Legislative Assembly

Tuesday, the 4th October, 1960

CONTENTS

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTIONS ON NOTICE

HAY RIVER AREA

Survey and Classification

1. Mr. KELLY asked the Minister for Lands:

(1) When was the preliminary reconnaissance for road location carried out on the large area of land between the Hay River and the Great Southern railway southwards from Mt. Barker?

(2) At what date did detailed classification and road centre line clearing commence?

Subdivisions and Applications

(3) When were subdivisions carried out?

(4) What acreage was involved?

(5) When was the land thrown open for selection?

(6) How many locations were included in each group?

(7) How many applications were received for each group?

Mr. BOVELL replied:

(1) Ministerial approval for use of Crown land for agricultural purposes between the Hay River and the Great Southern railway southwards from Mt. Barker was given on the 27th November, 1952. Preliminary reconnaissance for road location was authorised in 1956.

(2) Detailed classification in December, 1958. Road centre line clearing in October, 1958.

(3) January-November (inclusive), 1959.

(4) 50,000 acres.

(5) The first group of 22 blocks was made available on the 20th January, 1960.

(6) The second group of 42 blocks was made available on the 15th June, 1960.

(7) 89 applicants for the first group; 237 applicants for the second group.

JERRAMUNGUP-PHILLIPS RIVER AREA

Survey and Classification

2. Mr. KELLY asked the Minster for Lands:

(1) When was the plains country eastwards from Jerramungup to the Phillips River—approximately one and a half million acres—

(a) classified;

(b) planned;

(c) survey commenced;

(d) survey concluded;

(e) road location determined?

Farms Allocated, etc.

(2) How many farms have been allocated?

(3) What date were they thrown open?

(4) How many locations were included in each group thrown open?

(5) How many applications were received for each group?

Mr. BOVELL replied:

(1) No area approximating one and a half million acres eastwards from Jerramungup to the Phillips River has been classified, planned, and surveyed. However, if the honourable member is referring to the Fitzgerald subdivision of 369,000 acres, the position is as follows:—

(a) August, 1958.

(b) September, 1958.

(c) October, 1958.

(d) February, 1960.

(e) Commenced, November, 1957. Completed, August, 1958.

(2) 32.

(3) The 3rd August, 1960.

(4) One group of 40 locations.

(5) 77 applications for 32 blocks; 8 blocks not sought after.

PUBLIC WORKS DEPARTMENT

Day-labour Force Retrenchments

3. Mr. HEAL asked the Minister for Works:

(1) What was the total number of employees attached to the day-labour force of the Public Works Department as at the 1st September, 1960?

(2) What is the number of employees retrenched from the day-labour force of the Public Works Department since the 1st May, 1959?

(3) Is it the Government's intention to further reduce the day-labour force; if so, by how many?

(4) What is the estimated number of employees the Government intends to maintain permanently in the day-labour force?

Mr. WILD replied:

(1) 542.

(2) 787.

(3) Yes, by 242.

(4) 300.

MT. PLEASANT BUS ROUTES

Fares

4. Mr. FLETCHER asked the Minister for Transport:

(1) Is he aware that the same fare is charged on M.T.T. buses from Mt. Pleasant to Perth via the Freeway and Narrows Bridge as is charged for the longer route via Canning Highway and the Causeway?

(2) If this is the case, why is it so, when there is such a difference in distance travelled and time taken for the journey?

(3) Will he consider a reduction in fare for the shorter, speedier route?

Mr. PERKINS replied:

(1) Yes.

(2) In order to maintain a common fare schedule between two points.

(3) No.

ALBANY REGIONAL HOSPITAL

Cost

5. Mr. ROBERTS asked the Minister for Health:

(1) What was the original estimate of the cost of the Albany Regional Hospital?

(2) On what date did the building operations on this project commence?

(3) What has been the total expenditure on same to date?

(4) What is the estimated cost for the completed job?

Completion Date and Method of Construction

(5) Is the programme of work on this regional hospital up to schedule?

(6) Is it anticipated that the project will be completed according to schedule?

(7) What is the anticipated date of completion?

(8) Is the labour force wholly day labour, or is it partly contract?

Mr. ROSS HUTCHINSON replied:

(1) £790,000, excluding furniture and equipment.

(2) January, 1958.

(3) £650,000.

(4) £870,000, excluding furniture and equipment.

(5) Yes.

(6) Yes.

(7) December, 1961.

(8) It is a day-labour job with contracts for—

Earthworks and roads.
Fibrous plaster ceilings.
Roof tiling.
A goods lift.
Piping of gases.
Glazing of windows.

METROPOLITAN TRANSPORT TRUST

Take-over of Remaining Private Bus Services

6. Mr. JAMIESON asked the Minister for Transport:

(1) When is it anticipated that the Metropolitan Transport Trust will take over the remaining private bus services in the metropolitan area?

(2) As the Riverton bus service is the only private company plying south of the river, when will this service be taken over to complete rationalisation of this area?

Mr. PERKINS replied:

(1) It is expected that all services will be acquired by the end of 1961.

(2) When present negotiations are completed.

FISHING VESSELS

Losses, Cost of Searches, and Lives Lost

7. Mr. HALL asked the Minister for Fisheries:

(1) How many cases of lost fishing vessels were reported for the years 1956-57, 1957-58, and 1959-60?

(2) What was the total cost to the Government by way of searching for lost fishing vessels?

(3) How many lives were lost as a result of fishing vessels being lost?

Mr. ROSS HUTCHINSON replied:

The information required by the honourable member is not available to my department.

8. *This question was postponed.*

STIRLING HIGHWAY

Construction of Bus Bays

9. Mr. CROMMELIN asked the Minister for Transport:

(1) What was the cost of constructing the bus bay on the south side of Stirling Highway just east of Bay View Terrace, Claremont, in the year 1957?

(2) What was the cost of constructing the bus bay on the north side of Stirling Highway just west of Broadway, Nedlands?

(3) In each of the above cases was there any interference to power lines, gas mains, or water supply installations?

(4) If so, at which bay and at what cost?

Mr. PERKINS replied:

(1) Construction of a bus bay 5 ft. deep by 180 ft. long on the south side of Stirling Highway just east of Bay View Terrace, Claremont, in 1955, cost £302.

(2) In 1954 a bus bay, 10 ft. deep and 200 ft. long, was constructed on the north side of Stirling Highway just west of Broadway, Nedlands, at a cost of £738.

(3) There was interference to trolley bus power lines and water supply mains to a minor extent.

(4) (a) Bay View Terrace bay—£90 for trolley bus power pole and £3 for water supply.

(b) Broadway bay—£47 for trolley bus power pole.

CABBAGE WHITE BUTTERFLY

Eradication

10. Mr. BRADY asked the Minister for Agriculture:

(1) What action is being taken to rid the metropolitan area of the white moth (cabbage moth)?

(2) Does the department consider this menace is growing at an alarming rate?

(3) Is any action being contemplated to rid the metropolitan area of breeding grounds of the moth?

Mr. NALDER replied:

(1) Two species of parasites have been established in the metropolitan area to help combat the cabbage white butterfly (often referred to incorrectly as the cabbage moth). Effective control can be obtained by market gardeners and others growing susceptible crops by treating plants with D.D.T., Dipterex, D.D.D., and various other insecticides.

(2) No. The cabbage butterfly was first recorded in Western Australia in 1942: and, because of its great powers of flight, soon spread throughout the south-west. It has proved no more difficult to control in market-garden areas than various other well-established pests. The cabbage butterfly is frequently blamed for damage in home gardens which is caused by other less conspicuous insects.

(3) No. Breeding takes place mainly in cruciferous plants, such as cabbages, cauliflowers, and turnips. Market gardeners are repeatedly advised to destroy crop residues and to control wild radish and wild turnip, as these weeds also serve as host plants for the pest.

TRAFFIC LANES: GUILDFORD-MIDLAND

Increase

11. Mr. BRADY asked the Minister for Works:

(1) When is it expected a four-lane highway will be available for road traffic between East Guildford and Midland Junction?

Rearrangement of Bus Stops

(2) Will he arrange better bus stopping-points over the present two-lane highway to avoid possible accidents when cars are passing around stopped vehicles in the West Midland-East Guildford section?

Mr. WILD replied:

(1) The four-lane highway at Midland Junction will be extended approximately half a mile westwards from Morrison Street during the current financial year. Expectations are that further extensions westwards to East Guildford will be undertaken in succeeding financial years.

(2) I have arranged with the Minister for Transport to have representatives of the Metropolitan Transport Trust and the Main Roads Department examine the bus stopping-points with a view to advising whether any improvements can be effected.

GUAYULE RUBBER

Kalgoorlie Seedlings

12. Mr. EVANS asked the Minister for Agriculture:

What does the latest report reveal about the progress of guayule rubber seedlings planted at Kalgoorlie?

Mr. NALDER replied:

As indicated in the recently-tabled report, the survival of the seedlings at Kalgoorlie was poor, even though they were irrigated. The growth of the surviving plants was relatively good, but they contained no rubber.

Further seedlings were transplanted at Kalgoorlie in August, and they will receive various degrees of irrigation. No results are available from those plantings as yet.

CARNARVON PRIMARY SCHOOL

Tenders for Erection and for Cement Bricks

13. Mr. NORTON asked the Minister for Education:

(1) Have tenders been called for the building of a primary school at Carnarvon?

(2) If not, when will tenders be called?

(3) Have tenders been called for the manufacture of cement bricks for a primary school at Carnarvon; if so, who was the successful tenderer?

Mr. WATTS replied:

(1) No.

(2) Towards the end of January, 1961.

(3) Yes; Mr. G. Wilson of Carnarvon, who has been notified accordingly.

CARNARVON SCHOOL HOSTEL

Accommodation Required

14. Mr. NORTON asked the Minister for Education:

(1) Has a survey been taken recently as to the number of children who would require school-hostel accommodation at Carnarvon?

(2) If so, will he advise the House of the ages of such children and from what districts they would come?

Mr. WATTS replied:

(1) Yes.

(2) The survey does not reveal the actual ages. However, the following information may be of assistance to the honourable member:—

Children over twelve years of age (i.e. approximately the age of transfer from primary to secondary education) who might attend Carnarvon if a hostel were available:

Onslow	8
Wittenoom	2
Stations near Carnarvon	5

Stations south of Port Hedland—10 over nine years of age.

STATE ELECTRICITY COMMISSION

Claims for Damage to Vehicles

15. Mr. FLETCHER asked the Minister for Electricity:

Relevant to my Question No. 19 *(Votes and Proceedings* of the 15th September) in which he states that section 51 (1) of the State Electricity Commission Act provides for recovery of damages to State Electricity Commission property, of a sum not exceeding £50, will he assure me that damages in excess of this figure have never been claimed or recovered by the State Electricity Commission for damage caused to State Electricity Commission property as a result of traffic accident?

Mr. WATTS replied:

No; but so far as is known, amounts in excess of £50 have been claimed only where negligence has been alleged or proved.

QUESTIONS WITHOUT NOTICE

COLLIE COAL

Negotiations Between Government and Mining Companies

1. Mr. MAY asked the Premier:

(1) Was he correctly reported in a news item, broadcast by the A.B.C. today, that "Cabinet has approved further negotiations with the Collie coal companies on a basis recommended by the Cabinet subcommittee on coal"? The news item went on to say that the recommendations were made after the committee had considered the report of a New South Wales engineer.

Consultation with Coalmining Unions

(2) If the above reports are true, why was no mention made of the combined coalmining unions being consulted as was promised by the Minister for Mines?

(3) Is it the intention of the Government not to consult the unions as promised, but simply to negotiate with the coalmining companies?

Availability to Unions of Marshall Report

(4) Will the Premier now make available to the combined coalmining unions a copy of the New South Wales coal engineer's report?

Mr. BRAND replied:

I have to thank the honourable member for giving me notice of the question, the answer to which is as follows:—

(1) The statement was reasonably accurate.

(2) The purpose of the further discussions with the companies had no reference to the report of the New South Wales engineer, but only to prices and quantities.

(3) I have no doubt that the Minister for Mines will carry out any arrangements he has made.

(4) When Cabinet has finished with the report it will be made public by the Minister.

SPEEDBOATS AND WATER SKIING

Control

2. Mr. CROMMELIN asked the Minister for the North-West:

Is he aware of the probable fact that there will be an increasing number of speedboats on the river this coming summer? If so, is the Government giving any consideration to making regulations in an effort to have some control over boats used as speedboats and for water skiing?

Mr. Tonkin: What is a "probable fact"?

Mr. COURT replied:

I thank the honourable member for giving me some notice of this question prior to the sitting. The Government is aware that there is anticipated a great increase in the number of speedboats on the river this year and particularly in the number used for towing water skiers.

Consideration has been given to the framing of special regulations in view of the many complaints that are being received regarding the conduct of certain of the speedboat operators. I emphasise the word "certain" because there are many who conform to a desirable code of conduct; but there are some who, unfortunately, are not only endangering their own lives but the lives of others also. They are also causing a nuisance on the river.

A decision has not yet been made —but I anticipate it will be announced within a week—regarding the form the regulations will take in order that they will be effective —if promulgated—during the next season.

The points being considered are: firstly, the hours of operation; secondly, the age limit of drivers, because of the number of young children who are operating craft of great horsepower; thirdly, the areas from which the water skiers

can move from the beach and return to the beach; and, fourthly, the desirability of having two persons in the speedboats which tow water skiers. This last requirement is necessary so that one person can look fore and the other aft. There have been experiences lately where the person being towed has fallen off and no-one has been in the craft to keep a watch for such an occurrence.

ESPERANCE LANDS AGREEMENT BILL

Second Reading

Debate resumed from the 27th September.

MR. KELLY (Merredin-Yilgarn) [4.48]: The Bill introduced by the Minister is one to ratify an agreement made by the Government with a new company in regard to operations at Esperance. The Minister dealt at some length with the original transactions and traced the activities of the previous company quite extensively. I, too, intend to traverse some portion of the early history of the company in order to place on record some of the facts which I think should be incorporated in *Hansard*.

The Minister referred to the original approach by Allen Chase having been made on the 24th August, 1956. That may be quite correct, but preliminary inquiries commenced at a much earlier date. When Mr. Wise was Administrator for the Northern Territory, he had transactions with Mr. Allen Chase because of Mr. Chase's connection with Humpty-Doo and other American interests at that time. Mr. Wise met Mr. Chase on a number of occasions, and asked him whether he would be interested in Western Australia, because it was Mr. Wise's opinion that there would be quite an amount of virgin land available in this State that would lend itself to a major developmental scheme.

