Mr J. T. TONKIN: The Premier claims as one of his fulfilled promises that he has changed the Government.

Mr Coyne: He made it happen.

Mr J. T. TONKIN: I will go along with that. He made it happen by deliberately misleading the people.

Mr Sodeman: Incorrect. Then the Federal Government did the same thing because it changed its policy.

Mr May: You agree then?

Mr Sodeman: No. I am saying his philosophy is correct.

THE SPEAKER: Order! The Leader of the Opposition.

Mr J. T. TONKIN: This is where we are with Liberal Party promises: place no reliance on them. When they are not implemented an excuse will be found in justification. Promise one thing and do another.

Mr Rushton: Read your own promises in 1971.

Mr J. T. TONKIN: I would not say too much if I were the Minister. The purpose of the motion is not to draw attention away from the Australian Government but to draw the attention of the people of Western Australia to the Western Australian Government and show them that if they take seriously what the Premier of this State says they are very foolish because he will change his statements to suit the occasion.

Mr Rushton: That is one thing he does not do.

Mr J. T. TONKIN: Time and time again he has changed his statements to suit the occasion. He has said one thing one day and something different the next day in the belief that people have short memories and will not remember what he said a few days before but will accept only what he says at the time. Take the statement referred to by the member for Victoria Park and by me—that the result of a study was to be known within a week. More than a month has gone by and there has been no announcement. The object of that kind of publicity is to lead the people who read it to believe something is about to be done, then to do nothing, and in two or three months' time make another announcement that something is again about to be done.

Sir Charles Court: You are reminding me of the Baldivis meatworks site which your Government announced four times as being something new.

Mr Jamieson: You did that so often with agreements that it did not matter. People did not know what you were agreeing to.

Mr Skidmore: The Premier reminds me of the numerous trips he has made overseas to put the country right.

Mr J. T. TONKIN: As I said when I commenced, there is no belief on our part that the House will accept this motion, but it has served its purpose. It has enabled us to focus the attention of the people of Western Australia on the situation which exists and the reasons for it, and to show them that they cannot place any reliance upon the utterances which the Government makes from time to time to justify its inability and inactivity.

Question put and a division taken with the following result—

Ayes—19

Mr Barnett	Mr Fletcher
Mr Bateman	Mr Harman
Mr Bertram	Mr Hartrey
Mr Bryce	Mr Jamieson
Mr B. T. Burke	Mr May
Mr T. J. Burke	Mr McIver
Mr Carr	Mr Skidmore
Mr Davies	Mr J. T. Tonkin
Mr H. D. Evans	Mr Moller
Mr T. D. Evans	*(Teller)*

Noes—25

Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr Ridge
Mrs Craig	Mr Rushton
Mr Crane	Mr Shalders
Dr Dadour	Mr Sibson
Mr Grayden	Mr Sodeman
Mr Grewar	Mr Stephens
Mr P. V. Jones	Mr Thompson
Mr Laurance	Mr Watt
Mr McPharlin	Mr Young
Mr Mensaros	Mr Clarko
Mr Nanovich	*(Teller)*

Pairs

Ayes	Noes
Mr T. H. Jones	Sir David Brand
Mr Taylor	Mr O'Neil
Mr A. R. Tonkin	Mr Blaikie

Question thus negatived.

Motion defeated.

SUPPLY BILL

Returned

Bill returned from the Council without amendment.

House adjourned at 12.43 a.m. (Thursday)

Legislative Assembly

Thursday, the 14th August, 1975

The SPEAKER (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (27): ON NOTICE

1. *This question was postponed.*

2. GERALDTON REGIONAL HOSPITAL

Payment to Private Doctors

Mr CARR, to the Minister representing the Minister for Health:

(1) Has the Medical Department approached private doctors in Geraldton to discuss payment arrangements for treatment of

"hospital" patients, as defined by Medibank, at the Geraldton Regional Hospital?

(2) If "Yes" will the Minister provide details of the approach and the negotiations, and if the answer is "No" will he explain why not?

(3) Is it a fact that Geraldton private doctors have refused to treat "hospital" patients at Geraldton Regional Hospital except in cases regarded as emergencies or involving socio-economically disadvantaged persons?

(4) Have other Government hospitals without resident doctors encountered the same difficulty as outlined in (3) and if "Yes" will the Minister provide full details of each?

(5) Is it a fact that one patient at Geraldton Regional Hospital in theatre for an operation and already given pre-operation medication was asked by the doctor whether he was a "hospital" or a "private" patient, and upon declaring himself a "hospital" patient was refused surgery and removed from the theatre and the hospital?

(6) If the details outlined in (5) are not correct, will the Minister please detail the correct circumstances?

Mr RIDGE replied:

(1) Yes. Two letters explaining proposed arrangements between doctors and hospitals have been sent to all general practitioners in country and metropolitan peripheral areas and further discussions with the Geraldton practitioners are expected to take place within the next two weeks.

(2) Copies of the two letters are tabled.

(3) No replies have been received from Geraldton practitioners either accepting or rejecting the proposals. However, advice from the hospital indicates that the policy being adopted by the doctors is as described in the question.

(4) The department understands that some patients in other hospitals have experienced difficulty in obtaining a doctor to treat them as a "hospital patient". No specific reports have been received from hospitals.

It must be realised that as to whether a doctor treats a patient as a "hospital patient" or a private patient is a matter between the two of them and the hospital's function is to provide accommodation and care when the patient is admitted.

(5) Yes. The patient was discharged at the direction of the doctor.

(6) Answered by (5).

The papers were tabled (see paper No. 290).

3. MENTAL HEALTH

Tresillian Hostel: Sale Price

Mr DAVIES, to the Minister representing the Minister for Health:

(1) What authority was used for assessing the valuation of $125 000 as the sale price of Tresillian Hostel?

(2) Was the same authority used for assessing the purchase price of Kareeba Nursing Home?

(3) If not, what authority was used?

Mr RIDGE replied:

(1) to (3) To the best of my knowledge the normal property and valuations office of the Public Works Department was used in each case.

I have asked the Minister to verify this on his return.

If there is any different authority in either case, I will advise the Member.

4. *This question was postponed.*

5. PHOSPHATE ROCK

Price, and Sources of Supply

Mr GREWAR, to the Minister for Agriculture:

(1) What are current f.o.b. and c.i.f. (Fremantle) prices of rock phosphate from—

(a) Christmas Island;

(b) Nauru;

(c) Queensland (Townsville)?

(2) Under the terms of the agreement with the Government of Nauru what quantity of phosphate rock or percentage of Australia's total requirement must come from Nauru?

(3) When phosphate rock becomes available from Queensland sources will this agreement be terminated?

(4) What tonnage of phosphate rock was imported from Christmas Island in 1974?

(5) Can this quantity be increased?

(6) If not, why not?

(7) When Queensland supplies become available will Christmas Island continue to supply rock in approximately the quantities as at present?

Mr OLD replied:

(1) (a) and (b) The price of rock phosphate through the British Phosphate Commission from Christmas Island and Nauru is equalised into Australian ports. The latest available equalised price is $46.97 per tonne c.i.f. Kwinana, equivalent to $35.27 f.o.b.

(c) No price is available yet for Queensland phosphate although the Prices Justification Tribunal is believed to have set a price last year of $33 per tonne f.o.b. Townsville.

(2) In 1973-74 45% of Australian rock phosphate consumption came from Nauru.

(3) It is not possible at this stage to comment on future arrangements.

(4) In 1973-74 1.5 million tonnes of rock phosphate were imported from Christmas Island to Australia including 350 000 tonnes to Western Australia.

(5) and (6) At present extraction rates the rock phosphate usable for superphosphate manufacture from Christmas Island will be exhausted in about 40 years. Any increase in the rate of production would shorten the period.

(7) There is no reason to believe that supply from Christmas Island would not continue within the limitations mentioned above.

6. CONSUMER PROTECTION
Credit Systems

Mr HARMAN, to the Minister for Consumer Affairs:

What further action has been taken "to ensure that credit systems are easy enough to understand so that customers know what they are doing"?

Mr GRAYDEN replied:

Regulations under the Hire Purchase Act require that the first schedule notice contains the prescribed explanation of a hirer's right to a statutory rebate of terms charges when the agreement is completed early.

This explanation includes three example calculations to enable the hirer to work out the statutory rebate to which he is entitled. It is anticipated that this regulation is to be proclaimed in the near future.

The Bureau of Consumer Affairs' education programme has as its first priority for 1975-76 the preparation and distribution of a pamphlet on hire purchase and credit systems generally.

Officers of the bureau are currently researching the subject to facilitate the preparation of the pamphlet and will shortly be in a position to submit a working paper to the Consumer Affairs Council for consideration.

7. CONSUMER PROTECTION
After Sales Service

Mr HARMAN, to the Minister for Consumer Affairs:

(1) Is he able to advise what action he intends to take to examine after sales service to make sure such service is always up to standard?

(2) Has the Consumer Affairs Council made recommendations to him?

(3) If so, what are these recommendations?

Mr GRAYDEN replied:

(1) The Bureau of Consumer Affairs has had the subject of after sales service under active examination by one of its research officers for some considerable time. The research work is time-consuming because of the complexity of the industries involved in after sales service. A considerable amount of information has been collected from other bureaux and from overseas. Discussions with companies involved in after sales service, will be necessary and will take place as soon as research material is collated and analysed. A paper on the subject also will be presented to the Consumer Affairs Council.

(2) No.

(3) Not applicable.

8. FRASER'S MINE
Proprietors and Tribute Agreement

Mr T. D. EVANS, to the Minister for Mines:

(1) Would he please list the registered proprietors of the goldmining lease or leases comprising Fraser's Mine at Southern Cross and also advise the goldmining lease number or numbers?

(2) If there has been any change in such registration during the past three years would he please give details?

(3) Has there been a tribute agreement registered in respect of Fraser's Mine or part thereof during the past three years?

(4) If (3) is "Yes", is the agreement still subsisting and if "No" when was it determined?

Mr MENSAROS replied:

(1) The proprietor is West Australian Gold Development N.L.

The department's understanding is that the mine is located on parts of goldmining leases 4634 and 4635, Yilgarn.

(2) There has been only one change in the proprietorship in the past three years, i.e. from William James Grace to the present lessee company on the 10th July, 1973.

(3) Yes.

(4) No.

9. INDUSTRIAL DISPUTES

MMA and Co-operative Bulk Handling

Mr TAYLOR, to the Minister for Labour and Industry:

(1) With respect to the industrial dispute by MMA pilots did the Government at any time consider either—

(a) intervention in the dispute;

(b) invoking any section of the Industrial Arbitration Act appropriate to the powers of the Minister for Labour?

(2) If "Yes" what action did it consider taking and what section of the Act did it consider invoking?

(3) If "No" what circumstances made the Co-operative Bulk Handling dispute different from that of the MMA pilots?

Mr GRAYDEN replied:

(1) (a) No, but it was carefully watching the situation.

(b) MMA pilots are covered by the Airline Pilots Agreement 1975 within the jurisdiction of the Commonwealth Conciliation and Arbitration Act. The State Minister for Labour has no power of intervention under the Commonwealth Act.

(2) The matter was referred to the Flight Crew Officers' Tribunal on 8th August, 1975. The matter is to be heard tomorrow, 15th August, 1975 before the Flight Crew Officers' Tribunal in Melbourne at 9.30 a.m.

(3) The Co-operative Bulk Handling dispute affected an award within the jurisdiction of the Western Australian Industrial Commission. The Minister for Justice in the public interest exercised his power of intervention under section 108 I of the Industrial Arbitration Act.

10. LAND

Whitfords Nodes: Purchase

Mr TAYLOR, to the Minister for Urban Development and Town Planning:

(1) Is the Government aware of any negotiations at present in train relating to a proposal to purchase the privately owned nodes of land which lie between West Coast Highway and the ocean in the Mullaloo/Whitfords area?

(2) Is the Government involved in any way in such negotiations?

(3) Does the Government consider that these nodes, desirably, should become public open space?

Mr RUSHTON replied:

(1) The Government is aware that the Wanneroo Shire Council has suggested that these should be purchased and placed within open space.

(2) Discussions have been held.

(3) The Shire of Wanneroo has requested assistance in achieving alternative zoning for the nodes on West Coast Highway in the Mullaloo/Whitfords area. I am co-operating fully with council.

11. TOWN PLANNING

Jandakot Area: Roads

Mr TAYLOR, to the Minister for Urban Development and Town Planning:

(1) With respect to proposed amendments to the metropolitan region scheme, at approximately what distance from the average mid-winter shoreline of Lake Kogolup, Jandakot, has the new proposed alignment of Yangebup Road been set?

(2) At approximately what distance from the average mid-winter shoreline of Lake Kogolup has the nearest point of the road reserve of the proposed new junction of Yangebup Road and Hammond Road, Yangebup been set?

(3) At approximately what distance from the average midwinter shoreline of Lake Kogolup has the nearest point of the proposed extensions to the Jandakot industrial area (land reserved as industrial) been set?

Mr RUSHTON replied:

(1) and (2) The final alignment of the Yangebup Road deviation has not yet been set in detail. Final road design will have regard to environmental impact as well as road engineering criteria.

(3) The authority has, following consideration of the objections, proposed to delete the industrial zone south of the existing Yangebup Road.

12. TORTOISES

Shenton Park Lake: Traffic Warning Signs

Mr TAYLOR, to the Minister for Fisheries and Wildlife:

(1) Has his department any plans to place warning signs to motorists in the vicinity of Shenton Park Lake during that period when the small indigenous tortoise carries through its annual maternal function?

(2) If "No" will his department undertake to do so?

Mr P. V. JONES replied:

(1) No, but it is understood that the local authority (The City of Subiaco) has caused suitable notices to be erected in two appropriate places.

(2) Neither the Department of Fisheries and Wildlife nor the Western Australian Wild Life Authority has legal authority to erect signs or notices except within reserves which are "sanctuaries" within the meaning of the Fauna Conservation Act. The Shenton Park lake reserve is not a "sanctuary".

13. KWINANA POWER STATION

Output

Mr J. T. TONKIN, to the Minister for Fuel and Energy:

What proportion of the total amount of electricity being generated for the Fuel and Energy Commission is being generated at the oil fired station at Kwinana?

Mr MENSAROS replied:

The proportion of the total amount of electricity being generated for the State Energy Commission's interconnected system by the oil fired station at Kwinana is—

12 months to 30th June 1975—20.14%.

6 months to 30th June 1975—16.27%.

Month of July 1975—12.60%.

