FRUIT CASES ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [9.23 p.m.]: I move—

That the Bill be now read a second time.

The passing of this amending Bill will be of assistance to growers and others who have followed the current tendency to market fruit loosely packed for direct sale to purchasers such as supermarkets.

The Fruit Cases Act prohibits the use of second-hand cases for the sale or export of fruit except for a number of provisions which are set out in section 8, and which relate to such matters as labelling and cleaning, etc. However, one such proviso states that when bananas or pineapples have been carried within the State in a prescribed case, such case can be used again, only after undergoing inspection and treatment, for containing either bananas or pineapples or vegetables not being fruit. These cases are commonly known as banana or tropical fruit cases.

The Bill proposes to repeal that particular proviso and enable tropical fruit cases to be used for any fruit subject to the other provisions concerning cleaning and brands, etc. Because of their sturdy construction and comparative cheapness, these cases are valued for loosely-packed fruit; and as the department felt there was no reason for maintaining the prohibition, it readily supported the request of the Fruit Growers' Association for this amendment.

In recent years there has been an increased tendency to purchase direct from growers, and this has no doubt been brought about by the keen competition in the retail field and the consequent desire to cut costs. This Bill is therefore necessary to keep abreast of current trends.

Debate adjourned, on motion by Mr. May.

House adjourned at 9.25 p.m.

Legislative Assembly

Wednesday, the 6th September, 1961

CONTENTS

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

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT AMENDMENT BILL

Message: Appropriation

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

QUESTIONS ON NOTICE

1. *This question was postponed.*

TOTALISATOR AGENCY BOARD

Turnover

2. Mr. TONKIN asked the Minister for Police:
   (1) Of the published Totalisator Agency Board turnover of £269,341 for the month of August, how much was in respect of galloping and trotting races in the metropolitan area?
   (2) Of the total turnover on galloping and trotting races in the metropolitan area, how much was actually invested by the T.A.B. on totalisators on courses?

Investments

   (3) Is the amount of £269,341 inclusive of the sum invested by the T.A.B. on its own behalf in various pool schemes which the board conducts on Eastern States events?
   (4) What was the total amount invested by the T.A.B. on its own behalf for a win and place on each and every runner in all races conducted in Melbourne and Sydney during August?
   (5) If this amount was not included in the turnover, were the amounts invested with respect to each separate race included in the pool for the respective race for the purpose of calculating the dividend?

Payment of Taxes

   (6) Did the T.A.B. pay turnover and investment taxes on its own investments?
   (7) If these taxes were not paid, on what grounds is exemption claimed?

Mr. PERKINS replied:

(1) and (2) The board is of the opinion that it should not furnish this information.
(3) No.
(4) £529 10s.
(5) Yes.
(6) and (7) No; on the grounds that such investments are not subject to the appropriate legislation.

Agency No. 36: Location and Rental

3. Mr. TONKIN asked the Minister for Police:
   (1) Did he approve of the establishment of T.A.B. Agency No. 36 in premises in the vicinity of the Peninsula Hotel, Maylands, previously occupied by licensed off-course bookmaker White?
   (2) What special inducement influenced the T.A.B. in preferring the premises near the Peninsula Hotel to the far better situated premises near the Maylands Hotel?
   (3) What rental is being paid by the T.A.B. for the premises near the Peninsula Hotel?

Smith's Premises: Board's Interest

   (4) Was the T.A.B. interested at any time in securing Smith's premises near the Maylands Hotel?

Mr. PERKINS replied:

(1) Yes.
(2) No special inducement influenced the board apart from ordinary business facts and figures, such as a much lower rental being coupled with a higher turnover.
(3) £4 10s. per week, free of rates and taxes to the board.
(4) Yes.

Payment into Separate Bank Account in August

4. Mr. TONKIN asked the Minister for Police:
   (1) As section 26 of the Totalisator Agency Board Betting Act makes it obligatory for the board to pay into a separate bank account at the beginning of each month such amount as equals one and one-quarter per centum of the total amount of all bets made by or through the board during the last preceding month, and as the board had a turnover of investment of £209,963 (according to figures supplied by him) for the month of July, why was only £2,104, being 1.002 per cent. paid into the separate bank account at the beginning of August?
   (2) As the amount of £2,356 which (according to figures supplied by him) was paid in at the beginning of July in respect of the turnover of £146,261 for the month of June was £628 in excess of the amount required to be paid in at the beginning of July in what way could the underpayment in August be said to include part of the amount due for July, as stated by him?

Payment into Special Account in September

   (3) What amount has been paid into the special account this month in respect of the August turnover?

Mr. PERKINS replied:

(1) Because the payment made in July for the month of June included the board's turnover for Saturday, the 1st July, 1961.

(2) In no way. Some confusion has arisen by the board, on some occasions, working on a calendar month; and, on others, working on either a four or five Saturday month. However, the sum of £6,375 paid in for the whole period the 18th March, 1961 to the 31st July, 1961 is correct to the nearest one pound on the turnover of £510,058.

(3) Nil as yet, but this matter will be attended to in the course of the next few days.

NATIVE WELFARE PROTECTORS

Qualifications and Appointments

5. Mr. NORTON asked the Minister for Native Welfare:

(1) What qualifications are required of a private person to be appointed as a protector under the provisions of the Native Welfare Act?

(2) Are these appointments made for twelve months? If not, for what period are they made?

(3) If they are appointed for twelve months, is it necessary for them to make a fresh application each year for reappointment?

(4) Is a protector notified when he or she is no longer registered as such?

Mr. PERKINS replied:

(1) Private persons appointed protectors of natives are those willing to act as such and considered suitable for the purpose by the department. Apart from their willingness and general suitability no special qualifications are required.

(2) No. Appointments terminate automatically on the 31st December each year and appointments are made on the 1st January or at any subsequent date during any year.

(3) See No. 2. Fresh applications are not required each year. District welfare officers submit a list of the protectors of natives required to be appointed on the 1st January each year. Further recommendations are made from time to time during the year.

(4) No. Each protector of natives is issued with a certificate showing the period for which he has been appointed. Without such a certificate he is not empowered to act as a protector of natives.

TOTALISATOR AGENCY BOARD

Agencies: Number, and Siting Near Hotels

6. Mr. TONKIN asked the Minister for Police:

(1) What is the total number of totalisator agencies which have been established by the T.A.B. and approved by him?

(2) Of the total number of agencies approved, how many are in proximity to hotels?

(3) Does he remember having deprecatingly referred to premises established under the Betting Control Act, 1954, as being "off-course betting shops sited to tempt wage earners within their doors"?

(4) Will he explain how one holding such definite views on this matter as he apparently did in October, 1960, could undergo such a radical change in less than twelve months as to enable him to approve of that which he had so outspokenly condemned?

Mr. PERKINS replied:

(1) Fifty.

(2) Fifty.

(3) Yes.

(4) I have not changed my views; and, in fact, the establishment of the Totalisator Agency Board has resulted in a considerable decrease in betting in proclaimed T.A.B. areas.

Also the establishment of the T.A.B. agencies in existing betting shops has prevented a great economic waste to landlords and the bookmakers concerned.

FISH CULTIVATION

Establishment of Experimental Farm

7. Mr. JAMIESON asked the Minister for Fisheries:

(1) Have any efforts been made to farm fish in this State?

(2) If so, with what results?

(3) Would he give consideration to setting up a fish experimental farm, to study the cultivation of indigenous fish and crustacea, on a similar basis to agricultural experimental farms?

Mr. ROSS HUTCHINSON replied:

(1) In co-operation with many farmers in various parts of the State, attempts have been made to acclimatise trout in farmers' dams.

(2) The majority of the plantings have proved unsuccessful.

(3) The only fresh water fish which are indigenous to Western Australia are so small as to be valueless

for food or sport. The freshwater crayfish, or marron, whose natural range was originally restricted to the far south-west, has successfully been acclimatised in streams to as far north as Perth. The farming of marine species is out of the question.

CARAVAN PARKS

Fires and Installation of Hydrants

8. Mr. HALL asked the Chief Secretary:
   (1) How many fires have been reported in caravans at caravan parks in this State?
   (2) How many fires have been reported at caravan parks, other than those reported in caravans?
   (3) Are fire hydrants installed at caravan parks?

   Mr. ROSS HUTCHINSON replied:
   (1) and (2) Details of fires are kept only in relation to gazetted fire districts. There is no record of a fire at a caravan park or in a caravan during the past twelve months.
   (3) It is not compulsory for owners of caravan parks to install hydrants, but in some cases street hydrants are within close proximity.

ELECTRICITY SUPPLIES AT ALBANY

Output of Power Stations and Consumption

9. Mr. HALL asked the Minister for Electricity:
   (1) What is the output of Albany power undertaking?
   (2) What is the individual output of the Kelly Street and town undertakings?
   (3) What is the daily average consumption?

   Engine Breakdowns at Power Stations

   (4) Have there been any engine breakdowns at the Kelly Street power house, Albany; and if so, how many in the past twelve months?
   (5) If the answer to No. (4) is "Yes," what was the nature of the respective breakdowns and their respective costs?

   Mr. WATTS replied:
   (1) 3,510 kilowatts.
   (2) Kelly Street—2,750 kilowatts.
   York Street—1,200 kilowatts.
   (3) 39,400 kilowatt hours.
   (4) Apart from normal maintenance, there were 16 breakdowns.
   (5) With the exception of a minor failure in one of the medium-speed engines, all occurred in the old high-speed engines. Of these, one was a gear failure and 14 were valve failures. Some of the valve failures also damaged pistons, cylinder liners and cylinder heads. About £2,000 has been spent on these breakdowns.

HOUSING AT ALBANY

Laundry Power Points in Commission Homes

10. Mr. HALL asked the Minister representing the Minister for Housing:
   (1) As there are approximately 310 State Housing Commission homes without power points in laundries at Albany, can he give the reason for non-existence of that number of power points?
   (2) What would be the cost to install 310 power points in laundries at Albany?

   Mr. ROSS HUTCHINSON replied:
   (1) Prior to 1954 there appeared to be little demand for power points in laundries.
   (2) Approximately £1,000.

   There are approximately 7,500 rental homes throughout the State in which the commission did not install power points in laundries. Estimated cost to install these would be £25,000.

HOUSING AT COLLIE

Deterioration of Vacant Commission Homes

11. Mr. MAY asked the Minister representing the Minister for Housing:
   (1) Is he aware of the rapid deterioration of the State Housing Commission's vacant houses at Collie?
   (2) What action is it proposed to take to ensure that these houses will be kept habitable in case they are needed in the very near future?

   Number of Vacant Homes

   (3) Will he state the number of vacant houses in Collie as follows:—
   (a) rental homes;
   (b) purchase homes;
   (c) war service homes?

   Mr. ROSS HUTCHINSON replied:
   (1) A very recent report indicates that the homes are not rapidly deteriorating. Vandalism has been of a minor nature.
   (2) Houses are under regular surveillance, with a view to necessary maintenance and avoidance of vandalism. No houses are yet due for further external maintenance.
   (3) (a) 102, plus 1 McNess home.
   (b) 34.
   (c) 2.

TROTTING MEETING AT RICHMOND PARK

Re-run of Race

12. Mr. TONKIN asked the Chief Secretary:

(1) Is he aware that race 3 on the programme of the trotting meeting held at Richmond Park on the 19th August was stopped during its progress by order of the stewards and re-run after the 7th race?

(2) Is he also aware that the manager of the totalisator was instructed to return to investors on presentation of their tickets all money which had been invested on the totalisator on the race at the first attempt?

(3) As this action contravenes the Western Australian Trotting Association Act, 1946, inasmuch as by-law 94 was not observed, will he take the necessary action to have the law complied with and thus ensure that all persons who are entitled to receive dividends will be so paid?

Mr. ROSS HUTCHINSON replied:

(1) to (3) I am aware that certain incidents of the nature referred to did arise at Richmond Park on the 19th August.

I am having inquiries made into the legal implications and will advise the honourable member as early as practicable.

ORD RIVER PROJECT

Total Cost, Farms Available, and Returns

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

(1) What is the estimated total cost of the Ord River Diversion Dam project including buildings, housing, and irrigation?

(2) When completed, how many farms will be available and of what area?

(3) How does the Government propose to deal with these farms; will they be sold or leased?

(4) If sold, at what price, or if leased, at what annual rental?

(5) What will be the gross annual return required from the total farms to make the project a sound economic investment, according to the Government's standards?

Mr. COURT replied:

(1) £5,800,000.

(2) Total area will be approximately 30,000 acres, but farm sizes are not yet determined. The irrigation design is based on 200-acre units which may be grouped as desired.

(3) and (4) This is still under consideration.

(5) Assuming that the irrigation headworks are considered a national undertaking, expenditure on the remainder is estimated to be £2.1 million or £70 per acre, which at 5 per cent is £3 10s. per acre. Sale of water should balance operating cost.

The annual returns from safflower and rice crops are expected to be £40 per acre, and cotton crops from £60 to £120 per acre, depending on yield.

14. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

IRON ORE: MT. GOLDSWORTHY DEPOSITS

Tenders from Sir Arthur Fadden's Organisation, and Correspondence with Mines Department

1. Mr. ROSS HUTCHINSON: Yesterday the member for Pilbara asked me to obtain more specific answers to a series of questions asked by him. I have those answers here and I seek your permission, Sir, to read them. With reference to question No. (3) of those asked by the honourable member, concerning statements made by Sir Arthur Fadden, the answer is "Yes."

In reply to question No. (5) of his questions, I would say that there has been no correspondence between the Mines Department and Sir Arthur Fadden other than a letter dated the 23rd August, 1961, containing similar matters to those in his statement which appeared in *The West Australian* of the 29th August, 1961. I will table the letter for one week.

The letter was tabled.

RAILWAY STANDARDISATION

Availability of Plans to Members

2. Mr. BRADY asked the Minister for Railways:

Have any plans or lists of works been given to any Country Party or Liberal Party member for purposes of discussion in relation to the broad-gauge railway?

Mr. COURT replied:

I know of no such plans or lists of works having been given to any member of this House. If the honourable member has any specific matter that he would like me to follow up, I would be only too pleased to do so. When I say that, however, I mean matters apart from those published in the Press.

PIN-BALL MACHINES

Consideration of Report from Commissioner of Police

3. Mr. HEAL asked the Minister for Police:

Of recent weeks the Minister received a report from the Commissioner of Police in relation to pin-ball machines. Is the Minister considering this report, and does he intend to take any action about it?

Mr. PERKINS replied:

As I promised the member for West Perth recently, I have discussed this matter in detail with the officers of the Police Department, and a close examination is now being made by the officers of the Police Department and those of the Crown Law Department as to what, if any, legislation can be framed in order to deal with the particular problem, without going further than is desired, and thus perhaps affecting other legitimate businesses. The most I can say at the moment is that the matter is under consideration.

TIMBER INDUSTRY

Retrenchments

4. Mr. ROWBERRY: I apologise to the Minister for Labour for the short notice of this question, but I would explain it is due to the fact that I have only just heard this information over the telephone a few minutes ago. My question is:

Is the Minister aware that several men are being put off from the timber mills at Nanga Brook, Hoffman's Mill, and Jarrahdale, because of a reported recession in the timber industry? The reason for these men being retrenched apparently is that there is a shortage of orders. It is also said that several of these men have been employed by the firms for up to 13 or 14 years, and the Italians—

The SPEAKER (Mr. Hearman): I presume the honourable member's question is whether the Minister is aware that these men are being put off.

Mr. ROWBERRY: Yes.

Mr. PERKINS replied:

I have no knowledge of this matter. It could possibly be the responsibility of the Commonwealth department concerned or the Minister dealing with the particular State trading concern.

Mr. Court: It is not S.B.S.

Mr. PERKINS: In that case I have no information about this at all. If the honourable member would care to put his question on the notice paper I would try to obtain the information for him.

