prepared to carry this risk, because they would rather pay the 10 per cent. to get this added protection with somebody else carrying the risk for them. It is a very good thing if one can make all the profit while somebody else takes all the risk. That is the way to get rich quickly.

In my view, however, it is not a fair method, and the basis on which all trading ought to proceed is that one gets paid for the service one renders. It is a very valuable service for one to guarantee the payment of a debt; for one to undertake to put oneself in the position of a person who enters into a contractual obligation.

I am prepared to leave the matter to the good sense of the House. If the House feels the proposal is unreasonable, and the retailers should be called upon to meet the guarantee and get no recompense, I will have to accept it. But that is not my view. I feel fair payment ought to be made for the undertaking which is to be given, and at the same time the figure mentioned in the Bill is not unreasonable.

Financiers make plenty of money out of this type of business with very little risk to themselves. They have a chance of repossession in the first instance, and then they call on the retailer, who has guaranteed payment, for any balance which is left over after the sale. In conditions like this, I think it is not unreasonable that these people should be called upon compulsorily to pay something for this service. I now leave the matter to the House.

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

Ayes—15

| | |
|---|---|
| Mr. Bickerton | Mr. Kelly |
| Mr. Brady | Mr. Moir |
| Mr. Davies | Mr. Norton |
| Mr. Evans | Mr. Rhatigan |
| Mr. Fletcher | Mr. Toms |
| Mr. Hall | Mr. Tonkin |
| Mr. Hawke | Mr. May |
| Mr. Jamieson | *(Teller)* |

Noes—22

| | |
|---|---|
| Mr. Bovell | Mr. McPharlin |
| Mr. Brand | Mr. Marshall |
| Mr. Burt | Mr. Mitchell |
| Mr. Court | Mr. Nalder |
| Mr. Craig | Mr. O'Connor |
| Mr. Dunn | Mr. O'Neil |
| Mr. Durack | Mr. Runciman |
| Mr. Grayden | Mr. Rushton |
| Mr. Guthrie | Mr. Williams |
| Mr. Hutchinson | Mr. Young |
| Mr. Lewis | Mr. I. W. Manning |
| | *(Teller)* |

Pairs

| Ayes | Noes |
|---|---|
| Mr. Curran | Mr. W. A. Manning |
| Mr. Rowberry | Dr. Henn |
| Mr. Graham | Mr. Elliott |
| Mr. J. Hegney | Mr. Gayfer |
| Mr. W. Hegney | Mr. Crommelin |

Question thus negatived.

Bill defeated.

*House adjourned at 10.35 p.m.*

# Legislative Council

Thursday, the 9th November, 1967

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

## QUESTIONS (3): WITHOUT NOTICE

### ELECTORAL ACT AMENDMENT ACT

*Assent*

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

   As His Excellency the Governor is absent from the State on vacation, on what date is the Electoral Act Amendment Act recently passed by Parliament likely to receive Royal assent?

   The Hon. A. F. GRIFFITH replied:

   It will be remembered that this Act is subject to proclamation. It is not desired to proclaim it until we have the new enrolment cards which have yet to be printed. This has been brought about by the amendment to the Act providing for a residential period of one month instead of three months.

   If the Act was assented to and then proclaimed, the law would apply to something which we would not be in a position to fulfil; that is, the old enrolment cards providing for a residential period of three months would still be in circulation.

   The printer has the work on hand for the printing of the new cards, and as soon as they are available the Act will be proclaimed. In the meantime it will be assented to. The old cards will be withdrawn, and then we will be in a position to comply with the letter of the law.

   The assent is not the important feature at the present time. Even if the Act was assented to, we would not be able to put it into effect until such time as the new enrolment cards are ready.

2. The Hon. H. C. STRICKLAND asked the Minister for Mines:

   It is quite obvious the Act cannot be proclaimed, nor can any action be taken under it until it is proclaimed. On what date is it expected that the Act will receive the Royal assent?

   The Hon. A. F. GRIFFITH replied:

   I cannot tell the honourable member the date. The Act cannot be assented to until the Governor signs it on his return. I have

explained that the assent to the Act is not the important feature. However, it will be assented to as soon as His Excellency returns.

3. The Hon. H. C. STRICKLAND asked the Minister for Mines:

When is it expected that His Excellency the Governor will return to the State?

The Hon. A. F. GRIFFITH replied:

I think it is the 17th November.

## QUESTIONS (3): ON NOTICE

### MEMBERS OF PARLIAMENT

*Disqualification: Interpretation of "Felony"*

1. The Hon. F. J. S. WISE asked the Minister for Justice:

(1) Will the Minister obtain a legal opinion from the highest authority available to him, and advise the House of what is the legal interpretation of paragraph (6) of section 31 of the Constitution Acts Amendment Act of 1899, which section has been unamended for 68 years?

(2) What crimes would be regarded today as constituting a felony and being disqualifications for membership of either House of our Parliament?

(3) Are there any records to show what was considered to be a felony in 1899?

The Hon. A. F. GRIFFITH replied:

(1) I invite attention to *Erskine May*, 17th volume (1964) Ed. at p. 353, where it is stated as an example of an inadmissible question as follows:—

> (13) Seeking an expression of opinion on a question of law, such as the interpretation of a statute, or of an international document, a Minister's own powers, etc.

(2) Section 3 (1) of the Criminal Code Act, 1913-1966, reads as follows:—

> 3. The following rules shall, unless the context otherwise indicates, apply with respect to the construction of Statutes, statutory rules, by-laws, and other instruments, that is to say:—
>
> (1) When in any Statute, statutory rule, by-law, or other instrument, public or private, the term "felony" is used, or reference is made to an offence by the name of felony, it shall be taken that reference is intended to an offence which is a crime under the provisions of the Code:

(3) Prior to the passing of the Criminal Code Act, 1902, felonies could exist either at common law or under Statute.

### SUPERPHOSPHATE

*Sulphur Deficiency in Soils*

2. The Hon. N. E. BAXTER (for The Hon. J. M. Thomson) asked the Minister for Mines:

(1) Has it been correctly reported that the use of double and triple strength superphosphate will result in a sulphur deficiency in some soils?

