

I have been concerned about the plight of these people, because they are not in a position to cut down the tree since they do not own it; it is virtually the property of the State Housing Commission which disclaims all responsibility for it. Although there are no clearly defined fences, each occupant is responsible for a certain section around his home and, if there is a fruit tree in the area, it must be registered as an orchard with the Department of Agriculture. If this is not done they face the possibility of further fines. I do feel that in a case like this there should be some form of exemption. There must be some way to overcome this problem other than placing a heavy impost on pensioners in these particular areas.

I would now like to refer to the activities of the Main Roads Department. From the figures associated with the Auditor-General's report, and other figures which are available in connection with the Main Roads Department's report, it would appear that of all the departments the Main Roads Department has the greatest amount of money to spend.

I think it is high time we had a look to see just where the department is going with its expenditure, particularly when we realise that it has negotiated the purchase of air space for \$500,000, together with the purchase of other properties at very high figures.

Because of its procrastination in determining what would be a reasonable figure to pay the people who own a property on the other side of the railway crossing at Rivervale, the entire project was held up. This is too silly for words. The department has the power to resume the land it requires; it knew how much it required, but because it could not make a decision and come to an arrangement with Mr. McDonald, the whole matter was held up. Finally, however, the department paid the price which was asked by McDonald.

As I have said it is quite ridiculous. The matter should have been handled in the same way as resumptions are carried out with other property owners. If they do not like the proposition put to them the people concerned should go to arbitration. When it comes to roads, however, the people are usually more amenable; they know that the roads must go through.

But where any particular person holds up negotiations, and the work that is to be undertaken, the Main Roads Department should just go in and say, "We have got to go through and these are the initial terms." The department should proceed to argue on that basis. This is the basis which is employed by the Railways Department and other departments.

The DEPUTY SPEAKER: The honourable member has another four minutes.

Mr. JAMIESON: The Main Roads Department should adopt the same attitude and negotiate on that basis. If, for instance, the area of air space had been acquired by resumption after negotiation with the Swan Brewery Co. Ltd., it would certainly not have been valued at the \$500,000 I mentioned. That figure is ridiculous, and I suggest we watch this matter very closely.

There are other matters which I shall mention when the votes are being dealt with, particularly the vote of the State Electricity Commission. This instrumentality is hiding away more and more money each year, and it has been criticised more and more by the Auditor-General for doing so. It is high time something was done about that.

I conclude by asking you, Mr. Deputy Speaker, to confer with the Speaker in respect of the matters I raised concerning the new Standing Orders, so as to get away from slavishly following the English traditions. Western Australia has established its own traditions in respect of Standing Orders and procedures.

Debate adjourned, on motion by Mr. Brady.

*House adjourned at 9.51 p.m.*

## Legislative Council

Tuesday, the 22nd October, 1968

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

### BILLS (6): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Medical Act Amendment Bill.
2. Trustees Act Amendment Bill.
3. Justices Act Amendment Bill.
4. Education Act Amendment Bill.
5. Local Government Act Amendment Bill.
6. Motor Vehicle (Third Party Insurance Surcharge) Act Amendment Bill.

### QUESTION WITHOUT NOTICE

#### TRAFFIC ACT AMENDMENT BILL

##### *Tabling of Papers*

The Hon. F. R. WHITE: May I have your permission, Mr. President, to ask a question of the Minister for Mines without notice?

The PRESIDENT: Permission granted.

The Hon. F. R. WHITE: I desire to ask the Minister for Mines whether or not it is his intention

to table certain papers, similar to those tabled in another place on the 19th September, in support of the Traffic Act Amendment Bill?

The Hon. A. F. GRIFFITH replied: I will confer with my colleague to see whether the papers can be made available for tabling.

### QUESTIONS (5): ON NOTICE

#### TOURISM IN WESTERN AUSTRALIA

##### *Film Publicity on Shipping Lines*

1. The Hon. J. DOLAN asked the Minister for Mines:

- (1) Is the Minister for Tourism aware that on passenger ships of the P & O line *en route* from Durban to Fremantle, films depicting the tourist attractions of New South Wales are shown?
- (2) Would he consider making suitable films of Western Australia available to these and other passenger ships in order to bring our tourist attractions to the notice of passengers?

The Hon. A. F. GRIFFITH replied:

- (1) Most States of Australia provide passenger ships operating on regular services with films depicting State tourist attractions.
- (2) For the past decade the Western Australian Government Tourist Bureau has been making available to overseas passenger ships tourist films similar to those mentioned in (1) above. A number of Western Australian tourist films have been recently withdrawn from the P & O Steam Navigation Co. because they were more than four years old. New films are now being produced and prints of these will be made available to replace the films now being withdrawn. Films have been made available to the *Centaur* and some European passenger ships.

#### MORGANTOWN SUBDIVISION, CARNARVON

##### *Protection from Floodwaters*

2. The Hon. G. W. BERRY asked the Minister for Mines:

Is the Minister satisfied that the Carnarvon Morgantown subdivision is adequately protected from floodwaters that will be channelled into the watercourse between the aerodrome and the new levee bank?

The Hon. A. F. GRIFFITH replied: Yes. Duplicate levees have been provided on the north side of Morgantown because of the danger of

the river eroding the banks of the river and causing the collapse of the first levee.

The volumes and velocities in the aerodrome floodway are very much less than in the river and the danger of the banks being eroded does not exist. For this reason only a single levee has been provided on this side of Morgantown.

#### SCARBOROUGH HIGH SCHOOL

##### *Use of Oval*

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

- (1) Would the Minister supply the names of clubs which used the Scarborough High School oval during the 1968 football season?
- (2) For what periods during the week-ends was the ground used—
  - (a) by the clubs referred to in (1); and
  - (b) for organised high school sport?
- (3) What use was made of the oval for training purposes after school hours other than on weekends by the Scarborough High School, or other organised sports clubs?

The Hon. A. F. GRIFFITH replied:

- (1) No clubs used the oval during the 1968 football season.
- (2) (a) Not any.
- (b) Boys' hockey—1 field every Saturday morning during second term.  
Girls' hockey—2 fields every Saturday morning during second term.  
Rugby—1 field most Saturday mornings.
- (3) After school weekday training by school teams—
  - (a) Summer terms—1st and 3rd terms.
    - (i) Tennis—Girls and boys—Tuesdays and Fridays.
    - (ii) Softball — Girls — Tuesdays and Thursdays.
    - (iii) Baseball — Boys — Tuesdays.
    - (iv) Cricket — Boys — Use of nets Tuesdays and Fridays. Interschool matches—turf wickets.
  - (b) Winter term.
    - (i) Hockey — Girls — Seniors Tuesdays and Thursdays. Juniors Mondays and Wednesdays.
    - (ii) Hockey — Boys — Tuesdays and Thursdays.

- (iii) Basketball — Girls — Tuesdays and Thursdays.
- (iv) Tennis—Boys and girls—Mondays and Tuesdays.
- (v) Volleyball — Boys and girls—Wednesdays.
- (vi) Soccer—Boys—Tuesdays.
- (vii) International rules basketball—Boys — Mondays and Wednesdays.
- (viii) Rugby — Under 16 — Mondays and Wednesdays. Seniors—Tuesdays.
- (ix) Australian rules football —Boys—Thursdays.
- (x) Athletics—Boys and girls —Every afternoon in September-October.

### COOLBELLUP PRIMARY SCHOOL

#### *Group Contract*

4. The Hon. F. R. H. LAVERY asked the Minister for Mines:

In view of the fact that I have received a letter from the Minister for Education advising that on the 11th September, 1968, a contract was let for the construction of the Coolbellup Primary School, outlining the various groups of building, etc., and stating that "This is a group contract covering six schools, the total cost of which is \$686,460 . . ."

- (a) what are the names of the six schools referred to in this quotation; and
- (b) what is the amount of the tender accepted for each of the schools?

The Hon. A. F. GRIFFITH replied:

- (a) North Balcatta.  
Anzac Terrace, Bassendean.  
Bungaree.  
South Coolbellup.  
Schruth Street, Kelmscott.  
Orelia.
- (b) All six schools are being built to the same plan. The tender called was to cover the cost of erection of all six.

### KWINANA HIGH SCHOOL

#### *Additional Accommodation*

5. The Hon. F. R. H. LAVERY asked the Minister for Mines:

- (1) As the number of pupils attending the Kwinana High School is increasing rapidly, is provision being made for additional accommodation for the opening of the 1969 school year?
- (2) If the answer to (1) is "Yes," may I be informed what the plans are?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) Extensive permanent additions will be erected during 1969. Pending completion of this work demountable rooms will be available as from February, 1969.

### BILLS (2): INTRODUCTION AND FIRST READING

1. Stock Jobbing (Application) Bill.

Bill introduced, on motion by The Hon. A. F. Griffith (Minister for Justice), and read a first time.

2. Mining Act Amendment Bill.

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

### FIREARMS AND GUNS ACT AMENDMENT BILL

#### *Third Reading*

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [4.45 p.m.]: I move—

That the Bill be now read a third time.

I should like to take this opportunity to acquaint Mr. Perry with some information concerning a question he asked in the Committee stage. I have some advice which I would like to pass on to Mr. Perry and to the House.

Firstly, I am told that the information which I gave the honourable member the other evening was substantially correct. It will be remembered that I gave the information, one might say, off the cuff.

If the owner of a rifle club rifle already holds a firearm license, the club rifle will be added to that license with a notation "for club use only"; but where such an owner does not already hold a license, then a new license would be issued bearing a similar notation. It is not intended to place restrictions on the licensing of rifle club firearms. The important point is that they be licensed. All that a holder of such a rifle will be required to do is to produce the rifle to a police station for examination, and to produce a written authority from the West Australian Rifle Association affirming that the applicant is a member of an affiliated club and is entitled to use the rifle in organised events. Normal fees will be payable; that is, \$1 for the initial license, or 50c for an addition to an existing license.

I hope that clears the matter up to the satisfaction of the honourable member.

Question put and passed.

Bill read a third time and passed.

## TRAFFIC ACT AMENDMENT BILL

### *Tabling of Papers*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Mines) [4.48 p.m.]: Mr. President, I seek permission to lay on the Table of the House the information sought by Mr. White in connection with this Bill.

*The papers were tabled.*

## METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

### *Report*

Report of Committee adopted.

## ARGENTINE ANT BILL

### *Second Reading*

**THE HON. L. A. LOGAN** (Upper West—Minister for Local Government) [4.50 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to repeal the Argentine Ant Act of 1959, and to make provision for the responsibility of Argentine ant control to be vested in the Minister for Agriculture. In practice, this work will be carried out under the direction of the chief of the entomology branch of the department, as at present.

A five-member committee, to carry out under the Minister for Agriculture the functions prescribed in the Argentine Ant Act of 1954, was constituted by the enactment made that year.

The four nominee members represented the City of Perth, the Local Government Association, the Country Municipal Councils' Association, and the Road Board Association, under the titles of those bodies then existing. The names of some of these have been changed over the years, but the same principles applied. The fifth was the *ex officio* member and chairman, the Director of Agriculture.

Under the 1954 Act, each member was entitled to hold office for the duration of the scheme-period; for example, from the 1st July, 1954, to the 30th June, 1959. This was extended under a 1958 amendment to the 30th June, 1960, on which date the Act ceased to have effect.

In the following year, a new Act was passed, to supersede the original one. This 1959 Act maintained the *status quo* in committee membership, apart from making the Minister for Agriculture the nominating authority for country municipality representation. However, it did not set a term of appointment of members; and, therefore, they have continued in office until resignation, removal from office, replacement by the body whom they represent, or by demise.