The decreasing proportion of generation at Kwinana is due to the gradual conversion of East Perth and South Fremantle power stations back to coal firing during the period.

14. BUILDING SOCIETIES ACT

Study Group

Mr J. T. TONKIN, to the Minister for Housing:

(1) When was the study group appointed to make a detailed examination of the Building Societies Act and to advise the Government on the need for change?

(2) Who are the members of the study group?

(3) Which of the members may be regarded as equivalent to a consumers' representative?

(4) If no such consumers' representative is included in the group, what is the reason?

Mr P. V. JONES replied:

(1) Review of Building Societies legislation was included in the scope of the Housing Study Group set up in April 1974.

(2) Mr R. B. MacKenzie, Chairman, State Housing Commission; Mr B. S. Brotherson, Registrar, Building Societies; and, Mr C. Sackville, State Housing Commission.

(3) None.

(4) Not considered necessary in the current study. Consumer viewpoints were thought to have been adequately represented through Housing Industry Association and Trades and Labor Council membership of the inquiry commissioned in 1972 by the member when Premier. Also the study group intends to have discussions with Master Builders' Association, Housing Industry Association, independent home buyers' action group, and other identifiable consumer groups.

15. PROSTITUTION

Convictions

Mr HARTREY, to the Minister for Police:

(1) In framing his answer to paragraph (5) of question 31, asked on 12th August, 1975, by the member for Subiaco, did he consider the effect of paragraph (c) of section 7 of the Criminal Code, which makes equally guilty with the principal offender "every person who aids another person in committing the offence"?

(2) Does not the prostitute's male customer—

(a) provide the monetary consideration which is a necessary element of her offence; and

(b) furnish one-half of the meretricious sexual intercourse which normally constitutes the other element of the offence?

Mr O'CONNOR replied:

(1) Yes.

The Speaker ruled that part (2) of this question is inadmissible as it asks for an expression of opinion by the Minister.

16. IRON ORE PROJECT

Marandoo: Discussions

Mr MAY, to the Premier:

Having regard for the article which appeared in *The West Australian* dated 4th August, 1975, will he advise as follows:—

(a) has he definite information that the letter received from Nippon Steel by Texasgulf, regarding the Marandoo project is a "letter of interest" and not a "letter of intent" as stated by Texasgulf;

(b) if "Yes" will he indicate the source of his information;

(c) has he received the stated clarification from the Japanese steel mills in regards to their expressed interest in a number of Pilbara proposals similar to their interest in Marandoo?

Sir CHARLES COURT replied:

(a) Yes.

(b) No.

(c) There has been confirmation that the Japanese steel mills are interested in a number of Pilbara proposals currently before them.

It is also clear they are not going to make any firm decisions about large scale long term new orders before bulk ore samples have been fully evaluated. This is not expected to be before November.

17. EASTERN GOLDFIELDS TECHNICAL SCHOOL

Accommodation Shortage

Mr T. D. EVANS, to the Minister representing the Minister for Education:

What steps have been taken and what further action is planned to overcome accommodation difficulties being experienced by staff members at Eastern Goldfields Technical School?

Mr GRAYDEN replied:

As the planning for the new Eastern Goldfields Technical School is well advanced it is not intended to add buildings to the existing school to provide further office accommodation to meet the immediate need. Items of new furniture are in the process of being supplied in order to make more efficient use of the existing space.

The new school will provide adequate accommodation for both staff and students.

18. PRE-SCHOOL EDUCATION

Public Meeting

Mr T. D. EVANS, to the Minister representing the Minister for Education:

(1) Did he receive an invitation to attend a meeting of interested persons to discuss recent changes to the (previously known) Pre-School Education Act which was held on 5th June last at Burt Hall, next to St. George's Cathedral, Perth?

(2) Did his secretary acknowledge the invitation and indicate that the Minister would arrange for a representative to attend the meeting?

(3) Was the Minister correctly quoted in the *Daily News* of 5th June last under the heading of "Minister slams meeting"?

(4) Did he have a representative at the meeting?

Mr GRAYDEN replied:

(1) Yes.

(2) Yes. The organiser of the meeting was subsequently advised that no representative would attend.

(3) Yes.

(4) No.

19. EDUCATION

Drugs: Course of Instruction

Mr T. D. EVANS, to the Minister representing the Minister for Education:

What steps have been taken or are being planned to institute a course of instruction in schools related to consumption of drugs and the consequences of indiscriminate drug taking and drug addiction?

Mr GRAYDEN replied:

The Education Department of Western Australia follows the recommendations made by a

national seminar on drug education in 1973 in not specifically teaching about drugs in Government schools. The view is taken that drug taking is one of a number of inadequate responses to a threatening social environment. Instead of teaching about drugs, students, through their exposure to workshops in human relations, health education and other programmes are better equipped to cope with the pressures of the complex world in which they live.

20. ELECTRICITY SUPPLIES

Bullcreek Installation

Mr BATEMAN, to the Minister for Fuel and Energy:

(1) Is he aware of the massive State Electricity installation work being undertaken in Camm Avenue, Bullcreek?

(2) If "Yes" can he advise the cost of this work and for what reasons can the work be justified?

Mr MENSAROS replied:

(1) Yes. I am aware of this work but it is not considered massive by accepted standards as it involves only the relocation of three poles and three bays of 132 kV construction and is expected to be completed by the middle of next week.

(2) It was necessary to erect the initial small deviation across reserve 32452 which was allocated for Government requirements and then into Salmond Way to avoid a complete electrical shut down of the district when the line was about to be commissioned.

An easement was granted by the developers of the subdivision in the initial planning stages for the final position of the line and it is this last transfer that is now occurring. The temporary position across reserve 32452 could not remain indefinitely as the planners have advised that a student hostel is planned for that site.

All block purchasers were aware of the easement conditions and the estimated cost of this final planned line relocation is $1 200.

21. MILK

Manufacturing Section: Inquiry

Mr H. D. EVANS, to the Minister for Agriculture:

(1) Is it proposed that an in-depth inquiry of the manufacturing milk section of the dairy industry will be carried out?

(2) If "Yes" will be give full details of any such proposition?

(3) If "No" to (1), will he undertake to have such an inquiry carried out as a matter of urgency?

Mr OLD replied:

(1) to (3) The Government is awaiting further advice from the authority concerning the initiation of an inquiry into the whole industry.

22. POULTRY FARMING

Broilers: Producers and Imports

Mr H. D. EVANS, to the Minister for Agriculture:

(1) How many processors of broilers operate in Western Australia and what are the names of these operators?

(2) How many contract broiler producers function in this State?

(3) What is the definition of an "efficient grower" as constituted under the Chicken Meat Industry Bill?

(4) What amount of chicken meat has been imported into Western Australia in each of the last three financial years?

(5) Which of the broiler processors, if any, are involved in the stock feed industry?

(6) Which of the broiler processors, if any, are involved in the production and hatching of meal birds?

Mr OLD replied:

(1) Nine—

Poultry Wholesalers.
Peters Foods.
Diamond Poultry Services.
Tip Top Meats.
Peters Poultry Suppliers.
Masters, A. H. & K. M.
McKain.
Gibson.
Kelmscott Farms.

(2) There are approximately 50 contract growers.

(3) An "efficient grower" means a grower who meets the criteria laid down from time to time by the committee.

(4) 1972-73, 149 275 kg.*
1973-74, 126 613 kg.
1974-75 (9 months preliminary) 186 722 kg.

It is understood that these quantities consist of ducks and turkeys in addition to chicken meat.

*Source: Australian Bureau of Statistics.

(5) I understand that Diamond Poultry Services have a feed mill as part of its complex; and that Poultry Wholesalers are associated with a feed company.

(6) Diamond Poultry Services.

23. RAILWAYS

Bridgetown Depot: Closure

Mr H. D. EVANS, to the Minister for Transport:

When does he expect that the decision of the Government as to the future of the Bridgetown railway depot will be announced?

Mr O'CONNOR replied:

Cabinet will make this decision.

24. BEEF PRODUCERS

Subsidy on Interest

Mr H. D. EVANS, to the Premier:

Will the Government make available to beef producers in financial difficulties a subsidy of 7% on the interest payments on stock debts incurred by these producers?

Sir CHARLES COURT replied:

A blanket interest subsidy would not appear to be appropriate or necessary for all stock debts or beef producers, as many have satisfactory overall income levels where income is derived from a combination of farming enterprises.

For all producers who are in difficulty and are eligible, a concessional interest rate of 4% is available for debt reconstruction through the Rural Reconstruction Authority.

For eligible beef producers the interest rate on the special beef finance made available by the State Government and matched by the Federal Government, is also at 4%.

The Government is currently studying ways of further assisting those who are in difficulties, but cannot qualify under the two forms of assistance referred to.

25. COTTESLOE-SWANBOURNE COAST ROAD

Study

Mr DAVIES, to the Minister for Conservation and Environment:

With reference to my question 30 of 30th April last regarding the Cottesloe-Swanbourne coast road study, can he now advise the estimated cost of the study?

Mr P. V. JONES replied:

Total estimate is an expenditure of $150 000 on the study.

26. ROCKINGHAM-KWINANA HOSPITAL

Subcontracts: Inquiry

Mr BARNETT, to the Minister for Works:

(1) Relative to the contract between the Government and Trident Constructions for the building of the Rockingham-Kwinana Hospital, is he aware that many of the subcontractors are facing severe financial hardship because the contractors are not passing on the benefits of rise and fall clauses in their contract?

(2) In view of the likelihood of some of the subcontractors being forced into bankruptcy would he institute an immediate inquiry to ascertain if the benefits of the rise and fall clauses can be passed on?

Sir Charles Court (for Mr O'NEIL) replied:

(1) No.

(2) The contractual arrangements between head contractor and subcontractors are not normally available to the department and therefore I am not aware of the company's conditions governing payment of "rise and fall" to subcontractors. In the case of nominated subcontractors "rise and fall" is being paid if it is applicable.

27. PUBLIC SERVICE.

Limit on Growth

Mr DAVIES, to the Premier:

Will he table copies of any directions issued by him to the Public Service Board and by the Public Service Board to branches or departments relating to limiting of staff growth rate to 2% during 1974-75?

Sir CHARLES COURT replied:

Copies of directions issued by me to the Public Service Board and by the Public Service Board to departments relating to limiting of staff growth rate to 2% during 1974-75, are tabled herewith.

For the information of the Member, the growth rate of the Public Service for the year 1974-75 was 2.26% including appointments made by use of Commonwealth funds. The percentage growth rate from use of State funds was 2.04%.

The figures supplied to the Public Service Board from the other States are—

Victoria	10.57%
Queensland	7.94%*
South Australia	5.21%*
Tasmania	4.00%*
New South Wales	3.92%*

*Estimated.

The Commonwealth figure was 3.31% for 11 months—the final figure for the 12 months not being available.

The copies of directions were tabled (see paper No. 291).

QUESTIONS (4): WITHOUT NOTICE

1. DRUNKEN DRIVING

Warning to Drivers

Mr H. D. EVANS, to the Minister for Police:

I regret I was unable to give the Minister the notice I would have desired, but this question does not need a great deal of research on his part. It is as follows—

(1) Has an instruction been issued directing traffic patrolmen to warn people, who are obviously under the influence of liquor and likely to drive a car, to refrain from driving?

(2) If so, when was this directive issued, and is it still current?

Mr O'CONNOR replied:

I thank the honourable member for giving me some notice of this question, but as he has said it does not need a great deal of research. The answer is as follows—

(1) I did advise the Executive Director of the Road Traffic Authority that I believed that where a traffic patrol officer sees a person under the influence of liquor walking towards his vehicle he should be warned. However, if that person is in his vehicle the traffic patrol officer would have no option but to apprehend him.

(2) This directive was issued a week or two ago, but I cannot remember the date. If the honourable member wishes to know the date I will ascertain it for him.

2. DRUNKEN DRIVING

Blitz

Mr SIBSON, to the Minister for Police:

I desire to ask the Minister for Police a question without notice as follows—

(1) Is it a fact traffic patrolmen are marking cars outside hotels with irridescent paint to identify where they have been?

(2) Did police apprehend between 1 600 and 1 800 people last weekend for drinking offences?

(3) (a) Did he see today's issue of the *Daily News* which reports that police were treating drinking drivers more harshly than hardened criminals?

(b) Is this so?

(4) Does he consider that traffic patrol work has had an effect on the turnover of hotels?

(5) Does he consider that drinking drivers should be warned?

The SPEAKER: I am not in possession of all the questions that have been asked by the member for Bunbury, but I am inclined to think some of them are inadmissible as they seek an expression of opinion from the Minister.

At this distance I am unable to confirm this, but it depends largely on the Minister in this case as to whether the questions will be answered.

Mr O'CONNOR replied:

I thank the member for Bunbury for some short notice of this question. If the member for Maylands is not interested he need not listen. The answer is as follows—

(1) These allegations were made many months ago and proved to be false. Apparently some people affected by our campaign to save lives have spread the allegations. I checked further today and was advised that the Road Traffic Authority knows nothing of such a practice.

(2) No, 1 600-odd people were apprehended for offences, mainly speeding and minor offences; approximately 560 persons were cautioned; 187 persons were apprehended for drinking offences; and 119 persons were charged. This is approximately the same percentage of persons charged as has been the case for years.

(3) (a) Yes.

(b) If hardened criminals were killing one person per day the public would demand harsher action. This is occurring on our roads, and I believe the public want us to protect them and their families from incompetent and incapable drivers.

(4) This is possible, as is the present climatic condition.

(5) Yes, they have been over recent weeks, and in case there is any doubt I give them a similar warning this weekend.

3. IRON ORE PROJECT

Marandoo: Discussions

Mr MAY, to the Premier:

Relating to question 16 on today's notice paper, if and when the Premier addresses Parliament in connection with his overseas visits will he elaborate more fully on the projects which are proposed to be established in the Pilbara area?

Sir CHARLES COURT replied:

I would assume that in the course of making my remarks the general question of the approach of the Japanese steel mills to iron ore development in the Pilbara would be covered.

4. RAILWAYS

Bridgetown Depot: Closure

Mr H. D. EVANS, to the Minister for Transport:

In relation to question 23 on today's notice paper I seek further clarification of the answer. In my question I asked when did the Minister expect the decision of the Government to be announced. His reply was that Cabinet would make this decision.

I realised that Cabinet would make the decision, but my question related to when the Government would announce the decision. Could the Minister give me any advice on the time factor?

Mr O'CONNOR replied:

The matter is before Cabinet. I am not in a position to announce a decision until the matter comes up in the agenda before Cabinet. I think it will be three or four weeks hence, but at this stage I am only guessing.