(2) Is any provision being made for a sulphur-based fertiliser to be provided for sulphur-deficient soil?

(3) If the answer to (2) is "Yes," what is the estimated cost per ton of this fertiliser?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) For soils where sulphur deficiency of crops or pastures could occur, double superphosphate or triple superphosphate would not be recommended. Ordinary superphosphate (22 per cent. $P_2O_5$) would supply phosphorus and sulphur, and would in most cases avoid sulphur deficiency. No special sulphur-fortified fertiliser has yet been proposed.

(3) Answered by (2).

### HEALTH ACT

*Exemption from Compliance*

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

(1) Have any powers been exercised during the last seven years by a Minister for Health pursuant to his powers under section 39 of the Health Act, to supersede, relieve, or exempt from compliance with, the provision of the Health Act, wholly or in part?

(2) If so, on what dates, under what circumstances, and to what persons, bodies or local authorities, were such powers exercised?

The Hon. G. C. MacKINNON replied:

(1) and (2) The Minister's powers under section 39 of the Health Act have not been formally invoked during the past seven years.

## FAUNA PROTECTION ACT AMENDMENT BILL

*Assembly's Amendments*

Amendments made by the Assembly now considered.

*In Committee*

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. G. C. MacKinnon (Minister for Fisheries and Fauna) in charge of the Bill.

The CHAIRMAN: The amendments made by the Assembly are as follows:—

No. 1.

Clause 4, page 3, line 3—Delete the word "means" and substitute the word "meanings".

No. 2.

Clause 5, page 3, line 29—Delete the word "and" (consequential on amendment No. 3.)

No. 3.

Clause 5, page 3, line 31—Add a new paragraph after paragraph (c) as follows:—

; and

(d) by adding after subsection (4) a subsection as follows—

(5)As soon as may be after the thirtieth day of June in each year the Director shall cause to be prepared a report containing—

(a) statements relating to the proceedings and work of the Authority during the financial year then last preceding; and

(b) any comments which the Director thinks desirable to make relating to the administration or operation of this Act.

Such annual reports shall be laid before both Houses of Parliament not later than the thirty-first day of October in each year.

No. 4.

Clause 7, page 4, line 27—Delete the word "ten" and substitute the word "eleven".

No. 5.

Clause 7, page 5, line 9—Delete the word "six" and substitute the word "seven".

No. 6.

Clause 7, page 5, line 16—Delete the word "three" and substitute the word "four".

No. 7.

Clause 7, page 5, line 23—Add after the word "State" the words "and one to represent country interests".

The Hon. G. C. MacKINNON: It is my desire to move that all the amendments suggested by the Legislative Assembly be agreed to. Must I deal with each one separately, Mr. Chairman, or may I deal with the message in its entirety?

The CHAIRMAN: Deal with the amendments to each clause; in other words, deal with No. 1, then Nos. 2 and 3 together, followed by Nos. 4 to 7 together.

The Hon. G. C. MacKINNON: Very well. I move—

That amendment No. 1 made by the Assembly be agreed to.

All the amendments are really of a minor nature and were raised after the debate had been concluded in this Chamber. With the exception of one, they were moved by the Minister in charge of the Bill in another place. The first one is purely and simply to correct an error in printing. At the moment the provision reads "corresponding means," whereas it should read "corresponding meanings."

Question put and passed; the Assembly's amendment agreed to.

The Hon. G. C. MacKINNON: I move—

That amendments Nos. 2 and 3 made by the Assembly be agreed to.

These amendments are merely to include a provision to necessitate the tabling of a report. As a matter of fact, the director does currently make a report, but as it is fairly brief and sketchy, it has not been necessary to table it. As there is no provision made to appoint extra staff to collect and collate detailed material for the report it will, at least for a year or two, perhaps still be a little sketchy.

The Hon. F. R. H. LAVERY: I support the motion. I am taking this opportunity to inform members that at the weekend I visited Katanning and I saw the amount of research work which is being carried out. I believe it would be of great interest to members if they were able to peruse a report in future.

Question put and passed; the Assembly's amendments agreed to.

The Hon. G. C. MacKINNON: I move—

That amendments Nos. 4 to 7 made by the Assembly be agreed to.

First of all I would like to refer back to the comment made by Mr. Lavery. It is a little late this year, but if sufficient members are interested next year it will probably be possible to arrange for a bus to take them to Katanning to inspect the reserve. It would be the most advanced research reserve in the State and would be well worth an inspection, particularly when the wildflowers are out and the mallee hen is nesting.

The remainder of the amendments are for the purpose of increasing the number of members on the authority in order to include a country representative. Several members in this Chamber expressed the

opinion that the authority should include a person who represented country interests.

The Hon. R. F. HUTCHISON: I support the motion because I feel that wider representation is necessary. I have been interested in this subject for many years and I think that an addition to the authority would be an improvement. This is a young State; it is expanding very fast and it is at times like this that such things as flora and fauna are forgotten. Yet they are essential to an ethical way of life.

I think all members should realise that the field is open for people to take more interest than is presently displayed in this subject. It would be a grand thing if we could create sufficient interest to preserve the flora and fauna of this State, because we have an outstanding State. We have certain types of flora and fauna in Western Australia which have gone by the board in other States, and those States would do anything to reinstate them. We have the chance to preserve them, without the necessity for reinstatement, if we take the necessary care now. All Governments should adopt this attitude. Flora and fauna protection is as essential to the State as education. Indeed, it is an education and equal in value to the conventional education of reading and writing.

I wish members had been with me when I visited the area to which reference has already been made. It is necessary to be on the spot to appreciate the animal life and the reserves of this State. We will have to preserve more of these areas.

Earlier I mentioned the necessity for preserving an area near Midland, but despite my entreaties I believe that plans are going ahead and it will be turned into a golf course. That kind of thing should not be permitted in our State. The area concerned is the only place where many school children can go for the purpose of learning about flora. To preserve these areas is just as essential as finding a goldmine, or anything else. Indeed, they are goldmines, because they enrich our minds and our nature; to see them brings out the better side of our nature. I support the amendments.

