BILLS (4): RETURNED

1. Eastern Goldfields Transport Board Act Amendment Bill.
2. Stock Diseases Act Amendment Bill.
3. Bread Act Amendment Bill.
4. State Electricity Commission Act Amendment Bill.

Bills returned from the Council without amendment.

BILLS OF SALE ACT AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it had agreed to the amendment made by the Assembly.

House adjourned at 8.26 p.m.

Legislative Council

Wednesday, the 5th October, 1966

CONTENTS

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

QUESTIONS (10): ON NOTICE

CANNINGTON HIGH SCHOOL

Additions: Completion

1. The Hon. C. E. GRIFFITHS asked the Minister for Mines:

   (1) Will the Minister advise whether the proposed additions to the Cannington High School will be completed in time for the commencement of the 1967 school year?

   (2) If not, when is it anticipated that the additions will be completed?

The Hon. A. F. GRIFFITH replied:

(1) The proposed additions to the Cannington High School will be completed for the commencement of the 1967 school year.

(2) Answered by (1).

POULTRY FEED

Inclusion of Sorghum

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

   (1) Is poultry food cheaper in Queensland than in Western Australia?

   (2) If so, is it because of the extensive use of sorghum grain as a constituent in Queensland poultry foods?

   (3) Will the Department of Agriculture investigate the cost factor indicated in (1) and (2) above, and advise if sorghum can be grown extensively in Western Australia for use in poultry foods, with consequent financial benefit to our poultry farmers?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) Yes.

(3) Sorghum is being investigated as a supplementary crop at the Ord River and some promising experimental yields have been obtained. This work is being continued. It is considered that there are no possibilities for sorghum as a grain crop in the southern parts of Western Australia.

SUPERPHOSPHATE

Trace Elements: Analyses

3. The Hon. J. HEITMAN asked the Minister for Local Government:

   With reference to my question on Thursday, the 22nd September, 1966, relating to superphosphate mixtures, will the Minister advise—

   (1) How often are analyses of superphosphate trace element mixtures taken?

   (2) How many men are employed in this work?

   (3) What compensation is allowed to farmers when the permissible limit of variation from the registered analyses occurs?

The Hon. L. A. LOGAN replied:

(1) Fertilisers are sampled regularly, particularly during the period of seasonal demand. Twenty-six samples of trace element mixtures were taken over the last seven months.

(2) One inspector and six part-time inspectors.

(3) Of all tests taken, no variation outside the permissible limit of the registered analysis has occurred.

WATER CATCHMENTS WEST OF SALMON GUMS

Survey

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

(1) Have the water catchment possibilities of the Peak Charles, Peak Eleanora, and Dog Rock areas, west of Salmon Gums, been ascertained for—
(a) subterranean; and
(b) surface conservation?

(2) If so, what are the findings?

(3) If not, will they be included in the planned survey of the Salmon Gums area?

The Hon. A. F. GRIFFITH replied:

(1) (a) Yes.
(b) Yes.

(2) (a) Very small supplies of underground water at Dog Rock. None at Peak Charles or Peak Eleanora.
(b) Surface storage potential of Peak Charles assessed at 5,250,000 gallons.
(c) Surface storage potential of Peak Eleanora assessed at 272,000 gallons.
(d) Surface storage potential of Dog Rock assessed at 250,000 gallons.

(3) Answered by (1) and (2).

PASTORAL LEASES

Improvements: Damage by Mining Companies

5. The Hon. G. E. D. BRAND asked the Minister for Mines:

(1) Is the Minister aware that mining company representatives prospecting on pastoral properties, are doing great damage to water courses, fencing, and other improvements?

(2) If so, will the Minister advise the House what protection the owner has, and what action he can take?

The Hon. A. F. GRIFFITH replied:

(1) Not generally, but I recently received a deputation from the Pastoralists and Graziers Association of Western Australia concerning some complaints of this nature in the Kalgoorlie area. As a result of this meeting, I understand that there is now better co-operation between the parties concerned.

(2) A pastoralist has a right at common law to claim damages for injury to his improvements caused by negligent or unreasonable acts in the course of mining operations.

LAND AT SALMON GUMS

Withdrawal from Allocation

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

(1) Will the Minister advise whether a large number of blocks in the Salmon Gums district were advertised for allocation, and subsequently withdrawn?

(2) If the blocks were advertised, what was the reason for the subsequent withdrawal?

The Hon. A. F. GRIFFITH replied:

(1) In October, 1962, a large number of surveyed locations in the Fitzgerald Land District (between Beete and Salmon Gums) were released for selection, but all were not allocated.

(2) The number of locations unallotted by the Land Board at that time were not made available for selection again as a result of submissions by the Department of Agriculture. Subsequently the remaining locations have been released for selection.

FIREWORKS

Restriction on Sale

7. The Hon. G. E. D. BRAND asked the Minister for Mines:

Will the Minister consider introducing legislation to restrict the sale of fireworks until one week before the 5th November each year?

The Hon. A. F. GRIFFITH replied:

No.

ROADS IN NORSEMAN, BRUCE ROCK, AND MERREDIN SHIRES

Main Roads Department Plans

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

In the Shires of Narembeen, Bruce Rock, and Merredin—
(a) what are the Main Roads Department plans for road construction, repairs, and financial assistance for road works;
(b) where is each particular work to be carried out; and
(c) what is the estimated cost of each?