EVIDENCE ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Sir Charles Court (Premier), and read a first time.

PUBLIC ACCOUNTS COMMITTEE

Membership

SIR CHARLES COURT (Nedlands—Premier) [2.45 p.m.]: I move—

That the appointment of the Member for Cockburn (Mr Taylor) on the Public Accounts Committee be terminated and that the Member for Mundaring (Mr Moiler) be appointed in his place.

I want to follow on from the remarks I made yesterday, because I do not think the member for Cockburn was in the Chamber at the time. I did express appreciation on behalf of the House for the services he had rendered on the Public Accounts Committee, and I also expressed the hope that the member taking over from him would find the appointment satisfying. I would not like the member for Cockburn to think that I am formally moving this motion today without making reference to him.

I also wish to raise another point which I omitted yesterday, and that relates to the wording of the motion. When the previous Government was in office and I was the Leader of the Opposition, I raised this question because it did appear from the wording of the motion that the member concerned had been sacked.

Mr Taylor: That was my interpretation of the wording when I read the motion.

Sir CHARLES COURT: In point of fact it occurred in the ordinary course of the life of the Parliament. At the time some undertaking was given by the Speaker of the day that the matter would be reviewed. I would therefore like to raise the matter through you, Mr Speaker, to see whether a different form of wording can be devised. When we read the historical record we will see that the appointments of the members concerned were "terminated", and this indicates rather harsh treatment. It does not reflect the true facts.

Question put and passed.

ACTS AMENDMENT (JUDICIAL SALARIES AND PENSIONS) BILL

Second Reading

SIR CHARLES COURT (Nedlands—Premier) [2.48 p.m.]: I move—

That the Bill be now read a second time.

The Bill proposes to increase the salaries of judges by 25 per cent with effect on and from the 8th August, 1975.

Salaries payable to judges of the Supreme Court and District Court were last fixed by Parliament in 1974 and they became operative from the 1st July, 1974.

As foreshadowed when introducing the Bill in 1974 to amend the salaries of judges, the Salaries and Allowances Tribunal has been established and it has issued a recommendation covering the proposed increases.

As members will realise, the Salaries and Allowances Act provides for the tribunal to make a report on the remuneration of judges of the Supreme Court and District Court of Western Australia, but not a determination, it being the view of the judges that their salaries should finally be fixed by Parliament as it is the supreme body in the matter, and not the tribunal.

In their case the report that was tabled refers only to the judges of both the Supreme Court and District Court, it being a recommendation and not a determination; hence the necessity for this legislation.

In its recommendation the tribunal has referred to guidelines laid down by the Australian Conciliation and Arbitration Commission in its judgment delivered on the 30th April, 1975, in the national wage case, and to the necessity for any increase in salaries to be justified on the grounds of "catch-up" with community wage movements.

However, the tribunal did not consider that catch-up of community movements as expressed in the national wage judgment required it to base its decisions on any comparison with the salary movements of similar groups in other States. It therefore noted rates of salary paid to judges in other States, but did not consider that relativity in remuneration with other States should be a relevant factor at this time.

Mr Jamieson: The recommendations are not below those in Tasmania are they?

Sir CHARLES COURT: I will quote them because they are all recorded in the report of the tribunal.

Mr Jamieson: I am wondering how consistent they can be because they used the same terminology elsewhere.

Sir CHARLES COURT: I believe 'hey have been consistent. I propose to record the salaries paid in the other States when I have concluded my general remarks.

Mr Jamieson: If they are consistent they should be below Tasmania's.

Sir CHARLES COURT: It was the view of the tribunal that it was more important that the justification for "catch-up" should be found in a comparison with salary movements generally. In this respect, a review of judges' salaries last year, revealed that an increase in the order of 33 per cent effective from the 1st July, 1974, was fully justified in the light of other salary movements prior to that date. However, in view of a call by the Prime Minister for restraint in salaries and wages increases, the Government brought down legislation limiting the increase to 20 per cent.

No similar restraint was placed at that time on other groups within the ambit of the tribunal and as a result judges' salaries were depressed by comparison with those of other groups. Judges therefore had a strong case for an increase in salary on the grounds of "catch-up" both in respect of salary movements prior to and after the 1st July, 1974.

In addition regard has been had for the special position of judges in the community and to their traditional place in a democratic system. It is essential that judges should not only be independent, but should be seen to be financially independent.

These are the reasons advanced by the Salaries and Allowances Tribunal for an increase of 25 per cent in judges' salaries.

On this basis the following new scale of annual salaries if approved by Parliament will be payable on and from the 8th August, 1975—

	$
Chief Justice	40 500
Senior Puisne Judge	37 125
Puisne Judges	36 000
Chairman, District Court Judges	31 320
District Court Judges	29 150

Members will of course have access to the report on the remuneration of judges, tabled on Tuesday. At the back of the report is a schedule of the remuneration payable to judges in other States as at the 1st July and I think it is appropriate to record this table in *Hansard* as it will be of some assistance to members, especially if they do not have ready access to a copy of the report. The table is as follows—

	Supreme Court		District Court	
	Chief Justice	Puisne Judges	Chairman	Judges
	$ per annum	$ per annum	$ per annum	$ per annum
New South Wales	47 100 (a)	42 720 (b)	38 700 (b)	35 640 (b)
Victoria	44 900 (c)	40 500 (d)	40 500 (c)	34 400 (d)
Queensland	41 470 (e)	35 350 (f)	33 310 (e)	29 910
South Australia	43 500	39 000	36 000	32 000
Tasmania	37 950	34 155	....	....

(a) Includes allowance of $2 700 per annum.
(b) Includes allowance of $2 100 per annum.
(c) Includes allowance of $2 500 per annum.
(d) Includes allowance of $2 000 per annum.
(e) Includes allowance of $2 040 per annum.
(f) Includes allowance of $1 360 per annum.

NOTE—The remuneration of Judges in Queensland is due for review as at 1 July 1975.

Mr Jamieson: How is it that they cannot get the information over from Queensland on these matters? They seem to be able to from Tasmania.

Sir CHARLES COURT: I do not follow the point.

Mr Jamieson: The 1st July, 1975, has rather long since passed.

Sir CHARLES COURT: It has not been announced yet.

Mr Jamieson: It has been. It was the same with the scale for the parliamentarians' salaries.

Sir CHARLES COURT: I cannot speak for the tribunal.

Mr Jamieson: They were available to them.

Sir CHARLES COURT: I am quoting the figures from the report.

Mr Jamieson: I wonder where they get their information from.

Sir CHARLES COURT: I shall ask them.

Mr Jamieson: I shall be glad if you will.

Sir CHARLES COURT: I shall report back to the House when the debate resumes.

Mr Jamieson: Thank you.

Sir CHARLES COURT: I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

ELECTORAL DISTRICTS ACT AMENDMENT BILL

Display of Map: Statement by Speaker

THE SPEAKER (Mr Hutchinson): Before the electoral Bills are distributed to members, I advise that I have agreed to a request that for the benefit of members, a map depicting the proposed redistribution of boundaries be shown behind and to the side of the Speaker's Chair. The picture can now be unveiled, and the Bills distributed.

I would be pleased if members would contain themselves for the present and resume their seats. The Premier has informed me that a small diagram of the scheme will be presented to each member so I would appreciate it if members would resume their seats.

Second Reading

SIR CHARLES COURT (Nedlands—Premier) [2.59 p.m.]: I move—

> That the Bill be now read a second time.

I understand that a copy of the map on a small scale will be distributed to each member during the course of my remarks so the more glamorous map might be left unattended for a while.

Mr. May: We have a different connotation.

Mr Moiler: It will be known as "Charliemandering" from now on.

Mr Jamieson: Elbridge Gerry had nothing on this.

Sir CHARLES COURT: Perhaps if members listen to what is in the Bill, they will not be quite so upset.

The purpose of this Bill is to make certain adjustments to the boundaries of the metropolitan area as currently specified in the Electoral Districts Act and, together with associated amendments to the Constitution Acts Amendment Act which I shall be moving shortly, to increase the number of Legislative Assembly electoral districts in the redefined metropolitan area and to provide for the creation of an additional metropolitan province.

There has been extensive growth in population in several electoral districts within the present agricultural, mining and pastoral area, but just beyond the boundary of the metropolitan area. Members are doubtless aware of the great expansion in population north of Sorrento and of similar increases in the sizes of residential areas in the Dale, Kalamunda, and Rockingham areas.

It is beyond doubt that those areas, which are now closely residentially settled and are on the fringe of the existing metropolitan electoral area, have themselves become metropolitan in character, and it seems to the Government that there is every reason for adjusting the boundary of the metropolitan electoral area under the Electoral Districts Act so as to include within that metropolitan area a substantial part of these areas which have become closely settled in recent years.

I must say that the noise of unfolding the maps reminds me of the time when the judge at the Crystal Palace had to ask the people in the audience to refrain from turning over their scores because he could not hear the music!

Comparative figures of electors in the metropolitan and agricultural, mining and pastoral areas at the time of the previous adjustment of boundaries in 1961, and at present, are relevant to this situation, and are as follows—

	Agricultural, Mining, and Pastoral	Metropolitan
Prior to 1961 Adjustment	228 912	137 135
Following Adjustment 1961 ..	231 937	134 110
Present figures 1975	405 232	219 737

Accordingly, this Bill seeks to redefine the metropolitan area as being the area specifically described in metes and bounds in the schedule to the Bill. Maps giving useful visual reference for members have been prepared and circulated.

In the Government's view, it is a necessary consequence of such an extension of the boundaries of the metropolitan area in the manner described to increase also the number of electoral districts within the metropolitan area so that the number of electors in each electoral district within the newly enlarged metropolitan area is not excessive.

The Bill thus proceeds to direct the electoral commissioners to divide the metropolitan area into 27 electoral districts, being an increase of four on the present number.

The proposed increased number of electoral districts returning members from the metropolitan area to the Legislative Assembly in turn requires an increase in the

number of electoral provinces within the metropolitan area. At present three of the metropolitan provinces comprise five electoral districts and the other two comprise four electoral districts.

The Bill proposes to require the electoral commissioners to divide the metropolitan area into six electoral provinces so that it is possible to retain the situation where three electoral provinces are each constituted by five electoral districts. The remaining three electoral provinces will thus each be constituted by four electoral districts.

The creation of an additional electoral province in the enlarged metropolitan area does raise some transitional complexities which I shall explain in detail shortly when moving the introduction of the other Bill.

Members may recall that I have stated that the commissioners will be required to divide the metropolitan area into 27 electoral districts. Similarly, the commissioners will be required to redivide the agricultural, mining, and pastoral area into 24 electoral districts, that being the existing number of electoral districts within that area. The provision of a requirement that the electoral commissioners shall divide each of those two areas into specified numbers of electoral districts, respectively, does constitute a significant change from the present legislation.

Members will be aware that section 5 of the Electoral Districts Act currently provides that the respective numbers of electoral districts within the metropolitan and agricultural, mining, and pastoral areas is ascertained by the use of the quota provided for in that section.

Mr Bertram: We are very much aware.

Sir CHARLES COURT: The commissioners are required by the present Act to aggregate the total number of electors in the agricultural, mining, and pastoral area and one-half of the number of electors in the metropolitan area, and the grand total so ascertained is divided by 47, that being the number of existing electoral districts in the State other than in the north-west-Murchison-Eyre area.

It is the Government's view that the quota provisions in section 5 which respectively apportion the total number of seats between the agricultural, mining, and pastoral area and the metropolitan area should be dispensed with. It is the Government's view that it should be a matter for the Parliament, from time to time, to determine the respective total numbers of Legislative Assembly seats to be provided for each of those areas. The Bill accordingly provides for the repeal of section 5.

The Government further believes that adequate representation of country areas and country interests in the agricultural, mining, and pastoral area cannot be maintained with a lesser number of electoral districts than the present 24, and the Bill provides accordingly.

It must also be borne in mind, however, that the Bill, by creating four additional electoral districts within the new metropolitan area, is recognising the need to enlarge the number of metropolitan seats so as to enable proper representation to be given to electors within the metropolitan area.

The Bill does not disturb the commissioners' discretion to use an allowance of 10 per centum more or less for taking into account the number of electors to constitute a metropolitan electoral district, but the Bill proposes to extend the commissioners' discretion in this regard when dealing with electoral districts in the agricultural, mining, and pastoral area. The Bill proposes that the commissioners shall have an allowance of 15 per centum more or less than the quota for that purpose.

The principal reason for allowing a greater allowance in the agricultural, mining, and pastoral area is that, particularly in the more remote parts of the State, it is more difficult to give proper regard to other criteria of community of interest, means of communication, distance from the capital, and physical features if the numerical allowance is limited to 10 per cent. Members will be interested to know that an increase in the allowance to 15 per cent was recommended by the commissioners as long ago as 1955 in their report—see the *Government Gazette* of the 22nd August, 1955 at p. 2000.

The Bill does not propose to make any change at all to the constitution of the north-west-Murchison-Eyre area either as to the gross boundaries of that area or to the boundaries of the electoral provinces and districts presently existing therein.

Mr J. T. Tonkin: Does that not create an anomaly with regard to the Pilbara?

Sir CHARLES COURT: In what way?

Mr J. T. Tonkin: Because there are so many more electors in the Pilbara than there are in all the other places.

Sir CHARLES COURT: We accepted the principle which exists, and which the Leader of the Opposition went along with for a long time.

Mr J. T. Tonkin: That is not the principle at all. It is the very negation of the principle.

Sir CHARLES COURT: I do not think the honourable member is being consistent. One either accepts the principle or one does not.

Mr J. T. Tonkin: Irrespective of the number of electors? What a lot of nonsense that is.

Mr Young: When the Opposition held the seat it was not nonsense.

Mr Bryce: How many people will have to live in the Pilbara before it is split up?

Sir CHARLES COURT: I suggest we get the Bill launched and have comments during debate. But I remind members opposite that they survived as a Government for a long time because of the northern seats. I think it was regarded as a happy situation then.

Mr Jamieson: Forrest was represented with 70 electors. How far are we to go back?

Mr Bertram: Forty years!

Sir CHARLES COURT: Not very far.

Mr Jamieson: If you want to go back, you can keep on going back.

Sir CHARLES COURT: The best electoral reforms have all been made by Liberal-Country Party Governments.

Mr Jamieson: That is nonsense, and the Premier knows it because every time we get knocked out.

Mr J. T. Tonkin: Give the reason.

Sir CHARLES COURT: I remind members opposite of the shock they received when the Liberal-Country Party Government provided adult franchise for the Legislative Council.

