

Here will also be an opportunity for the member for South Perth, who is known on this side of the House as the great back-stop of the Government and who attempts to come to its rescue each time a censure motion is moved against the Government. He criticised the Leader of the Opposition for moving an amendment to the Address-in-Reply earlier in the session, but he only spoke some 200 words in his contribution. No doubt we will have to listen to a tedious repetition by the member for South Perth, and if he were to condense his speech to 200 words I would find it hard to understand him.

No doubt here will be an opportunity for the honourable member to get up and throw his arms around, and to ask who is audacious enough to criticise this Government, which he contends is doing a very good job for Western Australia. If this Government has done such a good job for the State why do we see so many unemployed around at the present time?

In case Government members criticise me and say I have only put forward information on one aspect, I take this opportunity to move the amendment to the Address-in-Reply to give other Opposition members a chance to air their views.

#### *Amendment to Motion*

I therefore move an amendment—

That the following words be added to the motion:—

but we consider the Government is deserving of censure for departing from the basic principles upon which public tendering is founded (viz., that contracts should be awarded to the lowest tenderer unless there exists good reasons to doubt the ability of the tenderer to do the work) in order to give contracts to preferred contractors regardless of the cost involved.

Debate (on amendment to the motion) adjourned, on motion by Mr. O'Neil.

*House adjourned at 10.24 p.m.*

## Legislative Council

Thursday, the 22nd August, 1963

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

### SWEARING-IN OF MEMBER

The Clerk of the Council (Mr. J. B. Roberts) announced the return of a writ for the election of The Hon. Jack Heitman at a by-election for the Midland Province.

**THE PRESIDENT** (The Hon. L. C. Diver) [2.33 p.m.] : I am prepared to swear in the newly elected member.

The Hon. J. Heitman took and subscribed the oath and signed the roll.

### QUESTIONS ON NOTICE

#### POLIOMYELITIS IMMUNISATION

##### *Objections to Salk Vaccine*

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

(1) When immunisation against poliomyelitis was being promoted by the Public Health Department, were any objections raised by individuals or organisations against the use of the Salk anti-poliomyelitis vaccine?

(2) If the answer to No. (1) is "Yes"—  
 (a) who were the objectors; and  
 (b) on what grounds were their objections based?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) (a) and (b) Objectors were individuals or groups who either opposed vaccination in general or had other ideas on methods of prevention.

2. This question was postponed.

### POLICE FORCE

*Strength in City and Suburbs:  
Disclosure of Information*

3. The Hon. R. F. HUTCHISON asked the Minister for Mines:

- (1) Further to my question on the 13th August, 1963, regarding the strength and allocation of the Police Force, and particularly to Nos. (2), (3), and (4) thereof to which the Minister stated that he would supply the required information privately, will the Minister please explain why similar information was given by the Minister for Police in another place in response to a question by Mr. H. W. Crommelin, the member for Claremont?
- (2) Will the Minister explain why a Press statement appeared in *The West Australian* today referring to a speech by Mr. Crommelin and containing the information which I was requested to treat confidentially, and which I refused to release to the Press?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) I will answer this question when I make my contribution to the Address-in-Reply debate.

4. This question was postponed.

### TRACHOMA AND INFECTIVE HEPATITIS

*Progress in Isolation of Viruses*

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

- (1) Has any progress been made in isolating the—
  - (a) trachoma virus; and the
  - (b) infective hepatitis virus?
- (2) If so, how far have the developments progressed?

The Hon. A. F. GRIFFITH replied:

- (1) (a) The trachoma virus has been isolated in several parts of the world including Western Australia.
- (b) A hepatitis virus has been isolated in the United States, and is the subject of further study.

- (2) A great deal of research will be required before it is clear what the application of these discoveries will be to prevention and treatment.

### DIANELLA

*Health Menace from Water Disposal*

6. The Hon. R. F. HUTCHISON asked the Minister for Local Government:

Further to my questions relating to disposal of water at Dianella, will the Minister advise—

- (1) How many water samples were taken at Dianella for bacteriological examination?
- (2) What was the result of each such bacteriological examination?

The Hon. L. A. LOGAN replied:

Identification Marks	Sample Number	Pre-sumptive coliform count 100 ml.	Faecal B. coli
45, Wandarrrie Ave. ....	1	1100+	1100
4 x 43 Wandarrrie Ave. ....	2	1100	1100
Lot 84, Wandarrrie Ave. ....	3	240	240
Roadside opposite Lot 83 ....	4	460	43
Road, Alexander Street ....	5	1100+	1100+
Road, Woodson Ave. ....	6	240	0
P.S.G. Drain between Wandarrrie and Spencer ....	7	1100+	1100+
58, Woodson Ave. ....	8	1100+	4
66, Woodson Ave. ....	9	1100+	7

### SCHOOL CHILDREN IN THE NORTH-WEST

*Concessional Air Fares for Holidays*

7. The Hon. F. J. S. WISE asked the Minister for Mines:

- (1) In regard to concessional air fares for north-west children travelling home for holidays, is the Minister aware that two single air trips are available in any one year?
- (2) Is the Minister further aware that, with little or no prospect of road or boat transport being available for return trips in time to meet the time limits of school holiday periods, in most cases the equivalent of only one return trip can be availed of in each year?
- (3) As the alternative available to a number of people living in the north-west is to see their children on holidays only once a year, will the Minister agree to provide two return plane trips per year for children from the north-west being educated in southern cities?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) Yes.
- (3) This matter will be looked into.

