	....	....	....
Radio and T.V.	3	14	12	....	....	....	....	....	....	....	....	....
Carpentry and Joinery	10	56	50	7	32	29	7	26	25	9	71	57
Saw doctor	....	1	1	....	....	....	....	....	....	....	....	....
Metal construction	....	....	....	....	....	....	6	29	27	....	....	....
Spray painting	....	....	....	....	....	....	3	19	17	....	....	....
Blacksmithing	....	....	....	....	2	2	....	....	....	....	....	....
Lead burner	....	....	....	....	9	9	....	....	....	....	....	....
Sheetmetal	....	....	....	....	....	....	....	....	....	....	....	....
Plumbing	....	....	....	1	10	10	1	12	10	10*	....	....
Ladies' Hairdressing	....	....	....	10	31	30	....	....	....	....	....	....
Instrument mechanic	6	9	9	....	....	....	....	....	....	....	....	....
	68	270	233	41	153	139	42	179	156	34	136	107

* Commenced 1971

NOTE: Column A refers to the number of apprentices commencing Stage 1 in 1970.
 Column B refers to the number of apprentices sitting for examinations in all stages in 1970.
 Column C refers to the number of apprentices in Column B passing examinations in 1970.

20. KWINANA-BALGA POWER LINE

Route: Consultation with Local Authorities

Mr. RUSHTON, to the Minister for Electricity:

- (1) If there is to be a change in route and construction of the 330 Kv power line planned from Kwinana to Balga from that already understood by the local authorities involved, will he consult with the shires before making a final decision?
- (2) Has the Director of Environmental Protection submitted his report on this issue?
- (3) If "Yes" to (2) will he let me have a copy of this report?
- (4) If "No" to (2) when is it expected?

Mr. MAY replied:

- (1) The shires concerned are aware of proposed routes from Kwinana to Balga.
- (2) to (4) The Minister for Environmental Protection has informed Cabinet of the director's opinion.

21. TOWN PLANNING

Public Open Space: Acreage

Mr. RUNCIMAN, to the Minister for Town Planning:

- (a) What is the acreage of all types of public open space shown on the Metropolitan Region Planning Scheme atlas?
- (b) How many acres have so far been acquired for this purpose?

Mr. GRAHAM replied:

- (a) About 66,000 acres, of which about 40,000 acres are in Crown ownership, 4,000 acres are owned by local authorities, and 20,000 are freehold.
- (b) 9,629 acres.

QUESTIONS (14): WITHOUT NOTICE

1. YUNDURUP CANALS DEVELOPMENT

Government Guarantee

Sir DAVID BRAND, to the Premier: With reference to the Yundurup canals project—

- (1) What is the extent of the Government's guarantee?
- (2) (a) What is the rate of interest on the amounts to be guaranteed?
- (b) Does the guarantee extend to unpaid interest beyond the capital sums guaranteed?

- (3) What proportions of the guaranteed funds are to be used—

- (a) for work already completed;
- (b) for future work?

- (4) What lenders are to be guaranteed?

- (5) Are there any parties other than the lenders to be guaranteed and, if so, to what extent and for what purpose?

- (6) Have the lenders and any others involved accepted a guarantee under the existing Industry (Advances) Act as adequate without amendment to the Act?

- (7) (a) What studies have been made by or on behalf of the Government about the economic viability of the project and the degree of risk under the guarantee?
- (b) What was the result of these studies?

- (8) Does he agree—

- (a) that the Canterbury Court project guarantee which he referred to in one of his public comments about the Yundurup canals project was in fact the result of a commitment entered into by the Hawke Government in April, 1958; and

- (b) that the Hawke Government sought to have an amendment made to the Industry (Advances) Act in 1958 for the purposes of overcoming a legal obstacle in giving such guarantee acceptable to the lender's solicitors?

- (9) Does he also agree that, following the defeat of the 1958 Bill because the Hawke Government would not confine the amendment to deal with a specific case, approaches were made to myself as the then Leader of the Opposition and to the then Leader of the Country Party seeking our agreement to the form of a Bill so that temporary advances could be made by the Commonwealth Bank under the Industry (Advances) Act guarantee pending the passage of the Bill in 1959?

- (10) Does he agree that the Bill passed in 1959 following the change of Government was to honour the arrangement made between the then Premier

(Mr. Hawke) and myself as the then Leader of the Opposition and the then Leader of the Country Party?

Mr. J. T. TONKIN replied:

The Leader of the Opposition gave me adequate notice of some of these questions; however, at 1.05 p.m. today he submitted additional questions and altered some of those already submitted. In the circumstances I must ask him to place the question on the notice paper.

2. STATE SHIPPING SERVICE

Service to Darwin: Conference with Prime Minister

Sir DAVID BRAND, to the Premier:

Has the Premier been in touch with the Prime Minister, and has he been able to make any arrangements about the proposed visit to Canberra by the Leader of the Country Party, himself, and myself, on matters connected with the shipping service to Darwin?

Mr. J. T. TONKIN replied:

I took the opportunity as early as possible on Monday morning to ring the Prime Minister. I was fortunate enough to get him, but by the tone of his voice he could have wished me to glory. He explained that he was busily engaged in preparing a speech and he was unable to discuss any matters with me. However, I told him clearly that I wanted to put this request to him and that I would hope he would give consideration to it at the earliest possible time because the Leader of the Opposition, the Leader of the Country Party, and myself are anxious to go to Canberra to talk to him.

I further asked him would he give me an assurance that no decision would be made until he had indicated to me whether or not he was prepared to receive the delegation. That is where the position rests at the present time.

3. YUNDURUP CANALS DEVELOPMENT

Protest by Licensed Fishermen's Association

Mr. RUNCIMAN, to the Premier:

- (1) Has the Premier received a telegram from the Licensed Fishermen's Association of Mandurah protesting at the Government's move on the Yundurup canals project?

- (2) If so, is he able to reassure the fishermen, both professional and amateur, that dredging in Peel Inlet will not seriously affect the fishing, crabbing, and prawning potential of the area?
- (3) Has the Premier or any of his Ministers inspected the project?
- (4) If so, which Ministers?
- (5) Did the Murray Shire Council support the scheme subject to certain provisions?
- (6) Did the project developers agree to the provisions inserted by the council?
- (7) Does the Premier agree that the project was thoroughly researched by the promoters prior to commencement of development?
- (8) Over what period of time was the project researched?

Mr. J. T. TONKIN replied:

- (1) Yes.
- (2) The previous Government no doubt satisfied itself regarding this matter before entering into an agreement for the project to proceed.

Mr. Hutchinson: Not to guarantee a sum of money.

Mr. J. T. TONKIN: I did not say so.

Mr. Hutchinson: As long as the people understand.

Mr. J. T. TONKIN: To continue with the answer—

- (3) Yes.
- (4) Ministers for Works, Lands, Fisheries and Fauna, and Tourism.
- (5) Yes.
- (6) Yes.
- (7) Yes.
- (8) Three years prior to consent.

4. YUNDURUP CANALS DEVELOPMENT

Government Guarantee

Mr. MENSAROS, to the Premier:

- (1) Is the guarantee by the Government to the Yundurup canals development—stated in his reply to question 8 on the 18th November, 1971—based on the Industry (Advances) Act, 1947-1961?
- (2) If so, would he please disclose what are the marketable products or things which the Yundurup canals scheme produces or manufactures to make it an "industry" under the terms of section 2 of that Act and section 6 of the Rural and Industries Bank Act, 1944-1969?

- (3) If the answer to (1) is "No," on what statutory power did the Government cause \$1,750,000 to be lent and/or guaranteed by the Government?

Mr. J. T. TONKIN replied:

- (1) Yes.
- (2) The guarantee has been issued accompanied by a certificate as provided for in section 4 of the Industry (Advances) Act. As with a number of guarantees issued by the previous Government, provision of such a certificate is considered to validate the guarantee notwithstanding the definition of "industry" as quoted.
- (3) Not applicable.

5. LAND

Point Peron Reserve

Mr. RUSHTON, to the Minister for Lands:

As he has now found it necessary to tour the devastated country areas tomorrow and cancelled the appointment to receive a deputation from the Shire of Rockingham which is seeking to obtain consideration of its views on the recent announcement by the Government of its intention for Point Peron—

- (1) Will he, in respect of the shire, defer proceeding with the Government's intentions until the shire has had the opportunity to present its case?
- (2) If the answer to (1) is "No," will he arrange for the deputation to be received by the Premier, because of the importance of Point Peron to the State and the local community?

Mr. H. D. EVANS replied:

I understand that the honourable member rang my office. Contact was made with him to point out that I would be unable to meet this deputation tomorrow, because of more urgent commitments. Consequently, the 8th December was suggested as a date. However, the Shire Clerk of Rockingham will be unavailable at that time, as he will be on holidays, and it also proves unsatisfactory to the shire. The date, the 5th December, was suggested. That is the situation as far as I am able to meet the wishes of the shire, but I will take the matter up with the Premier to see whether he can receive this deputation at an early date.

6. ABATTOIRS

Trades and Labor Council and Farmers' Project

Mr. W. A. MANNING, to the Premier:

- (1) Is the Government considering granting a guarantee of \$7,000,000 to establish an abattoir at Boyup Brook?
- (2) Has he seen a "prospectus" issued by T.L.C. and U.F.G.A.?
- (3) What is the nominal capital of the "company"?
- (4) What amount of capital has been raised by the organisers and how many shareholders are there?
- (5) Does he approve of the type of "prospectus" issued?

Mr. J. T. TONKIN replied:

- (1) Preliminary discussions have been held regarding the project but no formal application for financial assistance by way of a guarantee has been received.
- (2) No.
- (3) and (4) Not known.
- (5) Answered by (2).

7. STATE SHIPPING SERVICE

Service to Darwin: Extension

Mr. NALDER, to the Premier:

I did intend to ask this question in three parts, but as the Premier has answered the first part in an earlier question without notice I shall proceed with the remaining two parts. My question is—

- (1) Will the Government give consideration to extending this service for a period of six months from the 31st December, 1971?
- (2) If so, will he make an early announcement, as already some orders have been cancelled and placed in the Eastern States on the understanding that the service to Darwin will cease on the 31st December, 1971?

Mr. J. T. TONKIN replied:

- (1) and (2) This will depend to a large extent on the result of the present representation to the Prime Minister.

8. COMPANIES REGISTRATION

Fees and Costs

Mr. R. L. YOUNG, to the Attorney-General:

- (1) What was the total revenue from the second schedule company fees in the years ended the 30th June, 1967, 1968, 1969, 1970, and 1971?
- (2) What was the cost of administering the office of the Registrar of Companies in each of those years?

Mr. T. D. EVANS replied:

I thank the honourable member for adequate notice of the question the answer to which is—

		\$
(1)	30/6/67	253,820
	30/6/68	332,230
	30/6/69	535,891
	30/6/70	806,846
	30/6/71	958,412
(2)	30/6/67	101,913
	30/6/68	130,923
	30/6/69	141,337
	30/6/70	196,503
	30/6/71	243,396
	(a)	

(a) These amounts cover the costs of operating the Companies Registration Office in its functions of administering the Companies, Bills of Sale, and Business Names Acts.

9. KWINANA-BALGA POWER LINE

Route: Consultation with Local Authorities

Mr. RUSHTON, to the Minister for Electricity:

In regard to the reply given to question 20 on today's notice paper that the Minister for Environmental Protection has informed Cabinet of the director's opinion, and in view of the importance of this issue, will the Minister make available to the House the director's opinion as soon as possible?

Mr. MAY replied:

The decision that has been arrived at on this matter was announced today. All the local authorities were advised of the decision and the reasons for it either last night or today; similarly the member for the district has been advised of it. An announcement will be appearing in the Press either this evening or tomorrow morning, and in that Press statement—as in the letters that have been sent out to the local authorities and the member for the district—the particulars will be given.

10. YUNDURUP CANALS DEVELOPMENT

Reference to Peel Inlet Advisory Committee and Environment Committee

Mr. RUNCIMAN, to the Minister for Fisheries and Fauna:

- (1) Has he received a telegram from the Mandurah branch of the Professional Fishermen's Association

protesting at the Government's action on the Yundurup canals project?

- (2) Does the Minister share the fishermen's concern regarding dredging in the inlet?
- (3) Has the matter been referred to the Director of Fisheries and, if so, what does he advise?
- (4) Has the Minister discussed the project with the Peel Inlet Advisory Committee?
- (5) If not, why not?
- (6) Will the Yundurup canals project be brought to the attention of the environment committee?

Mr. DAVIES replied:

I was getting a little worried, as I have had this question since last Friday. The answer is—

- (1) Yes.
- (2) to (6) The Yundurup canals project was studied in detail by the previous Government and certain approvals, with conditions, were granted. The purpose of the conditions was to reduce the possible harmful effects of the dredging work. The approvals and the conditions attaching thereto have not been altered. As the project is proceeding under approvals and conditions already granted there has been no reason to seek further views on the technical requirements.

11. ABATTOIRS

Trades and Labor Council and Farmers: Project

Mr. COURT, to the Premier:

Arising out of the Premier's answer to question 5 without notice, asked by the member for Narrogin, if I understood his answer correctly he said there had not been any formal request for financial assistance by the T.L.C. and U.F.G.A. If that is so, on what basis has the Department of Development and Decentralisation studied this project, as announced by the T.L.C. and U.F.G.A., because questions have been answered saying that studies are being made?

Mr. J. T. TONKIN replied:

I regret that I am unable to give an answer to the question posed by the Deputy Leader of the Opposition, for the simple reason

that I am not in a position to answer it. The answer which I gave this afternoon was supplied to me after inquiry, because naturally no application would have been made to the Premier's Office. I suggest the Deputy Leader of the Opposition put this question on the notice paper and direct it to some of my colleagues to whom some approach might possibly have been made, although no actual formal application for the guarantee has as yet been lodged. My understanding of the position is that discussions have been held, and there have been discussions with me; but during those discussions no formal application for assistance was made. I assume that that precisely could be the situation with regard to the Department of Development and Decentralisation and the Department of Agriculture.

Mr. Court: Questions have been answered saying that studies are being made.

12. EDUCATION

"Soviet Society" Publication: Use in High Schools

Mr. THOMPSON, to the Minister for Education:

- (1) Has he received a letter from the senior lecturer in history and politics at the Western Australian Institute of Technology condemning the third year high school text book *Soviet Society*?
- (2) Does he agree that this person is well qualified to assess the book?
- (3) Does he support the views of this senior lecturer? If not, in what principal points does he differ?
- (4) Is he aware that teachers at several of the pilot schools are opposed to the use of the book and that one teacher having been refused access to the teachers' tribunal intends to appeal to him?
- (5) Is it true that a committee has been commissioned to revise the material?
- (6) In view of the rejection of the book by the senior lecturer in politics and history, a senior master in one of the pilot schools, together with other teachers and members of the public, will he reconsider the request I made to the Premier on the 6th October to have the book amended or removed from all schools?

Mr. T. D. EVANS replied:

I thank the honourable member for notice of this question the answer to which is—

- (1) Yes.
- (2) The academic competence of a senior lecturer at the institute would be accepted.
- (3) The submission which runs into 10 foolscap pages was only received on the 18th November. An analysis of the opinions expressed has not been completed. I would add that a reply has been sent out as a courtesy to the correspondent.
- (4) In respect of the first portion of the question, the answer is "No." Based on a news report I believe the answer to the second portion of the question to be "Yes."
- (5) A committee has not been specifically commissioned to revise the booklet. The original Social Studies Curriculum Committee has a continuing function to revise material in the light of experience gained in pilot schools.
- (6) The normal procedure for appraising all social studies topics is for a questionnaire to be forwarded to pilot schools. Such an appraisal is naturally made at the conclusion of the study of the topic. This procedure has been taken in regard to this booklet but it is too early for information to be received and collated. So far, however, the unofficial response from teachers and others in support of the booklet strongly outweighs the objections to it. I might add that this booklet was commissioned for publication during the life of the former Government.

Mr. Court: It was not completed or distributed by us. Don't try to distort that one!

13. QUESTIONS WITHOUT NOTICE

Statement by Speaker

The SPEAKER: I would point out to members that questions without notice are to be treated as urgent business. In my opinion a number of the questions without notice asked this afternoon, the last in particular, were not urgent; and they should have appeared on the notice paper. I would ask members to take note of what

I have said; and, where possible, to have the questions placed on the notice paper so that they can be printed and so that Ministers are given reasonable time to answer them.

