

Legislative Council

Tuesday, the 19th November, 1963

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QUESTION ON NOTICE—

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTION ON NOTICE

LOADING KIBBLES AT PORT OF ESPERANCE

Use, and Hiring Charge

The Hon. R. H. C. STUBBS asked the Minister for Mines:

With reference to my question on the 7th November, regarding loading equipment at the Port of Esperance—

- (1) By whom are the kibbles used?
- (2) Is there a hiring charge?
- (3) If the reply to No. (2) is "Yes"—

- (i) what is the charge; and
- (ii) who is the collecting agent?

The Hon. A. F. GRIFFITH replied:

- (1) Ravensthorpe Copper Mines N. L. and Garrick Agnew Pty. Ltd.
- (2) Yes.
- (3) (i) A hire charge of 3s. 9d. per ton on all concentrate shipped is charged for hire of loading and storage facilities including the kibbles.
- (ii) The Treasury.

FACTORIES AND SHOPS BILL

Further Recommendation

The Hon. A. F. GRIFFITH (Suburban—Minister for Mines) [4.37 p.m.]: I move—

That the Bill be again recommitted for the further consideration of clause 42.

The Hon. R. F. HUTCHISON (Suburban) [4.38 p.m.]: I move—

That clause 83 be added to the motion.

The Hon. A. F. GRIFFITH (Suburban—Minister for Mines) [4.39 p.m.]: I do not like to take objection on occasions of this sort, but, if my memory serves me correctly, the House, when in Committee, dealt with the amendment which appears on the addendum to our notice paper today. I do not know, Sir, whether this is the right place to ask you a question concerning this matter, or whether I should ask the Chairman when the Bill is being further considered.

The PRESIDENT (The Hon. L. C. Diver): You should ask the Chairman.

The Hon. A. F. GRIFFITH: Very well.

The PRESIDENT (The Hon. L. C. Diver): Clause 83 will be added to the motion.

Question put and passed.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 42: Prohibition of employment of other persons by outworker—

The Hon. A. F. GRIFFITH: I move an amendment—

Page 33, line 29—Insert before the word "perform" the word "not".

This amendment is necessary because, as the Bill is now worded, the affirmative is implied, and as the negative is intended I take it that the Clerk, if the amendment is agreed to, will make the necessary correction.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 83: Retail Trade Advisory Committee—

The Hon. R. F. HUTCHISON: I move an amendment—

Page 60, lines 19 and 20—Delete all words from and including the word "upon" down to and including the word "Minister" and substitute the following words:—"from a panel of two names submitted to the Minister from the Australian Consumers Association".

I have moved this amendment because I feel there was some confusion created during the last Committee and I want to explain further to the Minister what I am trying to achieve, because it is rather important. The panel of names to be selected from the Australian Consumers Association will be representative of the only consumers' body in Western Australia. As

printed, the Bill now provides for representatives of the purchasers of goods and the users of services, the manufacturers, the retailers, and the growers, to be appointed to this retail trade advisory committee.

Until some three years ago the consumers were also unorganised, but, since then, an organisation has been launched in New South Wales and it now has branch committees in all States. It has been steadily growing until, at present, it has about 50,000 subscribers. By charter, it is completely independent, non-political, and non-profitmaking. This organisation is the Australian Consumers Association and produces a magazine entitled *Choice*. It is patterned on the British Consumers Association which has over 350,000 subscribers, and its journal is read by over 500,000 people.

The Conservative Government of Great Britain appointed a high-powered committee for the purpose of consumer protection under the chairmanship of Mr. J. T. Maloney. This committee examined hundreds of witnesses and covered the field completely. This field included foodstuffs. In its final report, published late in 1961, it recommended that the only organisation suitable for the protection of consumers was the British Consumers Association. I quote the following from its report:—

We therefore conclude that the work of the Consumers Association should proceed on the wholly independent basis from which the value of its effects have been so largely derived.

This committee commented on the shortcomings of The Good Housekeeping Institute and stated that its seal was of small value. In reporting on the British Safety Council it stated: "This seal is potentially dangerous." Finally, it reported on the British Consumers Association as follows:—

Comparative tests reports provide a valuable service to the community. Its magazine *Which* has been produced with honesty and integrity and, on the whole, with accuracy.

I therefore submit that the Australian Consumers Association is the only representative organised body of consumers in Australia and, as such, has a right to represent the purchasers of goods on this board which the Government proposes to establish under the provisions of this Bill.

In many countries similar consumer organisations have representatives on Government boards to look after the interests of consumers. These can be found in America, France, Germany, and Holland. In Great Britain, as a result of the work of the committee appointed for consumer protection, the Conservative Government has appointed a Consumers' Council. Its chairman is the President of the Consumers Association. I therefore urge the

Minister and the Premier to consider this matter and to consult the Australian Consumers Association before considering any appointment to the retail trade advisory committee.

I would like to add that this was one of the subjects I inquired into when I was overseas two years ago and visited the countries mentioned. This consumers' association has international affiliations. I have here a list of the international consumer unions which sit at The Hague. There are five independent consumer associations affiliated with this body, all of which are non-profitmaking.

In America a subcommittee has been appointed to co-ordinate various matters and to advise the Government in Washington on consumer representation. This organisation is growing so fast that cognisance must be taken of it. I felt, as a result of remarks made to me by Mr. Robinson and others, that my previous remarks were not understood. I was the founder of the Western Australian branch of the Australian Consumers Association, and I have spent many hours of research in regard to its work. I have also given my time in endeavouring to consolidate this movement in Western Australia.

Future work to further its objects is now out of my hands, but I can assure the Committee that it is supported by some of the most ethical people in Australia, including university bodies. It is a worthwhile organisation and deserves to be consulted. I sincerely hope the Minister will consult with its representatives before an appointment to the board is made. The clause does not give us any idea as to who will be appointed to this retail trade advisory committee, but I do not want to see again what has happened so many times in the past; namely, someone being appointed because he is a friend of a friend of somebody else.

All the other trade and retail organisations in this State will be represented, including the Retailers Association, the Retail Grocers and Storekeepers' Association of W.A., and the Perth Chamber of Commerce. All these bodies will represent occupiers of shops. Therefore surely the Australian Consumers Association, which is the only legitimate, organisation of its kind in Australia, is the body that is most competent to protect the consumers of Western Australia. The Chairman of the W.A. Branch of the Australian Consumers Association, is Brigadier Elliott of Mosman Park. He has only recently returned from Sydney, and I was awaiting his return to ensure that I was on the right track by supporting the committee.

I contacted the President of the Women's Service Guild and she indicated that the guild would not be prepared to take on such a big job. This is a subject which

requires special knowledge, and for that reason I changed the association referred to in my amendment to the Australian Consumers Association. I hope the Minister will take cognisance of what I have said, and will agree to the amendment.

Point of Order

The Hon. A. F. GRIFFITH: I have no fault to find with the organisation mentioned by Mrs. Hutchison, nor with many other similar organisations, to which the same good references can be given. But in order to comply with the Standing Orders I am obliged to point out that this question has already been determined. I did not object to the amendment when it was first moved, because I wanted members to hear the honourable member out. This amendment has been dealt with by the Committee previously, and the honourable member asked for a division to be taken when the amendment was put. It is not competent for this Chamber to deal with it on this occasion. For the reasons I gave the other evening, I oppose the amendment.

Chairman's Ruling

The CHAIRMAN (The Hon. N. E. Baxter): I refer to Standing Order No. 120 which states—

Subject to Standing Order No. 178, no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same Session, has been resolved in the affirmative or negative, unless the order, resolution, or vote on such question or amendment has been rescinded. This Standing Order shall not be suspended.

This amendment was proposed on the 14th November, and the Committee divided on it. Therefore I must rule the amendment out of order.

Clause put and passed.

Further Report

Bill again reported, with a further amendment, and the report adopted.

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.53 p.m.]: I move—

That the Bill be now read a third time.

THE HON. J. G. HISLOP (Metropolitan) [4.54 p.m.]: I would like to make an appeal to the Government to consider instituting a more intense course of training for candidates for positions of factories and shops inspectors. Most of us realised, when the questions were answered, that the training given to factories and shops inspectors was very meagre; in fact, no practical training was included in their course.

The Minister informed us that a course of training had been commenced this year, owing to the failure of candidates for these positions to pass their examinations in previous years. When we refer to the examination papers and the subjects these inspectors have to deal with, it becomes obvious that they require a greater degree of training.

Now that this Bill has been put in order, the Government might well consider the standard of training of factories and shops inspectors to ascertain whether it is possible to put this training on a higher standard. Factories and shops inspectors are not trained to anywhere near the degree to which health inspectors are trained. The work which factories and shops inspectors do among factories and shops warrants a high degree of training. I ask the Minister to place before the Government my suggestion that a higher standard of training be instituted, that an examination be set at the end of the course, and that an approved method of appointing factories and shops inspectors be decided upon.

THE HON. R. THOMPSON (West) [4.56 p.m.]: I am most concerned with the method adopted by this Government when amendments are proposed to legislation. It does not appear that the Government will give way; because no matter how worthy a case is submitted for the amendment of a clause, if the Government does not agree with the amendment it rejects the amendment out of hand.