**DENTAL SERVICES***Cost to Public Health Department*

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

What is the total cost of dental services in Western Australia to the Public Health Department for the years—

- (a) 1960-61;  
(b) 1961-62; and  
(c) 1962-63?

The Hon. A. F. GRIFFITH replied:

The total cost of dental services in Western Australia to the Public Health and Medical Departments is as follows:—

1960-61	....	£190,583
1961-62	....	£230,927
1962-63	....	£247,841.

**MINERS AT KALGOORLIE AND NORSEMAN***Loss of Hearing: Survey*

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

Will the Minister for Health consider having a survey made underground at the mines in Kalgoorlie and Norseman to—

- (a) ascertain if there is a hearing loss by mine employees due to industrial noise; and  
(b) if so, what is the percentage of such loss?

The Hon. A. F. GRIFFITH replied:

Such a survey has been contemplated and is being organised.

**CHILD WELFARE DEPARTMENT***Area and Towns Covered by Kalgoorlie Officer*

10. The Hon. R. H. C. STUBBS asked the Minister for Child Welfare:

What area and towns comprise the territory under the responsibility of the officer of the Child Welfare Department stationed in Kalgoorlie?

The Hon. L. A. LOGAN replied:

*Area*

West to and including Southern Cross, Bullfinch;  
South to and including Esperance, Norseman;  
North to and including Leonora, Laverton;  
East along trans.-line as required.

*Towns Included*

Kalgoorlie-Boulder—head office.

Coolgardie, Southern Cross, Moorine Rock, Menzies, Leonora, Laverton, Widgiemooltha, Norseman, Salmon Gums, Esperance.

**MARINE STORES ACT  
AMENDMENT BILL***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.

**ADDRESS-IN-REPLY: EIGHTH  
DAY***Motion*

Debate resumed from the 21st August, on the following motion by The Hon. A. R. Jones:—

That the following Address be presented to His Excellency the Lieutenant-Governor and Administrator in reply to the Speech he has been pleased to deliver:—

May it please Your Excellency: We, the members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

**THE HON. E. M. HEENAN** (North-East) [2.47 p.m.]: I am pleased to support the motion thanking His Excellency, the Lieutenant-Governor and Administrator, The Honourable Sir John Patrick Dwyer, K.C.M.G., for the speech he delivered on opening the second session of the twenty-fourth Parliament. This is normally a formal motion, but on this particular occasion I feel our special thanks are due to Sir John Dwyer, because we are all aware that in recent months he has not enjoyed good health and on the opening day of Parliament he left hospital in order to carry out his duty. I am sure it is the wish of all of us that he will soon return to good health and will long be spared to hold the position which he has filled with such conspicuous credit to himself and the State of Western Australia.

I know that my constituents on the goldfields will approve of these remarks because Sir John is particularly well known and respected on the goldfields, where he has been a frequent and welcome visitor over many years.

In the course of his Speech, His Excellency stated that gold production for the year was 859,368 fine ounces, and, for the sixth successive year, the total value of all minerals produced in the State was higher than for the previous year. The total was over £23,000,000.

He also stated that Western Australia was emerging as one of the major iron ore producing countries of the world; a statement which seems to be no exaggeration. It is indeed very encouraging to know that we have in Western Australia such vast resources of iron ore as have been revealed in recent years. Apparently the total extent of these deposits is as yet unknown, but as the position now stands it seems evident that we have some thousands of millions of tons available.

What this will mean to the State is not easy to foresee, but at least it seems obvious that in our iron ore deposits we possess an enormous asset which will have a vast bearing on the future development and economy of our State; and indeed countries outside Australia.

Referring to the gold production for the year under review, it is as well to recall that the value of the gold produced amounted to £13,500,000; in other words, over £1,000,000 a month, or £250,000 a week. So, when we talk of the State's mineral production it is as well to bear in mind strongly the fact that the gold-mining industry is still by far the greatest producer of wealth from minerals. I repeat that last year, of the total value from all minerals amounting to £23,000,000, gold produced about £13,500,000.

It is also a significant feature of this industry that it still employs 5,000 men directly, and thousands of others indirectly. Not only that, but towns and communities in far distant portions of the State, with populations totalling about 30,000, are wholly maintained by, and are dependent upon, this industry for their existence. It is therefore manifest that in the gold-mining industry this State has something which is of paramount importance to our economy, and which should be nurtured with the greatest concern.

It is as well, therefore, that we have a good look at the present position of the industry. We can start off by recalling that the price of gold has remained stationary since about 1934, a period close on to 30 years. Over this period the price of practically every other commodity on which our economy relies has increased vastly, and costs have risen almost beyond recognition. In such circumstances it is little short of a miracle that the gold-mining industry has been able to survive at all, and it is a tribute to those engaged in the industry that it has survived against such tremendous odds. It seems terribly wrong and unfair that there has been no increase in the price of gold for 30 years.