Statutory provision of funds to meet estimated annual expenditure up to \$210,000 was made in the parent Act of 1954. These funds were provided proportionately as follows:—

State Treasury, to a maximum of \$70,000 per annum;

Agriculture Protection Board, to a maximum of \$8,000 per annum; and

Local authorities, to a maximum of \$132,000 per annum—

each in respect of any one year of the scheme-period as bears to the estimated amount of expenditure for that year which the respective ratios bear to \$210,000.

This mode of finance remained on the Statute book until, with the introduction of the 1959 Act, it was changed substantially and to the effect that all costs would be borne by the Treasury. The amount provided in the Estimates in the current financial year is \$53,500.

The principal role of the committee has been the administration of the fund and the fostering of local authorities' co-operation. This co-operation is still important, but it was more important in the early stages of control when they contributed the bulk of the finance for Argentine ant control schemes.

The actual control schemes themselves, entailing spraying, surveying, and so on, have invariably been carried out by employees of the committee but working under the direction of officers of the entomology branch of the Department of Agriculture, with the chief entomologist reporting their activities to the committee. Though not a member of the committee, this officer has been responsible for drafting proposals of expenditure for consideration by the committee and directing the undertaking of the schemes, as already mentioned.

In practice, therefore, with the repeal of the present Argentine Ant Act, the schemes for control and eradication of Argentine ants will still be carried out under the direction of the chief of the entomology division and under the powers vested in the Minister for Agriculture.

In retrospect, I would comment that the 1954 legislation was introduced to enable the Government and local authorities to enter upon a concentrated and organised campaign against Argentine ants. There was at that time sufficient evidence to conclude that Argentine ants could become a serious menace in large areas of the State. It was acknowledged the problem would have to be met on a properly organised basis and that special legislation would be necessary. It is only fair to say that the committee was most successful in its endeavours to carry out the eradication scheme and much credit must be given to the committee members who, with the

close co-operation and assistance of the various local authorities, carried out the objectives for which the Act was designed.

The stage has now been reached, however, where, because of the success of the Argentine ant control and eradication scheme, it is not considered necessary to maintain the committee and any future control and eradication which may be required can be carried out effectively by the Department of Agriculture.

I think I can add that if there were another sudden outbreak of Argentine ants, and it was considered necessary that the committee should be reconstituted, the Minister has the necessary power to do so, and there is no need for further legislation. If such an occasion arises—although I hope it does not—I would be quite prepared to call upon the services of this committee once again to assist in the eradication of any further infestation of the Argentine ant.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

## TRAFFIC ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 17th October.

**THE HON. J. DOLAN** (South-East Metropolitan) [4.56 p.m.]: I think it was only two or three sittings ago that the Minister introduced a Bill of this nature, and I gave an undertaking to him then that if ever any measure came before the House which may have the effect of saving one human life, I was prepared to support it. That does not mean I am prepared to support everything in the Bill but, speaking generally, I am prepared to say that, possibly, behind the introduction of this Bill is an endeavour to see if we can do something to prevent the terrible carnage on our roads.

Even though in this State the number of people killed on our roads this year to date has exceeded the number of people killed in any previous year up to the same time, this is not a problem confined only to this State, or to Australia. The problem exists in every other country of the world. Even in countries such as the United States of America, which spends enormous sums of money on research, the answer to the problem has not yet been found.

The debate on a Bill of this nature—although it has many provisions which require only general approval and a passing reference—gives members an opportunity to make suggestions which they consider may be of some value and so allow the proper authorities to examine those suggestions, and, if thought worth while, act upon them.

As usual, I notice that nearly every time one picks up a Traffic Act Amendment Bill there is provision for increased

penalties. When increasing penalties we should ask ourselves whether we are effecting a proper remedy. We increased penalties for drunken driving, and although I understand the revenue has increased from \$16,000 to \$150,000, it has not had the desired effect. I cannot give the reason, but I know that, despite the increased penalties, more and more drunken drivers are being apprehended every week. Whether the reason is that we have more traffic policemen on the road who are catching more offenders, or whether it is that more people are getting drunk and so, when driving on the roads, constitute a menace not only to other motorists but also to every pedestrian, I do not know.

In this Bill there is a provision which, if agreed to, will be inserted in the Traffic Act, and it will facilitate the collection of penalties for certain traffic offences. In other words, if a driver is caught by a road patrolman for any breach he just pays his fine on the spot. The purpose of this provision, of course, is to relieve, if possible, the men associated with traffic cases and the handling of them in the courts so that they can spend more time on the roads. I consider such a provision most desirable. After all is said and done the more we can do to prevent accidents happening the better it will be. We do not want accidents to occur merely for the purpose of imposing penalties. We must have penalties, but I am trying to make the point that it is preferable to prevent accidents than to have them occur and then fix penalties for any breach that may have been committed.

The only way we can guarantee there will be no accidents on the roads, or that they will be reduced to a minimum, is for us to depute a traffic policeman to each motorist so that he might tag along behind the motorist when he leaves home in the morning and stay with him until he returns home at night.

**The Hon. V. J. Ferry:** Make him the chauffeur.

**The Hon. J. DOLAN:** If I were a traffic policeman, I could pinch at least 20 to 30 people on my way to work each morning. I have seen people break every rule in the book—they have failed to give way to the right; they have failed to stop at intersections, and so on.

What is the remedy? I feel it all boils down to the fact that the fault lies entirely with the driver, and the accident rate will not be reduced until we have drivers who are less aggressive, and who show more courtesy to other users of the road than they do at the moment.

I would like to make a few comments and suggestions from my observations during my periods on the road and submit them for what they are worth, for examination by the authorities concerned.

It may seem a strange thing, but I am not in the least concerned or worried with the people I see speeding past me on the roads. If they wish to speed, well, they can please themselves about that. I am, however, terrified of one particular feature of driving. The other night when I left home I had to use Manning Road and High Road, which are two of the major roads in the metropolitan area. When it is necessary for me to use these roads I never feel happy or safe until I am back home.

No matter how careful I might be, there is always one danger which seems to confront me on these two roads which, as I have said, are major arteries. The first point to which I wish to refer is that the edges of these roads constitute a menace to every driver, quite apart from the fact that 75 per cent. of the drivers using them use the high beam at night. They never dip their lights, but I have never found it necessary to use high beam while driving on these roads. They are well marked and well lit, and yet, invariably, the motorists coming from the opposite direction seem to find it necessary to use high beam.

The fact that they are driving on high beam, of course, means that it is not possible to see clearly what the road position is, and it would be dangerous to move over to the edges of either of these roads because of the potholes that exist.

I have always felt that if it is my fate to be killed on the roads this is how it will happen. I am not a pessimist, and I have fairly good nerves, but that is one feature of night driving that worries me—people who drive on high beam on main arterial roads in the metropolitan area which are not in as good condition as they might be.

I noticed that one clause in the Bill refers to motorists from other States who are without a Western Australian license for a period of more than one year. The Minister gave as an example a driver coming here from Queensland; one who has a license for five years. He feels that after a certain period—say 12 months—of the license being taken out, the driver should obtain a license in this State. The only query I would like to raise is that when he surrenders his license, which is current for a number of years in another State, can he get a rebate on the license fee he has already paid in the other State? If this is not possible, can the matter be taken up with the other State?

The Hon. A. F. Griffith: I think it would be a matter for the other State.

The Hon. J. DOLAN: If these motorists are using our roads I feel there is an obligation on the other States to see that a refund is made to the driver concerned.

It does not seem fair that he should pay a license fee in Queensland and have to pay another one here.

The Hon. A. F. Griffith: The person to whom you refer would have paid his license fee into the Consolidated Revenue Fund of the other State.

The Hon. J. DOLAN: That is right.

The Hon. A. F. Griffith: It would be unfair to expect Western Australia to reimburse him.

The Hon. J. DOLAN: I appreciate that; the refund would have to come from Queensland. I feel it is unfair for a driver who has paid a license fee for five years to get only 12 months' use out of it.

The Hon. A. F. Griffith: He may go back.

The Hon. J. DOLAN: He may not. He surrenders his license, and gets one of our licenses in exchange.

There are two other matters to which I wish to refer. I am sure that all motorists, particularly those who use the country roads, would feel that the greatest danger on those roads lies on the crest of hills. Far too often we find no indication that the driver is approaching the crest of a hill. The driver is perhaps over as far as he can go on the left-hand side of the road, and very often he is driving blind.

I think we should either mark the road distinctly in the centre or, as they do in England, use cats' eyes to indicate the approaching hazard. It would then be obvious to any driver at night where the centre of the road is. I have driven for miles along country roads and have never seen a soul, but when I approach a hill I always move over to the left-hand edge of the road, and quite often have found that somebody is coming over the top from the opposite direction.

Although accidents do occur on straight stretches, I feel sure that the majority of country accidents occur on the curves and the crests of hills. If we had the indications, to which I have referred, marked clearly on the roads, I feel sure this would go a long way towards reducing the dangers which exist at the moment.

Another aspect which was brought very forcibly to my attention last Saturday night was the very bad siting of some of our bus stops. I was on my way to attend a flower show at Gosnells. On reaching Albany Highway I stopped before entering the highway and found there was a bus stop about 20 yards on my right. My view was completely obscured by a huge bus which had stopped at that bus stop. I had no idea what traffic was coming from my right-hand side along that road, and it was necessary for me to wait until the bus had left before I entered the highway. This seemed to me to be a very bad example of bus stop siting. I was entering

a major arterial road, and I could not see the traffic that was moving along the highway on my right.

As members know, Albany Highway is very busy and motorists should not have their view obscured, particularly by buses stopping at night. The siting of bus stops, particularly on major highways, should be carefully examined to see whether these stops can be moved back 20 or 30 yards, where they will cause no trouble to motorists who might be entering these busy highways. It is very necessary to get a clear view on such highways.

Earlier in the year I asked a number of questions, and also I wrote letters to the Main Roads Department, in connection with a dangerous intersection at Manning. I went out early one morning and watched the traffic at this intersection. I was convinced it was dangerous, as were the local authority and the local residents.

I think a traffic count was taken at this intersection for half an hour on a particular day, though it was not known at what time of the day or on what day the count was taken. This is not at all satisfactory. Very often when an approach is made for the installation of certain warning signs and notices at what one might consider to be a dangerous intersection, one is often told that these are placed in accordance with a certain formula.

Formulas do not prevent accidents. If we are to be told that this must happen or that must happen, in accordance with a certain formula, before a warning sign can be placed at a dangerous intersection, all we are doing is waiting for an accident to take place, and for somebody to be killed before taking action. I would like the authorities to take action before the accidents occur, and before somebody is killed. To my way of thinking that is the logical thing to do.

Quite a realistic move is being made to permit people under the age of 17 years to obtain temporary driving licenses so that they can receive instructions in driving, before they are issued with proper licenses at 17 years of age. The sooner our young people are encouraged to become safety conscious, and to learn all about motor vehicles before they are issued with proper drivers' licenses, the fewer will the accidents be.

This is a wide subject which throws open a whole gamut of traffic problems, but I am sure all of us have a duty to examine every possibility of finding some means to put a brake on the terrible carnage on the roads. This is almost our major problem. It is a terrible thing that when young people leave their homes their parents do not know whether they will ever return; and on some occasions when they are brought home or are taken to hospital they are maimed for life.

We have all seen the drivers who seem to have no care for the safety of their own or other people's lives. I feel there is one positive cure for such drivers; they should be taken to the casualty ward of a public hospital at night, so that they can see for themselves the accident cases which are brought in, and the victims of which are, in some cases, mangled for life. Such a visit would be an object lesson to them.