The Hon. C. R. ABBEY: I am pleased about the fact that the number of members on the board will be increased by one. Nevertheless, I draw the Minister's attention to clause 7, which appears on pages 4 and 5 of the Bill. It is proposed to add after the word "State" in line 23 the words "and one to represent country interests."

At present we have a situation where one person will represent country interests. Although an additional member will be appointed to the authority, the suggestions I made during the second reading debate have not been incorporated. I think it is necessary to change the words "and one" to the words "and two to represent country interests." I make this point because we have such a large State and unless there are two representatives of country interests, say, one representing country interests and one representing pastoral interests, we will not be able to ensure a real cross section of opinion.

It may well be that the Minister intends this should be the case. I would be very happy to accept his word that at least two of the four mentioned in this clause will be representing country and pastoral interests. I would like to hear the Minister's comments in this regard.

The Hon. G. C. MacKINNON: Of course, this is an extra person representing country interests. I have already given the assurance for which Mr. Abbey asks. I think it goes without saying that it would be very difficult to imagine any people of the calibre of those who will be on the wildlife authority who would not have the interests of the country at heart. When I refer to the country, of course, we must regard Western Australia as being the country.

This is a specific appointment of an extra nominee to represent what, in a narrower sense, we could refer to as the country interests as opposed to the city interests. From my own point of view I can see little distinction in the field of fauna conservation between country interests and city interests; because fauna conservation is a matter of very real concern to us as individuals, not as separate country or city dwellers.

When I introduced the Bill I said all mankind had accepted the fact that it had a responsibility towards the natural animals. I think all members agreed with this observation. The responsibility becomes more and more apparent all the time. I can assure Mr. Abbey that this is a separate and distinct addition to what was previously decided. It will give a little extra weight to the country areas of the State as distinct from the major towns and cities.

The Hon. C. R. ABBEY: I thank the Minister for his assurance on the matter. I would like to make it very clear that I have never felt there was a distinction between city and country interests, because the people on the authority will be mainly those who represent departmental and scientific thought. My only intention, and indeed contention, was that unless country and pastoral interests are properly represented and have their point of view taken into account, we could have a very real clash between the body and those who have to win their living from the land. That is my only purpose in mentioning the matter.

The Hon. G. C. MacKINNON: I do not want to labour the matter, but I feel I must make one particular point. We have on the committee people who we believe will do a good job in the conservation of fauna for the people of Western

Australia. They happen to be endowed with some scientific qualifications, but this is not the sole prerogative of the scientist; I happen to know farmers who have the same qualifications. However, in this field it is considered advisable that there should be people who have specific qualifications in hydrology, botany, zoology, and the like. Surely we depend on the people in this field in exactly the same way as we depend on other people for better farming, better mining, or anything else. I felt it would be a little unjust if I left any vestige of doubt in anyone's mind that the men who will comprise the wildlife authority are those who in any way are not interested in or are antagonistic towards the welfare of the State. That is not the case. They are selected because of their dedication to an ideal and the ideal to which they are dedicated, above all, is the welfare of Western Australia. Within that framework I think everyone would dearly love to be assured that our fauna resources will be conserved.

Question put and passed; the Assembly's amendments agreed to.

*Report*

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

## DISCHARGED SERVICEMEN'S BADGES BILL

*Report*

Report of Committee adopted.

*Third Reading*

Bill read a third time, on motion by The Hon. H. K. Watson, and returned to the Assembly with amendments.

## RAILWAY (MIDLAND-WALKAWAY RAILWAY) DISCONTINUANCE BILL

*Second Reading*

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [3 p.m.]: I move—

> That the Bill be now read a second time.

The two small sections of the Midland-Walkaway railway described in this Bill were closed to traffic on the 13th February, 1966, when the new Avon Valley dual gauge railway came into operation.

With the coming into operation of this railway, the rail service to Geraldton over the Midland-Walkaway railway was rerouted from Midland over the Avon Valley railway to a point approximately 2¾ miles north of Midland. This rerouting made the section of line described in part (a) of the schedule redundant.

The other section of the line referred to in part (b) of the schedule is the old Midland railway yard. This also became redundant following the takeover of the Midland railway by the Government railways. It was more economical to use the Government railway marshalling yards at Midland.

The purpose of this Bill is legally to close these two sections of railway, which are in the centre of the town of Midland, and permit removal of materials and ultimate release of most of the land on which the lines are situated.

In this instance the land does not revert to the Crown as it forms part of the Midland Railway Company's line purchased by the Western Australian Government Railways.

Such land as is not required for railway purposes may be sold at the discretion of the commissioner, and members can be assured that a careful study will be made to ensure that the land is utilised or disposed of to the best advantage.

In accordance with the provisions of the State Transport Co-ordination Act, 1966, the Director-General of Transport has reported on this proposed line closure and has agreed that the two sections of line are now surplus to the requirements of the W.A.G.R.

I desire to table a copy of this report and railway plan No. 59670, which shows the sections of line referred to in the Bill.

*The report and railway plan No. 59670 were tabled.*

**THE HON. H. C. STRICKLAND** (North) [3.3 p.m.]: I have no objection to the Bill, and I support what the Minister has had to say. The only aspect on which I would like to comment—and this is beneficial in some respects—is that the land which was the private property of the Midland Railway Company—that is, the portion of land where the line is to be discontinued—now becomes the property of the Railways Department. In fact it became the property of the Railways Department when it was purchased from the Midland Railway Company.

To my way of thinking this is a good thing, because it will enable the Railways Department perhaps to sell the land and capitalise on such sale. But if that is done I am not sure whether such money received will go into Consolidated Revenue or whether it will be credited to the account of the Railways Department.

The Hon. G. C. MacKinnon: I think it will be credited to the railways.

The Hon. H. C. STRICKLAND: I think that is probably so, and this is some relief to me: because replies to questions I asked the day before yesterday indicate that the railways have become a tremendous drain on the public finances.

In the eight years, from June 1960 until the end of June 1967, the railways spent $58,600,000 from Commonwealth sources, $67,500,000 from State loan funds, and a sum of $345,000,000 from the Con-

solidated Revenue Fund. The last figure I have quoted is qualified by the information that the revenue of the railways has not been offset against that amount.

