

- (d) permit a variation increasing the provision made under an existing order.

The committee followed its usual procedure of preparing and distributing a working paper based on a programme of research by its legal officers into the laws applying to other jurisdictions.

It is considered that the society's attitude to the right of a man to dispose of his property as he thinks fit even beyond doubt has changed. There is now a feeling that a deceased is under some moral obligation to make provision for the maintenance, education, and advancement in life of persons who in the normal course of human affairs had a close personal relationship with the deceased. Unless provision is made there should be means to satisfy the court that some provision should be made.

The decision to extend the right of application against intestacies or partial intestacies is a logical one. The terms of a will may be irrational or immoral, but the same can apply where distributions of estates are made under a rule of law. For example, a wife who deserted her husband and children could take the whole of a small estate at the expense of the children maintained by the deceased. Such a case is not uncommon and the same redress should be available to deserving claimants in an intestacy as is given to claimants under a will.

The aim of legislation of this type is to do justice to dependants. For this reason it is proposed to continue the power of the court to vary the amount of periodical payments. Experience has shown that the powers have not been used extensively. Courts generally exercise such a power with caution and only when clearly called for by a radical change of circumstances. As with legislation recently submitted to deal with the granting of rights to illegitimates to share in the estates of deceased persons, protection must be provided for personal representatives.

Claims previously restricted to the surviving spouse and legitimate children may now be made from persons having a moral claim as well as the additional classes.

The Bill gives effect to the views of persons with experience in this field of law. It will overcome the obstacles which have prevented many persons from approaching the court to obtain some degree of justice where insufficient provision has been made by testators or where the arbitrary rule of distribution in intestacies has applied. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Mensaros.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. J. T. TONKIN (Melville—Premier)
[5.59 p.m.]: I move—

That the House at its rising adjourn until 4.30 p.m. Tuesday, the 5th October.

Question put and passed.

House adjourned at 6.00 p.m.

Legislative Council

Tuesday, the 5th October, 1971

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

BILLS (7): ASSENT

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

1. Pay-roll Tax Assessment Bill.
2. Pay-roll Tax Bill.
3. Firearms and Guns Act Amendment Bill.
4. Land Tax Assessment Act Amendment Bill.
5. Vermin Act Amendment Bill.
6. Noxious Weeds Act Amendment Bill.
7. Offenders Probation and Parole Act Amendment Bill.

QUESTIONS (14): ON NOTICE

1. NEW TAXES AND CHARGES

1959 to 1971

The Hon. S. J. DELLAR, to the Leader of the House:

During the term of office of the Liberal-Country Party Government from 1959-1971—

- (1) (a) What new taxes and charges were imposed; and
(b) from what date were they operative?
- (2) (a) What taxes and charges existing at the date of assumption of office—1959—were increased during the period of office; and
(d) what was the percentage increase in each case?

The Hon. W. F. WILLESEE replied:

A complete answer to this question would be very lengthy and take a considerable time to compile. Therefore, only the main variations of taxes and charges in the

period 1959-60-1970-71 have been listed. These are contained in the following statement:

MAIN VARIATIONS OF TAXES AND CHARGES 1959-60-1970-71. 1959-60:

Betting Investment Tax at a rate of 3d. for bets up to £1 and 6d. for bets in excess of £1.

Stamp Duty on off-course Betting Tickets increased from 1d. —irrespective of value—to 1½d. for bets up to £1 and 3d. for bets in excess of £1.

Stamp Duty on hire purchase agreements increased to 1% in lieu of the previous rate of ½%.

Entertainment Tax: Legislation was varied by increasing the exemptions available under the Act and imposing tax on a lower admission price than had been charged previously.

Land Tax: Legislation was amended to correct inaccuracies in defining people entitled to exemptions, i.e. pensioners and ex-service pensioners.

Death Duties: Gifts in which the deceased retained an interest were exempted from the dutiable estate if made more than three years prior to death. This amendment was effective retrospectively to 1st July, 1956.

Motor Vehicle License fees increased by 25% in the case of cars and approximately 14% for motor wagons not exceeding 50 power weight.

Drivers Licenses increased from 10s. to £1.

1960-61:

Racing Taxation: The system of licensed bookmakers operating off-course was abolished and replaced by a Totalisator Agency Board. The new system regularised the operation of the industry and provided for part of the tax proceeds of the system to be distributed to racing clubs for the improvement of programmes and facilities.

Land Tax: Taxation on improved land was reduced by a 10% concession.

1961-62:

Entertainment Tax abolished from 1st January, 1962.

Death Duties:

- (1) The general exemption from probate duty was raised where the estate passed to the spouse or a near relative resident in Western Australia.

- (2) Exemptions from duty were extended to include bequests made to independent schools.

1962-63:

Stamp Duty: The main variations were:—

Conveyancing—rates increased from 5s. for each £25 to 12s. 6d. for each £50.

Insurance Policies—other than life, motor vehicle and workers' compensation policies—a flat rate of 5% of gross premium was introduced in place of the previous sliding scale.

Receipts—receipts for amounts less than £5 were made exempt and the scale of duty was varied to 3d. for receipts of £5 up to £100 and thereafter 3d. for each £100 or part thereof.

Hire Purchase Agreements—duty increased to 1½% in lieu of 1% which applied previously.

Motor Vehicle Third Party Insurance Surcharge—as from 1st January, 1963 licenses issued were subject to a levy of £1 per year.

Liquor Licensing—the method of calculating license fees was amended to 5½% of the gross value of purchases in place of the previous method of 8½% of the net value of purchases (excluding customs duty, excise and cartage).

1963-64:

Stamp Duty: An ad valorem of 10s. per cent. on registration of new motor vehicles and the transfer of secondhand vehicles was introduced.

Drivers' Licenses: Application fee was increased from 10s. to £2.

Unclaimed Betting Dividends: Legislation was amended to provide for unclaimed dividends that were previously retained by the Totalisator Agency Board being transferred to Consolidated Revenue Fund in future.

Hospital charges increased from 1st November, 1963.

M.T.T. fares increased from 1st November, 1963.

Suburban rail fares increased and country rail fares revised from 1st November, 1963.

1964-65:

No taxation increases or variations of State charges.

1965-66:

Stamp Duty—

Duty on cheques increased from 3d. to 6d.

Duty on conveyancing or transfer on sale of property increased from 1½% to 1¾% for consideration exceeding £5,000.

Duty on transfer of scrip or shares increased from 3d. for each £5 or part of £5 to 1s. for every £12 10s. or part thereof.

Duty on purchase and transfer of motor vehicles increased from 10s. per cent. to 15s. per cent.

Receipt duty increased from 3d. per £100 to 3 cents per \$200 for amounts in excess of \$10.

Betting Investment Tax increased from 3d. to 3 cents per bet irrespective of value of the bet.

State Shipping Service freights and charges increased from 1st October, 1965.

Railway freights and fares increased from 1st October, 1965.

M.T.T. fares increased from 3rd October, 1965.

Hospital charges increased from 1st July, 1965.

Motor Vehicle License fees increased by an estimated 8% in the case of cars and 20% for commercial vehicles.

Drivers' Licenses increased from \$2 to \$3.

Primary Producers License concession was limited to one commercial vehicle of 30 cwt. tare and above.

Road Maintenance Charge—this charge was introduced at a rate of ½d. per ton mile on the tare weight plus 40% of load capacity on all vehicles in excess of 8 tons capacity.

1966-67:

Probate Duty: Legislation was amended to provide as follows—

- (i) Duty charged on personal estate held outside Western Australia.
- (ii) Gifts within 3 years of death made dutiable.
- (iii) Local assets of persons living outside Western Australia to be assessed at the rate of duty applicable if total estate were subject to duty.

(iv) Rebates for quick succession were made less generous.

(v) The effect of the above increases was reduced by revising scales of duty to reduce tax on estates passing to widows and dependent children and increased rates in the case of certain other classes of beneficiaries.

Gift (Stamp) Duty: A sliding scale of duty charged on settlements and deeds of gift was introduced.

Receipt Duty: A new scale of duty prescribing differential rates ranging from 1 cent to 3 cents for each \$10 and part thereof was introduced.

Betting Turnover Tax: The rate of tax was increased from 5 per cent to 5½ per cent.

Drivers' Licenses: Legislation was amended to provide for one-half of the revenue from drivers' license fees being taken to Consolidated Revenue Fund instead of into the Central Road Trust Fund.

Lotteries: Legislation was amended to divert 10% of gross revenue from lotteries to the Hospital Fund as from 1st January, 1967, 15% as from 1st January 1968 and 20% as from 1st January, 1969.

Hospital Fees: Increased daily bed charges which applied from 1st November, 1966 compared with previous rates are as follows:—

Class of Patient	Previous Charge	New Charge	Increase
		\$	\$
Public	7.00	10.00	3.00
Intermediate	9.00	13.50	4.50
Private	11.50	16.00	4.50

Train Fares, M.T.T. Fares and W.A. Coastal Shipping fares and freight were increased from the beginning of October, 1966.

1967-68:

Receipt Duty: Legislation was introduced to restrict the duty to a uniform flat rate of one cent for every \$10 of total receipts to eliminate the existing two and three cent rates. A number of exemptions from payment of duty were also introduced.

1968-69:

Stamp Duty—

Receipts given for the exchange of money for money exempted from duty.

Receipts for the proceeds of sales of bullion exempted from duty.

Receipts issued by Hospital Benefits Organisations exempted from duty.

Bonds required to be lodged by a contractor when submitting a tender for construction work exempted from duty.

Insurance policies issued outside the State in respect of property within the State became dutiable.

Land Tax—

Improved and Unimproved Land were made subject to separate scales of tax. The revised rates gave substantial concessions on improved land except where the aggregate value of vacant land did not exceed \$6,000.

A rebate of the difference between the improved and unimproved tax scales was introduced for persons who build a residence on their land. The rebate covered the four assessment years prior to the year of improvement, but does not extend beyond 30th June, 1968.

A concession was introduced for persons who own and reside in dwellings in an area subsequently re-zoned for other purposes, provided the area of land does not exceed one-half acre and is used for residential purposes only. Tax is not payable on that portion of the unimproved value of land that is attributable to rezoning.

State Shipping Service freights and charges increased from 1st October, 1968.

Land Titles Office charges increased from 1st August, 1968.

1969-70:

Stamp Duty—

Cheques issued by Youth Organisations exempted from duty.

Duty on hire purchase agreements replaced with duty imposed on credit and rental business.

Local Authority transactions exempted from duty.

The Treasurer's discretion to exempt from duty documents connected with company reconstructions was extended to cover documents connected with reconstructions of foreign companies.

Land Tax—

All persons owning improved land valued at less than \$6,000 were exempted from Land Tax with a tapered exemption reducing by \$1 for every \$2 when the aggregate value exceeded \$6,000.

Rates of tax on unimproved land were further increased on unimproved capital values in excess of \$25,000.

Land owned by Local Authorities was exempted from Land Tax.

Probate Duty—

Legacies and gifts to the Services Canteens Trust Fund (established under the Services Trust Funds Act, 1947) were exempted.

M.T.T. fares were increased from 1st November, 1969.

Railways—Suburban rail fares increased from 1st November, 1969.

Companies Registration Fees were increased in January, 1970.

Hospital Fees. A new basic bed rate of \$13.50 a day for a standard bed and \$20.00 a day for a private bed was introduced from 1st May, 1970. These charges included items such as theatre fees, X-rays and blood-tests which were formerly charged as extras.

1970-71:

Stamp Duty—

Receipts duty of all kinds except those for salaries and wages was repealed from 1st October, 1970.

Receipts duty for salaries and wages repealed from 1st January, 1971.

Loans to members of registered credit unions exempted from duty imposed under credit and rental business provisions.

The exemption for housing loans from the duty imposed under credit and rental business provisions extended to loans raised for the purpose of purchasing land on which the borrower intends to erect a dwelling.

Power given to the Treasurer to declare from time to time an appropriate rate of interest for credit arrangements under the credit and rental business provisions. Loans raised at this or lower rates

of interest are exempted from duty under the credit and rental business provisions.

Land Tax—

The improved land exemption was extended to \$10,000 reducing by \$1 for every \$4 in excess of \$10,000, the tapered exemption exhausting at an unimproved capital value of \$50,000.

The Commissioner was empowered to place an upper ceiling on the unimproved value per acre to be used when calculating the tax payable on all land zoned rural retrospective to the year of assessment 1969-70.

For the year 1970-71 and for future taxing purposes, all unimproved rural land will be aggregated with improved land and taxed at the lower improved land scale.

The primary producers' exemption was extended to embrace all land used for primary production regardless of where it is situated.

Re-zoning concessions were introduced, so that when unimproved land zoned rural is re-zoned, a maximum period of three years will be allowed for improvement before that land will be subject to the higher tax scale applicable to unimproved land. The benefit of the upper ceiling value will cease immediately on re-zoning.

The Commissioner was also granted power to defer whole or part of the Land Tax liability in certain cases until the land is sold or subdivided. Provision was made for owner-occupiers of home units as tenants in common or shareholders of a home unit company to be placed, as nearly as possible, in the same position as owners of conventional houses.

Probate Duty—

The following concessions became effective as from 1st July:—

A concessional deduction of \$10,000 to a surviving spouse in lieu of the previous allowance of \$7,500 for the deceased's share in a jointly owned matrimonial home.

A deduction of \$5,000 for each dependent child under 16 years of age, student

children under 21 years of age or wholly dependent adult children in those cases where there is one surviving parent, and \$10,000 for each child where there is no surviving parent.

A concessional deduction of up to a value of \$1,500 for personal effects and furniture and exemption from duty of the first \$2,000 of gifts made by the deceased person during the three years immediately prior to death.

Under the previous legislation all gifts were dutiable if the total of gifts made within three years of the date of death exceeded \$200 in value.

The limit on deductions for funeral expenses has been removed. In future the full amount of funeral expenses will be deductible from the value of the estate.

Liberalisation of the quick succession provisions by providing that full relief be granted in those cases in which the second death occurs within twelve months of the first and extending the period over which proportional relief applies, to ten years.

Replacement of the previous duty tables numbered 1 and 2 with a new table of lower duty rates. The lower rates apply to a widow, widower, children, other issues, step-children, ex-nuptial children of a deceased woman and wholly dependent parents.

Betting Taxes—

The Betting Investment tax of 3 cents per bet was repealed from 1st January, 1971.

On-course bookmakers' betting tax was increased from 1st January, 1971 from 1.25% to 2% on holdings up to and including \$100,000, and from 1.50% to 2.50% on holdings of over \$100,000.

The clubs' proportion of on-course bookmakers' betting tax was reduced from 60% to 50% as from 1st January, 1971.

Turnover tax from T.A.B. investments was increased to 6% from and including 1st January, 1971.

Liquor Licenses—

The Liquor Act, 1970 required the following licenses to be paid each year commencing 1st July, 1971.

Taverns (a new form of license) and liquor stores—a license fee equal to 7½% of the gross value of liquor purchases made by each licensee over the preceding twelve months.

Brewers—an annual fee of \$60.00 and 5½% of the gross value of liquor sold to persons who are not holders of a license.

All other licenses—a fee equal to 5½% of the gross value of liquor purchases over the preceding 12 months.

2.

WATER SUPPLIES**Waroona Irrigation District**

The Hon. N. McNEILL, to the Leader of the House:

- (1) What investigations have been undertaken with a view to the extension of the Waroona Irrigation District in the area north east of the township?
- (2) Is it considered that sufficient water would be available to service the area concerned?
- (3) In the locality referred to—
 - (a) what area of land is considered suitable for irrigation farming;
 - (b) how many properties could benefit under any proposed extension;
 - (c) what method of irrigation, if any, is considered most suitable; and
 - (d) what is the estimated cost of providing the service?
- (4) Has a proposal for extension been considered by the Irrigation Commission; and if so, with what result?
- (5) If a decision has been made by the Commission, what action is contemplated by the Government?

The Hon. W. F. WILLESEE replied:

- (1) The Department of Agriculture has carried out a detailed soil survey of the area and has also carried out economic studies to see if irrigation with pumped water was viable. The Public Works Department has conducted preliminary engineering feasibility studies.
- (2) and (3).

There is water available for a limited acreage of irrigation in this area.

- (a) 680 acres is considered suitable for flood irrigation and 320 acres is considered suitable for sprinkler irrigation.
- (b) Five or six properties could benefit from the proposed extension.
- (c) Sprinkler irrigation.
- (d) The Public Works Department is currently undertaking design of a system to command the land identified as suitable by the Department of Agriculture. Until the design is completed, estimated capital and operating costs are not available.
- (4) The Irrigation Commission is awaiting a report by the Public Works Department which will be prepared when design and estimate are complete prior to giving final consideration to this proposed extension.
- (5) Answered by (4).

3.

LAND**Karratha Townsite**

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) What was the top price, including service fees, paid at Karratha for—
 - (a) a hotel site;
 - (b) a service station site;
 - (c) a bakery site;
 - (d) a shop site;
 - (e) a home site; and
 - (f) an industrial site?
- (2) How many—
 - (a) freehold; and
 - (b) leasehold blocks are now available for—
 - (i) homes;
 - (ii) industrial use; and
 - (iii) commercial use?
- (3) What are the service fees for roads, power and water that are charged to the occupier in—
 - (a) home lots;
 - (b) industrial lots; and
 - (c) commercial shop lots?

The Hon. W. F. WILLESEE replied:

- (1) (a) Hotel Site—\$198,674.
- (b) Service Station Site—\$101,250 (Auction).
- (c) Bakery Site—\$1,498 (Leasehold).
- (d) Supermarket Site—\$24,964 (By Tender) (1st Stage).
- (e) Home Site—\$3,020 (Auction).
- (f) Industrial Site—\$1,320 per acre (Leasehold).