A little later, when the Esperance land was being thrown open, Mr. Wise—in the meantime he had left the Northern Territory and returned to Western Australia; indeed, he had entered Western Australian politics again—sent some brochures to Mr. Chase. That was quite early in 1956.

Prior to my going to America—I left Sydney towards the end of July in that year—the then Premier, and the Minister for Agriculture, briefed me in regard to land that was likely to interest Mr. Chase, because it was known that Mr. Chase was interested in a land scheme.

I arrived in San Francisco on the 3rd August; and Mr. Chase's interest must have been considerable; because, within an hour and a half of my arrival, I received a telephone message from him asking how soon it would be possible for us to get together and discuss matters in connection with Esperance. I was able to meet him on the 13th August; and on that occasion the matter of Esperance was fully discussed. The potential of Esperance was dealt with in very minute and thorough terms; and finally, because I had been briefed by the Premier and the Minister for Agriculture, I was able to indicate to Mr. Chase the tentative conditions that would apply in connection with Esperance lands; and to some extent I was able to tell him the area that would be available for selection.

Mr. Chase was keen enough to want to see more of the State before making a final move, and he decided to fly to Western Australia in conjunction with a European trip he was making. He decided to land here some time in November.

At that time I thought I should keep the Premier and his colleagues acquainted with what was happenning; and on the 14th August—that is, 10 days ahead of the date suggested by the Minister—I had this to say, amongst other things, in a letter written to the Premier—

> Yesterday we interviewed Allen Chase, Frank Wise's Northern Territory rice project man. He has a fine home at Beverley Hills and was ready and anxious for a discussion on the Esperance light lands.

I want particular notice to be taken of this coming reference; because during the Minister's remarks he indicated, if I remember correctly, that the *bona fides* of the original syndicate might not have received a sufficient amount of checking. I went on to say—

> Firstly, we checked his bona fides with Standard Oil. They informed us that he is one of the strongest financial men on the west coast of the U.S.A. and has associated with him a very powerful group. If he comes to W.A. they said intense development will follow.
>
> When we saw him he first stated that the Commonwealth Government had vetted him and if we so desired we could confirm this from John McEwen, the Federal Minister, who incidentally is visiting here this weekend to further discuss the rice project with Chase.
>
> He then told us that his organisation was not concerned about market or finance. They had the money and their market was an export one to the northern millions and the U.S.A. His group is concerned with fat beef and lamb, wool and the growth of food such as citrus and market garden produce—vegetables etc. They would process everything and deep freeze it and provide their own ships and ancillaries.
>
> They had studied closely all details, water, local conditions soils, etc. I personally consider this the outstanding opportunity for development of the

area and from all my investigations am certain that if this organisation comes in other large projects will follow.

Chase has already lodged a formal application with the Commonwealth Government for the right to erect the TV station to be allocated to W.A. His associates include the TV interest here and are experienced in this line.

I then went on to say that he would be leaving for Western Australia. Some mention should be made of the next part of the letter because of the ultimate result that was achieved—

He impressed on me that he will be leaving 20.10.56 for a 21 day tour of England and Europe, Canberra and Perth.

He desires from you a decision before he leaves in principle, and I think this should be done. The American businessmen like decisions to be quick. This group has just dropped a large development project in Iran because the Government could not make up its mind within a reasonable time. The group is good. You could confirm this by ringing the Commonwealth Government—and I am certain following our frank discussion that if you quickly decide on what you are prepared to do, and his experts confirm our reports of Esperance prospects, he states, development will get the biggest lift it has yet had. The group includes big steel people, TV, food processing, tyre manufacturers (Firestone) and others.

My main reason for making mention of that fact is that from time to time there have been innuendoes, if I might put it that way, as to the *bona fides* of Chase and his group. It would also be right to say that some aspersions have been cast on the actual amount of checking in regard to the Chase interests when negotiations with Mr. Chase first began to take shape.

I can assure the House that considerable inquiries had been made, and the indications were—as they are now with the present people who are interested in Esperance—very good; and those reports emanated from sound sources that left no doubt in our minds, and apparently no doubt in the mind of the Commonwealth Government, that these people could carry out their obligations. Throughout my journey in the United States, which lasted a considerable time, Mr. Chase, as he would get each reference from Western Australia, made it his business to ring through to wherever we were, and to discuss further points that were arising as a result of his renewed interest in Esperance.

Just prior to leaving the United States of America, on the 23rd or 24th October, 1956, I had another meeting with Mr. Chase; and on that occasion he had gathered together 36 people who were interested, or potentially interested, in Esperance. It was evident to me that his reputation stood very high among those people, who included a director of the Bank of America, men connected with the Chase organisation, many leading men engaged in aeroplane manufacture and various food-processing organisations; and, in all, men comprising a very imposing group so far as their financial potential was concerned.

It was evident, too, that quite a number of those men were financially interested in the Humphy Doo undertaking, and that they were, in the main, basing their future interests in Esperance on the success or failure of the Humpty Doo venture. Very soon after that, the people of both Great Britain and the United States of America were fed a great amount of publicity, and there is no doubt that the Press headlines were something outstanding so far as Esperance was concerned. Not only did Esperance itself receive a tremendous publicity boost by the Press of both countries, but also Western Australia as a whole. A large residue of the interest that was engendered by that publicity was focused on the initial activities of Esperance, and it has continued ever since.

It is history, of course, that Mr. Chase came to Western Australia with the object of developing certain land at Esperance, and there is no doubt that he made a great deal of progress in the initial stages. The zest with which his company commenced its operations made it appear that the project had every reasonable chance of success.

Unfortunately, however, the company ran into difficulties at an early stage. One of the main drawbacks was its failure to apply the local experience that had been gained by other farmers in the area and to profit from that experience instead of its being used against the company as ultimately it turned out to be. I think that in the early stages, too, there was too much remote control.

I think all practical men in this State know how difficult it is to make a success of any proposition unless it is under the close control of a company or financial organisation that is established in this State itself. Also, in some stages of the early development, unsuitable management was undoubtedly to blame for a few of the major mistakes that were made. In addition, apart from all these handicaps—and this could have been the major cause of the failure of the scheme—the season was a particularly bad one.

Many of the potential investors in the Esperance development scheme were financially interested in the Humpty Doo undertaking; but history has shown us what has transpired at Humpty Doo, and has made us realise that it has been a very costly venture. Even during the last

few days there have been many Press references to the adverse conditions that have been experienced at Humpty Doo, proving that that venture is not out of the wood yet.

I merely wish to make the point that the drawbacks suffered at Humpty Doo had an adverse effect on the development of Esperance inasmuch as the Humpty Doo investors who were keen to interest themselves in Esperance soon found that the source of their available finance had more or less dried up.

We know, too, that during that period the outlook of America towards the transfer of money, under the conditions governing its transfer previously for developmental undertakings, had undergone a complete change.

Therefore, in view of all those detrimental factors in the early stages, there is no doubt that the dice were heavily loaded against the Esperance venture. Indeed, any one of those factors would have made it difficult for a well-established organisation to carry on, much less a company which was in the throes of endeavouring to establish itself in virgin country.

Looking back, it is found that the company was granted permits to occupy land comprising 205,777 acres; but, in the interim, Esperance Plains (Aust.) Pty. Ltd. released back to the Crown, for allocation to the people in the district, 104,941 acres; leaving a total of slightly over 100,000 acres in the hands of the company. The major part of that land is being worked successfully at present.

The developmental capital that was spent during the two years' operations was roughly £350,000: a great deal of money in anybody's language. A tremendous proportion of that capital which was spent on improvement has been lost to the company, but some of the expenditure has a recurring value to the various people who were subsequently allocated properties in the district.

It is interesting to recall that land ventures in Western Australia have rarely been successful at the first attempt. I am sure that members can recall quite a number in this State. Among them can be mentioned the Mitchell scheme, the Peel Estate, Kendenup, and Forrestania; and I could go on to mention quite a few others in the same category.

All of these land-development schemes met with difficulties in the initial stages and were finally abandoned. After a long period some have been revived, and have proved successful; whilst others remained abandoned. Those that have been successful have gained some advantage from the initial effort, and therefore it has really been worthwhile. It would not be unfair to say that the Mitchell scheme took 20 years to become something worthwhile.

Therefore, when we begin to examine the Esperance development we find that, within two years, people in some quarters became quite agitated because of the initial failure of the Esperance Plains development company to operate on a large scale—it was probably the greatest land deal the world has ever known. It involved nearly 2,000,000 acres of land—a colossal undertaking! There is no doubt that much of what transpired in those initial years will eventually prove to be of value to the State. The Bill before the House now is an indication of the value that initial work can mean to Western Australia.

As there is, undoubtedly, no gamble about the future of Esperance we will be able to make certain that this land development scheme will take its place among the other successful ventures in land settlement in this State. Its success, of course, depends on developing the land in the right manner and on favourable seasonal conditions. Because the Minister has referred to this aspect in a different way, I would like to make a short commentary on the pre-Chase period in connection with the development at Esperance.

Many of us know that this country, over a period of years, was undoubtedly neglected by succeeding Governments; and the people who had established themselves there had many difficulties to overcome, such as lack of adequate transport, high freight charges, and many other factors which definitely retarded the development of Esperance in its early years. It was not until 1953 that this land began to come into its own again as a result of governmental activities. A research station, for example, had been operating for some time and had proved what Esperance could produce.

A great deal of the credit for the success achieved by the Esperance syndicate in those times and subsequently is definitely due to the member for Eyre, because he has continually advocated the development of this land over a long period.

In 1953, 51,778 acres were allocated, which represented 31 locations. In 1954, 40 locations were granted, embracing 68,586 acres. In 1955, 16 locations were granted, comprising 14,965 acres; and, finally, in the last part of 1956 particularly—the year in which Esperance received so much publicity—it is found that 98 locations were granted, representing a total of 205,910 acres.

I would like to emphasise that the activity in land development, particularly during the latter part of 1956, was very pronounced. It was during that period, from July onwards, that much of the publicity about Esperance began to gain momentum and the area became firmly fixed in the

minds of those people who, for many years, had advocated the development of Esperance.

Of the locations that were released during that time, it is remarkable to discover that quite a number were never occupied. That is, although people had land allocated to them at that time, they failed to take possession of it. However, I venture to say it is quite easy to realise that, on the release of parcels of land, there would be a few odd locations that would not be worth very much. Perhaps because of inexperience or a lack of finance some of those people who had been allocated locations might not have been in a position to go on, unless it was proved to them that the locations they had could be developed easily and perhaps at a low cost.

The failure of the Chase Syndicate to do all that we had hoped it would do was a great disappointment to all of us. I do not think it would be unfair to say that irrespective of the position of anyone in Parliament, he would have found genuine disappointment that this company was unable to carry on; in spite of the fact that it had the courage, we might say, to undertake development on such a large scale, and had expended so much of its money on the project.

During the period when Mr. Chase—as principal of the organisation—found that his financial resources were drying up, and that his own capital was being used faster than he had anticipated; and that all the other activities were gradually crumbling away from beneath his feet, he realised that a break would eventually take place unless he could tie up the loose ends in some way to overcome his difficulties.

In the agreement made with him there was, of course, an assignment clause. From the commencement of 1958 onwards he had the idea that eventually he might be able to interest some other major organisation in this project. We know that over a period of 15 or 18 months several very influential blocks of investors came to this State and had a look at what was taking place at Esperance.

Mr. Chase did not tire in his efforts. When he saw that the first lot of investors came and went away, and decided to have nothing to do with the project, he promptly set about arousing the interest of another section of financial people, who also came and had a look; and, finally, he was responsible for the present company with which the Government has made an agreement, which agreement it is now asking Parliament to ratify.

Mr. Chase was certainly responsible for introducing to the Government the principals of this company which was interested in opening up the land at Esperance. I think the Minister made a point concerning Mr. Chase having no interest in the Chase International Investment Corporation, or the associate company; namely, the Chase Manhattan Bank. I do not know whether he has any business or personal ties with any of these institutions—

Mr. Bovell: I understand he has not.

Mr. KELLY: —but I do know that when I went to the bank with Mr. Chase there was no question of going to the counter and tapping for service. He went straight in without knocking on any doors. I think the Minister will agree that there are not too many banking institutions here in which one could do that. I am sure the Minister, with his knowledge of banks, will agree with me.

In contrast to this attitude, I might relate the incident of inspecting the activities of a company that was engaged in manufacturing a certain type of bolt. There were policemen posted at the door, and one could not get in without an open sesame, and an all-clear from the authority concerned. And when one did get in, one had to wear a placard with a number on it around one's neck. I do not know whether or not they were aware that my name was Kelly, but that was what they made me do. After one had inspected the firm's operations, the placard was returned, and one then went on one's way.

Mr. Rowberry: Where was that; in Russia?

Mr. KELLY: It happened in America. So, if Mr. Chase was able to walk into the main portion of the bank and say, "Mr. Kelly is from Australia; would you kindly cash his cheque?" it would seem that he must have a very free leg in an institution of that kind, even if he didn't have a business interest in it.

The new agreement seeks ratification of the Government's arrangements with the company, and also the renegotiation of a new agreement. The Bill now before the House contains most of the clauses in the agreement that was made in 1956. I must make that perfectly clear. The Minister was good enough to allow me to have a look through his Bill, and I was thus able to draw a comparison between it and the old Bill. I was able to compare the various clauses, and had an excellent opportunity of seeing what the measure contained, without having to delve too deeply into all the clauses of the new Bill.

I would say that the new safeguards that have been placed in the present measure, in the light of experience, would have a lot to commend them. The new clauses that have been added will strengthen the hands of the Government.

There is no doubt in my mind that one of the features dealt with in this Bill—that of the definite financial annual commitment the company is obligated to undertake—is a great improvement. Whereas in

the old Bill the amount of finance that had to be expended was not covered, we find the present measure contains that safeguard.

It is a provision that should pay dividends in the long run; because although this company, which has many interests, has a very good financial set-up, and know-how in the development of such land, and a knowledge of other circumstances, knowing as I do what happens overseas with other companies, and being aware of the many pitfalls into which a company could fall, I think it is wise to have a definite financial commitment mentioned in a Bill of this kind.

If the assignee fails to select and apply for an area in a specified time, the Minister or the Government has the prerogative to grant an extension of time if it is thought to be warranted; and this must be given by written notice.

Then again, the expiry time mentioned in the Bill before us is six months; whereas in the original Bill, I think it was 12 months. So, by giving a written notice after six months, the Government can set about terminating the apportionment of the allocated land, by reclaiming or taking back to the Government the area granted under permit. The Government can then reallocate that land to a private interest elsewhere. That would eventually reduce the company's holding, and it would be a circumstance which would be automatic, rather than, as it has been in the past, one which the company could have refused if it so desired.