Running quickly through the last annual report of the Railways Department, dated June 1966, I find in the vicinity of another $52,000,000 provided to make up losses from the railways. Accordingly we find that in those seven years the Railways Department has used $180,000,000 a year, and the Estimates for this financial year provide for another $30,000,000.

Although this is a tremendous sum of money it is doing a great deal of good. We cannot argue about that at all. The standard gauge railway has cost a great deal of money, as have the new sidings at Kwinana and the other features of industrial development which require the provision of railway facilities.

But even with the increased revenue obtained so far from industrial development, and from the record wheat harvest which has passed over the railways, we still find at the end of each year that Consolidated Revenue is required to contribute some millions of dollars to balance the account.

The money that will be raised from the sale of the land in question will be a drop in the ocean, but at least it will release money which could be spent elsewhere.

**THE HON. F. R. H. LAVERY** (South Metropolitan) [3.8 p.m.]: In supporting this measure I would like to comment on the removal of the crossing situated on Great Eastern Highway at Midland. Its removal will do away with another traffic hazard. This crossing has been the scene of many accidents and some deaths over the past 35 to 40 years.

It is now a pleasure to drive around that area and to find that one section of the railway runs under a new road bridge rather than across the road, and I am delighted at the closure of the other section of the railway.

I would also like to associate myself with the remarks made by Mr. Strickland when he suggested that the money which might be received for the sale of this land should be credited to the Railways Department. After all is said and done the Railways Department has taken over this property, and it now belongs to that department. Apart from this the Railways Department will be up for considerable expenditure in the Kewdale marshalling yards area, because the water table in this area has risen as a result of the establishment of factories, and so on. For this reason the department will certainly be up against the problem of planning these new shunting yards at Kewdale. This is something that is not generally known.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Bill read a third time, on motion by The Hon. G. C. Mackinnon (Minister for Health), and passed.

## GOVERNMENT RAILWAYS ACT AMENDMENT BILL

*Second Reading*

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [3.12 p.m.]: I move—

> That the Bill be now read a second time.

This Bill contains two minor amendments to the parent Act. The first amendment affects section 64, which, in its present form, precludes the sale of spirituous and fermented liquors in railway restaurant cars; the introduction of which the Minister for Justice foreshadowed when introducing the Licensing Act Amendment Bill earlier in this session.

Members will recall that in that Bill there is provision that the Commissioner of Railways may, from time to time, grant to an officer employed by him or employed by the Commonwealth Railways Commissioner, a license for the sale of liquor in and from a railway dining-car or buffet-car. As explained during the passage of the Licensing Act Amendment Bill, the necessity for this action is in anticipation of the running of a through service from Perth to Sydney with the inauguration of standard gauge passenger trains in 1969.

The position in the other States over which this train will operate is that liquor is served with meals in dining or buffet-cars but, in Western Australia, this is not permitted. The amendment to the Licensing Act was to remedy this situation and thus enable passengers to receive the same service on the throughout journey.

I should mention also, I think, that whilst the principal object in effecting this amendment is to provide for the through interstate passenger service, it will have similar application on intrastate services between Perth and Kalgoorlie and other country railway passenger services on which a dining or buffet-car is provided.

It is intended that the extent to which liquor service will be implemented will be at the discretion of the commissioner. I believe this amendment, when passed, will bring our railway set-up, as far as this matter is concerned, into line with other systems throughout the world.

It will modernise our operations as far as liquor sales are concerned. I believe that most of us who have travelled interstate have taken advantage of liquor services on the Commonwealth line and it is quite pleasing, when travelling distances

such as that, for a person to have an opportunity to have a drink with meals or at other times.

Under this measure, liquor will be served from the buffet-car and at other points at the discretion of the commissioner.

The second amendment in the Bill provides a new section 93A to enable classified railway officers to witness statutory declarations made in connection with the loss or destruction of a passenger ticket, luggage check, cloakroom ticket, railway pass, or other documents issued to a person by or on behalf of the commissioner. The commissioner has, for some time, been concerned with the legal aspect in regard to declarations made in these circumstances.

In order to facilitate railway working, classified railway officers are required to obtain statutory declarations in connection with lost luggage checks, cloakroom tickets, and passenger tickets.

The practice in the past has been for such officers to witness declarations of this nature; and whilst the arrangement has been applied successfully for many years, they are not, in fact, legally entitled to do so under the provisions of the Declarations and Attestations Act. It will be appreciated that it would be difficult for these declarations to be enforced at law should it be necessary to take that action.

Although the system has functioned satisfactorily and avoided delay and inconvenience to passengers, lost tickets and, in particular, those covering interstate journeys, represent considerable values and therefore it is desirable that correct legal procedure be followed. Were the onus of contacting a justice of the peace or other authorised person for the purpose of witnessing the declaration, placed on the passenger who loses his ticket, this could result in delays and undue hardship. Declarations are sometimes required at any hour of the day or night when passengers are waiting to travel and the locating of an authorised witness may not be an easy task.

I believe that, by implementing this particular service, we will be giving an advantage to those travelling by the railways and this is highly desirable and should, in many circumstances, make things more pleasant for those concerned. I commend the Bill to the House.

**THE HON. H. C. STRICKLAND** (North) [3.17 p.m.]: As the Minister has explained, the Bill contains two amendments, one being a follow-up of an amendment to the Licensing Act to enable liquor to be provided on Western Australian trains. This measure will place the control and supply of liquor under the authority of the Commissioner of Railways which, in my opinion, is very wise. Under the Licensing Act a license issued by the Licensing Court invariably sets down the hours of trading, whereas in regard to travelling interstate or intrastate, the matter will be now left to the discretion of the commissioner or his officers. That is very wise indeed.

There may be an occasion when those in charge of a particular train will want to close the buffet-car in order to cease supplying liquor, and all they will have to do is close the door; but that could not be done by those who hold a publican's general license, a wine license, or any license issued by the Licensing Court, as those licenses set down the hours during which liquor must be available. I think there is a lot of wisdom in this amendment.

The second amendment is one purely to clarify a legal doubt; and I support the Bill.