The Hon. A. F. GRIFFITH replied:

In the 1966-67 programme of works, the Main Roads Department has made provision for road works in the Shires of Narembeen, Bruce Rock, and Merredin in accordance with the following statement:—

MAIN ROADS DEPARTMENT, 1966-67—PROGRAMME ALLOCATIONS IN THE SHIRES OF NAREMBEEN, BRUCE ROCK AND MERREDIN

Road	Nature of Work	Section	$
Narembeen Shire Council—			
Important Secondary Roads :			
Bruce Rock-Narembeen	Maintenance		200
School bus routes	Maintenance		8,250
Developmental Roads :			
Merredin-Narembeen	Construct and prime 6.2 miles 12 ft. wide		16,500 (L.A. to contribute)
Narembeen-Corrigin	Improvements		4,000
Cramphorne East and West	Improvements		2,000
Mt. Walker North and South	Improvements		2,000
Contributory bitumen scheme	Details to be arranged with L.A.		8,000
Narembeen East	Single coat seal 5 miles 12 ft. wide	20.5–25.5m.	9,500
General allocation	Construction on selected developmental roads		12,000
			$62,450
Bruce Rock Shire Council—			
Important Secondary Roads :			
Bruce Rock-Corrigin	Culverting	Ardath Flood Sections	6,000
Bruce Rock-Corrigin	Maintenance		500
Bruce Rock-Narembeen	Maintenance		300
Doodlakine-Bruce Rock	Maintenance		200
Developmental Roads :			
Shackleton-Bilbarin	Improvements		5,000
Kwolyin South	Improvements		4,000
Liebecks	Improvements		3,000
Contributory bitumen scheme	Details to be arranged with L.A.		12,000
General allocation	Construction on selected developmental roads		10,000
School bus routes	Maintenance		5,440
			$46,440
Merredin Shire Council—			
Main Roads :			
Goomalling - Wyalkatchem - Merredin	Culverting	178–183m.	2,000
Do. do. do.	Reseal 9.5 miles 18 ft. wide	181.1m–190.6m.	26,000
Midland - Merredin - Southern Cross	Reconstruct culvert and prime 4.2 miles 22 ft. wide	149.5m.–178.15m. various sections	140,100
Do. do. do.	Widen and prime 11.2 miles 6 ft. wide		
Do. do. do.	Reseal 2.35 miles 20 ft. wide	144.8 – 161.25m., various sections	7,200
Do. do. do.	Single coat seal 0.2 miles 22 ft. wide	152.7–152.9m.	600
Important Secondary Roads :			
Doodlakine-Bruce Rock	Construct and prime 1.6 miles 12 ft. wide	6.0–7.6m.	12,000
Do. do.	Maintenance		100
Developmental Roads :			
Merredin-Narembeen	Construct and prime 4.7 miles 12 ft. wide		24,500 (L.A. to contribute)
Chandler	Improvements		4,000
Knungadgin	Improvements		2,000
Goomarin	Improvements		2,000
South Booraan	Improvements		2,000
Robartsons	Improvements		2,000
Contributory bitumen scheme	Details to be arranged with L.A.		10,000
Old Great Eastern	Hot bituminous concrete 0.6 miles 24 ft. wide		4,900
General allocation	Construction on selected developmental roads		8,000
School bus routes	Maintenance		5,940
			$253,340

SHEEP FROM THE EASTERN STATES

Burr Infestation

9. The Hon. G. E. D. BRAND asked the Minister for Mines:

In view of the fact that 13,841 sheep from the Eastern States have been shorn at Parkeston during the last three months, and, as approximately 40,000 were shorn in the previous year, will the Minister inform the House—

(1) Why, despite frequent requests, a stock inspector from the Western Australian Department of Agriculture cannot be stationed at Port Augusta to inspect stock that are in transit to this State?

(2) Does he consider that sheep in transit that arrive in this State in a burr-infested condition, or with over-length wool, should be returned to the point of despatch?

(3) Is it not necessary for consignments of sheep from the Eastern States to carry a certificate to the effect that the stock are free from burr-infestation?

(4) If the reply to (3) is "Yes," and in view of the seriousness of the situation, will the Government take whatever steps are necessary to ensure that stock arriving from other States are in a clean condition?

The Hon. A. F. GRIFFITH replied:

(1) An inspector from Western Australia has no authority in South Australia.

(2) No. This is not practicable.

(3) Yes.

(4) Detailed discussions between officers of the Western Australian and South Australian Departments of Agriculture have already been held in Perth, to finalise procedures which should ensure that imported sheep are free of diseases and weed seeds. It is expected that these procedures will become operative in the near future.

RAILWAY PROPERTY AT MERREDIN

Fencing of Open Drain

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

(1) Is the Minister aware that a large open drain has been constructed on railway property the whole length of Todd Street in Merredin?

(2) Is he also aware that this drain is a hazard to children during rains, due to the flow of water, and after rains, due to the accumulation of small pools?

(3) Will the Minister give very early consideration to having the area enclosed with a wire cyclone mesh fence, thus preventing children from entering it, and the possibility of a fatal accident?

The Hon. A. F. GRIFFITH replied:

(1) Yes. The drain was constructed in conjunction with the Merredin Shire and Main Roads Department to clear storm water from the South Merredin area.

(2) The drain is an upgrading of an earlier one which in so far as is known, has never been considered dangerous, and it is debatable whether it constitutes any more of a hazard than formerly.

(3) A fence will be erected as soon as staging work being performed in connection with the standard gauge railway in the area is completed.

BILLS (3): INTRODUCTION AND FIRST READING

1. Optometrists Act Amendment Bill.
2. Optical Dispensers Bill.
3. Medical Act Amendment Bill.

Bills introduced, on motions by The Hon. G. C. MacKinnon (Minister for Health), and read a first time.

SWAN RIVER CONSERVATION ACT AMENDMENT BILL

Third Reading

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [4.49 p.m.]: I move—

That the Bill be now read a third time.

I promised Mr. Dolan yesterday to give some thought to the matter he raised in regard to the representative of the Metropolitan Water Supply, Sewerage and Drainage Department. Whilst he might have a point—and there would be no objection to amending the Bill—I do not think there is any real need to do so. The present representative is Mr. Hillman, the chief engineer of the department—not of the board. He is not a member of the board, but is an engineer of the department, and as such I suppose he represents, in effect, both the department and the board.

From a phraseology point of view it would be better to leave the wording as it is, otherwise if altered the relevant portion in the Act will read—

one shall be a drainage and sewerage engineer to represent the Metropoli-

tan Water Supply, Sewerage, and Drainage Board on the Board.

The wording would be clumsy and it would be providing for a representative of the board to be on the board; so, from a phraseology point of view, the wording should be left as it is.

Question put and passed.

Bill read a third time and passed.

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [4.50 p.m.]: I move—

That the Bill be now read a second time.

This Bill is to adjust the salaries payable to judges in Western Australia and is similar to those brought by the Government of the day to the House from time to time to bridge the gap as between the salaries paid to judges in this State and those paid in other comparative States.