As I have said, the provision reduces by six months the period in question. At first glance it would appear the Government has adopted a tightening-up or a get-tough policy, and that it will come down like a ton of bricks on the company if it fails to stand up to its obligations.

In actual fact, the new words that are added assure a reasonably generous proviso, and could provide a let-out for both the Government and the company. With your permission, Mr. Speaker, I would like to quote the words on page 7 of the Bill to which I refer. They are as follows:—

> If because of unreasonable conditions—

I do not know what is meant by unreasonable conditions. Does it mean seasonal conditions; or conditions connected with the finance of the company? Or is it a reference to conditions in which the company finds itself in a developmental sense? The subclause continues—

> — or for economic or other reasons the development of the lands the subject of this agreement at the rate envisaged by this agreement does not appear justified then the Assignee may request the State to extend the dates mentioned in the second column above mentioned for such period as may be considered desirable.

That provision could have a very wide interpretation. It is one which could lend itself to many loopholes if skulduggery or anything of that kind was intended. I think it is equally advantageous for the Government to be able to shilly-shally and be covered by a subclause such as the one to which I have referred, which might be brought into play, so that an extension could be granted; and this would undoubtedly leave the company quite a lot of latitude, unless the provision is a lot more specific.

I might say that I am not objecting to the provision contained in the subclause. I merely point out that it leaves a lot of latitude; and that it could prove a little difficult to the Government if, in certain circumstances, it was found necessary for the company to apply for an extension of time.

Mr. Bovell: It would be referred to an arbitrator if the Government did not agree; the clause goes on to say that.

Mr. KELLY: I know it does. But, even so, it would be referred to an arbitrator only after the company had asked the Government for an extension of time, and the Government decided against an extension of time because it thought the reasons were not good enough. It is thereafter that it would go to an arbitrator, whose finding would be final. But it does leave a lot of latitude; because if the company wanted an extension of time it would turn handsprings backwards to meet the Government's point of view.

There is a new definition of "development." I think it is an important definition, too. It provides for the laying down of the area of pasture; the erection of fences; buildings; and water supplies. In the old Bill, the amount laid down was 50 per cent. of the total period; and I am quite certain that if the Minister desires to extend the activities of the company the new definition will be in the best interests of the development of the Esperance area. The Government has seen fit to reduce the 50 per cent. to 33⅓ per cent; and it has placed the minimum area at 700 acres. That is an important factor in this Bill.

It should enable both the Government and the company to reach a more realistic position in regard to the development of the land at Esperance. There are quite a number of machinery clauses which more or less go to make up the ratification of what is in the Chase agreement and what is wanted to be converted to the new agreement.

There are also other clauses which are necessary to establish the new company as against the old; and which cover the assignment of land from the Esperance plains to the new Esperance Land Development Company. These clauses are necessary, and no fault can be found with them.

I think the Minister would be the first to admit that with the provisos I have mentioned, the old agreement was very largely the basis upon which the new agreement was negotiated. I have no doubt that if this company is as financial as it is supposed to be—I have no reason to think otherwise—the future of Esperance, from a developmental point of view, ought to be safeguarded. I can see no regression or recession whatever in the development of Esperance; and, taking it by and large, the Bill before the House is undoubtedly an improvement on that under which the previous company operated. The Bill certainly contains some lenient features which I think are very good; and, taking it by and large, I support the measure.

MR. BOVELL (Vasse—Minister for Lands—in reply) [5.34]: Did the member for Eyre wish to speak?

Mr. Nulsen: Everything is so satisfactory I do not think it is necessary for me to speak.

Several members: Hear, hear!

Mr. BOVELL: I thank the member for Merredin-Yilgarn for the contribution he has made to this debate, and for what would appear to be his general approval of the renegotiated agreement. It must be clearly understood that the original agreement continues, as amended by the new deed. I consider these amendments were comprehensively explained when I dealt with the Bill at the second reading stage.

There is one matter I wish to emphasise, and it is this: It is the principal concern of the Government to see that the development of Esperance continues in an orderly fashion. The renegotiated agreement, or the deed to the agreement provides, as the member for Merredin-Yilgarn has said, for immediate capital investment year by year; for land to be released for selection to 1963, when it is expected some properties will be available for sale from these companies; and, also, if the company does not proceed with the development as set out in the renegotiated agreement after six months, for that land to automatically revert to the State—and the State will deal with it as it pleases. I have previously mentioned that 100,000 acres is a reasonable area to be developed in one year in this district.

Reference was made by the member for Merredin-Yilgarn to the business association of Allen Chase with the Chase International Investment Corporation. I was advised by representatives of that company when they were in this State that there is no business association between the two companies.

Mr. May: They are not chasing each other, are they?

Mr. BOVELL: No; I do not think so. I would say here that possibly the greatest contribution to the development of Esperance was made during the time of the McLarty-Watts Government when the late Mr. Garnett Wood, who was Minister for Agriculture, visited the district. He was so enthusiastic about the potential of Esperance that he prevailed upon the McLarty-Watts Government to establish an agricultural research station in the district.

That research station has been functioning with very great credit to the Department of Agriculture; and I commend Mr. Norrish and his officers for the way they have developed that research station, the establishing of which I really believe was the beginning of the development of Esperance, as it focused attention on the potential of the district.

It was unfortunate that 1957 was a bad season at Esperance. That, of course, was the first year that Mr. Allen Chase started his operations. I stated, when introducing the Bill, that the causes for his failure were that he would not accept the advice readily available to him in regard to the development of the Esperance plains country, and his failure to secure capital for investment—capital which he indicated he had at the time.

I realise that the Humpty Doo project was in difficulties at the time, and that may have had some bearing on his inability to obtain finance. However, the fact remains that finance was not forthcoming, and the developement of Esperance was unfortunately delayed.

The member for Merredin-Yilgarn made reference to the following clause in the renegotiated agreement:—

> If because of unseasonable conditions or for economic or other reasons the development of the lands the subject of this agreement at the rate envisaged by this agreement does not appear justified then the Assignee may request the State to extend the dates mentioned in the second column above mentioned for such period as may be considered desirable and if such request is refused either wholly or in part by the State then such matter shall be referred to arbitration in accordance with the provisions of clause 21 hereof.

That is, clause 21 of the original agreement. I take it that the reference to economic conditions means the economic conditions of the State of Western Australia. It was pointed out to me that a war might start and it just would not be possible for the company to develop in accordance with the agreement. That is a matter that could be considered by the arbitrator as it could be a cause for not adhering to the development as laid down. That was one of the matters mentioned in discussions that I had with members of the company.

Mr. Nulsen: By whom would the arbitrator be appointed?

Mr. BOVELL: That is covered by clause 21 of the original agreement, and it reads as follows:—

> Any dispute or difference between the parties arising out of or in connection with this Agreement or any agreed variation thereof or as to the construction of this Agreement or any such variation or as to the rights duties or liabilities of either party thereunder or as to any matter to be agreed between the parties in terms of this Agreement shall in default of agreement between the parties be referred to and settled by arbitration under the provisions of the Arbitration Act, 1895, and its amendments for the time being in force.

Therefore, matters for arbitration will be decided under the provisions of the Arbitration Act, 1895, and its amendments.

During the second reading stage, the Leader of the Opposition interjected and asked in what function American Factors Ltd. is engaged. I think it might be advisable—if you will permit me, Sir—to make a statement which I consider will be of interest in regard to the two companies which are to operate under this measure.

The Chase International Investment Corporation is a wholly-owned subsidiary of the Chase Manhattan Bank, and provides financial planning and investment funds for projects outside of the United States which are beyond the provisional scope or legal power of the United States commercial banks. Chase International, incorporated in 1930 under the Federal Reserve Act, has broad investment powers. It has the necessary capital, a specialised staff, and the willingness to undertake investment risks in new and expanding enterprises.

Its objective is to complement Chase Manhattan's services to international business. To that end Chase International invests its own funds and helps assemble capital from other sources—public and private, domestic and foreign. It prefers to invest in productive industrial enterprises and in the development of natural resources in association with a competent North American or Western European corporate know-how partner. It believes that in most countries local investment partners are also desirable, even if not required by law. Commitments to invest will be made only if there is expectation of a satisfactory profit in each transaction.

Chase International is not a lender seeking merely a safe investment return, a dealer in securities in the open market, an underwriter or distributor of securities publicly offered, or an investment trust manager. It is not a commercial bank; it may not accept deposits. As a matter of policy, it does not directly finance routine exports or imports, or discount contractors' paper. Federal Reserve Regulations prohibit Chase International from investing in enterprises located in the United States. Chase International owns all of the capital stock of a Canadian investment company, Arcturus Investment & Development, Ltd., Montreal, which has substantially similar investment activities. It will be noted that the Canadian company is the company mentioned in the new deed.

There is quite a long and impressive story connected with American Factors of Hawaii. It has operated in the Hawaiian Islands since it was founded there in 1849 —which is over a century ago—and it has played a very great part in the development of industrial, commercial, and agricultural projects in that area.

The company has great interests in the sugar industry in Hawaii. According to advice that I have, it is interested in the production of 30 per cent. of the total sugar tonnage of the State of Hawaii. That will give members some idea of the stability and standing of the companies concerned.

Mr. Hawke: Does that mean the company grows that percentage of the total crop?

Mr. BOVELL: I would not say it actually grows that percentage itself, but I understand that, together with its subsidiary companies, the company is responsible for financing. It has a number of subsidiary companies and, from a brief glance, I see there are 15 affiliated and subsidiary companies.

I have no doubt that, as with the Esperance project, the company would assist those affiliated companies, or be responsible for perhaps forming additional affiliated or subsidiary companies; and—this is only assumption on my part—promote the interest of the people who are developing the land which possibly they will purchase, or will have purchased, in the future.

Mr. Nulsen: Has the Minister any idea of the capital investment in Hawaii?

Mr. BOVELL: I have a number of brochures here which I made available to the Leader of the Opposition and the member for Merredin-Yilgarn; and if the member for Eyre desires to peruse them, I will make them available to him. But I would first like to make them available to the members in another place if the Bill is passed here, in order that they may have an opportunity of perusing them before the matter is considered in another place.

Question put and passed.

Bill read a second time.

In Committee

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

CRIMINAL CODE AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

PREVENTION OF POLLUTION OF WATERS BY OIL BILL

Second Reading

Debate resumed from the 29th September.

MR. TONKIN (Melville) [5.52]: The pollution of harbours and beaches by oil waste, and sludges containing oil, has been a problem throughout the world for many years. About eight or nine years ago, if I am correct, careful attention was first directed to this matter; and in 1954 the problem was considered to be of such importance that a conference was called in London representative of various nations.

At that conference it was decided that remedial action was absolutely necessary; and it was felt that because nations had control only of territorial waters, and could not do very much about waters outside those limits, some further power was desirable.

It was finally decided that the only additional power which could be exercised was by individual nations exercising it over their own ships. This required a convention in order that the matter could be properly applied, and that was determined upon. The convention required ratification by at least ten signatory countries; and, as the Minister has stated, those signatures have been made, which means that the convention has actually been ratified.

Steps were naturally taken in Australia to conform with the general desire; but here in Australia there was a difficulty in that complete agreement was required between the Commonwealth Government and the various State Governments. The Commonwealth of Australia was a signatory to the convention, but it has not yet actually ratified the convention. It is waiting upon action by the various States—complementary action—before ratification can be completed.

The Commonwealth Government actually passed a Bill—namely, the Pollution of Sea by Oil Bill of 1960—having had the prior intimation of the various State Governments that they would agree to the contents of the proposed Act. That Act cannot be proclaimed until the various States have completed their complementary legislation.

A very important point to bear in mind with regard to this matter is that Australian port authorities were given an opportunity to go thoroughly into the proposals. A committee was set up under the Australian Port Authority to study carefully the proposals which were to be embodied in the necessary legislation. Because of that, Western Australia had an opportunity of becoming fully aware of what was intended; and our port authorities have agreed that what is proposed is highly desirable and very necessary.

Because of this fact, I think it would be quite wrong for us to get out of step with the general opinion on this matter. Not only would it be a breach of faith, but it would be against the interests of our State. It is essential that strong action, and very positive action, should be taken against persons who deliberately, or carelessly, cause pollution in harbours or on the beaches.

Not only have we to be concerned about the possible inconvenience which might arise due to beaches being polluted, but there is a real danger of serious fire, either along the beaches or in the harbours. If such fires were to occur, tremendous damage could be done. Prevention is always better than cure; and if strong action is taken in the first place, there is less likelihood of such a disaster occurring than would be the case if no legislative control existed.

I am in complete accord with what is proposed. Negotiations were proceeding during the term of the previous Government. We were fully aware of what was intended, and were in complete agreement with the steps being taken. Speaking for those on this side of the House, I wish to indicate our full support of the Bill.

MR. HALL (Albany) [5.58]: In adding my small contribution to the measure before the House, I do so as the representative of an electorate that is in process of building a modern harbour. I think the Bill is to be commended. As the previous speaker mentioned, it is complementary to the international prevention of pollution.

Albany Harbour has suffered many times with pollution from seagoing vessels, and also vessels that have been in the harbour. It is not always a simple matter to trace the cause of this pollution. Often it has been thought to come from leaking pipes; and when they have been remedied by particular firms often pollution has continued, and oil has been traced coming from many miles out at sea.

Pollution has occurred at our swimming beaches, so much so that bathers have come out of the water with oil adhering to their bathing costumes. This pollution has also caused a skin irritation as a result of the mineral content. In one season, this pollution was very noticeable; and I will quote evidence of this from an article which appeared in the *Albany Advertiser* on the 6th February—

> Huge areas of the Harbour, King George Sound and Middleton Bay are being polluted by oil and debris allegedly discarded by shipping.

> Several observers have sighted vast oil slicks running into scores of acres along the coastline.
>
> Swimming at Middleton Beach has been restricted by the menace. The oil has also restricted the fishing areas of many local professional fishermen . . .

On a number of occasions I was asked to inspect some of the fishing nets concerned, and there was no doubt about the oil pollution and its effect on the nets. That is one industry which is suffering because of oil pollution.

In addition, there are certain hazards which arise from oil pollution. Although it is said that it is hard to set fire to the oil except by a direct flame, it could be ignited and could cause explosions which would constitute a hazard to shipping.

There are many ways of rectifying the trouble, but one of them seems to be most effective. If sodium chloride is applied promptly to the surface of the water, it dispels the pollution. Recently two naval vessels were tied up alongside each other and oil pollution was dispelled within 15 minutes by the chemical reaction obtained from using sodium chloride detergent, which is salt, on the water.

