for the State for which we do not have to negotiate. It is written into the agreement. Everyone has overlooked this, and it is worth a lot of money

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and transmitted to the Council.

House adjourned at 12.42 a.m. (Wednesday.)

Legislative Council

Wednesday, the 23rd October, 1968

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

QUESTIONS (7): ON NOTICE

TRAFFIC ACCIDENTS

Head-on Collisions

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

   Further to my question relating to traffic on the 19th September, 1968, will the Minister supply any information that is available in respect of head-on collisions that have occurred in the last three years?

   The Hon. A. F. GRIFFITH replied:

   There is little that can be added to the answer given to the honourable member on the 19th September.

   Accident statistics published by the Commonwealth Bureau of Census and Statistics do not detail head-on collisions or whether the roadway was white-lined.

EDUCATION DEPARTMENT

Technical Staff:

Applications to Work with United Nations Organisation Agencies

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

   (1) For each of the three years 1966, 1967, and 1968, how many applications from the staff of the technical division of the Education Department to work with United Nations Organisation agencies have been made?

   (2) How many of these applications have been refused by the Minister?

   The Hon. A. F. GRIFFITH replied:

   (1) Appointments to United Nations Organisation agencies are invariably by invitation. For Commonwealth aid programmes, applications are submitted directly to the Commonwealth Government in response to public advertisement. The number of applications from staff of the technical division is thus not known in the Education Department.

   (2) The number of refusals is approximately five; but an accurate figure is not available unless a detailed investigation of many personal files is undertaken.

TOTALISATOR AGENCY BOARD

Agencies: Closure Before Races

3. The Hon. J. J. GARRIGAN asked the Minister for Mines:

   (1) Is it correct that the Totalisator Agency Board agencies in the metropolitan area close for bets 15 minutes, and in Coolgardie, Norseman, and other country towns, 30 minutes, prior to the starting time for a race?

   (2) If so, what is the reason for the apparent preferential treatment of the city dwellers as against people residing in the more remote areas of the State?

   The Hon. A. F. GRIFFITH replied:

   (1) Yes.

   (2) The problem of communications.

PRIVATE SWIMMING POOLS

Drowning of Children, and Controls

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

   As there is evidence of cases of children being drowned in private swimming pools in recent years, will the Minister advise whether controls are in existence for the safety of children in such circumstances?

   The Hon. G. C. MacKINNON replied:

   The swimming pool regulations, under the Health Act, are limited to public swimming pools, or those conducted by clubs and schools. There are no specific safety regulations relating to private swimming pools.

JOHNSON ROAD, MANDOGALUP

Closure and Resiting

5. The Hon. F. R. H. LAVERY asked the Minister for Mines:

As the Department of Industrial Development is at present negotiating with the residents for the acquisition of the whole of the lots fronting Johnson Road, Mandogalup—

(a) will the use of this area for industrial purposes necessitate the closing of Johnson Road between Anketell Road and Thomas Road;

(b) (i) if so, when is the closure to take effect; and

(ii) what plans are proposed to resite or replace Johnson Road; and

(c) has consideration been given to continuing Treeby Road east of Johnson Road (built by a developer) southwards to Thomas Road as a replacement of Johnson Road?

The Hon. A. F. GRIFFITH replied:

(a) Yes.

(b) (i) It is not expected that it will be necessary to close Johnson Road until 1972;

(ii) while the area is being filled with residues it is not proposed to resite Johnson Road.

There will be no residents in Johnson Road and it is considered the requirements for traffic to pass between Thomas Road and Anketell Road can be catered for in the immediate future by McLaughlin Road.

(c) A close watch will be maintained on traffic flows in the area and it is possible that Treeby Road may eventually become a replacement for Johnson Road until such time as the Mandogalup area is filled and redeveloped.

6. *This question was postponed.*

MINES DEPARTMENT

Income from Goldfields

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

Further to my question on the 19th September, 1968, what income has the Mines Department received for each of the years 1965-66, 1966-67, and 1967-68 in each goldfield in Western Australia in payment for—

(a) rents; and

(b) registration fees for mineral claims?

The Hon. A. F. GRIFFITH replied:

A segregation of rent and registration fees for each goldfield is not kept. However, rents collected for the whole State for the years mentioned are as follows:—

1965-66—$281,120.39.
1966-67—$330,665.96.
1967-68—$755,238.45.

Registration fees are not separated in the department's accounting system, but the number of mineral claims received are tabulated for each calendar year. At 50c per claim, the amounts collected are as follows:—

1965—$215.00.
1966—$267.00.
1967—$1,401.50.
*1968—$1,254.50.

* To the 30th June, 1968.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Town Planning), and transmitted to the Assembly.

ARGENTINE ANT BILL

Second Reading

Debate resumed from the 22nd October.

THE HON. R. H. C. STUBBS (South-East) [4.42 p.m.]: The Bill before the House deals with the control, prevention, and destruction of the Argentine ant and it is similar to the Argentine Ant Act of 1959, which is to be repealed.

In comparing the Bill before us with the Act, I find some very slight differences. The main difference is that the Minister will have the full responsibility for the administration of the Act. To put it another way, the power will be vested in the Minister and the entomology branch will carry out the normal functions which it carried out previously. Up to this stage the Argentine Ant Control Committee did everything that was necessary, subject to the approval of the Minister.

I find some slight differences in definitions, but they are not of great importance. The important principle is still the same; that is, to destroy the Argentine ant whenever possible, and wherever it can be found.