**THE HON. F. R. H. LAVERY** (South Metropolitan) [3.19 p.m.]: I wish to support the remarks of the Minister and Mr. Strickland in regard to the drinking facilities that will be made available on trains. I think those of us who have travelled on the trans.-train across the continent must have been impressed with the standard of control of liquor. I am one who is not in favour of giving any advantages as far as liquor is concerned if I can dodge doing so, but I believe, in this instance, the granting of this facility will do away with what happens on Western Australian trains.

The ticket collector cannot open a person's case to see how many bottles of beer that person is taking on the train; and some of the occurrences that have been witnessed on Western Australian trains will not take place when this facility is provided. The control exercised on the Commonwealth Railways must surely be in line with this proposal. If we can have this control on the trains surely we would not object to those people who desire refreshments being able to obtain them.

**THE HON. J. G. HISLOP** (Metropolitan) [3.21 p.m.]: I am quite in accord with this measure and I think it is one which will, as the Minister has already said, place us more to the fore in the eyes of the world so far as travelling is concerned. However, I am a bit doubtful whether that stage will be arrived at in a hurry. I will ask a few questions which I realise the Minister cannot reply to, but he may reply at some later date.

I would like to know whether the same conditions will apply in regard to the dining-cars where first and second-class passengers can mingle at the tables. Years ago, the first-class passengers were taken into the dining-car first, and if there were any laggards who stayed in bed for too long, they would have to be seated with the second-class passengers. I would like to know if this will continue, or whether, in terms of world travel, we will have first and second-class dining-cars. Also, will

a carriage be converted so that people can have a light luncheon rather than a full midday meal? I would also ask if one will be able to hire a table for lunch or for the evening meal to which one could ask one's friends to enjoy a meal in comfort, and not have to be rushed.

The one train in the world which I think we should attempt to equal is that running from Los Angeles to San Francisco. That train has dining-cars where one can obtain a snack at 11 o'clock in the morning. Those who desire to engage a table in the dining-car, can do so. These facilities are provided in the one-day journey which lasts from 8 a.m. until 6 p.m.—or rather, as it was classified when I was there, one minute to six. If we were to follow that system we would provide a standard of dining on our trains equal to the very highest level in world travel.

I would like the Minister, at some future time, to inquire from the railway authorities whether this is likely to happen, or whether the principle which is already established on our railways will continue. A journey which will last three days—and possibly longer—would have the same aspects as first-class sea travel. On ocean liners meals are served at all hours, and have to be fitted in with the facilities available in the kitchen. If a high standard of dining service could be provided it would make life, during those three days, very pleasant. I support the measure.

**THE HON. J. DOLAN** (South-East Metropolitan) [3.26 p.m.]: I would like just to make a few comments on the trans.-train. I would assume that the practice which will be followed, when the trains are running from Perth to Sydney, will be similar to the procedure on the Commonwealth Railways. Naturally, of course, first-class passengers expect extra consideration by virtue of the fact that they are paying more for the journey. The custom now is for the dining-car steward to start in the first-class carriages and allot sitting times to the first-class passengers as they desire them.

Of course, there are three or four sittings so they have to be properly organised. The first sitting may start at 12 o'clock, the second at 12.45, the next at 1.30, and so on. It is quite possible, if passengers desire friends to dine with them, for them to obtain a group of numbered tickets and all sit at the one table. After the first-class passengers have indicated their desires, the other tickets are allocated.

With regard to light refreshments, these are now available at morning teatime if they are desired. After that, passengers have to wait until the ordinary lunch-time, or dinnertime. After that, they can be served in the dining-car. I think it might be difficult to have a leisurely meal because there is only a certain amount of time in which to serve all the sittings.

I am sure the Commonwealth authorities, in conjunction with the State railways, will work out a plan which will ensure that these trains will rank with other trains of the world. I think the Commonwealth train running from Parkeston to Port Pirie has that reputation. I have met travellers from all parts of the world on that train and they are all of the same opinion—that the service is excellent. I have no reason to think it will be different.

I appreciate the move being made to give the commissioner control over the liquor arrangements. Journeys on trains can be unpleasant for women and children if liquor control gets out of hand. The remedy will be in the hands of the man controlling the train and he will decide when it is time to close the bar.

The present trend on the trains is to serve drinks for a half to three-quarters of an hour before lunchtime, so that those people who want an appetiser can obtain it. There is another period during the afternoon. I think the Bill is a move in the right direction.

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [3.29 p.m.]: I thank members for their interest. The only questions raised were those mentioned by Dr. Hislop. I will bring them to the attention of the Minister, who might be able to give a more detailed answer.

My own answer would be that I think most services are supplied at the level at which people are prepared to pay. If there are sufficient travellers with wealth and cultural experience who require the type of meal outlined by Dr. Hislop, then I have no doubt the conditions envisaged by him will eventuate. I think there is another requirement: That they have the sort of body which can absorb that type of food without running to fat, because this has to be considered in modern society.

I firmly believe that the type of railway mentioned by Dr. Hislop is operated in some parts of the world, and particularly in some parts of America where, as we heard last night, every second man is a sort of Texas millionaire. However, I cannot see that state of affairs coming about in Australia for some time yet. As I think Dr. Hislop said, we have the most egalitarian society on earth—and that is a good thing—and perhaps it is just as well that for the time being we just tuck in and take three-quarters of an hour for lunch, especially when travelling on a train.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Bill read a third time, on motion by The Hon. G. C. MacKinnon (Minister for Health), and passed.

## WORKERS' COMPENSATION ACT AMENDMENT BILL

*Receipt and First Reading*

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

## STATE FORESTS

*Revocation of Dedication: Assembly's Resolution*

Message from the Assembly requesting the Council's concurrence in the following resolution now considered:—

> That the proposal for the partial revocation of State Forests Nos. 22, 38, 64 and 65 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on 24th October, 1967, be carried out.

**THE HON. L. A. LOGAN** (Upper West—Minister for Local Government) [3.34 p.m.]: I move—

> That the proposal for the partial revocation of State Forests Nos. 22, 38, 64 and 65, be carried out.