The Hon. G. C. MacKinnon: Such drivers should work for a week in the Shenton Park annexe so that they might see the results of traffic accidents.

The Hon. J. DOLAN: That is correct. They will be able to see quadraplegics and paraplegics who have been injured in traffic accidents which, very often, were not caused by the victims themselves. All these aspects have to be examined, and if the provisions in the Bill help in any way to solve the existing traffic problems then they will always receive my support. I have said this before, and I repeat it again: anything I can do or any suggestion I can make to save one life or one body from being mangled, I will do or put forward very readily.

I do not wish to deal with the other matters mentioned in the Bill, such as the extension of the interpretation of "district" to enable local authorities to appoint their own traffic inspectors. These are purely administrative provisions, and I do not wish to waste the time of the House in dealing with them. Another provision in the Bill relates to the transfer of vehicles, and this is designed to ensure that we get our pound of flesh in the form of duty under the Stamp Act.

I repeat once again that the problem of traffic accidents confronts all of us, and there is nothing political in the Bill. Road accidents are tragedies, especially when we read in the newspapers about the cases in which people we know are involved. I still think that the main trouble is the driver himself. Some people go for 40 or 50 years without being involved in accidents. I myself have gone for over 40 years without an accident of any kind, and I do not think that I am the best driver in the world, but I am certainly careful.

There are still some people who say that safety belts are not of any value. I should point out that the Snowy Mountains Authority has proved that from the moment safety belts were installed in all of the vehicles under its control, and the drivers were compelled to use them or else be dismissed instantly, it has not experienced a single serious motor accident; and the conditions of the roads over which those vehicles operate are probably the worst in Australia. That authority uses all types of vehicles, yet it has not experienced one serious accident.

I always feel there is a psychological advantage in the wearing of seat belts. The moment I put mine on I am conscious

that I am in charge of a vehicle which is capable of causing injury to people. If I drive away from the car park of Parliament House and I have not fastened my seat belt, I travel only a distance of ten yards or so before I realise my omission, and I stop to adjust the belt. When I fasten the seat belt I have confidence not only in myself but in my judgment.

The Hon. A. F. Griffith: What type of seat belt do you use?

The Hon. J. DOLAN: The type I use is fastened across the waist. Whether or not this type is as effective as the type which is fastened over the shoulder I do not know. To me the use of a safety belt has a great psychological value.

I support the Bill, and I express the hope that the graph of the carnage on roads will start to take a downward course from now on, until it reaches the bottom when we will have no traffic accidents or road fatalities.

**THE HON. C. E. GRIFFITHS** (South-East Metropolitan) [5.16 p.m.]: I rise also to support the Bill, and I take this opportunity to say one or two things about the occurrence of accidents on our roads at the present time. I commence by supporting the provision in clause 5 which will permit people at the age of 16 years to obtain temporary driving licenses to enable them to receive proper driving tuition 12 months before they are actually eligible to obtain normal driving licenses. This is a step in the right direction. Provision should be made for people of 16 years of age to take an active interest in vehicles, in order that they might become fully conversant with them before they are eligible to obtain drivers' licenses.

I shall not speak on every clause in the Bill, because they are all fairly straightforward. The part of the Bill which suggests that traffic constables will be able to spend more time on the roads on patrol duties appeals to me. Under the existing procedure we know that police traffic officers spend a great deal of their time in the traffic courts. This arises under the system we have adopted, and the existing traffic laws make it necessary for them to do that. I believe the Bill will go a long way to preventing breaches of the traffic regulations, by virtue of the fact that more patrol officers will be on duty on the roads more often.

On a couple of occasions I attended a traffic court, and I was rather disturbed to see the number of police officers sitting around and waiting for their cases to be heard. Those officers could be put to better use in patrolling the roads.

In November, 1966, I asked some questions in this House in regard to procedures and traffic offences. It is rather interesting to look at the figures which were supplied to me. I would like to read out the questions I asked and the answers I received,

because they are rather important. They illustrate the need for this Bill, and for legislation which endeavours to tighten up the traffic laws. I asked the following questions:—

(1) Will the Minister advise the total number of briefs issued by members of the traffic patrol for each of the months July, August, and September, 1966, for the following offences:—

(a) failure to give way to the right;

(b) speeding; and

(c) failure to stop at "Stop" signs?

(2) How many of the briefs issued in each category were followed by court action?

At the time I had good reason for asking those questions; and it is interesting to read the replies, which were as follows:—

	(a)	(b)	(c)
(1) July	43	637	190
August	43	787	161
September	34	891	127

In regard to the second part of my question, in July, out of 43 culprits, 27 went to court; in August, out of 43, 30 went to court; and in September, out of 34, 26 went to court.

In regard to speeding, in July, out of 637 offences, 472 were followed by court action; in August, out of 787, the answer was 608; whilst for September, out of 891, the answer was 706. In regard to failure to stop at "Stop" signs, the figures were 115 out of 190; 106 out of 161; and 92 out of 127.

These answers seemed rather strange to me, because about 25 per cent. of the cases—perhaps a slightly higher percentage than that—were not going to court. Therefore a couple of weeks later I asked some further questions, as follows:—

Further to my question on the 8th November, 1966, in regard to briefs issued by members of the traffic patrol for various traffic offences:—

(1) As there appears to be a big discrepancy between briefs issued and the number of court actions taken, is this due to the balance of offenders being cautioned?

(2) Are these cautions issued by the traffic patrolman at the time of issuing the brief?

(3) Are any of the cautions issued by the patrolman at some time other than the time of issuing the brief?

(4) Are any of the cautions issued by any person other than the patrolman responsible for issuing the original brief?

(5) If the answer to (4) is "Yes," what criteria is used by that person who would not have witnessed



the offence, for determining that a caution be issued in lieu of court action?

- (6) As the figures given by the Minister in regard to speeding in particular, show a substantial increase of offences each month, does the Minister regard that cautions are having the desired effect?

The Minister replied as follows:—

- (1) The difference between the number of briefs submitted and the number of court actions taken would be due to cautions issued and directions to attend traffic educational lectures.

- (2) No.

I will read my question (2) again—

Are these cautions issued by the traffic patrolman at the time of issuing the brief?

In my opinion, that would be the logical time for a decision to be made whether the offender was to be cautioned or subsequently prosecuted. When the constable issued the brief he would be the only person in a position to decide whether the offence was one which would require either court action or some sort of instruction by attending a lecture. The answer to my question (3) was, "No." My question (3) was—

Are any of the cautions issued by the patrolman at some time other than the time of issuing the brief?

Here we have the situation where some cautions are being issued, but the constable responsible for witnessing the offence and issuing the brief—the only person with any knowledge of the extent to which the culprit broke the law—is the only person who does not have any say whether or not the offender will be cautioned or prosecuted.

The Hon. A. F. Griffith: I draw the conclusion you think that every person should be prosecuted.

The Hon. F. D. Willmott: He does not say that.

The Hon. A. F. Griffith: I am asking whether that is the conclusion I should draw?

The Hon. C. E. GRIFFITHS: The Minister can draw whatever conclusion he wishes.

The Hon. A. F. Griffith: That can be dangerous with you.

The Hon. C. E. GRIFFITHS: I am trying to work out why the Minister made his interjection. I am not quite with him. I will leave the matter and come back to it. My question (4) was as follows:—

Are any of the cautions issued by any person other than the patrolman responsible for issuing the original brief?

The answer was as follows:—

- (4) Yes, by senior officers of the Police Traffic Branch.

I fail to understand how a senior officer, or any other officer of the Traffic Branch would be in a better position than the constable who actually witnessed the offence and issued the brief to make a decision whether or not the case should go to court or a caution be issued.

The Hon. F. D. Willmott: Would they not make that decision on the report of the constable?

The Hon. C. E. GRIFFITHS: I do not know. I am saying he is the only person not taken into consideration, although he issues the brief in the first place. Part (5) of my question was as follows:—

If the answer to (4) is "Yes"—

In other words, if some person other than the constable issuing the brief issued the caution—

—what criteria is used by that person who would not have witnessed the offence, for determining that a caution be issued in lieu of court action?

The answer was as follows:—

- (5) The officer would have regard to the type of offence, the circumstances under which it was committed and the explanation of the person concerned, all of which would be reported in the brief.

Here we have constables, going out in good faith and in all types of weather conditions, at great risk to themselves, on motor cycles, chasing offenders, and senior officers absolving those offenders from going to court simply because they pitch a decent story.

I do not believe that this is the correct procedure. If, in the opinion of the traffic constable, an offence has been committed, then the offender should go to court.

The Hon. A. F. Griffith: You think that every person who is given a ticket should be prosecuted.

The Hon. C. E. GRIFFITHS: I said that if a person commits an offence he should be.

The Hon. A. F. Griffith: He ought to be prosecuted?

The Hon. C. E. GRIFFITHS: Yes. Is the Minister suggesting he should not be?

The Hon. A. F. Griffith: I am trying to elucidate what you are endeavouring to say.

The Hon. C. E. GRIFFITHS: Is the Minister suggesting that if someone commits an offence an opportunity should be available to him to dodge his responsibility and so get out of being prosecuted? Does the Minister think this facility should be available? I do not. I am suggesting it should not be. I am saying that the

answers given to the questions asked suggest to me that an offender, by giving an explanation to a senior traffic inspector, can, without any reference whatever being made to the traffic constable concerned, have the brief withdrawn. This is a strong possibility.

The Hon. F. R. H. Lavery: You are a bit hard on the traffic inspectors.

The Hon. C. E. GRIFFITHS: Not at all. I am speaking on behalf of the people who are prosecuted for offences, when at least 25 per cent. of those who are booked are not prosecuted.

The Hon. E. C. House: Wouldn't the traffic constables spend all their time in court if all the offenders were prosecuted?

The Hon. C. E. GRIFFITHS: They do now, and this Bill makes provision to relieve them of some of those duties by providing for on-the-spot fines, or something.

The Hon. F. R. H. Lavery: Do you know what the green tickets are which the constables issue at times?

The Hon. C. E. GRIFFITHS: I do not commit traffic offences.

The Hon. F. R. H. Lavery: For the information of the honourable member, the green ticket is a warning given by a constable.

The Hon. C. E. GRIFFITHS: I asked questions in the House and I have just read out the answers the Minister gave me. Obviously those answers were incorrect because Mr. Lavery just said that the answers I received were incorrect.

The Hon. F. R. H. Lavery: I did not. I do not know what answers you received.

The Hon. C. E. GRIFFITHS: Anyway, I do not care about that. The point I am making is that this Bill makes provision for a points system under which a penalty of a certain number of points is imposed for various offences. The offences in regard to which I asked the questions are those covered in the examples given by the Minister in his speech; some of them are, anyway.

Failing to give way to the right incurs a penalty of four points; so I am wondering whether, if I failed to give way to the right, I would be one of the 25-odd per cent. who could go to the chief traffic inspector with a story and ask him not to penalise me. A penalty of five points is imposed if the speed limit is exceeded by 30 miles an hour, and so on. However, the point I am making is that I feel the traffic constables who are charged with the responsibility—and we assume they are responsible constables who would know the law, otherwise they would not be enforcing it—of apprehending an offender are not even consulted by the senior traffic inspector who can have a

brief withdrawn. The brief can be withdrawn simply because the offender gives an explanation.

The Hon. E. C. House: That happens now.

The Hon. C. E. GRIFFITHS: I know it does.

The Hon. E. C. House: It is good.