TRAFFIC ACT: DISALLOWANCE OF REGULATION No. 190(1)(a)

Motion

MR. GRAHAM (East Perth) [4.47 p.m.]: I move—

That regulation 190 of the Traffic Regulations, 1954, and the various amendments thereof be and are hereby amended by revoking subregulation (1) (a) thereof published in the *Government Gazette* on the 30th October, 1959.

This motion relates to the controversial give-away-to-traffic-on-the-right rule. As you are aware, Sir, we have a spate of regulations laid on the Table of the House almost daily; and, unfortunately, there is not the close examination of those important documents that there should be.

Apparently the new regulation, which I seek to have revoked—being too late to have it repealed in the ordinary way—escaped the attention of members when it was gazetted in October, 1959, and subsequently tabled in this Parliament. I am seeking to delete the first portion of regulation 190 (1) which, to me, appears to conflict with the second portion. It certainly confuses me, and I have evidence to show that it is confusing to practically every section of the community.

I am uncertain why the previous regulation—that which placed the onus definitely on the motorist to give way to a vehicle approaching on his right—was altered. I understand an attempt was made to achieve some degree of uniformity. But it appears that Victoria and Western Australia are the only two States of the Commonwealth which adopted the modification which, I submit, is causing a great deal of confusion and, consequently, quite a number of accidents—including fatal ones—which otherwise would have been avoided. So we have, if you like, Sir, Victoria and Western Australia out of step with the Commonwealth.

This matter was brought before our notice rather forcibly in April of this year when the district coroner (Mr. A. E. Kay) at Kalgoorlie, who was investigating the circumstances of a fatal road accident, made some rather pungent comments. In *The West Australian* of the 15th April, 1961, he is reported as saying, among other things—

Returning a finding of accidental death, Mr. Kay said the accident should never have happened.

Indecision

"It was the result of indecision and ignorance over the rule of giving way to traffic on the right," he said.

"It is a shocking rule as it stands at the moment.

"There are two sections. One concerns two vehicles coming to an intersection. The first to arrive has the right of way.

Second Section

"The second section says that if both vehicles get there simultaneously and there is a dangerous situation likely to cause an accident, one driver must give way to his right."

Mr. Kay continued: "No-one understands this second section fully until after an accident and someone is killed. Then they go back to find out why.

"This is putting the cart before the horse. A motorist has to make up his mind in a split second who has the right of way.

"Many people have been killed through this indecision. If the rule stated simply that all motorists must give way to their right, it would prevent many accidents."

That is rather a strong indictment of a regulation which has the force of law—a regulation which no doubt has had the effect of imposing suffering, permanent injury, and, in some cases, death, because of its operation.

The executive director of the National Safety Council, Mr. R. G. Clark, gave his views in the *News Sheet* issued by the National Safety Council of Western Australia in April under the heading of "Traffic Regulation 190"—

> Asked to comment on Traffic Regulation 190 on priority rules at intersections which has been the subject of criticism, the Executive Director of the National Safety Council of W.A., Mr. R. G. Clark, made the following statement. "A traffic regulation should be as positive, clear and concise as possible. No room should be left for slide rule calculations as to priorities which might arise in split second situations.

Further on he said—

> Because of the uncertainty of many drivers as to the wording and interpretation of the regulation and the confusion which, therefore, exists between sections A and B, there is a grave danger that section A will tend toward promoting a race to the intersection and, to some extent, cloud the issue with regard to section B.
>
> My personal opinion about the Traffic Regulation 190 as it stands at the moment, without in any way opening up the question of the advantages of giving way to right-hand traffic or left-hand traffic, is this. It would be better for the regulation to be as positive, clear and concise as possible. This means that I am in favour of giving way to right-hand traffic without any variance, ifs, ands, or buts.

Mr. Clark should know what he is speaking about. I notice that the General Manager of the Royal Automobile Club had something to say in a short statement which he made to the Press, as reported in *The West Australian* of the 17th April last, as follows:—

> Royal Automobile Club general manager W. H. Minors said that the club wanted a clear interpretation of this rule.
>
> Confusion among motorists regarding the rule might be causing accidents. The club committee had approached Mr. O'Brien and Traffic Inspector Leahy for a clear interpretation and would continue to do so.
>
> Unless a clear interpretation was given, the rule should revert to its original form, Mr. Minors said.

I wish to make reference to one other quote; it is contained in the *Commonwealth Law Reports*, 1948-49, on page 221. This volume deals with cases determined in the High Court of Australia. I quote from the summary of Sir John Latham, the then Chief Justice of the High Court of Australia, who had this to say—

> It is always the duty of a driver of a motor car not to drive at a speed which is excessive in the circumstances. When a driver is approaching an intersection his duty is to look to his right, and to give way to vehicles on his right. The mere fact that he does not look out to his left does not in itself constitute negligence.

He went on further to say—

> A driver is entitled to act upon the assumption that other drivers will observe the law and that they will respect the rights which the law gives to him.

Further on he stated—

> If a driver is held to be bound in all cases to look to his left as well as his right even though at a later stage, the value of the rule that drivers should give way to traffic on the right, and that therefore traffic on the left should give way to them, would be greatly reduced, if not destroyed.

Those remarks were made by Sir John Latham in his summary in an appeal case which affected the position in South Australia where the traffic regulation at that time was similar to the regulation in operation in Western Australia at the same time.

His summary of the situation could be well heeded by those who constitute this Parliament. I emphasise his remark that

if there is doubt and confusion, the value of the rule would be greatly reduced, if not destroyed. That is precisely the position which has developed during the period of almost two years that the present arrangement has been in operation, under which there is a requirement in certain circumstances to give way to traffic approaching from the right, but no such requirement in other circumstances.

Naturally, in the case of moving vehicles —as others whom I have quoted have said —it is a matter of split-second timing. There should be no doubt whatsoever as to the duties and responsibilities of the motorist. I am not suggesting that with the deletion I seek, the regulation will even then be as precise and clear as it should be, but at least it will take us to the point of view from which we have departed for the best part of two years; and there will be an obligation on all motorists to give way to traffic approaching from the right if there is a likelihood of a collision, or a dangerous situation developing.

I could, without a great deal of trouble, draft a regulation in shorter terms making even more emphatic the duty of motorists in connection with this matter if we were to uphold what I believe is a cardinal point in road behaviour; that is, of giving way to traffic approaching from the right on all occasions.

Mr. Watts: Is not the present regulation the result of the interstate conferences?

Mr. GRAHAM: I am afraid the Attorney-General was absent when I made some earlier remarks. From the information which I have been able to obtain, Victoria and Western Australia are the only States that have the present set-up. I am not being unduly critical of the Minister in seeking to have this portion of the regulation revoked; because, as I pointed out, I feel there was a desire that there should be some uniformity. However, unfortunately in the interests of uniformity—and, shall I say, fortunately in the interests of humanity—a great majority of the States have not complied.

If my information be correct, I understand there have been developments since then in Washington, U.S.A. I think that in October last year an international conference of police and traffic representatives —and Australia was represented at this conference—unanimously decided that the procedure which the law by way of regulation in Western Australia permits should be regarded as redundant and unsuitable, and that there should be a reversion to the strict rule of giving way to traffic approaching from the right. For the decision to be based on the experience of so many different countries throughout the world, I should say the evidence must have been overwhelming.

Mr. Lewis: That means, of course, only where there is a left-hand drive as we have here.

Mr. GRAHAM: Obviously where the rule of the road is to drive on the right-hand side, the reverse is the position. In other words, one must give way to traffic approaching from the left. But the important thing is that there should be a firm and definite rule easily understood by everybody, and rigidly enforced, so as to avoid the situation that unfortunately exists at the moment.

When two motorists are approaching an intersection or a junction there is room for doubt under the present arrangement; and all the prizes—if I might use that term—go to the more reckless and daring motorist—the one who is prepared to take a chance. In other words, it is a game of "chicken" or a game of bluff.

I think that members—as perhaps every member of this Chamber is a motorist—will agree that whoever reaches the intersection wins. Whether it be from the left or from the right, he is able to get away with it; and technically he is perhaps committing a breach. But it requires a patrolman to be on the spot in order to catch the offender; and those of us who place some value upon our lives choose the wiser course of waiting until these dare-devils have gone over the intersection irrespective of what our statutory rights in the matter might be.

I understand that the Australian Uniform Traffic Code Subcommittee has already in Australia agreed with the proposition I am now submitting; and it is likely that before long a meeting of the Australian Transport Advisory Council, which is attended by Ministers, will have this very proposition before it. But I do not think we can afford to wait. We have already dallied too long; and the evidence of all the authorities in other parts of the world indicates we should, without any delay whatsoever, effect this reform; and as I have already suggested to the Minister, we should go even further by making the give-way-to-the-right rule even tighter than it will be following the revocation of a portion of the regulation, which I am seeking at the present time.

Having quoted the various authorities, none of which has any political significance, I think perhaps to a very large extent the case has been made for this House to agree to the submission which I have made. My review of the regulations would be somewhat akin to the observations of those whom I have already quoted. It would appear to the layman that the present regulation gives some right or priority to the most reckless or the fastest drivers who get to the intersection first.

There is another situation which develops and which results in an accident. I know that in my own experience I have been not far removed from an accident. Let us imagine a situation where I, as the driver, am entering an intersection; and, having assured myself there is nothing

approaching me within a reasonable distance from my right, I proceed to go across the intersection. But approaching from my left is a person driving at considerable speed—again one of those bluff motorists—who has no intention of giving away to the right if he can avoid it. He has a game of "chicken" with me, and I needs must halt my vehicle or otherwise encounter a fate equal to death, perchance.

However, in so halting my vehicle, I am now directly in the way of a vehicle that was previously some distance away and is now approaching on my right. If he expected the motorist on my left to give way to allow me to proceed, the motorist on my right would move towards me in that expectation; but if I am unable to move because of the vehicle on my left, and if in an accident my vehicle is hit on the right-hand side, I would have a lot of explaining to do.

Mr. Owen: You were there first.

Mr. GRAHAM: There would only be the word of one motorist against the other, if there were no independent persons present. Apropos of that, it has suggested this to me: that because of the difficulty of establishing which vehicle had arrived first at the intersection, the courts, in the matter of damages, have been awarding two-thirds against one party and one-third against the other. In other words, the law regards them as both being culpable; and I think that is the direct outcome of the operation of the regulation with which I find myself in disagreement at the moment. This situation should be overcome.

Still wearing my halo—I am the model motorist—from the instance I have given I have been involved in an accident by observing strictly the rules of the road; and the person who has collided with me has met with an accident because of his reasonable expectation that the person travelling in the opposite direction would give way to me and therefore the way would be clear for him. And so two unhappy, unfortunate victims result as a consequence of the action of a person who at the present moment has a license to keep on going, hoping that everyone else will get out of his way.

I do not know the accident pattern—perhaps the Minister does—but my impression would be that there are far more intersection accidents and of more serious consequence since this regulation was amended, or rather substituted with additions, than was the case hitherto. But be that as it may, there is no gainsaying the fact that there is a certain measure of conflict. So far as the motorist is concerned, it is definitely confusing. In addition to this, all motorists are not practised people in the matter of interpreting law; which brings me back again to the all-important point that, as far as is possible, the rules of the road should be clear, concise, and definite to allow of no room for any doubt whatever.

Mr. J. Hegney: Previously the rule was that you had to give way to the right. Then the Australian committee altered it. Now, however, I think that most of the States have gone back to the give-way-to-the-right rule, but Western Australia has not. Is not that the situation?

Mr. GRAHAM: The Minister would be more familiar with the history than myself; but apparently there was a decision or a move in connection with this matter, as with so many others relating to traffic codes, to have uniformity throughout the Commonwealth. However, apparently upon reflection, some of the States did not persevere with this move; whereas Western Australia did, as I interpret it, in all good faith. But since that time the experience in other parts of the Commonwealth has apparently shown the necessity to revert to the previous regulation.

Mr. Perkins: The Traffic Code Committee is meeting at present to clarify this very matter.

Mr. GRAHAM: Yes; I think it is meeting at present to consider a very strong recommendation by a subcommittee that what I am seeking to do shall be done.

Mr. Perkins: That could be; but it will be definite in any case.

Mr. GRAHAM: That is so. Nevertheless, as I conclude I make the point that at the earliest possible moment steps along the lines I have indicated, which I believe to be definitely right and conclusively proved, should be taken. Whether they be taken as a consequence of this motion of mine or ministerial action, I care not. The all-important thing is the safety of the motorist, and to reduce to a minimum the number of accidents; and also the authorities will be enabled to sheet home, unmistakably, the responsibility where it belongs.

A final word: I can assure the Minister that on a matter such as this, with all its important implications, there is no suggestion of party politics in my approach. I trust the House will agree to the revocation of this regulation in order that it might be transmitted to the Legislative Council for similar action to be taken; unless, of course, the Minister is prepared to move prior to those successive operations.

MR. PERKINS (Roe—Minister for Police) [5.14]: As I intimated by interjection, the Traffic Code Committee is meeting at present to consider this matter, amongst others. However, I thought it better to make a short explanation at this stage in case members should have fears that in a matter such as this the action recommended to me as Minister in charge of traffic, was irresponsible. I think the member for East Perth knows otherwise,

of course, because he has been Minister in charge of traffic; therefore he knows that these matters are very carefully considered before a recommendation is made to the Minister.

The position is as the honourable member stated it. A decision was made on an international basis that the situation in regard to the absolute right of way belonging to the motorist on the right at intersections should be modified to a degree; and the regulation in force in Western Australia is in line with that international thinking. There was a discussion by the Australian Traffic Code Committee, which is a body of technical officers, recommending subsequent action to the Australian Transport Advisory Council. As the honourable member has stated, this council is composed of Ministers of the State and Commonwealth; and if a recommendation is accepted by this committee the general practice in the past has been that each of the States, and the Commonwealth, carry such recommendation into effect.

Members will appreciate that it is very desirable to have uniform traffic regulations throughout Australia as far as is possible. In the Eastern States, where many motorists cross the State borders, it is essential. In Western Australia there are not very many interstate motorists; nor do many Western Australians motor in the Eastern States. However, even for a limited number the situation is very confusing when in one State a certain set of regulations applies while in another State a different set is in force.

Mr. J. Hegney: It would be ridiculous.

Mr. PERKINS: It would make the position very difficult. That, of course, applies in other spheres besides traffic. Most members would agree that we would not like to cede our powers to any Australian body; but, on the other hand, the machinery developed over the years—which, as the member for East Perth stated has no political implications—has been framed by Governments of all shades of political opinion. We have thus been able to achieve a reasonable degree of uniformity.

As a result of these discussions in Australia, the regulations in Victoria and Western Australia have been altered; but it so happens that the very regulations that apply here have been the practice for a very long time in the past. The only thing is that when publicity is given to difficulties which arise then, when the actual terms of the regulation are quoted, there is a tendency for further confusion to occur. Various members in this Chamber have discussed this matter with me. The magistrate at Kalgoorlie received a lot of publicity in the Press when he made some comments about accidents which had occurred in Kalgoorlie. I think that this has to be taken with a certain amount of reservation, because magistrates see only one side of the traffic problem.

The reason I am making these remarks now is to reassure members that the people who make these recommendations have as much knowledge of traffic problems as Mr. Kay, and possibly a good deal more. I think that sometimes the courts make recommendations in good faith but without accurate knowledge of the various difficulties involved which, of course, our traffic engineers and the enforcement police know only too well.

There was the same sort of trouble previously in regard to crosswalks. Members will recall the tremendous arguments which occurred in this Chamber and in the streets, and the publicity given to the matter in the Press, about the new crosswalk regulations. In effect those new regulations were only designed to codify what was the established practice; and now that everyone has become used to them it is recognised that they are working quite well, and both motorists and pedestrians have their rights.