I wish to say a few words of commendation to the Argentine Ant Control Committee which functioned previously. It has done a very good job in the eradication of the ant in many places in Western Australia and deserves very high praise. The entomology branch is also deserving of high commendation for a job very well done. In the past the local authorities have co-operated very well and were a tower of financial strength when finance was most needed; in fact, the local authorities contributed many thousands of dollars.

The Argentine ant, or *Iridomyrmex humilis*, to give it the scientific name, is a native of South America. The native home of the ant is believed to have been either Brazil or the Argentine Republic. It has been known to exist in South America for many scores of years. It was introduced into the United States of America as long ago as 1888. It is also found in South Africa and Europe.

The Argentine ant was first discovered in Australia in Victoria in 1939, and in Western Australia in 1941 at Albany. Probably it came by sea in products imported from the country of origin. The insect continued to be a pest in the early years of the war, and it multiplied and spread into many districts.

A Select Committee, which later became an honorary Royal Commission, was appointed to inquire into the vermin situation in Western Australia. The report was released on the 17th May, 1945. The Royal Commission found that considerable infestation of the ant had occurred in Western Australia and that the insect had taken a very firm hold.

Unfortunately, nothing of importance was done with regard to the eradication of the ant for almost 10 years, and by that time 15 towns had been infested with it. It became a serious threat to the citrus fruit industry, the fruit industry generally, and to market gardening. In addition, it was a complete nuisance to the people in the Perth suburbs. I believe the ant will devour anything from clothes to fruit—name it, and the ant will eat it.

In 1954 the first Argentine ant committee was formed and a fund was created for the purpose of controlling the insect. In November, 1954, this great control scheme was commenced and an expenditure of $210,000 was authorised for a six-year period. One of the first insecticides used was D.D.T. My research indicates that whilst D.D.T. did a reasonably good job, a first-rate job was done when chlordane was used, as that insecticide was far superior to D.D.T. A further breakthrough came with the use of dieldrin, which was found to be much more effective than the other two insecticides which I have mentioned.

It is interesting at this stage to look at some of the figures. I do not intend to quote at length, but in the first year insecticide was used—it would not be for a complete year—7,246 acres were sprayed, 78,351 man hours were worked, 481,888 gallons of spray were used, and 10,000 locations were treated, using 66.5 gallons of spray per acre and 10.81 man hours per acre at a cost of $22 per acre.

In the next year the Argentine Ant Control Committee was functioning flat out. Altogether 12,142 acres were sprayed, 112,512 man hours were worked, 743,965 gallons of spray were used, and 39,782 locations were treated, using 61.5 gallons of spray per acre, and 9.26 man hours per acre at a cost of $20 per acre.

Since then the figures have dropped considerably. The dramatic breakthrough was probably in 1961 when the committee started using dieldrin. Only 1,187 acres were sprayed, the time was reduced to 13,633 man hours, 150,480 gallons of spray were used, but the locations had dropped to 2,283. Altogether 126 gallons of spray per acre were used, and 11.15 man hours were worked per acre at a cost of $46 per acre.

This points out that whilst, initially, the committee was having much success, the use of dieldrin represented a big breakthrough in the control of Argentine ants. I believe this chemical is still being used in the control and elimination of the ant.

We have seen considerable success over the past 14 years since steps were first taken to control Argentine ants. One must again comment on the very fine job carried out by responsible people in the elimination and eradication of the pest. The ant had spread over a wide area of the State, but now it has been controlled except in very difficult places, such as swamps and so forth, which are very hard to deal with. I think it is virtually a matter of holding the ant at bay, although I believe, really, that the Argentine ant has lost the battle. I hope that position continues to obtain. I support the Bill.

THE HON. J. HEITMAN (Upper West) [4.51 p.m.]: I shall not hold up the proceedings of the House for long in speaking to the Bill, but I would like to refer to the 1954 Act under which the local authorities were asked to assist with the financial arrangements being made to help eradicate Argentine ants. In 1954 it was decided that a sum of $210,000 would have to be raised to combat the Argentine ant menace in this State. Members heard Mr. Stubbs give the figures concerning the ant and the hold it was getting in the State. At that time 15 or 16 districts were badly infested.

By the 1954 Act the local authorities were asked to contribute the sum of $132,000 to help the State eradicate the

Argentine ant. At that time it was thought that in those local authority districts where the ant was more in evidence than in other areas, a rate of one-half penny in the pound on the capital unimproved value of a property, or five half-pence in the pound on the annual value of the property should be charged. In other districts, which were classified as not being infested, and which it was thought would act as buffer areas, a rate of one-sixth of a penny in the pound on the capital unimproved value of a property or five-sixths of a penny in the pound on the annual value of property was levied.

It was considered that this rate would be sufficient to raise the $132,000 which the local authorities had to contribute to help the Government in its efforts to eradicate the ant. I feel sure at that time it was thought these rates were equitable for the buffer areas because through them it was possible to curtail a wider spread of the ant.

Up to 1959 this method of finding the necessary finance was continued, with the Government providing a certain sum, namely $70,000 each year, and the Agriculture Protection Board another $8,000, and the local authorities the sum of $132,000, to which I have already referred.

In 1959 the Government decided that the ants were reasonably under control and it would in the future find the finance necessary for the further work. However, the committee which was in control of operations was continued, with the exception that the member representing the country municipalities was removed and the committee was brought more or less under the control of the Minister for Agriculture. There were four members appointed to that committee. It is nice to know that by this Bill that committee will be disbanded but a sum of $53,000 will be allocated annually by the Government instead of the $210,000 that has been necessary in the past.