Mr Jamieson: What a shock it was to you people when we agreed to it.

Sir CHARLES COURT: When the Opposition agrees to a Government Bill on electoral laws, one takes it back to the Crown Law Department to have another look at it.

Mr Hartrey: I agree you have a good sense of humour.

Sir CHARLES COURT: One needs it in this place. I confess—as I think the Deputy Leader of the Opposition knows—that when the Opposition agreed to the particular Bill he mentioned I adjourned the debate so that we could have another look at it.

Mr Jamieson: We did not give you a chance for a second adjournment. We pulled all the speakers out.

Sir CHARLES COURT: When an Opposition agrees to a Government electoral Bill, it is time to look at it. I remind members opposite that all the worth-while reforms in electoral law have been made by Liberal-Country Party Governments.

The Bill proposes that the commissioners shall, by the 1st June, 1976, proceed to undertake and complete a total redistribution of—

(a) the metropolitan area into 27 electoral districts and six electoral provinces; and

(b) the agricultural, mining, and pastoral area into 24 electoral districts and eight electoral provinces.

Assuming that the legislation was passed early in the present sitting of this Parliament, there will be sufficient time for the commissioners to undertake that task properly by the 1st June, after allowing for objections, and have their final recommendations prepared in ample time for the redistribution resulting therefrom to be operative for the next general election due to be held in 1977.

The Government believes that the proposals outlined above, combined with the proposals contained in a Bill which I am shortly to introduce, constitute a fair and sensible solution to a problem which is getting worse day by day as the metropolitan-based population extends beyond the current boundaries of the metropolitan area as defined in the Electoral Districts Act into the agricultural, mining, and pastoral area.

In commending the Bill to the House, I ask members opposite to have a good look at it and not be too hasty in condemning it. This State has a vast area and a small population. The tremendous wealth of the State is produced away from the metropolitan area and those people are entitled to be represented. For instance, we have an area like the Kimberley which is one-third bigger than Victoria; and one electorate is the size of South Africa.

Mr Bryce: Horse and buggy nonsense.

Sir CHARLES COURT: I am trying to mention a few general matters which I believe are of interest to the public if not of interest to the people opposite. I believe the areas which produce the wealth of the State and the nation are entitled to proper representation—

Mr Bryce: Of course they are—equal representation.

Sir CHARLES COURT: —not on the basis which members opposite apparently want, which would be virtually no representation. I also want to make this observation: many amendments have been made to the electoral laws, all of them I believe moving in a certain direction.

Mr J. T. Tonkin: There is no doubt about that.

Sir CHARLES COURT: I believe all of them are moving in a direction which increases the representation of the metropolitan area as a total proportion, and acknowledging certain principles. For instance, when the Liberal-Country Party Government of Sir David Brand brought in adult franchise for the Legislative Council, surely that was a move towards the principles which the Opposition so vehemently espouses. I remind members that in a State as vast as this one is and developing as it is, it is not a bad thing to remember the old adage "Eric or Little by Little". We cannot plunge into some of the philosophies which some of the members opposite have espoused when in fact they themselves do not accept them in their own internal organisation.

Mr Jamieson: When since? You should follow the amendments to the rules if you want to quote your opposite party. You should be sure of your facts, and you are not now.

Sir CHARLES COURT: I am very conscious of some of the methods under which some of the Labor Party's organisations function—advocating, on the other hand, that other people should follow different principles.

I want to make another observation. This Bill is a very important one, and I know it is a sensitive one so far as the Opposition is concerned. I suggest to the Leader of the Opposition, at his discretion, that when he adjourns the debate he adjourn it for a fortnight. If he does not adjourn it for a fortnight, I say here and now that we do not intend to bring it on in less than a fortnight because I think he will need that amount of time to consider it. If the Leader of the Opposition finds he wants any further details in regard to it, we can discuss a further adjournment.

Mr May: Can you tell me why the Government is altering the boundaries and why it was not left to the tribunal?

Sir CHARLES COURT: I should imagine the Parliament is the right body to change the boundaries of the metropolitan area.

Mr Moiler: Could you advise me who recommended the boundaries you are now suggesting?

Sir CHARLES COURT: My understanding is they have been worked out having regard for the movements in population in the metropolitan area.

Mr Moiler: Could you tell us who recommended them?

Sir CHARLES COURT: They were certainly not recommended by me personally.

Mr Moiler: Are you unable to advise this Parliament who recommended those boundaries?

Sir CHARLES COURT: I advise the honourable member, who is apparently ignorant of Cabinet procedures, that the Minister for Justice is the Minister responsible for this department and he brought forward the recommendations in respect of the amending Bill. The Minister for Justice brought the matter to Cabinet and Cabinet decided to introduce the Bill, which is the legislation before the House.

Mr Moiler: You will not tell us who made the recommendations?

Sir CHARLES COURT: I am saying the Minister for Justice brought the recommendations to Cabinet. How else could they get there? The honourable member had better study Cabinet procedures.

Debate adjourned for two weeks, on motion by Mr J. T. Tonkin (Leader of the Opposition).

CONSTITUTION ACTS AMENDMENT BILL (No. 2)

Second Reading

SIR CHARLES COURT (Nedlands—Premier) [3.19 p.m.]: I move—

That the Bill be now read a second time.

As members will know from the remarks which I have just made in moving the second reading of the Electoral Districts Act Amendment Bill, it is proposed to create an additional four electoral districts within the metropolitan area, as proposed to be extended by that Bill, and to create an additional electoral province within the metropolitan area as so extended.

Such a proposal also necessitates amendments to the Constitution Acts Amendment Act which is the Act which principally deals with the constitution of the Houses of Parliament as distinct from electoral boundaries. Accordingly, this Bill seeks to enlarge the membership of both this House and the Legislative Council, and clauses 2 and 3 of the Bill provide accordingly.

Members may also recall that I mentioned, when remarking on the previous Bill, that the creation of an additional province within the metropolitan area requires special provision to avoid transitional difficulties.

If the metropolitan area, which is currently divided into five electoral provinces, is redivided with effect from the 21st May, 1977, into six such provinces, each of those provinces so created will have some common ground with one or more of the existing five, and it is likely to be most difficult to say that any of the six electoral provinces is "the new" province.

The first problem to be faced, therefore, is the allocation of new metropolitan provinces to each of the five Legislative Councillors who still have three years to serve on and from the 21st May, 1977. There will be, I repeat, from that date, six metropolitan provinces, so that the situation is not comparable with that which existed in 1965 when 15 Legislative Councillors were given the right to choose or to have allocated to them one of 15 new provinces. It is the fact that there will be more provinces than continuing members which is different from the previous situation.

When the electoral commissioners have redivided the enlarged metropolitan area into six, in lieu of five, electoral provinces, it is quite likely that one or more of the new provinces will have substantially common ground with a previous metropolitan electoral province. It is the Government's view that in those circumstances the person who held an old electoral pro-

vince which is substantially the same as a new province should have a prior right to have that new province allotted to him.

To give effect to this policy the Bill provides that where a new metropolitan province contains more than 50 per cent of the same electors as were enrolled for an old metropolitan province, then the member for that old metropolitan province has a prior right, if he so desires, to have that new province allocated to him.

In order that the Legislative Councillors concerned will know before making their choice, whether they have a prior right to any particular province, the Bill requires the Chief Electoral Officer, as soon as practicable after the electoral commissioners have made their final report and recommendations, to publish in the *Government Gazette* a notice specifying each old and new metropolitan province which has 50 per cent common electors as at the 30th September, 1975, that being the same date as the date on which rolls are to be made up for use by the electoral commissioners in effecting the redistribution.

Apart from that, the Bill follows basically the pattern set for the 1965 situation in that where two or more members—none of whom has a prior right under the 50 per cent rule—apply for the same province, a ballot is held to determine which of the applicants is to have that province allocated to him.

The Bill then has to take account of a possibility that two or more Legislative Councillors make only one nomination for the same province, and thus, even after the ballot is held, there are two or more of the six provinces left without a continuing councillor. In that event the Bill provides that the Chief Electoral Officer shall place slips containing the names of the unallotted electoral provinces in one box and slips containing the names of the councillors to whom no province has been allotted in another ballot box, and a slip is withdrawn simultaneously from each of the boxes until no further names of continuing councillors remain in the appropriate ballot box.

It almost sounds like a Calcutta; I hope there will be no betting on it! There would, of course, still be one slip left in the ballot box containing the names of the unallotted provinces, there being one province which will not have a continuing councillor, because there are only five continuing councillors and six new provinces.

Members may recall that in 1965 the continuing Legislative Councillors were not required to make their choice until after the general election. It will be readily apparent that if that were followed again in 1977 there would be no continuing councillor for one province, and accordingly the Legislative Council would have 31 members from the 21st May, 1977, until the 21st May, 1980.

The Government wishes to retain the traditional situation whereby each electoral province is represented by two members, and thus in order to effect that result it is necessary to depart in another respect from the procedure adopted in 1965.

The Bill proposes to require the five metropolitan Legislative Councillors to make their application prior to the 1977 general election and in fact almost immediately after the publication of the commissioners' final reports and recommendations and the notice of the Chief Electoral Officer specifying the electoral provinces which have more than 50 per cent common electors. This should ensure that by the end of July, 1976, the allocation of new metropolitan provinces to the continuing metropolitan Legislative Councillors will be complete, and thus, by the end of July, 1976, the metropolitan province for which there is to be no continuing Legislative Councillor will have been identified.

It is then possible for the Bill to proceed to require the conduct of a separate election on the same day as the 1977 general election to elect a Legislative Councillor for a three-year term for that sixth metropolitan electoral province and the person elected at that separate election will, of course, sit from the 21st May, 1977, until the 21st May, 1980.

The Bill provides that nothing in the Bill or in the Electoral Districts Act Amendment Bill would affect the term of office of any member presently holding office in either House, nor the boundaries or name of the seat for which he was elected, subject only, of course, to the provisions dealing with the allocation of new metropolitan electoral provinces to Legislative Councillors due to retire in 1908.

I commend the Bill to members.

Debate adjourned for two weeks, on motion by Mr J. T. Tonkin (Leader of the Opposition).

Display of Map

THE SPEAKER (Mr Hutchinson): Before proceeding with the next order of the day, I want to express my regret to members of the House that when I caused the unveiling of this picture—as I called it—on the wall beside and behind the Speaker's Chair, I said that it depicted the redistribution of boundaries. I am sorry for that mistake because it merely depicts, as members are aware, the new delineation of the metropolitan boundaries as a whole.

MARKETING OF BARLEY ACT AMENDMENT BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [3.29 p.m.]: I move—

That the Bill be now read a second time.

The intention of the Bill is to extend the provisions of the Marketing of Barley Act

for a further five years from the date of its expiry on the 9th December, 1975.

As members may be aware, the Western Australian Barley Marketing Board has had an ongoing agreement with the Grain Pool of Western Australia for the Grain Pool to act as its marketing agent and provide any of its staff requirements. This agreement required 12 months' notice of termination by either party.

In view of the proposal to establish a single grain marketing authority and the lapsing of the Act on the 9th December, 1975, the board gave notice of intent to the Grain Pool to terminate this agreement as from the 30th June, 1975.

Mr Jamieson: This is to aim for a socialist marketing procedure, is it?

Mr OLD: As a result, there is no agent authorised to forward sell the 1975-76 barley crop.

Mr Bryce: He did not hear you.

Mr Jamieson: I should imagine he wouldn't want to.

Mr OLD: I beg your pardon?

Mr Jamieson: I said nothing.

Mr OLD: The grain market is volatile and it is normal practice to forward sell part of the crop in the September-October period in order to spread the marketing risk and to establish some forward sales as a basis for consideration of the guarantee of the first advance given by the State Government.

The board did not feel able to make arrangements for the sale of the 1975-76 crops unless it was assured that the Act would be continued in the event of a single grain marketing authority not being established.

To the extent that the majority of the barley could be delivered after the 9th December, the position adopted by the board can be supported since contracts could be signed for a quantity of barley which would not then be available.

I would like to impress upon members that this is purely an interim measure until a single grain marketing authority can be introduced. I commend the Bill to the House.

Debated adjourned, on motion by Mr H. D. Evans.

POLICE ACT AMENDMENT BILL (No. 2)

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Police) [3.33 p.m.]: I move—

> That the Bill be now read a second time.

Although the Bill is rather lengthy, most of its provisions are comparatively simple and are related to monetary penalties. These are no longer in keeping with present-day values, inflation having largely dissipated their deterrent value.

The Bill makes provision to increase the maximum fines and/or penalties prescribed by the Act to relate them to their actual worth when last revised in 1965. In most cases, the relationship between fines and imprisonment has been kept to a ratio of approximately one month's imprisonment to a $100 fine.

The Bill also provides for a strengthening of the laws relating to prostitution. The present laws do not permit adequate control of traditional prostitution operations and are quite unsuited to its new manifestations; for example, bogus escort agencies which can be operated blatantly as agencies for prostitution without an offence being committed. The normally accepted approach is to limit legislative enforcement to controlling the conduct of prostitutes and those managing or assisting them. The present laws fail to provide this protection to the public and leave the police powerless to deal with some new manifestations of it.

The present section 76F which deals with "keeping of premises"—that is, "keeping or acting in the assistance or management of premises for the purpose of prostitution"—has its weaknesses and the proposed amendment of this section should adequately deal with the weaknesses at present experienced.

In the proposed legislation the interpretations of the words "brothel" and "premises" are explicitly defined and have been made more realistic on present-day trends. Where present-day case law provides protection for a person prostituting herself alone in her own house, flat, etc., and who is receiving legitimate income and/or is supported by other lawful means —that is, husband, *de facto* husband or other relative—the proposed amendment ensures that offenders who now engage in such an unlawful profession without fear of prosecution, could be dealt with accordingly.

The term "premises" has now been defined to include any vehicle or boat and any part of any premises, which will cover the situation of cars, caravans or buses being used for purposes of prostitution as has occurred in the north-west of this State, and the use of boats which has occurred in other States.

The amendment will also more adequately provide for persons who, although having no physical connection with a brothel or prostitute, receive money for organising, protecting or assisting in the unlawful business of prostitution. Although the law does at present cover this aspect to a certain extent, there are weaknesses that have been found by those enterprising persons who sit on the sidelines separated from the offence by legal representation and advice from such sources.

The proposed legislation will also provide that any premises used for purposes of prostitution will be deemed to be a

brothel irrespective of any other purpose for which those premises may be used.