14. KWINANA-BALGA POWER LINE

Route: Consultation with Local Authorities

Mr. RUSHTON, to the Minister for Electricity:

I am merely seeking an answer to the question I put to the Minister a few moments ago on notice. I was very thankful for the enlarged answer he gave me, but he did not answer the question I asked which was—

Will he make available to the House the opinion of the Director of Environmental Protection relating to the power line development?

Mr. MAY replied:

Yes.

The SPEAKER: I will not take any more questions without notice.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Mr. T. D. Evans (Attorney-General), and transmitted to the Council.

TRAFFIC ACT AMENDMENT BILL (No. 3)

Second Reading

MR. J. T. TONKIN (Melville—Premier)
5.18 p.m.: I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend the Traffic Act, 1919-1970, to provide for—

- (1) Variation of conditions and limitations of driver licenses issued by order of the court on appeal following refusal by the Commissioner of Police to issue or renew a license or where he has cancelled or suspended a license under section 24 of the Act.
- (2) The payment of the difference in license fees appropriate to the unexpired portion of the license instead of returning the license and number plates when a vehicle subject to a concession in fees is disposed of.
- (3) Authority for the Commissioner of Police to appoint traffic inspectors with limited powers for the purpose of carrying out duties of crosswalk attendants or vehicle examiners.

- (4) Increase in license fees of commercial vehicles and related measures to provide for the replacement of road funds following the repeal of the Road Maintenance (Contribution) Act.

I have mentioned the proposals in the above order, rather than the order in which they appear in the Bill, as the first three are designed mainly to overcome anomalies, and I fully expect that the fourth proposal, the revision of license fees, will be dealt with at greater length.

At present, a person who is convicted of an offence in connection with the driving of a motor vehicle, may apply to a magistrate in a court of petty sessions for the removal of the suspension and the issue of an extraordinary license. In directing the Commissioner of Police to issue an extraordinary license, the court is required to impose such limitations and conditions as it thinks proper. Provision is also made for application to the court for variation or cancellation of the limitations or conditions during the currency of the extraordinary license.

Where, under section 24 of the Traffic Act, the Commissioner of Police refuses to issue or renew a driver's license, or cancels or suspends a license, provision is made for appeal to the court and the issue of a license subject to conditions and limitations as it thinks fit. However, no provision exists for the variation of the conditions and limitations during the term of the license and the Law Society has drawn attention to an anomaly between sections 24 and 33A of the Act. The Commissioner of Police agrees with the proposed amendment which gives the court power to vary the limitations or conditions of a license issued under section 24.

The second proposal, providing for the payment of a difference in fee where a concession has been issued under section 11 of the Traffic Act and the vehicle is disposed of to another person, relates to section 16 of the Act. Under that section, a person is at present required to return the license and number plates to the licensing authority when he disposes of the vehicle. There is little doubt that under subsection (8) of section 11 of the Act it was intended a person should be able to convert the license to full rates instead of returning the number plates when he disposes of the vehicle, and the proposed amendment is to remove any ambiguity.

Under the Police Act, the Commissioner of Police may, subject to the approval of the Governor, appoint noncommissioned police officers with extensive powers under the various Acts which they are required to enforce. For a number of years, crosswalk attendants have been appointed to carry out duties on school crosswalks, and recently civilian vehicle examiners have been appointed to replace police officers

carrying out inspection of motor vehicles for licensing purposes. It is necessary to give crosswalk attendants and vehicle examiners authority under the Traffic Act to carry out their duties, and it has been the practice to seek the approval of the Minister for their appointment as traffic inspectors under the Act. In view of the numbers of such appointments, it is now desired to give the Commissioner of Police authority to appoint these persons as traffic inspectors, at the same time limiting their powers to the duties related to their position. There is no intention to interfere with the power of country local authorities to appoint traffic inspectors in their districts.

For the purpose of cancellation of the authority of traffic inspectors when they leave the job, provision has been made for the revocation by the Commissioner of Police of any appointments previously made under the authority of the Minister.

To replace road funds, consequent on the repeal of the Road Maintenance (Contribution) Act, it is proposed to amend the third schedule to the Act to provide for a new scale of fees for commercial vehicles. For motor wagons, prime movers, and trailers with an aggregate weight of 50 cwt. or more, the new scale of fees provides for assessment on the basis of aggregate weight; that is, tare plus load capacity calculated in accordance with the vehicle weights regulations.

Under this method of assessment, it may be expected that a road haulier who operates a vehicle or a combination of vehicles with specifications appropriate to the type of work he is doing and at a level which could normally be considered economic, will pay an equitable fee. Opinions may differ as to what is an equitable fee, but it should be borne in mind that in most other States, road hauliers pay road maintenance tax on vehicles with a load capacity of four tons and over, while the registration and license fees are generally in excess of those applying in this State.

When introducing the Bill to repeal road maintenance contributions, I supplied the new scale of fees and some complaints were received concerning increases applying to particular types of vehicles. In considering the new scale of fees in relation to the old, it is necessary to look at several factors which affect the situation. Firstly, it is necessary to consider the old scale of fees in relation to the fees for similar vehicles operating in other States. Secondly, it should be borne in mind that vehicles in the bracket of four-ton to eight-ton load, did not contribute to road maintenance as is done in other States. Thirdly, it is necessary to consider the ratio of tare to aggregate weight. I do not propose to dwell on this aspect, as many examples of individual vehicles have been brought forward and

members are generally well aware of the principles involved. Fourthly, it is necessary to consider the effect of the different bases of calculation of fees to road hauliers' fleets and the industry as a whole.

It is difficult to find a basis of assessment which is simple and yet fair to all types of vehicles and operators, but it is believed that assessment on the basis of aggregate weight will generally be more equitable than the previous basis of tare weight. It is expected anomalies may present themselves and these will be reviewed from time to time. An increase in fee, however, is not necessarily an indication that an anomaly has been created; it may have been brought about because of the correction of a previous anomaly.

In the case of a prime mover and semi-trailer, it is proposed to attach the fee mainly to the prime mover. Concessions relating to semitrailers will be eliminated and these will be licensed at a flat fee of \$10.00.

There has been some concern at the possibility of vehicles licensed in other States operating commercially in this State to the detriment of operators who license their vehicles in Western Australia. The proposed amendment to section 5 and the addition of section 5A, are to require licenses to be taken out in this State where commercial vehicles are operating on other than interstate trade.

It is appreciated that many of the lighter type station sedans and utilities are operated as private vehicles and provision has been made for these to be assessed at the same rate applying to a motorcar where the vehicle is used for private or domestic purposes, or is owned and used solely by a charitable, benevolent, or religious institution.

A person carrying on the business of farming or grazing and who uses a wagon mainly for carrying the requisites or products of that business is, in respect of one property, at present entitled to a concession of one-half the normal license fee in respect of one vehicle of a tare of 30 cwt. or more. This concession is to be increased to two-thirds and those entitled to the concession will pay only one-third the normal fee. A concession of one-third—two-thirds the normal fee—will be extended for a second vehicle.

As a deterrent to that small minority of persons who may be expected to make false statements concerning the use of a light utility or panel van for private purposes, it has been made an offence to make any false or misleading statement or representation in a declaration for the purpose of obtaining a concession.

The Bill to repeal the Road Maintenance (Contribution) Act has been debated at length and I do not propose to go over that ground again.

The object of this part of the Bill is to replace funds urgently needed for road construction and maintenance. No measure to increase fees is met with enthusiasm, but an objective assessment of their effect on the transport industry as a whole will indicate the merits of the proposals. To the extent that every commercial vehicle owner will not be pleased, it is appreciated that the perfect solution to the problem may not have been found. Nevertheless, I believe the basis of assessment is sound and the scale of fees is reasonable and equitable. I commend the Bill to the House.

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

BILLS (2): RETURNED

1. Government Railways Act Amendment Bill.
2. Parliamentary Superannuation Act Amendment Bill.

Bills returned from the Council without amendment.

TRAFFIC ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 19th November.

MR. MAY (Clontarf—Minister for Mines) [5.31 p.m.]: I would like to thank the member for Mt. Lawley for the comments he made to the Bill last week. I realise he was subjected to a certain amount of inconvenience and I apologise for that.

The Bill refers to the repeal of sections 9, 10, and 10A of the Traffic Act and the substitution of section 9, which relates to the licensing of vehicles, the introduction of days of grace, increases in fees, and accounting adjustments relating to the Budget which was recently introduced.

During his speech the member for Mt. Lawley indicated the Opposition agrees with the suggested amendments, but at the same time he raised a query with regard to continued increases in charges which the average motorist has had to absorb. I agree with him; no matter which Government is in power the motorist seems to be the person affected most frequently. I am sure we are all conscious of this and obviously any future endeavours to increase charges to the motorist must receive very careful consideration.

Apart from the amendments contained in the Bill, I would like to point out we received advice from the Crown Law Department only yesterday to the effect that the department would like the Bill further amended. Once again I apologise for this, although I have made it known to the member for Mt. Lawley and made available to him the reasons for the suggested

amendments together with a copy of the letter which we received from the Parliamentary Counsel.

It is to ensure that local authorities may retain all the fees of \$1 paid to them for the grant of renewal of licenses for periods of less than 12 months. The need for the amendments arises because of the terms of clause 5 of the Bill now before us which provides that the Commissioner of Police may retain all such fees paid to him and, therefore, by way of implication, it is capable of giving rise to the possibility that other local authorities are not to receive such fees when paid to them.

The further amendments which I will move in the Committee stage are designed to confirm the policy that local authorities may retain the fees in question. I think the information I have given the member for Mt. Lawley will satisfy him as to the need for these amendments. While the Bill was under discussion the Crown Law Department decided it would be convenient for these amendments to be included in the Bill, if possible.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Bateman) in the Chair; Mr. May (Minister for Mines) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 14 amended—

MR. MAY: I move an amendment—

Page 8, line 19—Delete the words "Commissioner of Police" and substitute the words "local authority".

MR. McPHARLIN: I have one comment at this stage. Like a number of my colleagues, unfortunately I was not in the House on Friday last. We had intended to comment on this aspect. The amendment which the Minister will fit so readily into the Bill is one we would be looking for. We appreciate the action he has taken in this matter. We had in mind to move a similar amendment but a number of us were caught up with appointments in our electorates and could not speak to this prior to today. I would like to say we go along with the amendment and we appreciate the action the Minister has taken.

Amendment put and passed.

MR. MAY: I move an amendment—

Page 8, lines 23 and 24—Delete the word "Commissioner" and substitute the words "local authority".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 6 and 7 put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

ABATTOIRS ACT AMENDMENT BILL (No. 2)

Second Reading

MR. H. D. EVANS (Warren—Minister for Agriculture) [5.40 p.m.]: I move—

That the Bill be now read a second time.

The Midland Junction Abattoir Board, constituted under the Abattoirs Act, is composed of three members appointed by the Governor, one of whom must be a chartered accountant and have regard for the interests of the consumers of meat; another person to serve the interests of butchers; and the third person representing the interests of producers of meat. Each person is appointed to the office for a term of five years and is eligible for reappointment.

The proposal contained in this Bill provides for an additional member to be added to the board to represent the interests of workers engaged in the industry.

The existing line of approach between the workers and the board has not always produced the degree of liaison which is desirable. Moreover, it would be advantageous and in the best interests of the management of the Midland Junction Abattoir to have amongst its members a person with access to the practical knowledge and experience of the workers engaged in the industry. It is often difficult for a person in one vocation to appreciate fully the full implications of problems in another industry. So it is with an industry such as the abattoir industry.

Relationship in past years between the board and the union has, to say the least, been far from good and a member of the board, representative of the work force at the Midland Junction Abattoir, would do a great deal to improve the situation and certainly would in no way detract from or hinder the efficient operation of the works.

At present the industrial harmony of the abattoirs is quite satisfactory. The management has established a routine of monthly meetings with union representatives which has contributed greatly to communications between the two segments of the industry. Both management and union have adopted a code of behaviour for industrial settlement. This is a far-reaching and progressive procedural code to be adopted in matters in dispute. I feel the *bona fides* of both parties to establish harmony have been demonstrated in past months.

Mr. Lewis: Will monthly meetings continue under this Bill?

Mr. H. D. EVANS: The board is a policy-making body for the operation of the works and quite naturally is looked upon by the workers as something very remote.

Representation on the board would have the natural effect of developing an affinity between the works and the union which has not existed previously. It would also enable confidence and trust to develop mutually, with the obvious prospect of greater industrial harmony.

I understand that over the past 10 years there has been only one occasion where the union has met and conferred with the board. That meeting took place in 1969 when a crisis situation existed at the works. I feel the absence of conciliation may have been regrettable when, in fact, industrial relations generally are influenced by the very nature of the work and the method of operation. Prior to the introduction of "on rail" dressing of mutton and beef carcasses a solo slaughterman performed his job on his own and had to satisfy a local health authority as against the now more stringent Department of Primary Industry export regulations.

With a change over a comparatively short period of time the slaughterman had to adjust to working as one of a team on a mechanical contraption and, of course, the larger the team the greater the chance of unbalance. From time to time, the department introduces further regulations and the balanced teams are consequently upset and have to be worked out practically all over again. The expertise gained by practical experience can be of value in planning and developing operations implied in such changes.

The difficult and sometimes hot and humid working conditions also impose further strain on the slaughtermen and, together with other disputes which arise from time to time, it is quite evident that worker-participation in management could achieve a great deal for the good of both the board and the work force. Worker-participation in management is a trend which is developing in other countries throughout the world.

Moving closer to home, it is worthy of mention that aside from Western Australia, Tasmania is the only other State which does not include union or worker representation on the policy-making bodies of Government-owned abattoirs. Both the Homebush and Gepps Cross abattoirs include worker-representation on their policy-making bodies. I quote Gepps Cross and Homebush as examples of larger abattoirs. Industrial relations at the Midland Junction Abattoir are considerably affected and influenced by the nature of the work and the method of operation and the proposal contained in this Bill would give the board an area of practical experience and knowledge which is most desirable and, in fact, necessary.

The present management at Midland is doing an excellent job. The recent expansion with its attendant problems has placed

a heavy burden of pressure on the administration and staff. The industry is fortunate to have men of the present calibre at this time. Employee representation could reinforce this situation.

Whilst the Bill does not specify that the proposed additional member should be a member of any particular union, or indeed of any union, it is intended that this matter will be dealt with administratively.

It is of interest also to note that in December, 1952, an effort was made to have union representation on the Midland Junction Abattoir Board. The present Premier was responsible for this attempt. However, the issue became complicated because of the controlling Statutes and it was never taken to its final conclusion. There is no valid reason why such an amendment, to give representation of the type desired, cannot be instituted. On that note I commend this Bill to the House.

Mr. O'Neill: Before you sit down, you did not in any way explain the final amendment to section 12 wherein you propose to introduce plural voting for the chairman.

Mr. H. D. EVANS: The honourable member will notice that in the event of equality of voting, the chairman shall be entitled to a casting, as well as a deliberative vote.

Mr. O'Neill: I thought this was against your policy.

Mr. H. D. EVANS: Would the Opposition be happier if we did away with it?

Debate adjourned, on motion by Mr. Nalder.

LOTTERIES (CONTROL) ACT AMENDMENT BILL

Second Reading

MR. TAYLOR (Cockburn—Minister for Labour) [5.50 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this short Bill is to amend the Lotteries (Control) Act, 1954-1970, in order that the game of bingo—sometimes called housie-housie or tombola—may be played by a *bona fide* organisation, subject to permission being granted by the Lotteries Commission under approved conditions.

It is safe to say that in the past bingo has been played by a number of worthy organisations which have been under the impression that they have not been breaking the law. However, this is not so, as it has been ruled that bingo is a lottery and as such can only be played under permission. At the present time, there is a doubt that the commission has the power to grant such a permit. As a result, there have been many approaches by organisations such as senior citizens' clubs, migration groups, social clubs, parents and citizens' associations, and the like, to have the playing of bingo legalised.