Like Mr. Stubbs, I wish to compliment those who have done the eradication work. Members of the entomology branch of the Department of Agriculture have done a marvellous job, particularly when it is realised how Argentine ants can breed and be transported from place to place. They are much harder to eradicate than rabbits or other vermin because of their breeding habits and the fact that they can be transported from place to place by vegetables, parcels, and other means. Once they are transported they start a new colony and cause an infestation in a new area.

As a result I wish to compliment the members of the entomology branch for the work they have done over the past 14 years, during which time the Argentine ant became such a menace in the marketing districts and in the metropolitan area generally. We should all be happy in the knowledge that the Department of Agriculture acted so quickly and so well in eradicating the pest. I do not know that we will ever really get rid of the ants, but they are certainly being kept in check. I wish to compliment the Minister for introducing the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

BILLS (2): RECEIPT AND FIRST READING

1. Iron Ore (Hamersley Range) Agreement Act Amendment Bill.
2. Iron Ore (Hanwright) Agreement Act Amendment Bill.

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

HOUSING ADVANCES (CONTRACTS WITH INFANTS) BILL

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

MEDICAL TERMINATION OF PREGNANCY BILL

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; the Hon. J. G. Hislop in charge of the Bill.

Clause 1: Short title—

The Hon. J. G. HISLOP: I move an amendment—

Page 1, line 7—Delete the word "Medical".

This has been asked for by the profession and I feel it would do no harm. There is an Act which clarifies the law in connection with medical practitioners.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 2 put and passed.

Clause 3: Interpretation—

The Hon. J. G. HISLOP: I move an amendment—

Page 2, lines 2 to 5—Delete the interpretation "gynaecologist".

It is not always possible in country areas to obtain the services of a gynaecologist or the assistance of physicians, because most of them live around the city. If the definition of gynaecologist were not deleted, we would have to make considerable alterations in regard to the profession.

The Hon. J. DOLAN: I am not too happy with this. Clause 4 subclause (5) provides that a medical practitioner is covered in certain circumstances, particularly where he is of the opinion, formed in good faith, that the termination is immediately necessary. In ordinary cases I think it is wise to retain the definition of "gynaecologist" who, by his occupation, is skilled in this branch of medicine. Nothing would be lost by retaining this definition and the definition of "physician."

It is not unusual when difficulties arise for medical practitioners to seek the professional advice of a gynaecologist or a physician. Removing these definitions and placing the onus on medical practitioners certainly does the Bill no good. I would like an explanation of this.

The Hon. G. C. MacKINNON: I imagine the difficulty is one of definition, because this would be the only definition of "gynaecologist" which would exist if the Bill were passed. There is no such definition in other legislation, including the Health Act and the Medical Act.

For the last three years there have been moves to establish throughout Australia a register of specialists within each State of the Commonwealth. In this respect we are a little more advanced than the other States, because we have two registers, one for workers' compensation and the other for medical health services.

This presents greater difficulty than may be imagined, particularly in the field of consultation referred to by Mr. Dolan, because a gynaecologist can still operate as a medical practitioner. I know several medicos with an F.R.C.S. degree who work as general practitioners. Perhaps a better definition would be "consulting gynaecologist." It has proved extremely difficult to define any of the specialist services in medicine—and this applies to physicians, surgeons, and the like. The definition of "medical practitioner" is, of course, contained in all the governing Acts. It is within the framework of the profession that a general practitioner might refer a case to a particular specialist whom he knows and on whom he places some reliance.

The Hon. J. DOLAN: Could Dr. Hislop clarify this point and inform us whether there are many medical practitioners who hold the particular diploma conferred by the Royal College of Gynaecologists and Obstetricians?

The Hon. J. G. HISLOP: There is a certain number of gynaecologists in the city and there would be no difficulty in obtaining their services. There is also a growing tendency for gynaecologists to work in hospitals in the country. If we leave the definition as it is, it would mean the country people would have to come to the city. The medical profession would like to see the change I have suggested. There would probably be half a dozen medical practitioners in the country who have trained themselves to carry out abortions.

The physician is wanted as much as the gynaecologist in the country areas. It would be as well to carry on for a while in the manner suggested, because there is provision made that the Bill will remain in force for three years and no longer. This would give us time to look into the matter. The medical profession having said that this is what it would like, I do not feel competent as a single person to say it will not succeed. Therefore, I would appreciate the deletion of the definition "gynaecologist."

The Hon. A. F. GRIFFITH: At this point I would like to make my position clear. During the Committee stage of this Bill I will follow the amendments closely with a view to making the law as certain as possible. In the course of my second reading speech I said, "I am not anxious to see, in any shape or form, abortion on demand." I think the Committee should agree to this amendment for another reason. The definition "gynaecologist" will be taken out of the interpretation clause and later on it will be seen that in place of the word "gynaecologist" the words "another medical practitioner" are used. If this amendment is not agreed to, in my humble opinion, the non-availability of a gynaecologist might make the use of subclause (5) of clause 4 more prevalent. To my mind that would be undesirable. If we do not agree to this amendment a medical practitioner, particularly in the country, might say that he terminated a pregnancy in good faith because he could not obtain the opinion of a gynaecologist.

The Hon. J. Dolan: He is covered.

The Hon. A. F. GRIFFITH: He would be more covered than otherwise.

The Hon. G. C. MacKinnon: He would have a better excuse.

The Hon. A. F. GRIFFITH: I am not anxious he should have an excuse.

Amendment put and passed.

The Hon. J. G. HISLOP: I move an amendment—

> Page 2, lines 11 to 13—Delete the interpretation "physician".

This is in keeping with the previous amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 4: Medical termination of pregnancy—

The Hon. J. G. HISLOP: I move an amendment—

Page 2, line 18—Delete the words "a gynaecologist" and substitute the words "another medical practitioner".