Many parts of the Bill are controversial. One clause mentions masters of ships and the interpretation of "master" is—

> "Master" means the person having the command, charge or management of any ship for the time being.

That seems clearly to define the meaning of the word master; but further on in the Bill we see reference to the master or the man in charge. However, that aspect can be dealt with in Committee, and no doubt the first clause will override the later one. Perhaps the Minister will also be able to explain the reason for the two terms. The definition of "oil" is —

> "Oil" means oil of any description and includes spirit produced from oil of any description and coal tar.

That has very wide coverage, and could affect the whaling industry at Cheyne Beach. Whale oil might be discharged into the water and it could cause a certain amount of pollution at that spot. But that would not have any detrimental effect on shipping, the harbour, or any of the nearby beaches, because it is a natural oil and is dispelled almost immediately without any adverse effects. I would like the Minister to give consideration to that point, because I think it could have a bearing on the industry.

Also, as we all know, professional fishermen use whale oil to entice herring and other fish to the surface. By that means they are able to get some lucrative hauls. I believe the same system is used to entice the tuna; and natural oils, such as vegetable or fish oil, would have no harmful effects. I think that this is something that the Minister could investigate to make sure that the whaling industry will not be affected.

I commend the Bill because it will do much to prevent the pollution of our sea and river beaches, which are so popular with tourists. Perhaps at first sight the penalties seem rather harsh; but it is necessary, in cases like this, to provide some deterrent. A small fine would be no deterrent to some of the large shipping companies, and probably the fine involved would be loaded on to the general public in the over-all freight rates. I commend the Bill to the House.

MR. SEWELL (Geraldton) [6.3]: I rise to support the Bill, and I endorse the remarks of the two previous speakers. No doubt most members know that this Bill has been brought forward because of the recommendations of an international convention which were agreed to in 1954. Even though perhaps it might seem to be a little late to bring down a Bill to ratify those recommendations, the measure will do much to prevent the pollution of the water in the harbours and along the beaches of our State.

Those of us who have had anything to do with beaches, foreshores, and harbours, know that at times masters of vessels are careless about the discharge of oils and refuse in waters near to ports and harbours along our coast.

Like the member for Albany, at first sight I thought that the penalties were a little steep; but when we consider that the Bill also makes provision for an appeal against a conviction, I think it covers the position. If a master can prove that he has not been careless, or that he had no control over the discharge of the oil, he has some defence against the charge.

The discharge of oil into the sea has a big effect on our beaches. But there is also the danger of fire, and the discharge of refuse from ships could have serious consequences if the health and harbour authorities did not take the necessary action.

Some masters are inclined to allow all sorts of refuse to be tossed overboard; and it frequently finishes up at a place where the master of the ship never intended it to go. I commend the Bill to the House because I consider it is an important measure and one which should be supported.

MR. NULSEN (Eyre) [6.6]: I have only a small contribution to make to this debate. We have no complaints at Esperance with regard to pollution, but I would like this measure to be passed so that that port will be kept clear of pollution in the future.

It is not so long ago that the Vacuum Oil Company opened a depot at Esperance, and that company was quickly followed by the Shell Company, which also established

a depot. That made a big difference to the price of petrol and petroleum products in Esperance, Norseman, Coolgardie, Kalgoorlie, and the mallee country. Petrol was reduced in price by 11d. a gallon at Esperance. Both the Vacuum Oil Company and the Shell Company are to be congratulated on the opening up of their depots, and particularly in the reduction of the price of their commodities.

However, if there is any carelessness in respect of the discharge of oil into the sea, the offenders should be punished. Not only is it a source of danger; but also, if the beaches become polluted with oil, great discomfort is caused to those who use our beaches.

As those members who have been to Esperance know, the beach there is a very long one, and it would be a great pity if it became polluted with oil. I suppose it is inevitable that a little oil will be spilt during transhipment, but we should be very careful to see that it does not affect our harbours and beaches, because once they become polluted it is difficult to get rid of the oil pollution.

The people using the harbours at Albany, Geraldton, Bunbury, and Esperance should have the greatest protection possible from pollution of the harbour waters, and I am of the opinion that that protection is afforded by the Bill. I hope that the Bill, when it becomes an Act, will be administered strictly, because I feel sure that the oil companies generally would rather have the legislation administered on a fair but strict basis so that any carelessness will be dealt with. In my view the Bill covers that aspect.

I have much pleasure in supporting the legislation because it will be of benefit to bathers and will go a long way towards keeping our harbours cleaner than ports in other parts of the world. We have been able to learn by their experience, and I am glad to see legislation such as this brought forward.

MR. FLETCHER (Fremantle) [6.10]: As a member in whose electorate the principal port of the west coast is situated, I think I should make some comment on this Bill. In my view legislation of this kind is long overdue; and although I have not yet studied the measure carefully, I notice there are several provisions which will have the effect of tightening up the law relating to pollution of our harbours and beaches; and that, I think, is very necessary.

Some comment has been made about the penalties provided for those who transgress. I notice there is one penalty of £1,000. However, that is a small sum when compared to the financial return obtained by the shipping and oil companies, and the potential fire danger to both property and life through the leakage of oil, particularly petrol, kerosene, etc., in the harbours or port installations.

When we consider the number of oil and petrol installations in Fremantle, and also at the B.P. refinery at Kwinana, and the distances over which oil is pumped, we realise that some legislation is undoubtedly necessary to police the handling of the oil.

I notice that in the Bill there is a three-mile limit. I hope something will be done about that provision, because oil can drift ashore if it is discharged 100 miles out to sea; and on occasions it has drifted ashore in the vicinity of Leighton and City Beach and no-one has been able to find out where it was discharged, even though it has been two or three inches thick on the beaches. Any legislation that will have the effect of preventing that sort of thing is desirable.

There is a reference to "effluent" in the Bill, either from ships or from the shore. I could understand the oil effluent being pumped into some sort of lighter, which could be brought alongside the ship, and the oil subsequently treated and sold to a power station or some other authority for sale. However, I cannot see why any effluent should be pumped into the sea at any time. I do not know why it could not be pumped into a shore-based sump. The water would naturally soak away through the sand, if the sump were at some local beach, and the oil residue could then be ignited.

Some people might think that would be dangerous in a place like the refinery. But, as we all know, there is a naked flame at the refinery now, and I cannot see why my suggestion could not be adopted. In any event, I cannot see why any effluent should be disposed of in the sea rather than on shore.

There was quite a controversy recently about oil drifting around the Kwinana area, and I believe even the fish that were caught had a taste of kerosene about them when they were eaten. That might seem impossible, but this matter was brought forward and complaints were made at meetings of the Fremantle District Council of the A.L.P.

I will have a further opportunity of discussing this matter in Committee. As far as I can interpret it at the moment, I think the legislation is desirable and necessary, and I support it at this stage.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.15 to 7.30 p.m.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Wild (Minister for Works) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3—Interpretation:

Mr. HALL: I draw attention to the definition of "master" on page 2. It is provided that he is the person having the command, charge, or management of any ship for the time being. I do not think we have the power to issue a master's certificate to any person. On occasions the master of a ship could be absent from his ship, and the responsibility for breaches of the provisions of the Act would still be placed on his shoulders. When the master is absent, either the first engineer or the first mate takes charge of the ship.

Mr. WILD: There is nothing in my notes to elucidate any of these interpretations. I might point out that some officer of the ship has to be held responsible. When the master is absent from his ship, normally the first mate takes over; and the person who is virtually the master must accept any responsibility for a breach of the provisions of the measure. Even if the master is absent he is still held responsible.

Mr. ROWBERRY: I draw attention to the definition of "oil" on page 3. It states that oil means oil of any description, and includes spirit produced from oil of any description and coal tar. The member for Albany stated that sometimes whale oil from a whaling vessel slips into the sea, but such oil would not give rise to contamination of the waters or constitute a menace to fish life.

I would suggest the insertion of the word "mineral" before the word "oil" in order to define the exact oil to which the Bill refers. If the Minister desires to give thought to this suggestion, perhaps the amendment could be inserted when the Bill is before another place.

Mr. WILD: I have consulted the Attorney-General on this point, and he agrees that the definition in the Bill is rather ambiguous. I shall have the necessary inquiries made; and if it is considered desirable, the appropriate amendment would be made in another place.

Clause put and passed.

Clause 4 put and passed.

Clause 5—Discharge of oil into waters:

Mr. HALL: I make the same point in regard to this clause, which states—

> where a discharge of oil, or of any mixture containing oil, into any waters within the jurisdiction occurs from a ship, or from a place on land, or from any apparatus used for transferring oil from or to any ship, whether to or from a place on land or to or from another ship, if the discharge is—
>
> (a) from a ship, both the owner and the master of the ship;
>
> commit an offence.

Mr. WILD: I shall have this point looked into. If there is any necessity for an alteration, I shall have the amendment made in another place.

Clause put and passed.

Clause 6—Special defences:

Mr. HALL: I refer to subclause (2) under which a person could be charged as the occupier of a place on land, or as a person in charge of any apparatus for the escape into the sea of oil or mixture containing oil.

The Albany Harbour Board is in control of the Albany Harbour, and it has charge of the oil pipes; as distinct from the oil companies, which have control over the oil pipes at the deep-water jetty. In the event of oil escaping into the harbour, how would the Albany Harbour Board be able to take action against itself? I am aware that in respect of most harbours, the Harbour and Light Department is in control, but in some cases the harbour boards themselves are in control.

Mr. CURRAN: I refer to subclause (3) relating to the discharge of effluents from oil refineries. Under the Bill, certain privileges are to be granted to the oil refinery in the State. Everyone realises what has happened in regard to pollution of the beaches in my electorate in recent years—from Coogee beach southwards to Rockingham. It was only last summer that Coogee Beach—one of the safest in the State for children—became covered with oil as a result of the influx of oil tankers at that time.

It should be provided that some sort of treatment plant must be installed by oil refineries in order to ensure that the effluent into the sea is much purer than it is at present. It is a well-known fact in Fremantle that fish caught in the vicinity of the Broken Hill Pty. Ltd. jetty are unfit for human consumption, as a result of the large amount of oil floating adjacent to the beach and jetty.

Consideration should be given to the insertion of a provision to place a greater responsibility on the oil refinery than is to be placed on the master of a ship. The Minister should give further consideration to the clause and agree to the establishment of a treatment plant by the oil refinery.

Mr. FLETCHER: I also want to refer to subclause (3), and in particular to paragraph (b) on page 6 which states—

> that it was not reasonably practicable to dispose of the effluent otherwise than by discharging it into waters within the jurisdiction.

I would like the Minister to give consideration to the remarks which I made earlier when speaking to the measure. Some alternative method of disposal of effluent should be found.

The points raised by the member for South Fremantle are well known to everyone in that district. The adjacent waters have been so contaminated with oil that the fish found in that area are affected, and when they are eaten there is a distinct taste of oil in them. It is quite evident that pollution is taking place on the beaches, and that the fish in the area are contaminated by the effluent discharging from the refinery.

As I mentioned earlier this evening, if there were some shore-based sump into which this effluent could be discharged, the water would sink into the sand and the oil would float. That is a reasonable assumption. Any oil scum left on the sandy surface of the sump could easily be disposed of by burning. This point has some substance and would be an alternative method of disposing of the effluent. It is for this reason that I ask the Minister to give consideration to the matter.

Mr. WILD: I will have a discussion with the general manager of the Harbour Trust, who was our representative on the Port Authorities Committee in Canberra which discussed the Bill as it came from the convention to the Commonwealth before it was introduced in the Commonwealth Parliament, and then passed on to the respective States. I can assure members that if something can be done along the lines suggested, it will be done.

Clause put and passed.

Clauses 7 to 10 put and passed.

Clause 11—Oil reception facilities:

Mr. HALL: I would ask the Minister to have a look at subclause (4) (a) because I believe that in dry dock facilities it is necessary that a discharge of the ballast be arranged for the safety of the ships. Sometimes it is also necessary to have a slight oil pollution around a dry dock in connection with the safety of the launching of ships.

Clause put and passed.

Clauses 12 to 15 put and passed.

Clause 16—No limit for prosecution:

Mr. HALL: I would ask the Minister to study this particular subclause, too, and discuss it with the Attorney-General, because he is referred to.

Mr. FLETCHER: I would like to ask the Minister whether the implication of subclause (1) is that an allowance has been made for the time lag which could arise between the time that a ship discharged oil and the time such oil reached a local beach. Time would be provided so that the offence could be proven against the ship or the ship's master for the pollution which took place. Do I make myself clear?

Mr. Wild: No. Would you please repeat it?

Mr. FLETCHER: Briefly then, it could take a week for oil to drift ashore from a ship, and I am wondering whether this subclause makes provision for that time lag in order that the responsibility can be placed on the right party.

Mr. WILD: I believe that the English in this subclause is clear. I would say it means that at any time a prosecution may take place. It does not matter whether a day, a week, a fortnight, or even a month has elapsed, if it is considered that a certain ship is responsible, a prosecution can be launched at any time afterwards.

Mr. Fletcher: Twelve months afterwards?

Mr. WILD: It could be 12 months. That is how I interpret it.

Clause put and passed.

Clauses 17 to 21 put and passed.

Title put and passed.

Report

Bill reported without amendment and the report adopted.

LOCAL AUTHORITIES, BRITISH EMPIRE AND COMMONWEALTH GAMES CONTRIBUTIONS AUTHORISATION BILL

Second Reading

Debate resumed from the 29th September.

MR. TOMS (Maylands) [7.53]: The title of this Bill is self-explanatory, and I support the second reading because without such legislation it would be impossible for any local authority to make a donation or contribution towards assisting the Lord Mayor and those committees organising the Empire Games which are to be held in Perth in 1962. This venture certainly deserves some encouragement and local authority support wherever possible.

There are, of course, many local authorities which, because of their limited income and other factors, have a very small margin on which to operate while still complying with section 335 of the Road Districts Act or section 340 of the Municipal Corporations Act. Those two sections deal particularly with the three per cent. account.

This Bill, brief as it is, will enable all local authorities to move outside the scope of the two sections to which I have referred, for a specific purpose, and then only with the consent and approval of the Minister. I feel that is a necessary safeguard, inasmuch as local authorities will not be permitted to go too far in regard to the handling of the money of the ratepayers.

As stated by the Attorney-General when introducing the measure in this House, the so-called glorious three per cent. account

has many calls upon it for contributions including, of course, support for charitable concerns and requests from local committees—particularly sporting committees—which do a very worthwhile job in their respective districts.