It is a hard task indeed to sustain the interest of members and, at the same time, raise money for amenities in organisations such as these. The consensus is that a game of bingo or the like is a type of novelty which would help to get members along to gatherings where they could have an evening's harmless enjoyment, maybe win or lose a small amount, and help raise a modest sum of money for the club or organisation to devote to some worth-while purpose.

When I say "win or lose a small amount," I mean just that. In my opening remark I stated that, if approved, the game could only be played with the permission of the Lotteries Commission under certain conditions which would include limiting the number of games and the hours of play for each session, the limiting of the number of permits to be made available to each club or organisation, and the fixing of a maximum amount of 10c as a charge for cards.

Mr. O'Neill: Do you limit the number of cards per person?

Mr. TAYLOR: The honourable member can check the Bill to discover this. This 10c a card would be the maximum charge and not all organisations would charge this amount. Indeed, I visualise a number playing for a modest 1c or 2c a card.

The Bill has been drafted to exclude any individual or organisation which is established for the purpose of trading, or for giving its members pecuniary profit, from obtaining permits and, as a result, there is no chance of such people turning the game to their own individual ends.

The definition of "charitable purpose" will be observed to the letter. This definition embraces such organisations as public hospitals; any free ward at a private hospital; any organisation that raises funds for the relief of former sailors, soldiers, airmen, or nurses of Her Majesty's forces; any institution for the instruction or care of the blind; any institution that cares for the deaf or the dumb; any orphanage; any institution for the reception of dying or incurable persons; or any body which distributes relief to sick, infirmed, or indigent persons.

Also members will note that section 4 (j) of the Act reads as follows:—

any object which in the opinion of the Minister may be fairly classed as charitable;

This provision has been in the Act for quite a long while and covers the granting of permission to any organisation to run lotteries for the benefit of charity and such other nonprofit, usually voluntary, community organisations.

On the application form the requirements of the Liquor Act will be clearly stated, and it will be pointed out that these must be observed to ensure that there will be no misunderstanding on the part

of those making an application. The venue of any particular function to be held will have to be clearly shown on the application, together with the names of those responsible for conducting the function.

The members of the Lotteries Commission consider they can handle the situation quite well in the same way as they grant permission to any organisation to sell lottery tickets. It is not envisaged that large sporting clubs, such as a league football club, would be covered by this legislation. Perhaps some small local football club may desire to raise money to purchase guernseys for children who play in junior football matches, which would be an entirely different proposition. As I have said, those sporting clubs that are well able to look after themselves will not be considered in any way.

The amendment proposed is a very short one, and I commend the Bill to the House.

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

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2).

Second Reading

MR. TAYLOR (Cockburn—Minister for Labour) [5.56 p.m.]: I move—

That the Bill be now read a second time.

Part X of the Western Australian Industrial Arbitration Act is headed, "Equal Pay for Male and Female Workers," and provides that the Industrial Commission will award equal pay to female workers in an occupation who perform work of equal value to that of their male counterparts. However, there is the proviso, section 146 (2), which reads—

This Part does not apply to or in respect of those provisions of any award or industrial agreement that apply to persons engaged in work essentially or usually performed by female workers but upon which male workers may also be employed.

This Bill seeks to delete section 146 (2) from the Act. By deleting the subsection, the Bill removes any impediment from the Act. In simple terms, it will remain necessary that female workers will be required to prove to the Industrial Commission that the value of their work is equal to that of their male counterparts, but in future they may not be automatically precluded, no matter what their case, by virtue of the fact that they work in an occupation which is usually or ordinarily performed by females.

A brief history of the situation will be of interest to members. In 1968, the Western Australian Industrial Arbitration Act was amended by inserting a new part by amendment No. 47 of 1968, called "Equal

Pay for Work of Equal Value." Because a number of other States over a period had legislated for the concept of equal pay, the previous Government saw fit to introduce this new part into our Industrial Arbitration Act.

New South Wales first legislated in this field in 1959, followed by Tasmania—for the Public Service—then South Australia and Western Australia followed in 1968. In each case, the legislation provided for the phasing-out of the differential between the male and female basic wages over a five-year period. Although New South Wales was first in the field with this legislation, Tasmania, South Australia, and Western Australia all introduced concurrent legislation by phasing-out the differential from 1968 by equal moieties until parity of wages is attained on the 1st January, 1972.

The Commonwealth Industrial Commission, in its 1970 national wage decision, also decided to adopt a similar approach to the four States who had legislated for equal pay for work of equal value, and they too phased the differential between male and female wages for work of equal value, and of the same and like nature, and to apply on the same date; that is, the 1st January, 1972. I understand that the attitudes of the various States, with regard to this matter, now vary only slightly.

New South Wales and South Australia have provisions similar to section 146 (2) of the Western Australian Act, while the respective Commonwealth and Queensland Acts give to the respective commissions complete discretion to deal with the matter as they see fit.

So far as Tasmanian employees who come within the scope of the Wages Boards Act are concerned, the view is strongly held that existing powers of boards are adequate to deal with equal pay if they so desire.

I understand that it is and has been the view of the present Victorian Government that the matter of equal pay is one for determination by the appropriate industrial tribunals as and when appropriate cases are brought before them for determination. Therefore, of the seven Industrial Arbitration Acts in Australia, only three—those of New South Wales, South Australia, and Western Australia—bear specifically on the discretion of the respective industrial tribunals in this area.

The South Australian Minister for Labour and Industry has foreshadowed the removal of the impediment from the South Australian Arbitration Act. The industrial tribunal of New South Wales, despite the restrictive clause, has granted equal pay in some areas by exercising certain wide overall powers. This is similar to the position in Victoria.

The deletion of section 146 (2) from the Western Australian Industrial Arbitration Act, therefore, is in conformity with actions taken or being taken by the other State Governments.

Looking at the question of female wages, I am of the opinion—and my opinion is shared by a number of people—that the Western Australian Industrial Commission already has the authority to award equal total wages to females when it considers the situation justified. However, section 146 (2) did raise complications for the commission under the particular section, and for that reason the Government feels that by removing any inhibitions or restrictions from the Act, it is rightly clothing the Industrial Commission with the jurisdiction to award equal pay as and when it sees fit.

The Act, as it now stands, could be said to be restrictive to certain female workers and is, therefore, I feel, unfair.

I ask members to examine the issue as presented in this Bill objectively and in doing so, I commend the measure to the House.

Mr. O'Neill: Before you sit down, could you tell me when you last checked on the legislative position in other States, because as late as a year ago every arbitration Act contained a provision such as this?

Mr. TAYLOR: I understand this matter was raised during the last Labour Ministers' conference, and the circumstances as outlined above then applied to the State in question. I made the point then that I would seek an amendment to the Act. The records of that conference would be available to the honourable member if he would like to see them.

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

LAND ACT AMENDMENT BILL (No. 2)

Second Reading

MR. H. D. EVANS (Warren—Minister for Lands) [6.02 p.m.]: I move—

That the Bill be now read a second time.

Section 117A of the Land Act was introduced as an amendment to the Land Act by Act No. 93 of 1969. It was framed "for the purposes of facilitating the construction and maintenance of subways and bridges under and over streets, for the use of pedestrians and for other purposes" and empowered the Governor to grant a lease or license of any part of land that is vested in the Crown pursuant to section 286 of the Local Government Act.

Any lease or license so granted is subject to the provisions of section 511 of the Local Government Act; that is, the construction of any works associated with the lease or license are to be approved and

authorised by a council with the consent of the Minister for Local Government, and the works shall be maintained.

However, Crown Law opinion is that whilst this legislation is generally sufficient to enable leases or licenses to be granted under the Land Act in respect of simple pedestrian ways under and over roads, it does not provide for more complex works which have been initiated since that legislation was framed. Examples of these are—

- (1) Underground parking.
- (2) Vehicle traffic ramps rising through footpaths.
- (3) Footings of columns and escalator bases on footpaths.
- (4) Underground shops in pedestrian arcades.
- (5) Foundations of overpasses on road reserves.

One of these cases, that pertaining to underground parking, was referred to the Crown Law Department for an opinion, in relation to the use of an area beneath a road for a car park. The resultant opinion confirmed that it would require an amendment to the Land Act to permit the lease or license of land beneath a road for purposes wider than those presently contained in section 117A of that Act.

This Bill, therefore, proposes to amend section 117A of the Land Act to enable the Governor to grant a lease or license to facilitate the construction and maintenance of subways, tunnels, overways, bridges, escalators or other structures under, over, or on streets for—

- (a) The use of pedestrians and other purposes.
- (b) The passage of pipes, cables, electrical transmission lines, conveyor belt systems or other services.
- (c) The passage parking and storage of vehicles or other means of transport.
- (d) Commercial purposes including shops and offices.
- (e) Public purposes including toilets, rest rooms, creches.

I commend the Bill to the House.

Mr. Rushton: Could you name any specific project you have in mind?

Mr. H. D. EVANS: The only one in mind relates to a parking project which involves the very situation I have mentioned; a car park being under a road. In such a case the strata title could possibly be delayed, and to meet this situation the matter was brought to the attention of the Lands Department.

Debate adjourned, on motion by Mr. Rushton.

DRIED FRUITS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 24th August.

MR. REID (Blackwood) [6.07 p.m.]: This is a straightforward Bill to empower the Dried Fruits Board to increase the levy on growers from approximately \$2 to \$4 a ton. Unfortunately, like many other agricultural industries in Australia, the dried fruits industry is having its fair share of trouble.

The need for this legislation was illustrated by the financial shortcomings of the board during its last year of operation when there was a very light crop. In fact, the board failed to have enough funds in hand to carry out its functions as laid down under the Act.

It is probably interesting to look at the position of the Dried Fruits Board, to examine its powers, and briefly to touch on some of the problems that are facing the industry.

I do not propose to speak very long on the subject, because some two months ago I conducted my research, contacted the various board members, and made a survey of the growers of the district to familiarise myself with the situation. Not being associated in any way with dried fruits, perhaps the only claim I can make to a knowledge of the industry is the dry taste one gets in the mouth when one is faced with the returns from apple exports.

I also think that the Bill is not correctly named. This is the Dried Fruits Act Amendment Bill, but we are speaking of an industry which, in Western Australia, handles dried vine fruits; in fact, no dried fruits are dealt with by the Dried Fruits Board in Western Australia. For the information of the House, I would like to read the powers of the board as set out in section 17 of the Act. They are as follows:—

17. The Board shall have power in its absolute discretion from time to time—

- (a) to make contracts with any person in respect to the purchase or sale of dried fruits produced in Australia;
- (b) to enter into contracts with Boards appointed under legislation in force in other States with objects similar to those of this Act for concerted action in the marketing of dried fruits produced in Australia and for purposes incidental thereto, and to carry out such contracts;
- (c) to open shops or depots for the sale of dried fruits, either wholesale or by retail;

- (d) to provide depots for the storage or distribution of dried fruits;
- (e) to fix the remuneration to be paid to dealers for the sale or distribution of dried fruits;
- (f) by means of advertising or any other appropriate means to encourage the consumption of dried fruits, and create a greater demand therefor;
- (g) to regulate by any such means as are prescribed the removal of dried fruits from packing sheds; and
- (h) to exercise such powers as are now or may hereafter be appointed by any Act of Parliament of the Commonwealth relating to dried fruits.

I think it will be agreed that the board is vested with wide and far-reaching powers.

For many years most of the powers of the board have lain dormant and have not been called upon. To enable it to work under an extreme situation, I would point out that its powers under paragraph (c) of clause 17 are—

to open shops or depots for the sale of dried fruits, either wholesale or by retail.

The last thing the Dried Fruits Board of Western Australia wants to do is to enter the retail trade, but in view of the present position, if the industry is to be organised and rationalised these outlets must be available with this type of legislation that is incorporated in the Dried Fruits Act. This is imperative if boards such as the Dried Fruits Board are to function because they have been established for the benefit of the growers.

I would now like to quote from a brief report on the dried fruits industry made by Mr. J. R. Gordon of the Australian Dried Fruits Control Board. This report appeared in a publication titled *National Agricultural Outlook Conference—Contributed Papers* issued by the Bureau of Agricultural Economics, Canberra, in 1971. In this report, Mr. Gordon, under the sub-heading "Outlook," states—

I have no wish to engage in a witch-hunt, but if this Conference is to achieve any worthwhile and lasting result it must recognise the causes behind the present domestic and world situations.

Board reports have for many years drawn to the attention of Ministers the folly of unplanned expansion of the industry. The growing of dried vine fruit has been an easy and popular means of settlement of returned soldiers and others, but no real effort to expand markets. The industry could carry the increased production with the assistance of Empire Preferences,

a favourable rate of exchange with sterling (each of these have changed considerably in recent years) and a stable economy.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. REID: To continue with the extract I was reading—

The industry has little or no control over these obstacles and must meet increasing costs by further mechanisation in production, improved methods of processing to supply the manufacturer with the clean, free-running fruit required, continuing to search for new markets, and by pressing for higher consumption at home. It must closely watch further plantings with the knowledge that every new ton reduces the overall price, because as already pointed out, world production is at the present time in excess of consumption.

The Australian Dried Fruits Control Board is aware of the importance to the industry of developing new and important export markets for its products and the degree of diversification over the last decade is amply demonstrated in the Board's annual reports. Further more, in recent years the Board has carried out investigations and reviews aimed at updating marketing policies for traditional markets—the United Kingdom, Canada and New Zealand.

I would like to read briefly from the 1969 report of the Dried Fruits Board of Western Australia. This is the latest report I have. Under the heading "Commonwealth Consumption Quotas" we find the following:—

6. The Dried Fruits Board in the four producing States, acting under statutory powers, fix the proportion of each season's crop which may be sold on the Australian Market.

The Quotas fixed for the 1969 season were as follows:—

	Initial	Revised	Final*
	%	%	%
Currants	30	50	60
Sultanas	15	30	35
Raisins	30	60	80

(*Subject to confirmation)

Production in Australia

7. The latest available information gives the Australian pack of dried fruits for 1969 as follows:—

	Tons
Currants	6,758
Sultanas	39,951
Raisins	4,610
Total	51,319

Of the currants produced, Western Australia produces about one-fifth.

Mr. Bickerton: That is the "current" figure.

Mr. REID: That is so. The Dried Fruits Board of Western Australia is made up of five members. There is the chairman appointed by the Governor and four members elected by the growers. The growers themselves are registered as are the packing sheds that handle their produce. There are two such packing sheds in Western Australia and to operate these require a yearly license from the Department of Primary Industry. All dealers are also registered, irrespective of what they are doing. The board, of course, has statutory powers to control the entire operation, as I pointed out previously when I read section 17 of the Act which clearly outlines the wide and sweeping power given to the board.

In Western Australia we have approximately 7,270 acres of grapevines of which a considerable amount is devoted to the fresh fruit trade and also to the thriving wine industry. It is quite noticeable in Western Australia that 96 per cent. of the crop that is exported constitutes currants. Western Australia also produces sultanas and raisins but these are consumed by the local market.

Accordingly, in this case we are dealing virtually with an export currant operation. I am not sure whether or not this is a current currant operation. I hope this will satisfy the Minister for Housing.

There are 350 growers in Western Australia and these are growing for the markets I have mentioned. These growers produce about 1,400 to 2,000 tons annually depending, of course, on seasonal fluctuations. So, by doing a mental sum, and given the old rate of \$2 a ton, we find it was necessary for the board to finance the operations to the tune of about \$1,800. This happened last year when there was a light crop of slightly in excess of 900 tons.

There is little doubt that the board has done a tremendous job, particularly when one appreciates the short budget on which it has worked. The board employs a secretary and holds meetings in the Eastern States, and so on, and indeed a tremendous responsibility rests on its performances.

It is also interesting to note that Western Australia is renowned for producing the best currants in Australia. These are bringing in \$15 to \$20 a ton and some are exported to the Eastern States' market. As I have said previously, the balance of this produce goes to the United Kingdom, Canada, and South Africa. Of the approximate figure of 1,400 tons, the local consumption accounts for 400 tons. We find that 300 tons are sent to the Eastern States, and the balance, consisting of 700 tons, is exported.

Unfortunately the export operation is an area of some difficulty, because the European Common Market is posing a great threat to the dried fruits industry. It would seem that every time an agricultural industry looks like getting on its feet something of this nature crops up and is instrumental in upsetting the economics of that industry.