But in this particular instance, if the absolute protection or priority is given to motorists on the right, a ridiculous situation arises at the very busy streets in the city and some of the less important but nevertheless dangerous intersections in the metropolitan area. Wellington Street is one which comes to my mind at the moment because I cross it very frequently at Colin Street. Another very good example—and perhaps a better one—is the Bourke Street—Oxford Street crossing in Leederville. In the evening there is a continuous stream of traffic up Oxford Street with cars travelling one behind the other; and motorists in some of the western suburbs use Bourke Street quite a bit when moving to the eastern suburbs. They could never cross Oxford Street if there was a continuous stream of traffic and no single motorist would give way, because each of those motorists would have a motorist on his right and the traffic would never move. In effect, what has been done in this regulation is to codify the existing practice. Unfortunately, there has been a tendency on the part of motorists to attempt to race at an intersection; and in so doing they break the traffic laws by driving dangerously, or exceeding the speed limit when approaching an intersection. That does not make the position any better for a person who is injured, or a vehicle which is damaged, because of the confusion that results.

Mr. Hawke: There should be a lower speed limit at intersections.

Mr. PERKINS: There again, I do not desire to express an opinion on that interjection from the Leader of the Opposition. But obviously, as Minister for Transport, if I have advisers from the traffic

engineers and from the traffic police, I should take some notice of what they tell me.

Regarding the origin of this particular regulation, I have done some checking. First of all, I might remind the member for East Perth that there have been difficulties in the past. On examining the file, I noticed that he asked me certain questions on Wednesday, the 2nd September, 1959, before the new regulation was gazetted, or before the Opposition could have had any knowledge of it. He asked me—

(1) In view of recent court decisions will he please explain the extent to which the rule of "give way to traffic on the right" applies, and the circumstances under which the rule has no application?

(2) Is he satisfied with the situation confronting motorists in view of the decisions?

(3) If not, will he have amendments made, in order to clarify unmistakably, the rights of a motorist who is likely to be involved in a collision with a vehicle approaching from his left, if both vehicles continue?

That was on the 2nd September, 1959, before this new regulation was brought out. Apparently, I must have taken some notice of him, in view of the replies I gave. The present chief inspector was then the inspector in charge of traffic, and he advised me as follows:—

(1) The rule of "give way to the right" is quite clear in traffic regulation 190 (1), and is in conformity with similar regulations throughout Australia.

If two vehicles are about to enter an intersection or junction from different roads at the same time, and both continue from respective directions and a dangerous situation or collision could occur, the driver on the left must give way to that on the right.

However, the rule does not permit the driver on the right to proceed regardless of what traffic is on his left. He must strictly obey other rules also in so far as. if the driver on his left has entered the intersection before him, then he is required to allow that driver on his left to proceed.

The rule does not apply also in the case of an intersection or junction where a "Stop" sign may be erected, and at which intersection two vehicles may be approaching at the same time from different directions. Should the vehicle on the right who would normally have the right of the road be required to stop in compliance with the "Stop" sign, then that driver on the left may proceed.

Far too many drivers, simply by reason of being on the right of another, demand right of way even though the driver on the left has entered the intersection some time before, and it is these drivers who have been subject of adverse decision in the courts.

(2) Yes.

In reply to question No. (3) I said that amendments were unnecessary if regulation 190 (1) was properly applied.

Mr. Graham: Then you proceeded to amend it a few weeks later.

Mr. PERKINS: Yes: I proceeded to amend the regulation. I followed the matter further and found that in view of the questions being discussed, and in view of court decisions, there appeared to be uncertainty in the minds of the courts as to how far they should apply this ruling given by the inspector in charge of traffic.

After further discussions with the traffic engineers—who are the people who do the most research into these problems—and bearing in mind decisions made at a meeting of the Australian Traffic Code Committee, it was decided to bring in this amended regulation and, in effect, to codify the interpretation which had been given by the then inspector in charge of traffic.

I admit there is still some confusion, and it is obviously desirable to clarify the situation; and that is why this extra meeting of the traffic code committee has been called—in order that the various police officers entrusted with the enforcement of our traffic laws and regulations shall have an opportunity to make recommendations. I hope that the decision of the Traffic Code Committee will be available within the next two or three days; and I was hoping that the House might agree—it is the normal practice—to adjourn the debate on this motion, and I will obtain the decision of the committee as soon as possible. Whatever that decision happens to be, I think we should carry it into effect.

I am inclined to think that in view of the decisions referred to by the member for East Perth—and I am aware also of the discussions which have taken place in the international sphere, as well as those which have taken place in Western Australia and other States—it will be decided that the present regulation is unsuitable. However, obviously it may be necessary to have some modification of the position as it applied previously.

Now that the matter has been raised and given some publicity, it is obviously desirable that we should clearly fix in the minds of motorists what is the actual rule of the road in this matter; because the

accident toll is high enough already, without any increase as a result of confusion resulting from unnecessary changing of the regulations.

However, I would like to thank the member for East Perth for the manner in which he has raised this matter. Anyone who has had a good deal to do with the control of traffic knows that it is a difficult subject and there is room for differences of opinion. However, if the House will agree to adjourn the debate at this stage, I will take steps to have the information made available, as soon as it is possible to do so, as a result of the meetings which are at present taking place, and at which Western Australia is represented by Inspector Leahy, inspector in charge of traffic. I hope some member will move the adjournment of the debate.

Debate adjourned, on motion by Mr. Crommelin.

TOTALISATOR AGENCY BOARD BETTING ACT: DISALLOWANCE OF REGULATION No. 36

Motion

MR. TONKIN (Melville—Deputy Leader of the Opposition) [5.30 p.m.]: I move—

> That new regulation 36 made under the Totalisator Agency Board Betting Act, 1960, as published in the *Government Gazettte*, on the 8th February, 1961, and amendments thereto published in the *Government Gazette* on the 30th March, 1961, and the 8th June, 1961, and laid upon the Table of the House on the 8th August, 1961, be and are hereby disallowed.

I ask the House to disallow this regulation because, in my view, its object and intent are inconsistent with the Act under which it has been framed. I have had quite a lot of correspondence on this matter with the Minister concerned, but he thinks that Mr. Maher is some unique being whose word is akin to Holy Writ. Whatever Mr. Maher says the Minister agrees to, and that is why I have been obliged to bring the matter before the House.

I shall just refer briefly to the Act, which is No. 50 of 1960, and its title is "Totalisator Agency Board Betting Act." Section 20, subsection (1), paragraph (c) provides—

> Notwithstanding anything contained in any other Act or law to the contrary, it shall be lawful in accordance with this Act—
>
> (c) for bets by way of wagering or gaming in respect of such horse races conducted on such race courses outside the State as are prescribed, to be made with and received by or on behalf of the Board, or placed by the Board in a totalisator pool conducted by it on any such horse race in accordance with this Act.

So it is perfectly clear that the board, if it wishes, can conduct a totalisator pool in accordance with the Act. Now we turn to the definitions to see what a totalisator pool is, and section 3 provides—

> "Totalisator" means the instrument known as "the totalisator" and includes any other machine, instrument, or contrivance of a like nature and conducted on the like principles lawfully operated under the provisions of any Act and also includes any totalisator pool scheme conducted on any horse race by the board under this Act for enabling any number of persons to make bets with one another on like principles.

That makes a totalisator pool scheme synonymous with a totalisator, and brings it within the concept of totalisator. It is remarkable that in practically all the legislation which exists in Australia the definition of "totalisator" is exactly the same. If one turns to the Racing Act of Victoria one finds this definition of "totalisator"—

> "Totalisator" means the instrument or contrivance known as "the totalisator" and includes any other machine, instrument or contrivance of a like nature and conducted on like principles.

If we turn to our Totalisator Duty Act, or our Totalisator Regulation Act, we find that the definition is almost the same—I will point out the difference in a moment—as the definition in the Act to which I am referring. The only difference is that in our Act we include a totalisator pool scheme which was not previously envisaged.

Actually a totalisator is a scheme of betting; it is not a machine at all, and it was invented by a man named Oller, a Frenchman, in 1872. It was a scheme of betting enabling persons to bet with one another; they did not bet with an operator, and the operator who was running the pool could not participate in the result of it. That is the principle of it. In 1880 a man named Ekberg in New Zealand perfected a machine for automatically registering bets on this system of betting; and so we get the idea that a totalisator is a machine, although actually it is a recognised and specific scheme of betting where the persons who participate bet with one another and not with the operator.

In order to be precise in this matter I have taken the definitions from sources which are readily available. The first is in the *Encyclopaedia Britannica*, and it says—

> Totalisator: Betting on horse races without the aid of bookmakers or intermediaries is conducted by two methods known as the totalisator and

the *pari-mutuel* systems. In principle they are alike. Money staked by backers is pooled and when the result of a race is known shared by those who have backed the winner. But whereas all bets made through a totalisator are at once automatically massed in a single pool those made through a *pari-mutuel* are in the first instance formed into a series of separate pools only, however, finally to be amalgamated. The major portion of such pools, say 60 or 75 per cent., is divided among the backers of the winner and the remainder among backers of the second and third horses. The *pari-mutuel* method was founded in 1872 by a Frenchman called Oller.

Webster says—

Totalisator: A *pari-mutuel;*

and further states—

Pari-mutuel: a machine for registering and indicating the number and nature of bets made on horse races used in the *pari-mutuel* system of betting. It is a form of betting on horses in which those who bet on the winning horse share the total stakes less a small per cent. to the management.

The machine dates from 1880 when Ekberg in New Zealand, who had studied Oller's procedure, conceived the idea of automatically recording bets. He devised a machine for the purpose, called it a totalisator, and used it for the first time at the Canterbury Jockey Club meeting in Christchurch, New Zealand, in 1880. Until Mr. Maher came along all totalisators operated on the same principle; and in some countries they provide penalties for doing what Mr. Maher does; that is manipulating the dividends or tinkering with the tote. In other countries they punish people for that—in more civilised states than Western Australia.

Mr. Hawke: It is only in the last two and a half years that this State has become less civilised.

Mr. TONKIN: Most likely if one attempted to do in Singapore what the T.A.B. does here, one would be lynched.

Mr. Hawke: Hear, hear!

Mr. TONKIN: I refer to manipulating tote dividends; and that is what regulation 36 does. The manager of the T.A.B. here can from week to week and day to day determine what an investor will receive from the totalisator; all he has to do is alter the regulation. He has altered it four times already since it was first made to provide for a different dividend.

Mr. Bickerton: He will get rich that way.

Mr. TONKIN: That is called manipulating the tote. Every racing man in the country knows that is a punishable offence, but here it is done supposedly under cover of the law. I thought the fairest and best thing to do in this matter was to point it out to the Minister so that he could stop it, so I wrote to him on the 17th April, 1961, as follows:—

The Hon. C. C. Perkins, M.L.A.,
Minister for Police,
Perth.

Dear Sir,

I regret the necessity to draw attention to the failure of the Totalisator Agency Board to observe the law with the result that many people are being deprived of money which lawfully belongs to them.

As you are aware, section 5 of the Betting Control Act has been amended to provide that—

(2a) No bet on a horse in a race shall be made with or accepted by a bookmaker who holds a license to carry on the business of a bookmaker at registered premises, or with his employee, unless—

(a) it is made and accepted at odds in respect of the horse, as determined after the race is run by the totalisator established on the race course where the race was run; or

(b) where the bet is made on a horse in a race on which the Board conducts a totalisator pool in accordance with the Totalisator Agency Board Betting Act, 1960, the bet is made and accepted at odds in respect of the horse as determined after the race is run by the board under that Act.

In connection with races run in the Eastern States, the T.A.B. itself pays, and has instructed off-course bookmakers to pay, in accordance with (b) of subsection 2a.

My contention, which is based on the legal opinion of a prominent Queen's Counsel is that as the T.A.B. is not conducting a totalisator pool in accordance with the Totalisator Agency Board Betting Act, paragraph (a) of subsection (2a) of section 5 applies and the T.A.B. and off-course bookmakers should pay the odds determined by the totalisator established on the race-course where the race was run.

The Totalisator Agency Board Betting Act provides that the T.A.B. may conduct a totalisator pool scheme "for enabling any number of persons to make bets with one another" on like principles to a totalisator.

> The pool which the T.A.B. conducts is one where persons are enabled to make bets with the T.A.B. and not with one another, because the T.A.B. keeps some of the money which should be distributed as dividends and on occasions where no investor has invested on the winning horse it keeps the whole of the pool.

I interpolate here to say that in a properly run totalisator, if there is no investor on the winning horse, the totalisator is obliged to return the money to the investors, and I know of instances where that actually was done. However, the Totalisator Agency Board decided that in such cases it would keep the money itself. I repeat that that is the only example I have heard of in the civilised world. My letter continues—

> The principle of the totalisator is that as it is legally entitled to subtract a stipulated percentage from every pool, it cannot lose but as it cannot win any greater sum than that, it does not gamble.
>
> The T.A.B. Pool is in a similar position to the totalisator inasmuch as because a percentage is substracted it cannot lose but, unlike the totalisator and like a bookmaker, it can, in addition, win some or all of the money invested by the persons who are supposed to be betting with one another.
>
> Clearly then the T.A.B. is not conducting a totalisator pool scheme as provided for in the Act. The regulations cannot confer a power outside the Act.
>
> Having brought this matter to your notice, I assume that you will have it looked into immediately and take appropriate action to rectify the position.

I received a reply from the Minister and I was greatly encouraged by it—quite wrongly, I admit. On the 19th April, 1961, the Minister said this—

> I acknowledge yours dated 17th inst. and I will have the matters that you raised looked into immediately.
>
> As soon as I obtain the necessary information I will reply in detail to the points you raise.

When I received that reply I thought that this was hopeful. I thought that as soon as the Minister got down to the detail of the points I raised, I would know whether I was right or wrong. However, when I received his reply he told me I was wrong because the chairman of the board said I was. In other words—

Mr. Ross Hutchinson: And you know you are right!

Mr. TONKIN: No. I am almost certain I am, and before long I will know. The Minister's reply in detail, which he had promised—another assurance gone over board—was to tell me I was wrong because the chairman of the Board said I was. This is his further letter—

> Further to your letter of the 17th April, 1961, I wish to advise as follows:—
>
> I am somewhat surprised to hear that the Totalisator Agency Board is not conducting a totalisator pool scheme as provided in the Act, particularly in view of the assurance recently given by the Chairman of the Board that the totalisator pool scheme in relation to Eastern States racing was being conducted in the manner laid down in the Toalisator Agency Board Betting Act, 1960, and the regulations made thereunder, and also in the manner described when the measure was before Parliament.
>
> Should you care to let me have a copy of the legal opinion of the prominent Queen's Counsel, as mentioned in paragraph (4) page 2 of your letter I will only be too pleased to have the matter further investigated by the proper authorities.

I suppose that whatever Mr. Maher said he would send back to me. On the 8th May, 1961, I wrote the following letter to the Minister:—

> I have your letter of the 3rd inst. in reply to mine of the 17th April, and am disappointed that you did not reply in detail as you promised to do in your acknowledgment of the 19th April.
>
> When I received yours of the 19th April I was encouraged in the belief that we could come to grips on the problem; however, this is not so and your reply to the points which I raised is that you have the assurance of the Chairman of the T.A.B. that "the totalisator pool scheme in relation to Eastern States racing was being conducted in the manner laid down in the Totalisator Agency Board Betting Act, 1960, and the regulations made thereunder, and also in the manner described when the measure was before Parliament."

Mr. Perkins: You did not let me have that Queen's Counsel opinion to which you referred.

Mr. TONKIN: The Minister will have it in due course. Continuing—

> One would think whatever Mr. Maher says is akin to Holy Writ. I deny both the assertions which he has made.
>
> I am astonished that you should rely upon the manner in which the totalisator pool scheme for Eastern States racing was described in Parliament because it was not described

at all. When you moved the second reading of the Bill you spoke as follows:—

(Page 1613, *Hansard*, 1960.)