I believe that the ratepayers themselves are becoming more conversant with the workings of local authorities and are fast appreciating the work being done by members of the various bodies. They are also conscious of the fact that the representatives whom they elect are regarding their responsibilities with seriousness and can be depended upon not to waste any money that has been put into their charge.

Despite the provisions of this Bill it is possible, of course, that some road boards and councils which have at the present time large-scale developmental programmes will still find it difficult to make the contribution which they would perhaps desire to make. But at least the Bill does give those authorities which would be prepared to help and consider the cause worthy of help, the opportunity of giving an amount commensurate with the project in the mind of the Lord Mayor who worked so hard to obtain the games for Perth. I believe that the Lord Mayor is worthy of whatever support we can give him and I therefore commend the Bill to the House and support the second reading.

Question put and passed.

Bill read a second time.

In Committee

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

STOCK DISEASES ACT AMENDMENT BILL

Council's Amendments

Schedule of two amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

The CHAIRMAN: The Council's amendments are as follows:—

No. 1.

Clause 7, page 4, line 10—Add after the word "regulation" the following words:— "made under paragraph (9a) of this subsection."

No. 2.

Clause 7, page 4—Add after paragraph (e) a paragraph to stand as paragraph (f) as follows:—

(f) by adding after the word "regulations" in line 1 of subsection (2) the passage "except in respect of a regulation made under paragraph (9a) of subsection (1) of this section."

Mr. NALDER: I am sure we can agree to these amendments. The reason for them is that when the parent Act was drafted in 1895, the preservation of our stock from diseases was considered of such importance that the Governor was authorised under section 6 (2) to make regulations providing a maximum penalty of £500 for a breach of any regulation.

At that time, there was no provision in the Act for the making of regulations specifically in relation to poultry, such as for regulating the licensing, establishment, and carrying on of a hatchery and breeding flock poultry; or for prescribing the fees for and terms and conditions which should apply in respect of such undertaking; or for the regulation or prohibition of the disposal, treatment, marketing, classification, sale, and delivery of eggs for hatching, and of chickens.

The 1954 amendment to the Act did make provision, however, through the addition of paragraph (9b) in section 6 (1) (9). As a consequence of this provision, the existing maximum fine of £500 applying to stock generally now applies to poultry.

The purpose of the addition of paragraph (9b) was for the reduction of this penalty to £100 in respect of poultry establishments. Through an oversight in drafting, the reduced penalty has been made to apply to breaches of all regulations. This was not intended, and the proposed amendment rectifies the position. I move—

That the amendments be agreed to.

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

Resolution reported, the report adopted, and a message accordingly returned to the Council.

DAIRY CATTLE INDUSTRY COMPENSATION BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [8.3]: I move—

That the Bill be now read a second time.

This is the fourth attempt to arrive at a satisfactory compensation scheme for cattle compulsorily tested for tuberculosis which are outside the whole-milk scheme. The earlier Bills provided for beef as well as dairy cattle, and included diseases other than tuberculosis. Apparently none of the previous proposals was completely acceptable by the whole of the industry, and each time the legislation was withdrawn.

Since then, circumstances have changed somewhat. Those concerned on this occasion—the butterfat producers—have pressed for this legislation, and a series of discussions have taken place between the dairy section of the Farmers' Union and officers of the Department of Agriculture.

This Bill, as the name implies, will apply only to dairy cattle and will not apply to an owner of dairy cattle who holds a dairyman's license under the Milk Act.

The disease primarily dealt with will be tuberculosis, but actinomycosis—lumpy jaw, in ordinary language—is included; and provision is made for any other disease to be declared by proclamation. Members will recollect that I introduced a Bill last session to include Western Australia in a compensation scheme on an Australia-wide basis in the event of an outbreak of foot and mouth disease. At the moment, therefore, the main object is to deal with tuberculosis.

From time to time dairy herds outside the province of the Milk Act are tested for tuberculosis as the result of individual animals being discovered through condemnation at the abattoirs or by clinical observation. A heavy incidence of tuberculosis in a piggery will also lead to testing of the dairy herd from which the skim milk may be obtained. In this way herds have been decimated; and, in the absence of any compensation, individual farmers have suffered considerably. As a result, support for a compensation scheme has steadily grown, and the Farmers' Union has been pressing for action on the lines now taken.

For some years the Commissioner of Public Health has been very keen to see all herds tested in order to remove the existing hazard to public health. The position at present is that all the whole-milk herds, representing about 25 per cent, of the total dairy cow population of the State, are now under regular tests; and the incidence of tuberculosis has been reduced to a very low level. During the year ended the 30th June, 1960, some 18,800 head of cattle were tested for tuberculosis under the Milk Act and these tests produced 118 reactors, or an incidence of 0.62 per cent. This I think you, Sir, will agree is a very low percentage when so many cattle have been tested.

There is no doubt that some of the replacement cattle would come from the untested butterfat areas; and acceptance of this Bill will provide a source of tuberculin-tested replacements for whole-milk producers, and will overcome the present difficulty of complete eradication of tuberculosis from wholemilk herds.

There are other aspects which make this proposal so commendable. Tuberculosis would, for all practical purposes, be eradicated from the pig population as this disease is invariably of bovine origin and the infection is usually milk-borne. Each year a number of pigs are condemned at bacon factories and abattoirs on account of tuberculosis. In 1958-59 and in 1959-60 there were 157 and 90 pigs respectively, condemned.

Tuberculosis will also be greatly reduced in the butterfat areas, and the present wastage and economic loss will be reduced to a minimum. It is also reasonable to expect that condemnations of beef carcases at abattoirs will be lessened.

The Bill proposes that a compensation fund be established by the payment of a stamp duty at the rate of 2d. in the pound value of butterfat sold to registered dairy produce factories. This is equal to three-tenths of one penny per pound weight at present. It is estimated that producers will contribute £25,000 and the Government will contribute, on a pound for pound basis, £25,000. To this sum may be added the salvage value of carcases estimated at £10,000, making the total fund £60,000 in the first 12 months.

From experience in testing cattle in the Pinjarra-Dardanup area, 5 per cent. reactors are likely in the first 5-10 years. It is planned to progressively test 20,000 cattle annually; and, basing compensation at £35 per head for calculation purposes, it would require £35,000 plus another £5,000 for testing, transport, and administration, leaving a net balance of £20,000 in the fund.

The Bill proposes that the maximum amount of compensation payable in respect of diseased cattle shall be that recommended by the Minister at least once annually and approved by the Governor, similar to the requirement in the Milk Act.

As in the case of the Milk Act, it is anticipated that after five years or more, the incidence of tuberculosis will be reduced and the required contributions from dairymen and the Government will be lessened accordingly; but this, of course, will depend on the compensation paid per head.

The contributions to the fund are not made direct from the dairy farmer, as from a legal point of view it is felt that this may contravene the Commonwealth Constitution as it could be declared an excise, which is an exclusive matter for the Commonwealth Parliament. A small amendment which I shall shortly explain is therefore necessary to the Stamp Act.

To enable the necessary financial and staff arrangements, it is planned that the Act shall come into force on a date to be proclaimed. I feel that this is a very forward step and one that is in the interests of the producers and the community as a whole.

On motion by Mr. Hall, debate adjourned.

STAMP ACT AMENDMENT BILL (No. 2)

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [8.14]: I move—

That the Bill be now read a second time.

As I mentioned when introducing the previous Bill, this is a complementary measure to the Dairy Cattle Industry Compensation Bill. It is necessary to amend the Stamp Act to make provision for the payment of stamp duty on butterfat. The amount fixed is 2d. in the pound value of butterfat sold, and at present is equal to three-tenths of a penny per pound weight of butterfat.

It is estimated that this amount will be sufficient to provide the necessary fund; and it is expected that after the scheme has been in operation for a number of years and the incidence of disease reduced, the amount payable will be reduced. I have previously explained that from a legal point of view this is the soundest way of making the collection.

On motion by Mr. Rowberry, debate adjourned.

PLANT DISEASES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 27th September.

MR. KELLY (Merredin-Yilgarn) [8.15]: I do not intend to delay the House to any extent in speaking to this measure. The two principal amendments in the Bill are of a precautionary nature, because up till now there has been no requirement for legislation of this kind. However, there can always be a first time; and if a section of the industry decided to hold up the important baiting operations in any season at any given time to call for a poll on whether the baiting should be continued, it could prove drastic to the industry as a whole.

Therefore, the amendments in this small measure provide for the conducting of a poll at the end of the baiting season or just prior to the commencement of the new season. That would allow a period of two months in which to take any action needed. It is desirable to include such a provision because once a baiting programme has commenced it should not be broken in any circumstances until its proper conclusion.

The second amendment provides that, in the event of the winding up of the baiting season as the result of a poll, the vehicles, plant, equipment, or material under the control of the fruit-fly eradication committee shall be vested in the Minister.

Up to the present no question has been raised about the disposal of any assets held by the committee, but if this Bill is passed there will be incorporated in the Act a definite provision relating to the assets. That provision, of course, will be complementary to the first amendment.

Both of the amendments can be regarded as necessary safeguards. The question has not been raised previously. But apparently the Fruitgrowers' Association is satisfied that this measure should be introduced; and as the members of that organisation, together with the Government, are the two principal parties concerned, I can see no reason why the measure should not be passed.

Question put and passed.

Bill read a second time.

In Committee

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

INTERSTATE MAINTENANCE RECOVERY ACT AMENDMENT BILL

Second Reading

MR. WATTS (Stirling—Attorney-General) [8.23]: I move—

That the Bill be now read a second time.

Members will probably recall that last year a Bill was passed in this House relating to maintenance recovery and reciprocity between Western Australia, other parts of the Commonwealth, and New Zealand with respect to the service of a summons for maintenance and the enforcement of maintenance orders, which Bill also brought into operation some amendments to the Child Welfare Act. The measure was to be proclaimed before it came into operation.

However, it has not been proclaimed, because it was found that in the form in which one clause was passed it was contrary to the Judiciary Act of the Commonwealth, and therefore it was considered advisable not to proclaim the Bill, but to wait for this session of Parliament so that a correction could be made.

The Bill provided that a justice of the peace or a children's court could act. That provision was contained in subsection (4) of section 8 of the Act of last year.

Mr. Nulsen: Was that the Bill that was trying to catch up with a person in India?

Mr. WATTS: That is quite right. The Commonwealth Act that I mentioned governs the determination of cases where the parties are residing in different States, and the Commonwealth law requires that a special magistrate shall be used. Therefore the Bill before the House is designed

to delete the references to a justice of the peace; and, in consequence, there will be provision for the appointment of a special magistrate to deal with the matters I previously mentioned. That is the essence of the measure, which is quite a simple one, having as its object the correction of what might be classed as an error.

On motion by Mr. Nulsen, debate adjourned.

FIREARMS AND GUNS ACT AMENDMENT BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Perkins (Minister for Police) in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 2.

Page 2.—Delete all words after the word "employer" in line 9 down to and including the word "possession" in line 18.

Mr. PERKINS: I move—

That the amendment be agreed to.

A considerable amount of discussion took place here as to what restriction it was necessary to place on the issue of the permission for firearms to be loaned to employees for the destruction of vermin. The legislation was amended in this Chamber; and after considerable discussion in another place, an amendment was moved by Mr. Strickland, one of the members for the North Province. I see no objection to the amendment, and am prepared to accept it.

Mr. TONKIN: This emphasises the independence of thought practised by the members of the party to which I belong; but it still does not alter my opinion of the desirability of retaining some control over who shall use firearms. The amendment means that provided one is an employee of a farmer then, no matter who one is, or whence one comes, one is permitted to carry a firearm. One can have entire possession of it so long as one avers that one has it for the purpose of destroying vermin on the farmer's property.

That is contrary to the spirit of the Firearms and Guns Act; and if it is acceptable to the Police Department I wonder at the necessity for the Act at all; because if the amendment is passed it will not be necessary for the police to be notified as to who is in possession of the firearm. The farmer will simply buy the firearm, and take out a license; and from then on it will be no concern of the Police Department as to where it is.

The farmer could give it to one employee who could pass it on to another. There would be no check. The farmer could simply say, "This gun is licensed. It is on my property, and I have allowed my employee to have it." The employee would not need a license; and nobody would have to be told about his using the gun.

That is a very loose method of retaining control over firearms and guns. If there is no need for this control, why have it anywhere? If nobody is concerned as to who has the firearm, so long as he is on a farm, why be concerned about the matter anywhere else? If one is not on a farm and tries to get a license, one must give reasons why one wants a license and what one proposes to do with the firearm. One can be told one has no need for the firearm. That has happened in a number of cases. I related the case of a constituent of mine who had a similar experience. His gun was confiscated.

Mr. Bovell: You have more use for firearms in the country.

Mr. TONKIN: They are just as deadly anywhere else, if one's aim is straight enough.

Mr. May: If the gun is loaded.

Mr. TONKIN: Why should there be this difference of approach to the man on a farm having a gun as compared with a man anywhere else? If the Minister is prepared to accept the amendment, I do not know that I should be unduly worried about it. But I am surprised at the changed attitude of the department.

Mr. Perkins: There is no change in the department's attitude. I said the department did not regard the restriction as necessary.

Mr. TONKIN: The department does not regard any restriction as necessary?

Mr. Perkins: This restriction.

Mr. TONKIN: This refers to any property, not to a particular property. If the department is happy with the situation, I cannot see the need for the Act at all. The other day I read something in *The West Australian* which had a distinct bearing on this matter; it showed up the attitude somewhat. The circumstances of that report would make this amendment quite farcical. I am surprised to learn that the Police Department is satisfied, so far as country districts are concerned, with the lack of control which will result from the acceptance of the amendment.

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

Resolution reported, the report adopted, and a message accordingly returned to the Council.

DAIRY CATTLE INDUSTRY COMPENSATION BILL

Message: Appropriation

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY BILL

Council's Amendments

Schedule of seven amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Minister for Education) in charge of the Bill.

The CHAIRMAN: The Council's amendments are as follows:—

No. 1.
Clause 1, page 1, line 7—Delete the word "High."

No. 2.
Clause 3, page 2, line 3—Delete the word "High."

No. 3.
Clause 3, page 2, line 17—Insert after the word "school" the words "or in a primary school."

No. 4.
Clause 3, page 2—Add after the interpretation "Minister" the following interpretation:—

"primary school" means a Government school established or maintained as a primary school under the Education Act, 1928, situated in a remote country area of the State and which the Minister declares to be a primary school for the purposes of this Act.

No. 5.
Clause 4, page 2, line 25—Delete the word "High."