The Hon. C. E. GRIFFITHS: It is good for the person who gets out of a prosecution. Of course it is good in those circumstances. However, if this facility is available, it should be advertised so that everyone can make use of it, instead of the poor unfortunate, who does not know he can approach a senior traffic inspector with an explanation, becoming one of the 75 per cent. who are prosecuted, while the other 25 per cent., knowing very well the constable who issued the brief will not be consulted, approach a senior traffic inspector and are thus relieved of their responsibility. I cannot go along with that. I will be the first to get out of a conviction if I know the facilities are available.

The Hon. A. F. Griffith: But you do not commit offences.

The Hon. C. E. GRIFFITHS: If I get caught! Anyway I wanted to make that point.

I am hoping that drivers who leave their trafficators flicking for miles on end will incur a penalty of a loss of points. To me this is a very serious offence and I mentioned it some two or three years ago. These offenders drive along in a dream, mile after mile, and those following do not know whether or not a turn is about to be made. I believe a stringent penalty in the form of a loss of points should be imposed on people who commit this offence; because it is one of the great number of things which can cause an accident, and we are endeavouring to reduce the number of accidents which occur on our roads. A person could be quite unaware of the fact that, as a result of his trafficator unnecessarily flicking for miles, an accident has occurred.

The Hon. F. R. H. Lavery: It does not cause accidents. It makes the people behind more careful because they do not know what the offender is going to do.

The Hon. C. E. GRIFFITHS: No; because if a driver is following a car with its trafficator flicking, and that car has already passed several corners, the driver behind believes that the driver in front is not going to turn and so he starts to pass him, upon which the driver in front does just that—he turns; or, he suddenly finds that he is at home, realises that his trafficator is already on, and immediately turns. As a result the poor unfortunate behind him is involved in an accident. It happened to me within the last

couple of days. Being the expert driver that I am, I was able to avoid the impending collision.

The Hon. R. Thompson: You failed to place on record the fact that you have the safest car available.

The Hon. C. E. GRIFFITHS: I thank the honourable member for the compliment.

I support the provisions of the Bill because they will go a long way towards making our roads safer and enable our traffic policemen to spend more hours patrolling the roads. The measure also goes a long way towards giving our young people a better opportunity to learn to drive correctly, prior to obtaining their license. I commend the Minister for introducing the Bill, which I heartily support.

**THE HON. F. R. H. LAVERY** (South Metropolitan) [5.40 p.m.]: This is a measure on which, I suppose, debate could ensue for a full session of Parliament. Suggestions could be made concerning ways and means whereby accidents might be avoided and the carnage on the road reduced.

I agree completely with Mr. Dolan who said that only one person is responsible for an accident; that is, the man behind the wheel. I say that from the point of view of many years' experience. I have been involved in two minor accidents where drunken drivers have hit the vehicle I was driving.

Today it is not possible to move out onto a road in any vehicle without seeing some person committing a breach of the Traffic Code. Mr. Clive Griffiths suggested that every person who was pulled up on the road, whether for a warning or otherwise, should be prosecuted. If this were done, I consider we would have to create further traffic courts in the metropolitan area.

Six or seven of the clauses in the measure are a very good attempt to bring the machinery of the Traffic Act into line, and to make the legislation more workable and more sensible from an administrative point of view than has previously been the case. With the new type of bookkeeping which is done nowadays, whereby the "brain" of a machine turns out 300,000 notices a minute, all departments benefit. The Traffic Department will be able to make more constables available on the roads following the passing of this measure.

I drove down from Northam only this afternoon and I saw an incident where a traffic inspector had stopped a car. The license of the traffic inspector's car bore the letters "TN." This is an uncommon plate to see on the roads. It takes me back to the time when, many years ago, the Transport Workers' Union suggested to the Government that all traffic constables should, in fact, be in uniform. The Government agreed to that suggestion. Today that same union is beginning to

think that it made the wrong recommendation at the time, because of the difficulties experienced on the road by the transport drivers with the new regulations and the increased volume of traffic.

I find myself agreeing that it was the wrong recommendation, because I believe the time has been reached when we must take drastic action in order to try to reduce the tragedies which are occurring on our roads.

I read in *The West Australian* only this morning that approximately 780 deaths caused by traffic accidents have occurred in Victoria. I think that number represents 18 more than the figure at the same period last year. There must be some quite good system of traffic control in Victoria because, despite the increased number of vehicles and licensed drivers, the increase in the percentage of deaths is quite small. What is wrong with Western Australia? So far this year there have been approximately 200 deaths, which figure is 77 more than this time last year. The exact figure escapes me at the moment, but I think there have been approximately 257 deaths this year. Is it entirely the fault of the driver, or is it the new type of motorcar which is being produced and which is capable of greater speeds? I will not use parliamentary privilege to mention the name, but there is one very high quality car on the road now which is capable of a really fantastic speed in connection with acceleration and getting off the mark. When young men—and, unfortunately some older men—own one of these vehicles, everything else on the road has to stop for them.

I believe the traffic engineers of Australia are worried because manufacturers are building these vehicles for a country such as ours. We have ribbon roads in Western Australia and we travel longer distances compared to other States, such as Victoria, which are smaller in area. Wider and better engineered roads seem to be built in the other States.

I believe that the vehicles in Western Australia do require some control. I am not denying that the man behind the wheel is the one and only person who can have control, but I consider other steps should be taken. I am thinking in particular of sign posts. When one travels overseas one finds that the roads have been built to such a high engineering standard that it is possible to drive at high speeds by following the sign posts.

I have in front of me a copy of the *Auto Atlas* for Germany, Denmark, Sweden, Norway, England, Ireland, Belgium, the Netherlands, Luxemburg, France, Spain, Switzerland, and Austria. Standard signs are shown on the back page and every sign has a meaning. All the motorist has to do is to take notice of the signs in front of him; it is as simple as that.

When I was travelling on the road up to Meckering and back today, I found some areas where it was possible to travel at 65 miles per hour, and other areas where the miles per hour were indicated at 55, 50, 40, and 35 respectively. Within a few moments from slowing down to 35 miles per hour it was again possible to travel at 65 miles per hour. Motorists on the road should definitely do what they are required to do; namely, read the signs as they go along and drive accordingly. If this were done, a tremendous number of accidents in the country could be avoided.

Road engineering in Western Australia could still be improved. I have driven in countries such as Italy—which founded the highway and motorway systems—in Germany, and in Holland. I did not drive in France, but drove through the United Kingdom, Scotland, and Ireland last year. I never experienced even the slightest trouble in going where I wanted to go, because I followed a chart on the back of the Automobile Association atlases which were made available to us. First of all, I went to the Automobile Association of England for that country's atlas and subsequently, when I was in Germany, I obtained one in Bonn. These two atlases are exactly the same except the one I obtained in Bonn is written in German. However the atlas caters adequately for a tourist who does not speak the language, because it is illustrated with many different signs, and the signs are what the motorist goes by. Some of the signs depict people walking across a street, animals on the road, men working on the road, trains crossing roads, and various other things. Consequently all the driver has to do is to look at the signs on the road. I consider we should educate our drivers to look at the signs in front of them.

The intersection of Walcott Street and Beaufort Street was one of the first in the metropolitan area where traffic lights were installed. It would not be a dangerous intersection if everybody followed the lights, but everybody wants to beat them.

I do not know what we are going to do about the problem. Increased penalties will not stop even one accident, I am sorry to say. The only way to stop people from doing the wrong thing is to do to them what was done to me; namely, my license was taken from me. I was caught for speeding and my license was taken from me; believe me, it hurt me very much indeed. I will never lose my license again, I can assure members of that.

The Hon. L. A. Logan: For speeding?

The Hon. F. R. H. LAVERY: Yes. If it hurt me at my time of life and with my experience, how much more would it hurt younger folk?

I consider one other point could well be adopted by the Traffic Department. We now have a system of licensed tutor driv-

ers. This system is a very good one, inasmuch as a person who is taught to drive under it has to conform to a set of rules which is laid down by the Traffic Department. In other words, a person who is taught to drive under the system drives according to the law. At present, once a person obtains a license he is permitted to drive on the road, but I believe everybody should immediately on getting a license attend the National Safety Council school at Mt. Lawley for a fortnight so that he can learn to apply what he has been taught by his instructor.

I always thought that I was a fairly good driver—at least, I kidded myself I was equal to any of the best. However, I realised how much more I had to learn when I went to the school at Mt. Lawley. In my view a person should not be allowed to drive on the roads, even after he has been issued with a license, until he has attended the National Safety Council school for a fortnight and has passed the tests of that school. In other words, the license issued by the Traffic Department should be only temporary—say for a period of three months—and should be made permanent on passing the test conducted by the National Safety Council after a fortnight at the school.

I think that would be one of the answers to our problem—in other words, to get down to driver education. In my opinion—and I think that at least in traffic my opinion should count for something—too many people on the roads have no road sense at all. Too many do not worry about what the other fellow who is 400 yards or 500 yards ahead of them is going to do. Too many do not look at what traffic is coming from the side streets which they are approaching. Too many of them want to get from point "A" to point "B" as quickly as possible, dodging as many of the traffic lights as they can, and weaving in and out among other vehicles travelling along the road. Then, when they get to the head of a line of traffic, they hug the centre white line.

That is another point: those who drive on the white line in the middle of the road and refuse to leave it are a real menace. As a matter of fact, after my experience I would tell anybody not to buy a big car, or what may be thought to be a prestige car. I happen to have a secondhand Chevrolet, which is a big car, but the trouble is that everybody else on the road wants to pass it, simply because it is a big car. Yet once someone passes me he always wants to ~~set~~ just in front of me, on the white line, and prevent me from going past.

However, although the Bill provides for increased penalties I do not think they will have the effect of preventing accidents; as a matter of fact, I do not think they will result in reducing the road toll by even one accident. In my view the only

thing to do is to take away a person's license. I suppose my statement in that regard could be criticised because the Bill does provide that after a person has lost 12 points his license is cancelled, and in that regard I think the points system is very worth while. Everything else has been tried, but without any success, and at least this is a step in the right direction and may result in reducing the accident rate.

I want now to come back to the question of giving way to the right, and engineering comes into this matter, too. For the life of me I cannot see why any person—and this includes me—could object to the give-way-to-the-right rule. We drive on the left-hand side of the road and, obviously, we must look to the right first, so it is no trouble to give way to the right if one enters a main road from a side street, or turns into a side street from a main road.

I know it has been said before, but I think it is worth repeating: the number of accidents would be reduced if we had restricted access. For instance, every second street which now crosses a main road could be made into a cul-de-sac, thus restricting entry to a main road to every second cross street. This idea was mentioned to me privately by a person in this State who knows a great deal about traffic matters. Bus stops could be established at the points where there is a cul-de-sac, and where there is no entry to the main road. As Mr. Dolan said, I believe this is something to which the traffic engineers could give their attention.

There are so many ifs and buts about traffic and behaviour on the road at the moment that it makes one ashamed to see what some drivers do. Another aspect of traffic is the use of divided roads. Wherever they are used the road toll has been reduced. We now have Canning Highway with a concrete division, and Stirling Highway with white marks down the centre of the road dividing it into two sections. This sort of thing must inevitably lead to an improvement in the traffic system. Also, in Applecross a good deal of the traffic travelling to and from Perth or Fremantle is using High Road and Riseley Road instead of Canning Highway. Riseley Road is divided and this has meant an improvement in the traffic flow and this, too, must help in reducing accidents. In addition, of course, the grid-iron system with streets should be dispensed with altogether—or as many such crossings as is possible.