In the Committee stage of this Bill many amendments were moved, and the Committee divided on party lines when divisions were called for. Those amendments included some which were most vital to the smooth working of this legislation. I refer, firstly, to that portion of the Bill which we, on this side, sought to amend, under which factories and shops inspectors are to be given the right under the Industrial Arbitration Act to proceed against anyone for non-compliance with, or breach of, the Act; secondly, to the composition of the various boards which will administer certain provisions of this legislation; and, thirdly, and not the least important, to the clause which provides for the Secretary for Labour to be the head of the department, in place of the Chief Inspector of Factories, thereby snubbing the latter.

For those reasons I cannot support the third reading. It ill behoves any political party, when it is in office, to say, "We have made up our mind, and we will not budge." Many organisations are worthy of representation on the boards to be set up by this legislation, but apparently valid arguments in support were of no avail. The thing that counts is the vote, and only the number of votes can change the complexion of any Bill. I oppose the third reading.

THE HON. R. F. HUTCHISON (Suburban) [4.58 p.m.]: I had to say what I did when clause 83 was further considered. I have not entered into any contentious argument about other provisions in this Bill. I respectfully hope that the panel from which the Governor will appoint the retail trades advisory committee will include a representative of the Australian Consumers Association, because it is stated in that clause that one person shall be appointed to represent the purchasers of goods from shops; of course the purchasers refer to the consumers. I cannot stress that aspect enough.

Apart from any other consideration in the Bill, I ask the Minister to ensure that the person who is finally selected to represent the purchasers of goods from shops will be a competent person; and I can think of no other body which is more worthy of such representation than the Australian Consumers Association.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.59 p.m.]: I shall pass on to the Minister for Labour the remarks which were made by Dr. Hislop in connection with the training of inspectors under this Act. I shall likewise pass on to him the comments made by Mrs. Hutchison. I would like to point out to her that I cannot say at the moment who will be appointed as the representative of the purchasers of goods from shops, as referred to in clause 83 of the Bill. However, I feel sure that the person chosen will be one who, in the opinion of the Minister of the day, will be competent to fulfil the representation that will be expected of him under this provision.

I would remind Mr. Ron Thompson that a considerable amount of time was allowed to elapse between the moving of the second reading of this Bill and the speeches made by members and, subsequently, between those speeches and the reply I made. I would remind him also that I took the remarks of members away, had them examined, and then gave the Government's point of view upon them.

Many of the amendments moved in this Chamber were similar to those moved in the Legislative Assembly when the Bill was before that House; but I am not going to accept the statement of the honourable member that no time was given to the consideration of the amendments put forward by the Opposition on this Bill.

The Hon. R. Thompson: When did I say that?

The Hon. A. F. GRIFFITH: The honourable member said, or I understood him to say, that many amendments were moved and the House divided on party lines with scant consideration given—meaning, that

scant consideration was given to the views put forward by members. Am I wrong in that interpretation?

The Hon. R. Thompson: No; but that is not what you previously said.

The Hon. A. F. GRIFFITH: What I thought I said was that my interpretation of the honourable member's statement was that he believed insufficient time had been given to the amendments moved.

The Hon. R. Thompson: You are contradicting yourself. Firstly you stated that I said the House did not have time to consider the amendments. That is what you said previously, and that is the point to which I took exception.

The Hon. A. F. GRIFFITH: The honourable member thinks the House did have time?

The Hon. R. Thompson: Yes.

The Hon. A. F. GRIFFITH: I beg the honourable member's pardon. I am obviously at cross purposes. I fail to see what his objection is, because I well remember that on two occasions last week—first, I think, on Tuesday, and then on Thursday—we spent a considerable period in Committee on these matters; and if anyone laboured the point and rose time and again to question me about the amendments, it was Mr. Thompson himself.

The Hon. F. R. H. Lavery: It is a very important Bill.

The Hon. A. F. GRIFFITH: I am not denying that for a moment; but I am trying to defend the attitude of the Government in producing a Bill of this kind to Parliament for its consideration; and I think that not only was ample time given, but the amendments put forward were studied closely, and reasons for not agreeing with them were stated by me in the course of the debate.

The Hon. R. Thompson: You compromised on one point. You would not give way on any other amendment.

The Hon. A. F. GRIFFITH: It is just a question of the Government adopting the line it wants to take. It introduced this Bill to amend the Factories and Shops Act, and one of the principal points against which the honourable member argued was that the Secretary for Labour should be the nominal head under this Act. The Government thinks the Secretary for Labour should be the nominal head. He is the permanent head of that department and the Government believes he should be the one appointed. I am glad to say that this provision has gone into the Bill.

I think that trial and error will prove whether or not this legislation, or any other legislation, works correctly; and frequently where it does not work correctly, amendments are introduced and changes

made. I do not want that remark to be interpreted that any principal change will be made; but I do suggest that now the third reading of this Bill has been reached, the House should pass it and give the Government an opportunity to put the legislation into effect. We believe, as a Government, that it will prove to be a worthwhile piece of legislation; and there is no doubt that it has brought up to date in many respects the legislation appertaining to factories and shops.

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

Ayes—16

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heitman	Hon. H. R. Robinson
Hon. J. G. Hislop	Hon. S. T. J. Thompson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. F. D. Willmott

(Teller)

Noes—13

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. D. P. Dellar	Hon. E. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. D. Teahan
Hon. F. R. H. Lavery	

(Teller)

Majority for—3.

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

TRAFFIC ACT AMENDMENT BILL (No. 3)

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

DENTISTS ACT AMENDMENT BILL

In Committee

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 18 put and passed.

Clause 19: Section 31 amended—

The Hon. J. G. HISLOP: This clause provides that an applicant shall pay a fee to have his name re-entered in the register. Is it intended that there be a limit to the fee which can be imposed; or will it be possible for some heavy charge to be placed as a penalty on an individual?

The Hon. A. F. GRIFFITH: I take it that the fee will be one prescribed by regulation. In the event of its being excessive, the regulation could be disallowed.

Boards of this nature must be given some power, and that is my explanation of the situation. However, I will check with the Minister for Health to ensure that the clause does not leave matters too wide open, and will notify the honourable member before the third reading is completed.

The Hon. J. G. HISLOP: One realises that when a professional man has his name erased from the register, he not only suffers a considerable indignity, but also loses his income; and he probably has very little other means of earning. It seems to me that to charge a man a fee, in addition to depriving him of his ability to earn, is a little unfair.

The Hon. A. F. Griffith: But it would only be as a result of his own conduct.

The Hon. J. G. HISLOP: Yes, quite. But once a man has been sent to gaol he should not be punished further when he gets out and wants to re-enter his profession.

The Hon. A. F. Griffith: I will check up on that point.

Clause put and passed.

Clauses 20 to 22 put and passed.

Clause 23: Section 44 amended—

The Hon. A. F. GRIFFITH: I move an amendment—

Page 8—Insert after paragraph (b) in lines 28 and 29, the following new paragraph (c):—

(c) by deleting the words "of Dentists", in line seven of subsection (2).

I would point out briefly that these points were raised when the Bill was before another place. The Minister undertook to have the points considered and, if necessary, to have amendments moved in this Chamber. I am informed that this and the following amendments appearing in my name do nothing but remove the deadwood from the Act.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 24 put and passed.

Clause 25: Section 46 amended—

The Hon. A. F. GRIFFITH: I move an amendment—

Page 9—Insert after paragraph (a) in lines 3 to 6, the following new paragraph to stand as paragraph (b):—

(b) by deleting the words "of Dentists", in line two of subsection (2);

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 26 to 28 put and passed.

Clause 29: Section 55 amended—

The Hon. W. F. WILLESEE: I move an amendment—

Page 11—Insert after paragraph (b) in lines 28 and 29, the following new paragraph:—

(c) by deleting the word "female" in line 3 of paragraph (d),

I mentioned this amendment during my second reading speech. It merely helps to pare some of the deadwood from the Act by deleting the word "female".

The Hon. A. F. GRIFFITH: It has occurred to me that I tried to steal the honourable member's amendment by saying that the amendment to clause 29 was in my name, whereas, in fact, it is in the name of Mr. Willesee. I have no objection to the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 30 to 32 put and passed.

New clause 23—

The Hon. A. F. GRIFFITH: I move—

Page 8—Insert after clause 22, in lines 20 and 21, the following new clause to stand as clause 23:—

23. Section forty-three of the principal Act is amended by deleting the words, "of Dentists", in each case where occurring in line six of subsection (1), and in line six of subsection (3).

New clause put and passed.

Title—

The Hon. A. F. GRIFFITH: I will take this opportunity to give to the Committee some information which has just been handed to me. It is to the effect that the original registration fee is £10 10s.; the annual license fee is £4 4s.; and the re-entry fee is £1 1s. I will check the correctness of that last figure for the benefit of Dr. Hislop.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

LAND ACT AMENDMENT BILL

Recommittal

Bill recommitted, on motion by The Hon. F. J. S. Wise (Leader of the Opposition), for the further consideration of clause 21.

In Committee

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 21: Section 114 amended—

The Hon. F. J. S. WISE: My first attempt to amend this clause was thwarted by the Government—and I cast no reflection on the vote of the Committee of the House. The Government showed no intention whatever of accepting my first proposals, which had as their objects, that before pastoral leases were reissued from 1965 until the year 2015, an inspection would be made; a report furnished to the pastoral appraisal board; and advice given to the Government as to whether or not the leases should be renewed. In case you are looking at Standing Order No. 124, Mr. Chairman, I am putting up an entirely different proposal on this occasion.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): For the honourable member's information, I am looking at Standing Order No. 192.