> As yet, no altogether satisfactory scheme has been developed to cater for betting on Eastern States racing through a full totalisator scheme.
>
> After six months' experience, the board proposed to be constituted under this Bill will have much greater knowledge of the spread and level of betting on interstate racing, and it should be possible to frame rules for the successful conduct of an off-course totalisator pool if the board so decides.
>
> In the meantime, the Bill proposes to authorise the Totalisator Agency Board to hold all moneys invested on Eastern States racing and to pay dividends, both win and place, in accordance with the dividends declared by the totalisators on the respective racecourses in the Eastern States covering the races on which the bets are made.

So much for the chairman's assurance!

In view of the unsatisfactory position in which the question now rests, I sincerely hope that you will keep your assurance given on the 19th April and reply in detail to the points which were raised in my letter of the 17th idem.

I am still waiting for that reply.

Mr. Perkins: You will get it when I get the opinion of the Queen's Counsel.

Mr. Hawke: You are not entitled to it.

Mr. Perkins: I know I will not get it, because there is no foundation in the arguments you are putting forward.

Mr. TONKIN: I will make a bargain with the Minister. Will the Minister give an unqualified assurance—which he will guarantee to keep—

Mr. Hawke: That is important.

Mr. TONKIN: —that, if I produce this Queen's Counsel's opinion, and it states clearly that this regulation is *ultra vires*, he will agree to its disallowance?

Mr. Perkins: I will reply in detail to the points you raise as soon as you produce the Queen's Counsel's opinion.

Mr. TONKIN: A moment ago the Minister said I would not produce it.

Mr. Perkins: You produce it.

Mr. TONKIN: I will produce it when I am ready.

Mr. Perkins: I do not think you will.

Mr. Hawke: The Government would not produce the legal opinion on the boundaries case.

Mr. TONKIN: Seeing that our legislation was framed on the Victorian legislation, it is as well to have a look and see how closely and jealously they guard the declaration of dividends.

Mr. Perkins: What makes you think it is framed on the Victorian legislation?

Mr. TONKIN: Because some of the provisions in our Act are, word for word, with those in the Victorian Act. The Minister should have a look at the provisions with regard to credit betting, and he will see that they are word for word with those contained in the Victorian Act. If the Minister has any doubt about this I will take time off and read it to him. He can check it, and I will guarantee that it is 100 per cent. word for word.

Mr. Perkins: That does not mean it is based on the Victorian Act.

Mr. TONKIN: It is unlikely that our Crown Law Department could have thought it up in precisely the same terms as those contained in the Victorian legislation.

Mr. Rowberry: It would be a coincidence.

Mr. Hawke: It would be miraculous.

Mr. TONKIN: Section 104 of the Racing Act of Victoria, 1958, makes this provision—

> Any member officer agent or servant of any such club who makes authorises or permits the payment to any person of any dividend which is not calculated in the prescribed manner shall be liable to a penalty of not more than £20; and any such club by which any such dividend is paid in contravention of this Act or the regulations shall be liable to a penalty of not more than £100 for each offence.

It then sets out how the dividend shall be declared. Section 104 further says—

> Every club using a totalisator shall (after making the deduction aforesaid)—

I interpolate here to say that that refers to the statutory deduction which in this State is 15 per cent.; which in Victoria is, I think, 12 per cent.; and which, in New South Wales, is 13 per cent. The Act says after that deduction is made they shall—

> pay by way of dividends all moneys paid into the totalisator in respect of any race:

So all the club is allowed to take out is the statutory deduction, after which it is legally bound to distribute the whole of the balance; and that is the practice in every other country in the world except Western Australia. In order to guard against the possibility of manipulating the tote and declaring wrong dividends, either inadvertently or deliberately, section 105 makes the following provision:—

> (1) Every club using a totalisator shall establish a fund to be known as the "Dividends Adjustment Fund."

(2) Where through error in calculation the amount of any dividend declared payable in respect to any event is less or greater than the amount which should have been so declared the difference shall in the first case be credited to and in the second case debited against such fund:

Provided that if in the opinion of the Auditor-General such error was occasioned by the negligence of an agent or servant of the club (and the onus of proving to the satisfaction of the Auditor-General that it was not so occasioned shall lie upon the club) any loss caused or contributed to by such error shall be borne by the club.

(3) If at any time the amount credited to such fund is insufficient to meet any amount then debited against such fund the club shall out of its revenues pay into such fund an amount sufficient to meet the amount so debited and may to the necessary extent recoup its revenues out of moneys otherwise subsequently credited to such fund under this section.

So it is clear that they very jealously guard this principle of the dividend of the totalisator; and they are prepared to impose penalties where an incorrect dividend results from negligence or from error, realising that the basic principle of the totalisator is that investors are entitled to share all the money remaining in the pool after the statutory deduction has been taken out to the nearest fraction of a shilling. In New South Wales this amounts to 3d.; and in Victoria, it is 6d.

The device in Western Australia is nothing more than a device to enable the T.A.B. to impose additional taxation upon the punter; because this requires a second division of the money and, therefore, a second lot of fractions. When it started off, the T.A.B., by regulation No. 36, agreed to pay not less than 75 per cent. nor more than 125 per cent. of the dividend declared on the course. It has made several alterations to that, and its regulation now reads that it will pay not less than 95 per cent. and not more than 105 per cent. of the dividend declared on the course.

When the dividend is declared on the course the statutory deduction is already taken out, and the pool is then divided by the number of successful investors; and it is inevitable that a considerable amount of money will be indivisible, because of the fractions.

The dividend is declared in the first instance less the fractions; so the T.A.B. gets the advantage of those fractions. Now the T.A.B. makes a further division of the money. It divides the dividend which has been declared, because it takes 19/20ths of it. By taking 19/20ths of 6d. it is obvious that becomes another fraction which the T.A.B. will pocket. That is a lovely practice for stealing the money o other people—to have two lots of fraction so as to catch both from the punter!

I have followed these dividends closely and I have calculated that, on the averag under the method I have referred to th deduction is equivalent to the impositio of 3s. in the pound as a winning bets tax that is, by the fact that the dividend reduced and the two fractions are not dis tributed.

It must be remembered that the bulk o the money handled in the off-course shop is contributed by the very small punter who bet in amounts of less than £1. The lose anything from 9d. to 1s. 6d. on ever dividend declared for a 5s. bet, where favourite or near-favourite wins the rac Assuming the difference is 9d. on a 5 investment, when we relate that proportio to an investment of £1, there is a differenc of 3s. which the T.A.B. obtains by way o fractions.

Mr. Perkins: When the Bill was befor the House you reckoned the Governmen would go broke.

Mr. TONKIN: And so it would, if played the game properly. It is not goin broke, but only because it is able to stea from the public.

Mr. Perkins: I cannot accept that lin of argument.

Mr. TONKIN: Of course not, because M Maher said it was not acceptable! Tha is the only reason.

Mr. Perkins: Your predictions are long way out.

Mr. TONKIN: They are not. When predicted these things would happen if th board tried to make the bookmakers pa out at the odds declared by the cours totalisator, the Minister said, "Oh no! W had the best possible advice that tha would not happen." But the T.A.B. ha not operated under that arrangement fo one single race meeting. The reason gave for not so operating was that th T.A.B. had paid heed to the "squeal o the bookmakers," as the Minister said.

Mr. Perkins: The bookmakers did obje very vigorously.

Mr. TONKIN: Were the objections o the bookmakers soundly based?

Mr. Perkins: The bookmakers were mak ing much more money than they admitte

Mr. TONKIN: What about answerin my question? Were the objections whic the bookmakers raised, and which resulte in the Totalisator Agency Board departin from its original purpose, sound or not?

Mr. Perkins: The bookmakers made lot more than 11 per cent. of turnover i the days of licensed premises.

Mr. TONKIN: The Minister knows tha he is in a spot, so I shall have to answe the question for him. If the objections o the bookmakers were soundly based, the

was right and the Minister was wrong. f they were not soundly based, then the oard had no right to yield, or to depart rom the policy which it had adopted; that ;, if the board was sure its policy was ight. There would have been no grounds or the objections of the bookmakers.

Mr. Perkins: We did not have much data o go on then, but we have a great deal f data now.

Mr. TONKIN: The Minister is not facing p to the position. He is in a situation here, if he goes one way he is cornered; nd if he goes the other way, he is also ornered; so he shoots down the middle. When I drew the attention of the Minister to the fact that he ought to have some ower to control the Totalisator Agency loard, and that it should not be allowed o do what it liked, the Minister as much s told me that Parliament deliberately et this board up, away from ministerial nd parliamentary control, and that it hould be left to its own devices so long s it was operating within the law. I ave the letter here, if the Minister would ike me to read it.

I told him in reply that it would be unwise for him to rely on what the chairman f the board had told him, because occaionally he dressed up his answers to suit he situation in which he was placed. I lso told the Minister that when the board vas considering the establishment of gencies in clubs and hotels, the Governnent had stepped in to prevent this move. His reply was, "The Government did not tep in. The board did not have any inention of establishing agencies in clubs nd hotels." That was what the Minister aid to me: That the board did not have ny intention of doing that.

A lot of people must have misjudged the ituation, including reliable newspaper vriters and the like. Here is the proof: On the 17th March last Mr. Maher was eported in *The West Australian* as having said this—

> The board is still awaiting legal opinion on the possibility of clubs and hotels establishing credit with the board's deposit agency.
>
> Under this plan—

I interpolate—there is a plan—

> —accredited punters at clubs and hotels would be able to place a bet without having to leave the premises.
>
> "We expect to have the legal opinion within a few days and our first step will be to discuss the position with Police Minister Perkins," Mr. Maher said.

So they had a plan; and when they got the legal advice, they were going to discuss it with the Minister. But the Minister had the effrontery to tell me that never at any time was the board contemplating establishing agencies in clubs. Apparently the Government got to work, because Mr. Maher changed his direction. On the 28th March, he made this statement—

> The board was opposed in policy to club or hotel managers collecting bets from members or patrons.

If the board was opposed in policy, why waste time in getting a legal opinion on the plan? A few months afterwards, Mr. Maher said in another statement—

> The board has always been opposed to the thought that clubs might provide an agent.

Just imagine it! Opposed to the thought! But early in March he was talking about a plan; and the board was seeking legal advice on the plan, after which it was going to talk with the Minister. I simply put that forward so that reasonable men can judge whether complete reliance can be placed on the statements of the chairman of the board.

Mr. Perkins: You are building a case on very flimsy foundations.

Mr. TONKIN: No doubt that is what the Minister would like to think; but I was fortunate to be able to read the opinions of others as well. I am not going to weary the House with those unless members ask for them; but in the *News Review* there was a very enlightening article in connection with this matter, in which it had some very harsh words to say.

Mr. Perkins: I did not think you always accepted the opinions of that paper.

Mr. TONKIN: No; but they are more on the Minister's side than mine. I refer to the issue of March, 1961. That is when Mr. Maher was talking about this plan he had, although later on he never had a thought about such a thing. The article reads—

> . . . . the newly appointed Chairman of the Tote Advisory Board for the crazy idea of turning sporting and social clubs into cheap jack gambling places . . . .

And yet, according to the chairman, he never had a thought of it; in which case this article libelled him. The heading of the article is—

> Clubs and Betting
>
> Unthinkable Proposition

> It is well that the Minister responsible has more or less contradicted the recent Press statement attributed to Mr. Jack Maher, Chairman of the Totalisator Advisory Board, that a system of Club Betting establishments might be implemented in relaton to the new Tote Betting scheme.
>
> It would be a most retrograde step and it seems almost unbelievable that the newly-appointed members of the T.A.B. would give the idea any consideration at all. On the other hand,

> the Chairman, who is virtually the chief Executive officer, would surely not make Press statements on a matter of high policy without first submitting such a matter for Board approval.

That does not leave very much doubt as to whether the chairman of the board had thought about this question or not; but in July, when the matter started to get very hot, he said this—and I must repeat it—"The board has always been opposed to the thought that clubs might provide an agent." Well, well, well!

I propose now to give a few more instances of where the chairman deliberately frames his phrases to create a different impression. For example, it is the chairman's responsibility to know how much money is invested in the pool, and what the dividend is, from time to time. He comments in the paper that the dividend is a very large one. But before the board itself started taking tickets in the pools, Mr. Maher was asked if there had been any pools in which no investor had selected the winner and the money had gone to the T.A.B. Mr. Speaker, believe it or not, Mr. Maher said he did not know!

He is the chief executive officer. He has to collate the results. He has to see that the statutory payments are made into the banking accounts. He has to know how much money is invested in every pool and how much is paid out. So who would know better than anybody else whether there had been any pools where nobody had picked the winner? But Mr. Maher said he did not know—and he is endeavouring to see nobody else knows at all, because every time I ask the Minister for information which would enable me to know, the answer I get is, "It is against the policy of the board to make the information public." And the Minister is satisfied with that.

If a question is asked here and the chairman of the board says, "It is against the policy of the board to make the information public," we do not get it. If you look at today's notice paper, Mr. Speaker, you will see where I asked for information which most certainly should have been supplied to this Parliament, because Mr. Maher told the Press what was the total turnover for the month of August. But Parliament cannot be told how much of that turnover was with respect to metropolitan races.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. TONKIN: This regulation—which I hope the House will disallow—apart from the other things I have said about it is quite unworkable in certain circumstances. For that reason alone the Minister ought to agree to its disallowance.

I will read subregulation (2) of regul tion No. 36 and point out what I mea The subregulation is as follows:—

> Except as otherwise provided these regulations the total amount i vested in the totalisator pool le fifteen per centum totalisator con mission shall be divided *pro rata* b tween the successful investors, a the provisions of the regulation rela ing to fractions shall apply to su dividends.

I do not know whether the Minister h gone into this matter; but on tho occasions when the board has to suppl ment the dividend in its own pool to bri it up to 19/20ths of the dividend declar on the course, it is impossible to make t 15 per cent. deduction. What happe then? The board cannot comply with i own regulations. There is no possib explanation for a situation like that.

The deduction of 15 per cent. cannot made first and then what is left be pa out if, when the dividend is worked o from what is left, some money has to obtained from somewhere else to suppl ment it to bring it up to 19/20ths of t dividend declared on the course. Wh that is done the 15 per cent. is no long deducted, so the regulation becomes u workable. If the Minister has a soluti to that problem I would like to hear it.

Let us take an example of actual figur Suppose the pool is £100. The £15 taken out in accordance with this regul tion and that leaves £85 to distribute. Th £85 is then divided between the numb of successful investors. It is found th there are 170, so that will give a divide of 10s. and the whole of the money w have been used. But this horse has pa 15s. on the course in Melbourne; and a cording to the regulation, 19/20ths of th dividend in Melbourne must be paid. 10s. dividend uses up all the money; to gain extra money to be able to pay o the 19/20ths of the dividend in Melbour the 15 per cent. has to be dipped into.

Mr. Perkins: I will get an accurate che of this when I get around to replying.

Mr. TONKIN: There it is. That is matter of simple arithmetic.

Mr. Perkins: I do not think it is as simp as that.

Mr. Bickerton: Well, make it harder f him.

Mr. TONKIN: The trouble is that a stat tory deduction has been provided for, b the pay-out is not limited. The only w this situation can be got over is by pr viding that after the 15 per cent. dedu tion is made the pay-out shall not more than 85 per cent. of the pool. B there is a provision that states th 19/20ths of the dividend on the cour must be paid, and if that exceeds t amount of money in the pool the dedu tion of commission must be dipped into.

Another aspect of this is that it is the first time to my knowledge that taxation could be imposed by regulation. In the Totalisator Duty Act and the Totalisator Regulation Act, Parliament has decided what tax shall be imposed upon the investment in the pool; but Parliament has had no say in this. The decision to make a 15 per cent. deduction by way of commission on the board's pool is done by regulation; and I have never heard of its being done that way before in my life. It is a tax upon the investor.

When the investment tax of 3d. on tickets under £1 was imposed, an Act of Parliament was necessary; but this tax will amount to far more than 3d. on a 5s. investment, and it has been done by regulation. I do not believe that that would stand up to argument in a court of law.