No. 6.
Clause 7, page 6, line 5—Add after the word "schools" the words "or in primary schools."

No. 7.
Title—Delete the word "High."

Mr. WATTS: I move—

That the amendments be not agreed to.

The Legislative Council has submitted these seven amendments to the Bill; they really comprise one amendment, because six of them are complementary to or consequential on the remaining one. Their purpose is to incorporate in the measure, authority for the body which the Bill proposes to set up to deal not only with hostels for high schools in country districts, but also with hostels for primary schools situated in remote country areas.

This Bill was introduced to make some more speedy contribution to the solution of a problem which has been concerning the Education Department and many citizens in regard to the accommodation of children who attend high schools in country districts, and principally three or four senior high schools. It is true the measure defines "high schools" as including junior high schools, if the Minister so declares; but it certainly did not go beyond any school which came under the heading of high school.

I have not the slightest objection to the establishment of hostel accommodation for country primary schools in remote areas where circumstances warranting its provision can be proved. There is such a hostel situated at Hall's Creek which was authorised in an earlier term of mine when I was in charge of the department. That hostel was subsequently completed and gave very good service. If the circumstances arose—there are none concerning purely primary schools at present—every effort would be made to bring about the necessary provision. In my opinion there is no need or reason to impose on this particular authority an obligation to extend its operations to primary schools.

There is an even stronger reason why these amendments should not be agreed to. In my view they are contrary to the provisions of section 46(3) of the Constitution Acts Amendment Act. Under the Bill an obligation to repay any money which is expended by the authority created by the Bill to erect, purchase, or otherwise deal with hostels, rests with the Government of the day. Consequently, to add to the obligations of the authority set up by the measure must, of necessity, add to the proposed charge or burden on the people.

Clause 13 of the Bill provides that the Treasurer shall repay the instalments of principal and interest in respect of money borrowed by the authority. The intention was for the Bill to apply to high school hostels only. I submit that the proposals of the Legislative Council are *ultra vires* its powers, in view of the section of the Constitution Acts Amendment Act to which I have just referred. The Message from the Governor recommended only appropriation to establish the country high school authority. On that ground, perhaps more strongly than on the others, it is my view that these seven amendments of the Council should be rejected.

Mr. HAWKE: I cannot altogether agree with what the Minister has said. If we study amendment No. 4 we will find that it proposes to place an interpretation of the term "primary school" into the Bill. The new Act would not place a single pennyworth of burden upon the Crown additional to what might be incurred in

relation to making money available from the Treasury in connection with hostels for high-school students. Any money which might have to be paid out in the future for a hostel for primary children in a remote area would be paid out only after the Minister for Education had declared such a school to be a primary school for the purposes of the Act.

Therefore, it seems to me that the finances of the Crown are perfectly well safeguarded. No expenditure of any kind could be incurred in relation to a hostel for a primary school unless the Minister declared it a primary school for the purposes of the Act. As far as I can understand the situation, these amendments would not place an increased burden automatically upon the Crown. All they would do would be to give the Minister for Education the discretionary right, should circumstances warrant it, to declare a primary school in a remote area of the State to be a primary school for the purposes set down in this legislation.

I would think that the Minister and his colleagues in the Government might accept these amendments. Through the years, it could be that more expenditure will have to be found in regard to the provision of hostels than is anticipated at the moment. However, that situation would be completely in the hands of the Minister in relation to primary schools, as the Minister for Education has to take the first essential step of declaring a school to be a primary school under the provisions of the legislation.

I see no risk, financial or otherwise, in the amendments. They could, at some later stage, help to meet a real need in remote country areas. I am not well enough informed at the moment to know the real total effect of the wording of the Message which we had from His Excellency the Governor in connection with the Bill. Whether the fact that his Message referred only to high schools and made no reference to primary schools would be a fatal objection I am not in a position to say. Nor is that point before us as such. All the Minister has asked us to do as a Committee is to reject the amendments as sent to us by the Legislative Council.

At the present time I think there is a considerable amount of merit in the amendments and no danger at all, because the position is to be placed in the hands of the Minister in relation to primary schools. Therefore, my present outlook is one favouring the amendments, rather than being opposed to them.

Mr. W. HEGNEY: Following the remarks of the Leader of the Opposition, I might suggest that the Minister is unnecessarily concerned with the constitutional aspect of the amendments. After all is said and done, the purpose of the Bill in the first place was to establish an authority for the purpose of enabling hostels to be constructed for country school children. Clause 8 of the Bill reads as follows:—

> In the exercise of its powers and functions under this Act the Authority shall have regard to any representations that may be made by the Minister to give effect to any decisions of the Government in relation thereto, conveyed to the Authority in writing by the Minister.

The CHAIRMAN (Mr. Roberts): Order! I cannot allow the honourable member to proceed to talk on clause 8 of the Bill. That clause is not mentioned in these amendments.

Mr. W. HEGNEY: I am not proceeding to talk on clause 8.

The CHAIRMAN (Mr. Roberts): The honourable member just read it.

Mr. W. HEGNEY: I read it for the purpose of showing the weakness in the Minister's argument that the constitution of the State precluded another place from passing these amendments. Surely I am entitled to show that a clause in the Bill definitely safeguards the position; because the authority cannot expend money without the sanction of the Minister, and therefore the hostel authority would be pledged to give effect to Government policy. That is as I see the position. I take it, Mr. Chairman, that we are dealing only with the first amendment.

The CHAIRMAN (Mr. Roberts): No. We are dealing with all the amendments contained in the message.

Mr. W. HEGNEY: Then that strengthens my argument for quoting the clause. All that another place seeks to do is to include a reference to primary schools. At all times when the hostel authority is set up it will have regard for the wishes of the Government of the day; and the Minister for Education will determine whether hostels are to be established, and where.

I do not think the Minister will lose any prestige or sleep over the adoption of these amendments. I believe we will be well advised in the interests of everyone, including those living in the remote areas, to agree to these amendments, which are very reasonable.

Mr. NORTON: I wish to support the amendments moved in another place; and I cannot see why the Minister should object to them on constitutional grounds. The main amendment includes a provision that the Bill shall apply also to a primary school if the Minister so directs. That leaves the onus entirely on the Government to create the extra charge on itself. This House is in no way creating an extra penalty on the Government by adding this interpretation.

The Minister raised the question whether this extra interpretation was warranted. There are many provisions included in Bills which do not appear warranted at the time, and this could be one of them. From a perusal of the daily newspapers we find that fees for private schools are rising steadily. Only in this morning's paper was a notice to the effect that the associated girls' schools have considerably raised their fees for next year. This will create a greater hardship on the people in the outback if they have to send their children away to school.

I would ask the Minister to give serious and favourable consideration to this amendment and allow it to be passed. If he makes inquiries he will find that there is no legal bar so far as a Message is concerned.

Mr. WATTS: I am a little surprised that my friends opposite are so willing to support legislation in a matter of this kind. This is not a question of safeguards. It is a question of the constitutional rights of the Legislative Council; and the Legislative Council, in my opinion—and I have gone into it very carefully—has no right to do what it has done in this matter.

I said briefly, in opening the opposition to these amendments, that I was satisfied they were contrary to the provisions of section 46 of the Constitution Act. It is not a question of safeguard or whether the Legislative Council can give the Minister authority to do something.

It is a fact that the Legislative Council, by its amendments, seeks to make it possible for a further obligation to be placed upon the people by way of a financial burden. It is beyond the authority of the Legislative Council to do that; and outside the scope of the Message for this Bill which provided only for a high school authority.

Section 46 (8) of the Constitution Act is very clear, too, and is as follows:—

> A vote, resolution, or Bill for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by message of the Governor to the Legislative Assembly.

The purpose of the appropriation was to establish a country high school hostels authority, and nothing else. Subsection (3) of the same section of the Constitution Act is as follows:—

> The Legislative Council may not amend any Bill so as to increase any proposed charge or burden on the people.

Therefore, it is not a question of safeguard, or whether or not the Bill is to provide for primary high schools. It is a question of whether the Legislative Council is constitutionally justified in making these amendments. I am of the opinion that it is not; and in those circumstances I use that—I think quite properly—as one of the reasons for the rejection of these amendments.

I said also that, speaking from the departmental point of view as well, it was not desirable that this measure should have included in it anything else than that which was first proposed. We are not averse to endeavouring to provide, if necessary, hostels for primary school students; but we have a very substantial problem at the moment which this Bill is intended to try to cope with. To enlarge that problem, even if it were constitutionally right for the Legislative Council to do so—which it is not—would not be fair to the hostels authority itself in view of the factor of the limitation which is placed upon it from the point of view of the raising of funds.

Therefore I appeal to the Committee without further ado to reject these amendments. If at some future time it is found necessary to build primary school hostels, so far as I am concerned every effort will be made to do so as was done on another occasion in the past.

Mr. HAWKE: Had the Minister challenged these amendments on the ground that in his opinion they are out of order, the speech that he has just made might have been appropriate. However, he has not done that.

Mr. Watts: I am advised that I cannot take this step, because the amendments are out of order, and my only course is to move for their rejection.

Mr. HAWKE: I disagree with the interpretation of the Minister in regard to what the Legislative Council is trying to do in these amendments. I say that the Legislative Council by moving these amendments has not placed, and cannot of itself place, one pennyworth of additional burden upon the Crown in connection with expenditure on hostels to house schoolchildren.

The only person under these amendments who can do that is the Minister for Education, because the Council's amendments provide, in the most clear-cut way, that no primary school can become a school under the provisions of this legislation unless the Minister has first declared such a school to be a primary school. Obviously, therefore, the Legislative Council is not imposing any additional burden upon the Crown.

The council is not putting forward amendments in relation to this Bill which compel, or would compel, the Minister or the Treasurer in the future to spend money on hostels for primary school children which the Minister and the Treasurer would not wish to spend. Such money could only be expended by the Treasurer

after the Minister for Education had decleared a remote area in country districts of the State to be a primary school for the purposes of the Act. No Minister for Education would make such a decision without first discussing the matter with the Treasurer.

Therefore, in my opinion, the Legislative Council, in these amendments, is merely giving to the Minister and to the Treasurer a discretionary right to expend that money from the Treasury for hostel purposes in relation to primary school children after the Minister and the Treasurer have agreed that it should be done. Should the Minister and the Treasurer not so agree, then not one penny would ever be expended under this proposed legislation on hostels to house primary school children.

I think the Minister and the Premier would both agree with that interpretation of the proposed new law as set out in the Legislative Council's amendments. If these amendments directly placed an added financial burden upon the Treasury, I would not have a bar of them; I would agree 100 per cent. with the view expressed by the Attorney-General. However, these amendments do not place one pennyworth additional burden upon the Treasury unless the Minister and the Treasurer first agree that it should be done.

Mr. Brand: If the Minister did agree, what would be the position?

Mr. HAWKE: The position would be that the Minister and the Treasurer together would have agreed that some money from the Treasury should be expended to provide hostel accommodation, or to help provide hostel accommodation, for primary school children in some remote area of the State.

Mr. Brand: Therefore, would not the amendments by the Legislative Council have incurred increased expenditure?

Mr. HAWKE: No, they would not. They would have given discretionary power to the Minister and to the Treasurer to do it; and the money could only be expended from Treasury funds after the Minister and the Treasurer had agreed that it should be so expended. Of themselves, these amendments do not incur the expenditure of a penny; and do not make the expenditure of a penny compulsory, as they apply to primary school children.

Mr. Brand: They make it possible.

Mr. HAWKE: The amendments leave the matter entirely to the discretion of the Minister, and the Minister would not take any action in the matter until after he had consulted with the Treasurer and they had both agreed. So the amendments, in my judgment, are in order. They have great merit, and I think the Minister and Treasurer should have this discretion to use whenever they consider a set of circumstances has developed which would justify some financial help from the Treasury towards assisting to provide hostel accommodation for primary school children in some faraway part of the State.

Mr. W. HEGNEY: With regard to the interjection of the Premier, assuming for the moment the Minister for Education is right in his arguments, as far as I know there is nothing to stop the Government of the day, through the Minister for Education under the Education Act, from establishing hostels itself. I think the Minister for Education would agree with me that if the Government decided tomorrow to build a hostel at Carnarvon, or somewhere else, it would be empowered to do so directly from Treasury funds.

What is there to prevent the Government from establishing a hostel directly from Consolidated Revenue, or loan funds —whichever the case may be—and later on the hostels authority, as set up under this Bill, being invoked in an advisory capacity to supervise the conduct of the hostel? There is nothing to prevent that.

I notice that the Minister for Education has carefully kept off the provisions of clause 8 that I read out—the clause which gives to the Government, through the Minister for Education, the entire authority to determine where and when hostels are to be built. As far as I can see, there is no imposition of a further charge upon the Crown by the Legislative Council, and I hope the amendments will be agreed to.

Mr. NORTON: I understand that when these amendments were being drafted in another place, it was done in consultation with the Parliamentary Draftsman to protect the Legislative Council from making the mistake which the Minister says has been made under the Constitution Act. That being the case, we have one authority saying that the amendments do not come within the Constitution, and another authority saying they do. Where do we go from there?

As far as I can see, the Minister is perfectly well protected. The Legislative Council has been perfectly well protected, because the proviso has been added; and it has been made very clear that no expenditure can be made by the Crown except with the approval of the Minister.

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

Ayes—24.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. Nimmo
Mr. Craig	Mr. O'Connor
Mr. Crommelin	Mr. O'Neil
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Hearman	Mr. Watts
Dr. Henn.	Mr. Wild
Mr. Hutchinson	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Curran	Mr. Nulsen
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	*(Teller.)*

Majority for—1.

Question thus passed; the Council's amendments not agreed to.

Resolution reported and the report adopted.

A Committee consisting of Mr. W. Hegney, Dr. Henn, and Mr. Watts (Minister for Education) drew up reasons for not agreeing to the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

DOG ACT AMENDMENT BILL

Second Reading

MR. PERKINS (Roe—Minister for Transport) [9.25]: I move—

That the Bill be now read a second time.

On the file, members will find a copy of the Bill, which has been transmitted from the Legislative Council. A number of important provisions are contained in the measure, aimed to amend the Dog Act, 1903-1948. The first amendment seeks to extend the authority of a registering officer to refuse to register dogs in certain circumstances. At present, in section 6A, the registering officer has power to refuse to license a dog if, in the opinion of the local authority, it is of a destructive nature.

The proposal in the Bill seeks to extend the right of refusal in regard to dogs suffering from an infectious or contagious disease. I know that members are well aware of the harm that can be caused by a dog suffering from such disease, and I feel sure all will agree that this is a most necessary amendment.