The use of clearways is another system used for getting rid of heavy traffic at peak periods. It is proving most effective in London; vehicles are not permitted to stop in the clearways but have to move away smartly. The traffic authorities in London had great difficulty in putting the scheme into operation, but now it is found

to be most effective. No-one dare stop in a clearway and the system helps to clear peak hour traffic.

As I said before, the centre-of-the-road drivers are a great problem and something should be done about them. At the Labor Party conference in 1964 I supported the motion that the Police Department should take over the control of traffic throughout the whole State. I still believe that such should be the case. I know the country shires do not agree with this idea but, as I said in 1964, I think if the Police Department does take over the control of traffic on a State-wide basis the country shires should be reimbursed to the extent that they do not lose any money. In other words, they should be paid the same amount they now receive from license fees to ensure that their income is not reduced.

If a man has been receiving increases in wages over a period of three or four years, and suddenly his wages are reduced, he finds great difficulty in carrying on because, over that period, he has budgeted to a certain wage. The same would apply to country shires. At the moment they know what they are receiving by way of license fees, and they know what they will receive, approximately, for the following year. As a result they budget for what work they have to do knowing what their income will be. Because of this I do not think their incomes should be reduced if State-wide control of traffic is taken over by the Police Department.

There is another point. Who paid for the Narrows Bridge? I am sure many people do not know the answer to that question, but the metropolitan shires paid for it by having taken from the money they received through traffic fees the sum of £100,000 per annum over a ten year period, making a total of £1,000,000. So it was the metropolitan shires who paid for the Narrows Bridge, and if the Minister for Local Government would check up on my statement he would find that it is correct. Of course, those shires are still paying for the bridge because that sum of money per annum is still being taken from them. However, where this money is going now I do not know. It is not being spent on the bridge because that has already been paid for.

The country shires should give some consideration to that aspect when it is suggested, or if it is suggested that the Police Traffic Department take over control of traffic throughout the State. I believe our Traffic Department should be extended and made into an organisation similar to that which exists in Queensland, where there is a good set-up. Traffic in Queensland is controlled on a State-wide basis by the Police Department and this makes for better co-operation among all parties.

I am rather intrigued with clause 4 of the Bill which refers to stamp duty evasion. If one pays insurance on one's car certain stamp duty is levied, and that stamp duty is set out on the renewal certificate, and is paid at that time. I am not sure whether I have read the Bill correctly, but the question I want to ask the Minister is this: Does this clause mean that the stamp duty has to be paid at some place other than at the Traffic Office? If this is so, it is not very good administration. Reference was made to the driver from Queensland who had already paid for his driver's license and who possessed a license current for five years in that State. There was the suggestion that he should take out a license in this State after being in residence for, say, 12 months.

I wonder whether this is not just a technicality, because the number of people in this category would be infinitesimal. At this stage I would mention that when I went to London, I made application for an international license to enable me to drive on the Continent. I was told that this was not necessary; that I had a current Australian driver's license, and a passport, and it was not necessary for me to get an international license. I was away for three months and I experienced no complications at all in this regard.

Why should we take the suggested action in this State? Is it done to obtain more revenue? Are the drivers in this category so great in number that it is necessary to pass an Act of Parliament to cover them?

The Hon. A. F. Griffith: Are you referring to the driver's license or the motor vehicle license?

The Hon. F. R. H. LAVERY: The driver's license.

The Hon. A. F. Griffith: Clause 4 of the Bill refers to the motor vehicle license and the stamp duty.

The Hon. F. R. H. LAVERY: I have gone past that stage, and I know the point the Minister is making. I have had cause to transfer vehicles before, and I will probably transfer another before I die. Should not stamp duty be paid at the time one is paying for one's license?

The Hon. A. F. Griffith: Do you mean the motor vehicle license?

The Hon. F. R. H. LAVERY: If one wishes to transfer a vehicle the transfer does not take effect until one has paid stamp duty and the documents have been stamped. Is it necessary to go to some other office to carry out this obligation?

The Hon. A. F. Griffith: The receipt for the money you pay for the vehicle should have the appropriate stamp duty affixed.

The Hon. F. R. H. LAVERY: That is exactly what I want done.

The Hon. A. F. Griffith: Some of them do not.

The Hon. F. R. H. LAVERY: That is my point, and is not that bad administration?

The Hon. A. F. Griffith: It may be the fault of the individual.

The Hon. F. R. H. LAVERY: It should not be the fault of the individual; it is the fault of the administration of the Traffic Office. When one goes to the State Insurance Office, or any other office to make a payment, the stamp duty is included and the stamp is attached.

The Hon. A. F. Griffith: This is for the transfer of a vehicle.

The Hon. F. R. H. LAVERY: The money is paid in the Traffic Office and that is where it should be done. One has to pay the Brand Government another \$4 or so for the transfer.

The Hon. A. F. Griffith: Cut it out.

The Hon. F. R. H. LAVERY: Do not let us make the matter political. I wish to close by making a suggestion for the consideration of the Traffic Department. The matter I have in mind refers to a strip of road between the West Perth station and the West Perth subway, which is divided down the centre by a white line. Two lanes of traffic always move west, with one lane moving eastward. To permit the traffic moving westward to travel safely, I wonder whether it would be possible to move the white line two feet or three feet further north. This would certainly make for greater safety.

Before I close, I would like the Minister to give consideration to asking the department whether it would be possible to show at Parliament House the pictures which are shown to minors who commit traffic offences. I also feel that these pictures should be shown at least once a week in all theatres in the State. This medium of publicity is used a great deal in Singapore, particularly to inform visitors where certain commodities can be purchased, and so on.

If motorists were shown these films, I feel sure they would be frightened, but they would also be enlightened and would soon realise just what their responsibilities were while they were driving. During the course of my driving I have seen so much happen that I could write a book about it. I know what I am talking about, because I have had a great deal of experience on the roads and I happen to be the possessor of medals presented by the National Safety Council for driving for eight successive years accident free.

I know that the Traffic Department would bend over backwards to cut down the death rate on our roads if that were at all possible. I feel sure one very positive step in this direction would be the insistence on the give-way-to-the-right rule. It is those foolish people who sit behind the wheels of their cars and refuse to look to

the right or to the left, or to give way to the right, who are responsible for the majority of the accidents.

*Sitting suspended from 6.7 to 7.30 p.m.*

**THE HON. F. R. WHITE** (West) [7.31 p.m.]: I rise to speak to this Bill and support the general principles contained in it. Before so doing I should like to thank the Minister for Mines for tabling the papers which were requested at the beginning of this sitting.

Clause 3 (c) of the Bill deals with the interpretation of a vehicle, and inclusions are made here in addition to the interpretations contained in the parent Act. It is specified in the amending legislation that every conveyance, not being a train, vessel, or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means, is a vehicle. That definition deals with a conveyance, and does not cover a motor vehicle.

If we look at the definition of "motor vehicle" we will find that it means a self-propelled vehicle. I have mentioned this because later on I wish to dwell upon the meaning of "vehicle" and "motor vehicle." Motor vehicles today are causing a tremendous amount of carnage on our roads. The death and accident rates have risen to alarming proportions. Many reasons have been advanced for this, with particular reference being made to drunken driving.

Today members have made reference to the fact that road engineering is lacking in this State. I support this point of view because many of our roads are still only the same width as roads which were required to carry the horse and cart and the old "T"-model Ford—slow-moving traffic. There are many roads in the country—and in the metropolitan area—which are paved with bitumen to a width of 12 feet only.

Because of the increase in the speed of vehicles it is obvious that it is necessary to have wider roads in order to prevent collisions between vehicles travelling in opposite directions. I feel also that passengers travelling in vehicles are to some extent responsible for the increasing death rate. We find that if a driver is travelling by himself in his vehicle his attention is usually concentrated 100 per cent. on his driving. When there are passengers in the car, however, his concentration is diverted to other things. With the high speed situation we have with our present motor vehicles, only a momentary diversion of the driver's attention is required to cause an accident.

I feel this could possibly be the cause of many of our country head-on collisions. Road engineering must be looked into, too. I do feel that one of the obvious answers would be to widen the roads, and to place a median strip down the centre of as many

roads as possible so that there would be no opportunity for cars to collide with those travelling in the opposite direction.

I wish to deal, mainly, with clause 11 of the Bill, which proposes the introduction of a points system which can lead to the cancellation of a driver's license. In his second reading speech the Minister made the following statement:—

Clause 11 introduces a points demerit system similar to that operating successfully in some States of the United States of America, and also in Queensland.

I would like members to take note that this system operates in some States of the United States of America. I shall be making reference to this again in a moment to show what I consider is a weakness in one of the papers tabled by the Minister. His statement goes on—

The Premier, during his election policy speech mentioned his intention to bring such a system into operation here. An essential feature of the scheme is the grading of traffic offences, mostly according to their likelihood to produce accidents.

I will repeat that latter phrase—mostly according to their likelihood to produce accidents! To continue—

Each offence is assigned a certain number of points.

A little later in his speech the Minister stated—and I assume by "we" he means Cabinet—as follows:—

We have in mind a figure of 12.

That will be the number of points that will lead to the cancellation of a driver's license. A little later in his speech the Minister went on to state—

It is believed the introduction of such a scheme will make drivers more traffic-conscious and aware of their responsibilities on the road.

Now I wish to make reference to the papers which were tabled by the Minister. I hope that every member in this House who has not yet spoken to the Bill—and even every member who has spoken to it—will make a particular point of studying these papers. There has been very brief reference to them. The first sheet lists the proposed scale of points which will be lost for various offences.

The Hon. C. E. Griffiths: Read them out.

The Hon. F. R. WHITE: I will do that, if the honourable member will bear with me. However, I will give a cursory explanation so that members will understand. On the first sheet we have a list of offences, and then three columns. The first column refers to the proposed penalty for each offence. Then, in the second column, we have "Ontario, Canada," and the number of points which apparently are awarded against a driver for similar offences in that country.

In the final column we have "Queensland," and this column shows the number of points lost under the legislation operating in Queensland for the offences already mentioned. I assume that I need not mention that the American driver drives on the right-hand side of the road and the Australian driver drives on the left-hand side of the road.

The Hon. A. F. Griffith: Both assumptions are correct.

The Hon. F. R. WHITE: Thank you, Mr. Minister. I trust the Minister, in his reply to this debate, will be able to answer my question as to why two-thirds of the way down the first sheet to which I have referred, the following offence is listed: "Driving to left of centre of highway when prohibited." I suggest that this would be one of the offences in Ontario, Canada, for which the penalty is two points. If Canadians drive on the right-hand side of the road, they would be prohibited in certain instances from driving on the left, particularly if double lines exist.

The Hon. A. F. Griffith: I think the honourable member is a little confused. Those papers are intended to be a guide; they are not the regulations that will be promulgated.

The Hon. F. R. WHITE: The Minister has just made a statement that these regulations are a guide; they are not the regulations which will be promulgated. However, I feel we can only be guided by what is put before us.

The Hon. A. F. Griffith: Of course you can.

The Hon. F. R. WHITE: Here I have a guide which to me appears to indicate that the regulations have been adapted from Canadian legislation and presented to us without any amendment. To me this appears to show a very casual attitude—

The Hon. A. F. Griffith: Oh, really!

The Hon. F. R. WHITE:—towards a subject that we are supposed to legislate upon in this House.

The Hon. A. F. Griffith: You are not serious, surely! You do not think we are going to put in our regulations the penalties applying in regulations on a points system in a country like Canada and have them take effect in Western Australia?

The Hon. F. R. WHITE: It would appear that that is the intention.