The Hon. F. J. S. WISE: Section 28 of the Land Act provides for the division of the State into land districts. Although, as I have said previously, I think that an inspection prior to the granting of a lease anywhere in the State is warranted, I am confining application of this amendment to the Kimberley Land Division as defined in section 28 of the Land Act. I hope that this amendment will be acceptable to the Government because of its great importance on many grounds.

I do not wish to weary the Committee by re-traversing all the points I raised on another occasion when pointing out that the industry should have a better land-use policy obtaining in the State of Western Australia. I might say that I am not acting under a whim or caprice of any kind. After all, and I do not like saying this but I will, for 30 years I have represented pastoral regions of Western Australia—and pastoral regions only. I was privileged to be Minister for Agriculture in this State longer than any other person, and for ten years I administered the Land Act. This was during a period when much travail occurred in pastoral regions, and when serious consideration had to be given to the circumstances which obtained at that time.

Therefore, I am not guessing regarding this problem and I am not raising matters which are Aunt Sallies, but matters which should be given a lot of practical consideration in the hope that we will see a better future in these regions within our lifetime.

Unless something of this kind is agreed to, we are not merely tying up the leases concerned until the year 2015, but we are likely to tie them up—if they are reviewed before the turn of the century—for the next 100 years, with all the unfortunate features associated with that happening.

Therefore, as many arguments have already been stated to the Committee, I simply move an amendment—

Page 20—Insert after paragraph (d), in lines 4 to 14, the following new paragraph:—

(e) Where a person applies under subsection (1) of this section for a lease of land in the Kimberley Division, the Minister may in his discretion approve of the issue to that person of a new lease of the whole or any part or parts of the land the subject of the application:

Provided that the Minister shall not approve of any such application until it has been referred to the Pastoral Appraisal Board and the Board has made a report and recommendation to the Minister concerning the following matters:—

- (i) the extent to which the applicant is using, managing and working the land the subject of his application as a pastoral property according to the most sound and approved methods of pastoral husbandry in relation to sheep and cattle and to the management, conservation and regeneration of pasture for pastoral purposes that prevail in the district wherein the land is situated; and the extent to which the land is being utilised to best advantage as a pastoral property;
- (ii) the improvements on the land the subject of his application; and the extent to which those improvements and any further improvements proposed to be effected thereon by the applicant, provide for the reasonable development of all those portions of the land which are capable of being utilised for or in connection with pastoral purposes; and
- (iii) whether, having regard to the matters mentioned in subparagraphs (i) and (ii) of this paragraph, the Pastoral Appraisal Board considers it desirable that a new lease should be granted to the applicant; and, if the Board considers that a new lease should be so

granted, what part or parts of the land the subject of the application should be comprised in any such new lease.

The Hon. L. A. LOGAN: I think each of us appreciates the sincerity with which Mr. Wise has approached the subject of amendments to the Land Act dealing with pastoral leases in Western Australia. Although the honourable member said that this amendment is somewhat different from the other one he moved, it is exactly the same except that it applies only to the Kimberley area as defined in the Land Act; and the principle of the two amendments is the same. Therefore, I still say that this amendment would delay the position in the part of the State referred to.

The matter has been given further consideration by the Government, and we have looked at it from the angle of that portion of the State only. However, we believe that the attempts we are making to bring these pastoral leases to a proper stage of development, and to the proper carrying capacity, under the plan of development laid down, are such that they should be given a trial. It is obvious that up to the present time lessees have been allowed to do as they like, but under the new pastoral leases that will not happen, and lessees will have to comply with certain standards and requirements.

If the amendment is agreed to it will only delay the granting of pastoral leases in the Kimberley area. The granting could be delayed until the year 1982; because if somebody got the idea that he did not want to renew his lease he could carry on until 1982 and then simply walk out. Whether that would be done, I do not know, but provision would be there for it to be done. As I said, the Government has given further consideration to the matter and it has asked me to request members not to agree to the amendment.

The Hon. F. J. S. WISE: I am sorry that is the attitude of the Government. The request is for the new proposal to be given a trial—a trial for the next 100 years!

The Hon. R. F. Hutchison: That's the point.

The Hon. F. J. S. WISE: I wonder whether the Government realises what it is doing in giving this generous treatment to those whom Mr. Strickland has described more than once as bad tenants? Does the Government realise that there is on record, in sworn testimony before a Royal Commission, evidence to the effect that the incremental value of a lease, independent of the value of stock and improvements, has at times exceeded £50,000? It has been recognised through certain periods that the premium within a lease is the equivalent of £25 per

1,000 acres. That is the premium value of the lease when sales take place; those have been the figures received by lessees.

When this Bill passes in its present form it will give to many unworthy people millions of pounds spread over the 50-year term of the lease, with the right of renewal, against the best interests of this State. It will mean hundreds of thousands of pounds in separate interests to absentee landholders. That is what this Committee is condoning and the Government is recommending. It is a shameful thing. I repeat: I can produce the names of the stations concerned where sworn evidence was given before Royal Commissioners to the effect that £50,000 was the premium within the value of a property paid for the right to occupy for the remaining term of the lease.

In some cases absentee owners are interested in 5,000,000 acres—foreign companies. They are the people I am trying to get at through the amendment. Their shareholdings are unknown to the Government; and it is not even known whether they are infringing section 105 of the Land Act in regard to the million-acre provision. But that sort of thing will be perpetuated by the Bill as it is. The Minister talks about our giving it a trial. I would say some of these people should be on trial!

The Hon. R. F. HUTCHISON: Hear, hear!

The Hon. F. J. S. WISE: We are perpetuating a dreadful state of affairs, and we are providing for it 19 years before the leases expire. The Minister says that the matter will be delayed if we do not agree to the Bill; but the leases have 19 years to run. We must do something quickly, during the life of this Government. I could use some very nasty words in connection with it, and there are some very nasty aspects about it. But the fact remains that with the passing of this Bill some people—foreign companies—will be presented with a premium within their leases, worth hundreds of thousands of pounds during the next 50 to 100 years, the term of the leases.

The Hon. G. Bennetts: All of Western Australia will be run by foreign companies soon.

The Hon. R. F. HUTCHISON: I come from an area where pastoral leases abound. Unfortunately, with its brutal majority in this Chamber, the Government will be able to pass the Bill; and I say, as I have said before, that it is a blatant attempt at camouflage on the part of the Government. The provisions of this Bill will cause the State, and its people, to suffer for decades to come.

Absentee landlordism is the curse of democracies, wherever they are, and it is rife in Western Australia. It is a shameful thing that anyone should dispute the word

of a man who is as knowledgeable, and who has held as many important positions in Western Australia, as Mr. Wise. No-one in this Chamber has held the positions that he has held over the years, and no one in Western Australia knows more about the subject of the pastoral areas than he does. It is like the Government's impertinence to introduce legislation of this kind. It will be a tragedy to Western Australia if the Bill is passed. By this legislation the Government is simply handing over the outback country to speculators and absentee landlords of the worst possible kind.

What Mr. Wise said was quite true, and I challenge the Government to tell us who these absentee landlords are. The Government cannot do that, because it does not know. I cannot say what I would like to say—I am not asking to be suspended—but I simply repeat what I said last year: The Government ought to be ashamed of itself for introducing such legislation. Its action in this regard is consistent with its attitude on other matters; and it will allow the worst possible destructive forces to tie up the land of this young State for a century. That is a wicked thing to do.

The Minister, representing the Government, ought to be ashamed for doing that. We know by other things that are happening what is going on in this regard. Yet here we have a man with considerable knowledge of the position, the Leader of the Labor Party in this House, pointing out the tragedy of it, but the Government takes no notice of what he has to say. Those who know the position of the pastoral areas know what Mr. Wise has said is true. It is a pity that someone cannot rise up against it. The tragedy of it is that the Government can continue in office as a result of its narrow majority.

The Hon. A. R. JONES: I do not doubt the ability, or the sincerity, with which Mr. Wise put his views to the Committee and the Government.

The Hon. R. F. HUTCHISON: Or his knowledge.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): I would ask Mr. Jones to speak a little louder, because it is not very easy to hear him.

The Hon. A. R. JONES: I do not have as much knowledge as Mr. Wise in relation to the north and the Kimberleys; but I did say in my second reading speech that I had seen stations in the eastern goldfields and lower Murchison areas which, to my mind, had not been properly managed. I also said I had seen stations that had been properly managed. There is a big discrepancy, and a big comparison to be drawn. When one reads the Bill before the Committee one realises that the board to be appointed will have the right

to say whether or not the landlords had carried out the conditions required by the legislation before us. There is no provision in the old Act which enables the Government to ensure that the landlords in question carry out their husbandry as they should. There is no way at all in which they can be brought to book.

Under the legislation before us there is a possibility of being able to penalise the people who, in our opinion, have defaulted; those who have not carried out in the best interests of the State or the community the work they should have done on their properties. If we had an inspection of all stations before a new lease was entered into we would find that many of the landlords would take advantage of the fact that they could carry on till 1982 and then walk off their stations leaving them in as poor a condition as they pleased.