The second amendment concerns the need for a definite statement of the duty of a police officer or an officer of a local authority in connection with the seizure and impounding of a dog, and the method of obtaining the release or destruction of the animal. At present the position is ambiguous and doubtful in the absence of by-laws dealing with the question; and it may be that under existing legislation a policeman or an officer of a local authority who seizes a dog must retain the animal until it dies.

There is nothing new in the power of a police officer to seize a stray dog. He has had this power since 1903; and at times, in the public interest, has had to use it and has been forced to house the dog. The proposed amendment will save his being placed in an embarrassing position if he does seize a dog.

I feel sure that members are well aware of the complaints received concerning dogs being allowed in shops or on beaches without being subject to any adequate control. For hygiene and other reasons, this practice should be restricted, and the third amendment seeks to do this. By this amendment a new section 21A is to be created and this will prohibit dogs being in shops or on beaches specified by the local authority for the purpose unless they are on a chain, cord, or leash.

The fourth amendment concerns section 29, because it seeks to incorporate a new subsection in the Act. Section 29 as it stands at present authorises an adult male aboriginal native to register one male dog free of charge, and also requires the local authority to issue a collar and disc free of charge, on demand.

In view of the fact that in the South-West Land Division aboriginal natives are now able to obtain satisfactory employment, there is no justification for the continuance of the practice of free registration which is, of course, a relic of the time when natives were more tribalised. The amendment, therefore, is to confine the right to a free license to the areas outside the South-West Land Division. That is to say, natives on the goldfields or in the pastoral areas will be able to obtain a free license, but natives in the South-West Land Division will have to pay for any dog they desire to keep.

The next amendment concerns the necessity to insert a new section—29A—to deal with dogs suffering from a contagious or infectious disease. This new section will make it obligatory on the owner of such a dog to isolate it; and, if a justice of the peace considers it desirable, he can order it to be destroyed to prevent the dissemination of the disease.

Such an order can be made only if a registered veterinary surgeon, a medical practitioner, or a health inspector advises the justice that it is necessary. Dogs owned by aboriginal natives under the free licensing provision are subject to such power, and the amendment seeks to make it applicable to all dogs suffering from contagious or infectious diseases.

The sixth amendment concerns a dog which is being kept and being trained to be used as a guide for a blind person. At present the right of free registration is applicable only to a dog used as a guide, but the amendment seeks to extend the free registration to dogs in training.

The next amendment is designed to increase the fees set out in the third schedule. The present fees are 7s. 6d. for male dogs and 10s. for bitches. The amendment provides for an increase of the charge to 10s. for male dogs and £1 1s. for bitches, with a further provision that

if a dog of either sex is sterilised, and a certificate or statutory declaration to that effect is produced, the fee shall be only 5s.

It is a well-established fact that a female dog has a greater nuisance value; and that is the justification for the higher charge for fully-sexed animals. Where the animal has, however, been effectively sterilised, there is no reason why there should be any discrimination in the fees, nor any reason why there should not be a lower charge for all unsexed animals, as this should tend to reduce the nuisance of fully-sexed animals roaming the streets, whilst at the same time ensuring that only worthwhile dogs are retained in a fully-sexed condition for breeding purposes.

In the schedule, provision has also been made for a fee of £5 per annum to be charged for premises where dog breeding or trading is carried on, or where dogs are cared for. At present each dog must be registered separately and the fee paid. Under the amendment, wherever kennels are maintained for dog breeding, or dogs are kept for sale or are simply cared for, as in cases such as the Dogs' Refuge Home, one fee of £5 per annum will be sufficient, and there will be no necessity to register an individual dog until it is taken out in the ownership of some other person.

On motion by Mr. Brady, debate adjourned.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 27th September.

MR. MAY (Collie) [9.35]: I suppose at least 90 per cent of the statutes that pass through this House have to be amended from time to time because of anomalies that come to light through the course of time. The amendments proposed to the Coal Mine Workers (Pensions) Act are no exception. The Bill itself is quite a small one, containing, as it does, only three amendments. It is, however, very important to the people concerned.

The first amendment seeks to amend section 7 of the Act; and the reason for this is that it refers specifically to the interpretation placed on the word "continuous". The argument that was eventually taken to the Arbitration Court was caused as a result of the circumstances of a man who was very badly injured in the mines; so much so that he will never be able to follow normal employment in the future.

It is interesting to see the record of this case. The man in question commenced work in the pits at Collie in April, 1914, and worked continuously in the mines until November, 1943—the month in which he had the accident. He worked 29 years in the pits continuously, day in and day out, until he met with this very severe accident and was badly smashed up. His capacity for normal work is indefinite, and will be so for the rest of his life.

He has been three years regaining normal health—though nothing like the health which we enjoy—and in that time his worker's compensation was eaten up. He looked around for something to do in order to maintain his home. This Act came into force while he was on worker's compensation—on the 1st July, 1944. From the amount he received in worker's compensation he paid his contributions into the fund. But when he discovered that at no time would he be able to take on full-time normal work, he went to his union and asked whether he could be given a miner's pension. Somebody in the union said "No; come back when you are 60 years of age, and apply then". That advice was, of course, quite wrong, because he could have received the invalidity pension at that time had he been advised of it.

As a consequence, this man took on a part-time job cleaning the railway barracks. It is quite a small job; it takes about three hours a day and is the type of work he is able to perform. He continued to do that work until he reached the age of 60 when he would, under ordinary circumstances, have been entitled to receive a coalmine worker's pension. However, it was decided by the tribunal that this man had been working continuously beyond the allowable period, under the Act, of three years. We disagreed with that, and where there is disagreement the Arbitration Court becomes the deciding factor.

The Arbitration Court decided that this man had been in continuous employment for over a period of three years, which made him ineligible for a miner's pension. That was pretty hard, particularly after the man had been working in the pits continuously for 29 years. This was caused by a misunderstanding, and as a result of advice the man had received. The Coal Mine Workers (Pensions) Act had only just come into operation, and it is reasonable to assume that the union authorities had not had time to study its implications fully; besides which, it was quite a common thing to say, "When you are 60 years of age you get a miner's pension". Under the invalidity clause, however, it is quite a different matter. That is how the anomaly came about in regard to section 7 of the Act. The amendment in the Bill is designed to overcome such cases.

I might point out that the case to which I have referred is the only one that has cropped up since 1944; and it is quite on the cards that such a case will not occur again under the Coal Mine Workers (Pensions) Act. It seems a pity, therefore, that this man should be excluded from its benefits after all his years of service in the pits.

The amendment is to be retrospective so as to enable him to apply for the pension in the ordinary way. This would mean that any man can qualify by virtue of the time he has spent working in the mines. The provision will remedy the anomaly brought to light by the case I have quoted.

The second amendment seeks to amend section 21 of the principal Act, and the intention is to assist widows of coalmine workers, who are referred to as non-pensionable workers. A non-pensionable worker is a man who enters the industry at the age of 35 years or over.

Some years ago it was decided by the actuary that a man entering the industry over the age of 35 would become a drag on the fund; hence the definition of "non-pensionable worker". It was agreed at that time that the man who entered the industry over the age of 35 years should pay his contributions into the pension fund; and when he reached 60 years of age, instead of getting a pension, he would receive back the whole of his contributions—they would be refunded to him.

That is all very well; but we still have the case of the non-pensionable man's widow, who is left high and dry if her husband dies—she receives no pension. Under the amendment, it is proposed that if such a worker has contributed to the fund for not less than five years and dies before attaining the age of 60 years, his widow will be eligible for a pension.

There is another contributing factor to this amendment in the Bill. If a worker in the industry has contributed to the fund for ten years, after he entered the industry over the age of 35 years, he would be eligible for the invalid pension if he were to be injured in the course of his employment.

If a worker in this age group dies, then his widow will receive the pension under the provision in the Bill. There is a safeguard. It will enable the widow of a non-worker to be paid a pension subject to his contribution to the fund for five years. That provision covers the widow of a worker who enters the industry after the age of 35 years.

The third amendment in the Bill relates to the eligibility of a worker who was engaged in industry before reaching 35 years of age, and who subsequently left but re-entered the industry after 35 years of age. A worker in this category, provided he has an aggregate of 25 years' service and has paid contributions for a period of 15 years immediately prior to attaining the age of 60 years, becomes eligible for the pension. However, there is a proviso: If such a worker has already claimed a refund of his contributions after he first left the industry, the pension will not be payable.

Under the Act, a worker engaged in the industry, who has been paying into the fund for a certain period and who for some reason or other leaves the industry, can apply for a refund of his contributions. Under the Bill such a worker would not be covered by the third amendment.

The unions within the coal mining industry appreciate the submission of this Bill by the Government. Other amendments were also proposed by the unions, but the Government has not seen fit to include them. I can only hope that in the course of time the need for these further amendments proposed by the unions will become evident after they have been more closely examined, and that the Government will at a later date introduce a Bill to incorporate those amendments in the Act.

The three amendments in the Bill will give great satisfaction to the men employed in the coalmining industry. I commend the Bill to the House. I hope that when, at a later date, we press for the other amendments which we consider to be necessary, the Government will bring them before Parliament and amend the Act accordingly.

MR. ROSS HUTCHINSON: (Cottesloe—Minister for Health—in reply) [9.50]: I thank the member for Collie for his support of the Bill. It does bring about three worthwhile reforms in the coalmining industry. I quite expected the Bill to receive the support of the honourable member. It is true other amendments were submitted by the unions, but for the present they have been rejected by the Government. The three amendments in the Bill were considered to be just, and the Government has pleasure in introducing them.

Question put and passed.

Bill read a second time.

In Committee

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

ANNUAL ESTIMATES, 1960-61

In Committee of Supply

Debate resumed from the 29th September on the Treasurer's Financial Statement and on the Annual Estimates; the Deputy Chairman of Committees (Mr. Crommelin) in the Chair.

Vote—Legislative Council, £11,778—put and passed.

This concluded the general debate.

Votes and Items Discussed

Vote—Legislative Assembly, £15,726; Joint House Committee, £28,195; Joint Printing Committee, £27,031; Joint Library Committee, £700; Premier's Department, £65,847; Treasury, £173,060; Governor's Establishment, £23,108; Executive Council, £5—put and passed.

Vote—London Agency, £35,936:

MR. JAMIESON (Beeloo) [9.58]: I should like to know from the Treasurer whether he considers that, at this stage, the State is getting its equity from the London Agency? Earlier in the year I expressed doubts as to whether it was desirable to keep this office going on a large scale, and the possibility of the money being better spent on an agency situated elsewhere.

Formerly this office was an important one as it was a go-between in connection with contracts with various industrial firms in Great Britain and the Government of this State. However, in this day and age we find that most firms are fairly well tied up with local agencies here; and irrespective of the activity of the Agent-General on behalf of the Government, the agency fees must still be paid to those people who have the local agencies.

Under these circumstances I feel that we would not be justified in maintaining indefinitely an office at the standard that has prevailed in the past. Rather, we should make the local agents earn the fees they receive in connection with these various contracts. I should like to get some information from the Treasurer as to whether he thinks this money is at present being well spent, or whether he considers that it is time we had a review of the whole position, and established large agencies in other places.

MR. BRAND (Greenough—Treasurer) [10.1]: If a move were made such as is proposed by the honourable member, I suggest it would have to be given a great deal of consideration. I imagine that the Agent-General himself is kept very busy in these times in maintaining contacts with investors who are interested in this State—people such as those visiting the State at the present time.

As far as the actual agency is concerned, I should not think that the Agent-General would have a great deal to do. I do not know whether the Minister for Industrial Development would like to make any comment, since he was in England recently; but I am prepared to make some inquiries, seeing that this suggestion has been put forward.

The Government is anxious that the money spent in representation anywhere overseas is spent to the greatest advantage of Western Australia. Admittedly there is a tendency for the old order to remain, and it could well be that some consideration could be given to making a change.

MR. COURT (Nedlands—Minister for Industrial Development) [10.2]: At the suggestion of the Treasurer I will make a few brief comments on the point raised by the member for Beeloo. The amount of work done by the Agent-General in contracts today is very small. There was a time during the post-war shortages when the Agent-General's office had a tremendous amount of work to do in following up with contractors and potential contractors to try to ensure supplies for Western Australia. At that time there was intense competition throughout the world for materials, and partly-manufactured and fully-manufactured goods; and it was necessary to have close personal representation if we were going to get our place in the queue.

However, most of these problems have disappeared; and from my own observation in recent months, the amount of work in the Agent-General's office on that side would be very small. However, there are several other phases of representation that are time-consuming and very important. First of all, there is the general representation of the State to make certain that Western Australia is identified as a State.

I can assure the honourable member that the other States have no intention whatsoever of contracting their organisations in London. On the contrary, they seem to be wanting to extend them so that their States will be properly identified in the competition for capital and investment which comes to Australia.

Mr. May: Would not the Government have reasonable knowledge of what the office of the Agent-General has to do?

Mr. COURT: I am coming to that. I am dealing with the position point by point. I have been speaking about the general representation of the State. For instance, we had to use the good offices of the Agent-General to go to Lausanne to represent Western Australia. It was very convenient to have a man like the Agent-General with his background of Western Australia to represent the State at Lausanne to make certain that the story of Western Australia was told to the European industrialists; and to make certain that we were not left out in the cold. We did not want to leave our story to be told by another State agency or the Commonwealth.

There are other negotiations, from time to time, whereby we have to cable the Agent-General or write him for the purpose of getting him to take urgent action to represent the State. Because of his over-all knowledge of Western Australia and Western Australian affairs he is the logical person to undertake on-the-spot discussions. If we have a query in relation to industrial development, we get the Agent-General to make inquiries; and, in many cases, to go along personally to have discussions.

My own office uses the services of the Agent-General considerably; and by an arrangement with the Premier I have a lot of direct correspondence with the Agent-General, particularly at this stage

in our industrial development programme. The present visit of the United Kingdom industrialists is an example. We naturally got the Agent-General to interest himself in that particular matter, as well as obtaining assistance from other sources.

On the tourist side the Agent-General's office is very important and will become increasingly so in our drive for tourists. The Agent-General's office is a medium through which people will continue to seek information in regard to Western Australia.

There is a continuous flow of people seeking information about Western Australia. If they are wanting to migrate, or are trying to obtain a job, or are desirous of transferring their business interests to Western Australia, they go straight to the Agent-General's Office for information.

Mr. May: They do not always see him, though; that is the trouble. There have been complaints about the treatment received there sometimes.

Mr. COURT: It is impossible for everyone to see the Agent-General.