It has been a practice in the past to take into consideration the salaries paid in South Australia and Queensland, in particular, as in many respects conditions in those States are more like those pertaining here.

When a similar Bill was introduced in 1964, the salaries paid to the Chief Justices in Tasmania and Western Australia were the lowest in Australia. On that occasion, particular cognisance was taken of the salaries then being paid in Queensland and South Australia, namely, $14,000 per annum, and the 1964 Bill increased the salary of the Chief Justice to that figure. This represented an increase of $1,200, and this figure was uniformly applied to the salary payable to the Senior Puisne Judge, bringing his salary to $12,700 per annum, and to the puisne judges, bringing their salaries to $12,400 per annum.

The salaries now being paid to the Chief Justices in the other States are as follows: Federal, $24,000 per annum; New South Wales, $18,500, plus $800 expense allowance; Victoria, $17,300, plus $1,000 expense allowance; Queensland, $15,000; South Australia, $15,200; and Tasmania, $14,000. These figures provide an average of the other States, excluding the High Court of Australia and expense allowances, of $16,000.

The proposal in this Bill is to grant an increase in salary of $1,400 to the Chief Justice to bring his salary to $15,400; an increase of $1,300 to the Senior Puisne Judge to bring his salary to $14,000; and an increase of $1,200 for the puisne judges to bring their salaries to $13,600 per annum.

I believe members will find this an equitable provision under which the salaries paid to the judges in this State will be brought more into line with the salaries being paid in those States where conditions are comparable with those prevailing here.

I might add that there is at this time no other basis on which these adjustments can be made equitably, and it has been the practice in the past to make them in relation to the other States on the basis I have outlined.

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

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th October.

THE HON. J. J. GARRIGAN (South-East) [4.55 p.m.]: I do not want the Minister to think for one moment while I am talking that I am attacking him for introducing the Bill. The parent Act was introduced to this House a number of years ago.

The Government established this board, it is financed by the public of Western Australia, and now the Government has seen fit to make its operations concrete and watertight. It astounds me to think that a Bill of this nature should be presented to the Parliament of Western Australia. I suggest that the board would have more power than the Government itself, and it has been given that power by the Government. The board did not have to obtain permission from Parliament to place a 15-minute time limit, before the advertised starting times, on Eastern States races. It did not have to obtain permission from Parliament to remove the conveniences from the old S.P. shops. It did that of its own accord.

Many people supported those S.P. betting shops for years. The same people frequent the totalisator agencies, and they like to see the names of the winning and placed horses, as well as their numbers, on the board. The omission of the names of the winning and placed horses was done by the board without placing the matter before the Government. It is hard to back a winner at any time, but the names do help.

This is a very small Bill, but it contains a lot of meaning and principle. I have been in this House for something like 12 years and I have not seen the Government give anything away, except homing-pigeons and boomerangs, which the Government knows will return with gilt-edge security. That is exactly what the Government is doing under this Bill.

If the Government of the day sets itself up as a bookmaker it should be prepared to take the same risk as other bookmakers on any course in Australia. If a bookmaker offers odds of 10 to 1 in New South Wales or Victoria, and another bookmaker offers 12 to 1, punters will

knock him off his perch to get the longer odds. But this Government sets up the board as a monopoly—the greatest in Australia. No greater monopoly exists in any other part of the world. This is a bigger monopoly than West Australian Newspapers, or any brewery; and it is a monopoly established by the Government, and supported by it.

If the Government wants to be a bookmaker, it should be one in the proper sense of the word. A punter can place a bet with a bookmaker at odds of 100 to 1 and, if the horse wins, the punter is paid those odds. But under this Bill there are to be limits which will make the position of the Totalisator Agency Board safe and secure. The old saying is, "If you cannot win, you cannot lose," and that is exactly the position of the board under this Bill.

The Hon. A. F. Griffith: What was the limitation on S.P. betting?

The Hon. J. J. GARRIGAN: I do not think this Bill has anything to do with S.P. betting. The T.A.B. was something instituted by the Minister's Government. If the Government establishes itself as a bookmaker, as it has done, with the people's money, it should operate as a bookmaker and allow the dividends that are declared on the Eastern States courses to be paid in our totalisator agencies. Members will know that very few horses win the Melbourne Cup at odds of 100 to 1. The last horse to do this was Old Rowley in 1940; and Lord Fury also started at good odds. Why is not the board fair? Why does it not compete fairly? If it did, it would not exist for very long.

I am led to believe this Government believes in private enterprise, which I believe in myself. I am led to believe this Government believes in competition but, if the competition is going to be fair, why make the rules rigid, and hard and fast? Why not compete fairly with other bookmakers in Western Australia, or in the Eastern States?

Further, I am led to believe that only recently the board acted on its own volition and took some action with regard to administration. This matter did not come before the House; it was instituted by the board—the mighty board itself; the most powerful organisation that ever existed in the English-speaking British Commonwealth of Nations.

The Hon. A. F. Griffith: I have heard Mrs. Hutchison say that the most powerful organisation is the Legislative Council.

The Hon. J. J. GARRIGAN: This board has been supported by our own people, but now the Government intends to impose limits.

The Hon. F. J. S. Wise: The board has not as much power as the Town Planning Board.

The Hon. J. J. GARRIGAN: Perhaps there is a little story behind this whole matter which might hurt some people if I revive it. About two years ago, when there was a very important meeting in Sydney, and only a small country meeting in Victoria, a little horse by the name of Cronin was set up. A number of the smart boys backed it in Sydney and they had their own agents in Western Australia. On this occasion they slid out from under the guard of the T.A.B. and it cost the Government and the taxpayers of this country something like £40,000.

The board which exists today—with all its power and glory—is going to make the position watertight. It is going to say, "We are not putting up with this nonsense again." The board has all the power and the autonomy it wants.

Should this matter be dragged over the floor of the House? I think the board itself must be still recovering from the pay-out, and thinking how it was caught so offguard.

In the latter part of this little Bill—it looks a simple little Bill, but it is one with a lot of meaning—there is a provision under which the board will impose penalties to stop illegal bookmakers from operating and punters from betting with them. I am reminded of Kalgoorlie in the old days, when gold was so easily obtained and sold—if there were no sellers, there were no buyers, and *vice versa*.