- (2) There are 43 residential lots still available for freehold purchase in serviced residential sections—an additional residential section of 64 lots is being serviced preparatory to release.

Industrial and commercial sites (freehold and leasehold) are released in accordance with demand and service planning.

- (3) Home Lots—\$2,950 per lot (includes sewerage).

Industrial Lots—\$1,300 per acre.

Commercial—\$16,600 per acre (includes sewerage).

4. LOCAL COURT, MORAWA

Closure

The Hon. J. HEITMAN, to the Minister for Police:

- (1) What is the number of Local Court plaints issued at the following courts during 1969 and 1970—

- (a) Mullewa;
- (b) Northampton;
- (c) Mingenew;
- (d) Morawa;
- (e) Perenjori;
- (f) Three Springs; and
- (g) Carnamah?

- (2) Is he aware that the closing of the Morawa Local Court will cost people wishing to have a Local Court plaint issued in the vicinity of \$30 in travelling costs and time in having them issued at either Mullewa or Mingenew?

- (3) If it is agreed that the first responsibility of a police officer is the enforcement of the law and protection of the community, what category does a person who purchases goods and refuses to pay for them fit into—does he obey the law?

- (4) Does the Minister agree that acting as Clerk of Courts in a country police station, with an extra \$400 per annum payment, is an extraneous duty for a police officer in some country towns, and not in others?

- (5) In closing the Local Court in Morawa, what thoughts did he have for the rights and privileges in the circumstances of the citizens of that town?

- (6) Does he realise that he has taken away a privilege of many years standing?

The Hon. J. DOLAN replied:

(1)	1969	1970
(a) Mullewa ..	111	158
(b) Northampton ..	74	106
(c) Mingenew ..	41	52
(d) Morawa ..	114	140
(e) Perenjori ..	Nil	Nil
(f) Three Springs ..	90	81
(g) Carnamah ..	Nil	Nil

NOTE:—Perenjori and Carnamah are not Local Courts.

- (2) A person need not attend personally but can arrange to lodge the summons by post.
- (3) Payment for goods purchased can be enforced through a Local Court.
- (4) The duties of Clerk of Local Court must be considered as extraneous to those of a Police Officer.
- (5) Every consideration was given, but any decision must have regard to the economic position as well as other factors.
- (6) The decision was taken having regard to the circumstances existing at the time.

5.

HOUSING

Karratha

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) How many State houses are in existence at Karratha?
- (2) What is the number of houses planned for—
- (a) 1972;
 - (b) 1973;
 - (c) 1974; and
 - (d) 1975?
- (3) How many Government Employees' Housing Authority homes are in existence and planned for—
- (a) 1972;
 - (b) 1973;
 - (c) 1974; and
 - (d) 1975?

The Hon. W. F. WILLESEE replied:

- (1) There are thirteen (13) State houses completed and occupied at Karratha, ten (10) are Commission and three (3) are under the control of another State Government Department.

There are also fifty-three (53) State houses completed and occupied at Roebourne, thirty-one (31) are Commission houses and twenty-two (22) are under the control of other State Government Departments.

- (2) (a) Eleven (11) houses are under construction at Karratha for State Government Departments and the Commission

programme intention for 1971-1972 is thirty (30) units of accommodation at Karratha; ten (10) units at Roebourne, and ten (10) units at Wickham. A further three (3) units for State Government Departments are proposed at Wickham.

- (b) (c) and (d) Future State Housing programmes will depend on the funds available, the turnover in existing housing stocks and the residual demand of applicants for housing after allowing for wastage.
- (3) There are ten (10) Government Employees' Housing Authority homes completed and occupied at Karratha and seven (7) completed and occupied at Roebourne.
 - (a) The Government Employees' Housing Authority programme intention for 1971-1972 is eleven (11) homes at Karratha, one (1) home at Roebourne, and two (2) homes at Wickham.
 - (b) (c) and (d) See 2(b) (c) and (d) above.

6.

POLICE*Karratha*

The Hon. W. R. WITHERS, to the Minister for Police:

- (1) What is the current strength of the Police Force at Karratha?
- (2) What are the plans for expansion and housing of the Police Force?
- (3) Who is maintaining control of traffic at this time?
- (4) How many arrests have been made at Karratha in the months of July, August and September, 1971?

The Hon. J. DOLAN replied:

- (1) One policeman, one detective.
- (2) It is proposed to erect a Police Station with accommodation for the officer in charge this financial year. Housing is available for the existing officers.
- (3) The Shire of Roebourne.
- (4) One in September.

7.

HOSPITAL*Karratha*

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) What are the plans for the Karratha Hospital in respect of—
 - (a) stages of development in building;
 - (b) number of beds available in each stage;
 - (c) completion date; and
 - (d) number of doctors?

- (2) What areas and towns will be serviced by this hospital?

The Hon. W. F. WILLESEE replied:

- (1) (a) It is intended that the first stage of the hospital will be a multi-storied block including all services to cater for the region, with the ability to expand.
- (b) Initially about 70 beds. Subsequent expansion will depend on population growth and other factors.
- (c) Not at present known. This is dependent upon time required for planning and availability of funds.
- (d) This will depend upon population to be served at that time.
- (2) It will serve as a district hospital for the people of Karratha and a regional hospital for the surrounding towns (Dampier, Wickham, Roebourne, Onslow, Exmouth, Tom Price, Newman, Paraburdoo, Pannawonica, Wittenoom and any others which may develop in the area).

8.

EDUCATION*Mentally Retarded Students in North West*

The Hon. W. R. WITHERS, to the Leader of the House:

Is there any assistance given to retarded students in the north who require an annual assessment for the degree of retardation so that education programmes may be developed, in respect of—

- (a) departmental services; and
- (b) an annual air fare?

The Hon. W. F. WILLESEE replied:

Psychological assessment is not available in the north west for mentally retarded students. Assessment is arranged in the metropolitan area for those students who are brought to Perth by the Department of Health or the Child Welfare Department.

9.

PRISON*Broome*

The Hon. W. R. WITHERS, to the Chief Secretary:

- (1) Is there any plan to upgrade the gaol at Broome?
- (2) What is the size of the gaol yard?
- (3) How many prisoners have been held at Broome since the 1st January, 1971, to the 20th September, 1971?

- (4) What is the size of the floor area available to each prisoner per cell, per cell block, and within the fenced area of the yard?
- (5) What is the number of total staff including storeman in the gaol?
- (6) When was the gaol constructed?
- (7) What materials are used in the walls of cells?

The Hon. R. H. C. STUBBS replied:

- (1) Yes.
- (2) 46,800 square feet.
- (3) 311.
- (4) Female Cells (4 prisoners)—9' 3" x 10' 0".
Grilled Cell—33' 0" x 17' 9".
New Cells (4 prisoners)—13' 6" x 13' 6".
Block 1 (2 prisoners)—10' 0" x 13' 0".
Blocks 2 and 3 (2 prisoners)—10' 4" x 13' 3".
- (5) 13.
- (6) Old Section 1896.
New Cell Block 1967.
- (7) Female Section Blocks 2 and 3 and Grilled Cell—Sandstone and concrete.
Block 1—Galvanised Iron.
New Cells—Cement Brick.

10. PRISON *Bunbury*

The Hon. W. R. WITHERS, to the Chief Secretary:

- (1) What is the size of the gaol yard at Bunbury?
- (2) How many prisoners have been held since the 1st January to the 20th September, 1971?
- (3) What is the size of the floor area available to each prisoner per cell, per cell block, and within the fenced area of the yard?
- (4) What is the number of total staff including storeman in the gaol?
- (5) When was the gaol constructed?
- (6) What materials are used in the walls of cells?

The Hon. R. H. C. STUBBS replied:

- (1) Total area of prison 11½ acres (C Block 5,300 square yards; Two Remand Yards 166 square yards each).
- (2) 74.
- (3) 61 square feet.
- (4) 43.
- (5) Opened 5/2/1971.
- (6) Brick construction.

11. CARAVAN PARK *Karratha*

The Hon. W. R. WITHERS, to the Minister for Local Government:

With reference to my question on Tuesday, the 24th August, 1971—

- (a) has a decision been made for additional caravan parks at Karratha;
- (b) if not, when will the decision be made;
- (c) if the answer to (a) is "Yes", where will they be located, and who will operate them?

The Hon. R. H. C. STUBBS replied:

- (a) and (b) Yes, the Lands and Surveys Department is currently taking action to release an additional caravan park site at Karratha.
- (c) An 8 acre site in the Light Industrial area (Lot 1059) will be advertised shortly. If more than one application is received, allocation will be determined by a Land Board.

12. ROADS *North West Towns*

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Is there a plan for an all-weather road system linking the airports and towns of Port Hedland, Karratha, Dampier, Roebourne, Robe River, Wickham and Cape Lambert?
- (2) (a) If so, will he advise the planned date for—
(i) completion of the whole scheme; and
(ii) completion of various sectors;
(b) if the answer to (1) is "No", why?

The Hon. W. F. WILLESEE replied:

- (1) No. Parts of the road system are the responsibility of different bodies, namely the Main Roads Department, the local authorities, and the mining companies. The sealed road links between the airports and the towns of Port Hedland, Karratha and Dampier, and also between Dampier Airport and the townships of Roebourne and Wickham, are substantially all weather. However, there is a requirement for a bridge to be constructed over the Nickol River between Roebourne and the Karratha turn-off. Cape Lambert and Robe River are company developments, and it is

not known at present what construction plan has been adopted for access roads.

(2) Answered by (1).

13. POPULATION

Karratha

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) What is the current population of Karratha?
- (2) What is the expansion rate over the last six months expressed as a percentage?
- (3) What is the anticipated period of this growth rate?
- (4) What is the anticipated population in 1975?

The Hon. W. F. WILLESEE replied:

- (1) Approximately 2,000.
- (2) Approximately 30 per cent.
- (3) Approximately 12 months.
- (4) Dependent on developments under consideration by various parties. For planning purposes it is anticipated that there will be a population in 1975 of 7,500.

14. TOWN PLANNING

Karratha Townsite

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Have public parks been surveyed and allocated for use at Karratha?
- (2) If the answer is "Yes"—
 - (a) who has the vested rights of the parks;
 - (b) what are the sizes of the parks; and
 - (c) where are they located?

The Hon. W. F. WILLESEE replied:

- (1) No. The design of Karratha townsite provides for substantial areas of open space in between residential sections. These areas will be available for public recreation, playgrounds and the like. Tree planting and landscaping is planned.
- (2) Answered by (1).

SUITORS' FUND ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.59 p.m.]: I move—

That the Bill be now read a second time.

This Bill has as its main object, Mr. President, an increase in the number of matters in respect of which relief for payment of legal costs may be recovered from the

Suitors' Fund. This is a further extension of the benefits to be available in this direction.

The moneys in the Suitors' Fund consist of fees collected on processes lodged in the Supreme Court, District Court, Local Court, and Police Court, together with interest on the investment of funds not immediately required. There are also the additional moneys from the Motor Vehicle Insurance Trust which makes a contribution in respect of claims lodged with the Third Party Claims Tribunal.

The fund is administered by the Appeal Costs Board. The board consists of Mr. G. J. Ruse as chairman, appointed by the Governor, and Messrs. H. V. Relly and P. L. Sharpe, Q.C., appointed by the Governor after nomination by the Law Society and the Barrister's Board, respectively.

The present fee on each process is 10c but provision is available to increase the amount up to a maximum of 20c.

An amount of \$62,245 has been received by way of fees since the fund was established on the 1st January, 1965. The interest earned during the period is \$5,211.89, making a total amount of \$67,456.89 available up to the 30th June, 1971. Payments from the fund over the same period amounted to \$18,550.04, leaving an amount of \$48,906.85 as the balance in the fund as at the 30th June, 1971. The amount of \$18,550.04 was disbursed as recoup or part recoup of legal costs in the following matters:—

	\$
Appeals on questions of law (20)	12,084.60
Costs incurred consequent upon the deaths of Judges (7)	2,762.15
Costs incurred as a result of disagreements of juries or when new trials were ordered	3,703.29
	<hr/>
	\$18,550.04

Initially, when the Act was under consideration, it was considered desirable to restrict the matters for which relief would be given until sufficient experience had been gained to enable an assessment to be made of the demands on the funds available. The maximum amount payable to any one respondent in respect of an indemnity certificate was increased from \$1,000 to \$2,000 as from the 21st October, 1970.

A further review has enabled the introduction of this amending Bill because of the present state of the fund. The fund may be applied when the Supreme Court grants an indemnity certificate where an appeal against the decision of a court—

- (a) to the Supreme Court;
- (b) to the High Court of Australia from a decision of the Supreme Court;

- (c) to the Queen in Council from a decision of the High Court of Australia given in an appeal from a decision of the Supreme Court; or
- (d) to the Queen in Council from a decision of the Supreme Court,

on a question of law succeeds. Assistance is also available where—

- (a) proceedings are rendered abortive by the death or the protracted illness of the presiding judge, magistrate, or justice, or by disagreement on the part of the jury;
- (b) an appeal on a question of law against the conviction of a person is upheld and a new trial ordered; or
- (c) when the hearing of any proceedings is discontinued and a new trial ordered by the presiding judge, magistrate, or justice for a reason not attributable in any way to the act, neglect, or default in the case of civil proceedings of all or any one or more of the parties, their counsel or solicitors. In these circumstances the presiding judge, magistrate, or justice may grant a certificate. A certificate may be granted in the case of civil proceedings to any party to it. In the case of criminal proceedings the certificate may be granted to the accused. The certificate in both cases would state the reasons why the proceedings were discontinued and the new trial ordered, with reference made to the fact that the new trial was not attributable in any way to any of the parties or their legal representatives.

Clause 4 of the Bill is to require payment of fees in respect of every process lodged in the District Court, which was established on the 1st April, 1970. It is necessary to validate fees which have been received since that date.

Clause 5 adds a new section to the Act. This section will empower the Supreme Court, where on appeal a conviction for an indictable offence is quashed without a new trial being ordered, to grant a costs certificate to enable the successful appellant to recover all or part of the costs as determined by the court.

It is proposed also to allow costs, either fixed or taxed, where appeals on questions of law succeed against defendants such as police officers or traffic officers, who in some circumstances are protected against costs being awarded against them.

Another feature is the power to grant a costs certificate where the accused has incurred expense not attributable to any act

or neglect on his part or the part of his counsel by reason of the adjournment of the proceedings.

The Minister, in another place, accepted amendments to clause 5 of the Bill. The first of these, affecting proposed new section 12A (2), would cover the position where costs could be prevented by common law—not necessarily by an Act of Parliament. The mover of the amendment stated, for instance, that in matrimonial matters a husband, if he succeeds in law, is invariably not awarded any costs.

The other amendment is designed to apply to the costs certificate. The present restriction is \$1,000 maximum relief payable upon an indemnity certificate, providing also that the ceiling figure may be raised by prescribed regulation. This provision was inserted so that the fund would not have undue calls made on it.

At present, section 15 of the Act deals with a case where a new trial is ordered on the grounds that the damages awarded in the action are excessive or inadequate. As a matter of practice the full court rarely orders a new trial, but it alters the amount of the damages. This precludes an unsuccessful respondent from applying for the grant of an indemnity certificate to enable him to obtain payment of his costs from the Suitors' Fund. Clause 5 proposes to remedy this position by empowering the court to issue indemnity certificates in actions where damages are altered on the ground that they were excessive or inadequate.

I wish to inform members that the Appeal Costs Board has directed attention to the possibility of a company with a very small paid up capital, but which is a subsidiary or related company to another company—whether local or foreign—with a paid up capital in excess of \$200,000, being entitled to a payment from the fund. An indemnity certificate cannot be granted to a local or foreign company with capital in excess of \$200,000. It is proposed to extend the restriction to wholly-owned subsidiaries or related companies of such companies.

Members may be assured that the operations of the Suitors' Fund will be kept under review, and further enlargement of the benefits will be made as the financial position allows.

The Bill is commended to members as a measure which serves a useful purpose in providing a means for persons to exercise their rights of appeal in the knowledge that all or some part of their legal costs may be recovered.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

ADOPTION OF CHILDREN ACT AMENDMENT BILL

Report

Report of Committee adopted.

RURAL RECONSTRUCTION SCHEME BILL

Second Reading

Debate resumed from the 23rd September.

THE HON. C. R. ABBEY (West) [5.09 p.m.]: This Bill has been extensively examined by previous speakers in this House and I shall endeavour not to cover the same ground. The benefits that should flow from the rural reconstruction scheme are very difficult to assess. We know the intention of the scheme is to enable those who can carry on to extend their properties; to help them sort out their financial affairs in a better way, and to make it possible for the farming community, generally, to carry on. Those who are granted assistance under this scheme will still, of course, be faced with many difficulties.

It is a great pity that, in conjunction with the scheme, we could not find answers to certain problems which are causing great concern. Of course, nothing can ever be done about the drought situation that faced this State in 1969, apart from the fact that Governments and the farmers concerned should make reasonable provision for it. The drought was beyond anybody's control, but the economic situation as far as the rural sector of our community is concerned has needed very urgent attention for many years.

Over the past 10 or 15 years the trend has been that where a man has sons and a fairly large property he usually splits up the property, and quite often, in so doing, the property becomes uneconomic under the stress that is now being suffered; or perhaps such a farmer paid too much for a smaller adjoining property to combine with his own enterprise. These facts are well known but they are worth recounting because in many cases these are the reasons for some farmers in Western Australia being in such difficulties.