Gold is a commodity which is still in world-wide demand, and which still plays an all-important part in the world's financial and economic structure; yet we find one country, the U.S.A., is apparently in a position to dictate to the rest of the

world how much shall be paid for an ounce of gold. The problem, of course, is a complex one, but I cannot help feeling that Australia and other gold-producing countries which are members of the International Monetary Fund should, in all fairness, be able to bring about a change in this unfair and unrealistic policy.

Sometimes I also have the feeling that, because goldmining in this country is almost wholly centred in Western Australia, the Federal Government is not as concerned over our plight as it might be. At any rate, I urge our State Government to continue to use all the influence at its disposal to treat the matter of the price of gold as one of the most far-reaching in importance. Something should be done, and something must be done, if Western Australia is to preserve this great industry which has done so much for the State in the past, and which can continue to play a vital part in our future, if it is only given a fair chance.

With regard to the State's responsibility to the industry, I have this to say: In the nature of things, goldmines are worked out and eventually have to close down. In recent years we had the spectacle of Big Bell, Lancefield, Wiluna, and just recently Bullfinch, closing down. We also know from the reply which the Minister for Mines gave me a few days ago that the future of the Sons of Gwalia mine is in the balance. This mine employs 260 men, and the communities of Leonora and Gwalia, which comprise about 1,000 people, are almost wholly dependent on it for their living. I sincerely trust, therefore, that no effort will be spared to keep this mine in production.

I am pleased to say that I have it on good authority that in recent months the outlook has improved and the mine is now working at a profit. I sincerely hope that this happy state of affairs will continue. Over the past 12 months this mine produced gold to the value of £476,000, which is close to half a million pounds, and in the past six months it has produced nearly £250,000 worth of gold. It is obvious, therefore, that this mine is of the utmost importance and should be kept in production almost at all costs. If it were to close down the consequences would be tragic not only to the Leonora-Gwalia district, but to the whole of Western Australia. I urge, therefore, that the position be given top-level attention, not only by our State Government, but also by the Federal Government.

With the closing down of the Bullfinch mine the Federal Government has been saved an enormous payout under its Gold Mining Assistance Act, and some of that money should now be made available in an effort to revive and maintain the Sons of Gwalia mine.

This mine has been operating since 1898 and has a splendid record. However, it is now what is termed a marginal mine. If the price of gold could be raised its future would be assured. It is a typical example of a fine mine which is fighting an uphill battle against unfair odds. It is not the case of a mine where the gold has cut out.

I do not want to raise a scare or to appear to exaggerate the position. However, now is the time to take stock of the position and take some remedial measures which will allay the anxiety and the concern which is genuinely felt regarding the future of this mine.

Once again I urge the State Government to realise the important role of prospectors. My view is that a real effort should be made to discover new mines in the vast auriferous areas which this State possesses.

Millions of pounds are being spent in the search for oil, and the Commonwealth Government is giving the search vast financial backing. That is probably all to the good, because no-one will argue against the benefits which will accrue to Australia if oil is found and produced in commercial quantities. However, what is being done to assist the search for new goldmines? Are new goldmines no longer necessary? Is it to be taken for granted that no further mines can be found? In my view, gold is still a worth-while commodity, especially to Western Australia.

What other industry can hope to create towns and maintain employment in the central portions of this State? Without the goldmining industry, these vast areas have little or no future. If only we can get this view accepted and make a real effort to exploit our wonderful opportunities, then the future for this State will be much brighter. If only, say, one-twentieth of the money now being spent on the search for oil could be allotted to an intensive search for gold, I am certain the results would be staggering.

In this regard it has been proved beyond any question that the prospector is the one who finds our new mines. The present position is, however, that there are very few prospectors in the field. It requires money to be a prospector. Men need adequate equipment, and they and their families have to live. If, therefore, it is in the interests of our State that we should have prospectors searching for new mines, then the time has now arrived when some proper and efficient scheme should be devised.

The Commonwealth Government should assist in such a scheme because it would pay handsome dividends if new mines could be located, as assuredly they would be. The present scheme sponsored by the State Government does not measure up to the situation at all, in my opinion. Last year an amount of £12,269 was spent, but little or nothing can be accomplished

on that basis; and unless we reorientate our whole conception of the position, the outlook for the discovery of new mines and mining fields will be very bleak. Now is the time for some bold and courageous effort. The prizes to be won for our State are enormous.

The word "decentralisation" has again been raised fairly extensively in the course of this debate. My comment is that the goldmining industry has, over the years, accomplished a great deal for the State in this regard and it could do more if given a fair opportunity.

Another matter which has been mentioned to me in connection with this subject is the site of the new Observatory. It has been suggested that Mt. Burgess, near Coolgardie, has strong claims. The area of the mount is extensive enough, I am told. It stands high above the surrounding country; it is visible for miles; it has a clear atmosphere; and it is near amenities of many valuable kinds such as roads, railways, schools, water, airports, and so on. Coolgardie is a famous name in this State; in fact, its fame is world-wide. If, therefore, the new Observatory could be sited at Mt. Burgess it would be a fitting reward for the "Old Camp".