Section 76G of the present Act has been covered in part by the proposed amendment to the previous section. However, the proposed amendment of this section would cover those persons living wholly, or in part, on the prostitution of another as well as being habitually in the company of a prostitute and having no visible means of support.

A new section of the Police Act has been drafted and proposed as section 76GA, providing for persons publicly loitering, accosting or soliciting for the purpose of prostitution. The word "publicly" is defined by incorporating places of public access or view or within hearing of such places.

Again, the offence of soliciting is covered in the present Police Act, section 76G (1)(b), but the reference to public place is not defined adequately to cover present-day needs.

Weaknesses have also become apparent in the section of the Police Act relating to the unlawful use of drugs. Some doubt has been expressed about the widely held belief that there is only one species of cannabis (sativa). Defence counsels have produced evidence from botanists who claim that there are several species. Should this argument be accepted by the courts a serious problem would arise in relation to our present definition of cannabis. Thus, it is proposed to amend the definition to include any plant or part thereof of the genus cannabis.

The Bill also includes a definition of "cannabis resin" to overcome legal problems an analyst might encounter in proving he has analysed a specific quantity of cannabis resin. This substance is invariably contaminated with some other matter.

At the present time a person can be stopped and searched only if he is suspected of being in possession of drugs which he has obtained as a result of theft.

Some dangerous drugs are virtually impossible to steal; cannabis, cannabis resin, tetrahydrocannabinol, lysergic acid diethylamide, and heroin are examples of such drugs. They are almost totally prohibited and any such drugs smuggled into the country would fall into the same category.

The provisions in the Bill will give the police greater power to stop, search, and detain persons in vehicles reasonably suspected of having or conveying dangerous drugs.

An unnecessarily restrictive section of the Act will be expanded to allow a police officer or officers other than those nominated on a search warrant to search premises for drugs. This will enable another police officer to take over from the original police officer when the first is unavailable.

The Bill also gives definite powers of search. For example, where some person drives his motor vehicle onto a property, the property being the subject of a search warrant, the searching officer will also have the authority to break open the car, if he reasonably suspects it may contain drugs.

The Bill also expands the power of the search warrant by allowing for the seizing of money found on persons where there is evidence to show that such money has been obtained from the sale of drugs or is an integral part of a transaction in dangerous drugs.

Mr Hartrey: What sort of evidence would that be?

Mr O'CONNOR: Sufficient evidence must be produced before the courts. Let me relate a case which occurred not very long ago. A person arriving in Western Australia after travelling from the United States through Singapore was found to have a double bottom in his suitcase. However, he was not picked up immediately but managed to get through customs. When he was apprehended he was found to have something like $5 000 or $6 000 in Australian money in his possession which he admitted had been paid to him for the sale of drugs. As the honourable member would know, the police must present sufficient evidence to the court so that the court is satisfied the money came from that source.

Mr Hartrey: That would not be much consolation to the chap who lost his $5 000 if he had not received the money in that way.

Mr O'CONNOR: If the money were received from some other source it should not be difficult to prove.

Perhaps I can illustrate the effect of this proposed legislation by quoting an example. A foreigner who had arrived in Perth two weeks previously was arrested and in the lining of a suitcase the detectives found about one and a half pounds of high grade cannabis which the man had smuggled into the country. It was obvious that the cannabis was only a portion of what he had in his possession. He was also carrying a substantial sum of money in Australian currency.

There was ample evidence to show that he had obtained this money from the sale of drugs in Perth but no action could be taken with regard to it under existing legislation and the police were compelled to return it to him.

I do not think any of us want to see these people retain their ill-gotten gains, particularly when they come from the sale of hard drugs purchased by people who are often seriously affected, medically, after the use of these drugs.

Amusement machine parlours have proliferated over recent years and are still on the increase. Many of them have developed into trouble spots and require regular attention by the police. Problems

are also being experienced in identifying machines which may offer some advantage or reward to a winner, contrary to the Act.

To provide more adequate control over these establishments, it is proposed to limit the times during which they may operate to between 8.00 a.m. and midnight on any day other than a Sunday, Christmas Day, or Good Friday, and from 10.00 a.m. to 8.00 p.m. on Sundays.

To prove that a machine is a gaming machine it is sometimes necessary to inspect it internally. Although the present legislation permits the police to seize suspected machines they have no power to open them when this is necessary to verify their suspicions. The Bill before members remedies this defect.

From time to time outmoded terms currently in use in the parent Act have been subject to criticism. I am sure the member for Boulder-Dundas will be pleased to hear that the following expressions are to be deleted—

idle and disorderly person;
rogue and vagabond; and
incorrigible rogue.

Their deletion poses no legal problem and will not affect the provisions of the sections in which they appear. It is therefore proposed to amend the Act accordingly and at the same time provide a monetary penalty in addition to the prison sentence already prescribed for offences committed under the relevent sections.

I might mention that it was the member for Boulder-Dundas who brought these points to my notice.

Mr Hartrey: It was the English Court of Appeal which brought it to my notice.

Mr O'CONNOR: Well, it was the honourable member who raised it with me, and I thank him.

Sections of the Police Act make it an offence for unsentenced persons to break out or escape from legal custody. However, there is no provision in the Act which makes it an offence to assist the escapee, although the Criminal Code provides heavy penalties for assisting an escaped sentenced prisoner. The Bill adds a new section to the Police Act to provide for the case of the unsentenced person.

The courts recently ruled that a small steel mallet carried by a demonstrator was a defensive weapon as distinct from an offensive weapon and accordingly acquitted the man of a charge of carrying an offensive weapon. The position now appears to be that any demonstrator or other person can carry an undefined weapon of some kind without committing an offence so long as he does not use it in attack and claims he is carrying it for his own defence.

Sitting suspended from 3.45 to 4.04 p.m.

Mr O'CONNOR: It is proposed to amend the section to make it an offence to carry any article made or adapted for use to cause injury or intended for such use. It is believed that this amendment will resolve the present problem. The only other amendments are of a minor nature and are the result of changes to other Acts, or in one case to rectify an error in the present Act.

Debate adjourned, on motion by Mr Moiler.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Transport) [4.06 p.m.]: I move—

That the Bill be now read a second time.

The Bill before the House contains amendments which, from experience, have been found to be necessary so as to clarify the powers of the board to act on recommendations of the public inquiry conducted by retired magistrate H. G. Smith, to implement policies in public interest, and to provide the machinery for the administration of such policies.

Amendments to the Transport Commission Act and the setting up of the Road Traffic Authority necessitate changes to the section of the Act dealing with interpretations and the composition of and appointment to the Taxi Control Board, and the opportunity has been taken to enable the election of the third industry member of the board to be truly representative of the whole of the industry, rather than as at present by nomination from a particular association.

Currently the Act provides that subject to the Minister this Act shall be administered by the board. A proposed new subsection lays emphasis on the fact that the board must determine its policies and recommendations with regard to the provision of service in the interest of the public.

The purpose of this additional subsection is to remove any legal doubt that it should "initiate or implement" such actions as it considers necessary towards the organising of a taxi industry aimed at achieving maximum service in public interest.

The Act provides that the expenses of the administration of this Act shall be administered by the board. Whilst the normal costs of administration are expected to be met out of revenue received from the industry by way of license fees and premiums payable on the issue of new licenses, provision has been made that should it become necessary for additional funds to be available for the implementation of new policies, funds could be made available subject to the approval of Parliament.

In effect, this is a precautionary extension of the present provision to meet the costs of administration and includes provision for the payment of money from other sources into the taxi control fund should the necessity arise.

As a result of the previously mentioned public inquiry there have been some expressions of legal opinion that the board's powers in relation to disciplinary action are not clearly defined. To clarify the position, the Bill contains amendments designed to define these powers.

It is intended that the responsibility of the board will extend to all matters relating to taxi-cars other than safety considerations, and amendments will enable the board to announce, subject to ministerial disallowance, fares and charges particularly in cases where it is considered that in the public interest multiple hiring should be permitted; they will empower the board, subject to ministerial disallowance, to approve of the application of multiple hiring on such occasions as major sporting events, etc.

Definition of the powers of the board in relation to the registration of taxi-car drivers and radio facilities and to provide disciplinary procedures for the conduct of owners and operators is included, extending the powers of the board to registering radio facilities. Members will appreciate that the basis of an efficient taxi service is an efficient radio network and for this reason it is intended that these facilities be registered by the board.

Provision has also been made to enable the board to secure information in relation to taxi services and to prevent information secured in such a manner from being conveyed to unauthorised persons.

It is also intended that it will be an offence for any person to interfere with the transmission or reception of taxi radio broadcasts and appropriate penalties are designated.

In the interests of discipline, a clause is included which will empower an inspector to seize a taxi-car license plate if a person refuses to comply with a lawful demand to return the plate to the board.

Authority is also provided for the board to accept responsibility for all matters directly associated with the operation of a taxi-car and for the board to take over the testing of taxi meters. This will not alter the present position that the Road Traffic Authority will be primarily responsible for the mechanical fitness of the motor vehicle.

The repeal and re-enactment of section 22E provides authority for action to be taken against the owners of private motor cars who illegally park on taxi stands, obstruct traffic and cause inconvenience to the public and taxi-car operators; and amendment of section 23 will empower inspectors to conduct inquiries into the illegal use of private motorcars as taxi-cars.

Although the Act provides that the Commissioner of Transport be chairman of the board, it is obvious that the commissioner cannot carry out all the acts of day-to-day administration and provision for delegation to the deputy commissioner or officers employed by the commissioner is included as a normal administrative procedure.

Provision is made for clarification as to the ownership of taxi-cars licensed by the board and determines penalties for offenders against this section. A new subsection has been added to enable the board, for administrative efficiency, to stagger the issue of licenses. Another new subsection provides for the renewal of licenses to be subject to compliance with the board's requirements in relation to taxi-cars.

It is felt to be only fair that the board may where justified make refunds of taxi-car license premiums if an operator is forced to surrender his premium issue license on which money is still owing to the board and the Bill will facilitate this action.

The present maximum license fee was set in 1963 and although the taxi-car license fee is currently only $25 a new maximum limit has been set so as to avoid further amendment to meet the present inflationary trend. It is not intended to increase the license fee of $25 in the reasonably foreseeable future.

This section also enables the setting of a lower license fee to restricted area licenses and although on present indications it is not envisaged that increases in license fees will be necessary, and the proposal is to set the maximum fee for restricted area taxi licenses lower than that applicable to an unrestricted taxi these amendments have been introduced to meet present trends.

In the case of transfer fees, again the maximum fee has been raised to meet the present inflationary trend.

Amendment to clause 22D of the Act permits an operator of taxi-cars to purchase up to a maximum of five taxis provided he is involved full time in the taxi industry. It is considered that a fleet of five cars is the minimum number that a person could operate as an entity and make a reasonable living.

The opportunity has been taken to define clearly the board's disciplinary powers in line with the paramount consideration of the interest of the public in the provision of an adequate taxi service. Furthermore, the board's responsibility in disciplinary action is clarified. Provision is also made

for the day-to-day administration of discipline of drivers to be dealt with by the chairman and subject to appeal to the local court.

The general penalties section has been amended to make maximum penalties in line with current money values.

Several of the clauses in the Bill are machinery clauses necessary to the implementation of the amended Act and will be dealt with in detail at the appropriate time.

Members will appreciate, I feel sure, that although on first impression the amendments would appear to be considerable, the opportunity has been taken to clarify the board's powers with the emphasis on public interest so as to enable the board to implement policies aimed at improving taxi services and at the same time to take appropriate disciplinary action.

An all-out effort has been made to provide the administrative machinery necessary to manage efficiently an industry which must play an important part in the passenger transport task. I commit this Bill for the consideration of members.

Debate adjourned, on motion by Mr Moiler.

TRANSPORT COMMISSION ACT AMENDMENT BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Transport) [4.16 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before the House contains several amendments which experience has shown to be desirable in the administration of the Transport Commission Act.

The definition of officer has been amended to include an officer of the newly constituted Road Traffic Authority. This will enable officers of that authority to assist in inquiries should the occasion arise.

It is also proposed to amend the interpretation of the term "omnibus". An omnibus is now defined as "a motor vehicle used or intended to be used . . . to carry passengers at separate fares". This excludes vehicles which carry passengers on a charge-per-mile basis, which is not contributed to by the passengers individually. At present there is no legislative control over the operations of these vehicles but they do have a bearing on the conduct and economy of organised tourist services as well as on regular commuter services.

In the amended definition the words "at separate fares" have been replaced by the words "for hire or reward". The present interpretation also conflicts with the provisions of the Taxi-cars (Co-ordination and Control) Act on occasions when taxis are authorised under that Act to carry passengers on a multiple hiring. It is considered that the control of taxis should be confined to the Taxi-cars (Co-ordination and Control) Act, whether they operate on normal hirings or on multiple hirings. For this reason the amended interpretation excludes licensed taxis from the provisions of the Transport Commission Act.

A new provision will empower the commissioner to borrow money, subject to the approval of the Treasurer. Experience has shown that without this authority expenditure of a capital nature, such as the provision of office accommodation and other facilities, has had to be met from annual revenue. This has had the effect of concentrating the whole expenditure on any occasion as a debit against the income of one year, or two years at the most.

To avoid undue charges against any one year, it has been necessary in the past to carry out office extensions on a piecemeal basis by a series of small contracts spread over several years, which has caused overall undue delays and inconvenience, instead of adopting the more economic and satisfactory method of a single contract when extensions are needed.

If loans can be raised to cover items of capital expenditure the cost could be spread over a number of years instead of becoming a burden in one or two years only.

I turn now to the section of the Act which prescribes the maximum fees which the commissioner is authorised to charge for licenses. For the most part the fees charged have always been below the maximum prescribed by the Act, even though increases have been necessary from time to time to cover rising administration costs. The commission has no control over increases in such costs as salaries and wages, motor vehicle maintenance rates, printing and stationery, electricity, and so on. These items have increased so much in the last few years that the present limit of $1 per 50 kilograms of the gross weight of a vehicle—which has remained the same since 1933 and is not related to present money values—no longer enables adequate coverage of administration costs.

Having regard to the future, the amendment proposes increasing the limit from $1 to $2 for each 50 kilograms of the gross vehicle weight.

If the amendment is agreed to it will have no immediate effect on the present license fees for the majority of vehicles. It is only at the upper levels of the scale that the existing limit of $1 is inadequate.

The proposed increase in the maximum fees chargeable is related only to commercial goods vehicles. In the case of omnibuses and aircraft, fees are based on

a percentage of the gross earnings and are automatically increased as fares are increased to cover rising costs from time to time.