The effect of this Bill will be to drive people underground in order to bet because the odds which are available from ordinary bookmakers on the course will not be allowed by the T.A.B. Bookmakers' odds have never been limited by legislation and if one is quoted odds of 50 to 1, or whatever the price might be, naturally one will take the bet. In effect, we will revert to the days of Al Capone. Corruption and graft, and everything that is illegal will be encouraged by driving the people to this sort of thing.

The Hon. A. F. Griffith: Do you remember the legislation that the Labor Government introduced to provide for starting-price betting? Did that have a limit?

The Hon. J. J. GARRIGAN: Of course it had a limit. The bookmakers made their own limits and, as I have already mentioned, they were illegal.

The Hon. A. F. Griffith: Were they still illegal after the Labor Party's Bill to legalise them?

The Hon. J. J. GARRIGAN: Yes. The Labor Government legalised the old S.P. betting shops and the operators had their own organisation; but it is the taxpayers who will pay through this legislation. If the Minister is going to set himself up as a bookmaker, I suggest he stand up as one.

The Hon. A. F. Griffith: The point I ask is this: Did the previous Bill, which provided for the new order, do away with the old starting-price betting and provide for legalised starting-price betting and did it have a limit?

The Hon. J. J. GARRIGAN: As I have said, the bookmakers made their own limits. The Labor Party did not make them, and the Minister knows this as well as I do.

The Hon. W. F. Willesee: I think Mr. Garrigan is right.

The Hon. J. J. GARRIGAN: Of course I am right.

The Hon. L. A. Logan: There were definite limits.

The Hon. W. F. Willesee: And, incidentally, better limits than are provided by this Bill.

The Hon. J. J. GARRIGAN: I would suggest that we should always remember the old phrase, "There are no born communists—they are made communists." This dictatorial attitude which the Government and the board are adopting towards the people of Western Australia will only make communists by driving people underground. I should suggest to the Minister not to forget that before 1968 the people will react. I oppose the Bill.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.5 p.m.]: I can only say to Mr. Garrigan that, if the people he has in mind are going to react in 1968, there will be some smiling faces on the other side of the House.

The Hon. J. Dolan: There are now.

The Hon. F. J. S. Wise: A few on this side, too.

The Hon. A. F. GRIFFITH: We are smiling most of the time. To deal with the other reference to getting mixed up with communism, I do not think that has anything to do with this measure.

The Hon. J. J. Garrigan: It is dictatorial.

The Hon. A. F. GRIFFITH: I profess that I do not know anything about racing but I refer to the question I endeavoured to ask Mr. Garrigan. I was of the opinion that the legislation introduced by the previous Government, which legalised starting-price betting, provided for a limit. Somebody with greater knowledge of the racing world could correct me if I am wrong.

The Hon. J. J. Garrigan: The bookmakers made their own limits.

The Hon. A. F. GRIFFITH: But it provided for a limit!

The Hon. R. Thompson: Odds of 200 to 1 for the Melbourne Cup.

The Hon. A. F. GRIFFITH: Whatever it was, it was a limit. On the one hand legislation is introduced which provides for a limit and a few years later, when an amending Bill comes forward members, who were in concurrence with the provisions of the original legislation, are prepared to complain about the same set of circumstances.

The Hon. F. R. H. Lavery: There was not a dictator in charge as there is now.

The Hon. A. F. GRIFFITH: I do not know what the honourable member is talking about. The other point I find difficult to understand from Mr. Garrigan's speech is his reference to actions of the board that were administrative and which did not come to Parliament. Matters which have to come to Parliament are brought to Parliament but, of course, administrative matters do not come to Parliament.

The Hon. J. J. Garrigan: Surely they should come before Parliament in order to be sanctioned!

The Hon. A. F. GRIFFITH: These administrative matters which were effected by the board did not require parliamentary sanction.

The Hon. J. J. Garrigan: But, later on, the matters must come to Parliament.

The Hon. A. F. GRIFFITH: The question of penalties in relation to illegal betting has been brought to Parliament because it has been realised that the present penalties are not sufficient to put a finish to the situation of illegal betting—that is all. In introducing legislation to provide for starting-price betting the previous Government improved the situation that then existed. I am prepared to admit this. However, the situation now with the Totalisator Agency Board is much better than it was prior to the board's inception. I understand that this system is being adopted by States other than Western Australia since its introduction to this State. If there is an ill—something that cannot be controlled—action must be taken by Parliament. I am quite sure Mr. Garrigan does not support the illegal bettor.

The Hon. J. J. Garrigan: I do not support him at all, but the effect of this Bill will be to drive him underground.

The Hon. A. F. GRIFFITH: Surely the honourable member would not support the illegal bettor any more than he would support the man who steals gold. When it is found the penalty is insufficient to deal with the situation, the board has to ask Parliament to make the penalty more severe in order that the situation can be dealt with.

The Hon. J. J. Garrigan: This measure will not make it any more severe because the big bookmaker will still go underground. The illegal bookmakers will not cease operating.

The PRESIDENT: Order!

The Hon. A. F. GRIFFITH: I am not concerned how far underground the illegal bookmaker is driven.

The Hon. W. F. Willesee: The harder it is to bet, the further he goes down.

The Hon. L. A. Logan: Unless one goes down with him.

The Hon. W. F. Willesee: The further he goes down, the hotter he might get.

The Hon. A. F. GRIFFITH: Probably Mr. Garrigan will consider I have dealt inadequately with the points he has raised.

The Hon. J. J. Garrigan: I am not sorry for anything I have said.

The Hon. A. F. GRIFFITH: When Mr. Dolan spoke he made certain suggestions to the House. These suggestions were not in relation to any amendments to the Bill and I have arranged to convey to the Minister in charge of this legislation, for his consideration, the points raised by the honourable member.

Generally, the Bill has received support and for this I am grateful. Of course I know members have the perfect right to criticise the Bill, or the Act, and this afternoon Mr. Garrigan certainly took advantage of that situation.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILLS (2): RECEIPT AND FIRST READING

1. Education Act Amendment Bill.

   Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

2. Metropolitan Region Improvement Tax Act Amendment Bill.

   Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Town Planning), read a first time.