It is a great pity that, in conjunction with the rural reconstruction scheme, we could not also have a scheme which would overcome the marketing problems which face the wool, meat, and fruit industries, among others. Although world markets have, to a degree, caused the depression, the fault does not entirely lie at that door but is the result of a lack of forethought and planning by Governments and individuals in dealing with the marketing situation, and everyone must accept some of the blame in this regard.

When we think back to the time during the post-war period when the J.O. scheme for wool could have been continued, we find that all the States except Western Australia voted against the continuation of the J.O. scheme, which placed the wool industry in the very sad situation in which it now finds itself. The Federal Govern-

ment has given us a lead in rural reconstruction but it must give a much greater lead particularly in the marketing of wool. It is a national problem. It has already been tackled by the wool commission buying in wool at very extensive levels. Unfortunately, that practice must be continued. I think the Government must give the lead that is required of it. The industry is probably incapable of sorting out all the different points of view.

I will now revert to the side effects on Western Australia. This State has experienced a most difficult drought situation, apart from which very low prices have been received by farmers for meat—particularly for sheep and lambs—and in the fruit industry there has also been over production. Accordingly all in all there is a very great need for a review to be made.

The position that exists with regard to mutton and lamb is not one of which Western Australia can be proud. For years it has been obvious that the abattoir capacity in this State has been insufficient to handle the increase in the numbers of sheep and lambs.

As long ago as 1968—about four years ago—it became obvious that the wholesale butchers particularly and the producers of fat stock were finding it difficult to keep and maintain all the sheep that were required to be killed.

It was freely stated by members of the Western Australian Master Butchers Association that it was costing the individual farmer up to \$2 per head—this related to sheep in particular.

The reason for this \$2 cost to the farmer and the trouble which started at that time was mainly due to there being insufficient abattoir capacity. If they bought all the sheep that were offering it was necessary for them to find paddocks in which to hold them until they were killed. As I have said it was freely stated at that time that it was costing the farming community \$2 a head, which, I believe, is a very accurate figure.

I think the wholesale butchers during that period created a situation, as a result of the excess stock they held, which will rebound on our farming community for many years to come. What has happened will establish in the minds of overseas buyers that they can obtain mutton in particular at a very cheap rate in Western Australia, so why should there be a change in the future particularly in view of the better seasons which I hope lie ahead and the fact that less stock are sold.

It would be very difficult to get the Japanese buyers to raise their quotes in the normal process of buying mutton. They will be guided by the figure that has been established at which they will realise the wholesalers in Western Australia can purchase stock for purposes of processing. They will wonder why it is necessary for them to increase their figure.

It is a sad commentary on the situation to find that at present in the Eastern States the figures are much higher. I will quote figures for Wednesday, the 22nd September, 1971 which appeared in a journal called *Country Life*. The article applies particularly to Homebush abattoirs in New South Wales. A comparison is given between last year and the week of this publication. We find the quote for lambs and suckers—good to prime heavy—was 10½c to 16½c last year. During the week of the 22nd September the price was 13½c to 18½c per pound.

If members compare these prices with the prices in Western Australia they will see the position that exists. In Western Australia we are lucky to get 10c or 12c a pound. The same top lambs at Midland last week were bringing in the vicinity of \$4 while in Homebush the top lambs were bringing \$7.85. Other abattoirs are also quoted but I will not weary the House by quoting too many figures.

I turn now to wethers. The quote for Homebush last year was good to prime heavy 6½c to 9c a pound and for the week to which this report applies the figure is 7c to 9c a pound. Last year the price of good to prime light wethers was 8c to 10c a pound whereas this year, for Monday, the 20th September, it was also 8c to 10c.

When we compare those figures with the price offering at Midland today, we find that the price at Midland is only 3c to 4c a pound. One would be lucky to get \$1.50 or \$2 for a good wether.

In New South Wales, however, they are getting more than double that figure and this applies to similar markets. Anybody who has studied the problem in connection with wethers will know that not a great deal are bought by the Australian consumer. A large amount of mutton is exported so the exporters who were paying 7c to 9c a pound two weeks ago at Homebush for the purposes of export are paying 3c to 4c in Western Australia. This is about half the price.

Members might ask why this is so. The answer is obvious—that for the last four years the abattoir capacity in Western Australia generally has been totally insufficient to cope with the problem. In New South Wales sufficient abattoir facilities are available both in the city and in the regions.

This situation goes back to a scheme started 15 or 20 years ago in New South Wales under which, with Government help, regional abattoirs were perhaps oversupplied. It is disheartening for us who are depressed in this particular industry to find that compared with Western Australia, New South Wales and other Eastern States are receiving fair and reasonable prices. This is a dreadful situation in which the farmers of Western Australia

find themselves; those who are suffering the effects of economic difficulties after having faced three years of drought.

I would now like to turn to the question of ewes. The quote at Homebush last year was 5½c to 7c a pound and a fortnight ago the quote was 6c to 8c a pound. That is for good to prime heavy quality. For good to prime light the quote last year was 7c to 9c a pound while a fortnight ago the quote was 7c to 9½c a pound. The producer in Western Australia suffers very badly by comparison. He is very lucky to get \$1 per head for an aged ewe, and many of them weigh 40 to 50 lb.

I draw this matter to the attention of the House because it is so serious and also because of the tremendous impact it is having on the economy of the wheat and sheep farmer. This means that instead of getting a fair and reasonable price the farmer will suffer very severe financial loss merely because of the lack of abattoir facilities in Western Australia over the last four years. This, of course, is added to the other economic difficulties he must face. I think this could mean that some farmers who may not have survived would have been able to carry on had circumstances been different.

I understand that the money which will be used under this scheme applies to individuals. I specifically ask the Leader of the House to indicate if possible when he makes his reply whether groups of farmers who find themselves in economic difficulties and who apply for help would be permitted to form a company consisting of four or five producers.

I ask this because I know it has been publicised that in the Quairading district at least—and there may be others—that there are four or five farmers—I cannot be sure of the exact number—who have joined together to form a company.

They are carrying out this operation very successfully. They all have large properties of 2,000 acres or more and they have made these an economic unit by joining the four or five properties into one. Each individual farmer has a responsibility for working a section of the farm. One controls the cattle project; one looks after the sheep; one is responsible for management while the fourth is responsible for the managing of the crop and so on. This scheme works very well.

We all know the farming community are individualists but they know and they must accept the fact that this sort of approach will help overcome the situation in which they find themselves.

It is possible that not all groups of farmers will be successful in such a scheme; there may be some who could not fit in. But even if two of them join together they would find the economics of the operation would assist in overcoming a great many of the difficulties they experience, because they would be able to

buy in greater bulk and obtain some concession for cash and that sort of thing. It will mean their expenses will be reduced and they will be able to survive.

In the present circumstances this is about all we can say about the scheme—that it will permit a number of people to survive. The farming community is a fairly tough one and such an operation would certainly weed out those who are unstable or unable to carry on.

I hope that within the next 12 months we will see very strong leads given from the Commonwealth and the State Governments to help overcome the problems that face the industry. It is vital that Governments give relief; it should not be left to the individuals, because Governments have the power to put such marketing schemes into operation.

We see that the Farmers' Union is shortly to send a mission overseas. I hope that mission will have the co-operation of the Department of Industrial Development which has been working so successfully in Western Australia. I say this because I know the Department of Industrial Development has given all the assistance it can in this direction; and if the mission from the Farmers' Union goes overseas with the active help and direction of the Department of Industrial Development it will achieve a great deal and be so much more successful.

It is of little use to make this money available to the farming community unless the matter is followed up in this way. Of what use will it be to try to reconstruct farms if the price structure of the day continues? It will merely build up the debt of those farmers who are assisted because it will mean they will have to borrow more money. This will surely build up their debt with little hope of their being able to make repayment.

It is therefore vital that the marketing schemes are properly operated and put into effect as quickly as possible. I refer, of course, to marketing schemes for wool and many other commodities, but I will not weary the House by going through them again.

Apples and pears are in the same situation. I hope therefore that such a scheme will get off the ground very quickly.

As one way to overcome the problem I have mentioned the possibility of bringing several farmers together to form a company. This would certainly have the effect of decreasing costs and perhaps would enable at least one member of a family group to remain on each property should farmers decide to follow this course. In regard to wool, I think an acquisition scheme for the wool industry is inevitable. I believe that, to a degree, private buying has been one of the factors that has brought about low wool prices. Just recently it has been said that private buying

has had a serious impact on the Western Australian wool market, and I believe that this could well be the case.

I must admit that as a woolgrower I have sold wool to private buyers over the years, mainly because they offered good prices at that time. In latter years, however, we have had the situation where private woolbuyers have been engaged in forward selling and that has had a crippling effect on our wool industry. This has always been the chief mischief-maker in the selling of wool. It means that in their efforts to obtain orders firms have quoted prices lower than their competitors, and then entered the wool market and bought wool at a lower price. This has had a snowballing effect, and I believe it has now reached its peak in that woolbuyers are buying at a level lower than that set by the Wool Commission and this is causing a decrease in price. I believe this has to be countered by action by the Commonwealth Government and the Wool Commission wherever possible.

If we had an acquisition scheme for wool there is no doubt that a good deal of the clip could be processed in Australia. If this were done I consider it would be necessary to bring in the end user—the overseas manufacturer—as part of such an undertaking. We all know how successful the previous Government was in the mineral field by following a similar course. By involving companies which are the end users of the product, the previous Government was able to obtain a captive market for minerals in particular.

If this were done it would mean that we could establish a long-term market for the product. So why cannot we do this with wool? Wool is a commodity of great volume and if the manufacturer were involved in the processing of wool up to a certain stage, and it was then exported for use in his own factory overseas, I cannot see why we could not involve Australian capital as well in such an undertaking. I believe it is essential for the overseas manufacturer to be involved in order that we might obtain a captive market for our product. If this were done it would provide a ready means of cutting costs. We know that even the best of wool does not scour out at much better than 60 per cent. clean wool, and if we could save the additional freight costs involved in sending unprocessed wool overseas this, too, would lead to reduced costs in the industry.

I would like to return, for a moment, to the abattoir situation. In this State at present we have spent a very large sum of money on updating the Midland Junction and Robb Jetty Abattoirs and it is proposed that we shall spend a great deal more money in the future. This expenditure has been very necessary although, in my view, the money has been somewhat misspent. Once we have provided such extensive facilities of great capacity why do we not make more use of them by employing double

shifts? At the Midland Junction Abattoir the killing chains and the freezers have been extended, but we still have a limit on the number of sheep and lambs, in particular, that can be absorbed weekly by the abattoirs.

We now have a rationalised situation, but we are still not killing enough mutton to satisfy the overseas buyer and provide sufficient outlets for the farmer. So why do we not have a double shift at these abattoirs? I know that we need more trained men, but with more efficient planning this could be done. It would mean that more money would have to be paid to the men who are employed on the second or late shift, but the expenditure would be worthwhile. The overseas markets are crying out for the mutton that could be produced. It is stripped mutton and it is packaged. If this course were followed the capacity of the Midland Junction Abattoir would be almost doubled. I would like the Leader of the House, if he would, to reply to that suggestion.

I would like to know whether the Government has considered the possibility of employing a double shift at the Midland Junction and Robb Jetty Abattoirs and what difficulties would be involved. I believe that with the return of good seasons we will see the resourcefulness of the farmer coming to the fore; whether he be in the sheep, wool, cattle, milk, or fruit-growing industry. In my opinion the resourcefulness of the individual will, with some assistance, help him through these difficult times. As I have said, I consider that if individuals formed themselves into a company many of their difficulties could be overcome.

So, in my view, there are three factors that could be reviewed, and I mention them in the order that I think they should be tackled. I believe that in Western Australia in particular a strenuous effort should be made to extend our abattoir facilities in order that we may get the maximum capacity from them and, in fact, if it is necessary, extend them so as to provide more than what is immediately needed. I believe that this should be not the responsibility of the Government alone but also of private enterprise. This objective could be reached if sufficient encouragement were given by the Government by way of financial assistance. We must find some means to contain costs by such methods as I have suggested; namely, by individuals forming themselves into a company and working several properties, and, further, we must adopt some means which will ensure sensible marketing.

I have tackled this problem in a different way from that followed by previous speakers, because I felt they had dissected the Bill and were only going over old ground. I sincerely hope the Bill will not be subjected to any further delay in this House, and that it will become law as quickly as

possible, because I am aware that many farmers who have applied for assistance are finding it difficult to stay afloat at the moment. It is encouraging to see that some farmers are eligible for assistance, as has been indicated by the Government, but it is a sad commentary that a great many are not eligible for such assistance. I think perhaps a re-examination of their applications could be made with a view, perhaps, to forming such farmers into groups to operate as a company. As a last resort this may get them out of trouble. This is a line of action the Government could pursue. If a lead is given in this way it might trigger off some action which could save a great many people. I support the Bill.

THE HON. G. W. BERRY (Lower North) [5.41 p.m.]: I rise to support the Bill, but I feel I must take this opportunity to refer to the parlous situation of the wool section of the pastoral industry which is of grave concern to many people in this State. In this morning's issue of *The West Australian*—that is, the issue dated Tuesday, the 5th October—appears an article written by The Right Rev. Howell Witt, the Bishop of the North-West. As it is headed "election issue," *The West Australian* must have thought it was fitting to enclose it in a black frame. The article reads as follows:—

Election Issue

The Right Rev. HOWELL WITT, Bishop of the North-West: I have just returned from a month's travelling in some of the pastoral areas in my diocese.

I am home, it appears, in time to read that the Deputy Prime Minister and leader of the Country Party, Mr Anthony, is interested in an early election next year on the issue of industrial unrest.

Of course, from where he sits, Mr Anthony is better informed than I, a mere bush bishop, on what industrial unrest we may expect in 1972.

But I wonder if he realises that the plight of many of my people already provides him with an election issue—now.

It seems a sorry state of affairs that the wool section of the pastoral industry, as we have known it, has gone down in the way it has. It represents an important industry and its history goes back a long way. The pastoral areas of this State were opened up by the pioneers, and I sometimes wonder what incentive they had to venture into some of the more remote areas. I often wonder how they felt, because for many years they must have endured great hardship of which probably many members in this House would have no conception.

It took many years of hard work to establish these properties and during the period they have been worked by the pastoralists they have been considered the

backbone of the primary industry of the Commonwealth of Australia. As a result of the wool they have produced in the past and the contributions they have made to the coffers of the Commonwealth Treasury they have always been looked upon as one of the main sources of revenue. We have heard it mentioned many times that Australia was living on the sheep's back.

As an illustration of the present situation in which the pastoral industry finds itself, I would mention that the other day when I was wearing a woollen tie with a wool mark on it in an endeavour to publicise goods made of pure wool, a pastoralist said to me, "Why are you wearing that tie now with that mark on it? You should know that that now represents the mark of poverty." It may have been a facetious remark, but it is certainly true.

I am greatly concerned about the sparsely populated areas of the province I represent where the pastoral industry is one of the main pursuits. With low prices and the present drought conditions prevailing in quite a large section of the area a serious situation will arise because the farmers and pastoralists will be forced to leave their properties. If the low prices continue, it will be very difficult for the properties to be re-established.

Another matter which concerns the industry is that some of the people who are managing family properties have been placed in a very invidious position because with present prices they are unable to meet the commitments they made when contracting to purchase shares from other members of the family. One pastoralist told me that on the advice of his wool-broker he had obtained a loan to increase the water supply on his property in an endeavour to increase its carrying capacity so that the property would remain viable and provide some prospect of his repaying the loan. However, having borrowed the money he now finds he is making barely enough to maintain himself, let alone enough to allow him to repay the interest on or any of the principal of the money he owes. If he leaves the property he will be made bankrupt and therefore he is between the devil and the deep blue sea and does not know what to do.

Recently I was in one of the drought-affected areas and one of the property owners had asked me not to forget to call in to see him when I was next in the vicinity. He added that that was only if the drought broke because if it did not break it would be no good my calling because no-one would be home. They would all have had to leave.

The same situation applies in connection with many other properties including those which are well established and which have, over the years, employed a number of people. These properties are now reduced to the stage where they no longer have

any employees. There remain only a manager and his wife, the owner and his wife, or, in some cases, only an overseer and his wife.

If these people are forced to leave their properties—and no prospect exists of their being able to re-establish themselves—the population in many areas of the lower north province particularly will be greatly reduced, except in comparatively small areas where mining ventures are being established with a consequent concentration of population. With the reduction in the population those remaining will have little incentive to stay.

The 26th parallel runs through my province and for a long time the zoning system for taxation and other purposes has been a bone of contention, and I have mentioned this before in the House. I do not see how this system was arrived at so that people who live on one side of a line derive certain benefits while those on the other side of the line, only a few miles away, derive no such benefits. The situation is becoming worse, of course, because those in the remoter areas are no longer able to send their children to public schools and accordingly more demands must be met by the Government in supplying their educational needs. A very disturbing picture presented itself to me as I travelled through the areas.

THE PRESIDENT: Order! Would the honourable member please connect his speech to the Bill.

THE HON. G. W. BERRY: I was mentioning the point because under this Bill no indication is given concerning which section of primary industry is to be affected. The provisions of the Bill apply to primary industry generally, and to the pastoral areas as much as to the agricultural areas. Application must be made in the normal way to the authorities which administer the Act.

To date 14 applications have been received of which four have been approved, four are under consideration or have been deferred, and six have been refused. Approximately 12 months have elapsed since the scheme was first mooted in the Federal Parliament and it was decided that something would have to be done for the farming community and primary industry. I agree with previous speakers who have said that it has taken a long time for the money to be made available and for people to be told at last whether or not they will be able to continue in the pastoral or agricultural industries.