Section 35 of the Act, as now written, provides that applications for commercial goods vehicle licenses must be in writing. It has been the practice for operators to seek approval by telephone to operate, so it is now proposed legally to empower the commissioner to issue licenses retrospectively so as to remove any doubt as to the action of the commissioner in providing a convenience to transport operators.

Under section 49 of the Act, the driver of a vehicle is required to supply an inspector, on request, with certain particulars including his name and address. On occasions some drivers give their address as a post office box number or "care of" some service station which they occasionally patronise. This does not enable the driver to be contacted when necessary. The amendment proposes to replace the word "address" with "place of abode".

It is intended to add two new subsections to section 50 of the Act. This section makes the driver and owner of a vehicle guilty of an offence where goods are carried without the requisite license or where goods are carried in excess of what the license authorises. It provides fines not exceeding $100 for a first offence; $200 for a second offence; and $400 for any subsequent offence.

In practice, maximum fines are seldom imposed by the courts and it frequently happens that the amount of a fine plus any costs ordered against a defendant are less than the amount of fees he has evaded by not obtaining a license or permit. This is an inducement to some operators to run without a permit to save money, although it involves the Transport Commission in extra work and cost.

Under some legislation—for instance the Road Traffic Act and the Road Maintenance (Contribution) Act—the courts are empowered to order payment of fees which have been evaded and the amendment proposed in clause 6 seeks to make the same provision as regards the Transport Commission Act.

The amount of fines or orders for payment of fees would still rest on the judgment of the court.

Section 62 of the Act authorises the disbursement of moneys derived from license and permit fees which have been paid into the Transport Commission fund. These are defined as—

> administration costs, including contributions to the superannuation fund; and
>
> subsidies to assist transport services or to provide omnibus shelters.

The section then goes on to provide that any surplus funds remaining at the end of each financial year shall be distributed to statutory authorities for expenditure on roads. In the case of aircraft license fees the surplus is retained in a fund from which grants may be made as necessary for the improvement of aircraft landing grounds.

During the year ended the 30th June, 1975, due to the state of the economy there was doubt as late as May, 1975, as to whether or not the Transport Commission would have sufficient funds to meet its administration costs. Fortunately, there was a slight improvement in revenue, although the full impact of rising costs of a year's trading has not been felt and there was a small surplus, for the year ended the 30th June, 1974.

Failing some material improvement in the financial position in the future recourse may be necessary to further increases in licenses and permit fees, but it is desired to avoid this as far as possible.

Over the past 10 years the commission has distributed surplus moneys totalling over $1.7 million. If a portion of this sum had been held in reserve the present financial difficulties would not have arisen and the decision to increase license fees could have been delayed.

The amendment now proposed is too late to assist the position for 1974-75 but the intention is to retain portion of any future surplus in an equalisation fund to cover financial deficiencies and so reduce the need to increase license fees.

The amendment defined in clause 8 of the Bill seeks to empower the Treasurer to authorise retention of any portion of future surplus for the purpose I have explained.

The final clause of the Bill proposes to amend the second schedule to the Transport Commission Act to provide an increase in the maximum license fees to be paid for trailers and semi-trailers.

Earlier, I pointed out the reasons for the proposed amendment of section 21 to increase commercial goods vehicle license fees from $1 to $2 per 50 kilograms of gross vehicle weight. Section 21 relates to rigid vehicles. The second schedule to the Act makes a similar provision for the maximum license fees for trailers and semi-trailers. For the same reasons, the new scale now proposed would raise the maximum level to approximately twice the amount provided in the present Act—which has not been changed, except for metrication, since it was originally enacted in 1933.

I am confident that the measures outlined will facilitate the efficient administration of the Transport Commission Act and commend the Bill to the House.

Debate adjourned, on motion by Mr McIver.

MINERAL SANDS (WESTERN TITANIUM) AGREEMENT BILL

Second Reading

MR MENSAROS (Floreat—Minister for Industrial Development) [4.27 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill before the House is to ratify an agreement between the State and Western Titanium Ltd. under which a new mineral sands industry is to be established near Eneabba, leading to the shipment of heavy minerals through the port of Geraldton and the processing of ilmenite in the company's existing plant at Capel.

The agreement is a forerunner of similar agreements to be completed with four more existing or potential mineral sands producers based in or near Eneabba. As these agreements will in due course also be brought before Parliament for ratification, it should be borne in mind when dealing with the present agreement that its terms will be adopted, to the maximum degree practicable, in each of these further agreements.

A major objective in writing these agreements is the achievement of a common rather than fragmented approach by the various companies to important aspects common to each of the projects. These are matters like water supply, transport, port development, townsite development, and environmental management.

The agreements also provide an opportunity for the State the better to ensure secondary processing and place an obligation on the companies seriously to consider the establishment of secondary processing facilities either individually or in conjunction with other companies. Those who will not process will have to make available 50 per cent of their contractually uncommitted production to a processing company.

Western Titanium Ltd. is a wholly owned subsidiary of Consolidated Goldfields of Australia. The company has been active in the mineral sands industry in the Capel area for many years and is well experienced in operating and upgrading techniques. It is well known that the company has achieved some success in the production of synthetic rutile from ilmenite and in so doing is lifting the value of the base product by some 1 000 per cent. It is also using significant quantities of Collie coal in its Capel operations.

The company's Eneabba project will lead to expenditure in excess of $14 million in the establishment of its wet concentration and dry separation plants near its mining area at Eneabba, its employee housing development at Leeman, and other matters. It will employ about 75 people and will produce and process about 250 000 tonnes of heavy minerals a year, including some 30 000 tonnes of rutile, 60 000 to 70 000 tonnes of zircon, and more than 150 000 tonnes of ilmenite.

This project, together with the other mineral sands developments proceeding in the area, make it feasible for the State to construct an 86 kilometre rail link from Eneabba to join the existing Western Australian Government Railways network at Dongara. That project is proceeding and it is anticipated that the railway will be established in time for commencement of the company's production in the second half of 1976.

Members will be aware that A. V. Jennings Industries Australia Ltd. began mining and processing in Eneabba during last year and Allied Eneabba Pty. Ltd. expects to be in production later this year. Each of these producers will in due course use the rail service.

I turn now to the provisions of the agreement and while dealing with them will outline the practical situation to which the provisions apply.

I should at this stage point out that the agreement bears a close resemblance in its framework to many mineral project development agreements written in the past. For example that comment applies to the first four clauses of the agreement in that until this ratification Bill has been passed and comes into operation as an Act only clauses 1, 3 and 4 are in operation.

The company has made considerable progress towards establishing its project and with the State's knowledge and consent has already entered into commitments in certain preliminary matters. Its detailed proposals must cover a mining and treatment project with a capacity to produce not less than 240 000 tonnes per year of heavy minerals, and must cover in detail the many matters specified in clause 5.

The proposals must include extensive provision for the protection and management of the environment. It will be noted that in addition to the details required under clause 5 (1) (i), under which the nature of the measures to be taken for the protection and management of the environment during the life of the project must be set out, clause 8 requires the company to carry out a continuous programme of investigation and periodical reporting regarding the progress of its management of environmental matters. Under this clause the State has the right to require changes in proposals commensurate with needs reflected by such investigations and reports.

The remaining terms of clause 5 relate to the use of existing infrastructure and evidence of marketing and financial arrangements. These, and the terms of clause

6, in regard to consideration of the proposals, the Minister's decision, arbitration, and the effect of nonapproval of proposals, are all similar to the usual terms of such agreements.

Clause 7 is also a clause common to agreements in more recent times. It ensures that there is machinery for State approval in the event of the company wishing significantly to alter or expand its project.

Clause 10 makes the usual provision for the company to use Western Australian professional services, labour, materials, and equipment in connection with the project. The clause also contains provision for the submission of reports concerning the degree of implementation of the provisions of the clause. The latter provision is a new policy introduced by this Government in order the better to monitor the usage of Western Australian products and to keep the company continuously aware of them.

The terms of clause 11 relating to roads are in the usual format. They require the company to be responsible for the construction and maintenance of its private roads and for the closure of such private roads to the public. They include company responsibility for any traffic conflict that may arise, and the usual provisions for the maintenance and use of public roads.

The establishment of the company's work force in Leeman some 40 kilometres by road from the mine site will lead to the establishment of an upgraded gravel road from Leeman to Eneabba via Coolimba.

The company's transport operations are dealt with under clause 12 of the agreement.

The company will be stockpiling some 90 000 to 100 000 tonnes per annum of its output at the port of Geraldton prior to shipment overseas and is planning to rail about 150 000 tonnes of ilmenite to Capel for upgrading in the company's synthetic rutile plant.

Under clause 12, all of the company's production of heavy minerals and any other bulk commodities required for the company's operations must be transported by rail. It also provides that the WAGR may carry commodities other than mineral sands but need only do so if it considers it to be an economical haulage undertaking.

The clause contains standard provisions in regard to the provision and maintenance of railway wagons, notice of transport requirements and conditions of carriage by the WAGR.

The freight rates as set out in the first schedule to the agreement are computed on the basis of, firstly, the Railways Commission supplying the railway, locomotives, brakevans, and wagons at its cost and, secondly, where the company supplies its own wagons, their being maintained and serviced by the Railways Commission. It will be noted that there is a minimum freight rate payable in connection with deliveries to both Geraldton and Capel.

Subclause (11) of clause 12 provides for the position where eventually the company and other companies operating in the area will wish to mine that land on which the railway is situated. Provided this is not earlier than the 1st January, 1980, the Railways Commission undertakes to relocate the railway at its cost so that mining may proceed.

Clause 13 deals with the supply of electricity to Eneabba, and places an obligation on the State Energy Commission to use its best endeavours to complete by not later than the 30th June, 1978, a 132 kv transmission line to Eneabba and a 33 kv feeder line to a point on or near the mineral lease to service the company's electricity requirements. Once this has been done the company must use the SEC's supply, at standard tariff rates.

The substantial costs associated with the transmission line project have caused a delay in the extension of the line beyond Gingin at this stage, but it is anticipated that the programme contemplated by the agreement will nevertheless be achieved.

In the meantime the SEC is supplying power from Three Springs and this situation will continue until the transmission line previously referred to is completed.

In the meantime the company has the right to generate its own electricity and to continue to operate its own system for such period as the parties may agree, even though the major transmission line and feeder line referred to have been completed. This will enable the company to obtain full use of its system for its economic life.

I turn now to a major factor covered by the agreement; namely, the supply of water to the mining area. The provision of water for each of the mineral sands companies located in the Eneabba area is of great significance as each is expected to use very large quantities of water and without assured supplies the development of the mineral field would be impossible. The Eneabba mineral area is located over what appears to be a major aquifer, but much has yet to be learnt about the characteristics of the aquifer and the water clause, clause 14, is drafted in the normal way to ensure full State control over investigation, development, and use of the resource.

The companies operating in the area have been asked to contribute towards an initial bore system designed to monitor the performance of the aquifer so that long-term safe draw can be reasonably ascertained. The State has strongly resisted any suggestion that the water should be mined. In the case of Western Titanium, its anticipated usage is 3.8 million gallons a day.

Clause 14 contains the usual provision regarding notice to be given by the company of its daily water requirements, search within the mineral areas at the company's cost, and responsibility for the cost of any search carried on outside the mining areas. The company will operate under the provisions of the Rights in Water and Irrigation Act and will construct at its own expense all of the facilities necessary to draw and reticulate to its mining area. The clause also sets out conditions under which the State can take over the company's water supply facilities and develop the scheme into a district or regional water supply.

Provision is also made for the supply of water to third parties, ensuring at the same time that the company's rights are protected to a reasonable degree, and for the investigation of surface water resources, payment for water where supplied by the State, and use of sea water where proposals are submitted and approved.

The next clause deals with the mineral lease, and at this point I seek leave to table a copy of plan "A", the plan referred to in clause 1 under the definition of mining areas.

The plan was tabled (see paper No. 278).

The plan shows 24 mineral claims coloured red and seven mineral claims coloured yellow. Under clause 15, as soon as practicable after the approval of proposals the company is required to apply for a mineral lease over as much of the areas coloured red as it requires, the red areas being mineral claims registered in the name of the company. A mineral lease in the form of the second schedule to the agreement will then be issued to it. The lease will be for the usual term of 21 years with rights of renewal for further periods of 21 years.

Not more than three years after the date of commencement—which is the date this Bill comes into operation as an Act—the company may, under subclause (7), apply for the areas coloured yellow to be included in the mineral lease, subject at that time to those areas by then being registered in the name of the company.

The present position is that two of the areas in question are about to be transferred to the company and the remaining five are jointly owned by Allied Eneabba Pty. Ltd. and Western Titanium. Settlement as to sole ownership has yet to be negotiated but provided this is done within three years, Western Titanium will have the right to include within the mineral lease the areas it then obtains. Allied Eneabba will have a similar right under its agreement with the State. The company estimates economic ore reserves from its present holdings at 9.8 million tonnes of heavy minerals.

Some of the mineral claims intrude into Flora and Fauna Reserve No. 31030, so the terms of subclause (8) of clause 15 ensure that the company has the right to mine within that reserve, subject to conditions specified in the mineral lease and to proposals for the rehabilitation and protection of the reserve being approved. The review programme will, of course, also help to ensure that maximum results are achieved.

Much of the company's mining will be carried out on private land; thus subclause (6) provides that agreements for compensation must be completed between the company and the owner. The remaining provisions of the clause in regard to exemption from labour conditions, registration of other mining tenements over the mineral lease area, and access over the mineral lease are in the standard format.

Clauses 16 and 17 contain the usual provisions for Land Act leases and appropriate modification of the Land Act. Clause 18 provides for the conditions under which the company may establish its work force in Leeman, particularly relating to the provision of appropriate community, recreation, civic, social, and commercial amenities. The company then has an ongoing responsibility in regard to the provision of these facilities in the event of its expanding its operations. The clause also makes provision for the company to obtain freehold title of townsite lots.

I have mentioned that the company will employ some 75 personnel, and this number of people, together with their families and consequential population, will form the basis for much-improved services in the small town of Leeman. Negotiations are proceeding between the company and appropriate State departments with regard to the supply of a suitable area of land in the Leeman townsite for the company's housing project and the provision of engineering services.

Another significant matter covered by the agreement is the conditions under which the company may use the Port of Geraldton and the facilities which are located there. Clause 19 sets out the details of the arrangement, and I should mention here that the clause is very much more easily understood if read in conjunction with relative definitions set out in clause 1.