The biggest threat to this market is Greece, which is an associate member of the European community, and at present it looks as though there will be a \$100 a ton adverse preference to the Australian crop. This is all tied to the legislation concerning the export of dried fruits.

This fact can be illustrated when we find that the home market in Australia returns \$550 a ton while the export market returns \$330 a ton f.o.b. The Australian Dried Fruits Control Board operates purely on an export basis. The board travels overseas, negotiates sales, and allocates quotas to various States.

The Australian Dried Fruits Association is a grower body of this organisation and has the responsibility to place before the Government and the Australian Dried Fruits Board the case on behalf of the growers.

A stabilisation scheme is in operation in the dried fruits industry and annually a b.a.e. cost of production is taken out on an Australia-wide level. Should the weighted average between the local sales and the export sales fall below the b.a.e. figure, the Commonwealth Government moves in to support the growers to a maximum of \$23 a ton. If the proceeds exceed the b.a.e. figure the growers contribute to the fund on a sliding scale.

I feel there is little doubt that the Dried Fruits Board is looking after the Western Australian community and that it is operating with maximum efficiency and effectiveness. To my mind growers' organisations such as these cannot be given too much assistance to help them upgrade the efficiency and smooth running of their industry. The same thing would apply to many other agricultural industries.

Provided they are given the opportunity to overcome the tremendous hurdle of finance, I feel sure growers will be able to demonstrate—indeed they have already demonstrated—that they are capable of running their own industry efficiently.

I have spoken with board members and with growers and I am convinced that the provisions in the Bill are a worth-while requirement as they relate to the industry. The legislation has been asked for by the industry and I think it is imperative that it be approved. I have much pleasure in commending the Bill to the House.

MR. THOMPSON (Darling Range) [7.42 p.m.]: Having already incurred your displeasure once tonight, Mr. Speaker, it is not my intention to detain the House

by repeating the very worth-while contribution made by the member for Blackwood.

I merely wish to indicate to the House the Liberal Party's support for the Bill before us, and to point out that the investigations I have made indicate that, generally speaking, the growers themselves support the board. The board is operating most efficiently and, as I have said, it has the support of growers, who are most happy to have this measure introduced.

I wish to say no more except that we support the Bill.

MR. H. D. EVANS (Warren—Minister for Agriculture) [7.43 p.m.]: I would briefly like to thank the two speakers on the other side of the House who have extended their support to this measure. As they have both so rightly said, it is purely a Bill to accommodate the industry at a difficult time and I hope it will obviate the necessity for a deficit budget in the future.

I would like to commend the member for Blackwood for the obvious research he has carried out in this matter. His research has been most meticulous. I do not think I need say anything more except that this is a housekeeping Bill and that it is most desirable at this point of time, which is indicated by the support it has received from both sides of the House. I thank the members on the other side of the House for their support and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. H. D. Evans (Minister for Agriculture), and transmitted to the Council.

COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

MR. MENSAROS (Floreath) [7.47 p.m.]: At the outset I express my appreciation to the Attorney-General for his courtesy in allowing the debate on this Bill to be postponed last Friday when I had to handle several other Bills. I was not able to give this measure the consideration it required at that time, and I should add that I still have not had the opportunity to give it the study it deserves. However, I was able to give it some attention.

This Bill is much more important, and will have more effect on every-day life, than its single operative clause indicates. This fact was borne out in 1970 when the parent Act was introduced and passed by both Houses of Parliament. It was obvious that the Attorney-General, the then member for Kalgoorlie, carried out considerable research at that time, and he told us the story of the circumstances which necessitated the introduction of the original Bill, which became the Act.

In his second reading speech the Attorney-General stated that this measure deals with section 52 of the Constitution which provides that the Federal Parliament should have exclusive power to make laws in respect of the seat of Government of the Commonwealth, and in respect of all places acquired by the Commonwealth for public purposes. It was apparent that for nearly 70 years the importance of the word "exclusively" was not fully realised. Consequently, it was previously accepted that if no Commonwealth law applied to a Commonwealth place, the State laws applied.

However, after nearly 70 years of operation a High Court decision ruled that that was not so. Because of the inclusion of the word "exclusively" in the Commonwealth Constitution the States had no right to legislate in regard to Commonwealth places. Stemming from that decision a vacuum was created in the law of the country whereby, unless the Commonwealth had laws or Statutes for these places, there were no existing laws because State laws did not apply.

Apparently there were two solutions to the problem. I understand the State Attorneys-General unanimously agreed that the best solution was to amend the Constitution, despite the difficulties involved. The Federal Attorney-General thought that the solution lay in a measure whereby the Commonwealth would legislate—using the expression of the then Attorney-General—to federalise the State Statutes and laws where no Commonwealth law applied. That had to be done, in any case, in spite of views held by the State Attorneys-General. We are all aware of the difficulties associated with the machinery with an amendment to the Constitution.

Whether that solution was the right one was open to question. It is quite obvious that lawyers cannot agree, and the then Attorney-General indicated that although he was originally of the opinion that it was not necessary to amend the Constitution, he later realised that because of certain procedural difficulties that would still be the best solution.

The then member for Belmont, the present Minister for Works, suggested that the whole situation could have been solved by simply using the power contained in paragraph xxv of section 51 of the Constitu-

tion, instead of relying on section 52. The Minister who was then representing the Minister for Justice supplied the Crown Law Department's answer to the member for Belmont, but to my mind that answer was not convincing. The reply did not prove that the contention of the member for Belmont was not right. It was stated that section 52 of the Constitution was different from section 51—which was quite obvious. I am still not clear why action could not have been taken because all State laws can be taken over by the Commonwealth under the provisions of paragraph xxv of section 51 of the Constitution.

However, I do not think it is very important whether the solution was based on section 51 or section 52 of the Constitution; the main point is that everybody realises that the situation has been temporarily solved. By virtue of the parent Act all State Statutes and law, and most of the proceedings of the State, were federalised and called "applied provisions," and can be used as Commonwealth law to satisfy the provisions of section 52 of the Constitution provided, of course, that there is no Federal law. If there is a Federal law, and I trust I understand the situation correctly, then that prevails over the State law.

The provisions of the parent Act—and of the present Bill which extends the tenure of the parent Act—are fairly cleverly drafted and take care of most of the legal problems except some procedural measures which were pointed out by the then member for Kalgoorlie. For instance, a case could not be taken to the Privy Council on the "applied provisions," whereas it can if State law applies.

As far as I can see the endeavour to change the Constitution would result in practically the same situation as exists now, and which will exist with the passing of this Bill to extend the time limit on the parent Act. I would be very pleased if the Attorney-General, who obviously understands the situation, would perhaps clarify this point briefly. If I am right, under the present circumstances as well as under the proposed constitutional change, the Commonwealth laws prevail over the State laws, as the Commonwealth could still legislate under section 51 of the Constitution.

At present I think the Commonwealth has the right to legislate in any field regarding "Commonwealth places" because section 52 gives it the exclusive right, and the enumerated cases in section 51 do not apply to section 52. As I understand the situation, this means that under the present Act—or with a change in the Constitution—the problem will be solved in so far as there is no hiatus and no clashing laws or Statutes in regard to Commonwealth places.

For the edification of members who are not aware of it, every company registered under the Companies Act in this State is required to lodge certain documents on incorporation and, depending on the size of the paid-up capital of the company, certain prescribed fees are paid on the lodgment of those documents. This Bill has the effect of considerably increasing those fees.

At the present time, the fee payable under the existing Act in respect of the registration of a company with a nominal share capital of up to \$10,000 is \$60; it is proposed to increase that charge to \$100. In the past, documents for the upgrading of the nominal capital of a company have attracted lodgment fees of \$2 for every \$2,000 additional nominal capital up to \$200,000; this Bill has the effect of increasing those fees to \$2 for every \$1,000 of nominal capital over \$10,000.

This means in effect that the cost of registration of a company under the Companies Act will now be almost doubled. For example, a private company with a nominal share capital of \$400,000 will now pay \$980 for registration, whereas previously it would have paid \$450. That is an increase of \$118 per cent. A larger company with nominal capital of \$1,000,000 would previously have incurred lodgment fees on registration of \$1,050; it will now incur lodgment fees of \$2,080, which is an increase of 98 per cent. In rough terms, one can say that the cost of registering a company under the Companies Act will now be twice as much as it was before.

Certain documents are required to be lodged from time to time throughout the history of a company, and other documents are required to be lodged annually. For instance, the cost of an application to the Minister to dispense with the word "Limited" in the name of a company will increase by 100 per cent. from \$10 to \$20. The cost of registering any charge created by a corporation and a series of debentures will increase from \$8 to \$10, being an increase of 25 per cent. The cost of lodgment of certain information in respect of prospectuses and trust deeds will increase by 150 per cent. under this Bill, and the cost of entry in the register of charges of any memorandum of satisfaction will increase by 150 per cent. The cost of lodgment of the annual return that is required of a company will increase by 20 per cent.

It will be appreciated, therefore, that these increases are not insignificant. I had a couple of questions on the notice paper today. I was unfortunate in not being able to ask a certain question without notice but the Attorney-General has been good enough to supply me with the information I required, and I thank him for it. The information provides the cost of operating the Companies Registration Office which administers the Companies

Act, the Bills of Sale Act, and the Business Names Act. Over the years the cost of administering that office has risen from \$101,913 in the year ended the 30th June, 1967, to \$243,396 in the year ended the 30th June, 1971.

I am prepared to admit that is a fairly considerable increase, but an incredible amount of revenue is derived by the Companies Registration Office from fees paid under the Acts I have just mentioned. In the year ended the 30th June, 1967, the total amount of fees received, other than fees raised through the registration of business names, was \$375,127. As the cost of administering the office was \$101,913, the fees derived amount to 367 per cent. of the total cost of administering the office. In the next year the fees derived amounted to 316 per cent. of the total cost of administration; in the next year, 444 per cent.; in 1970, 478 per cent.; and in 1971, 464 per cent. With these increased charges it appears that the income derived by the Companies Registration Office from fees alone will be 590 per cent. of the cost of administering that office; that is, almost six times the cost of administration.

With respect, I point out that the fees charged by the Companies Registration Office are not really intended to cover costs. They are, in effect, taxing measures because they do not bear any relation whatsoever to the recouping of costs. I think it would be fair to say that if the cost of administering the Companies Registration Office were \$1,000,000 and the revenue derived by it from fees were \$100,000 it would be necessary to take steps to ensure that those tremendous costs were offset by revenue. When the opposite situation applies, one can only draw the conclusion that any increase in fees should be regarded as a taxing measure.

For that reason I want to make it clear that the Minister in his second reading speech did not say these increased fees were taxing measures; he did say that Attorneys-General in the various States had agreed that uniformity of fees throughout the Commonwealth in regard to company laws was desirable. Certain fees vary from State to State, taking into consideration local conditions, and so on.

Although I am prepared to support the Bill, I do so with the reservation that at the time of introduction of a Bill such as this—or certainly at the time the Bill is being debated—where fees charged are at the rate of 300, 400, 500, or 600 per cent. of the total cost of administration, it should be made quite clear that the Bill is in fact a taxing measure. I think that should be made reasonably clear.

The total amount of money which will be derived under this Bill will be an increase of around \$200,000 per annum. The amount which will be derived by increasing the cost of registration

and renewals of registration under the Business Names Act will be an increase of about \$40,000. In his second reading speech the Minister was good enough to point out that under the Bills of Sale Act Amendment Bill and the regulations which will be brought in to increase renewal and registration costs under the Business Names Act, the total revenue that will be added to the State's coffers will be \$454,000 in a full year.

I leave it at that, and say that I support the Bill. I do so with reluctance because we have here what can be described only as another taxing measure—a measure which has the effect of increasing charges by up to 150 per cent. in certain cases. Certainly, the great majority of registrations of companies under the Companies Act will be increased by approximately their own amount—in other words, an amount of 100 per cent.

Mr. Brady: Have all the Attorneys-General agreed to those figures?

Mr. R. L. YOUNG: Certain States have already introduced legislation to bring about uniformity in these charges. Other States have not yet introduced legislation but, as I understand the situation, they will do so.

MR. W. A. MANNING (Narrogin) [8.17 p.m.]: I, too, support this Bill; but I do so reluctantly and under rather strong protest because I think the time has come to draw the line in relation to many charges which are continually increasing. I suppose it is only natural that a State Treasurer wants plenty of spending money in his revenue account and, therefore, he seeks every possible means of raising the amount of revenue derived from various sources. From his point of view what better source of revenue than a company, which is rather a sort of impersonal affair? Although a company relates to individuals, it is not like taxing persons. Therefore, Treasurers revert to increasing the taxes on companies.

Some taxes are rather exorbitant. The member for Wembley has quoted a few examples, and, for the sake of brevity, I would like to quote three. A company with a share capital not in excess of \$10,000—it could be considerably less than that—used to pay a registration fee of \$40. That fee was subsequently increased to \$60, and now it is to be increased to \$100. That is a heavy impost on a small company which might have a capital of only \$2,000. Under clause 26 of the second schedule, the fee for lodging any deed or copy of a deed under section 78 of the Act used to be \$10. That was increased to \$20, and now it is to be increased to \$50. Under item 26(c) the fee for lodging any prospectus or statement under section 82, other than a prospectus or statement referred to in item 26B, used to be \$20, and it is now to be \$50.

I feel we have reached the limit. Apparently the Federal Government shares my contention that companies are an easy mark because they are so impersonal. However, all these charges come back to the individual because a company must make a huge profit in order to get anywhere at all. A company pays 47.5 per cent. of its income in taxation—nearly one-half. Now we are adding further imposts. If a company is fortunate enough to pay a dividend to its shareholders, its shareholders pay income tax on that dividend. Nearly half of a company's income is taken up by all these ridiculous charges, and the shareholders still have to pay tax on any dividend declared. Therefore, although a company might seem an impersonal affair the charges must eventually come back to the general public because a company, whatever its business might be, must be able to cover these costs.

Therefore, I think it is time we drew the line on many of these charges. As was pointed out by the member for Wembley, they bear no relationship to the cost. Of course, there is no cost resulting from the lodgment of documents—if there is it is very small. The charge is purely a revenue item. I think we should think more about this matter in an effort to ease the situation. Although I support the Bill, I do so under strong protest.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [8.20 p.m.]: I have noted with interest the comments of the member for Wembley and the member for Narrogin in speaking to this measure. By way of comment, I feel it would be desirable for all of us to recall the function of the Companies Registration Office in the community. This function is an essential one in any regulated society—especially a society which places a high value upon the quality of life available to its citizens.

When we speak about a company as being an artificial person and as something not natural which has a corporate idea, I would remind members that a company does in fact play a large and prominent part in the everyday affairs of our community. As a person—an artificial person, but nonetheless a person recognised by law—it might be as well to recall that a company enjoys certain advantages over a natural person, particularly in the field of taxation.

Let me refer briefly to Commonwealth income tax legislation. We should appreciate the fact that a company does not pay provisional tax whereas many natural persons do. However, returning to the State scene, we must appreciate the fact that a company plays an important part in the everyday affairs of our citizens and that a companies registration office is essential in any regulated society. If we

analyse the legislation which is administered by the Companies Office in the interests of the community and in the interests of shareholders, we will find that it includes not only the Companies Act, but also marketable securities legislation and, more recently, securities industry legislation. The regulations pursuant to those three forms of legislation—and the whole spectrum of each piece of legislation—are administered by the Companies Office in the interests of shareholders and in the interests of the community as a whole.

Those members who spoke to the debate will be well and truly aware of those provisions in the Companies Act which provide for the State to appoint inspectors from time to time. From memory I think that provision is found in section 367. I recall that in a recent case a fee in excess of \$11,000 was payable by the State to such an inspector who was appointed to investigate the affairs of a particular company in the interests of the company, the general community, and the shareholders of the company.

So I feel it is only right and just that companies should in fact play a proper role in providing a rightful share of the revenue available to the State not only to provide the regulated society we enjoy, but also to provide the services demanded by the community. It was for this purpose that this Bill and the associated measure were introduced in the atmosphere of the Budget. There was no attempt to evade the suggestion that this was in fact a budgetary proposal. There was no attempt at all to avoid this issue; in fact there is no need to justify this as a budgetary proposal. It is just one of those occasions on which the business section of the community is being asked to play its rightful role in providing necessary State revenue to provide necessary State services. I thank members for their contributions and with their support, even though it be reluctant, I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. T. D. Evans (Attorney-General), and transmitted to the Council.