The Hon. R. F. Hutchison: Are you supporting absentee landlords?

The Hon. A. R. JONES: I would like to see everybody who has a lease of a station compelled to live on that station for at least a period of the lease. At the present time there are a number of people who are not living on their stations, and the point is that we cannot compel them to live on those stations. It would be much better if we worked under the provisions of the legislation before us, and gave these people the opportunity to comply with those provisions; and, after two or three years, the board could determine whether or not those leaseholders had met their obligations. If they had not met their obligations at the end of two or three years their leases could be cancelled. Unless provisions of that nature are included in the legislation the leaseholders could take all they wished from the property and leave the land in a desolate condition.

I feel no useful purpose would be served by supporting Mr. Wise's amendment—even as it applies to the Kimberley district—because, after going into the legal aspect, I am sure we are doing the right thing in making leaseholders comply with certain conditions before their leases are renewed.

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

Ayes—13

Hon. G. Bennetts	Hon. R. H. C. Stubbs
Hon. D. P. Dellar	Hon. J. D. Teahan
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. P. R. H. Lavery
Hon. H. C. Strickland	(Teller)

Noes—15

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. N. E. Baxter	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. Heitman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
Hon. A. L. Loton	(Teller)

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Further Report

Bill again reported, without further amendment, and the report adopted.

Third Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.57 p.m.]: I move—

That the Bill be now read a third time.

Amendment to Motion

THE HON. F. J. S. WISE (North—Leader of the Opposition) [5.58 p.m.]: I move an amendment—

That the word "now" be deleted and the words, "on the twenty-fifth day of December" inserted after the word "time."

I think Christmas Day is a most appropriate time for the receiving and giving of gifts. The proposals in this Bill, together with the gifts it seeks to give, are magnanimous, unjust, and unfair. They are magnanimous because they give away the wealth owned by the community; they are unjust because such wealth belongs to future citizens; and they are grossly unfair in the manner in which they are to be made.

I mentioned earlier that the condition of many of the pastoral properties in this State after 50, 60 or more, years under the one lessee—especially some of the company lessees, and some of the absentee landholders—warrants attention now by the Government in the interests of the people; not 100 years from now. The flimsy provisions of this Bill will not achieve anything. In spite of what Mr. Jones thinks is in the Bill, the plan will not be implemented, because once these leases are granted one can forget all about implementing the plan in the manner forecast by Ministers of the Government.

The stringent provisions of the Land Act of the last 40 years have never been invoked and, at times, there have been reasons why they have not been invoked; and where there have not been good reasons, there have been excuses; and, in the future, now that we are making a present to some companies—a present, I repeat, of millions of pounds in premiums within the lease values—Christmas Day is an ideal day for this Bill to pass the third reading.

A Royal Commission in hearing the cases of many stations, took evidence on oath that £50,000 was the premium paid above the improvement value and the value of stock; and £25 per 1,000 acres was the kind of premium paid to

get into a pastoral property some years ago. What is going to be the picture now with the prospect of the next hundred years of undisturbed possession?; because this Bill provides that before this century ends there will be a review, and the lessee may state his case to show that the leases may continue and be renewed again after the year 2015. So I do not know whether there are to be any "quos" for the "quids" that are to be so lavishly bestowed.

However, it is a very bad situation. The provisions that are in the Land Act now became operative in 1933 after those sections in the Act were finalised in the Legislative Assembly and this Chamber in the year 1932; and, with the exception of the amendments dealing with the suspension of rents and the waiving of rents, references to pastoral leases have not been amended since. I made those amendments myself. Those sections have been intact since 1932; and, I repeat, the Crown has been a wonderful landlord. It has no apology to make to people who have been good tenants, and it has the right to expect a lot more from those who have been bad tenants.

We tried to move this afternoon to have the Kimberley area made distinct to show some prospect for all this "blah" from some members of the Government—particularly one Minister—about the enormously exciting prospect in the north. Of course—

The Hon. R. F. Hutchison: It is for some, too.

The Hon. F. J. S. WISE: —he says that in the south. This Bill is not going to increase the pastoral population in the north one iota; and what a terrible thing that is in the year 1963! That is my confident view, despite the wonderful departmental men of the type of Mr. Suijdendorp, and all those who are working with him at the taxpayers' expense, in the reclamation of land despoiled by many of these people. What will be the future of a lot of it? In my lifetime I have endeavoured, first as an officer, to assist in the reclamation of scalded plains. I have seen them punished, too, to a stage where they had no chance of carrying a hoof; and millions of tons of soil annually have been washed down those plains to the rivers.

Mr. President, needless to say this Bill upsets me as a person. It hurts me. I think it is a terrible Bill.

The Hon. R. F. Hutchison: Hear, hear!

The Hon. F. R. H. Lavery: It is an insult to you!

The Hon. F. J. S. WISE: I think the Government and its members, who have not understood the implications, will rue the day they supported such an obnoxious measure.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [6.7 p.m.]: It is hardly necessary for me to remind the House that the amendments to the Land Act as submitted in this Bill are the result of an intense inquiry by a committee set up to conduct its inquiry entirely within terms of reference as laid down by Mr. Wise and agreed to in this House.

The Hon. F. J. S. Wise: That is not true.

The Hon. F. R. H. Lavery: Evidence was not taken on oath.

The Hon. L. A. LOGAN: I did not say that. I said the committee was set up and conducted its inquiry within the terms of reference laid down by Mr. Wise and agreed to in this House. However, because the committee has recommended something with which Mr. Wise does not agree, he has taken exception. That is his right. Nobody is arguing the point about that; but this committee had access to every report ever presented on the pastoral industry of Western Australia. There have been two Royal Commissions that I know of; and three or four committees that I know of; and this committee had access to all of the information contained in those reports.

I do not doubt for one minute that the members of the last committee knew of the position mentioned by Mr. Wise this afternoon. Had they not known, they would not have been members of the committee. Therefore, they would have taken all these things into consideration. Nowhere in these reports can I find where any recommendation has been made that these areas be cut up for the purpose of closer settlement. Therefore I say to the House that this Bill is the result of that committee of inquiry; and its recommendations were accepted by the Government.

The Hon. F. R. H. Lavery: The motion which was defeated was not to cut up blocks.

The Hon. L. A. LOGAN: Undoubtedly, when Mr. Wise talks about more leases being granted in the pastoral areas, his obvious desire is to see more population in the area.

The Hon. F. R. H. Lavery: What is wrong with that?

The Hon. L. A. LOGAN: It is a very worthy idea, and there is nothing wrong with it at all if it can be put into effect. I do not blame Mr. Wise one iota for the attempt he is making. I realise that it is because of his deep sentiment towards, and knowledge of, the area.

As far as the Government is concerned, it set up this committee, received its recommendations, studied them, and accepted them. The conditions provided for in this Bill are entirely different from the previous ones and we believe we can obtain

some measure of control under the new set-up. I hope the House will not agree to the amendment moved by Mr. Wise.

Sitting suspended from 6.10 to 7.30 p.m.

THE HON. A. R. JONES (Midland) [7.30 p.m.]: Mr. Wise spoke on the third reading, and I understood him to say that even though these leases will be taken out under a new arrangement, according to the Bill, the people who do not comply with the Act will not be brought to book. I just wonder why he would say that, and upon what he was basing his theory in that regard. He also said that for quite a number of years some station owners have not been doing the right thing, particularly in the Kimberleys, and more especially those station owners or lessees who were non-resident, but who were, in fact, foreigners to our country. Mr. Wise felt that for some years these people had not been playing the game; and I wonder why they were not brought to book.

I thought perhaps the honourable member might tell us the reason, because he was, as he said a while ago, the Minister holding the portfolio covering this situation for a number of years, and had an intimate knowledge of what was going on. Therefore one would like to know why, in his opinion, those people should not have been, or should not be, brought to book. I trust the honourable member will give a reply to my questions, because I am interested in them.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [7.34 p.m.]: I remind Mr. Jones that the leases were extended from 1948 to 1982; and it was my responsibility and privilege to be Minister for Lands until 1945 when I left the Lands Department for the Premier's Office. The existing leases at that time had had a currency of 10 years, long enough for the lessees, particularly in the sheep areas, to experience dire circumstances from the prolonged drought from 1938 to 1942. During that time I took very strenuous, real, and active action which meant a suspension of over £1,000,000 worth of debt, and the waiving of £400,000 worth of rent; and, by a decision of the finance firms, their waiving over £1,000,000 worth of debt and suspending the interest until the properties were restored. But I had no opportunity for doing the things which arose and which showed themselves to be of great urgency as they progressed, and on which I spoke very firmly and strongly as the years went on.

I did, however, in another sphere, when I was not in this State, have the opportunity of taking action to do justice to the Commonwealth of Australia in better land use; and I took the risk of being challenged anywhere, in any court, for my actions; and I succeeded in seeing five to

10 families where only one family had previously resided on a pastoral property. It is of no use Mr. Jones raising that sort of Aunt Sally.

The Hon. A. R. Jones: Did you take it as an Aunt Sally?

The Hon. F. J. S. WISE: Yes.

The Hon. A. R. Jones: It was not meant as an Aunt Sally.

The Hon. F. J. S. WISE: I hope it was not. I think the Bill should be defeated, and I shall certainly be dividing the House on the motion.