Advantage is being taken of Western Mining Corporation Limited's existing iron ore handling facilities at the port, established in connection with iron ore operations as Koolanooka. Agreement has been reached with the WMC joint venturers on the terms under which, in addition to handling iron ore, their facilities will be made available to the mineral sands industry, including WMC's own mineral sands project, and on the terms under which the WMC joint venturers will operate the conveyor system for the mineral sands producers. If agreement cannot be

reached between the parties as to the terms on which the system is to be so handled, then the port authority has the responsibility to take over and operate the system.

This arrangement has ensured the continued use of a valuable facility which, in view of the present status of WMC iron ore operations, would possibly be otherwise wasted. The arrangement will require a variation of the Tallering Peak agreement and this will be attended to in the near future. In addition to the benefit of continued use of the iron ore handling facilities, these arrangements have of course ensured that the mineral sands producers' port operations will be integrated on a soundly planned basis and each will be able to tie into the handling system when it is ready to proceed. The alternative would have meant greater expenditure by the individual companies and a proliferation of individual ore handling facilities.

I refer now to royalties payable on the various minerals mined and sold by the company. Under clause 20 the company is to pay to the State standard royalties at the rates prescribed from time to time under the Mining Act. However, the State has agreed to grant the company a hold on the level of royalties existing at the 30th June, 1976, for a period of four years from that date, which is about the time the mine will come into production. This period of stabilised costs will help the company to consolidate its position during a time when it is recovering from its initial heavy expenditure and requires a steady cash flow.

Of course, if there is a rise in the rate of royalty prior to the 30th June, 1976, the company will not avoid the increase.

Subclause (3) of clause 20 requires the company to pay an additional royalty which relates to the provision of infrastructure, provided by the State in respect of the company's housing in Leeman.

Clause 21 deals with further processing and it will be noted that under subclause (1) the company must, not later than four years after the commencement date, investigate the technical and economic feasibility of expanding its existing ilmenite upgrading plant at Capel or establishing a new plant for secondary processing to the maximum degree then practicable, either by itself or jointly with another company or companies. If the study then shows to the State's satisfaction that the expansion or new plant is not practicable, the four-year cycle recommences and a further study becomes necessary at each four-year interval thereafter during the life of the project.

It is anticipated that the company's Capel plant will in fact be expanded to take ilmenite from Eneabba. As I have mentioned, some 150 000 tonnes per year of ilmenite is planned to be railed to Capel where the upgrading plant was designed originally to take Eneabba ilmenite. The Capel ilmenite feed-stock currently used in the plant is not as suitable as the Eneabba product.

I do not propose to go into detail on the remaining provisions of the agreement since these are standard to agreements of this nature and should be well understood by members of this House.

May I conclude by saying that the project which is the subject of the agreement before the House—taken in isolation and from the point of view of capital expenditure and labour employment—is not as significant as some of the great projects the subject of development agreements written in the past. It is, however, when viewed in conjunction with the other potential mineral sands projects in the same area, with their cumulative populations and capital expenditures and their effect on transport, towns, and so on, a most significant part of yet another important regional development. With the benefits that will accrue from a rationalised and co-ordinated industry which this and further mineral sands agreements yet to be concluded will bring, there is no doubt that this agreement deserves the full support of the House.

I commend the Bill to members.

Debate adjourned, on motion by Mr Carr.

MINERAL SANDS (ALLIED ENEABBA) AGREEMENT BILL

Second Reading

MR MENSAROS (Floreat—Minister for Industrial Development) [4.54 p.m.]: I move—

> That the Bill be now read a second time.

The purpose of the Bill before the House is to ratify an agreement between the State and Allied Eneabba Pty. Ltd. under which a new mineral sands operation is being established near Eneabba. This will result in the transport of heavy mineral concentrates to Meru for separation and the shipping of heavy minerals through the Port of Geraldton.

The agreement is similar to the Western Titanium Ltd. agreement just introduced into Parliament, with another three similar agreements to follow. Hence I shall restrict my remarks to the principal differences in the provisions in this agreement. In most cases these differences have arisen because of the different physical layout of the operations and difference in the timing and stage of development.

Allied Eneabba Pty. Ltd. was incorporated in December, 1972, with two shareholders: Allied Minerals N.L.—75 per cent —and E.I. Du Pont de Nemours and Company—25 per cent.

The company's Eneabba project will result in expenditure in excess of $20 million for the establishment of a mine and

wet concentration plant at Eneabba and a dry separation plant at Meru, six miles south of Geraldton, with a capacity to produce not less than 450 000 tonnes per annum of heavy minerals. Most of this money has already been spent, and the project is almost complete.

It is proposed to mine and concentrate ore at Eneabba, transport concentrates by rail to Meru for separation into component heavy minerals and to ship heavy minerals in bulk overseas through the Port of Geraldton.

A work force of 80 associated with the Eneabba operations will be housed in 31 houses and single men's quarters in the township of Eneabba. Fully serviced blocks have been made available to the company by the State at a cost of $3 500 per block.

Because the company has completed construction and is now in commissioning stages, this agreement, as well as others following, does not contain the normal proposals machinery for the main development. In this case the company has prepared an "approved project" covering all aspects of the development including marketing and financial arrangements but excluding environmental management. In this way the company did not put at risk the work already completed as the "approved project" was signed contemporaneously with the agreement. The company must, however, submit proposals for the protection and management of the environment.

I would take this opportunity to stress that these environmental clauses are unique at this stage to the mineral sands agreements and for the first time give the State some legislative power over the companies to adhere to its environmental management programme; that is, failure to submit or implement the environmental proposals carries the same penalty for breach as do the normal proposals required under the agreement.

Clause 9 requires the company to complete the "approved project", signed with the agreement, within one year.

The company's transport operations are dealt with under clause 12 of the agreement.

The company will produce approximately 500 000 tonnes of heavy mineral concentrates at Eneabba which will be railed to Meru for separation into component heavy minerals.

The company is required also to transport all its production of heavy minerals from the separation plant at Meru to the Geraldton port by rail.

In the period before the Eneabba-Dongara rail link is completed the company will transport all its production of heavy mineral concentrates by road from Eneabba to Meru. This is an interim operation and will cease immediately the rail link is completed.

In the short term the company will transport its heavy minerals from Meru to the port by road. This situation will continue until the State deems it necessary that the company should use rail.

The freight rates set out in the first schedule to the agreement are computed on the basis that the Railways Commission will supply the railway locomotives, brakevans, and wagons at its cost. It should be noted that there is also a minimum freight payable and provision for the review of the freight rate if the aggregate from all the mineral sand industries carried by the Railways Commission exceeds 600 000 tonnes in any one year.

Clause 14 is the same as the provision in the Western Titanium agreement for the supply of water at Eneabba. The company will require 4.5 million gallons per day from underground sources.

Subclauses 14 (10) and 14 (11) provide for the supply of water to the separation plant at Meru. This is not covered in the Western Titanium agreement as its dry separation plant is at Eneabba.

The company has paid $386 000 for the supply of 240 000 gallons per day from the State's regional scheme. If the present field from which the company is being supplied proves to be hydrologically inadequate to meet the State's and the company's needs, the company may be required to participate in the search for additional sources.

Clause 15, is again similar to the Western Titanium clause and deals with the mineral lease. At this point I seek leave to table a copy of plan "A", the plan referred to in clause 1 under the definition of "mining areas".

The plan was tabled (see paper No. 278).

The plan shows 22 mineral claims registered in the company's name and coloured red, plus 11 mineral claims which are the subject of settlement yet to be negotiated.

A mineral lease in the form of the second schedule to the agreement will be issued to the company for the usual 21 years with rights of renewal for further periods of 21 years.

Clause 18 provides for the conditions under which the company may establish its work force housing facilities in Eneabba, particularly with respect to the provision of appropriate community, recreation, civic, social and commercial amenities. The company also has an ongoing responsibility in regard to additional sewerage treatment works, water supply, headworks, main drainage, educational, hospital, medical, and commercial amenities in the event of its expanding its operations.

Although the drafting is similar in both agreements, differences in application arise because Allied Eneabba has established housing facilities in Eneabba whereas Western Titanium is planning to go to Leeman.

The clause also makes provision for fully serviced blocks within the Eneabba townsite to be made available to the company by the State.

I have previously mentioned that the company will employ some 80 persons in Eneabba and these people in conjunction with the existing population and the Jennings Mining Ltd. work force, will help the development of Eneabba and lead to the establishment of improved facilities in the townsite.

The royalty clause and the four-year moratorium are the same as those in the Western Titanium agreement except that there is no additional royalty provision.

The principles expressed in clause 21, dealing with secondary processing, are exactly the same as for the Western Titanium agreement. However, minor differences do exist because as I have mentioned previously Western Titanium does have a secondary processing plant in operation at Capel.

The final difference which I bring to the attention of the House is in respect of clause 37 which deals with stamp duty exemption. In this case the exemption has been extended to accommodate an agreement between the company and Allied Minerals N.L. which was, in effect, a reorganisation to give the company the capability to proceed with the project.

This agreement should be seen as part of the overall rationalisation and co-ordination programme by the State embracing the Eneabba mineral sands mining industry and I am certain it deserves the full support of all members of the House. I commend the Bill to the House.

Debate adjourned, on motion by Mr Carr.

STATE HOUSING DEATH BENEFIT SCHEME ACT AMENDMENT BILL

Second Reading

MR P. V. JONES (Narrogin—Minister for Housing) [5.05 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend the State Housing Death Benefit Scheme Act, 1965, with a view to extending the flow-on of the benefits to purchasers being assisted under the Housing Agreement (Commonwealth and State) Act, 1973, and such future agreements, of similar intent, between the Commonwealth and the State as are approved and ratified from time to time.

The State Housing Death Benefit Scheme Act, 1965, provides for assistance to widows and families by means of a reduction of the liability due to the commission on dwellings subject to purchase conditions at the date of a breadwinner's death.

The scale of benefit is determined by the age of the breadwinner at the date of death as follows—

	$
(i) does not exceed 35 years	1 000
(ii) exceeds 35 years but does not exceed 45 years	800
(iii) exceeds 45 years but does not exceed 55 years	600
(iv) exceeds 55 years but does not exceed 65 years	400
(v) exceeds 65 years	nil

In addition, a benefit of $100 is allowed for every dependent child under the age of 16 years.

As it stands the Act provides for application of the scheme to purchase activities administered under the State Housing Act and various agreements which have been approved as between the Commonwealth and the State but does not include the Housing Agreement (Commonwealth and State) Act, 1973.

I commend the Bill to the House.

Debate adjourned, on motion by Mr B. T. Burke.

FAUNA CONSERVATION ACT AMENDMENT BILL

Second Reading

MR P. V. JONES (Narrogin—Minister for Fisheries and Wildlife) [5.08 p.m.]: I move—

That the Bill be now read a second time.

The principal purposes of this Bill are, firstly, to pave the way for the later amalgamation of flora protection and conservation responsibilities with those of fauna protection and conservation and, secondly, to update further the provisions of the existing fauna legislation.

In accordance with this Government's concern for the conservation and protection of the natural environment, it has acted as outlined in election policy statements to co-ordinate activities in those fields under the single Ministry of Conservation and the Environment. A part of the rationalisation involved is the incorporation of responsibility for flora conservation with those for fisheries and fauna. The title of the ministerial portfolio has been changed to Minister for Fisheries and Wildlife and the department's name has been similarly changed.

An in-depth investigation of community criticisms of the existing flora legislation has been undertaken and departmental reports prepared. Concomitant action is now being taken to draft proposed amendments to overhaul or rewrite the existing Act to meet those criticisms. I expect to have these amendments ready for consideration during the next session.

At this stage I believe it is desirable to proceed on the assumption that the flora legislation will be drafted as a second part of the Act we are now considering, which we suggest should be retitled as the wildlife conservation Act.

On that assumption, and to avoid future conflict with the terminology to be used in the flora legislation, and to meet the new situation generally, the names and titles of the department and of the officers concerned are being changed appropriately. Quite a number of consequential amendments are involved. It also has been agreed that we adopt in Australia the international term "nature reserve" to describe Crown land set aside as reserves for flora and fauna. These have previously been known as "sanctuaries" in Western Australia but that term elsewhere in Australia generally means private land on which the wildlife is protected by the owner. We propose to use that term now for such private land here to distinguish it from Crown reserves.

Additional authority also is being sought to allow the Minister to cancel licenses when he considers it necessary for conservation purposes. This has been shown to be highly desirable, if not essential, in those cases where a licensee disappears and cannot be contacted. This has happened in the red kangaroo industry, for example, where it has become necessary to license another shooter because one licensee ceased to operate and was no longer at the address previously given.

Another additional authority sought is to give wardens, or wildlife officers, as they will be called, authority to enter upon suburban land—but not dwellings—when they have reasonable grounds for suspecting that an offence has been or is about to be committed.

This authority is already bestowed on a wide group of enforcement officers under various State and Commonwealth Acts or regulations, including inspectors under the Fisheries Act, and is rarely if ever abused because the officers are instructed to seek authority first and would be severely dealt with if they overstepped that authority.

Other amendments of importance to the proper administration of the Act but of little direct effect on the public include—

(1) facilitation of proof of identity of an accused person in court;

(2) strengthening the tagging system to prohibit the unlawful removal of tags from carcases;

(3) defining a part of a skin or carcase of a kangaroo as "fauna"; and

(4) the rationalisation of procedures relating to the holding and better protection of the value and disposal of seized items pending court hearings.

These amendments are all designed to bring this conservation legislation up to date and to meet existing needs. I commend the Bill to the House.

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

BILLS (10): MESSAGES

Appropriations

Messages from the Lieutenant-Governor received and read recommending appropriations for the purposes of the following Bills—

1. Acts Amendment (Judicial Salaries and Pensions) Bill.
2. Electoral Districts Act Amendment Bill.
3. Constitution Acts Amendment Bill (No. 2).
4. Marketing of Barley Act Amendment Bill.
5. Taxi-cars (Co-ordination and Control) Act Amendment Bill.
6. Transport Commission Act Amendment Bill.
7. Mineral Sands (Western Titanium) Agreement Bill.
8. Mineral Sands (Allied Eneabba) Agreement Bill.
9. State Housing Death Benefit Scheme Act Amendment Bill.
10. Fauna Conservation Act Amendment Bill.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 23rd April.

MR DAVIES (Victoria Park) [5.17 p.m.]: This Bill probably has had the longest gestation period of any piece of legislation that has been before the House during the life of this Government. Indeed, it is a very old measure in more ways than one, going back to 1894. The amendments contained in the Bill have a familiar ring because I seem to recall that they passed across my table when I was Minister. There was no urgency for the amendments then and I do not think there is any great urgency for them now, otherwise no doubt they would have received a higher priority from both the previous Government and this Government.