I sincerely hope that with the passage of this legislation the assistance which has been offered will be forthcoming promptly because if those requiring it do not obtain it soon it will be too late anyhow. I support the measure and hope it has a quick passage through this House.

THE HON. D. K. DANS (South Metropolitan) [5.54 p.m.]: I rise to support the Bill, but I do so with a little reluctance because I do not believe it goes far enough, although I agree it offers some immediate relief to some of those who will be fortunate enough to benefit under it. However, it is only a drop in the bucket and it continues a kind of a prop system which, if allowed to continue, will eventually break down and be of no lasting benefit to the rural industry.

When we talk about the crisis in the rural industry we have a tendency to think that the crisis has developed only over the last few years, but if we look at the industry from an historical point of view we realise that probably the beginning of the ever-mounting problems in the industry occurred about the time of the rum rebellion. However, quite a number of things have taken place since then and probably never before in our rural history has the Australian farmer faced an economic situation as critical as that which he faces today.

Past rural depressions, however severe, were transitory, due rather to general economic stagnation than to any revolutionary change in markets and industry. Entirely new factors today threaten the very foundations of some of our most important industries, necessitating a massive reconstruction, the consequences of which few people at present can have any appreciation. Just how many people will be hurt by inevitable changes, and how badly, will depend largely on Federal Government policy over the next few years. Personally I think that the Australian community at large has not been apprised of the drastic situation in which the rural economy finds itself, and they are not being apprised of the disastrous effects of a complete collapse of this part of our economy could have on the whole of the Australian work force. One would have to be a mathematician to try to indicate to this House the large numbers of people who are still dependent on the industry and on the labours of those Australians who work in our rural areas.

The Hon. C. R. Abbey: It would run into millions.

The Hon. D. K. DANS: I agree. Internally a vast difference exists between the depression of the 1930s and that which the farmer is entering today. In the 1930s the rural industries represented the major factor in the economy and as a result the cold winds of economic recession had a direct and severe impact on the whole community. Commerce shrank, profits were eroded, unemployment rocketed, and wages declined, and as a result farmers' costs fell as their income receded. If we look at the position today, we find it is quite the reverse. A booming and inflated economy has cushioned, at least for the time being, the national fall in farm income from

\$1,431,000,000 in 1963-64 to an estimated \$890,000,000 in 1970-71. As a result the farmer is faced with a shrinking income in an era of rapidly rising costs and with a community largely unaffected and, hence, indifferent to his plight. That is the point I made when I commenced; that is, that the average Australian in our community does not realise his dependence on our rural industries and at the present time he is not being alerted to the consequences of a complete collapse of this part of our economy.

There has been a lack of direction, and apart from the Chifley Government's appointment of the Rural Reconstruction Commission about 30 years ago, no Federal Government has ever attempted—I repeat: no Federal Government has ever attempted—a rational development of our rural resources. Instead an edifice has grown up based on sectional interest, political expediency, and heavily entrenched vested interests. Uncontrolled surpluses, ill-conceived subsidies and tax concessions—and possibly the last-mentioned has a great bearing on what is occurring—archaic marketing conditions, and ruinous freight agreements are all part and parcel of the problems facing the rural economy.

It is probably because of this unreal approach to the rural economy that only now is the farmer becoming aware of the inexorable and inevitable laws of monopoly capitalism—the “get big or get out” doctrine of our rural economists. It is a fact of life—a fact of economic life—that the small farmer is just as much an anachronism as the corner grocer who has been swallowed up by the chain stores in the past two decades.

The Hon. N. McNeill: Do you think the control of this rests also with State Governments as well as the Federal Government?

The Hon. D. K. DANS: As I go along, Mr. McNeill, I will certainly make that point, although I must admit I believe when it is a question of involving State Governments in a national issue, one tends to become piecemeal.

Any Government, of course, will be tempted more and more to take the easy solution of placing policies before people. Only revolutionary thinking by Governments and revolutionary acceptance by farmers can attain any viable form of agricultural society that will retain a place for the small farmer on the land. This could take the form of amalgamation of small farms into large co-operative farms with the original farmers as shareholders in proportion to their original equity.

The Hon. I. G. Medcalf: The same as in Soviet Russia?

The Hon. D. K. DANS: For your information, Mr. Medcalf, when Mr. Anthony returned from the Soviet Union he made a statement—one which I have not made

—that he was very impressed with the collective and communal farms and said they had some merit for the small farmer. I have not said that.

The Hon. I. G. Medcalf: I was simply inquiring whether the honourable member was dealing with the same situation as obtained in Russia.

The Hon. D. K. DANS: If the honourable member will allow me to continue, he may find out that I am not referring to this.

The Hon. I. G. Medcalf: I am pleased to hear that.

The Hon. D. K. DANS: I merely stated that Mr. Anthony had made that remark.

The difficulties of such a plan would be immense; in fact, without a change of heart by the average farmer they could well be insurmountable, but it offers the only alternative to the large corporate farm with the displaced farmer working for wages.

I come now to the point which concerns the more efficient use of capital. It is doubtful whether any industry in the world is more wasteful in the use of capital resources than the farming community. Particularly is this so in the use of machinery. What manufacturing firm would consider spending \$10,000 on the installation of a machine that would work for only three weeks of the year? Yet, this is standard practice amongst Australian farmers. A brief stroll through any wheatbelt town will show in dealers' yards millions of dollars worth of machinery which will never be worn out.

The Hon. J. Heitman: Don't believe that.

The Hon. D. K. DANS: Perhaps the situation has changed, Mr. Heitman.

The Hon. J. Heitman: It has changed now.

The Hon. D. K. DANS: I am sure the honourable member will agree that might not have been the case a few years ago.

The Hon. J. Heitman: That was different.

The PRESIDENT: Order!

The Hon. D. K. DANS: These are machines that will become obsolete after doing only a fraction of the work of which they are capable.

Farm amalgamation would do much towards more efficient use of farm machinery. Governments, however, could do much to ensure that the benefits of such savings were made available to the smaller farmer. Already a great deal of work such as hay cutting, raking, and baling is done on a contract basis. There is no reason why tractors, cultivating, seeding, and harvesting machinery should not be used to much greater capacity in the wheatbelt.

Ideally this should be done by Government-owned and controlled machinery depots.

The Hon. N. McNeill: That would be efficient?

The Hon. D. K. DANS: I am simply making a contribution; members need not accept it. I suggest the depots should be strategically placed and operated on a contract basis. This need not be done by the Government, but by private individuals in co-operatives—not in communes.

The Hon. A. F. Griffith: The honourable member is moving ground a bit now.

The PRESIDENT: Order!

The Hon. A. F. Griffith: Anyway, I will say one thing. You will get something in the paper tomorrow morning.

The Hon. J. Dolan: The honourable member is attempting something original. Keep going.

The Hon. D. K. DANS: I will keep going.

The PRESIDENT: Order!

The Hon. D. K. DANS: The normal pattern of seasonal work starts in one part of the country and moves through progressively, usually from north to south. For example, in northern areas harvesting would start and finish two or three weeks earlier than in the southern areas and machinery could start in the north and be moved south as the season progressed.

I am concerned only with the people on the land, particularly with the small farmers. It is true there are many efficient farmers who will not go broke or get off the land.

The Hon. S. T. J. Thompson: Even the small ones?

The Hon. D. K. DANS: Even small farmers, but a number of people are marginal and if they go off the land in droves we will have bigger problems than we have now. I am not trying to put them into communes or into a collective situation.

The Hon. I. G. Medcalf: The honourable member is.

The Hon. D. K. DANS: Unless, of course, they want to start something like that themselves. I hope that satisfies Mr. Medcalf.

There is no denying the problems that such a bold and revolutionary conception would encounter and it would certainly demand vast organisational skills and dedicated management. It might be that Governments, for these reasons, would hesitate to embark on such demanding undertakings and in that event the next best thing would be a policy of encouraging large scale private contractors perhaps by long-term low interest loans.

A natural corollary to the more efficient use of harvesting machinery would be the more efficient use of country grain

receival points. With modern bulk handling equipment, the operation of the harvesting machine is tied to the receival hours and almost certainly these would need to be extended.

These are only some ideas. I do not profess to be an expert on such matters. We should apply ourselves to see whether we can come up with some solution to the mammoth problem which confronts the Australian people. This brings me to the point in my notes I made on this subject which I term, "the agonies of wool."

If we look at the wool industry we could probably say no other industry anywhere in the world has been subjected to such cynical and ruthless exploitation by heavily-entrenched, vested interests as this industry. For over 30 years virtual commercial feudalism has resisted any attempt to eliminate an archaic handling and marketing system which inevitably must spell the end of the industry. The avarice of these interests has resulted in a little better than commercial suicide.

It is a difficult task to try to read up on wool marketing. Despite my efforts to obtain books on what I consider to be a subject vital to the Australian farmer, the only book I have been able to unearth is the one I have here. It is called *Tangled Skeins* and is written by a former President of the Australian Wool and Meat Producers' Association by the name of Mr. Hitchins. It was written some years ago. This gentleman evidently foresaw some of the problems in those years and I would recommend people interested in the problem to read it.

Now, a decade too late, the panic button has been pressed. Instead of being in a position to introduce marketing reform from a position of strength, the industry is on its knees fighting for survival.

It is a little over 30 years ago that the first crude man-made fibres started to invade the field of wool. At first it received little attention, but by the mid-50s it had attained ominous proportions and was already making deep inroads into the traditional fields of wool.

I freely admit I am one who had great faith in wool. I believed all the stories that no man-made fibre would be equal to wool. As an ordinary layman I believed this, and never thought the wool industry would be in the position it is today.

Sitting suspended from 6.10 to 7.30 p.m.

The Hon. D. K. DANS: Mr. Deputy President, when the sitting was suspended I was speaking about—

The Hon. A. F. Griffith: Just about your turn on the plough.

The Hon. D. K. DANS: —"the agony of wool," and I left the House a little apprehensive as I thought the security police might be waiting outside for me after my

subversive remarks. It is a fact in Australia today that one can be accused of subversive activities if one thinks.

The Hon. G. C. MacKinnon: Not everyone does it.

The Hon. D. K. DANS: A lot of people do, but perhaps they are not found out. In the immediate post-war years a proposal for rational marketing and scientific development of wool was put forward, but at that particular time the price of wool began to rise and it is true that the proposition of orderly marketing was looked at. It is no reflection on the rural section of our people that the growers embarked on a giddy whirl as prices rose to astronomical heights. Then prices began a steady decline and at the same time the cost curve grew steadily steeper and the chill fact that synthetics were a major threat to the industry began to manifest itself. In other words, the industry went up and then it started to fall and the people began to think about the inroads being made by synthetic fibres into the wool industry. As a matter of fact, synthetics were thought to be a major threat to the wool industry and the International Wool Secretariat was founded. However, the old reactionary forces were paramount; instead of tackling archaic marketing conditions and distribution, the secretariat frittered away many millions of dollars belonging to the Government and the growers on promotional schemes of doubtful value. I think anyone who has just been to the Royal Show will agree with me.

Growers today must face the stark reality that wool could be a dying industry. Few are prepared to face up to such a national disaster and fewer still are prepared to seek a solution. However, I am sure a solution to the problem can be found.

It is a sad commentary on wool growers that whereas wheat has been successfully marketed by a single authority, only now have the woolgrowers taken the first tentative steps towards the total acquisition of the clip and marketing by a single authority.

The Hon. A. F. Griffith: You are satisfied that wheatgrowing has been successfully controlled?

The Hon. D. K. DANS: I did not say that. However, I think Mr. Griffith will agree that wheat generally, for those people who have quotas, is in a better position than wool.

The Hon. A. F. Griffith: Now that you have added that the story is changed.

The Hon. D. K. DANS: I think that is true because there has been an attempt at orderly marketing.

The Hon. A. F. Griffith: The whole-milk men with a quota might query that!

The Hon. D. K. DANS: I am not talking about whole-milk—I will reserve that for a later stage.

We must look at this: About two years ago it was suggested the total acquisition of the wool clip was one solution to the industry's problem, but the idea was rejected. Today people are talking about total acquisition, but instead of that we have the Australian Wool Commission buying wool in a support scheme and whilst it is buying the wool there is one thing that is not happening—it is not selling the wool. In other words, the wool is being bought by the commission, taken into storage, but it has yet to be sold.

The Hon. N. McNeill: Virtually an acquisition scheme.

The Hon. D. K. DAns: Not quite. As I think the previous speaker mentioned, the market is still being dominated to some extent by the private buyers. They are still largely setting the price and the commission must flow in behind them to support wool. I think there is a difference.

The great tragedy of wool is that it has certain characteristics—drapery, handle, warmth—and it is still the pre-eminent fibre. Yet in wool promotion these desirable qualities have been relatively neglected in trying to compete with synthetics on their own ground. In the main the International Wool Secretariat has refused to recognise that synthetics had a number of desirable characteristics which made them superior to wool and that certain blends could combine the best of both fibres. Only lately have we seen such fabrics as mohair and wool, wool and terylene, coming on to the Australian market. Wool can be combined with these materials.

The DEPUTY PRESIDENT: I am afraid the honourable member is getting away from this particular Bill. Will he try to connect his remarks to the Bill?

The Hon. D. K. DAns: I am endeavouring to do so because the Bill deals with all sections of the rural industry. It refers to financial assistance to be given to persons engaged in rural industries in the State and for incidental purposes. In order to make my point I may have to travel a fairly devious road and I hope members will bear with me.

One of the reasons this Bill is before the House is that amongst other things in our rural economy we are not getting the price for wool to make it an economical proposition to the grower. As a consequence large areas of our rural lands are threatened with walk-offs by farmers. I think the International Wool Secretariat and the Wool Promotion Board has something to answer for in not promoting wool in the manner it should have been promoted. These bodies embarked on a campaign to sell wool and they were responsible for the wool mark on ties. I think at one stage it appeared on terylene ties, and as far as I am concerned that is about the only specific activity they engaged in. We have had many fashion parades trying to

sell high-priced woollen garments which have a very limited market. At no stage have these bodies gone out, as one previous speaker said, to meet the market—to sell wool to the people who can afford it and who will use it in volume. If this problem were faced in a realistic manner I feel it could be resolved.

No-one will deny that the Australian woollen mills have produced a wide range of excellent woollen fabrics. With the right kind of promotion these fabrics would sell. However, many department stores are denied even the space to promote these products.

Let me give members an example; one can walk into almost any duty-free shop in Australia and find no woollen garments displayed for sale. However, any visitor to the London Airport will see Scottish and other woollen goods of an inferior quality to ours, pushed before his nose. Many tourists visit our country and I feel it would be a good idea to put good quality woollen garments into shops at our major airports. These garments may be taken overseas and may become a selling point. I have worn Australian woollen cardigans when I have been away and people have said, "That is a very fine article."

People have told me that they have looked for a good woollen garment in London, and have even approached the International Wool Secretariat but they have got nowhere because the emphasis has been on fashion parades with itchy-bitty models parading garments—very nice to look at but garments not likely to bring in the necessary dollars and cents which are vital to keep the industry going. I am convinced there is still a market for wool providing we go about it in the right manner. It is no good talking about the rural crisis in terms of subsidies; I agree this very vital sector of our economy must be subsidised. However, at the same time we must look at the question of finding markets and then marketing correctly.

If my memory serves me correctly, Mr. Abbey mentioned the iron ore industry. Let us contrast this with the *ad hoc* arrangement we have with our rural produce; that is for rural produce which is not controlled.

If people decide to sign a contract to mine minerals in this State of Western Australia, they will have assured themselves of a market and assured themselves of long-term contracts at a price. These people would have had the best business brains in the country developing the idea for them and when the market was assured and the price was right they would begin production. As far as I see it, this is one of the problems facing our rural industry. We must go out and look for markets; we must know what the price is likely to be; and we must have some control over production.

The DEPUTY PRESIDENT: Order! Would the honourable member please be seated. I point out to the honourable member this Bill deals with financial assistance, re-establishment and farm buildup and a dissertation on the wool industry does not come into it at all.

The Hon. D. K. DANS: I will have to follow your advice and perhaps I should at this stage wind off.

The Hon. A. F. Griffith: Hold the Bill up every now and then.

The Hon. D. K. DANS: I might have to do that. I am spending too much time on wool.

The Hon. G. C. MacKinnon: It is a pretty vital part of our economy.

The Hon. D. K. DANS: In supporting this Bill I agree it goes at least part of the way in giving some short-term assistance to the rural industry.

The Hon. S. T. J. Thompson: A section of it.

The Hon. D. K. DANS: I have that here—a small section. I have seen some of the forms to be filled in by the people in the rural industry. I think the problem of finding financial assistance and trying to stabilise the rural economy is well above politics. I believe the States, combined with the Commonwealth, should secure the best brains available in this country. We have seen these brains are available by what has happened in the iron ore industries and many other industries. Experts such as these could put forward a plan so that our rural products can be placed on the overseas markets in a controlled and orderly manner and a price assured to the grower or producer which will make his lot much better and enable him to continue in an industry in which he wishes to engage. I support the Bill.

THE HON. V. J. FERRY (South-West) [7.45 p.m.]: I think all members agree that this Bill is indeed a very important one for our rural industries in Australia and particularly in Western Australia. I would suggest that the provisions in the Bill cover a very wide area of rural activities; but primarily they deal with the financing or refinancing of rural industries. The Bill is designed for the rehabilitation of primary industries.