Amendment put and passed.

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

Page 2, line 21—Insert after the word "involve" the word "substantial".

At the inception of a new Act—as it will become if it is passed—of such a revolutionary nature in our community, we should clothe it with all the proper care and attention it requires. Risk can be a slight risk or a great risk when it is unqualified. It can mean in the whole degree or next to nothing. At this stage, when introducing this legislation, we should insist upon there being a substantial risk as a prerequisite of this operation. We have to protect not only the community, but the medical profession itself against, perhaps, some of its own number who might be tempted—as they have been in other parts of the world—to take advantage of any looseness of any wording in the Act. I believe it is essential we have this safeguard. We should qualify the risk to ensure there is, in fact, a risk of some substance in order to entitle this operation to be performed and absolved by the law.

The Hon. R. F. CLAUGHTON: I am not clear on what Mr. Medcalf is getting at. Surely if there is a risk to the life of a pregnant woman, the doctor should be free to take such steps as he thinks should be taken to remove this risk! Are there to be degrees of risk when it comes to the life of a person? Are we getting down to percentages of chance? Surely "risk" is sufficient. We should not place a doctor in a position of having to decide that if he does not perform the operation, his patient has perhaps a 90 per cent. chance of not dying. He may be put in the position where he thinks he can only operate on the woman if she has more than a 50 per cent. chance of not dying. The medical practitioner should not be placed in this position.

The Hon. L. A. LOGAN: I agree with Mr. Claughton. One has only to read the paragraph to know that the risk must be of a substantial nature. I gave one instance the other evening; and I have experienced another since then. A girl of 15 was interfered with by her uncle—her father's brother—not once, but on many occasions. This girl was nearly driven out of her wits and eventually became pregnant. I had to commit the child to the State because it was not fit for adoption.

The Hon. J. Dolan: What happened to the individual?

The Hon. L. A. LOGAN: The girl is ruined for life.

The Hon. J. Dolan: I mean the uncle.

The Hon. L. A. LOGAN: He does not come into the picture; it is the girl I am worried about.

The Hon. J. Dolan: But what happened to the uncle?

The Hon. L. A. LOGAN: I am not worried about him; my concern is that a 15-year old girl had an offspring that was not medically fit for adoption. We are trying to water this legislation down too much; and every time an attempt is made to do so I am going to object.

The Hon. A. F. GRIFFITH: My colleague, the Minister for Local Government, and I will have a very strong divergence of opinion. To my way of thinking, if the clause is left as it is an operation can be performed—I will not say "on demand" in case it is thought I am exaggerating—upon request. Dr. Hislop will tidy up the clause later on by moving to delete the words "or any existing child or children of her family."

It will be recalled that during my second reading speech I said that according to the medical advice I had received, the operation of abortion was minimal so far as risk was concerned; that it was less risky than having a child. In this modern day of medicine, I believe the latter does not involve a very great risk. It is the crux of the Bill that the doctor, in consultation with a second doctor, be permitted to perform this operation where the risk is substantial. If the word "very" had any legal connotation I would say we should insert the words "very substantial"; but I think that is probably going too far.

If the amendment is agreed to, it will make it quite certain in the minds of the people who will operate under this legislation what the Legislature meant. Paragraph (b) covers the child about whom Mr. Logan was speaking.

The Hon. L. A. Logan: No, it does not.

The Hon. A. F. GRIFFITH: To continue: There is a substantial risk that if a child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped. Furthermore, I think Mr. Medcalf has in mind the insertion of another word in the next line, because it would be of no use having the risk substantial and the injury not having some sort of force. With Mr. Medcalf's permission I would like to foreshadow the amendment which he proposes to move. He wants to insert the word "serious" before the word "injury" in line 22. The paragraph would then read as follows:—

> the continuance of the pregnancy would involve substantial risk to the life of the pregnant woman, or of serious injury to the physical or mental health of the pregnant woman . . .

For that reason I think it is very important that the word "substantial" should be inserted to make it abundantly clear to medical practitioners that the Legislature means that there is no suggestion that because a woman thought she ought to be aborted she could have such an operation done on request. I support the amendment.

The Hon. V. J. FERRY: I agree that we need to clarify this clause and make it a little tighter than is the case with the present phraseology. I would suggest, for consideration by the Committee, that rather than insert the word "substantial" in line 21, as has been moved, we insert the word "substantially" in line 25, before the word "greater." I believe line 25 is the principal line of the whole clause.

The Hon. A. F. Griffith: Why use the word "substantially" in line 25, and not in line 21? The term "substantial risk" is used in the next paragraph.

The Hon. V. J. FERRY: If the word "substantially" were inserted in line 25, the paragraph would then read, in part—

> substantially greater than if the pregnancy were terminated

I believe this would give greater force to the whole clause.

The Hon. C. E. GRIFFITHS: I agree entirely with the proposal to insert the word "substantial." The only reason I agree is because I cannot think of another word which stresses the great danger to the life of the pregnant woman which I feel should exist before this action is taken.

When Mr. Medcalf moved for the inclusion of the word "substantial" I mentioned that I was not happy with the rest of the wording, and that the clause should emphasise the great risk which has to exist before any action of this nature is taken. At this stage, I merely say that I support the inclusion of the word "substantial."

The Hon. G. C. MacKINNON: I would like to point out that it is very difficult to talk in terms of reason, unless we do as the Minister for Mines has suggested and look at paragraph (a) in the various forms it might take if amended.