I have already said that this idea of the chairman is to enable him to get the benefit of fractions twice. When the dividend is first of all worked out on the course, the totalisator benefits to the extent of the fractions which are not distributed, and so the local Totalisator Agency Board obtains that benefit. Then it makes a further division by taking 19/20ths of the dividend so that it benefits to the extent of a further fraction. This is what I complain about.

When the Totalisator Agency Board itself is benefiting to the extent of those fractions at the expense of the investors, it also permits every off-course bookmaker who still operates to benefit likewise. If we could get the figures from the Minister —he continually refuses to divulge them —it would be found that this results in a very substantial benefit to the board and therefore must be a very substantial benefit to the bookmakers as well, because the bookmakers will benefit to the same extent as the board does with regard to the fractions operating twice at the expense of the investor. His 3d. investment tax per ticket is a mere bagatelle to the impost levied upon him in connection with this matter.

I had a look at tonight's paper to obtain an example which was right up to date. In one of the races in Sydney today the favourite—*Columbia Star*—was successful. Its starting price was 7 to 4. In the old days the punter would have received 13s. 9d. for his 5s. But what does the T.A.B., which was going to benefit the punter—so the Minister said—do now? By substituting totalisator dividends for starting prices, the board reduces the dividend. Instead of paying 13s. 9d., which is the equivalent to 7 to 4, a dividend of 12s. 9d. is substituted. What does the local totalisator do? It takes 19/20ths of that and declares 12s. If a person in Western Australia bet off the course he would get 12s.

If one went to the races—if one went to Kalgoorlie today and had a bet on the Sydney race, one would get 12s. 9d. for 5s., or 13s. 9d. as the case may be. If one was on the course in Sydney, one would get 12s. 9d. from the tote, or if one backed the horse straight out with bookmakers, one would get 7 to 4, the equivalent of 13s. 9d. The T.A.B. and off-course bookmakers in Western Australia benefit to the extent of 9d. on a 5s. ticket; or the equivalent of 3s. on a pound investment—a winning bet tax of 3s. in the pound, or 15 per cent. It is outrageous; and it is done under the guise of a totalisator.

I think that what Parliament ought to do is to insist that the T.A.B. do one of two things: that it either pay out at the dividend declared on the course; or, if it runs its own tote, that it pay out the proper totalisator dividend. It could have its choice, according to the Act; but it should do one or the other. If it runs its own pool, all it is entitled to do is to take the statutory deduction out and then divide up the whole of what is left among the successful investors, not a portion of it. This business of taking a ticket itself on each race, on every horse in every race, is a losing proposition to start with; and it is only done in order to meet the situation which obviously obtained where the board was participating in the pool without being an investor in it.

Mr. Ross Hutchinson: What effect would it have on the tote if it adopted either of the two courses you suggest?

Mr. TONKIN: Firstly, if it adopted the course of paying out the dividend declared on the course, it would result in the T.A.B. losing money, and the punters making more.

Mr. Ross Hutchinson: Don't you think they would go broke if they did that?

Mr. TONKIN: Who? The T.A.B.?

Mr. Ross Hutchinson: Yes.

Mr. TONKIN: Well, I think it probably would; but that is what they said they were going to do when the Bill was here. So do not blame me for that; blame the present Government.

Mr. Ross Hutchinson: You want them to adopt this course so they will go broke?

Mr. TONKIN: I want them to obey the law. I said, when the Bill was before the House, that if this law were obeyed, the board could not function; and I still say the same thing. Why does the Minister think it should be clothed in such secrecy? It does not matter what question I ask here for information, it is against the policy of the board to disclose it. Take the question that was asked today:—

> Of the published T.A.B. turnover of £269,341 for the month of August, how much was in respect of galloping and trotting races in the metropolitan area?

Why should not Parliament have that information? If it is right to tell the general public the total turnover of the T.A.B. for one month, why should not Parliament know how much of that is in respect of the metropolitan area, and how much in respect of country clubs? Can anyone suggest a valid reason? No. The only reason given is that it is against the policy of the board to disclose the information; and we are supposed to accept that.

Mr. Ross Hutchinson: Why are you so much against the T.A.B.?

Mr. TONKIN: I am not against the T.A.B.

Mr. Ross Hutchinson: It has had a tremendously beneficial effect on racing.

Mr. TONKIN: I believe in everybody obeying the law. I obey it myself, and I think that Governments and instrumentalities should obey it also; and if they do not like it, they ought to alter it. The way the law stands at present, it should be obeyed. But some people think they are above the law; and that is what the board thinks; and so that the public will not know what is going on, the Minister continues to refuse information by way of answers to legitimate questions.

I have not asked a single question in connection with this matter which I am not entitled to ask, and as a representative of the people I am entitled to get the information. But I do not get it, because it is against the policy of the board to disclose it. Look at this, which appeared in *The West Australian* on the 6th May—

> Board holds back figures.

Why does the board hold back figures? It has to be remembered that this board is not subject to the Auditor-General. Most public instrumentalities are; but this board did not appoint auditors until some months after it was operating. The Auditor-General has no control over what it is doing. It is under private auditors, and it holds back its figures. Therefore, how will we know what is going on?

I am told that in some agencies they invest right up to the time the horses jump. In Victoria it is an offence to make an investment after the prescribed time. A heavy penalty is imposed in connection with it. I quote from No. 6619, of June, 1960, Victoria. It is an amendment to the Racing Act, specially put in to deal with the off-course totalisator. Section 116 reads as follows:—

> Any manager, secretary, officer, employee, or agent of the board, or any employee of such agent, who receives or permits to be received any bet on any totalisator in respect of any event after the prescribed closing time for the acceptance of bets on that event shall be liable to a penalty of not more than £200.

Mr. Perkins: That is not in our Act.

Mr. TONKIN: Of course it isn't; tha is just what I am saying.

Mr. Perkins: What is wrong with it?

Mr. TONKIN: I will tell you what i wrong with it. If an agent can take bet beyond the starting time of races—

Mr. Perkins: You are not suggestin they are, are you?

Mr. TONKIN: I am leaving it to th Minister's imagination.

Mr. Perkins: I suggest you do not us your imagination too much, because think you are making some very dangerou charges which you cannot substantiate.

Mr. TONKIN: That is the trouble; th Minister goes on thinking without tryin to find out. There is no Auditor-Genera to tell us. The auditors were not ap pointed for months. The Minister know that. And if agents can receive bets afte the starting time—and in some cases ther is no prescribed time—then it is wide ope for fraud, whether it is being committe or not. It is wide open for it. But it i in keeping with the loose control and ad ministration of this Act.

The Minister is covering up all the time refusing to supply information legitimatel asked for. Why? Because it is not th policy of the board to disclose it. A fin answer that is! A fine reply to a membe of Parliament when he asks for informa tion! He cannot have that informatio because it is not the policy of the boar to disclose it. Just imagine how long Government would last if, when it wa questioned in Parliament, the answers wer that it was not the policy of the Govern ment to disclose the information. Suppos we wanted to know how much the Premie proposed to budget for in connection wit one of his departments, and he said t Parliament, "It it not the policy of th Government to tell you." How far woul he get? What is good enough for Minister and departments ought to be good enoug for public authorities. I can get fron Ministers far more information about th State Electricity Commission or the Mea Export Works than I can get about th T.A.B.

Mr. Hawke: Or about the State Buildin Supplies.

Mr. TONKIN: It is a cover-up all th time. Why should the operations of thi board be covered up in this way? If it i all fair, square, and wide open, why shoul we not be told what is happening?

Mr. Perkins: There are a few of you illegal bookmaker friends who would lik to have some of this information.

Mr. TONKIN: Illegal bookmaker friend rubbish! Of what use would it be to m bookmaker friends to know how much o this totalisator turnover was in respect o racing and trotting meetings in the metro politan area? Of what use would that b to a bookmaker?

Mr. Perkins: You know how much they love the T.A.B.

Mr. Hawke: The T.A.B. co-operates with them on the fixation of dividends.

Mr. TONKIN: Of course it does! It puts money into their pockets every time it provides a second fraction.

Mr. Hawke: And the Minister approves.

Mr. TONKIN: It is operating in its own interests and in the interests of the off-course bookmakers; and I am concerned with the punters.

Mr. Perkins: I think you will soon have to make up your mind whether you are on the side of law and order, or on the side of the illegal bookmakers.

Mr. TONKIN: It does not take me much time to make up my mind. But I will say this for the Minister: he cannot make up his mind at all.

Mr. Perkins: I am not on the side of the illegal bookmakers.

Mr. TONKIN: The Minister does not know where he is.

Mr. Perkins: I will give you an opportunity to decide in the very near future; in this House, too.

Mr. TONKIN: Good! The Minister will not find me lacking.

Mr. Perkins: I hope you will support a Bill I will be bringing down.

Mr. TONKIN: That is another matter. If it is in keeping with the legislation we have had introduced so far I will not be supporting it.

Mr. Perkins: It will be designed to kill illegal bookmakers. Are you in agreement with that?

Mr. TONKIN: Will it stop the T.A.B. from encouraging its agents to bet with illegal bookmakers? Will it do that?

Mr. Perkins: I hope it can do that, too.

Mr. TONKIN: It is time it did because that is what they are doing, although they are telling the Minister that they are not. What about the letter I quoted that was typed in the office of the Totalisator Board?

Mr. Perkins: I am still waiting to get that legal opinion.

Mr. TONKIN: What about the legal opinion the board got from Parker & Parker on the question of credit betting? Why not trot that out?

Mr. Hawke: That is at the bottom of the barrel.

Mr. TONKIN: No; it is not the policy of the board to disclose that.

Mr. Perkins: Apparently you have already obtained it, anyway.

Mr. TONKIN: It would be nice to have it on the Table in black and white; but, of course, the board would not risk that. That would show the game up properly; and the Minister knows it, and that is why he supports the board in its attitude. If it were above-board in this matter, the T.A.B. would have sought the information from the Crown Law Department, the department that drafted the Bill, to say what was intended when it did draft the measure. But no; the board would not do that. It shot off somewhere else where it thought it might get a more suitable opinion.

I would point out that up to date this is not Government policy. It is board policy, and the Minister has said that the board can do what it likes so long as it carries on within the law; and he does not want to interfere. So I am asking members to vote on board policy and not on Government policy. If they disagree with what the board is doing; if they think the board should not have the right to levy this heavy impost on the punter, which it is doing because it is going to benefit on two lots of fractions and from its participating in the pool and so on, members should vote for the motion. We should say to the board, "Parliament gave you power to run a true totalisator pool and if you do not do that then pay out at the odds on the course. You should do one or the other; but Parliament did not say to you that you can manipulate the dividends and you can decide what dividends you are going to pay investors on the tote."

But that is what is operating at present. Whatever dividend is to be declared or paid to the punter is decided by the T.A.B. and not by the pool. Anyone would know that a true totalisator will always give the same dividend in the same circumstances: if we have a pool of a certain size and a certain number of successful winning tickets, it does not matter what day of the week we work the dividend out it will always be the same all over the world—except in Western Australia where the dividend changes from week to week and month to month according to the whim of the T.A.B. Yet the T.A.B. has the cheek to say that it is running a totalisator! What it is doing is operating as one big bookmaker; and the reason it will not disclose how much of the turnover is in respect of metropolitan races is that it would be possible to show what a very small proportion of the money it is sending to the totalisator.

We were told that the idea of this was that the maximum amount of money should be invested on the racecourse on the tote, and that the T.A.B. should hold only the money which it was not practicable for it to send to the racecourse. But the T.A.B. does not want to do that; and so it holds practically the bulk of the money invested for metropolitan racing. If one speaks to any members of the committee of the trotting club or the racing

clubs, they will say how disappointed they are that the board is functioning in this way; that the board itself is holding the money as a bookmaker instead of investing it on the totalisator on the course.

I suggest that if we disallow this regulation we will force the T.A.B. to carry out the law. It has to choose; it can do one thing or the other; but it is unfair to the small investor, who already has the impost of 3d. on his 5s. investment as investment tax, because this operation of the T.A.B. costs him far more. My calculation is that it is equivalent to a winning bets tax of 3s. in the pound, which is a higher tax than anywhere I have heard of.

The board gets the benefit of some of that and the off-course bookmakers get the benefit of the balance at the expense of the punter—the people who are supplying the money which is keeping racing going; because if there were no punters there would be no racing, no bookmakers, no trainers, and no horse-owners. If it were not for the punters who go regularly to the races, or who bet off-course, there would be no racing at all; they provide all the money to enable the sport of kings to flourish; and they are the ones who are getting the rawest deal in this matter.

It was never intended to set up a mammoth bookmaker which would declare its own prices at the expense of the bettors; but that is what we have got. I repeat: It is board policy up to the present; it is not Government policy; but if the Government uses its numbers to insist that this regulation remain, then it becomes Government policy and the Government will have to carry the full responsibility for it. I think it is time a stand was taken in connection with this matter, and the board was told to observe the Act and to have more regard for the investors.

For the reasons I have given, the regulation in intent and object is inconsistent with the Act which was passed; and, what is more, I have already shown, I think, that the regulation should be disallowed. The Minister said he had some solution to the problem, but we have not yet had the benefit of hearing what that solution is; and I have already shown that the regulation is impossible of operation in some circumstances.

Because it is repugnant to the Act and also impossible of operation in certain circumstances, we ought to strike it out; and, if we do, the board will then be able to run a pool on proper totalisator lines the same as everyone else does; or it need not run a pool, and it can pay out at the prices declared on the course. But, whatever we do, we should put an end to the manipulation of dividends where the dividend is declared as the result of a decision by the board itself. One week there is one dividend declared, and another week there is a different one. Whoever heard of a totalisator operating in that fashion outside of Western Australia? Why, it is the laughing-stock of the racing world!

The Minister ought to have a talk with those in charge of racing in Victoria, and also in New Zealand, to see what they think of it. Why, it is a proper farce! Whoever heard of a totalisator being cperated where the dividend is determined by the operator?

Mr. Perkins: Have you asked the racing people in Western Australia what they think about it?

Mr. TONKIN: Yes; I have asked them what they think about it.

Mr. Perkins: Have they not told you that the Totalisator Agency Board has made a tremendous improvement in racing as compared with the off-course betting shops?

Mr. TONKIN: I have received many letters in connection with it, and every one of them has roundly condemned it.

Mr. Perkins: It could not have been a pretty fair cross-section of the racing public.

Mr. TONKIN: Yes; they represented a pretty fair cross-section. As a matter of fact, the Minister cannot tell me one thing to its credit. The Government has lost money; the Government is financing the racing clubs out of revenue because they have lost money; and the punters have lost money. So what a grand show it is! As a matter of fact, if the position continues in this strain the Government will have to dip into its pockets for a long time yet to finance the racing clubs.

A question I propose to ask the Treasurer a little later on, and which I think he will reply to, because he will have a great appreciation of his responsibilities in this matter, is: From what source is money being obtained to pay the racing and trotting clubs? I intend to ask that question because Mr. Meares, upon his resignation, said that up to date all the money the racing and trotting clubs have received has come from the Government. I will hazard a guess in connection with this matter; and when the information in reply to that question is supplied later, I will see how wide of the mark I am. I will hazard a guess that the Treasurer is taking money out of the investment tax to give to the racing clubs; and as a result, the figure he will show for the investment tax will be below the real figure. I hope the Treasurer heard that, because I will be asking him a question about it later.

Mr. Brand: To be forewarned is to be forearmed.

Mr. TONKIN: That is my forecast in connection with the matter. This money has to come from some fund. But it is not coming from the T.A.B.; and some £60,000-odd is the amount that has already gone to the racing and trotting clubs. It is my guess that the Treasurer is taking

this out of the money which he is receiving from the investment tax, and the investment tax figure will be shown to be correspondingly lower than it should because of that money being deducted; and it will be somewhat difficult to follow. I repeat: that is my guess in connection with this matter.