The Bill gives attention to a number of matters with which we on this side of the House find it quite easy to agree. I intend to make one or two comments on the contents of the legislation, and draw attention to what I think is a fairly loosely worded introductory speech. If one listened to the introductory speech and then tried to relate it to the Bill itself, in several instances one could get a different interpretation of what the final result would be. Thus one must disregard the introductory speech and deal only with the Bill which, after all, is the matter which requires our attention and, with the agreement of Parliament, will become the law of the land.

As I said, I should like to draw attention to one or two of the phrases which did not seem to fit in with the Bill itself. I refer first to the definition "member"; it is strange that as the Act is something like 76 years old we have not found it necessary before to define a member. In this case, the definition is fairly far-reaching inasmuch as whoever is a member under the rules of the friendly societies also is a member as far as the Bill is concerned. I know there has been confusion over who shall have voting rights within friendly societies, because there have been various types of members. I do not know whether this legislation will overcome the difficulty, which I seem to recall when I was Minister.

I think by paying a certain sum of money to certain friendly societies benefits are available to that person without his being granted full membership rights; yet they are termed members of the organisation. So merely to say that a person is a member in accordance with the rules may not completely overcome the impasse that has existed if, within the rules of friendly societies themselves, there are several types of membership.

In agreeing to the rules of the friendly societies when they are registered and any subsequent amendments to those rules, it probably will be the responsibility of the registrar to ensure that any conflict which could occur as a result of this is dealt with within the rules themselves. As I have already said, from now on, once this Bill becomes law, whatever is considered to be the interpretation of a member under the rules of a friendly society will satisfy the requirements of membership under the Act.

I do not know that there is any special provision under the Act that relates particularly to members. As I said earlier, at this stage it seems that, after 76 years' operation, this definition is desirable. I am not arguing the point one way or the other. I am merely pointing out that there may be some instances where difficulties will be experienced even yet in interpreting what membership does mean.

Further on in the Bill it will be seen there is some provision for friendly societies to provide holiday homes. The wording of the Minister's introductory speech on this aspect could create some confusion, because he said—

> The first proposal is in relation to friendly societies in other States which have had the authority to establish and maintain holiday homes for some years.

However, the proposal is not in relation to friendly societies in other States, because in this State we do not legislate for friendly societies in other States. I may be pedantic about this but I point out that if we accept literally the wording in the Minister's introductory speech it could be thought that we are legislating for holiday homes for friendly societies in other States. The Minister has merely said or pointed out that friendly societies in other States do have holiday homes and therefore it is not unreasonable to ask that friendly societies in this State be allowed to do the same. I have no disagreement with that.

In the second paragraph dealing with the same clause he also said—

> Some local societies have accumulated funds which could be applied to this activity.

I consider this to be a worthy step and I shall support the request of the friendly societies council that it be permitted to establish holiday homes. However, at the risk of being pedantic again, in relation to the paragraph I have just quoted, the wording could mean that the friendly societies want to establish holiday homes in other States, so one should not take the wording too literally.

As I said, I support the request of the friendly societies council that it be permitted to establish homes, but so far as the legislation is concerned there is no such thing as a friendly societies council. No doubt there is an organisation of representatives from friendly societies which makes up a council for the common good of the friendly societies themselves, but reading through the Act I cannot find any reference to any organisation known as the friendly societies council. So for the Minister to say that he supports the request that the council be permitted to establish holiday homes is quite different from the intention of the Act. The intention of the Act is that friendly societies or groups of friendly societies shall be allowed to establish holiday homes.

My understanding of the situation may be wrong, and I am often wrong, but so far as the legislation is concerned I cannot see that any body known as a friendly societies council has any standing whatsoever. I agree with the intention that friendly societies alone, or as a group, should establish these types of homes if they have the funds to provide them, because obviously there is a demand for them. As we are all aware, friendly societies do not have the strength they had when this legislation was introduced in 1894. Their numbers have dwindled to only a few compared with those that were operating at that time and since. It is only since enlightened legislation has been introduced by various Governments over the years and which now comes under the promotion of social security that the need for which friendly societies came into being no longer exists. Certain benefits can be provided by them and many people still like to take advantage of them.

I have not bothered to take out the figures, but I have noted at various times that although it has been alleged the membership of friendly societies is increasing it is increasing only by reason of the fact that some of these organisations provide what I could probably term "quasi" membership which boosts their actual number of members; but this does not mean that all those members take a full and active part in the activities of the friendly society. I do not say that all those who have full membership in a friendly society actively participate in its affairs, but "quasi" members are not even allowed to do so, I understand, because they are members who enjoy certain benefits associated mostly with pharmaceutical supplies.

A further proposal designed to limit the amount of insurance cover is not unreasonable. The existing section is being updated only in accordance with present-day demands. I do not know how the present sum has been arrived at; the amount of $6 000 is to be raised to $6 500. That figure must have some relationship to other Acts governing insurance companies. However, here again I do not think it is of great import. If the representatives of friendly societies have asked for this amount and agree it is proper I am quite prepared to accept it. Similarly I am prepared to go along with the amount that must be kept as a residual amount.

Here again we are told that other States have a similar proposal and this amendment is merely to bring our Act into line with those in other States. I mentioned earlier that I understand, from the wording of the Minister's introductory speech, that friendly societies can pool their resources. There does not seem to be any harm in their doing this provided they come to some satisfactory arrangement among themselves. I can quite imagine, however, that some difficulty could develop between friendly societies in this regard. One may agree to provide $5 000 to build a holiday home, and another may agree to provide $100 000. Yet again another society may agree to provide a sum of $10.25, and so there could be some difficulty encountered among the friendly societies themselves in deciding how they will allocate the vacancies that occur to members who wish to occupy holiday homes.

In regard to this provision, also, I do not think it is possible for us to worry about matters such as this. Friendly societies must be aware of what they are doing when they pool their resources and no doubt they will come to a suitable arrangement beforehand as to how the benefits of these resources will be shared by their members. Whether these benefits will be shared on a *pro rata* basis, a membership basis, or some other basis is a problem that we do not have to worry about. I agree that some difficulties may arise if the reasons for the establishment of the resources pool no longer exist. In such circumstances the friendly societies may have to return to the registrar and say, "We have a resources pool that is worth $250 000 and the reason for its establishment no longer exists. We therefore have to quit ourselves of it. How are we to share the proceeds?"

This could cause difficulties, knowing what problems can be created when people are dealing with money. I repeat that this is probably not our worry, but the worry of the people running the societies. Eventually they may want their money out. If they want to pool their resources then good luck to them.

Mr Ridge: This Bill only provides the machinery for that.

Mr DAVIES: I hope it will be of benefit to the friendly societies; although we are happy to give them this opportunity the day may come when they find themselves in a sad situation. I hope they will not.

I notice the department believes that an opportunity should be given to an actuary to investigate their finances at times other than every five years. With the changing value of money in these days this is not an unreasonable request. I presume the amendment has been put forward to representatives of the friendly societies, because the change has come from the department. Here again I find it easy to agree with it, as do my colleagues on this side of the House.

The final clause in the Bill only seeks to correct an error in the Act. As far as I can see it will achieve that. There is no need for me to delay the debate any longer. The Opposition is happy to support the friendly societies, and we agree with the type of work they do. In many respects it can be said that the comradeship and help that was available to members is not now available to as many for the reasons I have outlined. With those remarks we on this side of the House are happy to support the Bill.

MR RIDGE (Kimberley—Minister for Lands) [5.32 p.m.]: I would like to thank the member for Victoria Park for his support of the Bill. As he pointed out, the Bill has been on the notice paper for a long time. It was not considered to be a very important Bill; if it was it would have been dealt with at the end of last session.

This is a very small Bill, but nevertheless a very important one to the friendly societies. In fact, they recommended the amendments which appear in it. The member for Victoria Park made reference to the fact that the membership of friendly societies is increasing. As I understand

the position their membership is decreasing at the rate of about 2½ per cent per annum, and the measures in the Bill are designed to enable them to build up their membership.

Mr Davies: Restricted membership gives some of them a boost.

Mr RIDGE: As the range of welfare services has increased, fewer people have become dependent on friendly societies. The friendly societies have not been concerned about that, but they have asked for these amendments to be included in the Statute so that they may make an attempt to build up their membership.

Apart from that, the member for Victoria Park is in agreement with the clauses. He was more critical of the second reading speech I made than of anything else. I do not think there is any great need to comment on his remarks. I thank him for his support of the Bill on behalf of the Opposition.

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.

UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT BILL

Second Reading

Debate resumed from the 23rd April.

MR T. D. EVANS (Kalgoorlie) [5.36 p.m.]: In addressing myself to the resumed second reading debate of this Bill to amend the University of Western Australia Act, 1911-1973, I can say it is a very small Bill. In saying that I am far from being original. I am merely repeating the words of a very beloved former Minister of many years' standing in this Parliament. I see you, Mr Speaker, smiling, so you must appreciate and recognise that remark as being attributed to the late Emil Nulsen.

In fact, this is a small Bill, and it has stood on the notice paper and been around the scene for a long time. I use the expression "around the scene" because at least 50 per cent of the provisions in the Bill were dealt with in the Cabinet room of the Tonkin Government way back in June of 1972 and 1973.

The Bill contains two objects. The first seeks to amend section 16E, and this deals with a request made by the senate of the university. The Bill seeks to accord to the regulations of the University of Western Australia the same privileges that are accorded to the regulations made by the Senate of Murdoch University; that is, in future if this Bill is approved those regulations will not be subject to section 36 of the Interpretation Act.

This Parliament has already accorded this privilege to the regulations made by the Senate of the Murdoch University, so I see no reason to baulk at according the same privileges to the first, and perhaps the senior university of Western Australia.

The other provision in the Bill has been around for a long time. It has been said there is no such thing as a free lunch, and in this respect I can recall the Vice-Chancellor of the University of Western Australia inviting me down to the university to have lunch with him. After the lunch and just as I was about to depart he said, "There is one thing I want to draw to your attention." It was this very provision that now appears in the Bill.

It refers to the requirement in the Statute for the Auditor-General to make a report on the university's stewardship in the handling of public moneys that are made available to it. At the same time there is a time limit of, I think, three months after the conclusion of the academic year of the university for the tabling of the report of its activities within the State Parliament.

It has been difficult over the years to try to obtain the Auditor-General's report in the time limit the Statute now provides. The clause in the Bill to amend section 41 of the Act is in fact to break the nexus and requires that on receipt of the report from the Auditor-General the senate is required to table it as soon as practicable thereafter within both Houses of the State Parliament. The Opposition endorses both provisions and also joins with the Minister in commending the safe passage of the Bill.

MR GRAYDEN (South Perth—Minister for Labour and Industry) [5.41 p.m.]: I thank the honourable member for his remarks and support of the Bill. Nothing in what he said requires elaboration and in those circumstances I will expedite the business of the House by terminating my remarks at this point.

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.

STIPENDIARY MAGISTRATES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 1st May.

MR HARTREY (Boulder-Dundas) [5.43 p.m.]: The subject of the Bill being so self-evident, its contents being so comprehensible, and its objective being so laudatory, my parliamentary colleagues have entrusted it to me.

My learned colleague from Kalgoorlie described the last Bill as a little Bill and this indeed is one too, but it has some

rather significant overtones. It provides that there shall be one of a number of stipendiary magistrates who may be appointed by the Governor to be Chief Stipendiary Magistrate, and he shall have quite considerable administrative powers over the others.

If that had not already been the practice for a long time it might even be a revolutionary principle, but it has been the practice for some time. The Bill has been made necessary because two or three of the more junior magistrates appear to have resented the more or less customary authority of the Chief Stipendiary Magistrate and made it necessary to confer statutory authority upon him.

The Bill provides quite simply that the Governor, in addition to appointing magistrates may, by Order-in-Council appoint one to be the Chief Stipendiary Magistrate. It also provides that, in addition to regulating the functions of the magistrates, the Governor may delegate that function of regulating the other people's duties to the Chief Stipendiary Magistrate. That has long been the practice, as I have said before, but it is now being given statutory effect and, I think, quite wisely. The Bill then describes those duties, but as all members have a copy of the Bill, it is not necessary for me to elaborate on them.

The provision seems reasonable, although it does throw a load of work upon the Chief Stipendiary Magistrate. However, it will have the effect of relieving the load on the Minister who must otherwise give the Governor advice on such subjects. It is much better that one of the senior magistrates, who understands much better than the Minister could possibly do the technical qualifications and specific temperaments of the different magistrates, should have the job of allocating those magistrates in accordance with their particular talents. "Horses for courses" is not a bad principle and it is much more likely that the better judge of these horses would be the chief magistrate rather than the Minister, or the Governor, who would not have any knowledge of the subject other than from the advice received from his political adviser.

It is not necessary for me to say any more. The party which I have the honour to represent agrees with the principles in the Bill, which it supports.

SIR CHARLES COURT (Nedlands—Premier) [5.47 p.m.]: I thank the honourable member for his support of the Bill. He summarised its objectives in a very masterly way, for which I express appreciation.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 5.49 p.m.

Legislative Council

Tuesday, the 19th August, 1975

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (8): ON NOTICE

1. COMPREHENSIVE WATER SCHEME

Extension Planning

The Hon. H. W. GAYFER, to the Minister for Justice representing the Minister for Works:

(1) What is the present planning by the Public Works and Water Supply Department for the further reticulation of new areas within the original Comprehensive Water Scheme boundaries?

(2) If the answer to (1) is "Nil" then can the farmers and other residents living within the bounds of the original CWS take it that they will never be given availability to a permanent water scheme as was originally planned?

(3) If nothing is contemplated being done to give reliable water services to large areas within the original bounds of the CWS by way of piped water, what other means are being investigated to give water security to these areas?

(4) When was the last representation made to the Commonwealth Government for financial assistance to extend reticulation within the bounds of the original CWS?

(5) What Western Australian and Commonwealth Grant and Loan money has been spent on the CWS within its original bounds in each of the last 12 years?

(6) How much State and Federal moneys have been spent on the harnessing and reticulation of the Ord River since its inception?

The Hon. N. McNEILL replied:

(1) Nil.

(2) All unreticulated areas within the original Comprehensive Water Supply Scheme boundaries have now lost priority for the provision of farmland reticulation within the foreseeable future.

(3) The current water supply investigations by the Public Works Department are being directed to those wheatbelt areas outside the original C.W.S. boundaries which have been identified in Department of Agriculture studies as having the greatest need. Any far-