Finally, while on the subject of goldfields, I would again like to direct a word to the Minister for Mines about one of our oldest and most respected citizens; namely, Mr. Spencer Compton. For years Mr. Compton has been President of the Eastern Goldfields Historical Society and has carried out a great deal of research into the early goldfields history. From time to time he has published articles which have been widely circulated and regarded as authentic. I would say without doubt that Mr. Spencer Compton is the best living authority on the history of the goldfields; a history which for sheer romance and colour would equal that of any other place or era. Mr. Spencer Compton is now an old man and it is my view—it is a view widely held on the goldfields—that he should be assisted in some way in the compilation of a suitable book.

Apart from his extensive knowledge of the goldfields history, he is an accomplished and facile writer who, I am sure, would turn out a publication which would be a credit and a great asset, and which would not cost a great deal. I trust, therefore, that the Minister will give this suggestion his early and sympathetic consideration.

Turning now to a different subject, I have before me a copy of the Licensing Act. Section 147 sets out penalties for supplying liquor to persons under 21 years of age. The Act provides that any licensee or servant or agent who supplies liquor to a person under the age of 21 years is liable to a penalty of £20. No-one under the age of 21 years can be employed

in bars; and any one under the age of 21 years obtaining liquor on licensed premises is liable to a penalty of £20.

I am concerned at the amount of drinking which is being done by boys and girls under the age of 21 years. Little or none of it is done on licensed premises because, from my experience, licensees, in the main, stand up to their responsibilities in this regard. However, I am concerned about a practice which has grown up in fairly recent years whereby at balls and such functions young people take along parcels of liquor and drink as much as they care to, apparently without any supervision.

I have before me the latest report of the State Licensing Court and, from a cursory glance through it, I cannot see any reference to this problem. I have not seen the report of the Commissioner of Police for the past 12 months, and whether he deals with it or not I do not know. However, I think it is common knowledge to most of us that at parties and dances a good deal of under-age drinking is taking place. These thoughts were brought home to me this morning when I read in the paper statements made by Dr. E. Cunningham Dax, the Director of the Victorian Mental Hygiene Authority, when speaking in Adelaide. He makes the statement that alcoholism in Australia has risen to the stage where there is a national crisis. In the course of his remarks he said—

The idea of prevention must be uppermost in everybody's mind. Prevention was much better than cure, education much better than clinics, and clinics much better than institutions.

He often heard talk about good drinkers, but Australians were bad drinkers.

He wished he could teach people how to drink. The rules for drinking were: Drink slowly, drink diluted liquor and drink with food.

It is very easy, of course, to moralise on the subject of drink, but however broad-minded we might be we cannot read the remarks of an eminent man like that without being concerned. As I say, I have been concerned in recent years over this social practice whereby at practically any public ball to which one goes the custom is for the majority of people to take along bags full of liquor. We have the spectacle of young boys and girls drinking sparkling wines and mixing them with other drinks with what can only be unhappy results.

If one goes to a ball it is very nice to have a drink. I am one who likes a drink on such occasions; but when people go along with bottles of wine and spirits, and bottles of liqueur and sparkling wines, I do not think it is the proper way to drink. We should devise some way of granting a license to the lessees of halls where balls are held so that bars can be

provided and people can buy their liquor in the ordinary way. As I said, these thoughts were prompted by the article which I read this morning; and if my remarks carry any weight at all I hope the Minister will discuss what I think is a fairly well-known problem with, perhaps, the Licensing Court and the Commissioner of Police.

Finally I would like to join with you, Mr. President, and other members who have welcomed and congratulated our new members, Mr. Dellar and Mr. Dolan. It is with sincerity that I say that each of those gentleman has impressed us favourably, and we all feel confident that they will be a worth-while addition to this House. I also have the privilege of being the first speaker to welcome Mr. Jack Heitman. I am sure that on behalf of everyone here I can extend a very warm welcome to him. It has not been my pleasure to know him before now, but from what I have heard, I am sure the remarks I have made regarding the other two gentlemen will apply equally to him.

Debate adjourned until a later stage of the sitting, on motion by The Hon. J. Murray.

## MARINE STORES ACT AMENDMENT BILL

### *Second Reading*

THE HON. A. F. GRIFFITH (Suburban  
—Minister for Mines) [3.20 p.m.]: I move—

That the Bill be now read a second time.

I think I should commence my remarks by endeavouring to answer the question raised by Mr. Wise when speaking to the motion I moved for the suspension of Standing Orders so that we could deal more expeditiously with this measure. He charged me with the responsibility of explaining to the House, or endeavouring to give to the House an explanation regarding the origin of the expression "dead marine." From inquiries I have had time to make I understand that there are a number of ideas as to how the expression arose.

However, the one that attracts me—and this is not an original thought of mine—is the explanation that in the olden days marines used to accompany ships; and, as members will know, marines were land lubbers—they were not lovers of the sea. Invariably at sea they became seasick. I do not know whether that was the only reason for their limpid state, but they got themselves into a limpid state, and they appeared to be dead; and accordingly they were referred to as dead marines.