BILLS OF SALE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

MR. R. L. YOUNG (Wembley) [8.28 p.m.]: This Bill is complementary to the Bill with which we have just dealt. Its main purpose is to increase the amount payable in respect of registration or renewal of bills of sale, including hire-purchase agreements. Where the amount or value of the consideration or sum secured does not exceed \$100 the increase will be from \$1 to \$2.50; and where the amount secured exceeds the sum of \$100 the increase will be from \$2 to \$5.

This measure is a little different from that which we have just discussed. I was interested to hear the comments of the Attorney-General in relation to the taxation aspects of the previous Bill. It also crossed my mind—if I may just go back a little—that the cost of registering companies is incurred mostly because a person desires in some ways to avoid the incidence of income tax.

I think it is rather refreshing for once to find the boot on the other foot. Usually the State finds itself in the situation of incurring costs by increased wages and what-have-you, and those increases usually go back to the Commonwealth to a large extent in income tax. So it is nice to see a situation where somebody who is looking for some tax relief dodges the Commonwealth's income tax and pays some money into the State's coffers. All I can say about that is "One up for us."

In this instance the Government has introduced legislation which seeks to increase the charges for the registration of bills of sale and of hire-purchase agreements. The registration fees are to be increased by 150 per cent.

Unlike my response to the previous measure, I am inclined to be a little stronger in my views when speaking to the Bill before us, because this increase in fees affects the person who is in trouble and has to borrow money, or who through force of circumstances is compelled to enter into hire-purchase contracts. Admittedly in money terms the increases are not very great; nevertheless, they represent increases of 150 per cent. It is estimated that in a full year the State will derive \$214,000 from these higher charges.

In view of the nature of the borrowings and the circumstances of the people who avail themselves of hire-purchase agreements, I think this is revenue the State could well do without. In saying that I make it clear that I do not intend to oppose the Bill in any way; all I am doing is support it with much more reluctance than I did the previous measure. With those few remarks, and as this is a complementary measure and most of the aspects of this type of taxation have been discussed in the debate on the previous Bill, I conclude my contribution.

MR. W. A. MANNING (Narrogin) [8.32 p.m.]: I wish to say a few words in the debate on this Bill, although it is largely the same as the previous measure. In this instance I also make a protest, but it is a stronger protest. It seems to me that this increase takes advantage of the person who is already in difficult circumstances, bearing in mind that this is an increase not only in the stamp duty on bills of sale, but also in the registration fee for hire-purchase agreements. A person does not buy goods on hire-purchase if he can afford to pay cash; therefore anyone buying goods on hire-purchase is usually in difficult circumstances.

I noticed that in the past members of the Government have often protested about the rate of interest which was charged on the registration of hire-purchase agreements; their protest was justified, but why on this occasion add to the troubles of people who are already in difficulty? On an item not exceeding \$100 in value the stamp duty is to be \$2.50. I think such an increase is beyond a joke. If the item exceeds \$100 in value the stamp duty is to be increased from \$2 to \$5.

Mr. T. D. Evans: Are you speaking of stamp duty or the registration fee?

Mr. W. A. MANNING: I am speaking of the registration fee or renewal fee.

Mr. T. D. Evans: But not stamp duty?

Mr. W. A. MANNING: No, but it is the same type of thing. Perhaps I gave it the wrong name. It is all money poured into the coffers of the State, and it comes from people who are least able to afford the money. Why seek to fill the coffers of the State at the expense of those who are already in trouble? I think we should all lodge a very strong protest against such methods of raising revenue for the State; in my view other methods could be devised, or economies could be effected, instead of placing the burden on people who are least able to stand it.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [8.34 p.m.]: I thank the two members who have contributed to the debate, and I commend the Bill to the House in the knowledge that it is complementary legislation. I thank both those members for their "compliments."

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by **Mr. T. D. Evans** (Attorney-General), and transmitted to the Council.

MARKETING OF LAMB BILL

Second Reading

Debate resumed from the 17th November.

MR. NALDER (Katanning) [8.37 p.m.]: This Bill has been introduced as a result of the very strong desire by the lamb producers of this State to have a marketing system under which they can sell their lambs to better advantage than they have been able to do over a long period of years.

The proposal to sell lamb on a weight and grade basis is one which I have supported ever since I started in the business of producing lambs, and that was back in the 1930s. At that stage I found from my experiences that a producer was fortunate if he struck a good patch in the market, but he would be unfortunate if he struck a bad patch. A producer fortunate enough to strike a good patch got as much as \$2 or \$3 more a head for his lambs, and that would happen in a sale which lasted only a few seconds.

Such a state of affairs has continued from that time until the present. I am very surprised indeed that producers who sell their stock by auction have not objected and taken action long before this. I am sure that we all agree their experience has been a hard one; and as some have pointed out the people who are mainly engaged in farming are not prone to quick changes. However, in view of their experiences of the last few years their views have changed. Many of them have had the experience of seeing lambs at auction sales, placed in adjoining pens and appearing to be of exactly the same quality, bringing greatly different prices. For that reason many farmers have decided that this is not the fairest way to sell their product.

After discussions and negotiations over a number of years the producers have arrived at the proposal which is before us. I understand that the Minister is putting into effect the request of the Farmers' Union, although I have some doubts—which I will mention later—that all farmers are happy with all the proposals.

When introducing the second reading of the measure the Minister outlined the story behind the move; he indicated that the Farmers' Union had submitted a case to Cabinet in August, 1970, and that this was studied by a subcommittee appointed by Cabinet. Furthermore, a considerable amount of time has been spent by parliamentary committees in meeting various sections of the industry not only in Perth but also in their respective electorates to make certain that the views of the lamb producers were clearly understood and appreciated, and that every possible step would be taken to implement their requests.

When moving the second reading the Minister gave some information on the abattoirs. He said that all abattoirs, irrespective of their location, which have slaughtered and intend to slaughter lambs in the future will be required to be registered. I have no objection to such a proposal; I think it is a sound one and that it is necessary for the board to have information on the number of lambs that are slaughtered, and also information as to where those lambs come from.

In this exercise I hope the board will use a bit of plain common sense. Let us picture a small country abattoir which is established right away from the centre of activity, and let us take as an illustration a small abattoir at Newdegate or Kalannie where the butcher might slaughter a dozen lambs, half a dozen bodies of beef, two or three pigs, and a dozen sheep a week. I hope it will not be incumbent on such a butcher to obtain permission to buy the animals from the farmers, and to submit a great deal of detailed information to the board. I hope that provision will be made to require butchers in such districts only to notify the board of what they are doing. It may be necessary to require the board to make known its ruling price each week, so that the butcher will pay the producer an amount based on that price for each head of stock.

If the position of the small slaughterman is made difficult or the procedure cumbersome, it will defeat the object of this system which is designed to overcome the existing difficulties. In this regard no reference has been made by the Minister, except to the fact that the board will license all abattoirs. I have no objection to this proposition, and I believe it to be a reasonable approach. Under this system the auctioning of lambs suitable to the trade will be discontinued, and the board will become the owner of lambs immediately they become available for slaughter. I take it that as soon as the lambs are delivered to the abattoirs and arrangements are made for their slaughter, they become the property of the board.

I presume the responsibility for transporting the lambs from the property to the abattoirs will remain that of the owner who will make all the arrangements. Therefore, immediately the lambs arrive at the abattoirs and are unloaded, the board will take over the responsibility and will make arrangements for slaughter, and so on. This will be plain sailing and I can envisage no difficulty.

I overlooked one point earlier. I suggest that the board, when establishing the procedure to be followed, should fix its price at that ruling at Midland Junction. The situation would be quite involved if the board were to go into the detail of the cost to the farmer for transport, commission, and so on. The price to be charged should be the ruling price at the central

abattoirs. I emphasise this point because the local man would probably be able to have the stock killed much cheaper than it could be done at the abattoirs, and therefore any advantage which can be gained, should be in favour of the small producer who is operating under a number of disadvantages in comparison with the large operators in the central areas.

I note also that the board will have the authority to market skins. No doubt it will have amongst its staff a qualified person who will be able to assess the value of the skins either on the lamb's back, as the saying is, or after slaughter. The board may decide to call tenders for a certain number of skins and be able to obtain valuations in the open before the lambs are slaughtered. This would be reasonable and the legislation contains provision for this procedure.

It also contains provisions covering the delivery of the lambs from the farm. No doubt the farmer will have to inform the board whether or not anyone has a lien over the animals and whether the finance is to be paid direct to the farmer or to some other person or company. I see no difficulty concerning this.

I do envisage some problems associated with the clause which provides that a farmer will be responsible to the board if he is not able to supply the number of lambs he has contracted to deliver. I am quite sure that any farmers in the areas which were flooded yesterday who had contracted to deliver lambs to the board today or tomorrow would have found it impossible to have the lambs transported. However, in such circumstances, those farmers would, under this Bill, be liable for any expense incurred by the board. The money will be obtained or deducted from the farmer's account sales.

So many "ifs" and "buts" are involved, and this portion of the legislation must be handled very carefully otherwise there will be a tremendous amount of dissatisfaction. I am not trying to find fault, but I have had experience of the practical side, and dozens of problems associated with this provision must be studied.

I know that farmers yard their stock and take a rough count of the lambs for sale. However, because of seasonal conditions—perhaps dry weather—when the flock is brought in to be separated and the lambs are prepared for transport to the abattoirs, the farmers find their estimate is considerably inaccurate. I hope when this type of situation develops, it will be viewed with common sense and the board will not introduce harsh measures. If it does not act in a common-sense way, much inconvenience will result which will be difficult to overcome. If the legislation becomes cumbersome to administer, farmers will not be very happy with it.

I have tried to ascertain as much information as I could from those involved. Although the Minister stated that the proposal to establish the board and the provisions concerning the members of the board received the support of the Farmers' Union, I discovered, after discussing the matter with several members of the union, they are not very happy with it at all; and neither am I. The House should give serious consideration to the Minister's proposal concerning the constitution of the board.

One provision about which I am not very happy and about which the Farmers' Union feels strongly is the one concerning the representation on the board. The producers desire to have a majority representation, but this is certainly not provided for in the Bill. They have two elected members, but this is not satisfactory. The Minister should reconsider this legislation and conform to the wishes of the producers. I would be quite happy to agree that three members of the board should be producers, two being elected as proposed, and the other representative, perhaps, nominated by the Minister. This would total three grower representatives.

We must remember that this legislation is designed for the benefit of the farmers. They want to run the board and carry out the operations of the marketing system to their satisfaction, but under this legislation they have a minority say.

The other provision concerning the board which I do not consider satisfactory in any shape or form involves the manager having full voting rights. I ask members in what other business organisation in the whole world does the manager who is appointed to look after and run the board, have full voting rights?

Mr. J. T. Tonkin: The Milk Board, established under your Government.

Mr. NALDER: In my view the manager should be instructed to carry out the wishes of the board, and I object to the manager having full voting rights. The meat section of the Farmers' Union which requested this legislation asked, in its first submission, for a producer majority on the board. I have no objection to the other representation on the board. It is quite in order to appoint a representative with some knowledge of the industry. But the Minister did not say whether that representative was to have a knowledge of slaughtering, export, or any other aspect associated with the trading of the slaughtered animal.

When in Committee I intend to seek amendments regarding the points I have raised.

Another interesting part of the Minister's speech dealt with interstate trade. Being separated from the other States by a considerable distance, we have a distinct advantage and we do not have the same difficulties with border trading as

are experienced in the Eastern States by other marketing boards. I agree with the Minister that other State authorities and producers are very interested in this legislation, as I have received requests for copies of the Bill, together with any information we can make available.

Overall the request by the growers for this legislation must be supported. As I have suggested, some leniency will be required. It will be a matter of trial and error. For the life of me I cannot see the system working without some difficulties being experienced by the board, the producer, the exporter who will be an important person in the whole scheme, and the consumer, although the consumer will not experience much inconvenience because the operation of the board is designed to ensure that the consumer—and especially the local consumer—has the best quality product at a price he can pay.

If the lamb produced in the State was to be marketed only in this State, then the procedure and operations of the board would be inclined to be simple rather than difficult; but, as I see it, the problem will occur when the number of lambs available for slaughter is in excess of the number required by local consumers. It will then be necessary for the board to operate outside the State. No restrictions will be placed on the sale of lambs outside the State and, of course, no restrictions are involved in connection with lambs being brought into the State. This is one of the problems the board will have to meet and ensure that the price being offered to producers here does not tend to attract the import of lambs from the other States.

It may be necessary under certain circumstances for this to happen and there is no provision in the legislation to prohibit it. The board will have the authority to trade and I assume it will be the board's responsibility if lamb has to be imported for local consumption to ensure that the lamb is purchased under the best conditions and brought into the State.

I think that covers most of the points I wish to make. As I have said, I shall move an amendment in the Committee stage to provide that the other member of the board be a producer nominated by the Minister and that the manager will be a person appointed by the board to carry out its instructions but without having full voting rights as is suggested at the moment. I support the legislation.

MR. BLAICKIE (Vasse) [9.01 p.m.]: I give my support to the Bill at present under discussion. As members are well aware, a referendum of growers was held on this very issue. Of the 2,028 growers who actually voted for a statutory marketing authority, some 1,760 supported the concept of a marketing authority for lamb. Consequently, I support the Bill.

One or two items concern me and I shall seek the Minister's clarification on certain points. Firstly, I would ask the Minister whether there is any way whereby a producer is paid for a premium product under a statutory marketing authority. It is essential that producers be given the opportunity to produce a premium quality product. Further, I believe that an authority should take this into account and pay a grower for such a quality product. After all, we have efficient producers in these industries. One factor that concerns me to some extent is that a statutory marketing scheme allows for some degree of inefficiency. In this regard it allows a producer to put to market a product which comes just within the barest possible requirements a board stipulates. I do not believe the legislation is intended for this purpose. My concern is that producers who submit quality products receive benefit for their efforts.

Another question I ask the Minister concerns the time of marketing. I shall refer now to the Rowland report which was made some years ago. It is interesting to look at the areas and the times of production. The Wagin area, for example, shows a growing period of six months and a lambing season from mid-August to October. We then move on to what is known as the Manjimup area which has a growing period of eight months and a lambing season from mid-October to mid-December. When talking of the Manjimup area we should take into account that this takes in the region from Northcliffe to the south-west corner at Augusta and the area I represent, Vasse. By tradition these producers have been rearing fat lambs which have been marketed out of season. When the Minister replies to the debate I ask him to indicate whether such producers will be given the benefit of the commodity with which they have traditionally supplied us over the years. There is a product which has come onto the market after the glut of the traditional fat lamb period.

To further emphasise the point I am trying to make, once again I refer to statistics. Those which I have cover the years 1967 and 1968 and refer to the number of sheep and lambs yarded at Midland Junction. For this exercise I shall refer to the number of lambs. For the month of September, 1967, 72,083 lambs were yarded; in October, the figure was 92,451; but in November of that year it dropped to 62,738. The example given for 1968 amplifies the point I am making. In September, 1968, 81,948 lambs were yarded; in October, 132,920; and in November of that year, 45,938.

I am sure the Minister will agree that the November marketing period is the tail, or run-off, of the actual wheatbelt or major fat lamb production areas, but it is

just the commencement of what is regarded as the sucker lamb season in the south-west.

To return to my point: Under such a scheme will producers who, by tradition, have always given us prime quality lamb during the November-December period, receive a premium for their product and will they also be paid on a basis outside of the concept of equalisation which we would expect to be paid during the September-October glut period?

I wish to make one other point and I hope the Minister will clarify my uncertainty. I do not know of any statutory marketing scheme, which is as broadly based as the lamb marketing authority will be, that does not have production control. I ask the Minister: If such controls are exercised, how will this affect the farmers in the higher rainfall areas? I hope they will receive some special form of consideration. I also ask whether production controls are mooted.

I refer to a report made by the Rural Economics and Marketing Section of the Department of Agriculture; namely, a submission on meat marketing. A section from this report reads—

Even if this could be achieved satisfactorily—

Of course, it is talking about a lamb marketing authority for Western Australia. To continue—

—for a year or two, the operation of a guaranteed price at an acceptable level to producers would encourage heavily increased production.