For the information of members, I desire to say that under section 20 of the Forests Act, the Governor may dedicate as a State forest any Crown land including any area which may have been previously a timber reserve. The dedication is required to be carried out by Order-in-Council and published in the *Government Gazette*, then laid on the Table of each House of Parliament within the first six sitting days of the House after the publication of the Order-in-Council in the *Government Gazette*. Then follows in the Act provisions for disallowance if each House of Parliament passes a resolution of which notice has been given within the first 14 sitting days of the House after a copy of the Order-in-Council has been laid on the Table of the House. The Order-in-Council then ceases to have effect

Also, under subsection (2) of section 20, it is provided that land so dedicated shall not be dealt with otherwise than under the provisions of the Forests Act, and such dedication shall not be revoked or altered except under the authority of the Act.

The resolution now before members is authorised by section 21 of the Forests Act, which provides that a dedication of Crown land as a State forest may only be revoked in whole or in part in the following manner:—

(a) The Governor shall cause to be laid on the Table of each House of Parliament a proposal for such revocation.

(b) After such proposal has been laid before Parliament, the Governor on a resolution being passed by both Houses that such proposal be carried out shall, by Order-in-Council, revoke such dedication.

(c) On any such revocation the land shall become Crown land within the meaning of the Land Act.

A resolution drawn up to effect the partial revocation of State forests, and covering the proposal as affecting State forests Nos. 22, 38, 64, and 65, has been laid on the Table of the Legislative Assembly under the provisions of the Act and passed by that House. It has been transmitted to the Legislative Council and the concurrence of this House is desired therein.

With this brief explanation I would explain to members that the areas covered by the proposal may be recognised as areas Nos. 1, 2, 3, and 4, as shown in the diagrams accompanying the tabled papers.

Area No. 1 is adjacent to the north-western boundary of Karragullen Townsite. It is approximately 12½ acres, is remote from the greater part of State forest No. 22, and is carrying no marketable timber. The land was formerly the Karragullen railway siding reserve and was included in State forest some years ago and retained as a suitable site for a forest settlement. It is no longer intended to establish a settlement at this centre and the area is to be returned to the control of the Lands Department.

Area No. 2 lies six miles north-west of Denmark Townsite. It contains approximately 26 acres of Denmark Lot 652 forming part of State forest No. 64 outside the Denmark River catchment boundary and applied for by the adjoining holder of Lots 651, 659, and 660. The area has been heavily cut over and is unsuited for good karri regeneration. To safeguard the catchment area and rationalise the boundaries, it is proposed to include in the adjoining State forest, the northern portion of Denmark Lot 547, which is vacant Crown land within the catchment area. It is also proposed to release almost all of the southern section of Lot 547 as it has little potential for a forest crop.

Area No. 3 is situated 1¼ miles east of Yanchep. It contains approximately 441 acres of State forest No. 65, which is unsuitable for pine planting adjoining "A" Reserve 9868. The area to be excised from the reserve is to be set aside for forestry headquarters to supplement the existing headquarters site, extension of which is undesirable as it abuts on the highly developed area of public recreation. The area of State forest No. 65 for excision is proposed for inclusion in the adjoining "A" Reserve 9868 as part of Yanchep National Park.

Area No. 4 is adjacent to the eastern boundary of Manjimup Townsite. An area of 10 acres adjoining the Manjimup Townsite boundary is required for the establishment of an additional cemetery site reserve as the existing reserve has a very limited future use due to the presence of heavy rock formations. Though the area contains marketable timber, it has been found by test drilling to be the most suitable and practical area for cemetery purposes of all potential sites which were investigated. I have plans of the areas concerned which I will lay on the Table of the House.

*The plans were tabled.*

Debate adjourned, on motion by The Hon. F. J. S. Wise.

## COUNTRY TOWNS SEWERAGE ACT AMENDMENT BILL

*Second Reading*

**THE HON. L. A. LOGAN** (Upper West—Minister for Local Government) [3.40 p.m.]: I move—

> That the Bill be now read a second time.

As you would know, Mr. Deputy President (The Hon. N. E. Baxter), there are still many country towns in this State desiring sewerage schemes, yet, because of heavy demands on loan funds, the Government has not been able to provide all the schemes which have been requested. Further, the Government has not been able to keep pace with the development of those towns where sewerage schemes have been started.

It is conceded this is not a satisfactory state of affairs from any point of view. Consequently, in an endeavour to tap all the loan resources available to the State, the Government has decided to encourage local authorities to construct and to operate sewerage schemes in sizable towns under their control.

The three basic reasons supporting this policy are—

> Firstly, the desire of the Government to avail itself of all loan resources permissible.
>
> Secondly, to encourage local authorities to accept an even larger degree of responsibility for improvement of services and, consequently, living conditions in the towns within their boundaries.
>
> And, thirdly, sewerage schemes, being confined in their operation to comparatively small areas, lend themselves to operation by local authorities directly concerned.

It is appreciated, furthermore, that the installation of sewerage schemes enhances the value of town properties and gives further encouragement to the provision of additional local amenities. A careful examination of the present position has been made by senior officers of the Treasury and the Public Works Department. The Government, in receiving their recommendations, considered that unless the loan resources available to local authorities were utilised, there appeared to be little likelihood of any major expansion in the provision of sewerage services to country towns during the next few years.

I would hasten to add, nevertheless, that it is not the intention of the Government to abrogate its responsibilities in assisting local authorities, either in the physical construction of town sewerage schemes or in providing the finance necessary to assist them to make good the deficiency between income and expenditure.

The situation at present is that the General Revenue Fund provides, overall, approximately 75 per cent. of the interest and sinking funds of country towns sewerage schemes. It is now proposed that the Government will subsidise local governing authorities to assist them to make good deficits which may be incurred in obtaining sufficient revenue above operating costs to provide for interest and sinking fund charges. Thus the Government will be prepared to finance such deficits up to 75 per cent. of the cost of the interest and sinking fund charges on the scheme when the maximum rate is charged. It is hoped, however, that through discussions between the shire councils and the officers of the department, a deficit of up to 75 per cent. will not be incurred in the majority of cases.