The analogy is that there is nothing more useless than a marine who has reduced himself to that limpid state; and neither is there anything more useless than

an empty beer bottle. That is one explanation which I thought was worthy of being repeated.

The Hon. R. Thompson: We might hear a lot of these.

The Hon. A. F. GRIFFITH: I am not going to encourage members to keep us here after dinner tonight. My colleague, the Minister for Police, regarded the introduction of this measure into Parliament as necessary to deal with a state of affairs that has been created by certain actions taken in a court. Accordingly, the introduction of this Bill could be regarded as a piece of emergent legislation. It has been introduced to remove a doubt by storekeepers as to the legality of their receiving empty aerated water bottles.

Doubts in this connection have been gaining ground since several retailers pleaded guilty in the court recently to an offence against this Act. This was in no way contested, and consequently the legality of their action has barely been tested, and the case has been referred to as a test case. But that is doubtful. The Minister for Police, in fact, is not at all certain that the old practice of taking empty bottles back to the store is illegal.

The widespread publicity that has been given to the case by several authorities affected by it, however, has upset the customary procedure that we have grown up to understand in the community for a considerable time, both in retail and in wholesale business. The Bill is limited in its application to amend section 2 of the Act. On its passing it is considered that order will be restored in the handling of empty bottles on which a deposit of money has been paid by the purchaser.

The proposals in the Bill to exempt bottles are considered more practical than the alternative of requiring storekeepers to become licensed marine dealers. The latter course would inevitably introduce quite unavoidable administrative difficulties. It would restrict the hours during which bottles could be received, and it would entail considerable police inspection procedure which existing practices obviate. The licensing of retailers would, further, most likely lead to breaches of the Act.

I followed to some limited extent the course the debate took in another place when this Bill was before that House; and there were raised in the Legislative Assembly certain matters which one could accept at least as being worth while bringing before the notice of Parliament, and also of sharing the doubts that have been expressed by some members of another place.

An amendment was moved in the Legislative Assembly by Mr. Graham. The amendment limited the life of the Bill to the 31st December next. My colleague, the Minister for Police, accepted the amendment. The result of this limitation

to the 31st December, will simply mean that if Parliament gives effect to the amending Bill it will result in us, at the expiration of the 31st December, being in the position that we are in today.

This was done so that the Government would be required to look into the situation, and would have more time to look into the situation, in the time that will elapse between now and the completion date of Parliament, whenever that may be.

My colleague, the Minister for Police, has conferred with the Chief Parliamentary Draftsman, and pursuant to undertakings given by him on questions raised by the Leader of the Opposition in the Legislative Assembly—and I understand by one or two other members—certain amendments will be introduced by me in this Chamber. I am not in possession of the amendments yet, because they are still being prepared.

The Hon. G. C. MacKinnon: You mean amendments to this Bill?

The Hon. A. F. GRIFFITH: Yes. When the amendments are put on the notice paper we will be able to see whether or not they give effect to the questions that were raised in another place. If they do not, then of course it will not be too late to have another attempt at correcting the anomalies that exist. But the purpose of introducing this Bill is to return to the position we were in not many days before this particular court action was taken.

I think the amendments accepted by the Legislative Assembly giving a limiting date to the Bill have to be regarded as an expediency, and a time-granter—if I may use that expression—for opportunity to be given to look more closely into the matter.

The Hon. G. C. MacKinnon: Can you foreshadow these amendments?

The Hon. A. F. GRIFFITH: No, I cannot foreshadow these amendments, because there has not been much time between last night and today. But of course I do not propose to proceed with the Committee stage of the Bill this afternoon. If members would be pleased to allow the Bill to go through the second reading, then I will take the Committee stage next Tuesday, and in the meantime endeavour to put amendments on the notice paper so that members can see what they are. If there is no time to place the amendments on the notice paper, I will circulate them before asking members to deal with them.

I do not think there is any necessity for me to say anything more. I have covered the ground, and perhaps have said a little more in respect of the amendments than I would have, had it not been for the interjections. I do not know the extent of the amendments.

**THE HON. F. J. S. WISE** (North—Leader of the Opposition) [3.31 p.m.]: I appreciate the words of the Minister in regard to the likely amendments to be placed before us. Prior to dealing with the Bill, as such, I would like to thank the Minister for his personal version of the origin of the words "dead marine."

The Hon. A. F. Griffith: As I said, it was not original on my part.

The Hon. F. J. S. WISE: Members know that matters historical and matters affecting quotations have, during my rather long parliamentary career, been of great interest to me; and I think it is always well to know of such things if they can be pursued to an authoritative source. I noticed in last evening's *Daily News* that Kirwan Ward had to resort to his own views because he could not find an authority.

I would like to read to the House what is regarded as the origin of the designation, "dead marine," which goes back a long time, and not in this century. I quote from the *Dictionary of Slang and Colloquial English*—Farmer & Henley. It reads as follows:—

William IV (1830) seemed in a momentary dilemma one day, when, at table with several officers, he ordered one of the waiters to "take away that marine there," pointing to an empty bottle. "Your majesty!" inquired a colonel of marines, "do you compare an empty bottle to a member of our branch of the service?" "Yes," replied the monarch, as if a sudden thought had struck him; "I mean to say it has done its duty once, and is ready to do it again."