These are questions I would like the Minister to clear up when he replies. I agree with the general concept of an authority. However, I feel that special problems exist with an authority of this nature so far as the higher rainfall areas are concerned if produce is to be sold on an equalised basis—equalised from the month of September—and the season continues on into December and January. With those few remarks, I support the Bill.

MR. STEPHENS (Stirling) [9.10 p.m.]: I rise to support the Bill. I feel it is a milestone in the farmer's desire to have orderly marketing for his product. It is certainly breaking new ground in the marketing of lamb. Over the last few years there has been a definite need for a scheme such as this. The referendum which was eventually carried on the proposal shows very good sense on the part of the farming community.

Prior to the referendum quite an intense campaign was conducted against farmers, mainly by *The West Australian* through its editorials but also by some other Press articles. The Press attacked the idea of

farmers having a marketing scheme. Despite the opposition, as we all know, the referendum was carried by an overwhelming majority, a fact which has been mentioned by previous speakers.

During the campaign prior to the referendum the Farmers' Union and farmers generally were subjected to criticism by the Pastoralists and Graziers Association too, which on the eve of the actual ballot being taken circularised a three-page letter condemning the scheme. Fortunately for the farmers it did not have any effect. Unfortunately, certain of the suggestions contained in the letter were outright misstatements or, at best, half truths. To highlight one of these the association said—

The P.G.A. believes an authority should be established, as was recommended by Messrs. Towns and Austen in the Government sponsored report, to study the entire meat industry.

With reference to the Towns and Austen report, recommendation No. 5 read—

The establishment of a Meat Industry Authority to determine the need and capacity of new plants and where such plants should be built.

That is the only reference in the Towns and Austen report, which says nothing about a complete marketing authority. This only emphasises the thought that if one wants to defeat an idea, one should refer it to a committee and hope it will be lost.

Early on in the campaign, quite a long letter appeared in *The West Australian* from Raymond Rigg of Patton Exports who was against the proposed authority. One or two points are worth mentioning. He said—

At the same time no-one can organise to obtain any higher price for exports than the world markets will pay.

Indeed, that is quite correct, but what the farmers in this State realise is that they have not been obtaining the prices the world market will pay. To highlight this I think I should mention that in the period September-October-November the Australian Meat Board guaranteed a price of 18½c a pound free alongside ship. Some farmers have been fortunate enough to take advantage of this payment and have had their lambs killed on consignment at Robb Jetty. Normally speaking a lamb producer who knows the game would not have a rejection rate of any more than 4 per cent. at the outside. After allowing for killing costs and transport to the ship's side of 4½c this leaves a return of 14c, assuming all lambs are first quality and under 36 lb. weight. Let us allow for a 4 per cent. rejection rate which would

have to be disposed of on the local market. From my inquiries a farmer would receive an average net return of 13c a pound. This is in the period September-October-November. What do we find? For the last several months a grower has been lucky to receive 10c a pound. We do not need to investigate very far to ascertain who is receiving the difference.

Another point he makes in his letter is—

Summing up, does the W.A. farmer want socialisation or does he want to retain his individuality with the right to control his own destinies?

I ask you, Sir, has the farmer the right to control his own destiny under the marketing system which prevails at the present moment?

The farmer has two alternatives to sell his produce. I mentioned in my maiden speech that the auction system is open to corruption and this has been borne out by the court case which took place in the Albany area. I cannot prove what is happening there today, but it is quite feasible that corruption is occurring there and in other places as well. The farmer has the opportunity to sell by the auction system, which at best is doubtful, or to sell privately at a price based on the present auction system. So actually the farmer has not much option under the present arrangement.

Therefore, I am very pleased to see this legislation has reached the point where it is being debated in Parliament. The Farmers' Union is to be commended for the manner in which it has persisted with this proposal. The original proposition was submitted quite some time ago by the Farmers' Union. In March, 1969 a 29 page report submitted by the Rural Economics Section of the Department of Agriculture threw cold water on the original proposition put forward by the Farmers' Union. However, undeterred, the union approached a firm, Quantification Enterprises. This firm made one or two submissions, and as a result of those submissions the Farmers' Union reconsidered the matter and submitted the proposition in an amended form.

I would like to quote the first small paragraph of the report of Quantification Enterprises. The paragraph reads as follows:—

We are not competent to comment on the nature and degree of the administrative difficulties embodied in The Farmers' Union of W.A. proposal. However, the general experience is that this type of objection is often used by Departments to oppose proposals that they do not favour. Frequently, if a proposal does become policy, it is amazing how administrative problems are tackled and minimised by the very same Department.

I suggest that when this measure becomes law the same situation will prevail; there will only be a minimum of administrative difficulties.

The Bill sets out broad guidelines for the board to follow. Every "i" is not dotted and every "t" is not crossed, but I think this is a good thing. As it is breaking new ground the mechanics of the scheme can safely be left to the board to work out in detail.

I would like to make one comment on the basis of the scheme. It is my understanding that the equalisation scheme will play a major part in the legislation. The equalisation scheme will apply only during a period of exportable surpluses.

During this period the price of lambs marked for export and lambs for the local market will be averaged. This period is to be determined by the board. It may be on a fortnightly basis or a monthly basis, but once the supply of lambs for the local market is less than the demand, there will be no need to have the equalisation part of the scheme operative.

Coming now to the details of some of the provisions in the Bill itself, I would like to support the remarks made by the Leader of the Country Party with regard to the composition of the board. It is essential that this board be grower-controlled. As proposed in the legislation, the growers can be outvoted. There will be only two grower representatives. A member nominated by the Minister will represent the slaughtering side of the business, and another member nominated by the Minister will look after the consumers' interest and be the chairman. The board will appoint its manager who will be *ex officio* a member of the board. Once again I agree with our leader—I feel this is dangerous from the farmers' point of view. I would rather see a fifth member who was a growers' representative; which would make three growers representatives in all.

My other criticism of the legislation refers to the clause regarding the penalties applicable for unauthorised slaughtering. Clause 19 subclause (2) states—

A court convicting a person of an offence against subsection (1) of this section shall, in addition to any other penalty imposed in respect of that offence, impose a further penalty calculated at the rate of ten dollars in respect of each lamb in respect of which the offence is committed, irreducible in mitigation notwithstanding the provisions of any other Act.

I submit the principle behind the phrase "irreducible in mitigation" is dangerous. Parliament cannot know all the circumstances which prevail in a particular case. It is dangerous to deny a judge or magistrate any right to reduce a sentence. I oppose this principle.

In conclusion I would like to say that I support the measure. It is an important step in the farmers' progress towards orderly marketing.

MR. I. W. MANNING (Wellington) [9.23 p.m.]: I desire to make a few comments on this measure. I would not go so far as to describe this as a milestone in the history of lamb marketing. The desire for a different system of lamb marketing is brought about by the highly unsatisfactory situation which has persisted in this area of stock marketing, particularly over the past two or three years.

Most of us know the history behind this legislation. The necessity for the measure has been brought about by the wholesale selling of mutton sheep at the height of the lamb marketing season. The desire for a change in a marketing system is a very grave reflection on the livestock selling agents. My observations are that up to the present time they have done very little in the way of finding new markets for livestock. Again from my observations of the selling at the Midland Junction saleyard, it appears that the idea is to sell as much as possible in the shortest possible time. The auctioneer walks along, slaps his hands together, and knocks the sheep down virtually to anyone who bids. To my mind this is a very unsatisfactory system. However, until now the auction system has stood the test of time. In years gone by the livestock selling agents went out and found a market for stock and looked for a rake-off in the commission from the sale.

I am surprised that with so much livestock coming onto the market the livestock selling agents have not set about finding additional markets. We now know if markets are sought in other countries they can be found. If the sheep can be shipped alive this would draw quite a number of sheep from the market—sheep which would otherwise have to be processed in the State. This opens up a new field and I am sorry something along these lines was not attempted earlier. It may have obviated the necessity for the type of legislation we are considering now.

I have said that the present system has many deficiencies. The Minister intimated to us that when the referendum of sheep producers was taken, some 1,760 voted for orderly marketing and 228 against it. From the communications we have received, it appears that the Farmers' Union is in favour of the legislation, and the Pastoralists and Graziers Association is not. I do not know whether the vote of 228 against represents the Pastoralists and Graziers Association. However, undoubtedly many people must have grave misgivings about this type of orderly marketing. We have seen orderly marketing in

two other major agricultural pursuits; namely, potatoes and eggs. The onion marketing board fell by the wayside.

Mr. H. D. Evans: And whole milk.

Mr. I. W. MANNING: There is no comparison between this legislation and the legislation controlling the milk industry. The Milk Act covers only a portion of the dairying industry, and a portion of its produce. I would tell the Minister through you, Mr. Speaker, that herein lies the secret of the milk industry at the present stage. The Milk Act controls only portion of the product, but there is a market for every gallon of milk produced if the farmer is prepared to accept a lesser price for it. When a marketing system makes provision for total acquisition of the product, as is proposed in this legislation and is in force in the Marketing of Potatoes Act and the Marketing of Eggs Act, then the difficulties arise. This has undoubtedly been the experience in the marketing of the two other products I mentioned. There will be difficulties with lambs also when it comes to the question of total acquisition.

There are some good features in this legislation. The Leader of the Country Party said that the lambs sold under this system will be sold on a weight and grade basis. Under orderly marketing this is the only way to handle arrangements for payments. The weight and grade system has been available to many cattle producers through local country killing centres. The opportunity is there for the producers to sell on a weight and grade basis but cattle producers prefer to sell on the auction system. Where both systems are available, the weight and grade system is used in a limited way only. This suggests to me that, all things being equal, the farmer prefers the auction system.

Another point in the Bill I want to mention relates to progress payments. Any farmer who experiences progress payments under other orderly marketing systems will be a little wary about them under this legislation. We have seen a woolgrower shy away from the auction system of selling wool to selling his wool privately so that he can get a quick return. Under the auction system the total sum can also be made available quickly, but under the progressive payment system a farmer receives only a portion of the total sum and at some future time receives two, three, or four progress payments. Under this legislation the farmer may not consider that the progressive payment system is as good as it appeared to be at first sight.

Another aspect of the Bill in regard to which I can foresee many difficulties is the control forwarding of livestock. As members know, in the fat lamb industry there is a flush season extending from September to November and every farmer who is producing high quality fat lambs prefers

to get his stock onto the market during these months. So the glut which has come about in this peak period has also represented quite an influence on the request put forward for this orderly marketing system. Of course, only three months of the year are covered from about September to November. What about the other nine months of the year? There are many fat lamb producers in the south-west who produce out of season to meet the requirements of the market at that particular time of the year. It is much more difficult to produce stock out of season than it is during the flush or spring months. Therefore such producers expect a higher price for their product and in the circumstances at present applying they are paid higher prices because they market their stock when the market is in short supply.

So far as I am concerned those in my electorate who are producing fat lambs do not have many complaints about prices. They do not receive the prices they did a few years ago by any manner of means, but not many complaints are heard about the prices they receive today for fat lambs in the off season compared with the complaints that are made by farmers about the prices they receive for their stock during the flush season. Therefore I would like the Minister to tell us more about the pooling system and the equalising price if the equalisation system is extended to cover 12 months of the year and to cover all lambs placed on the export and domestic markets. I would also like the Minister to tell us whether it is a fact that one large lamb exporter, who exports 5,000 or 6,000 lambs a year, would have the price he receives for his lambs inflated by the price on the local market during the off season. Not that I would hold that against him, but it might be a case we could use as an illustration.

Further, what is to be the situation in regard to chilled meat? As has been the experience with potatoes, if lamb meat is in short supply, or the price is increased because of a shortage of livestock, such a situation will quickly be taken advantage of by those who will import dressed meat from the Eastern States and, very largely, this will detract from any benefits that will be obtained by the producer as a result of any increase in the price.

Another aspect of the Bill that interests me is that relating to the sale of stock. The provisions in the Bill provide for acquisition of stock by the lamb marketing authority. I would hazard a guess that most farmers in Western Australia who own livestock today have some kind of stock account with the livestock agents for they have been quite ready and willing to advance goods against the proceeds from the sale of livestock. If there is not a legal, there is certainly a moral, obligation on the part of the farmer to sell his stock through the particular agent with

whom he has a stock account. I am therefore surprised we have not had some comment from livestock agents on that particular point.

I have been through the Bill and studied most of the provisions carefully, but I cannot find any mention of a right of appeal. In this situation, above all others, I think there should be a right of appeal written into the Bill. If I am wrong I would be pleased if someone would put me right. The right of appeal has proved to be a little difficult in other orderly marketing legislation, and again, with your permission, Mr. Speaker, may I mention potatoes? Had there been a right of appeal written into the Marketing of Potatoes Act many of the problems that arose in that industry could have been ironed out by an approach being made from the grower to the appeal authority; that is, either the Minister or some body to which an appeal could be made.

In lamb marketing the right of appeal would represent a particularly ticklish situation because one has to define what a lamb is whilst it is running on the property. Whilst there is a definition in the Bill, there are sucker lambs and spring lambs, and there are also hoggets. So it may be possible, if one desired to evade the conditions of the marketing system, to sell lamb as hogget. It can be seen, therefore, that problems could arise in many areas. There are bound to be a few areas of conflict and in the interests of good government and goodwill between producers and those responsible for administering the marketing system I strongly recommend that there be written into the Bill some definition of a right of appeal so that problems can be quickly assessed and ironed out. At this point I would also mention that goodwill should exist between all concerned.

Let me emphasise that if there is no goodwill in this system it will not work satisfactorily. In all orderly marketing legislation it is important that the system engenders goodwill among all those connected with the industry; including the producer, the treatment plant operator, and the consumer. People will try to sell their stock outside the marketing system, and others will want to buy stock outside the system, but if there is goodwill between all those in the industry the system should work satisfactorily.

Again I say that I do not regard this Bill as being a milestone in the marketing of lambs. It is a last resort and it has to be recorded that we have had to involve this section of the agricultural industry in orderly marketing. I repeat that certain people—the associated agents in particular who have been content over the years to act as a go-between for the seller and the buyer—should have got off their backsides and gone abroad to look for better

markets for our livestock. With those few comments I regretfully support the measure.

MR. McPHARLIN (Mt. Marshall) [9.42 p.m.]: So as not to delay the passage of the Bill, my remarks will be brief. Most of the provisions have been dealt with in debate, but there are one or two points not mentioned by previous speakers. One of these is that when a Bill of this nature is brought before the House the member for Belmont usually refers to it as being socialistic. Therefore on this occasion his comment has been conspicuous by its absence and I am sorry the member for Belmont is not present in the Chamber because we should have his usual comment recorded in *Hansard*.

Another feature relating to the debate on the Bill that has been conspicuous is that no member on the Government side of the House has yet spoken in favour of the measure, and this is something we would like to see. Even though the Minister introduces a Bill it is pleasing to hear members on the Government side of the House supporting the measure. Had the position been reversed, I could name quite a few members sitting on the other side of the House at present who would be bobbing up and down like yo-yos.

Mr. May: We are trying to expedite proceedings.

Mr. Fletcher: You oppose the Bill and you might see them get up.

Mr. McPHARLIN: I would also point out that under part IV of the Bill clause 23 allows the lamb marketing authority, subject to the approval of the Minister, to deal with sheep other than lambs. I think that is an important part of the measure because the price for sheep has been depressed for quite some time and by dealing with sheep other than lambs in this way it appears that the board could exercise some control and bring about a better price for the growers.

A short time ago we had a Bill before us to grant to the Midland Junction Abattoir Board the power to trade. Whether this Bill will conflict with that measure is something that will be decided only by the effluxion of time.

Mr. Nalder: I think it will support it.

Mr. McPHARLIN: I hope it does and creates a greater spirit of competition between the buyers. For some time now, from late February to June, the abattoirs have not been working to full capacity. It is to be hoped that when this Bill is passed and the authority is established it will operate to keep the abattoirs working at full capacity between March and June. I trust the Minister will take advantage of the provisions of this legislation and if

the lamb numbers decrease and the abattoirs are not operating at full capacity he will allow the authority to deal in other than lambs. This point is very important and has not been mentioned by the other speakers.

MR. REID (Blackwood) [9.46 p.m.]: I would like to add my comments to those of previous speakers on this most important legislation. The ground has been well covered and I will make just a few brief comments.