The Hon. A. F. Griffith: It is not the intention at all.

The PRESIDENT: Order!

The Hon. F. R. WHITE: I have drawn the Minister's attention to what appears to be an oversight.

The Hon. A. F. Griffith: It is not an oversight.

The Hon. F. R. WHITE: I shall proceed further with what are, I assume, the proposed points penalties in our legislation. Further down the first sheet we find that an unlicensed driver will be penalised three points. However, when we refer back towards the top of the page we find there is the offence of the unauthorised use of a vehicle, and that carries a debit of nine points.

So here we have two particular items: The unauthorised use of a motor vehicle—which I assume refers to a motor vehicle which has been stolen by, possibly, a licensed driver—for which nine points will be debited; and then there is the case of an unlicensed driver—who possibly owns the vehicle he is driving—being debited with only three points. This does not appear to me to be consistent. I feel that the unlicensed driver, who may be driving his own car, or somebody else's car, would be a greater menace on the road than a licensed driver who has stolen someone's vehicle. Our Criminal Code provides for a person who has the unauthorised use of a motor vehicle, and I do not think the allocation of points is consistent.

It would appear from these suggestions or proposals that the unlicensed driver is given four opportunities before he loses his license, because he loses only three points for each offence. However, the licensed driver who steals a vehicle and uses it in an unauthorised manner has only two chances. I am just pointing out what I feel could be future weaknesses in the legislation.

Going further down the first sheet we find that all minor breaches of the Road Traffic Code will lead to a debit of one point. In his second reading speech the Minister stated—as I quoted before—that an essential feature of this scheme is the grading of traffic offences in accordance with their likelihood to produce accidents. Keeping in mind that all minor breaches of the Road Traffic Code will be penalised by one point—

The Hon. A. F. Griffith: Would you help me out? When you quoted from *Hansard*, did you quote the Minister for Traffic in another place, or myself?

The Hon. F. R. WHITE: I was quoting the speech made on Thursday, the 17th October, 1968, by the Hon. A. F. Griffith (North Metropolitan—Minister for Mines).

The Hon. A. F. Griffith: Jolly good!

The Hon. G. C. MacKinnon: That leaves little room for doubt.

The Hon. A. F. Griffith: I had no idea it was such a good speech.



The Hon. F. R. WHITE: The additional papers tabled by the Minister are headed, "Traffic Act, 1919-1967," under which there is the heading, "Proposed Statutory Fixed Penalties." This deals with a fines system for offences under the Road Traffic Code and the Traffic Act. On page 2 of these tabled papers we find an item 14 which deals with section 21 of the Traffic Act. I think this appears on page 47 of the principal Act, and it is also covered by section 20 of that Act. So we have two sections, 20 and 21, which deal with one of the offences listed; namely, the offence relating to the certificate of registration.

At present this offence carries a fixed penalty of \$4. The current proposal is a mandatory fine of \$5, and it appears that in addition a fine of one point will be imposed. Sections 20 and 21 of the principal Act state that a certificate of registration shall be affixed in the case of a motor vehicle that has a windscreen, to the left-hand bottom corner of that windscreen; or it may be affixed to the wing window of the vehicle. They further state that if the certificate is not fixed in such a position, or if it is unreadable, it constitutes an offence under the Traffic Act—an offence which the first sheet refers to as one of the minor breaches of the Road Traffic Code and incurs a penalty of one point.

However, I refer back to the Minister's speech where he said that the system is graded according to the likelihood of an offence to produce an accident. Sir, I ask you how on earth can the fact of a person having a sticker or not having a sticker affixed to a windscreen bring about the possibility of an accident?

Therefore I feel that the proposal to have one point debited for all minor breaches is not a desirable one. There are many others listed which I tend to be a little doubtful about. I am not speaking against the Bill; I am trying to draw the attention of the members of this House to the papers that have been tabled, and which contain a lot of matters which I feel may make members a little cautious about allowing the points system to be introduced too readily.

Mr. Clive Griffiths obviously has not read these papers. He did not have much opportunity, because they were tabled only this evening. However, he did make a reference as to whether or not drivers who had their vehicles' flashing lights signalling when not warranted would be penalised. The answer to the honourable member's query is contained on page 2, item 23—Road Traffic Code, section 804: The improper use of signalling devices. It is listed as one of the minor offences. Therefore, it would carry not only the proposed \$5 fine, but also a loss of one point. As I said, there are many other items listed.

The Hon. C. E. Griffiths: What about item 11?

The Hon. F. R. WHITE: Yes, on looking at that item it is one of the reasons I referred to the term "vehicle" and the term "motor vehicle." If one is not careful in reading this item, one may become confused. The Minister's Bill refers to "motor vehicle." Many of the items listed on these sheets in my hand refer to vehicles which are not motor vehicles. For example, roller skates are mentioned. If one rides roller skates one is riding a vehicle and one can be fined \$2.

The Hon. A. F. Griffith: Can you tell me in which clause that occurs?

The Hon. F. R. WHITE: That does not occur in the Bill because, as I have already said, the Minister's Bill refers solely to motor vehicles.

The Hon. A. F. Griffith: And many of the other items on those sheets are not in the Bill, either.

The Hon. F. R. WHITE: The Minister has told us that this is a guide to what is proposed in clause 11.

The Hon. A. F. Griffith: We do have many examples of minor offences.

The Hon. F. R. WHITE: And they could cause a loss of many points, and could create a good deal of chaos in the courts. If it is proposed to impose a one point penalty for all minor offences, or even for some of them, we will find many cases will be tried in the courts which, at the moment, do not require to be tried. At the moment we may find that if someone does not hold a certificate of registration that person will receive a summons, or the appropriate notification, from the Traffic Department. A plea of guilty will be made on the form and a cheque covering the amount of the penalty will be forwarded with it. However, if such a person is aware that he may lose one point he will hire a lawyer and take the case to court. This would, I consider, counteract the other proposals in the Bill which aim at reducing the work of policemen and obviate the necessity of their attendance in the traffic court.

Therefore I ask members to peruse these papers very carefully, especially those items where it is proposed that a loss of points will occur for any offence, because I think they do not support the proposed legislation. Members, therefore, should examine clause 11 very closely.

Debate adjourned, on motion by The Hon. E. C. House.

## **TIMBER INDUSTRY REGULATION ACT AMENDMENT BILL**

### *Second Reading*

Debate resumed from the 17th October.

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the Opposition) [7.53 p.m.]: The original Timber Industry Regulation Act was placed on the Statute book in 1926, and the amending Bill now before the House contains the same principle. The original Act became operative in Western Australia after the industry had been in operation for 90-odd years, and long after the exports of jarrah to England had taken place as early as 1835.

At the time of the presentation of the original legislation, the rates of fatal and serious accidents in the timber industry were second only to those which occurred in the mining industry, and it became necessary to formulate the Act specifically for the welfare of those engaged in the timber industry. This Bill is aimed at the regulation, the safety, and the alleviation of hardship of workers in the industry. In fact, the current aim, to use the words of the Minister himself, is to safeguard and protect those persons engaged in saw-milling and other associated industries.

The reason for the introduction of this measure is that, within the industry, new machinery and new techniques, together with new processes, have brought about a new concept of the original Act. Perhaps one can say that the most dramatic results have been achieved by the appointment of workmen's inspectors elected by those engaged in the industry. In the Bill they are termed safety inspectors. In some instances the work of these officers is regarded as being of such great importance by some of the major companies that they have appointed their own safety inspectors to work within their own organisations. That excellent results are being achieved following their appointment is beyond doubt, because if we look at some of the charts and figures available to us we find, during the current year, a dramatic improvement in the accident rate as compared with the figures for only the past two or three years.

If we review a longer term than that we find a more dramatic improvement. For example, between 1948 and 1957, 64 fatal accidents occurred in the timber industry. From 1958 to 1967 the number of fatal accidents dropped to 24, and in 1967 there were none. This year is not complete, but I understand there have been three or four fatal accidents to date. Nevertheless the improvement in the accident rate is obvious, and much of this improvement is due to the safety measures that have been implemented for the welfare and protection of the people working in the industry at present, as compared with the conditions which prevailed in the industry in the early days. The safety methods that have been introduced apply not only to the individuals themselves whilst they are working, but also to the handling of machinery, the efficiency of the machinery, and safety devices on the machinery itself.

I have a list here of what is termed "disabling injuries," and it will be interesting, to support my remarks, to quote the figures relating to them. A disabling injury is one which forces an injured man to be off work at least one full shift following the day of the accident. The figures do not go back very far, but, as I have said, they are interesting and quite dramatic. In the second quarter of 1966, 336 days were lost as a result of men suffering from disabling injuries. In the third quarter of 1966, 1,287 days were lost; and in the fourth quarter, 196 days were lost. In 1967, 136 days were lost in the first quarter; 92 in the second quarter; 154 in the third quarter, and 155 in the fourth quarter; that is, a third less than the number of days lost in the fourth quarter of 1966.

To date, the figures for this year show that 107 days were lost in the first quarter; 109 in the second quarter, and in the third quarter, nil. So we have to give credit to those performing the work that is being done for promoting the idea of safety, and introducing safety measures within the industry, because days lost can never be recovered, and they mean not only a loss of income to the individual and the firm concerned, but also, in the ultimate, and possibly in the cost structure, they mean a loss to the retailer and to the consumer.

Much of the credit for this Bill goes to the committee which was appointed to draft more modern safety measures; and this committee comprised officers of the Forests Department, representatives of the timber industry, representatives of the sawmilling industry, and officials of the Timber Workers Union. All of those parties came together and arrived at a set of conclusions which has now been embodied in the Bill. A very comprehensive overhaul of the existing legislation was made by the members of the committee who have had very wide experience in the industry, and they devised what is now contained in the Bill. Apparently a unanimous conclusion was arrived at.

I understand that all the parties associated with the industry—the Forests Department, the sawmillers, and the Timber Workers Union—are satisfied with this legislation; therefore the committee has achieved a major result. It is very satisfactory to arrive at a conclusion over which there is not even a minor difference; nor is there disagreement.

No doubt, in the course of time and experience further amendments to this legislation will be required. The Bill is not a contentious one. It is essential that the Act be modernised in accordance with the trends of the industry. Good results can be obtained by putting into effect the provisions of this Bill; and it will be the means of saving lives, saving money and

time of the organisations which employ the workers, saving costs in the ultimate, and above all reducing to the very minimum the incidence of serious accidents or even deaths.

I would not feel disposed to say any more on the Bill, because I think it is a good piece of legislation. I would be pleased to see it on the Statute book.

**THE HON. V. J. FERRY** (South-West) [8.3 p.m.]: I am pleased to give my support to this Bill before the House. From my knowledge of the timber industry I am aware that in these days great emphasis is placed on working safety. I therefore applaud the Bill which sets out to update the provisions in relation to working safety, and lays down the guidelines for a more efficient approach to the industry.

I say that, because over the years the timber industry in this State—ever since Western Australia was established—has played a major part in the affairs of the community; and the question of safety is deservedly an important one. When I read the Bill and tried to interpret its provisions, my mind very quickly recalled some of the conditions under which the sawmillers of the early days operated. I can readily bring to mind the early sawpits in the south-west in which I am sure the workers today would be horrified to work. I well remember the common sawmill pit which was a trench in the ground. One man got into the trench and operated a crosscut saw, while another man worked above the trench. Of course, the worker underneath became the recipient of all the sawdust, bark, and everything else that fell into it. I cannot visualise worse conditions under which to operate.