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

Ayes—13

Hon. G. Bennetts	Hon. R. H. C. Stubbs
Hon. D. F. Dellar	Hon. J. D. Teahan
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. H. C. Strickland
Hon. F. R. H. Lavery	(Teller)

Noes—16

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heltman	Hon. H. R. Robinson
Hon. J. G. Hislop	Hon. S. T. J. Thompson
Hon. A. R. Jones	Hon. M. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. C. R. Abbey
	(Teller)

Majority against—3.

Amendment thus negatived.

Debate (on motion) Resumed

THE HON. H. C. STRICKLAND (North) [7.40 p.m.]: Before the passing of the Bill, I would like to express my thoughts. I said right at the outset, when speaking to the second reading, that my strong objection was to the blanket provisions in respect of extending the leases, no matter whether the tenants were good tenants or bad ones. My objection was to taking them all on a face, and I cited some tenants in the Kimberleys to support my thoughts. Those thoughts are not only my own; many Kimberley pastoralists deplore the fact that some of their neighbours are to be given long-term leases.

Their fears, of course, are not unfounded. Bad tenants are a menace to their neighbours, and they are also a menace to the industry. We find that bad tenants on stations allow pests to breed and weeds to be introduced; and they allow all types of undesirable breeding activities to take place. That is done by reason of the fact that a cattle station—and I am speaking of cattle stations—do not have improvements for the proper management of the herds. As a result, the neighbours of bad tenants are infested with pests which breed, and also with inbred bulls that breed on such properties; and, as a consequence, they suffer a reduction in the quality of their beef.

It has always been generally claimed in regard to the cattle stations in the Kimberleys—and the figures prove it—that very few pastoral properties market 30 per cent. of the calves they brand. That will give an idea of the type of management of those stations.

Apart from improvement conditions, such as fences, which are the main ones, there are others that will bring about improvements in the industry. One, of course, is transport. There will be a lift up in the turn-off of beasts from cattle stations from now on. In fact, it commenced last year to some extent with the introduction of road transport on a large scale. Young beasts can now be road-transported into the abattoirs or shipping points according to the way they are moved.

Prior to the introduction of road transport, it is a positive fact that no more perhaps than two or three stations in either west or east Kimberley turned off more than 30 per cent. of the calves they branded each year. Just work that out on a basis to give a figure. Taking the Wyndham Meat Works, we find that those works have killed an average of 35,000 head of cattle each year during the past 10 years. If 35,000 head of cattle represents only one-third of the total figure, members can realise the position; and I am putting the ratio pretty high, because some stations are down as low as 25 per cent. If we take 25 per cent. as the basis, we would get a figure near the mark in the east Kimberley—and Mr. Wise and the rest of us object to certain stations in that area getting a lease for another 100 years—showing that 75 per cent. of the cattle die on the stations each year. That is a terrific waste, due wholly and solely to bad management.

The Minister now tells us that the improvement conditions will be put in train; but what improvement conditions? There is nothing in the lease, as set out in this Bill, to say that any lessee is bound to build one fence, or one horse paddock. The improvement conditions must satisfy only some civil servant. Sir Winston Churchill once said, in effect, to the world that it would be a very sad day when our destinies were left to the whims of politicians or public servants. There is no doubt about that.

The improvement conditions will be enforced by some public servants. There is nothing in the Bill whatsoever stating that one fence post shall be erected anywhere. It is a positive fact that the sheep men have to erect fences on their properties in order to run their stations in a proper manner. They could not produce the wool of the quality they produce today without the creation of paddocks to segregate their ewes, wethers, and rams. However, the same cannot be said of the

man on a large cattle holding—particularly the Vestey group—because he could not care less. He simply lets the herds roam over the country, and the quality of the stock does not matter one iota. Those station-holders are too big to be worried about such matters, because they are millionaires. However, the tragedy is that such a policy means the destruction of the land in their care as a result of the erosion of the soil due solely to the non-erection of fences, and the fact that their herds are badly managed, if managed at all. Those are undeniable facts!

The present Government has discovered it has to spend £250,000 to fence the properties controlled by Vestey in an endeavour to prevent the Ord River from silting up. Vestey has agreed to pay up to a maximum of £80,000 of the ultimate cost, but what that will be nobody knows. It could be half a million pounds, or it could be a million pounds. No-one knows what a project in that country is going to cost until it is completed. Therefore it is time the taxpayers of Australia knew something of what is going on, because they are footing the bill. They are finding the money for the expenditure on the erection of fences for this group which has destroyed the land; not a small piece of it, but many hundreds of miles of river frontage. However, not one penny would the Vestey group have spent on protecting the soil if it had not been for the Ord River diversion dam construction, and the Government finding itself in the position of having to fence off the eroded areas and regrass them at the taxpayers' expense; and, following that, the lessee concerned is to have the use of the land.

That is quite all right, but why should not such a lessee have to pay for the improvements effected? Why should the taxpayers of Australia have to pay for his bad management? Goodness knows what Vestey has earned off their properties in the past 10 years. That group has put no less than 10,000 head of beasts through the Wyndham Meat Works, and one can safely say that the return would average £25 a head. Further, that is only the number of cattle it actually turns off into Wyndham; because its holdings run right through the Northern Territory and Northern Queensland, and the group is continually moving stock off in that direction.

It is lessees such as those which Mr. Wise is endeavouring to bring to book, but the Minister says there is enough in this Bill to make them shoulder their responsibility. The fact is, however, that there is not one word to be written into the leases, as proposed by this Bill, with which they must comply. Even a person selecting land in the south-west under conditional purchase—and most farmers have

settled upon the land under such terms—has had to effect some improvements before being given a title of any kind. However, the pastoralists in the north, according to the provisions of this Bill, will not have to do a hand's turn.

One has only to read the report submitted by Dr. Ida Mann on how some holders of pastoral leases look after their homesteads, and her comments in respect of the accommodation for their staff, to realise that they make no effort whatsoever to effect improvements. Their homesteads and their outbuildings are tin ramshackles, and they would not spend one penny on their properties if they were not compelled to one way or the other. One often refers to them as foreign companies. Of course they are foreign companies and they are bleeding the land and the taxpayers in it. It is the taxpayers who have to make up for their deficiencies. That is what brings forth our protests.

I remember being a member of a deputation which waited upon the Prime Minister of Australia (Sir Robert Menzies) seeking relief for taxpayers in the north. In doing so I did not have regard for the Vestey group alone, but one could not separate that group from all the other taxpayers in the north of this State. In the course of my contribution to the discussion I suggested that concessions on capital invested would be the best move to grant taxation relief to those in the north, because of the drift of pastoralists' profits from the pastoral areas to the southern areas.

The pastoralists in the pastoral areas are on leasehold land, but farmers in the southern areas are on freehold land. Therefore who is going to invest money on the improvement of leasehold land in the north of the State, when one can buy freehold land in the southern parts? Furthermore, land in the South-West Land Division a few years ago could be bought for as low as 2s. 6d. an acre between Geraldton and Perth.

I then suggested that conditional purchase would be the answer to the problem, but that suggestion was pooh-poohed. It was contended that the areas were too big for conditional purchase. In answer to that, one can always divide the large areas into smaller sections. This Bill, however, is going to grant almost perpetual lease tenure with no conditions attached whatsoever, and that is why I have raised objection to the measure. Furthermore, that is why Mr. Wise and my other colleagues protest strongly against it.

The people who abuse the land and cause it to be eroded would amount to only a score. As a result, the taxpayers of Australia have to meet the cost of eradicating pests and renovating their land. That is an injustice, and it is time the Press printed something to inform the taxpayers

of Australia of the true position. If this small number of leaseholders lost their leases altogether it would not break them financially, because they are in such a big way. They would lose an asset, certainly, but they are keeping two or three good solid men out of the State because of the way they control their leases. Those are facts which no-one can deny. Any person who cares to ascertain the facts for himself cannot help but be convinced that they are bad tenants, and they should be forced to look after the land in their keeping. They should not allow it to become eroded; they should not abuse it and then expect the taxpayers of Australia to renovate it and put it in good condition. I oppose the third reading of the Bill.

THE HON. N. E. BAXTER (Central) [7.56 p.m.]: I have evinced great interest in the debate. I am one of those who do not know the north-west, except for a brief visit by boat along the coast during which one sees very little of the country.

I was rather surprised at the statements made by Mr. Strickland when he said that something should be done about the people on pastoral properties who are not fulfilling their obligations, and who should be forced to do so and to conduct their stations in a proper manner. I would like to pass on this suggestion to the honourable member: These people, as he knows, will hold leases of the various properties until 1982 and so, under the principal Act, what can the Government do between now and 1982 any more than it has done in the past, unless, by some particular circumstance, it can bring about forfeiture of the leases?

Mr. Strickland has said there are no provisions in the Bill which will bring these people to book. I admit that nothing will bring these people to book until their leases expire in 1982. However, the Bill is an attempt to get the station lessees to convert their leases for a further 30 years and come under the provisions of section 103, which is to be amended by clause 16 of this Bill, subclause (4) (c) of which reads as follows:—

A lessee of a pastoral lease to which subsection (3) of this section applies—

(c) shall at all times during the term of his lease use, manage and work the land the subject of his lease as a pastoral property in a proper and husbandlike manner and according to the most sound and approved methods of pastoral husbandry in relation to sheep and cattle and to the management, conservation and regeneration of pasture for pastoral purposes that prevail in the district wherein the land is situated to the intent

that the land is utilised to the best advantage as a pastoral property.