In my opinion—and I stand condemned on my own opinion that any man, even though he happens to be here and stands up and speaks on this matter, reaches about the limit of impertinence—this is the point where the Bill affects the life of a woman, or a child of 14 years, who happens to be pregnant, and it also affects all the conditions which might surround that particular state. That is why we will get violent divergence of opinion on this particular matter. One's outlook will depend upon one's upbringing, one's religious background, the different situations in which one might have found oneself, one's financial situation—whether one can cope with an additional mouth to feed—and all those similar circumstances which affect one's attitude to this clause.

This is a matter which women will decide, ultimately, and we will endorse their decision, ultimately. However, we have to make a decision now, and two aspects must be taken into consideration. One is the ability of a doctor, when he is placed in the situation, to judge the meaning of the word "substantial." Also, he has to decide what is meant by "serious," and what a judge would decide should be the meaning of the word "substantial" and the word "serious."

This is the first matter we must determine. Then, it must be considered and a determination must be made—before we attempt to insert either of the two words —so that there is no room for great variation in interpretation as between one judge and another. If a doctor decides that in the circumstances there was substantial risk, a judge could disagree. It is quite possible and, indeed, it is highly likely that what we think is "substantial," and what the doctor thinks is "substantial," and what the judge thinks is "substantial" could vary tremendously.

To my mind we have two choices. We could say that the continuation of the pregnancy would involve substantial risk to the life of the pregnant woman, or serious injury to the physical or mental health of the pregnant woman. Or, we could say that the continuation of the pregnancy would involve risk to the life of the pregnant woman, or serious injury to the physical or mental health of the pregnant woman, greater than if the pregnancy were terminated. In each case, a decision has to be made.

The judge has to decide whether the risk is substantial and the injury serious, with no comparison; or he has to decide there is a risk in comparison with a continued pregnancy. Later on, of course, there is a subclause in the Bill for the entire environment in which the mother lives to be taken into account.

As this clause is the heart and the soul of the Bill I am purely giving guidance, if I may. Members will pardon me for doing this but over a period of years one absorbs a little from the medical officers and the medical-legal situations with which one is involved. I am trying to give some degree of guidance because it is not a matter of how I feel personally, or how either Mr. Clive Griffiths or Mr. Arthur Griffith feels. We are debating this matter in terms of what the legislation will be when passed, and decisions having to be made on one thing or the other. To my mind, we must discuss this in those terms.

I think, perhaps, the situation might be clarified if Mr. Medcalf would mention his original amendment, and inform the House of the wording of the paragraph in its completed form.

The Hon. A. F. Griffith: I think that is a good idea.

The Hon. J. DOLAN: We are dealing with two different opinions, and the word "or" in line 22, is inserted for a definite purpose. The first reason is that the continuance of the pregnancy would involve risk to the life of the pregnant woman. Then there is the word "or," which provides an alternative. The alternative is injury to the physical or mental health of the pregnant woman—not her life. Then we have the word "greater."

With the second alternative the word "greater" has been inserted to indicate that the reason must be more than a simple reason. Mr. Claughton threw some doubt on the extent of the reason. I would say that every time a member gets into his motorcar and starts to drive home risk is involved. However, the risk is very slight. But if a member drives down St. George's Terrace at 80 miles per hour, there is substantial risk of serious injury.

I feel that the word "substantial" will clarify the first part of the paragraph and the word "greater" clarifies the case, with an added precaution, in the second part of the paragraph. I feel the word "or" is the complete answer to the problem we are facing. The word "substantial" is required in the first part of the paragraph, just as the word "greater" is required in the second part of the paragraph.

The Hon. I. G. MEDCALF: I feel that perhaps it would have been better had I been more explicit with regard to my intention in this matter. I did make it perfectly clear, during the second reading, so I am not asking for anything which I did not indicate previously. I had been informed, quite reliably, by a gynaecologist that there is a risk in any pregnancy; that any pregnancy involves a certain degree of risk. When a woman becomes pregnant there is a risk to her life, or health, which is greater than would be the case had she not become pregnant. In other words, the continuation of a pregnancy will involve a risk to her life or health, greater than if the pregnancy was terminated. I believe this to be so. Looking at the matter from a common-sense point of view, it seems to me, without any pretentions to medical knowledge, that there must be a degree of risk—however slight—attached to a pregnancy.

I say "slight," but it does not have to be if we leave this section as it is. I remind members that the section merely refers to a risk to life, or injury to health. The word "risk" qualifies both life and injury to health; that is, the risk of injury to health by continuing a pregnancy is greater than if it were terminated.

I believe I have been properly informed that there is a risk in any pregnancy; that a woman, when pregnant, is under a greater risk to her health than is normally the case in everyday life when there is, for instance, the risk of an accident whilst crossing the road. If that is so, then clause 4 (1) (a) as it now stands really permits the performance of this operation in any pregnancy. I do not believe for a moment this was ever the intention of Dr. Hislop. He said it was not, and I implicitly accept his word.

However, the clause has been so interpreted by some medical people with whom I have discussed the Bill, and I believe, therefore, we would be most unwise to leave the clause as it stands, and I propose to move to delete the words, "greater than if the pregnancy were terminated." I believe those words apply to any pregnancy in either a single or a married woman.

The Hon. G. C. MacKinnon: Would you read out how the clause would stand if your amendments were accepted?

The Hon. I. G. MEDCALF: It would read as follows:—

> 4. (1) Subject to the provisions of this section, a person shall not be guilty of an offence under the law relating to abortion when a pregnancy is terminated by a medical practitioner if that practitioner and another medical practitioner are of the opinion formed in good faith that—
>
> (a) the continuance of the pregnancy would involve substantial risk to the life of the pregnant woman, or of serious injury to the physical or mental health of the pregnant woman . . .