May I refer to a document produced fairly recently by the Bureau of Agricultural Economics in Canberra at the request of the Minister for Primary Industry in the Commonwealth Parliament. He requested that the bureau investigate and report on immediate and long-term needs for debt reconstruction and farm adjustment. A wealth of data is contained in this document, and it has been compiled from the various States in Australia in respect of the rural situation. However, in respect of Western Australia I would like to quote briefly from page 9, as follows:—

From the Western Australian data (Attachment E), the Western Australian Department concluded that of the 14,200 farmers in the Wheat-Sheep Zone in that State, more than 3,000 (of whom 630 are new land farmers) are considered to be in such a hopeless financial position that they cannot be retained in farming through any reasonable level of assistance.

I draw the attention of members in particular to the reference to new land farmers.

The Hon. G. C. MacKinnon: This Bill will be of no importance at all to them.

The Hon. V. J. FERRY: It has application to debt reconstruction in particular. I would like now to refer to some remarks I made in the course of a debate in this House on Tuesday, the 13th August, 1968. On that occasion some three years ago I was speaking on the activities of the land board and the method of allocating conditional purchase lands to successful applicants, and this is where the reference to new land farmers comes into this particular Bill. I quote from *Hansard* Volume 179, page 307, as follows:—

... there could be a few weaknesses in the method of allocating rural land under conditional purchase conditions.

For these reasons, I feel the land board might be well advised to make fuller or more searching inquiry into the background, the capacity for work, the farming ability, and the financial ability of applicants. This includes their capacity in regard to the purchase of plant and machinery. It could be that the board, in fact, does make extensive inquiries to satisfy itself in regard to its decision to allocate a block of land to an applicant or applicants. However, my experience in life indicates that it is advisable to explore every avenue possible to obtain a more accurate assessment of the circumstances before arriving at a decision.

There are various ways of doing this. I am sure that anybody who has been associated with the commercial field or the industrial field, in the making of a survey of market potential prospects and various other features, knows that a multitude of facets are covered before arriving at a decision. So it is possible the board may need to explore one or two avenues in addition to those it already does.

I would like to make a final quote of another small segment of my speech on that occasion—

I can see no merit in allocating blocks of land to people who have little chance of success, because this does not help the applicants—it only creates wasted years, frustration, and perhaps bankruptcy. It does not help the community in which these farmers

may be established; it does not help the local government; it does not help the State in regard to production; and so it goes down the line.

I mention this because I made those observations three years ago and, unfortunately, I seem to have been fairly accurate in my predictions as to what was happening at that time. Perhaps history has proved that to be so.

I believe primary industries are based on five main divisions which could be included under the following headings:—

Education
Research
Credit
Marketing
Development

Those five could well be the standard headings; but now we are adding another heading under this Bill—that of debt reconstruction. I will refer firstly to education. This means the normal, standard education one receives, and I would suggest that those engaged in rural industries need advanced education just as those engaged in any other industry need it in this day and age. It is terribly important to be able to analyse where one is going, particularly in the application of an industry.

The next heading is research and this, of course, covers many fields, such as agricultural research, soil analysis, and the ability to interpret the advice given to one by extension officers employed by such bodies as the Department of Agriculture and the C.S.I.R.O.

I refer now to credit. This is a fairly complex field for those engaged in rural industries today because there are many avenues of credit available. These include the traditional banking credit, stock and station agency credit, insurance companies, development banks, finance companies, and so on. There are any number of avenues.

The next heading is marketing and this, of course, is a field all of its own. As has been pointed out by Mr. Duns and others, marketing is probably the most important facet of any rural industry; that is, being able to sell the product at a profit because without profit the industry cannot survive and those in the industry cannot survive.

The fifth heading is development. Development can take place only if the proposition is proved to be viable.

In addition to those five standard headings we now have the new heading of debt reconstruction. It is interesting to realise from the statistics which have come out of the applications being handled in the various States so far—and more particularly in Western Australia—that there have been far more applications, I understand, for debt reconstruction than there have been under the other two headings of farm purchase and development. I would say that financing any proposition is not a case of obtaining easy credit, and

this is ever so true in respect of rural industries. It is not a case of obtaining easy money.

I would suggest that those charged with the responsibility of allocating funds to successful applicants under the provisions of this Bill will take a very close look at the situation and the viability of any proposition before they do, in fact, grant any loan. I think this is terribly important. We recognise that it is necessary to rehabilitate most farms and to keep them operating. There are some which will never measure up to the requirements. We must have a line of demarcation somewhere and it is very often left to the judgment of those charged with the responsibility of making a decision. This, of course, is one of the shortcomings of any Government-sponsored scheme: that there must be some line of demarcation somewhere. Of course, of necessity some applicants will be disappointed.

However, I return to the point I was making; that there is no source of easy money. It is no good taking unnecessary risks. The taking of risks is nothing new, but the taking of foolish risks is another matter and, therefore, each application must be dealt with on its merits. I believe that, with the stresses upon the rural industries in this day and age, the farmers must think more carefully than ever before in respect of all their farming operations, and this includes their accounting. They must plan more meticulously to implement their schemes more thoroughly, if they are to obtain the credit they believe is necessary to run their business.

In leading up to the provisions contained in this Bill, I refer again to the document prepared by the Bureau of Agricultural Economics entitled, "Debt Reconstruction and Farm Adjustment," wherein certain statistics are quoted. It is terribly interesting to see the debt which is being carried by primary industries State by State throughout Australia. In particular it is interesting to see what is happening in Western Australia. However, on the Australian scene, I would like to refer to the ratio of bank advances and deposits of rural industries in the major trading banks. In 1961 the bank advances to rural industries were \$451,000,000, bank deposits of rural industries were \$655,000,000, and this made a percentage of advances as a proportion of deposits of 69 per cent.

In other words, 10 years ago the trading banks were lending 69 per cent. of their deposits from the rural sector back to the rural sector as loans. But what has happened 10 years later, in 1970? The bank advances are quoted as being \$998,000,000, bank deposits are \$756,000,000, and the percentage of advances as a proportion of deposits is 132 per cent. That ratio has practically doubled during a period of 10 short years. This rather emphasises the need for debt reconstruction, as contained in the provisions of this Bill.

I would submit that debt reconstruction means not only assistance to those engaged directly in primary industries; it also means assistance to all sections of the community. It means indirect assistance to those not directly engaged in farming or pastoral activities, and also to all persons providing goods and services in country districts in particular and, to a lesser extent, in the metropolitan area, who are affected by the provisions of this Bill. Unless we try to maintain a reasonably healthy rural economy, all sections will be affected and this will reflect particularly on the services and benefits provided by Government, semi-Government, or local authority concerns.

It also affects the whole range of goods and services provided by the private sector. If one refers to the Government sector in the scheme of things in the community, one naturally thinks of such services as transport—and particularly rail and road services—communications, electric power—which is well and truly in the news in Western Australia this week—the provision of hospitals, libraries, extension services, and the like.

The private sector affects many people. The country districts are provided with many services such as general stores, service stations, stock and station agencies, motor and engineering firms, motor servicing firms which are very important because they enable machinery to be repaired and kept in a serviceable condition without very much delay, dry cleaning establishments, banks, hairdressers, chemists, doctors, dentists, infant care services, and all the others which go to make up the rural community. Without a reasonably healthy rural community businesses in many cases cannot keep going. We have seen over the years many instances of firms and private establishments in country centres folding up and unfortunately this still occurs where some particular area is affected by a decrease in population.

There is no debt reconstruction for the businessman. It is indeed very necessary for us to try to help the man on the land but to my knowledge there is no direct assistance made available to any business which faces the prospect of closing down because of the lack of patronage or the large amount of bad debts. This is one of the sad features that exists in our community. When we put through legislation for the granting of assistance by either the State or the Commonwealth Government we should think of the community as a whole.

I believe the provisions of this Bill are not entirely directed at the people engaged in farming the land; it affects everyone, and that is the point which we and the whole community should bear in mind. When we allocate funds for the purposes outlined in the legislation we should remember that we are helping to subsidise

not only the private sector of the community. We must bear in mind that a tremendous capital outlay is involved, at the Government, semi-Government, or Government agency level. We can instance the provision of rail services, roads, and that sort of thing. The private sector also has a tremendous capital outlay involved.

If the people in those communities have to discontinue their rural activities then those engaged in businesses in the country area will be affected; and to a lesser extent the people in the metropolitan area will be affected, because machinery firms will not be selling the same volume of machinery which they did in earlier and better years. There is less opportunity for employment, and in some cases retrenchments must be made. So, the capital outlay involved is affected, and there will be a permanent loss if farming cannot be continued in a viable way.

Furthermore, it is well known that any decrease in population in rural communities affects the cultural activities in all forms. Therefore it is important for us to help the rural communities. I am particularly interested to note from the inquiries I have made into a few cases that under the provisions of this legislation not only are those engaged in the wool industry being assisted, but assistance is also given to those engaged in a number of other rural industries—and particularly small rural industries. This is heartening, because it brings home the point that one need not be big in order to survive. The undertaking must be a viable proposition, whether the property be large or small; the main aspect is viability, and whether or not it is able to operate successfully.

There is a tremendous wealth of material on which one could speak in relation to this type of finance. However, I will confine my remarks tonight, but I add my voice to the voices of members who spoke earlier in the debate, and maybe to those of other members who will follow me: I anticipate they are of the opinion that the provisions contained in the Bill are somewhat fiddling, and that the problem is immense. Despite that, I must support the measure, because it is a means of recognising a national problem—and not one affecting only Western Australia. For that reason one can do little else but support the Bill.

To be really effective a tremendous amount of additional money needs to be made available in the years ahead if once again we are to reconstruct the rural industries to the viable position in which they were, particularly in the 1950s.

I think the Bill, in its concept, will serve as a reasonably good pilot scheme, but in the light of experience with this legislation no doubt improvements will be made, and more money will be channelled into the scheme. More money has already been promised. I am only disappointed that

this legislation took so long to come before Parliament. I think it is recognised by all of us and by all critics that generally speaking the rural industries have been in a precarious position in past months, and indeed in the last two or three years. It is disappointing that we have had to wait so long before being presented with an opportunity to discuss this type of legislation in Parliament. However, I believe this is a good move and I trust members will give the Bill the support it deserves.

THE HON. S. T. J. THOMPSON (Lower Central) [8.07 p.m.]: Like the previous speakers, I feel I must support this measure, but I stress the point that it does not go far enough. This is obvious when we examine the figures which have been supplied to the House in this debate. It has been pointed out that approximately one-third of the applications which have been assessed have been granted relief. On that basis the assistance will reach a very small fringe of the farming community.

It is very difficult to discuss this matter without dealing in some way with what we believe to be the causes, and, as some other speakers have said, the cures. As this Bill is designed to provide a rural reconstruction scheme I think it is competent for us to put forward suggestions of what we might consider to be cures for the present problem. I would stress that I am not blaming this Government for the existing plight of the rural industries. In some way it has endeavoured to help. I do not know the exact number of farmers the Government has assisted by the granting of loans for the planting of crops, but I suggest that these crop loans look like paying off, because generally the crops are in a very healthy state in our district of the farming areas.

I am interested to know why so few applications have been made for reconstruction finance. The economists have indicated that one-third of the farms are viable, another third can be made viable by the granting of assistance, and the remaining third is beyond help. In view of such statements it seems strange that there have only been 600 applications made up to date; this is the information given in answer to questions asked in the House. Whether the financial institutions have followed the lead of the Government and have made finance available for cropping, in order to help the farmers over the harvest, I do not know; but that could be the case. If that is the position I visualise a big increase in applications next March or April when the time comes for buying super and for starting off another year's operation.

The Minister for Primary Industry has made the point in the Federal Parliament that this is only part of the general reconstruction scheme. We hope that further

worth-while efforts will be made to assist the agricultural industry. Just before the Commonwealth Parliament adjourned a scheme was put forward, and this is designed to assist those leaving their farms. This is a rehabilitation scheme, but how far it will go or how many jobs will be made available to the farmers who leave the land I cannot say. This worries me at the present stage.

Mention has been made of the difference between the conditions existing in the present depression and the depression of the 1930s. There certainly have been differences. Today people leaving their farms—and many young fellows have left their farms—are found jobs, and sometimes very well paid jobs, particularly in the northern area. However, in the 1930s the people on the land had no jobs to which to go when they walked off the land; and when they left their farms they had to walk the roads, as did others who left their jobs. That is the big difference between the situation in the 1930s and the present situation. Let us hope that conditions do not deteriorate throughout the whole of the State, as they did in the 1930s.

It was pleasing to hear Mr. Dans say that we should try to educate people to realise how serious is the present situation in the farming areas, and how in the long run it affects a very large proportion of our population. Suggestions have been put forward that the capital costs of farmers would be reduced by contracting and by machinery pools. Contracting has been going on for many years in the farming districts, and frequently machinery pools have been tried but abandoned. It is very difficult to get four or five farmers to agree to use one set of machinery, because they all seem to want to use the machinery at the same time.

The Hon. J. Dolan: Do you not use the one set of shearing quarters?

The Hon. S. T. J. THOMPSON: That has been done. It will be noted that 20 years ago the bulk of the shearing in this State was carried out over a set period; but today shearing is carried on throughout the year. This has relieved the situation considerably, in respect of shearers and shearing teams.

I am very pleased to see that the present Government has come to the aid of the woolgrowers in the great southern area by granting freight concessions on the transport of wool, and Mr. Logan has made some comment on this matter. On second thoughts I believe this could be detrimental to the woolgrower. I visualise that a considerable amount of the wool which is carted to Albany, in respect of which a subsidy is paid, might eventually have to be railed back to Fremantle to be shipped. Should that occur it would be a tragedy. The wool buyer is supposed to subsidise the freight back to Fremantle,

but if he has to do that he will recoup the cost from the price of the wool. So, the cost eventually falls back on the farmer.

The amount which has been lent to some of the farmers is really staggering. I had the privilege of discussing some of these cases with the members of the authority and I must say the particular cases I could mention have been dealt with fairly. The loans are based on what the authority considers is a viable proposition. However, unless the whole of the rural economy is rehabilitated, in 12 months' time the farms which might be considered viable propositions today will be in further trouble.

I consider the situation has been brought about, basically, by too many good years. The farming industry has had a number of good years and finance has been very easy to obtain. The people who are facing the biggest problems today are those who borrowed money to purchase properties where the value of the properties had no relation to their productivity today. Members can imagine the decrease in value which has occurred, and it is really heart-breaking in many cases. In some instances thousands of dollars have been paid as deposits on properties. Those farmers now find they are not in a position to keep up their payments and they certainly cannot borrow from the banks.

I think it was mentioned that banks are prepared to lend up to 50 per cent. of the value of the property, but one would be amazed at the value placed on property today by banks when one wants to borrow money. Unless those people qualify under the proposed scheme there is no hope for them. They will lose everything they have put into the properties and I am very sorry for that particular group of farmers.

In the area which I represent I do not think many people will walk off the farms. Ever since I have been farming farmers have been buying out their next-door neighbours. Dozens of properties have been absorbed over the years, and this will continue. As I have said, I do not think many people will walk off their farms in the more-settled areas of the State but I imagine that the problem will be considerably different in the fringe areas.

I am not as pessimistic as are many people. I am quite certain there is a future for farming. Despite the efforts of private buyers to wreck the woollen industry, as quoted by some members, I feel there is a future for it, and we will survive. I disagree with the two gentlemen who have condemned private buying, and who stated that private buying was the cause of many of the ills confronting our industry at present.

It is a ridiculous situation that a private buyer can buy wool at all when we have the present scheme operating. Many people are advised to sell at the moment

but they have only to send their wool to the floor and they will receive the guaranteed minimum price from the commission. It does not make sense that they are selling. In many cases they are selling because of the holdup in the sales and because they are in urgent need of cash. They cannot afford to wait the three months for the sale and for that reason some people are selling even at this stage. That is a tragedy.

I cannot see how the private buyer can affect the overall situation. Admittedly, he is in a position to make money because, he has only to put his wool on the floor to make a profit. He need not worry about overseas orders in the present situation. The position of the wool industry is serious. We should have listened to the gentleman who put forward the proposal for the acquisition of the whole clip many years ago. Eric Hitchens was the man behind that scheme, and Western Australia was all for it. Unfortunately, the other States would not support us and we have gone on from that day. Admittedly, we have had some very good times and made a lot of money over the years. We are reaping the reward today.

I realise you desire me to relate my remarks to the Bill, Mr. Deputy President, and I come back to the point that we cannot have a rehabilitation scheme without some constructive ideas to back it up. The provisions of this Bill will help a small percentage of our farmers. If we assess the number of cases which have been put forward at the present time it will be seen that a large number of farmers will be left to lament. A total of 230 applicants have already been refused, and 131 have been accepted. I ask: What is the position of those who are refused?

Have those farmers walked off their properties, or will they walk off them? I venture to say that a lot of them will still persevere and make an effort. It is not easy to walk off a property after living on it all your life, and we saw this in the depression years of the 1930s. Many people stayed put and it was a long time before they got back onto their feet. However, they eventually survived and I venture to say that a large percentage of the 230 people who have refused assistance will still survive. Many farmers have been led astray by the policy of "Get big or get out." Unfortunately, those farmers attempted to get big at the wrong time and they are now paying the penalty.

I will not delve into the question of abattoirs, which is a very important part of the industry. Mr. Abbey has already stressed that point. However, I know one gentleman who has 2,000 aged ewes which he wants someone to take off his property.

The Hon. C. R. Abbey: He cannot give them away.

The Hon. S. T. J. THOMPSON: It would cost 70c per head to send the sheep to Perth by rail, without other costs. Any-one can have them if they take them off the property. We have been blessed with prolific lambing over the past two seasons. Prices were low so the old sheep were not sold. There has been another heavy lambing season and too many of the old sheep have reached the point of no return. They must be got off the property to make room for the young sheep. This situation exists throughout the great southern areas and it has not been brought about by lack of feed. We have had wonderful seasons but the situation has caught up with the farmers.