There are other references to the words of the monarch in that volume which cast some aspersion on the value of marines, dead or alive. There is further reference in *Brewer's Dictionary of Phrase and Fable*, which reads as follows:—

Empty bottles were at one time called "marines," because the Royal Marines were looked down upon by the regular seamen, who considered them useless.

These two definitions or instances of the origin of the title are clearly recorded in the two old works from which I have quoted. Whether they are appropriately applied I would not know, nor would I care to offer an opinion; but I can think of very many more useful things than an empty bottle.

This Bill, in simple form, is designed to correct a seriously anomalous position and one which really offends, by the judgment of the court, against popular belief and popular trades of people, and a popular vested interest. An empty bottle is something that has been paid for when the contents have been purchased—whether it be called a deposit or part of the purchase

price. The purchaser has some sort of right, and men, women, and children have exercised that right. Units of a man's family—juveniles particularly—have returned bottles to the seller or someone who will purchase them for cash.

All of us know what sort of decorative landscapes we would have—even at the Games Village and football matches—if it were not for the juvenile collectors having the right and privilege bestowed on them to pick up bottles, sell them, and obtain their own cool drinks in return for the service they render by picking up those bottles.

The Hon. A. F. Griffith: It is good training for the youngsters.

The Hon. F. J. S. WISE: It is very good training. My son, who is now living overseas, purchased his first bicycle from the money he received for bottles he collected at Rottne Island. I encouraged it, and it did him no harm.

The Hon. A. F. Griffith: You did not have to buy the bike.

The Hon. F. J. S. WISE: Yes; he did save my having to buy the bike. I suggest it is important that juveniles have this opportunity as these enterprising youthful collectors do a good service for the community. Without infringing any Standing Order, right, or privilege, I suggest to the Minister that I hope one of the amendments foreshadowed is one which will include in line 6 of clause 2 before the word "deposit" the word "refundable." I am not sure whether that is one of the amendments contemplated.

The Hon. A. F. Griffith: I cannot tell you that.

The Hon. F. J. S. WISE: At your discretion and with your approval, Mr. President—if I am finicky and too detailed in any way, pull me up—I will speak about the amendment to that clause. If the word "refundable" is inserted in front of the word "deposit," we will clarify the situation as to whether all bottles are brought within the ambit of the law; that is, bottles which are not bought intentionally with a refundable amount attached to them. I refer to many things. There is no refund on a bottle which contained beer; no refund on a bottle which contained tomato sauce, or some polishing element, or cleaner; but the bottles to which this Bill is intended to apply have, for a long time, had attached to them an accepted principle that the bottle is returnable and part of the money paid for it, or the deposit, is repaid.

The Hon. A. L. Loton: They are clean skins.

The Hon. F. J. S. WISE: They need not be clean skins. A firm of cordial manufacturers in the City of Fremantle has a separate clientele in its shopping district.



who do not stock cordials or manufactured aerated water from other firms. Some shops stock three or four brands, and others one or two. Therefore, storekeepers in the past have exercised their right to say, "Those are not my bottles; take them to the shop on the next corner."

In the case of many bottles, only the contents are of interest to the housewife or household; and many of those bottles are not saleable. To clarify the situation as to whether all the bottles which normally would belong to a marine dealer and are sold as the property of the brewery, or someone else, the inclusion of the word "refundable" may be appropriate.

I think it is a good idea to put a time limit on this Bill. When I heard that had been the action in another place, I consulted our parliamentary authorities to see whether there would be any hindrance or any stricture in an attempt to introduce another Bill this session to completely rectify the position after more study had been given. I am assured there would be no bar at all to the introduction of the Bill after complete consideration had been given the matter, rather than having, as we must do, to apply this one as an expedient to overcome an anomalous situation existing at the moment.

The Hon. A. F. Griffith: I have my doubts, however, as to what this House would think about this new clause.

The Hon. F. J. S. WISE: I am not discussing that angle at the moment. I am discussing the right of Parliament to consider in the one session a Bill of a similar title and kind, and I have found there would be no bar and could be no objection from any of us.

The Hon. A. F. Griffith: I inquired and ascertained that information also.

The Hon. F. J. S. WISE: If that is the position I consider we are doing the right thing—and I believe it to be the position—in regarding this as a matter of urgency to correct the anomaly of the moment pending the complete examination of the subject and the anticipation of a new Bill later on in the session.

I support the Bill and hope that when we see the amendments they will meet the situation of the moment and give the Government the opportunity to consider the whole position in the near future.

**THE HON. R. THOMPSON (West)**  
[3.42 p.m.]: I am going to support this Bill because I think it is most necessary that people should be able to get back deposits they have paid on cool drink bottles which are at present littering their yards. However, when consideration is being given to the framing of a new Bill, or something to take the place of this legislation, in order that it might

remain on the statute book for all time, I would like the Minister to take into consideration certain points.

At present I would say there would be about 10 or 12 different brands of cool drinks, and, as Mr. Wise pointed out, they are not all sold throughout the metropolitan area. Some are restricted to particular areas. Those of us who have sons and daughters know that when they go to a drive-in, for instance, from Fremantle to Innaloo, they inevitably buy cool drinks and leave the bottles in the car, bring them home, and then leave them in the yard for Dad to pile up and dispose of. I should say that in my back yard at present I have four crates of cool drink bottles.