That seems to be a reasonable advance on the law as it now is.

The Hon. A. F. Griffith: That is the important point.

The Hon. I. G. MEDCALF: The law as it now is merely enables the preservation of the mother's life. I consider the decision in Bourne's case would apply where a woman is likely to become a mental or physical wreck, and in no other case.

This amendment would be an advance because it would enable an operation to be performed where the continuance of a pregnancy would involve substantial risk to life, or serious injury to physical or mental health. I admit that "substantial" and "serious" are matters of degree, but opinions can be formed in good faith by medical practitioners. We do not want to permit medical practitioners to perform

this operation without good faith. They must carefully assess the medical factors involved to the best of their ability and provided they exercise their judgment properly, it is most unlikely that it will be questioned if they come to the conclusion that there is a substantial risk of serious injury. We are not asking medical practitioners to do too much. The reverse would be the case if we did not include these safeguards, because we would possibly allow medical practitioners to get into a situation which we as a community would not welcome. I hope I have fully explained my reasons for moving this amendment.

The Hon. F. R. H. LAVERY: I would like Dr. Hislop to comment on the thought that exists at the moment; namely, that if clause 4 (a) stands as it is in the Bill it will in effect make it possible for abortions to be performed on request.

The Hon. J. G. HISLOP: Certainly not. There is not a single word about that in the Bill. The words that have been used have been studied by various organisations in different parts of the world. I assure Mr. Lavery there is nothing like abortion on demand provided for in the Bill.

The Hon. A. F. GRIFFITH: Dr. Hislop's remarks are merely a matter of opinion. I will not cavil at them, but I will hold my own opinion. If the amendment that has been moved by Mr. Medcalf and the other amendments that he has foreshadowed are accepted, the clause will then be very much akin to the Criminal Code as it now stands; it will clarify the law in respect of what is now a crime under the Criminal Code.

Western Australia and Queensland have, for some time, been working on a revision of the Criminal Code, and I think that when the Code is ultimately revised the terms of this Bill will be replaced in it. If there is any question that we are acting a little slower than is the intention of the Bill, I think it is all to the good, because we are making a radical change. I repeat what I said earlier: Where there is a risk to the mother I believe that each of us in the community, whatever our religion would expect—and so would the Good Lord himself—the medical fraternity to do something about it.

I believe the courts will interpret the intention of the legislation correctly. It is infinitely better, in a matter of this nature, to make progress a little more slowly, perhaps, rather than a little too quickly. I strongly commend the amendment, and the others proposed by Mr. Medcalf.

Amendment put and passed.

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

> Page 2, line 22—Insert after the word "of" the word "serious".

Amendment put and passed.

The Hon. J. G. HISLOP: I move an amendment—

> Page 2, lines 23 and 24—Delete the passage "or any existing child or children of her family".

These words were originally included because it was considered from experience in Great Britain that the whole of this aspect should be covered; that is, the parents, the children, and their whole environment. However, I will bet that within three to five years we will be putting these words back.

The Hon. J. Dolan: That is only a guess.

The Hon. L. A. Logan: The move is on in Victoria to make it wider than this.

The Hon. J. Dolan: They won't have a bar of it in England.

The Hon. J. G. HISLOP: Possibly it is not necessary at the present time, but when we have a mother with four or five children and then another one comes along, it would be a help. I feel that in a very short time this aspect will be applied to those who are possibly just below the breadline.

Amendment put and passed.

The Hon. I. G. MEDCALF: I now come to the last part of the remarks I made earlier. I move an amendment—

> Page 2, lines 25 and 26—Delete the words "greater than if the pregnancy were terminated."

I have already indicated why I believe these words should be deleted. I consider there is a risk in any pregnancy, and I do not wish to weary members by repeating that argument. In this matter I agree with the Minister that we should proceed cautiously in a social change of such magnitude. For that reason I consider the words I seek to delete should not be in the Bill.

Amendment put and passed.

The Hon. J. G. HISLOP: I move an amendment—

> Pages 2 and 3—Delete subclause (2).

Amendment put and passed.

The Hon. R. THOMPSON: I cannot see any need for subclause (3) on page 3. In view of the inclusion of the words "reasonably foreseeable," to me this appears to be an escape provision. Therefore, keeping in line with the Minister's wishes that we should proceed slowly, the subclause should be deleted. In considering the words "reasonably foreseeable environment," let us consider how the housing shortage at present could affect the situation. A woman could be living in a caravan or tent in a caravan park, and be seeking a house in which to live—and this reverts to what I said during the second reading debate; that is, we should be concerning ourselves with the social welfare of the people.

A woman living in a caravan in a caravan park could be considered to be living in an environment that is temporary and she could approach a medical practitioner to terminate a pregnancy on this ground. It would be quite reasonable to say that in her case the "foreseeable environment" would be she would be unable to obtain a house for the next three years, and therefore she could have a termination of pregnancy every year during that period.

The Hon. A. F. Griffith: Would those circumstances be considered a substantial risk to her life?

The Hon. R. THOMPSON: They could be, if a medical practitioner was of that opinion.

Sitting suspended from 6.7 to 7.30 p.m.

The Hon. C. E. GRIFFITHS: Before tea I was about to agree to the suggestion made by Mr. Ron Thompson that subclause (3) be deleted. I was under the impression he had moved for its deletion.

The CHAIRMAN: There is no amendment before the Chair. The honourable member may speak to the clause, or move for the deletion of subclause (3).