At a sale in Wagin, a little over a week ago, thousands of sheep were sold from 20c to \$1 each. So it can be realised why farmers require some assistance. With those remarks I support the Bill.

THE HON. J. HEITMAN (Upper West) [8.25 p.m.]: Like others who have spoken tonight I support the Bill. It is a step partly in the right direction. The biggest problem is, of course, that \$800,000,000 is owed by the farming community but an amount of only \$100,000,000 has been made available over a period of four years with which to rehabilitate the industry. One does not need to ask oneself many questions to realise this is not the complete solution to the problem.

It has been interesting to listen to the different viewpoints put forward regarding the problem of rural reconstruction. A reading of the Bill now before us will show that an attempt is being made to do the right thing. A farmer must show he has a viable proposition before he can obtain a loan, or finance from a bank or a lending institution.

Those in charge of the finances face a terrific problem. The forms which must be filled in, when making an application for assistance, show in their final analysis whether or not a farmer has a viable proposition. A farmer after filling in such a form would have an idea whether or not he could go to a bank to obtain financial assistance. Alternatively, he would know that he might just as well give up the ghost or tighten his belt a little more. Of course, this has been done by many others in the past and they have been able to stagger through without any financial help.

I do not believe there is any terrific advantage in buying-out a next-door neighbour unless the two farms can be worked with the one plant without a farmer saddling himself with too much debt. The present situation concerns mainly wool and meat. The only ray of sunshine, really, is wheat. I would like to refer back to the time mentioned by Mr. Dans, the depression years of the

1930s. We had a wheat exchange where millions of bushels of wheat were bought and sold at a large profit without the buyers and sellers seeing one grain of that wheat.

We have exactly the same situation today with wool futures. The buyers buy in advance so that they can quote to a manufacturer a lower price than that of the market. They always sell ahead and they can depress the market to their own value. If I had my way I would like to have a commune of farmers with the wherewithal to buy the wool. The first thing I would do would be to cancel wool futures.

Until we reach that stage and get an organised marketing system to acquire the whole of the wool we will not be able to handle the situation. I would like to quote from one or two old newspapers which I managed to find. The first one goes back to May, 1957. The board chairman, Sir John Teasdale, urged that there should be a reduction in the production of wheat. The whole of the country was producing something like 160,000,000 bushels of wheat; more than that could not be sold. The chairman said it was time farmers looked at the position. They would have to go into wheat quotas or cut back their acreages.

At that time Mr. D. W. Maisey had a great deal to say about people who were growing too much wheat. He was then the president of the wheat section of the Farmers' Union. He said—

If on February 1, 1958, we find storages in W.A. full, the export market still in the doldrums and the industry deprived of a just and satisfactory guaranteed price, then I suggest that then will be the time, not only for every wheatgrower to drastically curtail his production, but indeed where possible, to cease production entirely.

I do not think he would say that today. We have organised marketing and we are selling something like 357,000,000 bushels a year. It appears that with an industry run by the farmers, who are selling clean grain, we have been able to increase our sales overseas.

I think that is the only way we can do it. If we have a commodity that is clean and good, and we want to get rid of it, we do not want sales promotion; we want someone to go out and sell it. I am sorry I am straying a little from the Bill, but it is no good having a rehabilitation setup unless we know where we are going.

Mention was made earlier of synthetics. I have another newspaper, dated the 7th June, 1956, which contains a report of the views of Mr. C. B. Ball, of Katanning, who was a member of the Australian Wool Bureau and the International Wool

Secretariat. He had visited India, Palestine, Italy, Switzerland, England, and the United States of America. The article reads—

He returned on Sunday to his home at Katanning after studying conditions abroad and their effect on the Australian wool industry.

Mr. Ball said that the outstanding impression which he had formed was the need to speed up wool promotion because of the tremendous efforts which the synthetic manufacturers were making to sell the public a mixture fabric in which the proportion of wool would gradually diminish until wool became a minor constituent of the article.

Where wool promotion had been carried out adequately, it had been effective, but in view of the effects of the millions of pounds which were being spent on the promotion of synthetic wool articles, wool promotion, particularly advertising, would have to be speeded up.

Mr. Ball said that as the growers were the only ones who could possibly have an entry to the various countries of the world, the job of promotion and research overseas would have to be borne by the wool growers and if wool was to hold its own in the face of the tremendous efforts being made by the synthetic manufacturers, then growers would have, during the next few years, to face up to the necessity of making a bigger contribution than they were doing now to the cost of this project. This would be necessary in their own interests and in the interests of the national economy.

Therefore the Government and the people of Australia (through the Federal Government) and the wool manufacturers of Australia would have to face up to the task of carrying on research, both from the point of view of making an adequate contribution to research within Australia and promotion and research overseas.

I think we have tried that. That article was written in 1956, and we have had wool promotion ever since, with both the farmers and the Government contributing to it.

For a long time I have felt that if we had given shopkeepers some incentive to display our wool, so that it would be seen in competition with synthetic fibres and clothing made from synthetic fabrics, we would have sold much more wool than we have sold through wool promotion. Recently, I saw the exhibition at the Royal Show and, as did other members, I admired the mini skirts and hot pants; but one could not go into a shop and buy those garments. That is where we fall down.

As far as wool is concerned, I would like to see total acquisition, with sorting and blending of the wool to suit the needs of manufacturers. We would do away with the private buyers—although for many years I have sold to private buyers and have done better than neighbours who sell through the normal channels, as a result of which they have no control over the wool after it has been loaded onto the trucks, except that, perhaps, they can put a reserve price on it; but when it goes on the floor it is torn to pieces by the buyers and loses its bloom and appearance. After three or four sales they find they must accept a much lower price. I have nothing against the private buyer. If one does not like his price, one does not sell to him. However, I do not think it is a good system.

I think total acquisition on a large scale is necessary, so that instead of offering 20 or 30 bales of a certain type of wool we could offer 5,000 or 10,000 bales of a type that would suit the manufacturer's requirements without necessitating his coming to Australia to make his purchase. He could be quoted a price and would know what he was getting, without the necessity for buyers coming out to inspect the clips. We would short-circuit the overheads. We would do away with every commercial firm that sells wool, and we would have one setup for selling overseas which would have the best type of wool to suit the manufacturer's requirements and which would ensure that every shop would sell and display wool in competition with synthetic fibres. Until we reach that stage, we will not go far in building up the farming industry, even with the rural reconstruction scheme we are now considering.

Mr. Abbey mentioned that we had received very poor prices for meat. I would like to relate what happened at a carcass sale to which a man consigned 242 sheep for sale as carcasses by auction at a meat market in O'Connor. He lost \$19.18 on the deal. He thought the sheep were of a type that would meet the requirements of the metropolitan market. He gave details of the returns he received. For a lot of 126 sheep he grossed \$187.98. Killing, handling, and commission charges totalled \$187.05, leaving a net return of 93c. A second lot of 48 sheep grossed \$125.46. After paying charges of \$73.95 he received \$51.51. The final lot of 68 sheep grossed \$150, with charges of \$103.69, leaving a net figure of \$46.38. From the net proceeds of \$98.82 he had to pay a transport bill of \$118. That case will give members some idea of how valuable the meat market is to the farming community.

We have lamb marketing control boards and we are considering establishing mutton marketing control boards. I have here an article which I will not read but which proves that an exporter was unable to have

killed the sheep he could sell. Perhaps I will read this article later when we are dealing with abattoirs.

Whichever way one looks at the matter, it appears that perhaps wheat is the only bright spot in the rural industries at the present time, and unless one has a good wheat history one receives a very small quota. When farmers have a good season, they are as a rule able to catch up on what they have lost on wool or meat, but they cannot do so today. They are operating on quotas and when they have good rains they can produce more than their quotas. Co-operative Bulk Handling can handle the surpluses, thus obviating the necessity to store wheat on the farm. We should have a similar set-up for the handling of wool. I think that is the right way to attack the problem of rehabilitation. I do not think we will have a chance of getting many farmers off the hook with the proposed scheme because there is insufficient finance.

One member mentioned that small farmers could be compared with the corner store. The corner store receives competition from the bigger shops and eventually it is forced to go out of business. That does not happen to the small farmer. Many small farmers are more efficient and do a better job of farming than some of the big farmers. The bigger the farmer, the larger the debts and the more waste of machinery, because the big farmer must grow big and use the machinery on land which is too rough for it, whereas the small farmer can do the work himself.

This is a subject on which one can speak for many hours. Mr. Dans mentioned the \$10,000 machine that is thrown out before it has worn out. Do not believe it. The machines wear out, all right. Many farmers have to put in 3,000 or 4,000 acres in order to keep up with their quotas. If they could buy the \$10,000 machine without the tariff on it, they could grow wheat at a lower cost per bushel and they would have more money in the bank. I finish on that note.

I will support the Bill. I think much more could be done if more finance were available from year to year to help consolidate the position of the farmers who are at a very low ebb at the present time.

Debate adjourned, on motion by The Hon. J. Dolan (Minister for Police).

ALUMINA REFINERY (UPPER SWAN) AGREEMENT BILL *Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. W. F. Willesee (Leader of the House), read a first time.

TRANSPORT COMMISSION ACT AMENDMENT BILL *Second Reading*

Debate resumed from the 15th September.

THE HON. L. A. LOGAN (Upper West) [8.45 p.m.] : We have had this measure before the House for some considerable time. During that time I have endeavoured to discover some reason which might prompt me to get enthusiastic enough to support the Bill. I must admit I have not yet found that reason.

The Hon. A. F. Griffith: You will have to search far.

The Hon. L. A. LOGAN: The real reason for the Bill as given to us in the Minister's second reading speech is that it seeks to safeguard the interests of the M.T.T. and the ferry service between South Perth and the Barrack Street jetty.

I cannot imagine why the services needed legislation to protect them because the opportunities would be very limited for anybody who wished to come in at peak periods to establish such services. In any case I do not think this would hurt the M.T.T. one iota.

Attempts have been made in the past to start services—particularly a hydrofoil service which would have a different point of embarkation and disembarkation from that which exists at the moment. This service was a financial failure and I imagine that any further attempt to start a similar ferry service on the Swan River would be taken over by the M.T.T. as a Government instrumentality rather than allow the individual to waste his money in trying to set up such a service.

The services run by the M.T.T. at the present time, however, do have some connection with the ferry services in that the buses run to the wharf on Barrack Street where the passengers are unloaded and taken across the river by ferry, and those that travel by ferry from South Perth use these buses and are taken into the city.

I daresay these services ought to be protected and accordingly I am prepared to support that portion of the Bill. The original intention was that this should form the basis of the Bill. The measure, however, goes further and includes all the inland waters. I notice, however, there are some amendments on the notice paper the purpose of which is to delete that portion of the Bill to which I refer; and because the Minister has seen fit to do this I am prepared to support the second reading.

I go along with the first part of the Bill which gives the M.T.T. the protection it might require; not that I think it is necessary that such protection ought to be given because I am sure the M.T.T. could handle the position quite satisfactorily. However I see nothing wrong in that portion of the Bill and I accordingly support it.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [8.49 p.m.] : This Bill finds no favour at all with me. I wonder what is behind the Government's thinking when a Bill

like this is introduced into this House and two or three weeks later we observe amendments on the notice paper the intention of which is to strip the Bill of most of its functions and to leave it with a very small portion which in fact states that the M.T.T. will have control of the situation on Perth water so far as the ferries are concerned.

If the amendments proposed by the Minister go through and are passed that is all that will be left of the Bill. I am prompted to ask the Minister: What has taken place during past years? Why the sudden necessity to bring in a Bill of this nature? Why is the Minister prepared to give away a very considerable portion of the Bill so long as we leave him with this juicy bit in the centre? Why is it necessary now to have this control?

I will not waste time on these questions but I find that Mr. Logan expressed some support for the second reading of the legislation believing that the amendments on the notice paper will in fact be passed.

That is an observation I can accept, but I find it difficult to accept his explanation that because the Bill is to be substantially amended, and because we are to be left with this effective bit that perhaps is sufficient reason for us to pass the Bill.

I cannot possibly see the necessity for this measure at all. I repeat I would like to have it explained why over all these years there has been no necessity for legislation of this nature and yet suddenly we find it is presented to us and our approval sought even though we might compromise and delete a considerable amount of the Bill itself.

Finally it strikes me that the Bill might be necessary because of there having been a breakdown in the Government departments—one department not being able to get together with other departments. I am sorry if this is the reason, but if it is not I cannot see why departments should not get together in matters of this nature to sort out the differences that might exist between themselves. We should not give one department—in this case the Transport Commission—authority over the department controlling harbours and rivers. I do not propose to support the Bill.

THE HON. J. DOLAN (South-East Metropolitan—Minister for Transport) (8.52 p.m.): I wish to thank all members who took part in the debate. There are a few matters to which I would like to refer specifically, because at the beginning two or three speakers—and I do not wish to name them—referred to what they called the paucity of information in the second reading speech.

I have no wish whatever to pontificate in any way but I do feel when a Bill is presented we must consider three aspects. Firstly, we should consider the Bill as it is presented and relate it to the Act and,

arising out of the information that might be available, I consider it is then the duty of the Minister to introduce the second reading and fill in any intervening spaces which might exist.

I do not think the Minister should lay down any guidelines for the debate. We all know there are times we think a debate might proceed along certain lines only to find that the debate takes a varied course depending entirely on how members apply themselves to examining the Bill; comparing it with the Act and then seeing what its effect will be.

I would like to refer to a few matters which appear to have created some doubt in the minds of certain members. I point out these members could have obtained the information they needed as I did—by picking up the telephone and ringing the departments concerned for the necessary details.

The Hon. G. C. MacKinnon: We took it for granted that you had done this and that you would tell us all the information they had given you.

The Hon. J. DOLAN: I would say that the marginal notes in the Bill conveyed sufficient information to enable a member to make his speech.

The Hon. A. F. Griffith: It is the function of the Minister to describe his Bill and you are now doing that in reply to the second reading debate.

The Hon. J. DOLAN: Considerable emphasis was placed on the fact—I will not say they were complaints—that the Bill contained no right of appeal. This is a Bill which seeks to fit another section into the Act. We already catered for the question of road and air transport and we then tried to legislate for water transport.

When we examine the Act after we have fitted in another section we must consider the Act as a whole in order to obtain a correct impression of what is implied.

Let us see what does happen so far as the power of the Minister is concerned when we consider the Act as it exists and then try to fit this Bill in as we go along. I think the impression was abroad that the commissioner was the man who made all the decisions; he did or did not grant the permits; he is supposed to make inquiries arising out of this aspect and decide whether the service should or should not be put into operation.

When considering the Transport Commission Act as it exists we find that subject to this Act and the general control of the Minister—this is in clause 7—the commissioner is responsible for the administration of the Act. It will be noticed that he is subject to the general control of the Minister.

We move a little further and we find the same thought expressed—that the commissioner under the direction of the Minister shall do certain things where in the

opinion of the Minister these things should be done. A little further on we find the same thing; where the commissioner may and shall at the request of the Minister do certain things. If we continue we discover that the Minister may by notice published in the *Government Gazette* exempt any vehicle or class of vehicle or any part of the State.

It can be seen therefore that if one keeps going through the legislation one will find it is the Minister who gives the orders and the commissioner is the one who carries them out.

When we consider the present Bill, particularly the last clause, we see very much the same sort of thing—

The principal Act is amended by adding a section as follows—

The Minister may, by notice published in the *Government Gazette*, exempt any vessel from the provisions of this Division during such period and subject to such conditions as may be specified in the notice.

So there again it is the Minister's prerogative to grant exemption to any vessel in this particular case. So the powers of the Commissioner may at all time be overruled and be subject to the Minister.

The Hon. A. F. Griffith: Perhaps you would explain to us the definition of "vessel" in clause 5 of the Bill.

The Hon. J. DOLAN: In clause 5 of the Bill—

"vessel" includes any ship or boat or any other description of vessel used in navigation but does not include a vessel so used by or on behalf of the Metropolitan (Perth) Passenger Transport Trust.

If members will cast their minds back 12 months they will find the previous Government brought in a bill which dealt with the same Act with which we are dealing. That legislation contained the following provision—

For the purposes of this Division, each ship operated by or on behalf of the Western Australian Coastal Shipping Commission established under the Western Australian Coastal Shipping Commission Act, 1965, shall while it is so operated, be deemed to be authorized under this Division to engage in the coasting trade and no licence or permit is required thereunder for such a ship while it is being so operated.

So the principle that existed 12 months ago also applies today. It would seem that the vessels run by the Western Australian Coastal Shipping Commission deserve protection, but the service which is being operated—and I would say most efficiently operated—between South Perth and Barrack Street requires no protection or consideration whatever. That is what is suggested by members in this particular case.

I put it to members plainly that a vessel can move into the trade at any time as long as it has passed certain tests, has gone before a surveyor, and has been authorised or licensed to carry passengers. That would not be in the best interests of efficiency.

The Hon. A. F. Griffith: How many times has that been done in the last 25 years.

The Hon. J. DOLAN: I will not go back 25 years; I will merely go back 12 months. It should be fresh in the memory of the Leader of the Opposition because this was done by the Government of which he was a member.

It is rather strange that when a Government goes into Opposition a piece of legislation becomes a little suspect and yet, in the past, when it was the Government similar legislation was not considered suspect. The position existing at present is the real reason for the introduction of the Bill; that is, there was a possibility of unfair competition being encountered. I telephoned the authorities and asked them to give me some idea of the fees to be paid by an operator who wished to carry passengers in any vessel. If one carries up to 10 passengers the annual fee is \$6. An operator would get that in one or two trips and the rest of his income would be profit. If 15 passengers are carried the fee is \$13. To carry between 90 and 100 passengers the fee is \$19. When over 100 passengers are to be carried on vessels such as the *Temeraire* and the *Islander* an annual license fee of \$25 must be paid.