Central Government will further assist through the Public Works Department providing general supervision, both in the construction of the sewerage scheme and in its operations. It is expected, though, that local authorities will engage consulting engineers to design and construct the various schemes. From that point, the local authorities may be expected to be capable of carrying out the normal running and maintenance activities. It is implied, therefore, that before any such scheme is commenced, there will be close consultation between the officers of the Government and the particular local authority, with a view to ensuring that the scheme will be economically viable.

The purpose of the proposed amendment to the parent Act may be stated briefly as being a desire to ensure that, where, under the Local Government Act, a local authority is already raising revenue to the maximum allowed by that Act and such revenue is being fully expended, it will be able to raise rates to cover the costs of running the sewerage scheme up to the maximum amount allowed in the Country Towns Sewerage Act. This means, in effect, that where a local authority runs a sewerage scheme, it will be able to raise

sewerage rates instead of this having to be done, as at present, by the Public Works Department.

I conclude by emphasising two points: firstly, that no local governing authority will be forced to construct and maintain a sewerage scheme if it does not wish to do so; and secondly, those towns, which already have a sewerage scheme provided and run by the Public Works Department, will be encouraged to take over such scheme.

Members will know that the local authorities can raise loans up to $300,000 each year. Therefore, towns which have sewerage schemes at present run by the Public Works Department will, if they take over the respective schemes, be in a better position to carry out expansion work at a greater rate than the Government is able to do at present, because of the heavy demand the Government is experiencing for loan works of all kinds.

It is considered that nothing but good can come from this new policy. It will enable those towns wanting sewerage schemes to obtain them sooner than would otherwise be the case. It will enable local governing authorities to play an even greater part in the life of their communities and, finally, it will release some pressure on State loan moneys, which are required for other urgent development works. In this light, I commend the Bill to the House.

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

*Sitting suspended from 3.46 to 4.4 p.m.*

## PETROLEUM BILL

*Second Reading*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Mines) [4.5 p.m.]: I move—

> That the Bill be now read a second time.

Recently there have been transmitted to this Chamber two Bills relating to the exploration for, and exploitation of, petroleum resources within the offshore regions of the State. Those two Bills are, of course, complementary to similar legislation that has been passed by, or is still being considered by, the Parliaments of the Commonwealth and every State.

I say that in the knowledge that the Commonwealth has now passed its two Bills, that we have passed our Bill through both Houses of this Parliament, and that I am not completely sure of the position in the other States whether the legislation has been completed or is being considered.

It is the intention with each of the Bills to which I have been referring to provide a common code for mining for petroleum in the offshore areas of the States and Territories of the Commonwealth.

At the present time mining for petroleum in this State, whether on land or on submerged lands, is regulated by the Petroleum Act, 1936, as amended. If the Petroleum (Submerged Lands) Bill, 1967, is passed into law and becomes operative, the Petroleum Act, 1936, will no longer apply to mining for petroleum carried out on the land areas of the State.

It is considered that it would be undesirable to have two markedly different codes regulating the same activity—that is, petroleum exploration—merely because in one instance it is carried out on land, and in another it is carried out on submerged land. Accordingly, this Bill proposes to repeal the Petroleum Act, 1936, and to provide for mining for petroleum onshore in almost identical terms to those of the Petroleum (Submerged Lands) Bill, 1967.

The Bill does, however, differ in some respects from the Petroleum (Submerged Lands) Bill. The principal difference is that the Bill has no provisions dealing with the licensing of pipelines, for the reason that difficulties have been experienced elsewhere in the Commonwealth in dealing with the construction of pipelines over land, and further attention is being given to the problem by experts from the several States. It has been thought that a better result in the end will be achieved by deferring the preparation of legislation to cover pipelines, until the interstate consideration of the subject is more advanced. The Petroleum Act, 1936, also contains no provisions specifically dealing with pipelines, but sections 12 and 20 have some provisions that might be resorted to if the need arose. Those provisions, in a slightly enlarged form, have been preserved in this Bill.

The Bill differs further from the Petroleum (Submerged Lands) Bill in respect of the provisions dealing with permits to authorise exploration for petroleum. The maximum size of a permit area under this Bill is 200 graticular blocks—roughly 5,000 square miles—and is thus one half of the maximum size of a permit under the offshore legislation. This difference has been created for the reason that most of the phases of petroleum exploration, and in particular drilling, can be carried out more speedily and cheaply on land than offshore. For a similar reason the initial term of a permit is five years under this Bill as against six in the offshore Bill.

The Bill provides in different terms from the offshore Bill when setting out the maximum portion of a permit that may be renewed at the various interval stages. Under the Bill, on each occasion that a permit is renewed up to and including the third renewal, a permittee is obliged to relinquish an area equal to one quarter of the area originally comprised in his permit. On the fourth and subsequent renewals he may apply for no more than

nine blocks which will ordinarily leave him with an area out of which a full-sized license area could be obtained if a discovery is made.

The offshore Bill provides that on each renewal of a permit the permittee is to relinquish not less than one half of the area remaining in his permit at the time the renewal is applied for.

The renewal formula in this Bill produces results that are, in effect, very similar to those produced by the offshore Bill.

If I might add, we could get this sort of comparison: 10,000 square miles offshore leading up to an ultimate possession of 16 blocks, and 5,000 square miles onshore leading up to an ultimate possession of nine blocks. If it did happen to be 10,000 square miles onshore, or two permit areas, the total would be 18 blocks. That is why I say in effect they are very similar.

Another reason which members will appreciate is that the other day when we passed the very small Bill which provided for a renewal, in part or in whole, of a permit to explore an area, I foreshadowed that arrangements were being made to ask the companies for a relinquishment of 25 per cent. of the present remaining area, after farm-out areas have been taken out. With that in mind perhaps it would be too harsh to apply 50 per cent. after the first five years, bearing in mind that approximately 25 per cent. will be given back to the State when the permit to explore, issued under the 1936 Act, comes up for renewal the next time.

The Hon. F. J. S. Wise: What length of time would have to expire before the first relinquishment?