That means that the Government is giving away its own revenue for the luxury of having a mammoth bookmaker in place of a number of small bookmakers. There might be something to be said for such a scheme if we were to have a totalisator. But the board does not want to operate as a totalisator, and that is why it will not disclose the figures. It will not disclose what its turnover is, or how much money it is investing on the totalisator on the course. It will not disclose that information, because it is against the board's policy to do so.

One does not have to be very wise to realise why that is the board's policy. It is, of course, following the old well-worn method; namely, if one does not want people to know what one is doing, then a policy should be adopted which means that one can refrain from telling the public. Then, if one can get the Minister's backing, one is sitting pretty. What a wonderful situation the board is in in those circumstances!

Should anyone wish to prove that one of the agents is betting illegally, it will be found that the police will not take any action unless it is authorised by the T.A.B. Then, of course, if the T.A.B. has encouraged such a practice, is it likely to authorise the prosecution of the agent? So where does one go from there? One just sits aside and says, "It is just too bad! It is going on, but the police cannot do anything about it because the T.A.B. will not authorise a prosecution; and the T.A.B. does not want anything done because, if it is, it will reduce its revenue. So one just has to sit still and put up with it.

That is a pretty pass, and we are rapidly getting into that situation. The Minister backs that up by refusing to make available information which would enable persons to come to the right conclusion on the matter. So the attitude is: Cover it all up! Let it hide its operations behind a veil of secrecy! Have it protected so far as prosecution is concerned, because no prosecution can take place unless the board authorises it, and so everything in the garden is lovely, and it can be carried on until the cows come home. It is time we took a stand on this matter and said: "That is not the way things ought to be."

I therefore hope there will be a majority in the House who will vote to disallow this regulation and prevent the board from this manipulation of dividends, which is punishable in other States and other countries, and make it obligatory for it to operate a proper totalisator; or else do what the Minister said it was going to do; namely, pay out in accordance with the dividends declared on the course.

Debate adjourned, on motion by Mr. Perkins (Minister for Police).

TRAFFIC ACT: DISALLOWANCE OF DIVISION 10 OF REGULATIONS

Motion

MR. GRAHAM (East Perth) [8.9 p.m.]: I move—

> That Division 10 (comprising Regulations 476, 477, and 478, and Appendix "A"—Prescribed Areas—and Appendix "B") of the Traffic Regulations 1954, published in the *Government Gazette* on the 31st January, 1961, and the amendments thereof published in the *Government Gazette* on the 2nd March, 1961, and the 29th June, 1961, and laid before this House on the 8th August, 1961, be and are hereby disallowed.

I trust the Minister will have regard for the substance of the situation which is the subject of this motion and will not immediately spring to the defence of a system of operation of taxis in the heart of the City of Perth merely for the sake of defending an attitude he has adopted.

If I may, I would preface my remarks by saying that early in my term as Minister for Transport, and Minister controlling traffic, there was in existence what was known as a traffic advisory committee representative of many interests. From what I could see of its operations and activities for the short period it continued in existence—before I decided it should be disbanded—the predominating theory appeared to be that if there were a traffic problem anywhere, whether real or imaginary, the answer was to impose bans, prohibitions, or restrictions.

As a matter of fact, if the Minister cares to check the records, I think he will find that at that time—five years ago, or more—there was a proposition to the effect that there should be a complete ban on parking in the entire length of Beaufort Street. That, of course, has not occurred, even at this stage, when the number of vehicles is probably about double what it was when the decision was made. So once again I am, if you like, Mr. Speaker, preaching to the Minister for Transport, and suggesting he make his own decision on the evidence, rather than accept and give formal approval to submissions that are made to him.

Mr. Perkins: Why did you appoint a traffic engineer? Did you appoint him for the fun of it?

Mr. GRAHAM: Certainly not! The traffic engineer was appointed to deal with technical matters, and to submit advice

on those grounds. I think the Minister would agree with me that where technical knowledge was necessary that officer and his department had almost unlimited authority.

Mr. Perkins: Did he not ever submit to you any recommendations on parking in those streets you have mentioned?

Mr. GRAHAM: That may be so; but there is an entire difference between an assessment of a situation and a scientific and mathematical calculation. The Minister knows what I mean when I use those terms; but it is surely beside this matter to go into detail, though I could engage him in wordy debate on this question if he chooses.

Mr. Perkins: That is where this recommendation came from.

Mr. GRAHAM: If the Minister will be patient I will give him a little history that he should know, if he has not already studied the situation. On the 31st January this year the Minister brought down new regulations governing the operations of taxis in a prescribed area—which was the heart of the City of Perth—and instituted a system known as a taxi circuit, or progressive ranks, to operate in that area; and it became an offence for taxi-operators to perform within the confines of this prescribed area in the manner to which they had been accustomed, and in the manner in which they are able to operate in, I think, every other square mile of the State of Western Australia.

I submit that the arrangements were ill-conceived and impracticable. It became obvious in the first few days that they could not, and would not work. Nobody was satisfied. So it became necessary, after protests and objections, I repeat, on all sides—from the Perth City Council, from business people, from taxi-operators, and from the general public—to amend the regulations on the 2nd March this year, and again on the 29th June this year. This has had the effect of reducing the dimensions of the prescribed area, and of reducing the periods during which taxis operate.

But the basic principle is still there, and the objections that were raised on all sides are, in my view, still valid. If I remember aright, the Perth City Council, with considerable reluctance agreed—it probably did not have much alternative—to a three months' trial period of this new arrangement, to which it was opposed. It is a great deal more than three months since the scheme came into operation. I understand the Perth City Council is still endeavouring to see the Minister for the purpose of discussing the matter with him.

Mr. Perkins: The Perth City Council has seen me several times.

Mr. GRAHAM: I am speaking in connection with this matter.

Mr. Perkins: That is what I mean.

Mr. GRAHAM: Then shall I say that th Perth City Council is seeking further t see the Minister in connection with thi same matter? I have already said that th taxi-owners do not like the arrangement- and here I mean the taxi-operators. Som of the multi-owners and their principal perhaps do; but the owner-operators cer tainly do not.

Mr. Perkins: Some of them; opinions ar mixed.

Mr. GRAHAM: But overwhelmingly i my direction.

Mr. Perkins: I very much doubt that.

Mr. GRAHAM: My reaction to tha would be that the Minister, for reason of the duties he is called upon to perform is out of touch; firstly, because he is con fined to his office so much; secondly, be cause he is out of the metropolitan area and perhaps, thirdly, because he has n direct interest in the Perth metropolis.

Mr. Perkins: I move around the street quite a bit. I do not hold a brief for on group or the other.

Mr. GRAHAM: So far as the public i concerned, I can honestly say I have no met one person—outside the Minister' office—who has expressed himself a favouring the present arrangement; no one person. I know from past experienc that the Minister, when he replies, wi probably trot out his pretext that he in herited a situation where there were fa too many taxis in Perth, and that this wa responsible for creating a certain situation and that he, courageous Minister as he i was called upon to take stern measures i order to ease or rectify that situation.

Mr. Ross Hutchinson: You think he wa wrong?

Mr. GRAHAM: Totally wrong. Perhap the Chief Secretary could receive a littl enlightenment.

Mr. Bovell: You were not a popular bo when you were Minister.

Mr. GRAHAM: That may be so. I wa endeavouring, as a Minister, to do what thought was best for the State. I was no a nominee for a popular boy competitio

Mr. Roberts: What do you think th present Minister is doing?

Mr. GRAHAM: I suggest that, if th member for Bunbury will be silent for little while, he, and not only the Ministe will be aware of a little more of this situa tion than they both are at the preser moment. What is the situation in regar to taxis? I recall having moved, from th other side of the Chamber, for the accep tance of a proposition that there shoul be one taxi for every 600 people in th metropolitan area; and that was agree to by the present Minister for Transpor

Mr. Perkins: I understand that wa moved in another place.

Mr. GRAHAM: We can see the spot the Minister is in. He is endeavouring to wriggle out on technicalities. If he wants chapter and verse of it, I would point out that this arrangement of one taxi for every 600 people was proposed by a Liberal member of Parliament in the Legislative Council; and when the message arrived in this Chamber, I, as Minister for Transport, moved for its adoption. I repeat: there was no objection raised then by the present Minister for Transport. That is a fair recital of the position. It so happens that the ratio of taxis to persons in the metropolitan area is almost 1 to 600.

Mr. Perkins: No; the ratio is 1 to 584.

Mr. Tonkin: It is a wonder the Minister has not said it is the policy not to disclose such information.

Mr. GRAHAM: I suggest the Minister bring his figures up to date. The ratio is approaching 1 to 600, which is the figure laid down by Parliament.

Mr. Perkins: Don't you agree your Government issued too many licenses?

Mr. GRAHAM: I have not suggested that at all. On any matter pertaining to taxis, I know the Minister is anxious to dwell upon the point that he inherited the situation from the previous Government. After all, in Melbourne there is a taxi to every 680 persons; and in Adelaide the ratio is 1 to 700 persons. The Minister has admitted there are insufficient taxis in Sydney; so we in this State are reasonably comparable.

As for inheriting the existing situation, I could indicate to the Minister a few of the advantages he has inherited from my Government. He has inherited traffic lights; he has inherited regulated vehicle stalls, as a result of which double and treble parking has disappeared from the heart of the city; he has inherited a situation where there is no reversing of vehicles allowed from laneways and entrances of buildings in the heart of the city; he has inherited a complete absence of trams, with their obstruction and their cumbrousness; he has inherited car parks, both public and private; he has inherited a bridge across the Narrows; he has inherited the work on the two level crossings in East Perth. In the last two cases, the improved facilities have enabled traffic to by-pass the city, instead of being compelled, as previously, to travel through the heart of the city.

Mr. Perkins: Your Government did not complete them.

Mr. GRAHAM: They were initiated by the previous Labor Government. All of these facilities assisted with the movement of traffic in the city. As the Minister can easily ascertain, there was a considerable improvement in the rate of traffic flow through the heart of the city.

Mr. Perkins: I question that.

Mr. GRAHAM: I have a vivid impression of a report submitted to me by the traffic engineer of the Main Roads Department which indicated how much shorter was the period required for an average journey made by motorists in passing through Perth, particularly along Hay Street and Murray Street.

Mr. Perkins: When was that comparison made?

Mr. GRAHAM: Before and after the introduction of traffic lights. Some of the increased facilities I have mentioned have come into operation since that time. The Minister now has a set of traffic arrangements which compare with the previous confusion and interruption of traffic flow as chalk does to cheese.

This fobbing off of arguments and of the facts submitted, by trying to drag a red herring across the path—that too many taxi plates have been issued—will not hold water.

Mr. Perkins: Surely you will not suggest that taxis do not double park in Hay Street and Murray Street!

Mr. GRAHAM: The Minister is becoming impossible. Members will recall the time when trams along Hay Street were held up, for minutes at a time, by delivery trucks, parked on both sides of Hay Street, and sometimes parked on the tram lines. None of those conditions exists at the moment. More noticeable were the cases of vehicles banked up hundreds of yards or more because trucks were backing in and out of laneways. I am speaking of Murray Street in the locality of Boans Ltd. That was the situation; but today the streets have been opened up and it is possible for traffic to flow along. That is the position which the Minister has inherited from the previous Government.

Mr. Perkins: There were still many backing permits in existence when I took over; today there are still a few left.

Mr. GRAHAM: There were scores of places along the roads where, in total, hundreds, and sometimes thousands of vehicles were backing in and out each day. Compared with the position four or five years ago, the position today is a paradise.

Mr. Perkins: It has substantially improved.

Mr. GRAHAM: That is the point I am making. If I were to waste the time of this House and discuss in detail every point raised by the Minister, I am sure that the Minister would at the end concede there had been a substantial improvement in very many directions.

Mr. Perkins: You must agree that since you left office there has been a further substantial improvement in the freeing of traffic flow through the city.

Mr. GRAHAM: The Minister has the opportunity to elaborate on what he is saying, and I shall have the opportunity

to reply. I shall be pleased and prepared to engage him in connection with that matter.

Finally, on this point, if the Minister were keen to tackle the taxi situation he would look at the position of multi-owners of taxis, as against the conditions under which lessee-drivers are working in order to make a living. They have to pay £21 a week for the hire of their taxis, and they have to pay £1 a day for petrol. In other words, these taxi-drivers have to find £28 a week before they have a penny to take home to their families. That is the problem in regard to the taxi industry, but the Minister steers clear.

Mr. Perkins: You will agree that I have improved the situation. Today there are many more owner-drivers than during the term of office of your Government. We are gradually shifting over from multi-owners to owner-drivers.

Mr. GRAHAM: I cannot allow the Minister to claim credit even for that. A decision was made the best part of 12 months before the last change of Government: the policy was that plates were to be issued only to owner-operators of taxis. In order to overcome the racket in the transfer of taxi plates, when people were asked to pay between £500 and £700 for a set of plates which had been obtained from the Traffic Office for 7s. or 8s., legislation was introduced by the Labor Government in this Parliament. With the collaboration of a few Country Party members at the other end of this building, in defiance of the wishes of the Liberal Party opposition group in this Chamber and in another place, it was possible to pass the legislation. So I give no credit to the Minister for the improved arrangement in regard to the issue of taxi plates.

Mr. Perkins: What about the position regarding the transfer of plates from multi-owners to owner-drivers? That was the only condition on which I would agree to the transfer of plates.

Mr. GRAHAM: I am not sure that the Minister is not exceeding the bounds of the Act in doing what he is doing. I might take the opportunity of addressing some questions to him later in the week. The present position is that from 9 a.m. to 6 p.m. on Mondays to Fridays, between Pier Street and King Street, and between Wellington Street and St. George's Terrace, taxis are not allowed to cruise; and they are not allowed to pick up passengers except in response to a previously-arranged appointment. There are some other restrictions as well; but that is the situation to be found—I repeat—within this few acres of the State of Western Australia. It is the only part where taxi-drivers cannot pick up fares when they are hailed; and what the Minister thinks he has achieved by that, I do not know.

The position is that this new arrangement affects principally Hay Street and Murray Street. The Minister wants them clear of taxis, apparently, so that Hay Street and Murray Street shall become through roads—arterial roads—

Mr. Perkins: No.

Mr. GRAHAM: —so that traffic going to Subiaco, Leederville, or somewhere else can run along those streets unimpeded. Surely Hay Street and Murray Street are regarded as our shopping centres where men, women, and children are moving across at intervals—probably with no space between them because the crosswalks are patronised by some and not by others —and where people are pulling in to shop and pulling out again. In other words, they are parking for short periods, and so on.

Anybody who wants to hurry along central Hay Street and Murray Street should know there is Riverside Drive, St. George's Terrace, Wellington Street, and north of the line. Particularly now that the Moore Street level crossing is opened, there is no need for this hustle and bustle along these streets.

What is the overall effect of what the Minister has done? The taxi-drivers are being denied the right that every other motorist has in the heart of the capital city. Anyone with a car; anyone with a push-bike; even a pedestrian; or anyone with a truck is at liberty to proceed along these streets to his heart's content, and any rules apply commonly. The same applies to public transport. I know the increased number of vehicles has the effect of making a great number of them move over those streets, but they all have individual rights.

Mr. Perkins: The right to pick up and set down at the kerb; but surely not the right to pick up in the middle of the street.

Mr. GRAHAM: We know the theory of law; but will the Minister deny that in the prescribed area he has never been at the wheel of a car and paused for a moment to allow a passenger—his wife, a friend, a fellow Minister, or even myself—to alight?

Mr. Perkins: I always pull into the kerb

Mr. Hawke: The Minister passed me on the road a few weeks ago in the metropolitan area.

Mr. GRAHAM: The Minister is an exception. It is happening hundreds and hundreds of times every day, as the Minister is well aware.

Mr. Perkins: It is breaking the law to obstruct the traffic by pulling up in the middle of the road.

Mr. GRAHAM: Nobody suggested the middle of the road. Surely there is no offence about pausing momentarily in the course of a journey.