Members can well imagine that on an ordinary trip over to Rottnest Island when the boat is fairly full it would not take much to cover the fee of \$25.

The Hon. Clive Griffiths: It will not take the Government long to close that gap.

The Hon. J. DOLAN: It is strange how the honourable member puts ideas into my head. In view of the fact that Mr. Clive Griffiths considers it is logical and reasonable to take such action I am quite prepared to go along with him, and should that happen I hope we will not find any objection coming from him.

The Leader of the Opposition wanted to know why I was prepared to put certain amendments on the notice paper.

The Hon. A. F. Griffith: I did not say that. I said you had put them on the notice paper.

The Hon. J. DOLAN: The Leader of the Opposition also seemed to imply that I was seeking to take the inside out of the Bill. This was one of the few things I explained in my brief second reading speech. In this respect Mr. Clive Griffiths expected me to produce a second reading speech that left nothing out, because he was kind enough to say that when I handled a Bill on behalf of

the Opposition when the previous Government was in office, I went into the subject very fully, and I think that this should be done by any member who is interested in a Bill.

The Hon. G. C. MacKinnon: Including the Minister.

The Hon. J. DOLAN: That is right. I think there was sufficient information conveyed to members in my second reading speech on the Bill for them to understand every aspect of it. For example, I explained that we intended to take in new waters. I explained that that was the thinking of the Parliamentary Draftsman; that whilst we were dealing with the waters of the Swan River we should also include inland waters. Such a move was not in the original thinking of the Government.

The Hon. G. C. MacKinnon: Do you allow the Parliamentary Draftsman to dictate to you?

The Hon. J. DOLAN: We do not allow anyone to dictate to us except the people who sent us here. They are the people who also elected the members of the Opposition to this House and that is why the people put them out of government.

The Hon. A. F. Griffith: Why are you looking up to the sky all the time?

The Hon. G. C. MacKinnon: He is seeking divine help.

The DEPUTY PRESIDENT: Order please!

The Hon. J. DOLAN: Unlike the Leader of the Opposition I have always set my standards high. I found that the move to include inland waters did not meet with the general favour of those who spoke on the Bill. When one finds that some members are not prepared to accept the whole loaf, one then gives them a share they are prepared to accept, and that is what I propose to do.

I believe that the service to South Perth provided by the M.T.T. deserves protection. Apart from the daily service so provided, one can apply for a license to carry passengers on special holidays, or when there is some function on at the Zoo. Such a service could also be provided when there is some special speedboat racing event being held on the river. People could travel backwards and forwards in the ferry for a few trips and have quite a good day, after which the ferry could go out of service again.

The M.T.T. provides an efficient service. I challenge members to go down to Barrack Street jetty on any day when they will find very often that the boat travels from one side of the river to the other without carrying one passenger. Despite this the ferry keeps to schedule within half a minute of the time of arrival and departure.

The M.T.T. ferry provides a service for the convenience of those who live on the south side of the river and for those who wish to travel from the city to South Perth. The ferry starts early in the morning and operates throughout the day. However, the only way the M.T.T. can operate this ferry service efficiently is by conducting charter trips. The service shows an annual loss, but the charter trips help to balance things out. The people of South Perth are able to leave their cars on the south side of the river every morning and board the ferry which takes them to Barrack Street. If they so desire the fare that they pay entitles them to travel on the bus which takes them down to Wellington Street. Therefore, the M.T.T. is running an excellent service for the benefit of the community. If members do not agree that is their business; I cannot help it if their line of thinking is different from mine.

I think I have explained to the House that we must fit the Bill into the Act. It will be found that there is ample coverage for any appeal to be made to the Minister.

The Hon. I. G. Medcalf: Whereabouts?

The Hon. J. DOLAN: Have a look at the last clause in the Bill for a start.

The Hon. A. F. Griffith: That does not appear there.

The Hon. J. DOLAN: One does not have to read actual words to ensure that. This Act has operated in regard to road and air transport and there has not been the slightest difficulty about the issuing of licenses where conditions are reasonable. The commissioner always acts subject to the control of the Minister. I do not think the commissioner has ever been faced with a problem without his telephoning me or coming to my office to discuss it before making a decision. As I explained earlier, there are numerous instances where the Minister controls practically everything even though the commissioner issues the permit.

The Hon. I. G. Medcalf: The Minister has no power to hear appeals.

The Hon. J. DOLAN: If anybody is refused a permit—and sometimes people are—and that person writes to me, I take the matter up with the commissioner. After discussion, very often we have been able to fall into line with the people who have written to us and we have given them what they have sought.

The Hon. I. G. Medcalf: That is really not good enough.

The Hon. J. DOLAN: It has been so far, and the previous Government was quite prepared to let things continue along those lines with both road and air transport, but now when we want to introduce similar provisions in this situation there is all

this kerfuffle. I do not want to be unreasonable; I do not think I have ever been unreasonable.

The Hon. A. F. Griffith: Let other people be the judge.

The Hon. J. DOLAN: If Mr. Medcalf feels that by inserting this amendment it will satisfy him and satisfy those people who might feel they may be refused a permit, I would like to point out to him that the permit is refused only after the commissioner has examined the situation to see whether or not the service is justified. We do not have a more efficient public officer and one who is more conscious of his duties than the Commissioner for Transport. He really investigates the situation before making a decision. After my experience with him I would trust him to make the right decision. I honestly commend the Bill to all members. There is nothing really in it.

The Hon. A. F. Griffith: That is right; there is nothing really in it.

The Hon. J. DOLAN: That is why my second reading speech was so short. The purpose of the Bill is to embrace that particular area of the Swan River which is defined. The Bill seeks to make it possible for the commissioner, under the control of the Minister, to ensure there is no unfair competition. I think this is a reasonable proposition and I commend it to members. To Mr. Medcalf I say that if he feels it is most desirable that his provision should be inserted, I will agree to it.

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

Ayes—16

Hon. C. R. Abbey	Hon. T. O. Perry
Hon. D. K. Dans	Hon. R. H. O. Stubbs
Hon. S. J. Dellar	Hon. R. Thompson
Hon. J. Dolan	Hon. S. T. J. Thompson
Hon. Lyla Elliott	Hon. J. M. Thompso
Hon. J. L. Hunt	Hon. W. F. Willesee
Hon. L. A. Logan	Hon. D. J. Wordsworth
Hon. G. C. MacKinnon	Hon. R. F. Claughton

(Teller 1)

Noes—10

Hon. G. W. Berry	Hon. N. McNeill
Hon. V. J. Ferry	Hon. I. G. Medcalf
Hon. A. F. Griffith	Hon. R. J. L. Williams
Hon. Clive Griffiths	Hon. W. R. Withers
Hon. J. Heltman	Hon. F. D. Willmott

(Teller 1)

Question thus passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. J. Dolan (Minister for Transport) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Amendment to section 3—

The Hon. J. DOLAN: I move an amendment—

Page 2, line 8—Delete the words "Inland Waters" and substitute the words "the Swan River".

The Hon. A. F. GRIFFITH: Perhaps the Minister can tell me what area of water will be controlled by the M.T.T.

The Hon. J. DOLAN: This is covered by subsection (3) of proposed new section 47I.

The Hon. A. F. GRIFFITH: The reason I make the point is that the control will not be over only the Mends Street ferry. It will be over the waters of the Swan River.

The Hon. J. Dolan: That is correct.

The Hon. A. F. GRIFFITH: And anyone with any initiative at all who wants to start a service on the Swan River will be subject to the provisions of this Bill. The Minister in his second reading speech told us that the M.T.T. wants this protection because it runs a ferry service from Barrack Street to South Perth.

The Hon. J. DOLAN: That is so. We want the commissioner to have the same power, subject to ministerial approval, he has in connection with the road transport system. The same also applies in regard to airline services. All that must be established is the need. If a person with initiative wishes to commence a service from, say, Claremont to Point Walter—and when I was a young fellow a regular service was operated from Point Walter *via* Mosman Park—he must present his case to the commissioner; and I have not the slightest hesitation in assuring the Committee that if such an application is made and is based on good premises, it will be granted.

The Hon. A. F. GRIFFITH: Would the Minister like to invest his capital in a boat, with the certain knowledge that "vessel" includes any ship or boat or any other description of vessel used in navigation but does not include a vessel so used by or on behalf of the M.T.T.? I certainly would not.

The Hon. J. DOLAN: I put the opposite view. Anyone who had explored the possibilities of establishing a service would not go to the trouble of building a big launch. A reasonable businessman would secure an option on one of the thousands of boats on the river. He would have no difficulty in obtaining a license.

The Hon. A. F. Griffith: You missed the whole point.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 5: Section 47G added—

The Hon. J. DOLAN: I move an amendment—

Page 2, line 13—Delete the words "Inland Waters" and substitute the words "the Swan River".

The Hon. CLIVE GRIFFITHS: I want to make the same point made by the Leader of the Opposition on the previous clause. This clause gives the definition of a vessel, and it is a provision to which I take

strong exception. I do not criticise the M.T.T. for its service between Mends Street and Barrack Street, and I do not criticise the fact that the commissioner has to issue a license to anyone who desires to commence a service. What I do criticise is the fact that a private individual must apply, but the M.T.T. does not have to apply. I can visualise that a private individual could invest his capital in a service and, when it is proved profitable, the M.T.T. could start a service in opposition, and the private individual would have no-one to protect his interests. I do not like this clause and I intend to vote against it.

The Hon. J. DOLAN: I would refer Mr. Clive Griffiths to a provision in legislation which was assented to in November last year, which is just 11 months ago. That provision deals with an analogous position in connection with ships under the control of the Western Australian Coastal Shipping Commission.

The Hon. A. F. Griffith: Operating at sea.

The Hon. J. DOLAN: Yes, operating along the coast. The provision in this Bill contains the same principle. In its wisdom the previous Government, supported by Mr. Clive Griffiths, believed that ships belonging to the commission should not have to obtain a permit, and yet members of the now Opposition believe that vessels belonging to the trust should obtain a permit.

The service to South Perth—which is a densely populated district—is a losing proposition, as is the case with most Government transport. The trust would not be so mean as to compete with a private individual who happened to be able to run a service at a profit. If I were the Minister I would certainly not allow it.

The Hon. A. F. GRIFFITH: If I remember correctly a different reason existed for the introduction of the Bill in 1970 in relation to coastal shipping. It was thought that ships other than Western Australian ships might move into the trade. The situation under this Bill is an entirely different matter because this is a domestic service.

I can remember the time when I was the member for Canning in another place, and the Government of the day, which was of my political colour, wanted to cease the ferry service. I can recall how hard I fought against the then Minister for Transport to prevent that occurring.

The Hon. J. Dolan: It was a good job you did.

The Hon. A. F. GRIFFITH: The Minister's view at the time was that it was a losing proposition and therefore should be ceased. I pointed out to him and to the Government of the day that it was an integral part of the State transport system and that its loss could not be separated

from the overall profit. It would be equally ridiculous to separate a profit made by one particular section of the trust.

Does any reason exist for the trust not to make application if it desires to run a service?

The Hon. J. DOLAN: The trust has to abide by all the provisions laid down in the interests of safety and in that respect it is in the same category as the owner of any other ship. The Leader of the Opposition wants to know why the trust should not also have to obtain a permit. The trust initiated the service the same as the State Shipping Service initiated the service in the north, and in those circumstances we feel a permit is not warranted. It is reasonable that pioneers—and we have heard that word bandied around here often enough—should receive consideration, and that they should not encounter opposition from someone who comes into the scene later.

The Hon. A. F. GRIFFITH: The Minister means that if it is found desirable to operate a ferry service between two points on the Swan River other than the present service from Barrack Street—bearing in mind that there used to be services from Barrack Street to Coode Street, to the Como jetty, and to Point Walter, but most of these were abandoned because they proved uneconomic—a permit must be obtained. Let us assume that the public need for a service of that nature arises again.

A private organisation or person may wish to put in capital to run that ferry service. He will be obliged to make application for a permit to do this. The Minister is saying that the M.T.T. should not have to apply if it wants to do the same thing.

The Hon. J. Dolan: That is right.

The Hon. A. F. GRIFFITH: I do not think that is reasonable. The interpretation of "vessel" is intended specifically to keep the M.T.T. from the necessity to apply. It will give the M.T.T. protected operation wherever it wants to operate on the Swan River within the definition of "Swan River." I see no reason why the definition "vessel" should not read as follows:—

"vessel" includes any ship or boat or any other description of vessel used in navigation.

We should place the fullstop after the word "navigation" and delete the subsequent words.

Let us conceive a situation where a service between point A and point B on the river may be a feasible proposition and more than one person, company, or syndicate wants to try to provide that service. Two people—if there are two—must apply for a permit and the Transport Commission

must give it to one. This would not be the case with the M.T.T. which does not have to apply.

The Hon. Clive Griffiths: It merely starts up.

The Hon. A. F. GRIFFITH: A person may pay out money to purchase a craft to provide a service and on the same day the M.T.T. can say it will move in and operate the service. The Minister tries to placate us by saying he is sure the M.T.T. would not be so ungentlemanly. I am not prepared to accept that.

I cannot see any reason at all for the M.T.T. not making an application. If the commission thinks the M.T.T. should be granted the permit against somebody else, at least that other person has had a chance to apply. I will test the feeling of the committee and subsequently move an amendment.

The Hon. CLIVE GRIFFITHS: When the Minister gave his explanation to the Leader of the Opposition he said the M.T.T. was being excluded because it had pioneered this particular service. The *Islander*, too, has pioneered a service from Perth to Fremantle, as part of its route. I assume this, too, will be covered by the Bill.

The Hon. J. Dolan: Does the honourable member know what the word "pioneer" means?

The Hon. CLIVE GRIFFITHS: I suggest the Minister should tell me.

The Hon. J. Dolan: The honourable member is talking about the *Islander*. This is a ship operating 50 years after the pioneers. What is he giving us?

The Hon. CLIVE GRIFFITHS: Perhaps the Minister will stop interjecting and allow me to finish.

The Hon. J. Dolan: I am only giving advice.

The Hon. CLIVE GRIFFITHS: The Minister will have the opportunity to tell me what the word means when I sit down. I assume from what has been said that because the *Islander* runs a service from Perth to Fremantle, automatically these people should also be excluded, although the Bill does not make provision for this in the definition.

The reason given to exclude the M.T.T. is not good enough. Probably there is another reason. Certainly the committee is entitled to a better reason than being told the M.T.T. pioneered this service.

If the Minister wants to talk about pioneers, I daresay if I went far enough back into history I could find the M.T.T. was not the first to run the service across the river. However I will not do this. I assume his explanation of "pioneers" has to be interpreted as the people who happen to be running the service and have done so for a number of years. Similarly the

people who provide a service to Rottnest have been doing so for a number of years. Whilst plying between Perth and Fremantle they continue to provide a service and I think they would be entitled to the same exemption as the M.T.T.

The Hon. J. DOLAN: I interjected on the honourable member or, rather, tried to give a word of advice. The *Islander* and the *Temeraire* do not carry passengers from Perth to Fremantle. Fremantle is a calling point on the way from Perth to Rottnest. I do not know whether I must give a detailed explanation, but if an individual went to the *Islander* office and asked for a ticket to Fremantle, that office could not sell that ticket; it could only sell one to Rottnest. Of course if a person becomes ill and disembarks at Fremantle that is all right. However, in those circumstances he would be paying \$1.50 to make the trip when probably for the same amount he could hire a taxi which would be quicker and more comfortable to travel in.

I would like the Leader of the Opposition to explain why 11 months ago it was quite in order for the Western Australian Coastal Shipping Commission vessels engaged in the service on the coast not to require a license or permit and why the position is different today when we feel that the M.T.T., which has provided a service and schedule that no one else has been able to provide, should now have to obtain a permit. I simply cannot see it.

The Hon. A. F. GRIFFITH: I do not really feel obliged to help the Minister out with his Bill. I gave the explanation at the time and I have asked for a copy of the second reading speech I made in connection with the Western Australian Coastal Shipping Commission. The reason for protecting ships which operate at sea is an entirely different set of circumstances. We were interested in the protection of our own coastal shipping against ships which might be termed "foreign."

The Hon. J. Dolan: They are already covered by the Commonwealth.

The Hon. A. F. GRIFFITH: The position is entirely different from this.

The Hon. J. Dolan: They come under a different set of Acts altogether.

The Hon. A. F. GRIFFITH: I repeat that although I am speaking purely from memory, I thought this was the reason. Mr. Clive Griffiths raised the point that the Minister had said the M.T.T. deserved protection because it is a pioneer in the field. Let us accept that statement. It is a pioneer in what field?

The Hon. J. Dolan: In the field of transporting passengers from South Perth.

The Hon. A. F. GRIFFITH: Precisely, in the field of transporting passengers from Mends Street to Barrack Street. However

many other routes have not been covered. With the continued growth of the metropolitan area up river in the way it is growing, I can quite easily foresee a time when some other service may be required. I only suggest that if that is the case the M.T.T. should be placed on the same footing as any other private operator and be obliged to apply for a permit. It should not be protected in the way it will be under this measure.

The Hon. J. DOLAN: I raise only one further point. The situation in Fremantle, for example, is that the Fremantle Port Authority operates launches from Victoria Quay to the north side. It carries passengers across and also charges fares. Should it be necessary to require the Fremantle Port Authority to obtain a license? I do not think that is reasonable. It is providing a service which nobody else would have provided. We would certainly not be doing the right thing.