The Hon. A. F. GRIFFITH: Five years. We could start with an area of approximately 5,000 square miles. After five years 25 per cent. of that area will be subject to relinquishment; that is, 1,250 square miles, leaving 3,750 square miles. At the end of 10 years a further 25 per cent. of the original area of the permit of 5,000 square miles—that is, another 1,250 square miles—will be relinquished. So, at the end of 10 years the permittee will have in hand 2,500 square miles. In the third term, after 15 years, a similar relinquishment will reduce the area to 1,250 square miles; and at the end of the fourth term, after 20 years, the area will be reduced by another 25 per cent. In other words, the area will cut out.

In the last year, if no previous find has been made then the company is able to choose, as of right, nine graticular blocks which measure about 225 square miles. In the event of a strike being made from year to year the machinery within the Act in relation to the choosing of the blocks will take place.

The remaining difference of any consequence is with respect to rates of royalty. Under the Petroleum (Submerged Lands) Bill, the rates are 10 per cent. of the value of petroleum recovered under a primary license—that is normally five blocks—and 11 to 12½ per cent. in the case of petroleum recovered both under a primary license and a secondary license where a licensee has been granted a secondary license.

This Bill provides for a royalty of five to 10 per cent. under a primary license and 10 to 12½ per cent. for petroleum recovered under a secondary license, and, except in certain cases, under a primary license where the two are held by the one licensee. A previous Government, in 1950, gave an undertaking to an exploration company that the Government would not impose royalty at a rate in excess of 5 per cent.—the minimum in the Petroleum Act, 1936—in respect of petroleum recovered during certain periods from certain leases, and further that it would not impose royalty in excess of 10 per cent. in respect of petroleum recovered from those leases at other periods.

Successive Governments have indicated that those undertakings would be honoured, and it is necessary to make provision in this Bill for royalties in different terms from the offshore Bill to give effect to those undertakings.

It is, however, intended that the rates declared by the offshore Bill will be applied in all cases not the subject of the undertakings, and the terms of this Bill will so permit.

As the Bill is designed to regulate the exploration for, and exploitation of, petroleum on land within the State, it is necessary for the Bill to provide for the assessment and payment of compensation to owners and occupiers of land—including pastoral lessees—adversely affected by petroleum mining operations. In this regard the Bill incorporates the existing provisions of the Petroleum Act, 1936, differing only in that actions for compensation will be determinable before local courts rather than by wardens.

I would like to add one further comment, purely by way of explanation. This Bill is not accompanied by the Bill which provides for the payment of *ad valorem* fees, as was the case with the offshore Bill, the reason being that as an *ad valorem* duty is payable, the necessary Bill would require a Message and therefore cannot be introduced in this Chamber. I am introducing this Bill purely as a matter of convenience and when and if this Bill passes and is sent to another place, the Minister representing me—the Minister for Lands—will then introduce the Bill providing for the *ad valorem* fees.

The Hon. F. J. S. Wise: Before you sit down, will you give us an illustration of the operation of clause 8 of the Bill?

The Hon. A. F. GRIFFITH: This is what I call a bit of a thrust under the belt. No, I think this is a matter I would

prefer to leave until Committee, so that I can make sure of what I say. I commend the Bill to the House.

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

*House adjourned at 4.20 p.m.*

# Legislative Assembly

Thursday, the 9th November, 1967

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

## PUBLIC SERVICE ACT AMENDMENT BILL

*Introduction and First Reading*

Bill introduced, on motion by Mr. Brand (Premier), and read a first time.

## QUESTIONS (18): ON NOTICE

### BLINDNESS

*Electronic "Seeing Eye"*

1. Mr. GRAHAM asked the Minister representing the Minister for Health:
   (1) Has he any knowledge of the efficacy of the electronic "seeing eye" or radar for the blind as manufactured by the firm Ultra Electronics Ltd., London, and demonstrated at the Royal Melbourne Eye and Ear Hospital?
   (2) If so, will he give details?
   (3) If not, will he make appropriate inquiries?

   Mr. ROSS HUTCHINSON replied:
   (1) to (3) Information was recently supplied to the Government by the Radar for the Blind Club of Victoria. This has been passed on to the Braille Society for its consideration and evaluation.

### MIGRANTS

*Scandinavians: Accommodation*

2. Mr. FLETCHER asked the Minister for immigration:
   (1) Am I correctly informed that—
      (a) Scandinavian migrants are unable to use either Graylands or Point Walter hostels;
      (b) such migrants are requested to book into a hotel, rent a flat, or seek alternative accommodation with friends and relatives?
   (2) If "Yes," is there any reimbursement or part reimbursement of accommodation expenses?
   (3) What is the reason for the different treatment for migrants from Scandinavian countries?

   Mr. BOVELL replied:
   (1) to (3) It is assumed the Scandinavian migrants referred to are those accepted under the special assisted passage programme which is controlled entirely by the Commonwealth Department of Immigration, Canberra.
   The State is not informed and, beyond offering assistance should this be required, is not otherwise involved.

### CANNING DAM

*Aesthetics and Public Conveniences*

3. Mr. RUSHTON asked the Minister for Water Supplies:
   (1) In the interests of travellers and tourism, will the Government give consideration to improving the aesthetics and providing public conveniences at Canning Dam similar to those at Churchman's Brook?
   (2) When is it estimated this work could be implemented?

   Mr. ROSS HUTCHINSON replied:
   (1) and (2) The Metropolitan Water Board has already given consideration to this matter and intends to provide amenities as soon as it can make funds available.

### DRUGS

*Bulk Purchases for Hospitals*

4. Mr. FLETCHER asked the Minister representing the Minister for Health:
   Adverting to his "Yes" reply to my question 2 on the 7th November, 1967, that he is aware of the Press comment of the date mentioned relating to profits accruing to overseas drug manufacturers at public expense, will he—
      (a) give similar consideration to the also mentioned New South Wales possibility of buying drugs in bulk for public hospitals under their generic names according to their chemical properties rather than their trade names; or
      (b) seek alternative means of making drugs less expensive to the Western Australian community?

   Mr. ROSS HUTCHINSON replied:
   (a) and (b) This is already being done through the Tender Board on the advice of the State Drugs Committee.