Mr. Hawke: I think the member for Murray will be on your side in connection with this.

Mr. Roberts: I saw a cartoon about the member for Murray in the *Daily News.*

Mr. GRAHAM: I recall some rather violent words spoken by the member for Murray about five years ago in connection with something akin to this. The point is that this is continuing to happen in respect of everybody except taxi-drivers. I instance that when the Minister and I were film fans before TV, I stood for almost ten minutes watching a cool drink wagon, 8 ft. in width, which was double-parked in the vicinity of Ahern's for that period waiting for a vacant spot at the commercial stand. There were men in grey as well as men in blue, but no action was taken. At that period, if a taxi dared pause for a split second, the strong arm of the law descended upon him.

I have no compunction about letting a friend step out of my car, and never have I been apprehended by anybody; nor has any other motorist been apprehended for that.

Mr. Perkins: Taxis have many more places where they can pull in to pick up and discharge passengers than they had before.

Mr. GRAHAM: That is an interesting point; but apart from upsetting the taxi operators; upsetting the Perth City Council; upsetting the business people; and upsetting the patrons of taxis, who could previously raise a finger and there was a taxi, because of these new arrangements approximately 20 parking stalls have disappeared from the heart of the city. If the Minister cares to do some calculation he will find that has the effect of reducing by about 500 cars per day the number of private motorists who can park in the heart of the city for the 30-minute period for the purpose of doing some business.

I do not know, but I would estimate that the average period in the heart of the city that a stall is occupied by a car would be between 15 and 20 minutes. On that basis, during the hours when the parking meter is in operation, there would be approximately 500 cars a day being denied by these new arrangements. So the private motorist is not happy about it. I am wondering who is being pleased and what is being accomplished.

All I can think is that the traffic can flow a little more smoothly than otherwise. So next, why does not the Minister ban public transport as well so that private motorists can proceed along Hay Street and Murray Street even more comfortably than at the present moment?

When I opened these remarks I said it was so easy for a person with a negative mind—I did not mean the Minister exclusively in that connection—to place bans and restrictions on something. I have a motion coming up presently in connection with another ban, and I will have something to say about that. I sought to operate in the other direction, and that is why there is two-way traffic in Pier Street at the present moment and there is one-hour parking north of the line instead of half an hour; and that is why the Moore Street level crossing was opened to ease the way of the motorist. That is why, too, there are places known as car parks where thousands of vehicles can find a space today. But because there are a few too many cars in the heart of the city, and therefore something must be done, the attitude is: let's have a crack at the taxis; which is making the proposition too simple, and it is not warranted.

Mr. Perkins: I am anxious to get more taxis into these streets and to get the taxis to carry more of the public, as they are part of the public transport system; but you cannot have them picking up and setting down in the middle of the street.

Mr. GRAHAM: Every one of the several hundred thousand motorists of Western Australia, at some time or another, picks up and sets down in what the Minister is pleased to call the middle of the street; but a small fraction of the vehicle drivers, known as taxi-operators are the ones on whom the heavy hand has fallen.

I want to know why the same rule does not apply to all. I suppose that the convenience of somebody who is running a business and who is rendering a public service—albeit for a charge—is perhaps, if anything, a little more important than my personal convenience as an individual citizen. And yet action has been taken against one section of public transport—a form of public transport that gives a personalised service.

Mr. Perkins: It is not against them; it is in their favour. It enables them to be more effective.

Mr. GRAHAM: It is the sort of favour they do not appreciate.

Mr. Perkins: Most of them realise that it is better to have an orderly system than a disorderly one.

Mr. GRAHAM: They would be the people who are deriving the dividends; those to whom the taxi industry is an investment. I am concerned with those who stick to the vehicles; those who drive the cars and wait around for busy periods; those who provide a service at 2 a.m. or any hour of the day or night, any day of the week. The ones to whom the Minister referred are the bookmakers, and doctors, and the rest of them in other States of Australia who are drawing their £21 a week and who hardly know where Western Australia is. They are not interested in anything but the £21 a week coming their way.

Mr. Perkins: I thought your Government was a friend of the bookmakers. Members opposite spring to their defence very frequently.

Mr. GRAHAM: There is a thought expressed so often by the Minister for Transport, but it will not get him anywhere. I will not insult the Country Party, but that is the sort of stuff which is related at a Liberal Party kindergarten.

Mr. Brand: Isn't he getting bright?

Mr. GRAHAM: I would now like to demonstrate where the restriction of the Minister has led us. The taxis are being denied the right at present enjoyed by every other form of transport. Individual private motorists have been interfered with because 500 cars a day are being denied parking facilities outside the store or in the vicinity of the spot which is desired to be reached by the drivers. Also the revenue of the Perth City Council is being reduced to the tune of approximately 500 sixpences a day; but that is of lesser consequence and certainly not an argument I am submitting in connection with this matter.

These ranks are not very far apart; but because Hay Street and Murray Street are one-way streets, there is a taxi-stand on the left-hand side, the next on the right-hand side, then the left, and then the right, and so on. This means that in order to make their slow and measured way from one taxi stand to another, it is necessary for the taxis to weave—in other words, to zigzag—the whole length of Hay Street and Murray Street until such time as they are able to pick up a fare. It is highly undesirable that motorists should proceed in that manner. It is dangerous, and an obstruction to traffic. Yet these taxi-drivers are compelled to follow that process.

Notwithstanding that a certain amount of thought was given to the siting of these taxi-stands, inevitably from time to time a big heavily-laden vehicle will park immediately behind a taxi-stand. Consequently, the taxi-driver on the stand further down the road, who is desirous of seeing, cannot see. It is impossible for him to see whether the stand ahead of him is vacant. If he makes a mistake and sets off towards it only to find that it is not vacant, he must get out of the prescribed area altogether and start at the end of the queue down at Victoria Avenue or that general locality, and make his way up to the city again.

When there is a great volume of traffic passing along those streets, with traffic moving from side to side, dodging pedestrians, and going round cyclists, it is impossible—and I have tried it for myself —to see when a taxi does move off from the stand ahead. So we have these operators not knowing whether they are doing the wrong thing; and, incidentally, they commit an offence if the taxi-stand is vacant and they do not proceed to fill it. A most unsatisfactory arrangement, if ever there was one!

Of course, while all this sort of thing is going on, the taxi-drivers have their foot on the self-starter, going through the gears to move up to the next stop, and then they go right through the performance again. Indeed, it is worse than that, because in a number of spots there is more than one stand. As soon as the car immediately in front moves off, the one behind, which is touching the bumper of the car in front, must move 15 or 20 ft. ahead to the next stand. I do not know what it is costing these people in recharging their batteries, but it is not in their interests that that sort of procedure should continue.

Then there are cases when these taxis, moving slowly but inevitably from stand to stand as they make their tedious progress through the city, pass completely through the city without picking up a fare; and they have taken three-quarters of an hour to do so. There are other situations also arising from the inability to see the vacant spot ahead. I had this experience a fortnight ago. I boarded a taxi at London Court, and from there to this end of the city there was not one taxi on a stand.

Because of these factors which cause the breakdown of the system, when it is raining and visibility is poor, it becomes far worse. Whatever the arrangement was on paper it certainly does not work out in practice. In addition to all this, of course, there is the situation which occurs at peak periods, when it is impossible to keep up the flow of taxis. Consequently, at certain taxi stands there are often half a dozen clients waiting for a taxi; and when one does finally come along, five of these clients are left. Those taxis which should be moving up to take the passengers, by-pass the stands because they have already picked up passengers further down the street.

If the Minister does not believe me, let him wait for a downpour any night of the week during the peak period, and he will find he will wait for 10 to 15 minutes in the one spot before he will be able to board a taxi. No taxi would be able to come through to pick him up, because that is contrary to the regulations. Even if a taxi has dropped a passenger 50 yards away in one of the streets to which I have referred, and is passing, it cannot be hailed because if it is and a passenger boards the car, the driver has committed an offence. I wonder whether the Minister appreciates how foolish and unsatisfactory this whole arrangement is.

Mr. Perkins: I have discussed this problem, and we could amend it if we were able to define what a taxi is.

Mr. GRAHAM: May I suggest to the Minister that he be big and courageous enough to acknowledge that, having made an honest attempt—let us have no politics at this stage—to deal with a situation where he felt some change was necessary; and it has been tried and modified on several occasions but is still unsatisfactory to all sections directly and indirectly concerned—with the exception, perhaps, of the motorist who wants to proceed through Perth and can now do so in 4¾ minutes instead of five minutes—the system is unsatisfactory. As I say, the motorist is probably the only one who has a slight advantage because the streets are cleared.

Mr. Perkins: That is not the problem at all. You cannot go back to double parking. You cannot allow taxis to do so any more than any other commercial vehicle.

Mr. GRAHAM: I will agree entirely if the Minister is prepared to modify the present arrangement, even if he retains all the existing taxi-stands, but allows them to be the points at which the taxis could be boarded and at which passengers could be set down. That would be a compromise. Allow the taxis to proceed so that if a person is standing at a place and raises his finger, the car can pull into the kerb and pick him up as a passenger.

Mr. Perkins: If we did the same as other cities we would need to provide for nearly double the space for picking up and setting down passengers. It would mean the Perth City Council losing a great deal more meters.

Mr. GRAHAM: I do not think that would be necessary. I would like the Minister to tell me the tremendous difference between taxis picking up and setting down individual passengers momentarily, away from the kerb, as against private citizens doing it every day of the week.

Mr. Perkins: Neither one can do it. If we allow that to happen, we would have the centre of Perth filled up entirely. We cannot countenance that kind of disorderly traffic.

Mr. GRAHAM: There was nothing so disorderly previously. That is why, notwithstanding protests from certain quarters, it was agreed that taxis be allowed to pick up and set down passengers at bus stops, in connection with which there was a ban previously. I do not think public transport authorities liked that very much; but it was done in order to get passengers to the kerb.

Mr. Bovell: How would buses get on if, when they arrived at a bus stop, taxis were there?

Mr. GRAHAM: A taxi does not park on a bus stand; a taxi stops for perhaps 1½ seconds—it might be a little bit longer for the Minister for Lands; let us give him 2½ seconds—for passengers to alight. That is all.

Mr. Bovell: Not if you had two or three taxis there and a bus arrived. They would obstruct traffic.

Mr. GRAHAM: Again, is it necessary to go into details? We said that taxis could use bus stands provided they did not impede the buses. Surely they would have enough sense to pull out if a bus arrived!

Mr. Perkins: In the centre of Melbourne there is little provision for private cars to park, but there are lengthy areas for commercial vehicles and taxis.

Mr. GRAHAM: This was the only State in Australia which followed Victoria in not giving way to traffic on the right on all occasions. We now have to undo the damage we did.

Mr. Perkins: Sydney has progressive ranks.

Mr. GRAHAM: That could be so. But Sydney has a terrific population and a huge volume of traffic in its streets; and its streets are shaped somewhat like a dog's hind legs, going off at irregular angles. The situation here is entirely different. It could be that what the Minister has said here might be the answer in X years' time from now. Frankly, I do not think it is. Certainly the present is not the right time. It does not work. Nobody wants it.

Mr. Perkins: The congestion in Hay Street and Murray Street was actually greater than the congestion in any street in Sydney, when we examined the position after I became Minister.

Mr. GRAHAM: Who was complaining about it? What problem was being created? I have already examined all the authorities and sections affected directly or indirectly, and they would all be happy if the Minister would stand up in his place and say that he agrees with the abandonment of this idea. I cannot think of anybody, with the exception of a few book theorists in Government offices, who would be upset if this were abandoned. I am as certain of that as I am of standing here.

Mr. Perkins: If your argument is correct, no-one would be worried about traffic congestion in this city.

Mr. GRAHAM: The Minister apparently imagines that Hay Street and Murray Street should be another Stirling Highway or another Kwinana Freeway.

Mr. Rowberry: What about the footwalks? Traffic is held up very frequently.

Mr. GRAHAM: Or shift the buses out of Hay Street or Murray Street, which I am not advocating. However, that would ease the situation. Keep the private motorist out of the heart of the city. That is extreme and absurd, admittedly; but I consider that this ban on taxis in the heart of the city is also extreme and absurd.

Mr. Perkins: I have heard it advocated that there should not be taxis, buses, or private motorists in Hay Street.

Mr. GRAHAM: That could be so, and understandably enough. If a person is accustomed to using his vehicle every day of the week, he can see merit in little else in order to provide parking space for his car. A person whose business it is to distribute goods around the city would like to see control in respect of vehicles other than his own; and I suppose that bus-operators would like taxis and everybody else's car out. It would mean more patrons for their services.

Mr. Rowberry: What about people shopping?

Mr. GRAHAM: I think that is an important point—the public. As members are aware, there are—

Mr. Perkins: That is something on which I agree. I think the public are very important.

Mr. GRAHAM: If it takes a little bit longer for a vehicle to move along our shopping streets, is that of greater significance than the fact that shoppers, and businessmen with urgent appointments, and persons who suffer from disabilities, have to stagger or to walk out of shops or other establishments and to stand on the kerb to obtain a taxi-service on the spot?

Mr. Perkins: That is exactly what we want to achieve; namely, that taxis can pick up passengers from the kerb.

Mr. GRAHAM: If a few passengers are picked up from one car-width out from the kerb—

Mr. Perkins: If we allow that to develop, we will have chaos in the streets. Before, taxis stopped at crosswalks, and observed the regulations very carefully when it suited them.

Mr. GRAHAM: I hope the Minister does not think he is getting away with that one. In St. George's Terrace and Wellington Street there is nothing to stop taxis from doing that now. That is still part and parcel of the heart of the city. But Hay and Murray Streets are the streets where the grannies, and mothers with kiddies, are. Accordingly, it does not matter whether the traffic goes slowly. That is where consideration should be given to the pedestrian and vehicle movement should be of secondary consideration by comparison with Wellington Street and St. George's Terrace.

Mr. Perkins: The police are strictly enforcing the law against double parking in the city. They are stopping the pick-up and set-down of passengers.

Mr. GRAHAM: I think the Minister should refresh himself on the definition of parking. As he knows, there are "No Parking" signs, yet commercial vehicles stop there for quite lengthy periods. That, according to some people's interpretation, is apparently in accordance with the law. But if I stopped for that period, and got out of my vehicle, it would cost me 20s., plus costs. My point is that there should be a degree of sweet reasonableness in connection with this matter. It is a matter of values. What happens in Stirling Highway does not necessarily have to happen in Hay Street or in the heart of the City of Perth.

I think I have said sufficient to indicate that the public do not desire to be restricted, or to have these restrictions imposed upon them. It is not achieving anything worth while. This can help the straight-through motorist only, and nobody else; and nobody else wants it—except the book theorists in certain Government offices.

Mr. Perkins: The very same people you appointed for those jobs.

Mr. GRAHAM: That could be so. As an exercise here one night, I will produce for the Minister 50 important decisions with regard to traffic matters; and, if he will forgive my modesty, I was responsible for 48 of them, and not my departmental officers. The Minister is there to be informed and advised by his officers. In connection with technical questions, he will accept technical advice, unless he is a specialist in the matter. But with a lot of other problems it is a matter of trial and error; of judgment; and of one's own experience. It is a matter of conferring with other people as well, because all of the slants on any problem are not necessarily contained in the mind of one departmental officer, however worthy an officer he might be. None of my remarks should be construed as being a criticism of any of these public officers, except to say that they are not always right in their final conclusions. That is why the Minister is a Minister with the right to say yea or nay.

I say that there is no need, and there never has been any need, for this arrangement; but the Minister gave it a go. It did not work; nobody wants it; and surely the time is propitious for us to abandon it. I hope and trust the Minister, and those who have had some experience of this arrangement, will agree substantially with my viewpoint or, in any event, the conclusions which I have drawn.

Debate adjourned, on motion by Mr. Perkins (Minister for Police).