The Hon. A. F. GRIFFITH: I now have the debate to which I referred before me and my memory on the subject was reasonably good. I shall refer to one portion of my speech which is to be found on page 774 of the 1970 *Hansard*. I said—

As members will appreciate, the constitutional power of the Commonwealth to legislate in these matters is limited to interstate operations and those within its own territories; hence the necessity for State legislation which invokes these provisions in respect of intrastate flights.

We were talking at that point about aircraft flights. To continue—

Section 6 of our principal Act achieves this objective by validating the main provisions of part IV of the Commonwealth Act—stating *inter alia*, . . .

On reflection, I do not think this is appropriate.

The Hon. J. Dolan: I am sure it is not.

The Hon. A. F. GRIFFITH: Nevertheless, I still have it in mind that this was the reason.

Amendment put and passed.

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

Page 2, lines 22 to 25—Delete all words after the word “navigation” down to and including the word “Trust.”

The Hon. J. DOLAN: I wish to say briefly that I oppose the amendment on a question of principle which existed 11 months ago and, in my book, still exists today.

Amendment put and a division called for.

Bells rung and the Committee divided.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): Before the tellers tell, I give my vote with the Ayes.

Division resulted as follows:—

Ayes—13

Hon. C. R. Abbey	Hon. N. McNeill
Hon. G. W. Berry	Hon. I. G. Medcalf
Hon. V. J. Perry	Hon. F. D. Willmott
Hon. A. F. Griffith	Hon. W. R. Withers
Hon. Clive Griffiths	Hon. D. J. Wordsworth
Hon. J. Heltman	Hon. R. J. L. Williams
Hon. G. C. MacKinnon	(Teller)

Noes—12

Hon. R. F. Oughton	Hon. L. A. Logan
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. S. J. Dellar	Hon. R. Thompson
Hon. J. Dolan	Hon. S. T. J. Thompson
Hon. L. D. Elliott	Hon. J. M. Thomson
Hon. J. L. Hunt	Hon. W. F. Willesee
	(Teller)

Amendment thus passed.

Clause, as amended, put and passed.

Clause 6: Section 47H added—

The Hon. J. DOLAN: I move an amendment—

Page 2, lines 31 to 32 and page 3, lines 1 to 4—Substitute for the passage commencing “—” and ending with the passage “forty-seven I,” the passage “upon the waters of the Swan River.”

The Hon. I. G. MEDCALF: I would like to inquire of the Minister whether, in his view, the effect of this amendment will mean that no fare-carrying vessel can operate upon the waters of the Swan River after the appointed day, except in accordance with the license? That, of course, is a paraphrase of the section. However, the question I really want to ask is this: does that not include the Rottnest Island ferries and does it not include any fare-carrying vessels which might ply up the river to Guildford taking tourists, and any other vessels which might operate on the river, not in competition with the Metropolitan Transport Trust?

The Hon. J. DOLAN: I find it very difficult to answer the question. In fact, it might take a very expert adviser. Proposed section 47H reads as follows:—

47H. The owner or person in charge of any vessel shall not after the appointed day carry for a fare or cause or permit to be carried for a fare, any passenger in or on the vessel—

- (a) upon the waters of the Swan River; or
- (b) upon any other inland waters of the State at any time when such carriage is prohibited pursuant to a notice under section forty-seven I,—

The Hon. A. F. Griffith: You have to read on.

The Hon. J. DOLAN: It continues—

—except under and in accordance with the terms and conditions of a licence issued pursuant to section forty-seven J.

The Hon. G. C. MacKinnon: Now read section 47J.

The Hon. J. DOLAN: I am inclined to say "No." I would feel, although a boat has to go on the waters of the Swan, it is not operating upon those waters to carry a fare from Perth to Rottnest. I think if it was tested it would not apply to those vessels.

The Hon. I. G. MEDCALF: I did not wish to embarrass the Minister by that question, but it did seem to me it could include the Rottnest Island ferries because they do travel on the waters of the Swan River during part of their course from Perth to Rottnest and even from Fremantle to Rottnest. It seems to me there is some possibility, with all respect to the Minister, that the Rottnest Island ferries could be included which would mean the operators would have to apply for a license, as I understand it. If that is the case, it does lend further point to my suggestion that there should be a right of appeal in cases such as this where an established organisation might conceivably lose its livelihood if it failed to obtain a license. There has been a lot of competition between the various companies operating the Rottnest service, and much keen rivalry. Therefore, it occurred to me there might be some disciplinary action taken whereby a service could lose its license.

The Hon. J. DOLAN: I would refer the honourable member to clause 9, which states—

9. The principal Act is amended by adding a section as follows—

47K. The Minister may, by notice published in the *Government Gazette*, exempt any vessel from the provisions of this Division during such period and subject to such conditions as may be specified in the notice.

Therefore, I feel the Minister has the power to exempt these vessels travelling between Perth and Rottnest Island and as the present Minister, I would have no hesitation in granting them exemption if there were any doubt about this particular question.

The Hon. A. F. GRIFFITH: The question raised by Mr. Medcalf seems to me to be a valid one. If that is so, the Minister should take time out to make sure of the situation.

I would be quite happy to let the clause go on the understanding that the Minister will make the necessary inquiries. I am not happy that clause 9 would supply a remedy in the event of clause 6 including the ferries Mr. Medcalf suggests. Why should the Minister put the clock back and then bring it forward again? This ferry service between Fremantle and Rottnest is a pioneer service—not necessarily owned by the same people. I can remember back

to the days when I visited Rottnest Island as a boy on the old *Zephyr* and that surely is a pioneer service.

The Hon. J. Dolan: And the *Emerald*.

The Hon. A. F. GRIFFITH: Yes, that was far more hazardous than the *Zephyr*. I do not think we should leave clause 6 as it is, because the Minister has the right to exempt any vessel under clause 9. I do not think that is the way to go about it. The Minister should not have to apply the terms of clause 9 to an existing service which has been operating for a long time. I would suggest if Mr. Medcalf approves, we let clause 6 be and the Minister can make inquiries and tell us what the situation is.

The Hon. I. G. MEDCALF: I am quite content if that course is followed. I raised this question because I had some doubt in my mind and I still have. It seems to me that if the Minister did not intend that to apply to the Rottnest ferries and other vessels, rather than vessels strictly within the ambit of the Swan River, this could be made clear and clarified in a simple way.

The Hon. J. DOLAN: I appreciate the point raised by Mr. Medcalf and supported by the Leader of the Opposition. If we let clause 6 go I will have inquiries made and at the third reading I will tell members what information responsible officers come up with.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 7: Section 47I added—

The Hon. J. DOLAN: I move an amendment—

Page 3, lines 11 to 25—Delete sub-clauses (1) and (2) and the subclause designation "(3)".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 8: Section 47J added—

The Hon. J. DOLAN: I move an amendment—

Page 4, lines 15 to 18—Delete the words "or upon any of the inland waters of the State specified in a notice of prohibition published pursuant to section forty-seven I" . . .

Amendment put and passed.

The Hon. I. G. MEDCALF: I move an amendment—

Page 5, line 21—Add a new sub-section (5) to proposed new section 47J as follows:—

(5) (a) Any person may appeal to the Minister from the refusal of the Commissioner to grant a licence or from the terms and conditions specified in any licence granted under this section.

- (b) The Minister may allow the appeal with or without terms and conditions affix further terms and conditions or reject the appeal either in whole or in part.
- (c) Where the appeal is allowed the licence shall be granted upon such terms and conditions if any as the Minister may direct.

My reason for moving to include this appeal section is because it seems to me that where somebody might lose a livelihood, it is important for that person to have a right of appeal against the action of an administrative officer, no matter how well intentioned he may be. This is a right of appeal to the Minister and nothing further. I do not think it is a fit subject for appeal to a court; I think this is an occasion where an appeal should go to the Minister because we are dealing with what is essentially an administrative Bill. I believe it is proper we should look very carefully at a proposition which can take something away from people. This legislation does not only apply to ferry services, it also applies to passenger-carrying vessels. There are several boats which go up the river at the present time.

They might be refused licenses, although they might have already expended funds. I think it is proper they should be given the opportunity to have their cases heard by the Minister.

I am aware that the commissioner is subject to the control of the Minister and that is laid down in the Act; but that does not answer the question. We must clearly demonstrate to people that where action is taken by a departmental official, no matter how high he might be in the Public Service, it does not alter the fact that a citizen is entitled to have his case stated to someone other than the official who is refusing or removing his license; otherwise no matter how well intentioned the Minister or the commissioner might be, there is a feeling that the fate of a person is decided behind closed doors.

It is no objection to the proposal I put forward to say it is not in other parts of the legislation. I would welcome it in the provisions governing aircraft and omnibuses; but I draw the line in respect of coastal trade because I regard it as a different category from services on the Swan River. For a long time we have had coastal vessels in which a tremendous amount of Government capital is invested; and probably there is fair reason for imposing certain restrictions in respect of appeals relating to coastal trade.

Here we are dealing with the ordinary citizen operating vessels on the Swan River, and this is a case where an appeal, at least to the Minister, is merited.

The Hon. J. DOLAN: I am prepared to accept the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 9 put and passed.

Title put and passed.

Bill reported with amendments.

LOTTERIES (CONTROL) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 22nd September.

THE HON. R. H. C. STUBBS (South-East—Chief Secretary) [10.04 p.m.]: I thank the Leader of the Opposition for his contribution to the debate. I have come to admire him in many ways; I have admired his skill and his ability, and now I admire his versatility, because he seems to have a good command of the game of bingo and to know all about it. I did not realise he had added that skill to his repertoire.

He queried the necessity to bring the question of the playing of bingo before Parliament. There had been a ruling that this game was illegal, and it was common knowledge that it was being played in many places in the city—mostly in autumn clubs. It is a source of amusement to old people at their meetings.

Some people seem to think it should be given the cloak of respectability, and that was the idea of the Government in bringing the Bill before Parliament so that the game of bingo could be controlled under the Lotteries (Control) Act and be given respectability.

Regarding the Lotteries Commission, Mr. Griffith queried whether it has been brought into the discussions. I can assure him that all along the line it has been included in our discussions. We have had several conferences with the commission; and we have laid down the guidelines, the hours of playing, the time the game can be played, the number of permits that can be issued each month, and that type of thing.

Primarily the function of the Lotteries Commission is to sell lottery tickets, and a portion of the proceeds are given to charitable organisations. Therefore it is not anxious that the game of bingo should intrude into its functions, and take the place of charity tickets.

I point out that the playing of bingo will be conducted along the lines where people have to obtain permits. I refer to bodies like sporting clubs and charitable institutions. At one stage in the debate Mr. Williams had me worried when he spoke of the evils of gambling, and my

heart began to sink lower and lower until I heard him give the measure limited support. Then my spirits rose to greater heights. I thank him and the Leader of the Opposition for their contributions.

The Hon. G. C. MacKinnon: You mention sporting clubs and charitable institutions. Would you elaborate on that?

The Hon. R. H. C. STUBBS: Sporting clubs have been mentioned, and they will have to apply for a permit to conduct the game of bingo. I do not envisage applications by big football clubs, but by small sporting bodies like suburban cricket clubs which want to raise a modest amount for charitable purposes. It has to be a modest amount.

The Hon. D. J. Wordsworth: Will bingo be allowed to be conducted on licensed premises?

The Hon. R. H. C. STUBBS: Certainly not. Section 126(1) (f) of the Liquor Act provides that a licensee who bets with any person, or suffers betting, gaming or the playing of unlawful games, or the conduct of lotteries on licensed premises, commits an offence. The provision is specific.

The Leader of the Opposition has foreshadowed certain amendments. I have examined them, and I agree with them. I think they will ensure that gambling will not be allowed. If a sporting club which has a license wants to conduct a game of bingo it has to obtain a permit to conduct it at some other premises. I come back to what I said when I introduced the second reading: the real objective is to afford pleasure to some sections of the community, to raise money for charity in some way, and to help people in autumn clubs to pass the time away. I assure members that this legislation will be strictly policed, and the permits will be limited in number.

The playing of bingo will not get out of hand, or be conducted in competition with the lotteries. I thank members for their contributions to the debate.

Question put and passed.

Bill read a second time.

In Committee.

The Deputy Chairman of Committees (The Hon. R. F. Claughton) in the Chair; The Hon. R. H. C. Stubbs (Chief Secretary) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 18 amended—

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

Page 2, lines 5 to 8—Delete all words after the word "organisation" down to and including the passage "members."

If the amendment is agreed to the clause will read—

The Commission may grant to a religious body or charitable organization a permit to hold or conduct the game commonly known as bingo . . .

This is in conformity with section 18 of the parent Act which provides that the commission may grant to a religious body or charitable organisation a permit to hold any guessing competition, etc.

The intention of Parliament should be made clear, if the Bill is amended in the manner I suggest. If the Minister proposes that the commission may grant permits to sporting bodies then he has moved from the ground outlined in his second reading speech, when he said—

As a result there have been many approaches by organisations such as senior citizens' clubs, migration groups, social clubs, parents and citizens' associations and the like, to have the playing of bingo legalised.

I do not think we can construe those words to include sporting clubs. It would be very difficult for the commission to decide what is a charitable purpose in the granting of a permit to a sporting club to conduct a game of bingo. It would also be difficult for the commission to decide which is a worthy sporting club and which is not; or which is a poor sporting club and which is not. I do not think it was intended by the Minister's second reading speech to extend this to sporting clubs.

Admittedly the words of the Minister "to exclude any individual or organisation established for the purpose of trading or giving its members pecuniary profit from obtaining permits and, as a result, there is no chance of such people turning the game to their own individual ends" cover a multitude of things.

What the Committee is asked to agree to is that under the Bill the commission may grant to a religious body or charitable organisation a permit to play bingo.

I think the Government would be very wise to accept the amendment at least for the time being. I will explain my further amendment so that I will not have to speak again. The amendment reads as follows:—

Provided that a permit shall not be granted to hold or conduct the game at any time on premises licensed under the Liquor Act, 1970, or during the time in which liquor may be sold or supplied in the case of unlicensed premises.

This amendment has been worded to cover all the fields of licensing under the Liquor Act, whether it be a permit or a straight-out license. A permit can be given to a religious body or a charitable organisation, but the game must not be played on licensed premises. I think the commission

should have an application form prepared setting out where the game is to be played. If it is observed that a permit is required for a certain hall next door to licensed premises, and the application for the permit is from the body which holds the licensed premises, I think that should be looked into very carefully.

I still think it is wishful thinking on the part of the Minister to think that the game will be played for 2c a time. I watched a television programme recently in which a lady stated that she had lost \$3 or \$4, but that she had had a nice night. I think the stakes will be more than a couple of cents.

The Hon. R. H. C. Stubbs: I said as low as a couple of cents.

The Hon. A. F. GRIFFITH: Yes, I know. I think any child who played the game for 2c a time would be an unusual child. It is clear in my mind that the commission should not give permits to sporting organisations.

The Hon. R. H. C. STUBBS: I discussed the matter of sporting clubs with the Lotteries Commission this morning and we consider the proposed amendment will completely close the gap.

Referring to forms, they have to be filled in for the running of a raffle. Similar forms will be used so that the situation will not get out of hand. I am prepared to accept the proposed amendments.

The Hon. G. W. BERRY: The Bill states that the commission may grant a permit to a religious body or a charitable organisation. The definition of a charitable organisation seems to have a wide meaning and could include recreational and sporting bodies.

The Hon. R. H. C. STUBBS: I presume that when the Act was drafted it was to allow for the selling of lottery tickets. I suppose all sporting clubs finance their activities by selling tickets.

The Hon. A. F. GRIFFITH: With respect, I think the Minister might have missed the point raised by Mr. Berry. I think the operative section of the Act is the interpretation contained in section 4 which defines a charitable purpose as distinct from a charitable organisation. Paragraphs (a) to (i) describe the charitable purposes, and there is no reference to sporting bodies.

The Hon. L. A. Logan: It deals with charitable organisations.

The Hon. A. F. GRIFFITH: I am talking about charitable purposes; the charitable purpose is given to a charitable organisation.

The Hon. J. DOLAN: I think a charitable organisation could very well run housie and use the money for some sporting purpose. A charitable organisation might wish to construct a basketball court

or a tennis court. That would be a legitimate reason for running a game. We would have to make sure the game was not being run in order to give money to the clubs which do not come under the definition.

Amendment put and passed.

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

Page 2, line 10—Insert after the word "tombola" the words "on specified premises for such length of time and".

By including this amendment it will be a requirement that the permission will be for a specified place where the applicant wants to play the game. An applicant will make an application to the commission to play the game fairly regularly.

The Hon. R. H. C. Stubbs: Once a month.

The Hon. A. F. GRIFFITH: I do not think we should allow an organisation under the guise of being a sporting club or a charitable club to conduct a monthly game of bingo, the proceeds of which could be considerable indeed. One has only to look at the television programme to which I referred to see the size of the premises and the number of people present. I do not have any great knowledge of the game and the only times I have played it has been on ships.

The Hon. G. W. Berry: I take it that charitable organisations will be sporting clubs. Any money raised will be for charitable purposes, and not for their own funds. Will they be able to raise money in that way?

The Hon. R. H. C. STUBBS: I am sorry I cannot answer the question specifically but I will supply the information at the third reading.

Amendment put and passed.

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

Page 2, line 13—Add the following passage—

"Provided that a permit shall not be granted to hold or conduct the game at any time on premises licensed under the Liquor Act, 1970, or during the time in which liquor may be sold or supplied in the case of unlicensed premises.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

House adjourned at 10.32 p.m.