What could be more binding than that, even without the other provisions set out at the end of the clause?

The Hon. H. C. Strickland: Who is to be the judge of the conditions set out in that provision?

The Hon. N. E. BAXTER: The Minister, on the recommendation of the Pastoral Appraisal Board. Surely the honourable member will admit that if the Pastoral Appraisal Board is constituted to consider how any station is conducted, and its representatives are sent to any station to make inquiries and report on it, the recommendations of the board must be considered. Surely no Minister is going to act contrary to the recommendation made by the board, particularly if the report made by the board is an adverse one. No Minister would be game to do so, because he would have a hive of bees around his head. The provision which I have read to the House is not the only one which ties down pastoral lessees. There are other provisions contained in clause 16, which sets out how any lessee shall convert his lease.

There is no way by which we can amend the provision in the Bill which deals with the person who will not convert his lease. If he does not, what he is doing today he can continue doing until 1982. If something could be done about the person who refuses to convert his lease, I would be the greatest supporter in this House of such a move; but the difficulty is to get people to convert.

Mr. Wise was very much concerned about this measure, and he was honest and sincere in trying to put the position on a proper plane. I think we all desire to have the matter put on a proper plane, and this Bill will be the means of doing that provided the lessees convert their leases for a further 30 years; but nothing can be done about the person who is not prepared to convert his lease.

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

Ayes—16

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. E. Robinson
Hon. J. Heltman	Hon. S. T. J. Thompson
Hon. J. G. Hilslop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. A. L. Loton	Hon. J. Murray

(Teller)

Noes—13

Hon. G. Bennetts	Hon. R. H. C. Stubbs
Hon. D. P. Dellar	Hon. J. D. Teahan
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. F. R. H. Lavery
Hon. H. C. Strickland	

(Teller)

Majority for—3.

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 13th November, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [8.5 p.m.]: When this Bill was introduced I asked for an adjournment for a few days, because of its involved character. I am sure members will agree this is an involved Bill, if they listened to the introductory speech of the Minister. The deferment of the debate on the Bill has saved a lot of the time of this House, because members were given the opportunity to examine the sections of the Act which are affected by the amendments in the Bill.

The import of the amendments generally is that they are designed to make adjustments and to iron out two or three anomalies in the Act; and they make adjustments in connection with hospital employees. One particular amendment affects the position of widows who marry when they are elderly, and the existing provision in the Act inflicts an obvious injustice on them.

Another amendment which I am sure is a disappointment to many people will affect the use which has been made of the superannuation fund for the purpose of avoiding taxation. Now that hole in the legislation is to be plugged; and the practice—which appears to be an easy way for people to save money by paying it into a fund and drawing it out very shortly afterwards—is to be controlled.

I do not wish to go into the other details contained in the Bill, except to point out that I have examined the various provisions and have found them to be in accord with the explanation given by the Minister. I support the second reading.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [8.7 p.m.]: I would like to say that I appreciate the attitude adopted by the honourable member who has just spoken. I was very glad to accede to his request for an adjournment of the debate for a few days, for the reason that such adjournment would give an opportunity to members to examine the Bill thoroughly. Frequently with an adjournment of the debate for a few days considerable time is saved; because the Bill

can be dealt with more quickly in Committee if ample opportunity is given to examine its provisions.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

ABATTOIRS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 14th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [8.12 p.m.]: When the Minister introduced this Bill he said that its main objective was to divide the control and management of the Midland Junction Abattoir between the Controller of Abattoirs and the Midland Junction Abattoir Board. At the present time the Act lays down that the Controller of Abattoirs shall be the manager, the executive officer, and the chairman of the abattoir board.

The Bill seeks to delete that provision in the Act; to retain the position of Controller of Abattoirs; and to leave the Midland Junction Abattoir Board without any defined person as chairman. Consequently, two positions could be created where one exists now.

The Minister did not tell us what benefits were likely to accrue from a change in management in that respect, or the source from which any request for the change in management was made. He did not give any reasons for the introduction of this measure; he merely pointed out what would be the result if the Bill was passed.

The Bill also contains several other amendments, two or three of which are rather difficult to understand, and I am at a loss to know the reason for their introduction. One of these relates to the declaration of an abattoir district. The Minister says that the reason for the change is more or less to give an assurance to private enterprise.

The Bill proposes that instead of the Governor declaring an abattoir district as is now the position under the Act, only Parliament will do so. Why Parliament should be asked to do this, is rather hard

to understand. I did not think abattoirs were so important; and it seems rather strange that Parliament should be asked to have to approve by a motion of both Houses before an abattoir district can be proclaimed.

Well, I should imagine it would be a very long time before it would be necessary for the Government to declare a district. It might never be asked, during my lifetime anyway. However, it could be in the future.

The Minister and others, when speaking to the Bill, have stated that this Bill is necessary for the protection of already established abattoirs, and abattoirs which might be established in the future by private enterprise. I cannot for the life of me believe that any Government would step in and spend huge sums of money to erect an abattoir if a private abattoir were already established. After all, an abattoir has to stand up to very rigid and strict health regulations—both State and Commonwealth if it is an export abattoir.

I think Mr. Abbey mentioned that it was a good thing safeguards were included for the benefit of private abattoirs. I can tell Mr. Abbey that during my term as Minister for the North-West I received at least half a dozen deputations from Kimberley cattle producers asking me to submit to the Hawke Labor Government a proposal to establish a Government abattoir at Derby and run it in conjunction with Wyndham. Of course I never did. There was one private abattoir established in Derby, one out of Derby, and one to be established. Glenroy was operating some 90 miles inland, and the same people were establishing a treatment works, with an abattoir later on, I understood, in Derby. Then, of course, there was established the Broome Freezing Works. Therefore, if the Government had stepped in, it would have been, perhaps, tragic.

The Labor Government had no intention of stepping in. Every penny available to the Hawke Government could be utilised in schools, hospitals, and other essential services. The main reason the pastoralists wanted the abattoir established by the Government was because they did not want to be left in the hands of a private abattoir. They had the experience at Glenroy of receiving about a third of what the producers who put their cattle into the Wyndham works were receiving, and about half of that received by the producers who put their cattle into Broome. Therefore what the pastoralists wanted were more ships to carry the cattle to Robb Jetty where they could get their true value, or, otherwise, the Government to establish an abattoir at Derby and allow the pastoralists to run it as a co-operative and pay it off over the years.

Obviously, as far as marketing is concerned, the cattle producers in the Kimberleys prefer a Government abattoir to a private abattoir. They prefer the system which operates at Wyndham, which is a co-operative system. Further down in the other areas, it could be that private enterprise might give the producer a better return; but there is this thought to be considered: The producers in the far north believe they should not be left in the hands of a private abattoir.

However, be that as it may, that portion of the Bill might be quite all right, but I do not think it means a thing. As far as Governments are concerned, they will not be bothered with establishing abattoirs, or nationalising them or socialising them, unless conditions became so bad financially for the producer that the producer himself requires it. That, of course, has not happened. There have been representations in relation to the Derby producers, but the Labor Government did not entertain the idea of establishing an abattoir there.

I fail to see the reason for some of the minor amendments in this Bill. There is one which deletes the reference to the board of a road district. That is to bring the Act into line with modern times. There is another which refers to the repealing of subsection (2) of section 6 of the principal Act. This deals with regulations. Under the Act, regulations made by the Midland Junction Abattoir Board must be tabled forthwith in Parliament if Parliament is sitting, or, contrary to the Interpretation Act, within 14 days if Parliament is not sitting; that is, within 14 days after the re-assembling of Parliament. That is out of order because the Interpretation Act, which overrides this Act, provides that regulations must be tabled within six days. I believe that the Act should be amended to delete the reference to 14 days, so that regulations must be tabled forthwith.

As I understand the requirements, if Parliament had four or five days to go before rising for the session, there would be no necessity for the board to table the requirements if "forthwith" is deleted. That means that any regulation which might affect producers could be in operation from early December until some time in August before Parliament could take any action.

The Minister on the one hand is asking Parliament to relinquish some of its control over the activities of the Midland Junction Abattoir Board, and on the other hand is asking Parliament to invoke some control in relation to the districts to be declared as abattoir districts. I feel this inconsistency should be looked into.

As I see it, the main object of this Bill is to take control completely away from anyone at the Midland Junction works

other than the board which will consist of three members only. As I read the legislation, the Minister must nominate the chairman, but not necessarily someone from outside of the three. Although I may have missed it, I have seen no reference to the fact that the Minister must appoint a chairman from outside.

In the existing legislation, the Controller of Abattoirs shall be the manager and executive officer. In the Bill the board may employ a manager and executive officer. There is nothing at all to say that two positions will be created. The Minister said two positions would be created where one now exists. As I see it, one very important position is going to be brushed aside completely and the Controller of Abattoirs, whoever he might be—the present one anyway—will be annihilated, and there will be a Controller of Abattoirs with no work to do. I do not see that he will get enough work to keep himself busy if the management of the board is taken away, because, after all, the management of the board is the management of the abattoir and the saleyard. This Bill is going to alter the Act completely by taking full control of both the abattoir and the saleyard from him.