When we think of the modern timber mills in Western Australia I am grateful that the days of the old sawmills have passed. I do not know what were the figures of accidents during the days of the sawpits, but I hazard a guess that many workers were injured in them.

I notice the Bill contains several terms which are commonplace in the timber industry today, whereas in earlier times they had not been heard of. I think these terms have been included in the Bill, because of the recent establishment of a wood chip industry. I am glad that the committee mentioned in the debate has done an effective job in making recommendations to the Government, and thus enabled the Government to bring forward those recommendations in a comprehensive form.

In the modern mills with their complexity of machinery, as compared with the old-fashioned mill, we find the electrification of machinery, carriage feed benches,

band saws, circular saws, and similar types of machinery; and there is a terrific element of risk in the use of this machinery.

I am very conscious of the work that is being done by the workmen's inspectors in the industry. In the past these officers were not always welcomed by those associated with the industry, but I feel I am on safe ground in saying that is not the case today. The workmen's inspectors are recognised for the good job that they have done; they are appointed to protect the interests of the workers, and the management recognises their worth, because it is a fact that man-hours lost means production lost, and therefore profitability suffers.

There is one feature of the timber industry that is worthy of mention. I have said this on other occasions: in my view the timber industry is a prime example of decentralisation. I understand it is now rated fourth in importance in the primary industries of Western Australia. Because the industry avails itself of the advantages of the natural resources of the south-west, in particular, I believe it will continue to play a major part in the economy of this State.

With the advent of the wood chip industry there will be further need, from time to time, to revise the safety provisions; and no doubt in the future, after more experience has been gained, other Bills with amendments to the legislation will come before us.

The wood chip industry, together with the work which has been done and is being done by the Forests Department in further extension of the natural forests, and in reforestation projects, will ensure the continuance of the timber industry. There is little more I can say other than to support the Bill. I would like to say, once again, that I am very pleased with the relationship which exists between the management—from the top right down the line of the staff—and the safety officers. I am aware that all sawmillers are keenly conscious of the need for safety, and as has already been said safety officers are of prime importance to the industry.

I know personally many people who are employed in the timber industry, and at various times I have spoken to some of them. I am sure that they are far more conscious of the need for safety today than ever before. This not only helps the workers, their families, and the community in general, but also relieves the Government of the responsibility for the results of accidents, such as have occurred in the past. Hospitalisation is one aspect.

When people work out in the bush it is not easy for them to obtain readily available and efficient medical attention; unless they are able to reach a suitable

first-aid post or hospital quickly. Through education and the work of the safety officers, the community, the industry, the workers, and their families are better off. For those reasons I support the Bill.

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [8.11 p.m.]: I am delighted with the reception of this Bill, particularly with the support given by Mr. Willesee and Mr. Ferry. I think that all of us appreciate the wonderful safety record which has been mentioned by those two members. I suppose that few of us who have visited sawmills have not become somewhat frightened by the tremendous volume of noise and by the crashing of logs; and been impressed by the apparent air of ease and nonchalance with which the workers handle the operations. It is through the efficient and smooth operations that the output is as good as it is.

I trust this Bill will be the means of making the safe working conditions even better, because this industry is basic to Western Australia and, indeed, it has been responsible for a tremendous amount of settlement and development in the south-west corner of this State.

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. G. C. MacKinnon (Minister for Health), and passed.

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

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

*Second Reading*

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [8.17 p.m.]: I move—

That the Bill be now read a second time.

Section 11 of the Taxi-cars (Co-ordination and Control) Act requires the Taxi Control Board to issue additional taxi-car licenses whenever the population has reached the equivalent of 800 persons to each one taxi-car licensed in an area, and that stage will soon be reached.

An estimate of the metropolitan population, based on the figures of the Bureau of Census and Statistics as at the 30th June, 1967, is 557,173 persons, representing

an increase of 19,000 approximately over the figure at the end of June, 1966. On the assumption that there has been a similar increase in respect of the year ended the 30th June last, the population as at that date would have been 576,200, and as there are 726 taxis at present licensed, this works out at one taxi to each 794 persons. It is therefore proposed to issue an additional 20 taxi-car licenses now, under the provisions of the parent Act.

Though obviously this action does not call for amending legislation, the Government does not overlook the fact that when taxi-car licenses are transferred from one owner to another, a substantial sum of money—usually about \$7,500 to \$8,000—is paid by the purchaser for goodwill, in addition to the value of the vehicle.

There are within the industry 200 taxi drivers leasing taxi-cars at a rate of \$56 per week each. Many of these drivers are well experienced with years of good service standing to their credit, but, for one reason or another, they have been unable to accumulate sufficient capital to purchase taxis for themselves.

It is considered that, if additional taxi-car licenses were made available on the payment merely of an annual license fee of \$20, plus plate fee of \$2.50, this would be quite unfair to many persons who, in recent years, have outlaid the aforementioned substantial sum in the purchase of goodwill.

With a view to assisting the lease drivers, to whom I have referred, who have for the longest period driven taxis continuously with a good record of service, it is proposed to make the 20 sets of plates available to them at 70 per cent. of the current market value at the time applications are invited. That is the main purpose of this amending Bill. The amendments proposed will enable the Minister, upon the recommendation of the board, to determine what the premium should be from time to time and how it should be paid.

As a further assistance in the procurement of a license enabling these drivers to secure their own taxis, it is proposed that the premium shall be paid over a period of five years and, on present value, the weekly payment would be \$20.

It is not proposed that plates will be passed on or sold to a person who has another vehicle, or who is an owner-driver at the present time. Also, in order to prevent any person who obtains premium plates from transferring them at a greatly enhanced figure, a transfer will not be permitted for a period of five years from the date the license is issued, except with the approval of the Minister, and this would enable extenuating circumstances to be taken into consideration when a decision was made.

The idea is that the plates should be retained for a period of five years before being transferred, unless there is a particular reason, such as death, sickness, or an extenuating circumstance of that nature, as already indicated. For instance, the wife of a deceased person could be permitted to retain the plates and arrange for someone else to operate the taxi. But we are endeavouring to prevent a person obtaining plates as the result of a low offer and selling them the next day at a considerable and unearned profit; the idea being to assist the individual himself in the operation of the license to his own benefit.

All moneys received on account of premiums will be paid to the credit of the public account or go into Consolidated Revenue.

Another amendment proposes that the board be enabled to issue taxi-car licenses on a restricted basis, in respect of portion of a control area, to meet the needs of isolated parts not at present regularly served by metropolitan taxis or a local operator. These restricted licenses will also be made available at the premium to be determined, but due to existing conditions and the restriction on their operation they will attract a smaller premium.

There have, for instance, been requests from a number of places where special circumstances exist, such as at Armadale and Rockingham, and others, requiring taxi services, but where, because of the small movement of population, taxis from the metropolitan area strongly object to having to proceed on these long leads to take a person perhaps only three or four miles. It is agreed such a fare would not be an economic or profitable proposition and therefore we propose to issue restricted licenses in such localities to enable a service to be provided, and they will be issued on the recommendation of the board.

There is no provision in the Act which would enable the board to do this, as under existing provisions, if a license were issued for a service to operate in, say, Rockingham, that licensed taxi driver could immediately come back to Perth and operate there—hence the need for some amendment.

Members will see also that there is a provision in this measure under which the Taxi Control Board will become a corporate body, able to acquire, hold, and dispose of real and personal property. Circumstances have occurred from time to time whereby the board could establish an off-street taxi stand to give greater convenience to the travelling public and to improve traffic flow. However, it lacks authority to acquire the necessary land and the board has, in fact, in the past, had to reject offers by local authorities although suitable land was available at little or no cost.

Another provision in the Bill permits the registration of part-time taxi drivers, and the hours and conditions under which they shall be permitted to operate are determined. There is a need for part-time drivers because an increasing number of taxi owner-drivers are taking time off for leisure and recreation, particularly during the weekend period.

The system of part-time drivers has been operating quite satisfactorily in other States and the general effect is that taxis are kept in operation on the roads in those States to a greater degree than they are here. New South Wales and, I believe, Victoria, are examples. It is suggested that by having the same cab operating for a long period of time, the city is not congested with a larger number of taxis than is actually necessary. For instance, if the wife of a taxi driver applies to the Police Department and obtains the necessary authority to drive, then, with the approval of the board, she may drive the taxi. There are some women taxi drivers in this State at the present time.

But getting back to the main idea, there is a necessity for restricted drivers to have a period of rest during the time they are operating on Saturday and Sunday; that is, up to midnight on Sunday.

The board intends to take precautions to ensure that a person does not go straight from a job and drive a taxi. Arising from the general prosperity of the State, there is an increased demand for taxis during normal operating hours and quite a number of owner-drivers are earning sufficient to enable them to cease driving after midnight—and some cease to operate after 8 or 9 p.m., for, like other workers, they are entitled to recreation leave and to spend a reasonable time with their families. However, without the owner having authority to engage a part-time driver, the taxi remains unavailable to the public for the whole period the owner-driver is absent on leave and not operating his vehicle as a taxi-cab.

It is considered, then, that if part-time taxi driving is limited to weekends, this will provide a pool of drivers during the period when taxis are in shortest supply and provide a means of enabling persons, who cease their normal work on Friday afternoon, to engage in taxi driving for a limited number of hours during the weekend, should they feel so disposed.

Another amendment in the Bill makes provision for regulations to be made requiring the furnishing by a taxi driver of a statutory declaration. Such a declaration becomes necessary if difficulty is experienced in securing proof of the period during which a person has been driving. It will enable the board to determine, when allocating additional licenses to a person or persons, who has been driving a taxi continuously for the longest period.

The Bill is commended to members as a measure which will be helpful in tidying up to a degree some of the problems yet remaining unresolved in the taxi industry, and it is felt its provisions will permit a few more taxis on the road to give a better service to the public than is at present possible and this, in the main, by permitting part-time taxi drivers to operate.

Arising from discussion in Committee in another place, I would foreshadow some further amendments which will be placed on the notice paper. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. Thompson.

### STOCK JOBBING (APPLICATION) BILL

#### *Second Reading*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Justice) [8.29 p.m.]: I move—

That the Bill be now read a second time.

This Bill is introduced to safeguard the transactions entered into by those members of the Stock Exchange who are known as "dealers" or "stock jobbers." These people, unlike the ordinary broker, who acts as an agent or intermediary, are, in fact, principals and their whole business consists of trading in a particular line of stocks and shares for their own profit.

A stock jobber may agree to sell a number of shares in a particular company at a certain price, if they are demanded during a specified period. The person with whom he makes such an arrangement is said to take a "call option"; that is, he can call for the shares at the stipulated price at any time during the currency of the option.

Conversely, a stock jobber may agree to buy a number of shares of a certain price, at any time during a specified period, if the person with whom he is contracting so demands. Here the other party is said to have a "put option," which entitles him to place, or put, the shares with the jobber, if he so desires.

This sort of trading has been carried on all over Australia from the time of the first settlements. It is, of course, also practised in other parts of the world.

However, in the particular economic conditions obtaining in England in 1734, it was thought to be in the public interest to outlaw the practice of stock jobbing. It will be remembered that this was the era of the "South Sea Bubble"; a time of wild speculation in company shares. An Act—generally referred to as "the Stock Jobbing Act"—was passed to effect this purpose. This Act stated that it was to

operate only until the end of the next session of Parliament, but three years later a further Act made it perpetual. It was repealed in England in 1860.

As I have said, stock jobbing has been carried on in Australia since the earliest days. In 1922, Victoria had the presence of mind to pass an Act stating that the old English legislation was henceforth to be of no effect in Victoria. However, apart from this, Australian stock jobbers have carried on in blissful disregard of the possibility that the old English legislation might still apply.