HOTEL PROPRIETORS BILL

Second Reading

Debate resumed from the 22nd September.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.15 p.m.]: I have found this Bill very interesting indeed. It may not have been accorded great priority in the list of Government Bills before us, but after looking at it, and listening to the previous speakers on the issue, I feel the measure is worthy of very serious consideration.

Let us go back to the dark ages referred to by Mr. Watson and Mr. Heenan, when innkeepers associated themselves with the very lowest class of people, and when they could not extort sufficient money from their guests by legal means they took the opportunity to cruelly rob them. We were told that because of an evolutionary change we now find it necessary to protect the innkeeper.

When we look at the Act of 1887, however—and this was the first measure of its type introduced into Western Australia—despite all that had gone before, the Act was headed, "The Relief of Innkeepers." I do not think they need much relief. I think they are a body of people quite capable of looking after themselves. Apparently it was not necessary for them to rob any more, so the law decided to relieve these people of obligation and gave them power to dispose of goods left with them, after a six weeks' period.

There was some equity in that legislation, because if anything was left over after the debt had been paid to the innkeeper it was given to the poor unfortunate client, on demand. We then further protected the innkeeper in 1920, when he was limited in the loss that might occur to people who frequented his house. Since 1920 those two measures have been written into the Statutes of the State, and incorporated as one measure providing a definite protection for the innkeeper.

A person who stays at the house of an innkeeper does so with considerable trust. When he goes there he accepts all the hospitality that is available to him, and he is pepared to pay the price he is charged. Accordingly, up to 1920, I feel the innkeeper was well protected; because we must bear in mind that despite the provisions of the Act of 1887, and the further Act of 1920, he has a right at common law at all times, for payment for the services he has rendered.

Let us now consider the provisions in the Bill before us. The measure does away with the Act of 1887 and the Act of 1920, and incorporates the principles of those Acts with some additional benefits, in my opinion well on the side of the innkeeper.

It is true that this legislation has a background of an approach to the Government by the Australian Hotels Association. I believe the basis of the approach is a law report presented in England in the year 1954 or 1955. That is the basis of this legislation. In that regard it can be said that the legislation conforms with the principles that have obtained over the years. But are those propositions definitely right? Is it possible to say today, after reading this Bill, that the innkeeper needs protection; so much so that we institute special legislation for him?

Let us look at some of the provisions which protect the innkeeper. If a person, a man and his wife, or two people, call on the proprietor of an hotel to stay at his hotel, they can be subject to a maximum loss, in each case, of $200.

The Hon. H. K. Watson: Not if the loss is due to the negligence of the innkeeper.

The Hon. W. F. WILLESEE: We will deal with that later. At the moment the issue concerns the possibility of a loss. It is limited to $100 on any one article. I will accept that there is a degree of relativity in the value of the apparel that may be

brought to a hotel by different sets of people. For instance, the Leader of the House would have a much better suitcase, and much better things in it, than I would have. I am sure his suit of clothing, and what he would require his good wife to wear, would be worth much more than $200. I would hate to see the Leader of the House in a position of having to claim for personal loss as a result of something we had passed unwittingly in this House. I wonder whether any one of us who travels does not have in his suitcase things which have a far greater value than $200?

The Hon. R. F. Hutchison: Of course we would.

The Hon. A. F. Griffith: I am sure you would.

The Hon. W. F. WILLESEE: And I am sure the Minister would. When the average person travels he generally takes with him his best clothing. Apart from this there are generally very valuable extras in the suitcase. Under this Bill, however, if a person's possessions are taken from him, and he owes a debt to the innkeeper—quite apart from the right he has of any civil action—and those goods are sold, I think we all know—as I am sure you do, Sir—that they would not bring one-tenth of their value. They would probably bring a very mediocre figure which may satisfy the debt.

It seems to me that the innkeeper is unduly protected in this measure. He has a particular care to exercise under the Bill, when a guest of his asks him to take particular care of something which is very valuable. I think that is reasonable. If the hotelkeeper does not take such care of the particular article, then under the Bill he is liable for an act of negligence.

It is very easy to imagine that there are in many cases objects of sentimental value which one would not care to leave in a room, even though it may be locked. If we look at the provisions of the Bill in regard to the right of lien, there is a situation which really surprises me. An hotel proprietor has the right to sell at public auction any property on which he has a lien as a hotel proprietor.

I have always thought that the operation of a lien was a rather tacit circumstance. I was of the opinion that if a man took a vehicle to a garage, he could not repossess the vehicle—and it could be held in the custody of the garage proprietor—until payment was made.

I also realise that there is such a thing as an hotelkeeper's lien, but I am not aware that such a lien could be exercised within a period of six weeks. Let us imagine the situation of a quite genuine person being caught up in circumstances where perhaps he and his wife are not in a position to pay a legitimate debt. A person of good character would say, "I will pay when I can; give me some time; there are certain unfortunate circumstances involved."

Despite any pleading on his part, however, within six weeks—which is not very long to rehabilitate a situation in one's own domestic affairs—the person would be forced to stand by and see whatever he had left behind taken and sold. When I pursued the question of the lien a little further, my eyes were surely opened. I intend to quote from *Halsbury's Laws of England*, Third Edition, Vol. 21. At page 463 we find the following:—

> Remedies of Innkeepers
>
> 969. Action against guests. The proprietor of a hotel, in his capacity as an innkeeper, can bring an action against his guest for the price of whatever accommodation and supplies the guest has received from him, or he may sue anyone who has promised him to pay for the guest so far as such promise extends. Several persons dining together may be jointly liable, or there may be facts which show that there is no joint liability, and that they are severally liable each for his own share, or that one only is liable for all.

It seems to me that that action, in itself, is a very good protection for a person in business—and hotelkeeping is no different from any other business. The hotelkeeper has the right of civil action extending over many people, with a right to nominate one person to be responsible for all the people if there is a joint action which warrants such a situation.

But if we read *Halsbury's Laws of England*, Third Edition, Vol. 19, we find the innkeeper's lien goes very much further. At page 564, paragraph 917, we read as follows:—

> An innkeeper's lien extends to all goods which a guest brings with him to the inn, even though they do not belong to the guest.