The Hon. A. F. Griffith: A handy source of pocket money for you!

The Hon. R. THOMPSON: Yes, I could do with the pocket money; but the point I am getting at is that in order to dispose of those bottles I would more than likely have to journey at least 12 miles to inquire in many shops whether they take this brand or that brand of bottle; because it is not possible generally to dispose of all brands in the one shop.

We pay 2d., 4d., or 6d. deposit on some cool drink bottles and if they are sold to the marine dealer we receive 4d. back, because he is not recognised as far as the cool drink manufacturers are concerned. As we, the public, pay the deposit on cool drink bottles and have to deliver the bottles back to the shop in order to get back our deposit, I am going to ask the Minister, or whoever drafts the Bill, to ensure that the cool drink manufacturers establish depots in certain areas such as Midland, Victoria Park, Bayswater, Fremantle, Melville, and South Perth.

This could be done at very little cost; because we must remember that the cool drink manufacturers claim that a great burden will be placed on them if the bottles are not returned to them promptly. Therefore they should establish depots or agencies to which people can take varying types of bottles which accumulate, and dispose of them in exchange for the full deposit which was originally paid on them.

That is not unreasonable, because otherwise the manufacturers will stand to lose a fair amount as, otherwise, bottles will more than likely go on the tip, down a hole, or on waste land somewhere, thus causing more trouble to the local authorities than has existed in the past.

I hope consideration can be given this matter and that the cool drink manufacturers will make a point of establishing depots where all these bottles can be taken.

Much has been said in the Press about the Health Act. I do not know whether these statements are completely true or

not. I have not heard, personally, of anyone getting any disease or anything contagious from handling bottles; although we do know that filthy bottles are returned at times.

The Hon. R. H. C. Stubbs: They do not have to take the filthy bottles.

The Hon. R. THOMPSON: They do.

The Hon. R. H. C. Stubbs: They can wash their hands if they do.

The Hon. R. THOMPSON: That is true. The shops in most cases are locked premises, otherwise kiddies could go back at night and the same bottles could be resold quite a few times. However, in circumstances like that provision should be made either in this legislation, or proposed legislation, for a person to apply to the local health authority for a permit to relinquish the duty of accepting returned bottles. It might not do his business much good as far as the sale of cool drinks is concerned; but people handling such things as cakes, and people running delicatessens do have to receive cool drink bottles at the present time, and in such circumstances the acceptance of these bottles might be an inconvenience and a danger to public health.

The Hon. A. F. Griffith: Are you suggesting that there should be an amendment to provide that it should not be compulsory for a storekeeper to take the bottles back?

The Hon. R. THOMPSON: Provided permission was granted by the health authority of the municipality.

The Hon. A. F. Griffith: Tell me—

The PRESIDENT (The Hon. L. C. Diver): Order! I draw the honourable member's attention to the fact that he cannot anticipate legislation to this extent. We must deal with the subject of the Bill, and the honourable member can only give his thoughts in connection with the substance of the Bill and cannot anticipate any other legislation.

The Hon. A. F. Griffith: The honourable member is making useful suggestions.

The Hon. R. THOMPSON: I consider I am confining my remarks to the reasons which brought about this amending legislation in the House, and these points have been raised as an issue as to why or why not amending legislation should be introduced.

The PRESIDENT (The Hon. L. C. Diver): My point is that the honourable member must speak to the Bill. He must not anticipate another Bill.

The Hon. R. THOMPSON: I shall speak to the Bill. It has happened in the past that a certain situation has been thought to be catered for in legislation, but proved in the courts to be totally inadequate. We have, therefore, been told that certain

amendments are to be made. We cannot anticipate those amendments, but my idea is that any storekeeper who applied to the local health authority on the grounds that he had insufficient space in his store, or that a danger could be created in connection with the stocks he had on his premises and therefore be detrimental to the health of his customers, should be given a permit whereby he would not have to accept empty cool drink bottles back into the store.

Cool drink bottles are not the only bottles returned to stores. Vinegar bottles, and, in some cases, methylated spirit bottles are returned to stores. But if such a provision could be made, it would take away the storekeeper's objections on the health angle, and it would also ensure that the health of the public was being adequately guarded.

The Hon. A. F. Griffith: It would also take away the storekeeper's obligation to give your son, or my child, the threepence back on the bottle.

Hon. R. THOMPSON: I do not think it would make any difference whatever, because it is something that would have to be granted by a health authority—

The Hon. A. F. Griffith: They would all be applying.

The Hon. R. THOMPSON: —and not just willy-nilly.

The Hon. H. R. Robinson: They are not getting anything on the refund now.

The Hon. R. THOMPSON: The honourable member has raised a very interesting point there. One firm—Coca Cola—makes a delivery charge on every crate of two dozen bottles delivered into a store. I believe it is the only firm to make a delivery charge. However, if the bottles are taken straight back to the Coca Cola bottling works, the delivery charge paid by the store is not refundable.