Everyone associated with this sort of business received a rude shock when, in July this year, the New South Wales Court of Appeal ruled, in the case of *Garrett versus Overy*, that the English Statutes to which I have referred were part of the inherited law of New South Wales, and operated to make illegal and of no effect the particular transactions concerned in that litigation—they were stock jobbing transactions of the kind I have mentioned. The implication was that all such transactions in the stocks and shares of English companies—and, possibly, others as well—no matter in which part of Australia they were made, except Victoria, were illegal and void. This created a situation which obviously required to be remedied. To my knowledge, New South Wales and Queensland have already introduced legislation to restore the law to what everyone, or practically everyone, had supposed it to be. I imagine that the other States will soon follow suit, if they have not already done so.

The Acts mentioned in the Bill are the original English Act of 1734, and the later Act which continued it in force. The date of the 25th July, 1968, is the date on which the New South Wales Court of Appeal delivered the judgment mentioned above.

I have in my file a copy of this particular Act which was obtained from the Supreme Court library. I doubt whether a copy of the Act will be found at Parliament House, but no doubt the Clerks will be able to determine this. I think the copy I have was most likely made from the volume of *Statutes at Large* that is held in the Supreme Court. I discovered this afternoon that most likely no copy of the Act would be at Parliament House and I felt I should get this old Act photographed from the copy I have. I will then make it available tomorrow to those members who are interested in it.

The Hon. J. Dolan: Where could we get it from?

The Hon. A. F. GRIFFITH: I will have the Act photographed and I will lay the copy on the Table of the House. It will be done first thing in the morning.

The Hon. J. Dolan: Thank you.

The Hon. A. F. GRIFFITH: The Act came to Australia under the New South Wales Act, 9, Geo. IV, Chapter 83, section 24, which provides that "All laws and Statutes in force in England should be applied to New South Wales." Presumably from this colonial source we inherited this Act, and the Bill now before the Chamber seeks simply to repeal and terminate the application in this State of this Imperial Act.

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

## MINING ACT AMENDMENT BILL

### Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.36 p.m.]: I move—

That the Bill be now read a second time.

The object of this Bill is to validate and enable continuance of action provided under regulation 55 of the Mining Act, 1904-1956, whereby holders of miners' rights were permitted after the claim had been in existence for 12 months to enter for the purpose of searching for minerals, other than those for which such claims had been granted.

Recent legal advice drew attention to the fact that the regulation in this regard was *ultra vires* the Act, and to put the matter in order this Bill provides for—

1. Amendment to section 26 of the principal Act by authorising entry on to a mineral claim by the holder of a miner's right for the purpose of prospecting and subsequently pegging and applying for a prospecting area, provided he does not interfere with or cause damage to the actual workings of the claim holder; and
2. A new section 28A authorising the granting of a prospecting area, subject to such conditions as may be prescribed by the Minister following the hearing of the application and recommendation in regard thereto of the warden; and
3. A new section 28B, which validates the granting of previous applications.

If passed, a prospector will still be enabled to enter a mineral claim after it has been in force for 12 months, peg a prospecting area, of a maximum of 24 acres, and lodge his application for the same with the warden of the mining field.

The warden will take such evidence as is necessary under the Mining Act and submit his recommendation to the Minister, who may grant the application on such terms as he thinks fit.

Not long ago I received a deputation from all members representing the gold-fields areas concerning this problem. I think we had gone along in sublime ignorance of the fact that this regulation was *ultra vires* the Act. In fact, not many prospecting areas had been granted but, if the Bill is passed, such grants will be validated.

The members of the deputation who met me wanted me to introduce a Bill which would allow a prospector to go onto a mineral claim immediately after it had been pegged, but I could not find my way clear to do this; because I think if I did so chaotic conditions would result. It would simply mean that immediately upon the pegging of a mineral claim a prospector could go onto the area, prospect it, and apply for a P.A. I think it is reasonable that the holder of a mineral claim should have a proper time in which to look over the area that he has pegged. A mineral claim, as members know, is 300 acres, and I think a period of a year is little enough time to allow. I do not intend to ask for any alteration in this regard. In fact, all I seek to do by the introduction of this Bill is to restore the law, and the regulation appertaining thereto, to the position we thought it was in before legal advice was given to the effect that there was a strong possibility that the regulation in question was *ultra vires*.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

## WESTERN AUSTRALIAN INSTITUTE OF TECHNOLOGY 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.

### Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.45 p.m.]: I move—

That the Bill be now read a second time.

The Western Australian Institute of Technology is in its second year as an independent statutory body; that is, independent of the Education Department. When the interim council took over the control of the institute last year, the student enrolment totalled 2,800 approximately. This year has brought a remarkable increase with enrolments up by almost 30 per cent. to 3,600 students.

The institute is progressively revising and improving its techniques of tuition and has introduced also external studies' tuition for professional courses. For the first

time, it has initiated this year the granting of its own awards. These were granted to 263 students studying in the fields of chemistry and pharmacy, architecture, engineering, accountancy, administration, art, science, home economics, and so on.

It is a fact that, last year, the institute was forced to rely, to a considerable extent, on the academic staff of the technical division of the Education Department to man its classes. However, by the time lectures commenced this year, the institute had appointed its own academic staff and was fully self-contained. There are now some 180 academic and 200 non-academic members of the staff.

The Institute of Technology at Collier is rapidly expanding. The erection of a new building for the Department of Architecture is under way, and the new administrative block has been completed. A contract was let recently for extensions to the Department of Pharmacy building. Detailed planning is proceeding on a major library building, the construction of which is due to commence early in 1969. Planning is well advanced for the Department of Art to move to Collier not later than mid 1971.

It is pleasing to note the ready acceptance of the institute courses by both the professional and business community of the State. With this ample evidence of the institute meeting a substantial need for the type of tertiary education it is providing, it is not surprising that the interim council has found that some amendments of its Act are necessary, and with the rapid increase in enrolments it is desired to provide a statutory authority for the creation of an official organisation of the student body at the institute.

Several separate student organisations exist already and it is expected that they will affiliate with the new body, which will be a corporate body responsible for the overall organisation and development of student activities on the campus. Such a body is expected to take a leading part in student government and to be the point of contact between the students and the institute administration. Progressively, it is probable that the guild will be made responsible for the control of certain institute buildings and equipment provided for extra-curricular affairs; for example, the cafeteria. Most tertiary institutions have similar officially recognised bodies, one of the prime purposes of which is to inculcate a spirit of citizenship and responsibility among the students themselves. It is proposed that the body will be formed early in 1969.

It would be appropriate, I think, at this point, to draw the attention of members to a committee which has recently been set

up by the Federal Government to inquire into the question of the nomenclature of the awards given by the colleges of advanced education and to the related question of comparability of standards.

Following upon the presentation of the committee's report, it is hoped that it will be possible to adopt uniform nomenclature and standards in all colleges throughout the country. That deals with matters mostly related to students.

Consideration is being given to the preparation of Statutes and by-laws for the control and management of institute land. There is power under the Act to make these by-laws for institute land vested in the council. However, a problem has arisen in that the institute is at present being administered by the interim council, and under the terms of the Act the council cannot be constituted before the 26th May, 1969. This situation has created something of an impasse, which, I am advised can best be overcome by amending the Act, as proposed in this Bill, to vest the land in the institute, which is a corporate body, instead of in the council, as at present.

The full council, as I have earlier indicated, cannot be constituted before the 26th May, 1969; that is, at least two years, and not more than two years and three months from the date of proclamation of the Act. Meanwhile, the development of the institute and the management of its affairs has been placed in charge of a much smaller and less representative interim council. The interim council now feels that the growing complexity of the institute's affairs requires the benefit of the larger numbers and wider range of representation of the full council and has recommended its appointment earlier than at present stipulated by the Act. The Bill, therefore, seeks to amend the Act to permit the appointment of the full council not earlier than the 1st January, 1969, and not later than the 31st March, 1969.

Members of the interim council have given very valuable service; for much of the highly creditable achievement of the institute, in the bare 18 months of its existence, is due to the time and energy devoted to the task by the members of the interim council and most of these services are given in an honorary capacity.

The other amendment, which I have not yet dealt with, is that related to the institute's power to charge tuition fees. Apparently, in the strict legal sense, the Act may not permit the institute to charge these fees. However, it was never intended the institute should provide free tuition and actually it raised such fees even prior to its separation from the technical division of the Education Department. An appropriate amendment in the Bill will



eliminate any possible doubt in the matter of the legal right of the institute to charge tuition fees.

Debate adjourned, on motion by The Hon. R. F. Cloughton.

*House adjourned at 8.52 p.m.*

## Legislative Assembly

Tuesday, the 22nd October, 1968

The SPEAKER (Mr. Guthrie) took the Chair at 5.30 p.m., and read prayers.

### BILLS (4): INTRODUCTION AND FIRST READING

1. Plant Diseases Act Amendment Bill.  
Bill introduced, on motion by Mr. Nalder (Minister for Agriculture), and read a first time.
2. Reserves Bill.  
Bill introduced, on motion by Mr. Bovell (Minister for Lands), and read a first time.
3. Traffic Act Amendment Bill (No. 2).  
Bill introduced, on motion by Mr. Craig (Minister for Traffic), and read a first time.
4. Hairdressers' Registration Act Amendment Bill.  
Bill introduced, on motion by Mr. O'Neil (Minister for Labour), and read a first time.

### DELAYED SITTING

#### *Reason*

MR. BOVELL (Vasse—Minister for Lands) [5.34 p.m.]: I would like to ask, Mr. Speaker, if there should be a record of the reason for our late meeting today.

THE SPEAKER [5.35 p.m.]: It will be recorded in the *Vote and Proceedings* that we commenced the sitting at 5.30 p.m. so that there is a record of the reason for our delayed sitting today. I would point out—as most members are aware—that a piece of plaster in the ceiling was found to be dangerous and had to be removed before the sitting proceeded. As a consequence, we were delayed for an hour. I would also like to place on record the appreciation of members of the promptness with which officers of the Public Works Department got the job in hand.

Members: Hear, hear!

### QUESTIONS (17): ON NOTICE SCIENTOLOGY

#### *Complaints*

1. Mr. GRAHAM asked the Minister representing the Minister for Health:
  - (1) From how many persons has he received complaints regarding scientology?
  - (2) Will he make available (omitting names) the details of the complaints?
  - (3) What steps did he take to check the veracity of the statements in each case?
  - (4) Were inquiries made of the scientology organisation and, if so, in how many cases?
  - (5) Will he make available (omitting names) details of the organisation's explanations?

Mr. ROSS HUTCHINSON replied:

- (1) and (2) Details of these complaints cannot be provided, because accurate records were not kept at the time, but the general tenor of these complaints related to what can only be described as persecution.
- (3) and (4) At an interview with Mr. Tampion (at that time in charge of scientology in Western Australia) a number of these cases were discussed, but the discussions were fruitless.
- (5) The explanations followed the lines of those offered in reply to the complaints investigated by the Victorian Royal Commission, to which the honourable member's attention is drawn.

Mr. Graham: What a shocking reply—a complete evasion!

The SPEAKER: Order!

### POWER STATIONS

#### *Percentage of Power Produced*

2. Mr. JONES asked the Minister for Electricity:

What percentage of power was generated by the undermentioned power houses on a weekly basis for the period from the 1st June, 1967 to the 31st December, 1967—

- (a) Bunbury;
- (b) Muja;
- (c) South Fremantle;
- (d) East Perth;
- (e) Collie?