I can remember that there was quite a lot of controversy when, in 1952, Parliament amended the Abattoirs Act and established the board. There was a good deal of discussion and many differences of opinion in connection with it, but this House was induced to give the board a trial. The board has had that trial, and a good trial, too. It has been in operation for 11 years, and I have not heard that anything has gone drastically wrong in connection with its activities. The producers have not raised any outcry, nor have the consumers. Actually, I do not know whether they are in a position to do so. After all, the average housewife goes into a shop and notices that the meat is dearer or not so nice. However, she must buy the meat. Her representative on the board is a chartered accountant, as laid down by the Act. Of course, that provision was deliberately included in the first instance in order that Mr. Clive Evans might be appointed. This was despite the fact that he was a meat wholesaler, which to me was a rather strange thing. Still there it was, and Parliament approved, because the Bill went through.

As I say, the activities of the board under the chairmanship of the controller for the past 11 years have apparently proved satisfactory. The Minister did not say, when introducing the Bill, that the board itself required any change; that it was anxious to get rid of its executive officer and manager. There was no mention at all made of this being the reason. I have read the debates which occurred in

another place, and reports in the Press, and there was no mention whatever of the board requiring this type of legislation. It will take away completely all power from the controller.

I cannot see any alternative other than to place the whole of the metropolitan meat supply in the hands of the Midland Junction Abattoir Board. There must be a chartered accountant, as laid down in the Act, to represent the consumers. There is another representative for the producers and another for the wholesale butchers. It seems a little bit lopsided. After all, it has been a golden rule that he who pays the piper calls the tune. But that will not be so in this case.

There has not been any outcry to date, and there could be some trouble ahead if the controller of the abattoir, who is also the executive officer and manager of the board, is removed and somebody else placed in his position. The board has made no request in this direction.

So far as I know, the present controller has done a wonderful job in remodelling and rebuilding the abattoir, and in keeping costs down to a minimum. There may be some hidden reason why his services should now be dispensed with and why Parliament should be asked to virtually sack the man.

Parliament is being asked to sack a responsible and, evidently, a conscientious and honest officer. We know that Governments recommend public servants for royal honours. Some persons have made colossal blunders which have proved costly, and yet they have been knighted. But this man, who has done an honest job, is to be annihilated. He will not get any birthday honours; he will get the sack.

The Hon. L. A. Logan: Nobody is sacking him. You know that.

The Hon. H. C. STRICKLAND: The Bill provides that he will be sacked.

The Hon. L. A. Logan: It does not. The Minister made a statement the other day to the effect that he was not being sacked.

The Hon. H. C. STRICKLAND: Of course he is.

The Hon. L. A. Logan: He is not. The honourable member knows that as well as I do.

The Hon. H. C. STRICKLAND: The position of controller of the abattoir is being removed, according to the Bill. No matter what knowledge he might have, or what job he might hold, he will have no power. He will be powerless. That is an insult to a man who has made a success of his job.

It is of no use the Minister saying that he is not going to be sacked. I cannot see the Government still paying him the salary that he receives today if he is just

going to be sitting around. Is it the intention of the Government to keep this man employed at the same salary and on the same conditions?

The Hon. H. K. Watson: I think that is fair enough.

The Hon. L. A. Logan: He has the choice of two jobs. He has been given the option.

The Hon. H. C. STRICKLAND: I do not think Parliament should be asked to approve this sort of thing. This is something for the Public Service Commissioner to determine. If the controller comes within the same category as judges and heads of other departments, his salary would be fixed by Cabinet, and Parliament should not be asked to reduce it.

The Minister told us that the controller will not be sacked; yet he will not tell us what salary the Government is likely to offer him if it decides to retain him. If he is to be sacked, then it is an insult to the man for all he has done; and I will not be a party to it. It is not for Parliament to say what is to happen to a man who has been, and still is, a good officer.

I called for the annual report of the abattoir, but I find that the report is 16 months old. It is last year's report, dated the 30th June, 1962. Almost five months have passed since June, 1963, and we have had no report for this year. It is laid down that a report must be tabled; and because it has not been tabled we have not got up-to-date figures in connection with the subject under discussion. Regulations should be tabled forthwith when Parliament is sitting; and I will object to the removal of that particular clause.

The Bill proposes to delete the definition of "Minister," because the definition is in the Interpretation Act. But this is a public Bill and the public should not be told that the definition of "Minister" is in the Interpretation Act. The Bill proposes to remove the definition and make it harder for the public to find out who is who. In almost every second section of the Act there is reference to the Minister; yet the definition of "Minister" is to be taken out.

Section 13 of the Act reads as follows:—

A member of the Board who without the written consent of the Minister, participates or claims to be entitled to participate in the profit of, or in a commission, benefit, or an emolument arising from a contract or an agreement made by or on behalf of the Board, commits a misdemeanour;

Penalty—Imprisonment for three years.

It also provides a similar penalty in connection with a party to a contract aiding and abetting. That is very severe.

Mr. Dolan asked a question the other day in relation to rebates. The Minister's reply showed that 31 butchers who have their cattle treated at the Midland Junction Abattoir received rebates in 1961-62 to the amount of £8,502 19s. and, in 1962-63 to the amount of £14,459 7s. 8d. We find that 31 customers out of some 80 or 90 customers—I believe it is nearer 90—received rebates; but the others received nothing; they paid the full charge. Mr. Dolan asked how the rebate system operated. The Minister replied that it operated on the recommendation of the Midland Junction Abattoir Board.

Under regulations, a sliding scale had been introduced. Any customer whose account exceeded £1,000—who had received from £1,000 to £2,000 worth of service from the abattoir—received a rebate of 1 per cent; from £4,000 to £5,000, a rebate of 4 per cent.; from £9,000 to £10,000, a rebate of 9 per cent.; and for £10,000 and over, a rebate of 10 per cent. That is very good; the bigger the customer the bigger the rebate.

Of course those 31 persons are privileged men; they are privileged butchers; and they get their service at a discount. Whether or not they pass that on to the consuming public, nobody knows.

The Hon. G. Bennetts: I bet they don't.

The Hon. H. C. STRICKLAND: Nobody knows. There is no guarantee that happens; but the chartered accountant who is a member of the board should be looking after that aspect. What he has done about it, I do not know. The point is that the other 60 smaller butchers who do not qualify—who do not have £1,000 worth of service per year—have to pay the full price, and they are at a distinct disadvantage. How can they compete with the men who are obtaining a rebate? There might be a butcher on one side of the street who receives a rebate, and a butcher on the other side of the street who has no hope of building up his business, because he does not receive a rebate.

One member of the board is a butcher. He does business with the Midland Junction Abattoir, and his name is in the list of those who receive rebates. I wonder whether he has the written permission of the Minister, or whether he is liable to a penalty of three years imprisonment. I hope he is not; but there is a point. When we have this system of rebates, and the board shows a loss on its business transactions for the year, it seems absolutely out of place.

The Hon. C. R. Abbey: What about the profit for next year?

The Hon. H. C. STRICKLAND: The costs are the same.

The Hon. C. R. Abbey: What about the profit?

The Hon. H. C. STRICKLAND: I do not know about the profit. If there is a profit this year, then we should know something about it. It is time the accounts were tabled.

The Hon. C. R. Abbey: The Minister made a statement.

The Hon. H. C. STRICKLAND: The honourable gentleman is evidently in the inner circle; I would not know. I have the latest information available, which was tabled in Parliament only this year. They are last year's accounts, and so they are 16 months behind. That is what the board thinks of Parliament.

As the Minister gave us no solid reason for this drastic change in the control and management of the abattoir and saleyards, I am very suspicious of the whole concern. I do not think it is right that a public utility should fall wholly and solely into the hands of a board which is responsible to nobody, except the Minister; and for some reason or other the Government wants to take reference to the Minister out of the definition, and make it harder than ever for us to find him.

I do not know what to make of it. I hope the Minister, when he replies, will tell us the real reason for the Bill. There is nothing about the creation of two jobs; one job is already provided for, and the Bill merely states that the other job may be provided for. The Bill says that the board may do it, and not should do it. If the measure provided that the board should make the appointment it would be a different matter; but it simply says that the board may employ an executive officer. Clause 7 reads—

... and in particular may employ and engage a person to be the General Manager and Chief Executive Officer of the Board.

That means that the whole of the abattoir will be run by a board of three, unless the Minister appoints another chairman outside of the present board.

I believe we should know more about the Bill before it can be accepted. When the Minister replies, we want a full answer as to why these changes are necessary; whether the controller is to be reduced in salary; and so on. If the controller is not to be sacked, are we, by this Bill, contributing to a reduction in his salary, when he has proved, to the satisfaction of everybody, except the Minister, apparently—I do not say the Minister who introduced the Bill in this House, but the Minister under whose authority the abattoir falls—that he has rendered a service to the public?

I have heard members in this Chamber speak very highly of the Midland Junction Abattoir, and of the reorganisation that has taken place there under the direct supervision and planning of the man with

whom we are now concerned. Personally, I have never inspected the place, and I am not in a position to speak in regard to that aspect. However, I hope the Minister will give us some reassuring answers in connection with the points I have raised.