Mr. May: I agree; but the staff should know what to tell the people.

Mr. COURT: I, myself, found that some of the staff there—for instance, Mr. Cave—did a very good job in trying to present the story of Western Australia. I admit they do have a handicap, because they are not natives of Western Australia, or they have not lived here.

Mr. J. Hegney: He knows a lot about the State all the same.

Mr. COURT: That is true. Mr. Cave is a gentleman who talks about Western Australia as though he is a native. There are very few natives of Western Australia who could tell the story of Western Australia as Mr. Cave does, and one gets a shock when one finds out that he has not even been here. There are others on the staff who also do a good job in presenting the story of Western Australia.

Mr. J. Hegney: Mr. Denney should know.

Mr. COURT: Yes; he is the official secretary. But he cannot see everyone, either; and some of the more junior members of the staff are left to tell our story. During the season when tourists are coming into England, there is a tremendous influx of people into Savoy House.

I was most amazed—although I was there at the early part of the season and left before the main rush had started—at the number of people who went into Savoy House the moment they arrived in England, whether by sea or air. It has to be appreciated that there are many people going from Western Australia who have to use the Agent-General's Office as their address whilst they are in the United Kingdom. If they did not use it as their official address, they might have some difficulty with regard to their mail and other matters.

Those are but some of the duties carried out by the Agent-General and his staff. The Agent-General, Mr. Hoar, is coming to Western Australia for a refresher to bring himself up to date on what has happened and what is proposed in Western Australia. He will be here, I think, in January, and that will be an appropriate time for the Premier and his staff to confer with him.

I will be only too pleased to answer any specific questions following my experience in England in recent months; but in concluding these general remarks, I would say that it is very important at this stage that we be identified in London as a State. There have been many suggestions that there should be a transference of all the Agents-General to Australia House where they would be centralised.

Mr. May: We would not agree to that, would we?

Mr. COURT: In theory it sounds all right; but at this stage I personally would find it very hard to swallow, because we need more than ever to represent the particular claims of Western Australia.

Mr. May: We would still be the Cinderella State if that were done.

Mr. COURT: I agree; and for that reason it is important that we have an Agent-General's office of sufficient standard to represent Western Australia in a satisfactory manner. I think any curtailment of its activities could be dangerous. I would not suggest that the personnel organisaton is the perfect one; but already this matter is listed for review by the Premier's Office when Mr. Hoar comes to Western Australia in January of next year. Then the detailed organisation can be examined in the light of changing circumstances.

It could be that the organisation, taken in detail, provides for functions which do not warrant an officer of that particular nature; but I still think that in the overall picture, the same amount of staff would be required.

MR. J. HEGNEY (Middle Swan) [10.9]: I support the remarks of the Minister for Industrial Development in regard to the Agent-General's Office. I made use of the office when I was in England six years ago. The late Mr. Dimmitt was the Agent-General then, and I know for a fact that he did everything possible and went out of his way to try to meet the requirements of Western Australians visiting London. Also I can confirm the Minister's remarks in regard to Australia House. Australia House gives very little consideration to Western Australia, and therefore the continuation of the Agent-General's Office is well justified.

Mr. Bovell: Hear, hear!

Mr. J. HEGNEY: As the member for Collie has said, in the eyes of Australia House, Western Australia is small fry. When people inquire about Australia and the best place to settle down here, they are told about Sydney, or Melbourne, or one of the other big cities. However, at the Agent-General's Office, people are told about Western Australia and can obtain any information they desire.

I moved about London and the Continent and made Savoy House my postal address, as do many Western Australians when going to London. Almost without fail correspondence is forwarded to Ireland, or Rome, or anywhere else if a forwarding address is left at Savoy House. Also, if a person is wanting to go to a garden party at Buckingham Palace, the Agent-General makes the necessary arrangements. He performs a very great service to many people in various ways.

There is another matter I would like to refer to, which has not been mentioned so far. Some complaints have been made about the treatment received at the Agent-General's Office. I say that Mr. Cave, the clerk who meets most people going to and from Savoy House, is a first-rate officer who endeavours to do everything possible to meet the requirements of Western Australia. I know that discussions took place with the former Premier of Western Australia, who has a very high regard for Mr. Cave, as to the possibility of a visit by him to Western Australia to see the State about which he speaks so much.

Mr. Cave knows almost as much about the City of Perth as do most Western Australians, and it would be fitting if an opportunity were given to him to come to Western Australia to meet the Ministers and many other persons in Western Australia and to learn more about the State. He is a valued officer and is anxious to help at all times. I have no doubt that as Mr. Dimmitt gave good service, Mr. Hoar will do likewise, and will thus do a great job for Western Australia. I therefore think that the continuance of the office is well justified so far as Western Australia is concerned.

MR. MAY (Collie) [10.14]: There is one other aspect of the Agent-General's work which has not received any mention, and I have come into contact with it a good deal. I am referring to those people who are on superannuation and who visit the Old Country—particularly coalminers who like to take a trip home on their retirement.

When these people arrive in England they find that arrangements have been made with the Agent-General's Office for their pension payments to be made available to them the same as if they were still in Western Australia. I think that is a great advantage, because it does not apply only to coalminers on superannuation but to others who are superannuated and are on a visit to the Old Country.

I also wanted to ask the Minister for Industrial Development about the appearance of Savoy House. Did it strike him when he went to London as being a place which he could enter and obtain information? I have heard a lot of stories about the different types of propaganda which is placed in the window. Somebody told me it had been there for years. It may have been, for all I know.

But when the Minister for Industrial Development made his way to the Agent-General's office, how did the appearance of the office strike him? Was it sufficiently noticeable? Did it publicise this State in every possible way, before one entered the building to ask questions? I think we should try to publicise this State as much as possible.

Mr. J. Hegney: There are a lot of buildings in London.

Mr. MAY: But there is only one Agent-General's office for Western Australia, and that is the building I am referring to. I believe there is a St. Paul's Cathedral—

The CHAIRMAN (Mr. Roberts): Order! The honourable member should confine his remarks to the vote.

Mr. MAY: I am quite aware that there are other places in London as well as the Agent-General's office. I am interested to know whether we are getting value for the money being spent at Savoy House. I have nothing against the staff. As a matter of fact, during the time Mr. Dimmitt was Agent-General, I called on his services many times with regard to obtaining birth certificates for people in this State who, in most cases, needed them in a hurry.

During the war I had occasion to request a birth certificate for a man who was born in Denmark. There did not appear to be much hope of getting it, but I received it from London within three weeks. That is the sort of service which we look for, and which I believe we are getting.

However, some people who return from abroad comment that Savoy House could be improved. I am given to understand that some of the advertising material has been in the window of Savoy House for years. Surely the Minister for Industrial Development would know whether that is so, because he recently returned from there.

MR. COURT (Nedlands—Minister for Industrial Development) [10.18]: Briefly, in answer to the member for Collie regarding the appearance of Savoy House: Externally, it is not all that could be desired; but it is very well located. It probably has the best location of all the

offices of Agent-Generals in London, situated where it is. It has one disadvantage, however: it is more or less under a suspended sentence of part demolition. For many years there has been a plan for the creation of what I think is called a traffic circus, which would involve the demolition of quite a portion of what is now Savoy House. This fact has militated against any major remodelling of the building with a view to making it more modern looking and more attractive.

There has been criticism of the rather depressing black swan motif which one sees as one approaches the building. Also, the location is such that as one approaches one sees only the word "Australia" and not "Western Australia" until one comes right on to the building. There are matters of some detail which I do not think can be corrected until the fate of the building is determined.

The building is what is known as Duchy property—subject to lease—and I think that when the Agent-General comes out in January he will give the Premier full details, as far as he can obtain them, regarding intentions concerning the site. It has been suggested that the scheme now proposed would be so tremendously costly that it may not be proceeded with. It is hoped that when Mr. Hoar arrives, he will have information on that point and will be able to assist the Government in deciding what the future of Savoy House will be, so far as remodelling is concerned.

Concerning window displays, I am assured these are changed at regular intervals. Displays remain in the window for a certain length of time, but they are changed at regular intervals.

Vote put and passed.

Vote—Public Service Commissioner, £31,951:

Item No. 1—Inspectors, £9,115:

Mr. JAMIESON: I would like the Treasurer to explain the increase in the number of inspectors. I notice there was a decrease in the number of clerks and typists, but an increase of two in the number of inspectors. No doubt two employees have been promoted and found to be better employed in that capacity. Perhaps the Treasurer could explain just what the duties of such inspectors are, because the positions appear to be in a higher salary bracket. There are five inspectors within the public service; and to me that seems to be a lot of inspectors walking around. I would like to be informed as to how well those inspectors are employed.

Mr. BRAND: I cannot answer the honourable member in detail. I presume that as the service has grown, more inspectors have been needed, which would account for the increase of two referred to by the member for Beeloo. Presumably there have been some promotions of persons who may have been clerks. Frankly, I have no details of the actual reasons for the number of clerks or typists employed in the Public Service Commissioner's office. If the member for Beeloo would like that information, I am prepared to supply it to him at the next discussion on these Estimates.

Vote put and passed.

Vote—Government Motor Car Service, £10,095:

Item No. 3—Maintenance of Workshop and Motor Vehicles and Hire of Cars for all Departments, £23,000:

Mr. JAMIESON: I notice an estimate of £23,000 for maintenance of workshop and motor vehicles and hire of cars for all departments. In view of the fact that the Government has a number of cars, this seems a large amount to be levied against taxpayers for the hire of cars and the maintenance of the workshop. I wonder whether the Treasurer has any information on this matter. The amount would not be excessive if all departmental work were carried out by hire cars. But this amount does seem to be very high.

Mr. BRAND: Presumably the amount includes the wages of the men who are employed in the workshop, which would, of course, represent the major percentage of the sum. Regarding the hire of cars, it is quite true that the Government owns a number of cars; but there are occasions when it is necessary to hire vehicles. In the main, I think this figure would represent the wages of those who work in the workshop. I cannot say how many are employed there.

Mr. Jamieson: But wages and overtime are listed separately.

Mr. BRAND: Against this expenditure, there is an anticipated decrease of £434.

Item No. 4—Purchase of Cars, £5,000:

Mr. TONKIN: I would like to comment on item No. 4. I notice that the expenditure last year on the purchase of motor-cars rose very substantially above the estimate. I was wondering why the Premier was so far out in his estimate. Surely there did not develop during the year a need for cars which could not be foreseen at the time the estimate was drawn up!

On the Estimates of 1959-60 was provision for an expenditure of £5,000; but reference to the Estimates shows that the actual expenditure was £13,172. I have no objection to Ministers having reasonably good cars, but the expenditure of £13,172 in one year to provide cars, when already there appeared to be an adequate number in very good condition, seems to me to require some explanation.

From my recollection, the previous Government expended about £5,000 a year on the purchase of new cars; but £13,000 in

one year seems to me to be something which calls for some explanation. If there is one, I would like to hear it.

Mr. BRAND: Whilst the estimate of £5,000 was certainly put forward last year, I should say it was based on previous estimates of expenditure under this item. The sharp increase in the outlay for cars arose as a result of the policy of the Government to get rid of cars which had done over 50,000, 60,000, or 70,000 miles, and which were not in very good condition. Having made some inquiries in the Eastern States, where the policy is followed of selling cars after they have done something in the vicinity of 30,000 or 40,000 miles, I suggested it might be a good policy for us to follow, so that we would always have cars in a first-class condition.

Against that, of course, there is a very large return to the Treasury from the sale of the cars; and although I have not the information here as to the total sum received, I am quite willing to give it the next time we discuss this item. That explains the reason for the sharp increase in the outlay for new cars for the year. We have the debit figure but we have not the credit figure to give members at this moment.

Vote put and passed.

Vote—Audit, £87,780—put and passed.

Vote—Compassionate Allowances, etc. £500:

Mr. JAMIESON: I would like some information on these compassionate allowances. It would appear from the regular allocations to these people that it is paid more or less as an *ex gratia* pension on a permanent basis to these recipients. Is it the intention of the Treasury to continue such payments; and, if it is, would it not be better to have the payments included in some other estimate rather than in this way?

Mr. BRAND: Presumably this is the manner in which the Estimates have been presented to Parliament for quite a long time. The *ex gratia* payment made to the widows concerned, and people such as Mr. Beale and Mr. Newlands, is made from the Treasury proper; and therefore these items are in the Treasury Estimates. I do not think there would be any great advantage in listing them under any other heading, and I see no reason why there should be any alteration, or that anyone would be embarrassed as a result of the information being presented to Parliament in this form.

Vote put and passed.

Vote—Government Stores, £154,390:

Mr. MOIR: I would like an explanation from the Treasurer with respect to the Assistant Controller of Stores. Last year the expenditure for the Controller of Stores was £2,750 and the estimate for this year is £2,901. However, last year the expenditure for the Assistant Controller of Stores was £2,108 and this year the estimate is £3,213—£312 higher than the controller's salary, and £1,115 more than the Assistant Controller received last year.

Mr BRAND: Frankly I cannot give an explanation of the point raised but it is one well worth taking. I will get the information for the honourable member. I might point out that there are a number of occasions where a Government officer may have received certain allowances for back pay which would augment his yearly salary. It seems to me that there should be some explanation, and I shall certainly get it for the honourable member.

Vote put and passed.

Votes—Taxation, £71,690; Superannuation Board, £16,600—put and passed.

Vote—Printing, £513,800:

Mr. TOMS: I notice that it has been typical throughout the Estimates so far that there have been rises generally for the chiefs of departments; but apparently in this instance the Government Printer is to suffer a £90 reduction. The expenditure for 1959-60 was £3,131, and the estimate for this year is £3,041. Can the Treasurer give us any information in regard to that?

Mr. BRAND: I should imagine, as I said just now, that last year some special payment was made, probably for long-service leave or something like that. We all know that there has been no reduction in the salaries of senior civil servants or anyone else. Therefore, I should think that the extra last year was for some special allowance. However, I will make inquiries and pass the information on to the honourable member.

Vote put and passed.

Vote—Miscellaneous Services, £4,662,177:

Item No. 3—Tourist Development Authority—Salaries and Incidentals, £75,000:

Mr. BRADY: This amount will be on account of the Bill which was passed through the Chamber last year. The estimate for this current financial year is £75,000, an increase of £74,809 over the expenditure of last year. That is a very substantial amount, and no doubt the Treasurer will be able to give us some information on how the money is to be expended.

Progress reported, and leave granted to sit again.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Treasurer) I move—

That the House at its rising adjourn until 2.15 p.m. on Thursday next.

Question put and passed.

House adjourned at 10.36 p.m.