One could be in an hotel with a radio that was under hire purchase, and again it is the innkeeper who is protected.

The Hon. A. F. Griffith: I doubt that.

The Hon. W. F. WILLESEE: I am quoting from *Halsbury's Laws of England*.

The Hon. A. F. Griffith: If a man takes to an hotel an article which is under a bill of Sale, would the licensee have a lien on it?

The Hon. W. F. WILLESEE: I will leave the Minister to answer that.

The Hon. A. F. Griffith: I do not think that would be so. The bill of sale holder would have security.

The Hon. W. F. WILLESEE: The Minister and Halsbury should get together immediately, because I am confused.

The Hon. H. K. Watson: What about calling *May* in as well?

The Hon. W. F. WILLESEE: I am sick of May, June, and July!

The Hon. V. J. Ferry: September is nice.

The Hon. W. F. WILLESEE. The quotation under the heading "Innkeeper's Lien" continues—

> Consequently hired goods brought by the guest and received by the innkeeper are subject to the lien, not only as against the guest, but also against the true owner; but if the goods are not brought by the guest, but are subsequently obtained by him on hire . . .

and so on. There are also such things as repairers' and carriers' liens, but the points I am raising are in connection with an innkeeper's lien.

It is surprising to me that in the simple consequence of a lien, there should be such a vast amount of power on the side of the person who can exercise it. In fact, the power is such that I understand a lien can be exercised whereby the proprietor, apart from taking the clothes one is wearing, can forcibly detain goods of value; and, under this Bill, within six weeks, these articles could be sold.

My approach to anything taken by a lien is that there is mutual agreement, understanding, and goodwill; but whilst that property is held in *escrow* there will be an endeavour made to retrieve it. But in this case, I see no opportunity whatever for the individual to have any success in the payment of a debt that he may incur, possibly because of circumstances beyond his control.

I think it would be appreciated that a simple civil action is in itself sufficient in the conduct of the ordinary type of business within the State. It would be expected that the right of a lien, in the circumstances of the past, was a tacit arrangement; but when we give the power of sale over a lien, as distinct from unclaimed goods, an innkeeper has the right within six weeks to sell.

I oppose this Bill. I think it is wrong in principle. I think it is intended that the Bill provide for some of the things that have been the custom for many years, but which in essence may not have been right. However, to go so much further at this stage is, in my opinion, too drastic. I think the clauses in the measure could well be rewritten to provide for a greater limit to the value of the essentials that a person, some persons, or several persons may bring to an hotel when wishing to stay overnight, or for a period of time. Obviously, the longer the period, the greater the value of the goods in the travelling case.

The Hon. A. F. Griffith: Does your opposition mean your party is opposed to the Bill?

The Hon. W. F. WILLESEE: I will be honest and say that I do not know.

The Hon. A. F. Griffith: Forgive me; I did not mean it to be an embarrassing question. I had a reason for asking.

The Hon. W. F. WILLESEE: I have answered the question. I looked at this Bill on the basis of its merits, and this is my reaction to it. So far as I am concerned, it is not by any stretch of the imagination a party Bill; and that is irrelevant to what I am saying in regard to the lien and the value of the goods a person would take to an hotel.

If I might put it this way: I feel that the provisions in the Bill are not sufficiently fair to the travelling public—to Mr. John Citizen. If provision were made for a greater allowance in regard to goods that may be lost overnight, then I would say the measure was reasonable. If the provision to impose a lien and sell a person's goods in six weeks were taken away, the present position could remain, and it would be the same as it has been over the last hundred years. However, I am not convinced that this Bill is not sufficiently one-sided as to be in the interests of the public; and, for that reason, I oppose it.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [5.38 p.m.]: Perhaps I brought this on myself by what might be termed an unfair interjection. Might I say that my interjection was not intended to be unfair; it was merely an attempt to ascertain the attitude of members on what is referred to as the other side of the House. If Mr. Willesee had said "Yes," then my approach to this reply may have been a little different.

However, I want to say this: To me, this is not a political issue. The Australian Hotels Association made representations to me in respect of its liability under the Innkeepers Act.

The Hon. W. F. Willesee: I agree with you at this point because I think Mr. Heenan supported the Bill.

The Hon. A. F. GRIFFITH: It seemed to me that the old Act went a lot further than it need do in these more modern and informed times. Therefore I put forward the proposed amendments to Cabinet for consideration; and Cabinet thought they were reasonable. So the Bill is now before the House.

When Mr. Watson addressed himself to the Bill, he had a different view; he did not think the measure went far enough. He thought that all liability should be removed from the hotelkeeper.

The Hon. H. K. Watson: Other than the liability for negligence.

The Hon. A. F. GRIFFITH: That is right. Mr. Watson then went a step further and said, "What about the establishment that is not an hotel under the Licensing Act?" I have given this matter some thought and think it is fair to say that the responsibilities of the hotelkeeper should not be more nor less than that of the motelkeeper; because if I stayed at an hotel, or a motel, why should the motel-

keeper have a lesser liability to me in respect of his negligence than the hotelkeeper?

My approach to this Bill is purely and simply this: That we try to agree to what is a reasonable thing. I have not discussed the present situation with the Australian Hotels Association, because I did not expect Mr. Willesee to speak as he did. However, if we can arrive at some reasonable compromise, I will be prepared to listen; but I think there is room for improvement in the situation that now exists.

The Hon. W. F. Willesee: You could not be fairer than that.

The Hon. A. F. GRIFFITH: We should certainly not go the whole way, but there should be some obligation on the part of the hotelkeeper. I invite Mr. Willesee to put forward some suggestions to improve the Bill. I am in the position of not wanting to lose the Bill, but wanting to make progress along reasonable lines. I suggest to the honourable member that the second reading of the Bill be agreed to in the hope that some amendments may be made in Committee.

Mr. Watson asked me to look at certain matters which I am in the process of doing. Therefore, if Mr. Willesee will put forward some suggestions, I will not mind how long the measure remains on the notice paper, so long as we arrive at some reasonable proposition. I am quite prepared to consider a reasonable compromise in connection with this Bill.

The Hon. W. F. Willesee: Without withdrawing anything from what I said, I will give you a silent vote.