The Hon. H. R. Robinson: That statement is only—

The Hon. R. THOMPSON: It might be a taxation dodge, or something like that. That is quite possible. The point that Mr. Robinson has raised is correct. The storekeeper is not making anything out of the return of the empty bottle; he makes it initially out of the cost of the bottle to the consumer; and it is unfair, perhaps, in regard to the first point I illustrated, if a person takes to a local storekeeper bottles that had been purchased all around the metropolitan area.

I think that makes my point all the stronger; namely, that the aerated water manufacturers should establish depots or agencies in varying districts where we can return the bottles direct and get a full refund of the deposit.

**THE HON. H. K. WATSON** (Metropolitan) [3.54 p.m.]: I did not intend to speak on the Bill, but inasmuch as the Minister mentioned that between now and Tuesday next he proposed to consider amendments to the measure, there are one or two comments I would like to make. They are really more appropriate to the Committee stage, but if I raise them this afternoon, the Minister will have time to consider them over the week-end.

In the first place I support the suggestion made by Mr. Wise that the deposit be described as a refundable deposit, because, although as a matter of ordinary every day usage we understand what a deposit means, the fact remains that in law a deposit is something that is paid and is irrecoverable—the very opposite to our general understanding of the position. A deposit, according to law, is something paid to bind a contract, and so on, and is irrecoverable.

**The Hon. A. F. Griffith:** That is the ordinary law of contract.

**The Hon. H. K. WATSON:** Yes. The only other point I desire to make is with respect to clause 3 which, I suggest, is rather inelegant. It is one thing to bring down originating legislation and limit the duration of the Act, but here we are not doing that. We purport to amend the principal Act by inserting certain words in section 2 thereof, and then we blandly say at the conclusion of the amending Act itself—not of the section—that the Act shall continue in operation until the 31st December, 1963, and no longer.

I understand that this procedure is not entirely without precedent, but I would suggest that in lieu of clause 3, clause 2 be made to read something like this—

Insert the words, "but up to and including the 31st December, 1963, does not include bottles in respect of which . . ."

If we do not do that, we will have the peculiar position of amending the principal Act and then saying that this Act—that is the amending Act—shall continue in operation until the 31st December, 1963, and no longer. We do not say "the principal Act as amended by this Act", we simply say that "this Act" shall continue in operation until the 31st December, 1963, and no longer. It is, I suggest, confusing, and it is a matter which the Minister might have a look at between now and Tuesday.

**The Hon. H. R. Robinson:** Why limit it at all?

**The Hon. H. K. WATSON:** That is also a point; yet on the other hand I understand that limitation has been put in because it has been suggested that the remedy which has been employed to correct one anomaly is the use of the broadsword, which may create one or two other anomalies. Until that has been cleared up, I am disinclined to oppose some restriction on it. But so far as the principle of the Bill is concerned, I would say it requires endorsement, and approval, and speedy enactment.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [3.58 p.m.]: Briefly, I would like to thank the three members who have spoken for their contributions to the debate. On the point raised by Mr. Watson, my colleague, the Minister for Police, has accepted the limitation that is placed on the duration of the particular section by what is now clause 3 of the Bill. If we had the Bill here with two clauses in it, and somebody moved to put clause 3 in it, I could well ask you, Sir, if that was permissible; because it would be, in fact, a new clause and something which was not intended to be in the Bill. However, the Bill is presented to us in this form, and we have it as a three-clause Bill; but it started off as a two-clause Bill.

**The Hon. J. G. Hislop:** You would have to amend the title.

**The Hon. A. F. GRIFFITH:** What is done specifically limits the amendment of the Marine Stores Act to section 2.

**The Hon. J. G. Hislop:** You will have to take out section 2, will you not?

**The Hon. A. F. GRIFFITH:** I do not know; but I do not think I am on very firm ground on this point. But wherever the title of a Bill limits the measure to amendments of a particular section or sections of the Act, it is not competent for the House to introduce amendments to other sections of the Act.

**The Hon. J. G. Hislop:** Well, alter the whole Act itself.

**The Hon. F. J. S. Wise:** Unless the title is amended.

**The Hon. A. F. GRIFFITH:** Yes, unless the title is amended. I have had a look at this in view of a ruling that you gave once before, Mr. President, and I find, after investigation, that in the historical days of the Parliament of Western Australia, in order to make it quite clear what an amending Bill was going to do, it did, in fact, state that it was a Bill to amend an Act in sections—and the sections to be amended were then listed accordingly.

**The Hon. F. J. S. Wise:** They were deliberately introduced in that fashion.

**The Hon. A. F. GRIFFITH:** Yes, so that they could not be interfered with—

**The Hon. F. J. S. Wise:** That is right.

**The Hon. A. F. GRIFFITH:**—and so that the Government's intention would not be to throw open the whole of a particular Act. This was done for good and obvious reasons. If the Bill were to arrive here with two clauses and a third clause was inserted by way of an amendment, I would at least ask your guidance on the subject, Mr. President. However, we have received the Bill in its present form and I presume that that is the form in which we accept it.

**Question put and passed.**

**Bill read a second time.**

*House adjourned at 4.2 p.m.*