The Hon. C. E. GRIFFITHS: As Mr. Ron Thompson intends to move for its deletion I will not do so. In my opinion the provision in subclause (3) is a very wide one; and if any part of the Bill provides for abortion on demand, then this subclause does. I will have no part in supporting a Bill which contains the provision in subclause (3).

The Hon. R. THOMPSON: I move an amendment—

Page 3—Delete subclause (3).

The Hon. G. C. MacKINNON: This provision must be considered in the light of the fact that the Committee has already agreed to subclauses (1) and (2) as amended. Contrary to what Mr. Clive Griffiths thinks, the provision in subclause (3) could tighten the legislation. Let us take the case of a woman who is in danger of suffering mental injury because she has become pregnant under irregular circumstances. If her environment is such that she has an income of $200 a week and a home which is well served by staff, she can afford to have the child under ideal conditions and can arrange to employ a nurse to look after it. The possibility of injury to this woman's mental health is remote, compared with the possibility of injury to a woman whose environment includes three children, one of whom is a spastic or a mongoloid child, who has no husband, and who is the sole support of the family. No useful purpose would be served in talking about what the social benefits ought to be. We must talk of them as they are.

I refer to what I said in my original discussion on clause 4. A medical officer must be given room in which to make a decision. I do not say a medical practitioner can make a decision on the mental effect or mental injury that is likely to be caused, unless he can operate in the context of the environment in which the woman and her family live. That is an essential prerequisite of such a decision. For those reasons I hope subclause (3) will be retained, because it is essential to the other parts of the clause.

The Hon. C. E. GRIFFITHS: The Minister has not convinced me that the retention of subclause (3) is necessary. The provision in subclause (1) (a) already covers the circumstances outlined by the Minister. I do not wish to deny the Minister the right to differ from my point of view, but in my opinion the word "environment" gives such a wide coverage that anybody who says he is not prepared to support legislation which provides for abortion on demand can do nothing else but vote for the deletion of this subclause.

The Hon. J. DOLAN: When the English Bill was being debated, any clause which permitted a medical practitioner to perform an operation on non-medical grounds was not tolerated, and all provisions in the Bill in relation to that aspect were deleted. I refer to a couple of authorities on this point. Lord Brock, who was a past president of the Royal College of Surgeons had this to say—

> It is not an acceptable medical code to perform an operation on non-medical grounds.

The British Medical Association, the Royal College of Gynaecologists, and the Protection Society were reported to have made this claim—

> They also claim that under the new laws—

That is, if this subclause was retained. To continue—

> —doctors would be required to make a decision on non-medical grounds for which they have no specialist training.

I agree that subclause (3) would throw the position wide open, and would make abortion on demand available. I also agree that subclause (1) (a) covers the position where the mental health of a pregnant woman has to be safeguarded.

The Hon. G. C. MacKINNON: Whether or not Lord Brock made the statement mentioned by the honourable member, I cannot let the statement go unchallenged. All of us are aware that things which are completely non-medical have an effect on the health of people. Perhaps it is forgotten that a psychiatrist is a medical practitioner; and this Bill deals wth probable mental disturbances. All of us are aware that environmental conditions can, in fact, drive some people mad. I am sure that all of us have read accounts of circumstances during the last war when, in fact, environmental conditions did just that. I must challenge the statement of

Lord Brock. The fact is there are many inmates of the hospitals of this State who are being cared for by medical practitioners —inmates who are suffering from a mental condition caused by environmental conditions.

The Hon. R. THOMPSON: I consider that clause 4(1)(a) covers completely what the Minister is trying to convey, and that is why I say subclause (3) is not necessary. If subclause (3) is included it will be making the position as wide open as the Nullarbor Plain. It covers not only the pregnant woman's present environment, but also her reasonably foreseeable environment.

The Hon. F. J. S. Wise: That is a bit indeterminate, isn't it?

The Hon. R. THOMPSON: Definitely. These doctors are apparently supposed to be clairvoyant. It is well known that women suffering from certain nervous complaints are advised by their doctor to have children because this would tend to steady them down. Therefore two doctors could say that they considered the woman concerned should have her baby to steady her down, but, because of the environment in which she is living, the pregnancy should be terminated. The words "reasonably foreseeable" are too wide open for me. I am quite happy with the Bill to this stage, but will vote against this clause if these words are retained.

The Hon. J. G. HISLOP: This is an essential provision in the Bill and I can see no reason for amending it. Any amendment would simply destroy it. Doctors must be able to take a pregnant woman's environment into consideration, and if she has a drunken husband or sick children, or is under any other similar strain, the doctors should be in a position to advise her that she cannot carry on as she is. If members have any sort of feeling for women, they must retain this subclause.

I could give many instances of when, if a woman had been allowed to continue with her pregnancy, she would have had a general breakdown, although not necessarily one which would require her to enter Heathcote or some other hospital. I repeat that if members have any humanitarian feeling for women they should retain this subclause. If it is not retained we will be faced with many difficulties and we will have to tell these women we cannot do anything for them. That would be ridiculous.

I would ask members to recollect the case I related concerning the two women —Italian I think they were—who lost their husbands in a motor accident. One had five children and the other four; and although they were destitute, the doctor whom they approached for an abortion would do nothing because he was afraid of what the Victorian Police Commissioner might do. I am personally acquainted with any number of similar cases. For instance, what would members do if a woman, who had just had some radiological treatment, came to them and requested an abortion because she had the very next day realised she was pregnant? Would they let the pregnancy go on? If they did, the resultant birth would be tragic. Surely we have some human feelings! If this subclause is not agreed to, it will result in a very ragged sort of Bill.