CITY OF PERTH PARKING FACILITIES ACT: DISALLOWANCE OF PART 4A OF BY-LAW No. 60

Motion

MR. GRAHAM (East Perth) [9.1 p.m.]: I move—

> That Part 4A (comprising clauses 37A, 37B, 37C, and 37D) of by-law No. 60 relating to the care, control, and

management of parking facilities made with the approval of the Minister for Transport by order of the Council of the City of Perth pursuant to the provisions of the City of Perth Parking Facilities Act, 1956-1958, and confirmed by His Excellency the Governor in Executive Council pursuant to the provisions of the said Act and published in the *Government Gazette* on the 31st January, 1961, and the amendment thereof published in the *Government Gazette* on the 24th May, 1961, and laid before this House on the 8th August, 1961, be and are hereby disallowed.

This is a complementary motion, and I do not intend to speak to it except to explain that in order to give effect to this taxi-control organisation it was necessary to have regulations made under the Traffic Act and also under the City of Perth Parking Facilities Act. If my previous submissions are agreed to this motion will automatically be agreed to; but if my earlier motion is rejected, naturally I would not proceed with this one.

Debate adjourned, on motion by Mr. Perkins (Minister for Transport).

TRAFFIC ACT: DISALLOWANCE OF AMENDMENT TO REGULATION No. 353(1)

Motion

MR. GRAHAM (East Perth) [9.3 p.m.]: I move—

That the amendment of subregulation (1) of regulation 353 of the Traffic Act, 1919-1960, published in the *Government Gazette* on the 24th May, 1961, and laid on the Table of the House on the 8th August, 1961, be and is hereby disallowed.

This regulation relates to a very small portion of James Street, Perth, on which, following a decision by the Minister just recently, one-way traffic is the order of the day. On the 21st July, 1958, the southern ends of Beaufort and Stirling Streets were set aside for one-way traffic. There were some reasons for that which I need not outline except to say that it was to facilitate the movement of traffic in the vicinity of the Beaufort Street bridge where previously, because of the deviation —if one might put it as such—of Barrack Street at that point there were all sorts of difficulties.

At that time—and I emphasise the date: July, 1958—it was proposed by my advisers, when I was Minister for Transport, that James Street should become a one-way street with traffic allowed in an easterly direction only. I could see no reason, and the officers could not satisfy me that there was any good reason, why there should be this impediment to the free movement of traffic.

Therefore, when the one-way movement in Beaufort Street and Stirling Street came into being, shortly before 5 p.m. I went to the appointed corner of Beaufort Street and James Street; and, coincidentally, or perhaps as was to be expected, the traffic engineer was at the same corner. He expressed to me surprise that a great number of the difficulties that he expected would arise simply did not exist.

Naturally enough I felt somewhat proud of my prognostications being closer to the realities than his; and so I rubbed it in by saying that in my considered opinion the position would improve because very many motorists coming towards the city instead of proceeding down Beaufort Street and turning into James Street before proceeding further along Stirling Street would leave Beaufort Street further north, perhaps at Brisbane Street, Parry Street, or Newcastle Street to join Stirling Street.

And so it happened; and the arrangement which was then decided upon, and with which the Main Roads Department Traffic Engineer was perfectly satisfied, continued for a period of almost three years, until May of this year. I speak in the dark somewhat because, try as I may, I am unable to find any reason why this change was decided upon—a change which is a source of irritation to motorists; because it is nothing else but that. It is not a question of the street not being wide enough, as I will show as I go through the various points presently.

I might say that the evening before the Minister gave effect to his new regulation, I spent a period at the same corner that I had been to previously, and I observed the movement of traffic. There was almost a perfect movement in every direction; there were no undue delays or interruptions to flow or anything of that nature, which is something that cannot be said of the position at present, as I will indicate later. So I ask again: Why was this regulation implemented? I do not know.

I want to emphasise upon all members that if they agree to my motion it will not interfere with the one-way traffic movement in Beaufort Street, Stirling Street, or Bridge Street, but only in that small section of James Street itself. Whatever the situation may have been in 1958 when the traffic engineer, after observing for himself, was satisfied that the arrangement for two-way traffic in James Street worked quite satisfactorily, the position now is that the Moore Street level crossing has been opened and James Street is a direct route taken by vehicles anxious to proceed westward, but wanting to keep out of the business portion of the city. Surely it is preferable that they should be north of the railway line rather than that they should travel along Wellington Street or one of the other streets in the heart of the city!

Mr. Perkins: Does it cause any inconvenience to move a little further out?

Mr. GRAHAM: Vehicles coming from the direction of the Causeway can now go over the Moore Street level crossing; and, taking the most direct route, they arrive at Stirling Street. Instead of being able to continue westward in a direct line there are two alternatives open to them. They can go some hundreds of yards, or a quarter of a mile or more north to Newcastle Street which, after all, is taking a motorist out of his way and quite needlessly; or they can travel south along Stirling Street, then along Bridge Street, across Beaufort Street, and then along Roe Street. I wonder whether the Minister appreciates what happens there.

Mr. Perkins: No; we do not want that to happen.

Mr. GRAHAM: One of the difficulties in the planning of Perth is that the distance between the city intersections is too short when one is travelling north and south, and *vice versa*. That is, Hay Street is too close to Murray Street, and Murray Street is too close to Wellington Street.

At the outset I stated that when the change was made it was done in order to ease the situation at the Beaufort Street bridge; and if there were a traffic hold-up—which there has not been—at James Street in Beaufort Street, there is the full length and width of Beaufort Street from James Street back to the bridge where cars could be six abreast. That is, 200 or more cars could be accommodated; but now, if there are any number of vehicles crossing Beaufort Street from Bridge Street to proceed along Roe Street, or there is some giant truck moving at a slow pace meeting all the northward-bound traffic which is on its right-hand side and is therefore compelled to give way, only about 10 motorcars can be stored—I think that is the term that is used—between Roe Street and Wellington Street. So there is a blockage of traffic across the main artery; namely, Wellington Street.

That would be avoided if a blockage were to occur further up Beaufort Street at James Street. So the whole position, to my mind, is fantastic. I wonder whether the Minister could interject to give me a reason why somebody thought he should do this; but perhaps he may care to wait until later on.

Mr. Perkins: I will reply; but you must appreciate that many changes have to take place north of the line; and, quite frankly, I did not think that much inconvenience was being caused at the present time.

Mr. GRAHAM: Well, it is. Then there is another point about which a few members have complained. In the reverse direction, proceeding from the west of the city and again north of the line, in order to avoid the cramp of traffic in the heart of the city, particularly around 5 p.m. on any week day, what is the position of somebody wishing to proceed easterly along James Street? Such a person arrives at Beaufort Street where there is an almost continuous flow of traffic, all of which is on that person's right; and so that a motorist who wishes to proceed in an easterly direction along James Street can perhaps spend 10 minutes reading his *Daily News* or doing something of that nature, because he has no chance of getting through. Previously, when proceeding in a westerly direction along James Street a motorist had the right of way and at intervals would make gaps in the north-flowing traffic which enabled the vehicles proceeding in an easterly direction along James Street to proceed on their way.

Mr. Perkins: With Canterbury Court being used to a greater extent, there are more vehicles in that vicinity north of the line, and as a result it encourages motorists to move further northwards again and use streets such as Newcastle Street.

Mr. GRAHAM: It is encouraging people to come closer to the city, either by proceeding through it because of the artificial obstruction being placed there; or of turning down Stirling Street, *via* Bridge Street, to proceed along Roe Street, as I have mentioned.

Mr. Perkins: I do not think there are many who do that.

Mr. GRAHAM: I admit there are not many, but it has reduced the number of vehicles coming from the Moore Street railway crossing. If I were proceeding to West Perth subway, I would continue along Wellington Street through the heart of the city rather than go through the Moore Street railway crossing and proceed up to James Street, Stirling Street, Newcastle Street, Beaufort Street, back to James Street and along that street in order to reach the West Perth subway.

Mr. Perkins: I think a great deal of that traffic would be going to the northern suburbs.

Mr. GRAHAM: Some of it might be and some of it might not; but unless this obstruction is absolutely necessary, why impose it?

Mr. Perkins: To relieve the traffic congestion around about Canterbury Court.

Mr. GRAHAM: What traffic congestion is there? On the evening of the 23rd May, 1961—which was the last opportunity one had to study the traffic position at that time—I stood at that spot with a Perth City councillor and I was amazed to see how smoothly and uninterruptedly traffic flowed in all directions. There were sufficient gaps or breaks in traffic in the east-west or west-east traffic along James Street to enable traffic to proceed northwards, which traffic has now a perfect speedway from Bridge Street right up to Newcastle

Street. No vehicle can now approach that traffic from the right. Therefore motorists travel recklessly, irresponsibly, and speedily along that road because there is nothing for them to worry about. Because of that fact it makes it even more difficult for those endeavouring to proceed in an easterly direction along James Street, which is something they have been denied for the first time in the history of Perth ever since it was founded in 1829.

Mr. Perkins: I will try to obtain traffic counts before I give the House my reply, because we do need to have accurate data before these recommendations are made, as you know.

Mr. GRAHAM: Yes; but I do not know what the traffic count would indicate. If the Minister told this House that 200 or 500 vehicles passed a given point in three minutes, I feel certain that few members would know whether that was a large volume of traffic or a small number of cars; whether there were gaps between the vehicles, or they were travelling bumper to bumper; whether they were in single file, two abreast or three abreast. The only real test is for one to be there on the spot in order to see what actually happens. Unfortunately, the Minister cannot have that pleasure, because he would have to make the decision to allow James Street to be used by traffic travelling in both directions, or he would be unable to review the position.

Mr. Perkins: I did have a look at the regulation before it was introduced and, quite frankly, I did not think it would create a lot of inconvenience.

Mr. GRAHAM: I do not want to magnify the situation, but it has caused some inconvenience. What is more important is that I cannot find out what purpose it has served. I know that hundreds of motorists who use the multi-storey car park, now have some difficulty in entering the building. Anyone approaching from the East Perth direction has to go around the block before he can go into the car park, instead of, as he used to do previously, entering the driveway of the car park 10 yards off Stirling Street. A similar position is created in the evening. Anyone who wants to go home in a westerly direction is unable to do so without taking a turn around the block.

Mr. Perkins: He does not have to travel very far to get to Newcastle Street.

Mr. GRAHAM: Not very far away, too, is Bridge Street, which position the Minister wants to have a look at.

Mr. Perkins: What about Leederville and Wembley? That is a good outlet for anyone who wishes to get out that way.

Mr. GRAHAM: Not necessarily. It depends on whether one is following the railway or whether one wishes to go through the subway; but in my opinion it is causing a certain amount of inconvenience without achieving anything. To be helpful, I might say that I was given all the reasons in the world why there should be one-way traffic in Bay View Terrace, Claremont. However, there is two-way traffic in that street, and that position has remained ever since I made my decision. Further, the terrible things that were supposed to have happened have not happened to my knowledge.

Mr. Perkins: I have no desire to be difficult. I will obtain the necessary data before I make my reply to the House, so that I can pass the information on to members.

Mr. GRAHAM: I am appreciative of the Minister's attitude; and if that be his intention, I do not think I will pursue the matter any further. I am sure the Minister will agree with me, if he investigates the matter personally. He has told me that he has seen the intersection himself at the evening peak period. That is the only time I could think of that there would be any difficulty. I was the most recent person—incidentally I was the only person—making an inspection that night, except for about half the period when I had a Perth City councillor with me. I could honestly say there was no complication, difficulty, hold-up or delay to anybody.

I hope the Minister will take my assurance, irrespective of what the paper boys—and I do not say that disrespectfully—tell him in their memos, etc.

The Deputy Speaker (Mr. Roberts) took the Chair.

Mr. Perkins: I have checked all these with my traffic officer. We checked them independently.

Mr. GRAHAM: I look forward with eager anticipation to the reaction of the Minister when next this item is before the House.

Debate adjourned, on motion by Mr. Perkins (Minister for Police).

TRAFFIC ACT: DISALLOWANCE OF REGULATION No. 170

Motion

MR. J. HEGNEY (Middle Swan) [9.22 p.m.]: I move—

> That new regulation 170 made under the Traffic Act, 1919, and published in the *Government Gazette* on the 24th May, 1961, and laid on the Table of the House on the 8th August, 1961, be and is hereby disallowed.

I move for the disallowance of this regulation at the request of the Belmont Shire Council. To put the matter in its proper perspective I would like to read a letter dated the 7th July, 1961, addressed to me from the Shire Clerk of the Shire of Belmont. It is as follows:—

> Subject: Regulation No. 170 made under Traffic Act
>
> An amendment to Sub-regulation 2a of Regulation 170, subsection IV, gazetted on the 24th May last permits

an increase in the loading from 22,000 lbs. to 29,000 lbs. of any tandem axle having dual wheels.

My Board is concerned at the progressive increase in loading permitted —the latest amendment being only one of many previously gazetted—as such loading is having a very serious effect on roads designed and constructed for residential use. Unfortunately road hauliers have shown little consideration for the damaging effect excessive loads and speed of vehicles is having on roads. Recently the operations of one such Company carting material to the Perth Airport for extensions to the runway caused very substantial damage to Hardey Road, Sydenham Street and Maida Vale Road. Road damage is not often immediately apparent as it is usually initially to the road base and surface indications occur later.

I have been directed to request that you take whatever action is possible to obtain the disallowance of the amendment referred to above. Mr. Jamieson has been requested to take similar action and it is hoped that by such means some protection may be afforded Local Authorities.

The attention of the Police Traffic Department was drawn to the speed and loading of the vehicles which were responsible for the damage to Hardey Road but as far as can be ascertained, no results were obtained.

As members will realise from the tenor of the letter I have just read, the Belmont Shire Council is complaining bitterly about the fact that large trucks, and semi-trailers, carrying 40 tons of road base material for the extensions to the Guildford airport, are using, in that shire, roads which were never designed to carry such heavy loads. The result is that the roads are being considerably damaged; and unless the police can catch up with these road hauliers, the shire council will be unable to claim for damages.

The shire clerk informs me that the help of the police has been sought in this matter, and they have been asked to try to apprehend the offenders. The police, however, have been out once or twice, after which they have indicated that they have been unable to apprehend anybody. It is bandied about, however, that these road hauliers are tipped off when the police are around; and, as a result, no prosecutions ensue.

Members can readily appreciate the great damage that is done to the roads by the carting of this material to the civil airport. I have seen some of the damage, and there is no doubt that it is considerable. This is not surprising when one realises that these vehicles are pounding along at about 40 miles an hour—carrying a load of 40 tons or more. The road systems in question are not designed to carry such heavy loads, and the damage that is caused has to be seen to be believed.

The shire council is having great difficulty in providing suitable roads for the ratepayers in a rapidly expanding district; and these roads must be provided and serviced from the revenue received by that council. It is most disheartening, however, after having provided good roads, to see them torn up by these heavy vehicles carrying loads of up to 40 tons and travelling at such high speeds.

The only opportunity the shire council has of ventilating its grievance is through me, and that is why I take this opportunity to move for the disallowance of this regulation. It seems to me to be quite ridiculous that the police are unable to apprehend the offenders, who, at times, move off the beaten track on to roads which are not designed for carrying such heavy loads. The problem is a very serious one and I hope something will be done about it.

The DEPUTY SPEAKER (Mr. Roberts): Is there a seconder?

Point of Order

Mr. J. HEGNEY: On a point of order, Mr. Deputy Speaker, I would bring to your notice the fact that the Speaker on many occasions has received motions moved here without calling for a seconder. Why is it in order to do so now? I do know it is in Standing Orders.

The DEPUTY SPEAKER: I am merely abiding by Standing Orders.

Debate Resumed

The DEPUTY SPEAKER: Is there a seconder to the motion?

Mr. W. HEGNEY: Yes; I second the motion.

Mr. J. Hegney: Fish of one and flesh of the other.

Debate adjourned, on motion by Mr. Perkins (Minister for Police).

House adjourned at 9.30 p.m.