The Hon. A. F. GRIFFITH: I accept the proposition.

Question put and passed.

Bill read a second time.

PUBLIC WORKS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st September.

THE HON. R. THOMPSON (South Metropolitan) [5.43 p.m.]: I do not intend to spend a great deal of time in discussing this Bill. Over the years, and several times during this session, members have heard me say what I think is wrong with the Public Works Act.

I was most pleased on Saturday, the 13th August, when I read in the newspaper that the Government was going to take some action to bring relief to those persons whose land is compulsorily resumed, and who would be at a disadvantage if houses were involved, and that higher compensation would be paid to them.

We have not a very large Bill before us, but it is one that should be studied by every member of this Chamber. Over the years we have had experience of resumptions, but the rate of resumptions now is taking on a greater tempo than previously. There will be many more resumptions throughout the metropolitan area; without exaggerating, I would say there will be thousands more within the next few years. There will certainly be some in country areas. For that reason, country members should examine this Bill and, if they read what the Minister had to say when introducing the measure, they will find that that is not necessarily written into the Bill.

In future years members will not be able to hide behind the Act and say that certain provisions went into it without their knowledge, because I am drawing members' attention to the facts now. Firstly, in clause 3 of the Bill, we find that where a resumption has taken place, and there is some land which does not comply with the requirements of a town planning scheme, that land will not necessarily be handed back to the original owner. However, the land can be sold to an adjoining owner, and no option will be given to the original owner of the land.

The Minister referred to remnants of land when he introduced the Bill, but nowhere in the Act is there any reference to remnants of land. The Bill relates to strips of land which have been left as a result of some public works, and which do not comply with the requirements of the metropolitan region town planning scheme, or the Town Planning and Development Act.

We can move away from the metropolitan area and go to a rural or deferred urban area where, in the main, the blocks are in subdivisions of five and 10 acres. A roadway could go through a 10-acre block—or a series of 10-acre blocks—and one acre could be taken out of each block, leaving a small strip on one side. The road could go through 50 acres of such blocks, leaving a strip of land 12 acres in area down one side. That land would be severed and might not comply with the Town Planning and Development Act.

The Hon. H. K. Watson: Because the blocks are less than 10 acres.

The Hon. R. THOMPSON: Yes, 10 acres or five acres, as the case may be. When introducing the Bill the Minister said—

> The amendment contained in the first part of this clause has reference to a remnant of land which does not comply with the requirements of the town planning and development Acts.

I will read on if necessary but I think the Minister will agree I am not taking his speech out of context. I have no objection where this provision deals with small portions of land in urban areas. I have had occasion to make representation to the State Housing Commission, and other Government bodies, on behalf of people who

wished to purchase these small areas of land. The last one I had to deal with was near the Hamilton Hill High School where 14 or 15 ft. of a block was left after the realignment of a road. I have no objection to that but I do object in the case where a five-acre block could have one acre severed and the remainder of the block would not comply with the town planning regulations or requirements. Where a railway has been constructed, and the blocks were previously serviced by made roads, the Railways Department has not—and will not—constructed a road to service the severed portions, nor will it resume the land for roadway construction. In one particular case the Minister has seen the land and granted a subdivision, so he knows I am correct in what I am saying.

The Hon. H. K. Watson: What about the balance of subparagraph (i)?

The Hon. R. THOMPSON: Yes; except where the land can be amalgamated. That means that the original owner is not going to have an option on the land, because the land could be amalgamated with an adjoining property. The land can be retained by the Public Works Department and does not have to be offered back to the original owner. I will refer to a particular area so that members will have a better appreciation of the position.

Co-operative Bulk Handling has a works at Spearwood, and a railway severed certain land—some eight or 10 five-acre blocks were affected—and no physical access was given to the back portion of the properties. The department did offer to buy the severed portion under the Act. The owner of land has the right to ask the department to buy any severed portion of land and that has never been denied. However, in this case all the owners, except one, wanted to retain the land. If this Bill becomes law the Public Works Department will be able to say that there is no physical access whatsoever to the land, and therefore it can resume all of it.

I would remind members that this particular land is now in an industrial zone and the Public Works Department could resume the lot and sell at a huge profit, even allowing for the department's paying above the present 10 per cent., as is provided for in clause 9(f) of this Bill. So it can be seen that privileges are being taken away from the people. We are living in a democracy but this sort of action is not democratic at all. There is no democracy when the owner of land can have the land resumed—if it is for a special purpose—and if it is not used for that special purpose, it can be amalgamated with adjoining land and sold to another person.

Before I proceed I would refer members to page 845 of *Hansard* No. 8. On that page will be found the remarks of the Minister for Works. In another place, during the Committee stage, arguments such as this went on for a long time and virtually second reading speeches were made. I do not intend to speak that long.

I will pass on to the clause of the Bill dealing with options—where the Minister may or may not give an option to an original owner. He is not bound to give the option. New paragraph (cb) in clause 3 is supposed to provide a safeguard. It reads as follows:—

> (cb) Any person aggrieved by the refusal of the Minister by virtue of paragraph (ca) of this subsection to grant to him the option applied for may within twenty-one days after notice of such refusal appeal in manner prescribed by Rules of Court against that refusal to the Supreme Court and such Court on hearing the appeal may make such order as appears to the Court to be just, including an order for the payment of costs, and the decision of the Court shall be final and conclusive.

This Bill comes to us in an amended form. When it was first introduced in another place, paragraph (cb) provided that where a respondent thought he had a claim he could go to the nearest local court. That was a much better provision than the one which is now in the Bill, and which states that he can go to the Supreme Court. I have quoted a case in this House previously and I think it well worth repeating. I had occasion to take a person to a solicitor to lodge an objection. At that stage it was only an objection, or an appeal to the Public Works Department for a review of the compensation offered.

The solicitor required a £50 retainer and he said that the case could go on. When asked how much that would cost the solicitor said the Supreme Court action might cost £500, £1,100, or £1,200. As a rule the person who is most affected is the one who cannot afford court actions. Most people, particularly New Australians, dislike court actions, and many of them live in the areas affected by resumptions. Resumptions will continue to take place in those areas and will continue to affect these people.