The Hon. L. A. Logan: The answers are all here.

Debate adjourned, on motion by The Hon. J. Heitman.

TRAFFIC ACT AMENDMENT BILL (No. 3)

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [8.50 p.m.]: I move—

That the Bill be now read a second time.

Despite the splendid work being done by such bodies as the W.A. Division of the National Safety Council, the Police Force in their policing of the numerous amendments to the Traffic Act and its regulations, the provision of additional road signs by the Main Roads Department and local authorities, and the advance in traffic engineering directed towards greater safety on our roads, there is grave concern, and apprehension abounds, because of the continued high rate of motor vehicle accidents throughout this State.

Despite the good work which is being done and which has reduced our accident rate from 17.2 per cent. per 10,000 vehicles in 1946 to 7.4 per cent. today, the incidence of road accidents is heightened by an annual increase of 15,000 vehicles appearing on our roads.

During the past year, 6,000-odd traffic accidents injured up to 4,900 persons; and 168 have lost their lives already this year. It would seem there is a hard core of potential road menaces unaffected by the extensive safety efforts of the community as a whole, and unless this inconsiderate section is dealt with realistically, our roads will become alarmingly dangerous.

The indifference of many traffic offenders, and their lack of responsibility, would prompt us to class them in the same criminal category as the thief, or basher, for they surely achieve the same result through their activities.

Legislation has already been introduced during this session to ensure a better instruction of drivers. A measure directed towards implementing the uniform traffic code has been brought to Parliament, and this Bill represents the third in a series of measures directed, in the main, towards improving safety on our highways.

Very recently, it was emphasised by the Commissioner of Police that the main cause of serious traffic accidents lay in

lack of care and responsibility exhibited by many individual drivers. These unfortunate attributes have developed to the point requiring the Government to take strong action, not only to assist these people but also to protect them and other users of the road.

This Bill, therefore, is in line with an opinion expressed by the inspector in charge of police traffic that initial driver's licenses should be issued for a two or three year probationary period. It is considered that with the introduction of this system, those concerned will make every endeavour to obey the Traffic Act and regulations in all their respects in order to obtain eventually an unrestricted license.

The idea is supported by the National Safety Council, and its effect may be readily gauged when we consider there are more than 20,000 new drivers' licenses each year in this State. Nearly two-thirds of all new drivers are under 30 years of age, and approximately 22½ per cent. of all drivers have had their licenses for less than four years.

The following figures indicate that the under 30 age group is more subject to accident involving injury. Of a total of 1,449 persons injured in road accidents here between March and June last, 804 were under 30 years of age. Of the 1,449 injured, there were 496 drivers, and no fewer than 241 of these, or very nearly half, were under 30 years of age.

In order to alleviate the position, the Government has decided to introduce this legislation, the main objectives of which may be summarised as follows:—

- (1) Persons who have previously held a driver's license in this State, or for three years in other States or countries, will be entitled to an ordinary license when applying for a license.
- (2) Every person obtaining a driver's license for the first time, or who has not held a license elsewhere for three years, will obtain it on probation; and any license issued during the ensuing three years will be issued on probation only.
- (3) Licenses issued on probation will automatically be cancelled for certain offences and the holders will be debarred from obtaining a license for three months, or for any period during which he is disqualified by the court, whichever is the longer period.
- (4) The cancellation of a license will mean that the person affected is not any longer the holder of a license, and the period during which he is not the holder of a

license does not count in computing the three years of probation.

- (5) Where the license is cancelled the person affected must apply *de novo*—this means retesting, and the payment again of the fees involved.
- (6) Existing mandatory suspension provisions will not be interfered with.
- (7) Licenses issued to under-age and other persons—previously known as extraordinary licenses, now to be known as conditional licenses—will come within the scope of probationary license conditions and penalties, for the first three years after issue.
- (8) Recourse to appeals under section 33A will not be permitted in respect of the holders of probationary licenses.

In order to determine what constitutes a sufficiently serious breach of the Traffic Act, or regulations, to warrant the minimum three months' suspension of a probationary license, it is intended to include among them breaches of certain sections of the Criminal Code; and of those sections of the Traffic Act which provide a mandatory or substantial penalty in connection with driving, or being in charge of a motor vehicle; and of any traffic regulation which may be prescribed for this purpose.

Those sections of the Criminal Code to which I have referred concern such offences as manslaughter arising from driving a vehicle, dangerous driving causing death, or car stealing. The offences under the Traffic Act which warrant suspension of a probationary license are—

- (a) failing to give name and address, or giving false information, or failing to stop when called upon by a police officer;
- (b) failing to stop when involved in accident—hit and run cases;
- (c) failing to report an accident causing damage or bodily injury;
- (d) driving negligently, recklessly or dangerously;
- (e) driving without owner's consent or being in unlawful possession;
- (f) unlawfully interfering with mechanism;
- (g) misleading a police officer, forging or fraudulently altering a license or number plate, or using such a license or plate or a vehicle with false plates.

Automatic cancellation of licenses issued on probation will follow on the breach of certain regulations to be prescribed for this purpose.

To give some indication of the Government's thinking in this matter, it is considered the following offences are sufficiently serious to warrant suspension:—

- (1) Disobedience of directions given by a police officer or traffic inspector.
- (2) Wilfully preventing another vehicle from passing, driving into or from a line of traffic caused by a temporary traffic hold-up and making a "U" turn when not safe to do so and so as to cause interference to traffic.
- (3) Racing with another vehicle.
- (4) Moving vehicle not keeping to the left.
- (5) Incorrect overtaking.
- (6) Failing to give right of way.
- (7) Failing to take precautions when entering a road.
- (8) Failing to pass centre of road in which about to turn.
- (9) Failing to stop at a "Stop" sign erected at a railway crossing.
- (10) Reversing without taking precautions.
- (11) Failing to ensure vehicles proceeding in opposite directions do not pass on left of each other.
- (12) Failing to give right of way to pedestrians at pedestrian crossings.
- (13) Driving past another vehicle waiting at a pedestrian crossing.
- (14) Failing to take precautions and give right of way at school crossings.
- (15) Failing to keep to left of single or double dividing lines, changing lanes when not permitted, and not observing right and left turn only signs and markings.

The Hon. F. J. S. Wise: It is pretty hard not to change lanes at times.

The Hon. A. F. GRIFFITH: There are places where one can change lanes, and there are other places where one cannot change lanes. To continue—

- (16) Dangerous speeding.
- (17) Disobedience by driver of vehicle on traffic control light signal (notably the red light).

These regulations are not set out in the Bill, because the uniform traffic code is soon to be promulgated and the regulations could not, therefore, be cited by numbers. The Bill contains a clause providing that a minimum of one month must elapse before any driver whose license has been suspended for a breach of the Traffic Act, or regulations, can apply for an extraordinary license.

I might well comment here that there is a strong opinion held in the community that the suspension penalty, introduced by magistrates as a deterrent to the more serious types of traffic offences, is being nullified by the granting of restricted extraordinary licenses to offenders—in some cases within a fortnight of the suspension. I might add that so far as I am concerned, as Minister for Justice, it is very appropriate that the offender should go back to the court that fined him, particularly since section 33A was put into the Traffic Act to provide for application to the court for the restoration of the license.

While there is power in the Act for the Commissioner of Police to suspend or refuse to issue or renew a driver's license, this is to be extended to enable him to exercise this power in cases where the license holder has had numerous convictions for offences. It is expected the extension of this power will have a salutary effect on careless and indiscriminate drivers holding ordinary licenses. This should be effective because their only relief would be to appeal against the commissioner's decision to a magistrate who is empowered to uphold, vary, or set aside the decision.

There is a further provision requiring a parent's consent when an applicant for a driver's license is under the age of 18 years. The parent's consent is at present necessary in respect of a motorcycle. Now, it will be required for a car license.

It was resolved at a meeting of the police and transport medical officers held 12 months ago in Melbourne that drivers should be medically examined and undergo tests for practical driving at 70 years of age, 73, 76, and 79, and annually thereafter.

The Government, in adopting the advice of this committee, which was representative of every State, proposes placing some restriction on the more elderly drivers of vehicles. In that regard this Bill will require that persons once having attained the age of 70 years will be required to satisfy the Commissioner of Police each three years, and at 80 or older, each year, by demonstrating their ability to control a motor vehicle.

This measure rewrites the existing provisions dealing with driver's licenses in order that they may be more readily understood, as some are quite ambiguous. The requirement that licenses be produced after an accident was removed from the legislation when the Bill was being dealt with in another place.

The introduction of cars with automatic gears has made it desirable to have provision for the issue of specified classes of licenses to cover vehicles with special characteristics.

Conductors' licenses are to be abolished. These licenses are not issued as such at present, except with a passenger vehicle driver's license. The cost of the two licenses together is 10s. and provision is made in this measure for re-issue of a license appropriate to the passenger vehicle class on payment of that amount.

In conclusion, it will be of interest to members to know that it is the Government's intention to make a statistical study of the various causes of road accidents; and wherever the cause of accidents looms largely in the total, then the offence occasioning it will be included in the list of offences for automatic disciplinary action.

Debate adjourned until Thursday, the 21st November, on motion by The Hon. W. F. Willesee.

House adjourned at 9.4 p.m.

Legislative Assembly

Tuesday, the 19th November, 1963

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