As a fat-lamb producer and one who has experienced the fluctuating prices for lambs on many occasions for no apparent reason whatever, I can join with the vast majority of lamb producers in Western Australia in welcoming this Bill. The poll in favour of the legislation indicates that growers desire some sort of rationalisation in a confused field. I will confine my comments to a report in *The Countryman* of the 12th August under the heading, "Export governs local prices." The article, in part, reads—

Because the export price of products like lamb had such an influence on the local price it seemed as if the producer was actually subsidising the consumer.

Mr. D. Tighe, the chairman of the State Lamb Marketing Committee, who is a fat-lamb producer at Clackline, said this at the meeting.

The cost of exporting lamb to the U.K. was about 8 cents per lb and because all returns were governed by export prices, every producer suffered from this high cost.

Mr Tighe emphasised that W.A. had a high home-consumption rate of the meat it produced. For example, we only exported 14 per cent. of our lambs.

According to the report of the Australian Meat Board, something like 3,000 tons of lamb have been exported in the last few years.

I am sure this legislation will be successful in controlling the industry which has in the past been subject to violent fluctuations. Only recently I read an article in the Tasmanian paper *The Mercury*. On the 1st September it was reported in that paper that the price of best lambs was from \$9.50 to \$11.15. In *The West Australian* on the same day the price for best lambs was quoted as being from \$4 to \$5.20. Only one price was quoted above the \$5 mark. Since then lamb prices have fallen for no apparent reason to an absolute economically ruinous price of something like \$2.50 to \$3. This fall in price apparently had no relation to anything.

When the prices were at such a low level, I went to Forrest House one night for a meal and the "chef's special" provided a

three-course meal and a cup of tea for \$3, which was the price of a prime fat lamb. Other speakers have supported the 18½ cents guarantee price working in conjunction with the export plan. What happened to this? We usually have three meals a day and at the price charged at Forrest House this would represent three prime fat lambs a day. No wonder the primary industry is in such bother. Of course, fortunately, we do not always dine at Forrest House. Another portion of the article in *The Countryman* reads—

In the present system of selling, "weak sellers" had a big influence on prices. Where there was an over-supply for a short time, there was a tendency for someone to oversell and push prices down. This meant there was a need for control to serve as a "stopper" in the price. It would be particularly worth stopping weak export selling, he said.

The article continues in a similar vein. I do not think any need exists for me to speak at any greater length. The growers of the State have expressed their desire for this legislation and I am sure we look to the board successfully to lift the price of lamb to something near an economic level for the producers of Western Australia.

MR. H. D. EVANS (Warren—Minister for Agriculture) [9.50 p.m.]: I thank members opposite for their general support of the measure, even the member for Wellington who qualified his remarks strongly in certain respects. A number of points were raised and it would be as well for me to answer those at the outset.

The Leader of the Country Party expressed several reservations and some doubts of farmers, but he does not need to be as concerned as he appears to be. The composition of the board worried him, but if he reflects on this a little more closely his fears could dissipate. He believes the board should have a greater producer representation. No-one would deny that the producer should be represented, and represented fully, but at the same time he is an expert in his field, and in many cases he is approaching perfection in that respect because he can produce fat lambs at roughly the right time, hold them for any period necessary, and then dispose of them. No-one can assist him because he has achieved perfection. However, basically what is involved and what we are talking about is an exercise in marketing development and expertise, and abattoir administration. I will elaborate on those points in a moment.

The member for Vasse also spoke in support of the measure generally, but he desired explanation on two points involving the principle of premium prices for grade

and for the time of the year. He is quite right, and the board will get the opportunity to do just this. Something like 114 grades are involved and, of course, the price will be commensurate with the grade. It needs must be. He envisages, too, the producer bringing in his stock in the off-period, at the time when lamb is in short supply, and being paid a premium.

Mr. McPharlin: Did you say 114 grades?

Mr. H. D. EVANS: Something of that order in total.

Mr. McPharlin: You are about 100 too many.

Mr. H. D. EVANS: Oh no. At the same time the producer who goes to the trouble of planting peas and taking his animals through that dry period and bringing them in at the latter part of summer or autumn deserves some recognition. The legislation contains a flexibility to enable the board, at its discretion, to fix its price. All factors must be taken into account, and these are two of them. It will not be an easy matter, as I think most recognise, and the precise determination could not be very easily set here. The board must do a considerable amount of research before it comes to a parity price. The grades will vary according to the period of the year and, of course, the premium price for grade will be in-built the whole way.

The member for Stirling recalled the opposition which has been expressed to the scheme over a period and referred to a very unfortunate occurrence this year; that is, the Australian Meat Board guarantee which was not received by many producers whereas legitimately, and I think morally, this was intended. However, that is a situation which has arisen, but which will be obviated under the method we hope will be adopted.

The member for Wellington agreed that the present marketing structure is unsatisfactory and endeavoured to lay the blame perhaps at the door of the stock agents. In doing so he emphasised the point that need exists for a change, but he did not go any further to indicate an approach which could be made to rectify the existing situation. On those grounds his criticism lacks some strength.

The right of appeal is something which would be rather risky under this legislation and indeed, as has been the practice with other boards, would probably be rather difficult to include in the structure.

The member for Mt. Marshall complained that members on this side of the House were not vocal enough in their support or opinion of the legislation. I would like to thank the members on this side for their co-operation in allowing a speedy passage of this Bill.

Mr. McPharlin: That is the only reason?

Mr. H. D. EVANS: A considerable amount of discussion ensued in the Caucus room and I thank members for their support. Perhaps I could make reference to the situation three years ago when the member for Collie was so concerned about the issue of lamb prices that he moved for a Select Committee, but the move was rejected by members opposite. If anyone demonstrated his very strong interest in this subject it was the member for Collie; and I think the member for Mt. Marshall is making a very unjust criticism in this regard. I repeat my thanks to my colleagues for their co-operation.

The honourable member referred also to trading in mutton, and this can be undertaken by the board. However, the issue is a fairly complex one and it is not envisaged the board will leap into the whole range of trading at the outset. Once the procedures with lamb have been established the activities can and will expand because ample provision is made for this. However, the power to trade in mutton can be used in conjunction with the existing powers the Midland Abattoir has to level out the fluctuations, and I hope the two pieces of legislation will be complementary and allow for much greater stability within the industry.

Mr. McPharlin: You expect one to complement the other?

Mr. H. D. EVANS: Yes. I envisage no conflict which could arise. The Midland Abattoir does a certain amount of trading in offal and this could be expanded. However, at the same time, any authority charged with a task of this magnitude will require a considerable time in which to settle down and establish policy, routines, and a method of operation.

The areas of difficulty have been touched on by various speakers, but I still believe that in many ways the complexity of the meat industry is not fully realised; and this brings me back to the need for particular expertise to operate to ensure the success of this authority. Believe me, the success of this venture will depend to a large degree on the personnel who operate and who are responsible for its routine administration.

Mr. Nalder: That is why the manager should be completely absolved from any responsibility.

Mr. H. D. EVANS: I will take issue with the Leader of the Country Party on this point in due course.

The first problem—and it is a problem of some magnitude—is one of marshalling and ensuring a steady supply of animals into the yards to await slaughter in the abattoirs.

Already there would be a fairly comprehensive list of lamb producers, and without any great difficulty this could be brought up to date. Quite a deal of organisation would then be required to ensure that each

grower would be in a position to get his lambs onto the market when he wanted to, as far as possible. This will involve quite a degree of organisation which I think everybody appreciates. However, the problem is not insurmountable.

There will be an incentive for those who produce outside the normal season, and it is hoped to extend the lambing season in this way. The producers will have a responsibility in this regard, if they are at all progressive.

Mr. Nalder: They will meet that responsibility.

Mr. H. D. EVANS: There has been a marked increase, and the lambing period has extended. However, it needs to be extended further. Premium prices will help but I feel that education is warranted so that producers will assist further.

The abattoir administration aspect, of course, is one which will overcome any worries the producers may face. The lambs, as they are received, will enter the killing race and will be tagged. The tagging system will largely be secret to the organisation. After the lambs have been killed and dressed they will be weighed and at that stage they will be graded. A record will be kept. The number on the sheep will provide a record upon which the producer will be paid. After that the lambs become the responsibility of the board and the identity of the original owner disappears.

The carcasses will go into storage and be kept in various gradings. They will be withdrawn from the killing chamber as required and according to what gradings the wholesaler or exporter requires. The whole process is one of simplification.

I was rather curious to see whether there were to be any additional administrative costs but, on the contrary, it would appear that the administrative costs will be reduced. One aspect is that each processor will have his own printed stockingette to cover the carcasses, and he will also have his own identifying tags. Those items will require storage to ensure that each line, even that of a small producer, is enclosed in its own printed stockingette. A limited processor will do away with a considerable amount of internal organisation, storage, and loss of time in this rather confusing and pace-slowng process.

The price aspect is one which naturally concerns the growers, and the whole process will revolve around the price. I visualise there will have to be a series of pools over definite monthly periods, and all animals received in the pool will be bought at a base price which could even be prepared in advance. At the end of the financial year there will be an adjustment in the form of a bonus. I feel something of this sort will probably be incorporated.

One of the most vexing problems of the whole industry has been the export rejects. The rejects come onto the local market in greater or lesser numbers. When they come onto the market in larger quantities they are bought by the wholesalers who manoeuvre to obtain special lines, knowing full well that the stock is very heavy and has to be quit, within 48 hours or so. Consequently, some very cheap lamb finds its way onto the market and this reflects in the price to the producer.

I do not think any further questions were raised. There has been no increase in difficulty for the wholesaler. Instead of taking delivery of his animals at the sale-yard, he will take delivery at the freezer door. That will be the extent of the operation. It is thought that nobody will be disadvantaged in this regard. Perhaps a person who had been prone to manipulate prices, and who had done fairly well, will be disadvantaged.

I will conclude by referring once again to the great number of problems encountered. We are moving into a new area and problems can be foreseen, though not in their entirety. Several other aspects involve human frailties, which reminds me of the point concerning small abattoirs raised by the Leader of the Country Party. It was never intended that the small abattoirs should be involved. However, that would have been contrary to Crown Law opinion so they are to be included. There will need to be an area of common sense, as suggested, in dealing with the remoteness and specialised problems of the small abattoirs, and their distance from the market. This is something which was known even before the legislation was drafted. The small abattoirs were considered and the associated problems have seen the light of day. I feel that any individual who has sufficient experience to merit a place on a board of this kind will have enough common sense and background to ensure the smooth working of all aspects. Once again, I thank members for their support.

Mr. Blaikie: Can the Minister give an opinion as to whether or not controls will be introduced?

Mr. H. D. EVANS: This, of course, is something which requires a crystal ball. There has been a trend towards the production of lambs in the industry; a trend, I might add, to the poorer quality type of animal. That will be reflected only in the prices which are paid. Whether or not the trend will become so manifest as to make it necessary to consider the introduction of production control is a hurdle we will have to jump when we come to it. I commend the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Bate-man) in the Chair; Mr. H. D. Evans (Min-ister for Agriculture) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

Mr. NALDER: Is it the intention to proclaim the legislation as soon as it is passed? I appreciate it would take some time to get the machinery into operation, but I presume the producers are hoping that the autumn period of the year will be used to gain the necessary experience. Is it intended to proceed promptly with the appointment of the board?

Mr. H. D. EVANS: It would not be possible to establish the board without the proclamation of the Bill. It is intended to proclaim the legislation without any delay and allow the authority to become established and commence operations.

Clause put and passed.

Clauses 3 to 5 put and passed.

Clause 6: Board not to represent the Crown—

Mr. NALDER: Would the Minister indicate what is meant when it is stated that the board, when established, will not be an agent or a servant of the Crown?

Mr. H. D. EVANS: My understanding is that the board will be placed in the same position as certain other instrumentalities. Whether it will be completely comparable with the Rural and Industries Bank, I am not quite sure. My understanding is that it will have parity with other instrumentalities which are not servants or departments, in the sense that they are far more autonomous than Government departments.

Mr. I. W. MANNING: Does that mean the Minister would not answer questions in Parliament because the board was not a servant of the Crown? What is the situation as far as the Public Service Board is concerned? Would the employees come under the provisions of the Public Service Act?

Mr. H. D. EVANS: I understand the employees would come under the jurisdiction of the Public Service. If a question was considered appropriate and not damaging it would certainly be answered.

Clause put and passed.

Clause 7: Members—

The CHAIRMAN: I respectfully ask members, when intending to move amendments to a Bill, to place their amendments on the notice paper so that all members may have an opportunity to study them.

Mr. NALDER: I appreciate your comment, Mr. Chairman, but it was not possible to put the amendments I propose to move to this Bill on the notice paper because it was only as a result of a meeting

I attended this afternoon that a decision was made to move them. However, I have taken note of your earlier request to put the amendments in writing.

The CHAIRMAN: Copies will be circulated.

Mr. NALDER: As I mentioned in my second reading speech, I do not believe the manager of a board such as this should have voting rights equal to those of other members. No doubt the manager will be a man who has special knowledge of the industry. He will not want to be worried about the normal running of the board. He should be free to carry out the directions that are given to him by the board. I think it is quite unreasonable for the manager to be given full voting rights.

The managers of boards in other industries have a responsibility to their boards. I mention, for example, the Potato Marketing Board. A while ago the Premier interjected and asked, "What about the Chairman of the Milk Board?" or words to that effect. There is no comparison.

Mr. J. T. Tonkin: He is the chairman and manager of the board.

Mr. NALDER: He does not have that designation. He is the chairman of the board. In the industry we are now discussing a chairman is to be appointed by the Minister as well as a manager having full voting rights. I think that is completely wrong and undesirable. I am sorry it has not been possible to contact all members of the meat section of the Farmers' Union, but from information received previously I am sure they are not happy with the situation.

I hope the Committee will agree to the suggestion I am about to make. I am prepared to agree to the Minister appointing to the board one of the producers. Other boards and committees operate in various sections of primary industry. In many cases two of the members are elected by the organisation and another producer is appointed by the Minister. I see some value in such a course because quite often people who are domiciled in the same district are elected to the board, and if the Minister has power to appoint a producer he might consider it desirable to appoint someone from another area, as happened in the case of the Linseed Marketing Board. It could happen that three members of the board were from the same district while other parts of the State were not represented.

In the case of the Bill under discussion, it might be that both members came from the York district, which is noted for its fat lamb production. If a third member were elected in the same way, he might also come from that area, but if the Minister had the power to elect a representative he could choose one from

Esperance, Geraldton, or Bridgetown where some good fat lambs are grown in the latter part of the season.

I move an amendment—

Page 3, lines 19 and 20—Delete the passage “one member being the manager, *ex officio*, and the remaining four members”.

The subclause would then read—

Subject to subsections (4) and (5) of this section, the Board shall consist of five members, being persons appointed by the Governor namely:—

If my amendment were accepted, I would move for the insertion of another paragraph (b) after paragraph (a) to cover the aspect of providing for the other producer-member to be appointed by the Minister.

Mr. H. D. EVANS: There is a very sound reason for the inclusion of the manager. In the operation of an organising authority dealing with the entire lamb drop in this State, certain areas call for very specialised and detailed knowledge. It is not only a matter of acquiring the animals, ensuring a steady supply, organising the slaughtering, and administration; it is also a matter of the development of markets, requiring extensive knowledge of what is entailed in selling in this industry.

Mr. Nalder: That is covered in paragraph (b).

Mr. H. D. EVANS: Only one person is dealt with in paragraph (b), but there are very few people in this State who can effectively handle the abattoir situation; it requires a very highly qualified person. He will not be taking over an established institution; he will be coming in and developing it right from the word “go.” He must certainly know the abattoir side of the industry but he must also be aware of the operation of the industry and the selling that will be involved, not only on the local market, with its vagaries, but also on overseas markets. He will be involved in a fairly competitive and hostile industry. His specialised knowledge and training will be of immense value to the board and he will give considerable direction.

I feel the appointment of a third producer would weaken the structure. Although the producers’ interests must be safeguarded—and I think they have been—the object of this exercise is not to produce animals; it is to solve a marketing and organisational problem, and it requires special qualities such as ability in matters of finance and marketing, and all that implies.