Then, of course, there are the elderly people whom I have mentioned previously. They are usually on the pension and cannot afford court action.

The Hon. F. J. S. Wise: Those people are usually frightened of court action anyway.

The Hon. R. THOMPSON: They cannot afford a court action. They do not have £50 to hand to a solicitor so that negotiations with the Public Works Department can be commenced. There was the case of an old lady living in North Fremantle which made headlines in the papers. The newspaper articles are all that I have to go on in this case because I have had nothing to do with it. The Minister hap-

pened to be her parliamentary representative, and to whom she appealed. She then went to the newspapers to try to get something done for her. That old lady was virtually put out of her house. She was threatened, but stayed on. She was further threatened and, because she is an old lady—and I suppose on the pension—she was forced eventually to leave the house.

The Hon. H. R. Robinson: Was that the lady who already had another house?

The Hon. R. THOMPSON: A house was offered to her by the Public Works Department for $8 a week. That house will eventually be pulled down. That old lady is probably living on a limited income, but the Public Works Department is charging her $8 a week.

I had occasion to go to South Fremantle this morning to see a lady who is in exactly the same position. An offer of £2,500 was made in her case; yet a private valuation, made by a land and estate agent, indicated that the property was worth £4,000.

How can people like this afford to take a case to the Supreme Court? Admittedly, there is a monetary limit on the cases which can be taken to a local court—I think it is now $1,000—and this prevents many people from taking cases to the local court. However, it makes it difficult for these people to have their cases heard. Although paragraph (cb) states that the court may make an order for the payment of costs, I think it should be mandatory for the court to order costs against the department. This would allow people to go to court without having any financial worries on their minds. When people are being dispossessed, particularly of their homes, I do not think they should have to use their own money to establish what is a just and fair price for their properties.

The Hon. H. K. Watson: But this refers only to the refusal to resell. It has nothing to do with the original resumption.

The Hon. R. THOMPSON: That is quite correct.

The Hon. H. K. Watson: Don't you think it would be rather odd for an appeal from a Minister's decision to go to a local court?

The Hon. R. THOMPSON: I was just coming to that point. I would say that not one case in a thousand would succeed in an appeal to the Supreme Court in cases where the reamalgamation of titles in regard to severed land was concerned. I say this because on the one hand we have the Public Works Department, which has made up its mind that it will follow a certain course of action; and, to back up that department, there is the Town Planning Board which says, "Yes, we agree with the department's valuation." The case then goes to the Minister and he says, "Yes, I agree. We will not give this person an option on his land." On the other hand there is the original owner and if he claims he can do something with the land, and he wants an option, he should be given it.

As the Minister has said, in many cases people would not exercise the option, even if they were given it, because no-one would want a piece of land 14 ft. wide by 190 ft. long; it would be of no use. In this regard I am referring to areas of land which would not meet the Town Planning Board's requirements. For instance it could be an area of 5,998 square feet and that does not meet the board's requirements. In that case the Minister could say, "I agree with the Public Works Department and the Town Planning Board officers. I will not grant an option."

If a case went to the Supreme Court, what chance would a private citizen have against the Minister? The Minister would be represented in court by a solicitor from the Crown Law Department who would advise the court that the Minister had agreed, the Public Works Department had agreed, and the town planning authorities had agreed that the option should not be granted. In such cases what chance would a solicitor representing a private citizen have of winning the case? He would not have one chance in a thousand and this sort of treatment in a democratic country is denying the individual rights which should be his.

Finally I shall refer to what I consider to be the only good part of the Bill—clause 9(f). The rest of the Bill should be voted out because it is probably one of the most bureaucratic and dictatorial Bills that has ever been introduced into this House. Members should have a very close look at this measure. I could refer to cases of people who have come to me after having been to their own local members. They have said, "My member says he cannot do anything for me because of the way the Act stands." Therefore I say that now is the time for us to look closely at the whole Act, and we should be very wary of what amendments we make to it. What is proposed by this Bill is a denial of the rights of the individual to do what he likes with his own land. Possibly nowhere else in the British Commonwealth of Nations would such provisions be written into legislation.

I follow very closely the debates in another place, and I have given this Bill a great deal of study—possibly too much because it does not warrant the amount of study I have given it. It is a measure that should not have to exercise a member's mind. I started off by saying that clause 9 (f) was the only decent part of the Bill and I repeat that because the Minister, the department, or the court, under this provision, will be permitted to allow such compensation as is considered adequate for the compulsory resumption of land. This takes away the 10 per cent. ceiling to which the court is now bound,

and it is the only part of the Bill which provides any relief; the rest of the provisions are restrictive in every way.

If, as a result of a public work, the value of certain land is enhanced that fact should not be taken into consideration in the payment of compensation. However, so far as the rest of the Bill is concerned I am very much opposed to it. I do not support the measure but I do not want members to think that I am merely standing up here because I have a grudge. The part of the Bill to which I have just referred is the only portion of it which I could support but, unfortunately, it would be impossible to have all the other provisions struck out and merely leave 9(f) in the measure. Therefore I shall oppose the Bill and I intend to vote against it at every stage.

Debate adjourned, on *motion* by The Hon. F. R. H. Lavery.

House adjourned at 6.7 p.m.

CONTENTS—*continued*

Legislative Assembly

Wednesday, the 5th October, 1966

CONTENTS

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (25): ON NOTICE

1. *This question was postponed.*

ELECTRICITY SUPPLIES

Oil Contracts: Termination

2. Mr. MAY asked the Minister for Electricity:

I refer to pages 1187 and 1303 of *Hansard* 1961, wherein the then Minister for Electricity stated "that a contract had been signed between the State Government and B.P. Australia Ltd. for the supply of 30,000 tons of furnace oil to the South Fremantle Power House for four years from the 18th July, 1961"—

(1) How does he justify his reply to my question on the 1st September, 1966, i.e., "the contract for oil does not terminate this year", when in fact it should have terminated in July, 1965?

(2) Has the 1961 contract been renewed; if so, when and under what terms and conditions?

Mr. NALDER replied:

(1) and (2) The 1961 contract was for three years to the 31st July, 1964, subject to one year's notice given thereafter. In 1964 a new three year contract was signed, subject to one year's notice given after the three year period.