This is a position which will require the services of someone who is skilled. I think it will require a fairly detailed search to acquire such a person. For that reason I do not favour a third producer on the

board. Perhaps one could be added as experience dictates, but at the moment I would refrain from including a further producer. I respect the opinion and the reasoning of the Leader of the Country Party, and I would be prepared to accept that the position of manager be not tied to a full member of the board. Later it may prove to be desirable.

Mr. NALDER: From the time he rose the Minister supported my proposal. He said that the manager should be a man specialised in the sale of the product. This is already provided for in clause 7(1)(b). In clause 14 it is stated that the board may appoint a manager to be its chief executive officer and such other officers as necessary. So it will have the power to appoint a manager to carry out executive duties. I could argue for the rest of the night on the value of having the best person that can be found as the manager of the board. I believe it will be necessary to advertise and to comb Australia to find a person qualified for the position. The manager will be saddled with the extra responsibility of having to sit on the board. His duties will be to prepare propositions and to help the board reach decisions.

We have done this already in the case of many other boards. If the Minister is prepared to agree to this proposal I would be prepared to agree to having four members on the board. I presume we could make provision for equal voting because it has been done in other cases. If the Minister is prepared to do this and to have a discussion with the meat section of the Farmers’ Union in order to ascertain its views, I believe that would be acceptable. In those circumstances I will not press for the extra member although I believe it is vitally important.

Mr. H. D. EVANS: As time goes by I think we will all gain a certain amount of experience in the subject of meat marketing. I do not think anybody is blind to the fact that difficulties will arise. I feel that in the course of time we will have to examine a number of amendments and the structure of the legislation will be changed in some way. Whilst I have a predilection for the existing structure, I would be prepared to agree to the manager not being a full voting member of the board. But at the same time I would not like to add a further producer to the board. If experience shows that an additional producer is needed or that greater value would come to the board by including the manager—and do not forget he will need to be closely attuned and will need to influence the activities of the board—we could do something about it.

Mr. Lewis: It is easier to amend it now than to put him on later.

Mr. H. D. EVANS: That is a wise observation.

Mr. I. W. MANNING: The comments of the Minister suggest that we might readily amend this provision so that the manager is an *ex officio* nonvoting member. I think that would fulfil the desire of the Leader of the Country Party. He has clearly demonstrated to the Committee that there would be a deal of wisdom in having the board which lays down the policy for lamb marketing separate from the manager who is the administrative head of the organisation. This principle tends to attract much support these days.

Therefore, I suggest that the comments of the Leader of the Country Party have a great deal of merit and I think an amendment along these lines might meet the wishes of all concerned. If it cannot be done in this Chamber perhaps it could be done in another place. If we all accept the principle that the policy-making body should be separate from the administration, we should seek an amendment along those lines.

Mr. H. D. EVANS: As we appear to have agreed in principle, it might be better to expedite the passage of the Bill tonight and to make the necessary amendment in another place.

Mr. NALDER: I am quite happy to agree to this proposal. The Minister has given an assurance which I am quite happy to accept. I merely repeat that we should delete the reference to the manager being a voting member of the board from this clause, and from any other clauses which refer to it. I suggest that we allow the board to consist of four members. I ask leave of the House to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 8 to 13 put and passed.

Clause 14: Appointment of officers of Board—

Mr. McPHARLIN: I would like to bring to the notice of the Minister the fact that when he answered a question asked by my leader in relation to clause 6, the member for Wellington asked whether the board would come under the Public Service Act. If the Minister looks at clause 14 (4) he will find it is clearly stated that the board is not subject to the provisions of the Act. I think the Minister was in error, and I merely bring this to his attention.

Clause put and passed.

Clause 15: General powers of the Board—

Mr. LEWIS: I would point out that in paragraph (e) of this clause the words "lamb and lamb products" appear in line 26, but in line 31 of paragraph (f) of the same clause only the words "lamb products" appear. It seems to me that the

words "lamb and" should be inserted in paragraph (f) also. Therefore, I move an amendment—

Page 8, line 31—Insert after the word "or" the words "lamb and".

Mr. H. D. EVANS: I have no objection to the amendment.

Mr. NALDER: May I suggest that if the Minister is prepared to accept this amendment he could have it moved in another place in the same way as he has agreed to have other amendments moved in another place.

Mr. H. D. EVANS: If the member for Moore is quite happy I will arrange to have his amendment inserted by another place.

Mr. LEWIS: I am quite prepared to agree to that and I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. NALDER: In regard to paragraph (1) of subclause (1) of clause 15, which appears on page 9, what is the intention of the board in respect of premises? Will the board operate from Midland Junction or will it set up premises in the city?

Mr. H. D. EVANS: At this stage it is not possible to give any clear indication of what will be done in this regard.

Clause put and passed.

Clauses 16 to 18 put and passed.

Clause 19: Unauthorised slaughtering prohibited—

Mr. STEPHENS: I move an amendment—

Page 12, lines 16 and 17—Delete the words "irreducible in mitigation".

I am not opposed to the idea of a penalty but I feel that if these words are not deleted we would deny the court any discretionary powers to make a decision after hearing all the evidence presented.

Mr. I. W. MANNING: If he can, I would like the Minister, when he replies, to indicate what situation is envisaged by this clause, because the following clause makes provision for slaughtering for a particular purpose and I would like to know what he had in mind when this clause was drafted.

Mr. H. D. EVANS: The operation of this legislation will depend on actual slaughtering. Inland, traffic can be undertaken with live animals. It is only when the animals are slaughtered that the board will become involved. The need to have a fairly rigid control of the slaughtering of lambs becomes obvious. As most country members will agree, there is quite a large backyard trade at present. It will be found that most of the butchers in country areas have been affected by the backyard trade.

If no penalty is prescribed, this backyard operation will continue and will detrimentally affect the board's activities. The term "irreducible in mitigation" was considered to be necessary on the advice of the Crown Law Department and I do not intend to go against it. Therefore I cannot accept the amendment.

Amendment put and negatived.

Clause put and passed.

Clause 20: Exemptions—

Mr. LEWIS: In my view the wording of this clause is very loose. First of all, the provisions of clause 19 shall not apply where the lamb is consumed by the person who slaughtered it, or by his family. I can visualise many instances of a farmer, who is the owner of a lamb, authorising his employee to slaughter it—as is now done on many farms—but if we accept this clause as printed the owner of the lamb is not entitled to consume it; only the employee who slaughtered it will be able to do so. I do not think that is the spirit of the provision. I move an amendment—

Page 12, lines 22 and 23—Delete the passage "person who slaughtered the lamb, or by his family" and substitute the passage "owner and his family, or his employee".

I can visualise instances where the employee boards with the family, and this arrangement applies to many single farm workers. He would be authorised to slaughter the lamb on behalf of the owner, and would sit around the dinner table with the owner and his family. Therefore, the employee is equally entitled to share in the eating of the meat.

Mr. H. D. EVANS: The member for Moore could become more unhappy if the words he proposed were included. By extending the provision to include the killing of animals by the employee it could be used indiscriminately; and killing outside the spirit and intention of the provision could take place. I think that an agent acting on behalf of the owner would include an employee; but by specifying the employee the scope of the clause would be broadened. I prefer the wording in the clause to that suggested by the member for Moore.

Mr. Lewis: Does the Minister not agree that the provision, as worded, could deny the owner of the lamb which is slaughtered from participating in the meal?

Mr. H. D. EVANS: I do not think there is any distinction in law between the owner and his agent.

Mr. I. W. MANNING: One procedure that is adopted is worthy of mention. Some farmers take a lamb to the abattoir to have it dressed and cut up for their own requirements. Under this legislation,

once the lamb gets to the abattoir it becomes the property of the board and the farmer will lose control of the animal. This practice goes on, and I would not like people who adopt it to be regarded as breaking the law.

Mr. REID: I support the amendment, because the wording in the clause is obscure. It states that the lamb is to be slaughtered principally for consumption by the person who slaughtered the lamb, or by his family.

Mr. H. D. EVANS: The word "principally" is the operative word. It refers to the sheep used as rations. I am prepared to look into the point raised.

Mr. LEWIS: I do not know that the Minister is entitled to regard the word "principally" as embracing the owner. I would urge the Minister to look into the proposal I have put forward. In view of what the Minister has said that he will look into the matter, and for the sake of the speedy passage of the Bill, I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. LEWIS: I refer to the wording in clause 20 (b). It states—

neither the carcass nor any portion thereof is sold for the purpose of human consumption; or

It is not the spirit of the legislation to enable a person to sell the carcass, but it is the practice on many stations and farms for employees to be given fringe benefits such as free milk, eggs, and meat; or to be supplied with those products at very reduced prices. I know that in some instances farm employees are sold meat at a nominal price of 5c a pound. Would clause 20 (c) prohibit the continuation of such an arrangement?

Mr. H. D. EVANS: The spirit of the provision is met by the term "principally" in clause 20 (a). I take it paragraph (b) would apply in other instances where it would be quite legal to slaughter an animal, if the carcass was not sold. The intention of the provision appears in paragraph (a) which states that the lamb is slaughtered principally for consumption by the person who slaughtered the lamb or by his family. If the meat is sold to an employee at a nominal price, as a fringe benefit, it would be in order. The spirit is met by the use of the word "principally."

Clause put and passed.

Clause 21: Sale of carcasses, etc. by Board, etc.—

Mr. LEWIS Subclause (2) states that the board shall, so far as it is practicable to do so, classify or grade or cause to be classified or graded all edible lamb products obtained from lambs slaughtered by it or on its behalf. What is the position of the small country abattoir which is appointed as an agent of the board? Will

However, there can still be different laws applying to Commonwealth places because the Commonwealth can legislate for certain aspects, and that legislation will prevail over the State Statutes. For example, I will refer to the liquor laws which apply at the airport, which are different from the laws which apply outside the airport. Such laws may not create a great deal of difficulty but one could easily envisage a situation where a scaffolding is constructed adjacent to a post office. If one was standing on the scaffolding and one poked one's head into the post office one would be in a Commonwealth place. Of course, we realise there is no legislation regarding scaffolding, but there is nothing to prevent the Commonwealth—as I understand section 52 of the Constitution—from creating legislation under which a physical situation could arise where there was one law for one side of the fence, or an imaginary line, and a different law for the other side.

I would like the Attorney-General to tell me whether what I have stated will be the situation. Preferably we should not have two sets of laws which apply within the boundaries of any State.

With those remarks I will conclude hoping that if it is still contended that the circumstances should be changed by way of amending the Constitution, such a change will resolve the situation I have mentioned. I support the Bill.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [7.59 p.m.]: I thank the member for Floreat for his support of the Bill. It is obvious he has made quite a study of the measure, and that it is quite pregnant with possibilities. I can well recall the interest I took in this legislation about this time last year.

By virtue of section 52 of the Australian Constitution, the Commonwealth could quite legitimately legislate independently of any State law for a law to operate within the seat of Commonwealth Government or within any place acquired by the Commonwealth Government.

It was quite feasible that prior to the High Court's drawing attention to the fact that the Commonwealth could exercise exclusive jurisdiction, we could have experienced in this State—particularly in respect of a Commonwealth place—a set of Commonwealth laws operating within the State jurisdiction where hitherto the State laws would have been regarded as the operative laws.

In fact, the Commonwealth did not specifically legislate for Commonwealth places situated within the States. It was therefore believed that these Commonwealth places were no different from any other places and were subject to State law. By virtue of the parent Act which was passed last year—that is, the Commonwealth Places (Administration of Laws)

Act—the existing State law became federalised and was adopted by the Federal Parliament. Our complementary legislation empowered State police officers to enforce what was previously State law but had become Federal law in respect of existing Commonwealth places within the State.

My first impression of the Bill which gave birth to the principal legislation last year was that it was an ingenious solution to what appeared to be a very difficult problem. However, when I considered all the possibilities—and, as I indicated this evening, I feel the Act is still pregnant with possibilities—I became more convinced that only an amendment of the Commonwealth Constitution could provide a long-term and satisfactory remedy. It will be sought, pursuant to an amendment to the Constitution, that the States and the Commonwealth should exercise concurrent legislation in respect of Commonwealth places within the State, and in the event of any conflict arising between the two laws the Commonwealth law would prevail to the extent of the conflict by virtue of section 109 of the Australian Constitution.

The object of the Bill is to extend the life of this law because, as yet, the Commonwealth has not seen fit to initiate legislation to give birth to a referendum proposal. I commend the Bill to the House for early passage because the deadline for the life of the existing legislation is the 31st December this year.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. T. D. Evans (Attorney-General), and transmitted to the Council.

COMPANIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

MR. R. L. YOUNG (Wembley) [8.05 p.m.]: As I understand it, this Bill and the next to be dealt with—the Bills of Sale Act Amendment Bill—both have as their main purpose the increasing of certain registration and lodgment charges payable to the Registrar of Companies. This Bill to amend the Companies Act deals only with the second schedule to the Act, which is the schedule relating purely to the lodgment of documents and the costs for lodgment of those documents.

such an abattoir be required to engage an inspector who is qualified to classify carcasses?

Mr. H. D. EVANS: In a country abattoir where the use of a full-time board employee can be justified, a qualified inspector will be required to grade the carcasses. In the large country abattoirs the appointment of inspectors would be merited. In regard to the situation in Newdegate some other arrangement will have to be made between the board and the abattoir.

It will be an administrative matter the board must determine. An examination will certainly not be made in every small abattoir, and I pointed out that this was not intended in the first place.

Mr. LEWIS: The grower will be obliged to send lambs to Midland and have the carcasses sent back to the local butcher; whereas at present they are slaughtered and sold locally.

Mr. H. D. Evans: That is right.

Clause put and passed.

Clause 22: Payment for lambs acquired by Board—

Mr. W. G. YOUNG: In connection with subclause (7) a producer might find that circumstances completely beyond his control preclude him from delivering his lambs on a specified day. Is there any way he can get out of the contract under circumstances such as those which occurred last night at Wickepin? It would have been impossible for the sheep or a truck to be taken into a farmer's yard in that area this morning. I know we must have a clause similar to this to ensure an even flow of stock, but some tolerance should be exercised by the board.

Mr. H. D. EVANS: The assumption of the member for Roe referred to is perfectly correct.

Mr. BLAIKIE: During his second reading speech the Minister said—

Producers will be paid an equalised price within prescribed grades—

The **CHAIRMAN:** Order! The honourable member is not permitted to read from *Hansard* of the current session.

Mr. BLAIKIE: The Minister referred to a composite price being paid on an equalised basis for lamb sold on the home and export market. Where is this allowed for in this clause of the Bill? Will the Minister also give the assurance I asked for earlier that producers, providing a product out of season, will be covered also?

Mr. H. D. EVANS: Those points will be covered in the operation of the board. In the fixing of the price, the equalisation of price and the allowing of a premium price for grade and other considerations will be studied. However this is something the board will have to establish.

Clause put and passed.

Clauses 23 to 31 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR. H. D. EVANS (Warren—Minister for Agriculture) [11.02 p.m.]: I move—

That the Bill be now read a third time.

MR. I. W. MANNING (Wellington) [11.03 p.m.]: I desire to make a brief comment on the third reading.

Mr. Graham: Oh, come on!

Mr. Court: Plenty of time!

Mr. I. W. MANNING: This Bill has gone through without any amendment, but the member for Roe referred to subclause (7) of clause 22 which contains a provision which could be an area of dispute between the lamb producer and the marketing board. I know of similar situations with other boards under which people have ended up in gaol because they did not have a good excuse.

I want to emphasise a point I made earlier; that is, a right of appeal. This legislation contains provisions which could be the subject of dispute and I maintain a right of appeal should be provided. On the third reading I want to emphasise again that the Government made a mistake in submitting this legislation to Parliament without provision for a right of appeal. If it is not too late, I would like a right of appeal to be written into the legislation before it progresses right through Parliament. That is my view.

Question put and passed.

Bill read a third time and transmitted to the Council.

House adjourned at 11.04 p.m.

Legislative Council

Wednesday, the 24th November, 1971

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

QUESTIONS (10): ON NOTICE.

1. YUNDURUP CANAL SCHEME

Government Guarantee

The Hon. F. R. WHITE, to the Leader of the House:

(1) Whose advice did the Government seek before agreeing to guarantee the \$1.7 million loan from the Rural and Industries Bank for the Yundurup Canal Scheme?