I truly believe that if something is not done the day will come when women will take the matter into their own hands. Many cases have been referred to me and it is not always necessary to perform an abortion. A helping hand can be extended in other ways.

However, this is the important subclause in the Bill. We have already made subclause (1) tight enough, and if we cannot use the environmental factor it is of no use at all. I hope we are sufficiently human to realise that the environment in which a woman lives is very important.

The Hon. A. F. GRIFFITH: I want Dr. Hislop to understand in the first place that we all have a human approach—

The Hon. J. Dolan: Hear, hear!

The Hon. A. F. GRIFFITH: —and that there is therefore no necessity to keep on emphasising the point. I was most confused, and after having listened to Dr. Hislop I am even more confused than I was before he made that last speech. I was of the opinion that the operative portion of the Bill was subclause (1)(a), which we have amended.

The Hon. J. Dolan: Hear, hear! That is it!

The Hon. A. F. GRIFFITH: I am still not convinced. If only subclause (3) is the operative portion of the Bill, and not the whole of clause 4—the marginal note of which will now read "termination of pregnancy"—where are we? Is Dr. Hislop suggesting that we could operate on subclause (3) without subclause (1) (a)? If so, we must have a serious look at the whole Bill.

I am still hoping that perhaps Mr. Medcalf, with his legal knowledge, might be able to enlighten us. Dr. Hislop is saying that subclause (3) is the crux of the Bill, and not subclause (1) (a). Under subclause (1) (a) the doctors must first establish that there would be a substantial risk and a chance of serious injury, and once this is established, they can use subclause (3) to clarify the situation as to the woman's mental health. That is the way I see the situation.

The Hon. I. G. MEDCALF: I hope I can, as the Minister kindly suggested I might, throw some light on the situation and not, instead, confuse the issue even more. In

my opinion there is no doubt that the operative part of this Bill is clause 4 (1) (a). If we do not have that provision we are left with the situation that the Criminal Code operates and these operations are illegal, except to preserve the life of the mother.

I would not have agreed to paragraph (a) as it was in the Bill, but I am quite happy with it as it has been amended. Under that provision now two medical practitioners must believe that the continuance of a pregnancy would involve substantial risk and a chance of serious injury to the physical or mental health of the pregnant woman.

Subclause (3) simply deals with the question of mental health, and covers her environment. Let me again make myself perfectly clear. As the Minister suggested, subclause (3) is merely a qualification of the mental health ground referred to in subclause (1) (a). Not only does it qualify the mental health ground in relation to the pregnant woman, but it also qualifies what we formerly had in the Bill but which we have amended; that is, the reference to the existing child or children of her family.

In my view, had those words remained in the Bill, subclause (3) would also have qualified them, and if the doctor had sought to perform the operation on the pregnant woman because he believed that the continuation of the pregnancy would cause injury to the mental health of an existing child or children of the family, or prejudice a child or children, then, I think, he would have been entitled also to look at subclause (3) to see if he could go a little further.

Having agreed to the deletion of the words "or any existing child or children" we are left with subclause (3) which, in my view, now only qualifies the ground in relation to mental health. In my own opinion it does not create any new ground whatever; because if we deleted (1) (a) there would not be any authority to do anything.

The Hon. A. F. Griffith: What effect would it have if we deleted subclause (3).

The Hon. I. G. MEDCALF: I do not think it would have any effect at all; because if the doctor has come within the grounds of (1) (a), then we have to look at the words contained therein first of all. He must have a *bona fide* and honest belief that there is a substantial risk of serious injury to the mental health of the pregnant woman. In forming that opinion he must take into account all the normal facts and I presume he would have the opinion of a psychiatrist. Also, I presume the psychiatrist would take into account the woman's environment. I cannot see how the doctor could form an opinion without doing that.

If he took into account her actual environment, I think he would also be entitled to take into account her reasonably foreseeable environment—and, after all, it must be reasonably foreseeable based on the actual environment at the time and it does not mean that that opens up the field to all sorts of fanciful things, because he must make an honest belief on the grounds of her mental health.

If subclause (3) were deleted from the Bill I think the psychiatrist, in forming his opinion, would still take into account the woman's actual and reasonably foreseeable environment; because I believe that is one of the elements he would be forced to consider in coming to a *bona fide* belief about the woman's mental health. Now that we have deleted the words relating to the child or children of the family I do not think subclause (3) has quite the importance it had before and, therefore, I do not think it would make much difference if it were deleted.

On the other hand, if this were in the negative, and it said that in determining this account may not be taken of her actual and reasonably foreseeable environment, then I think there would be good grounds for saying we were really inhibiting the doctor from making a considered opinion and that would seriously impair the doctor in forming an opinion under subclause (1) (a).

However, by leaving subclause (3) in the Bill I do not think it makes much difference; but I do concede the point that has been made because I read it in some of the debates on the English Abortion Act —we are putting a fairly severe strain on the average doctor's capabilities in asking him to assess a woman's reasonably foreseeable environment. I think the average general practitioner might find some difficulty in making an estimate of that. I am aware that the British Medical Association has objected to this type of clause in other respects, in the English Abortion Act, as Mr. Dolan suggested. However, I am well aware also that psychiatrists habitually use this type of ground when they are forming their conclusions. They do put this forward as evidence, because I have seen it and I have heard psychiatrists make statements to that effect. They clearly try to make an assessment of a woman's actual or foreseeable environment, and I might say it is not always accepted.

The views which some people express on these matters at times are inclined to be rather fanciful and it is possible to imagine that some people have an excess of zeal and may imagine all sorts of things in the foreseeable environment. However, they still have to measure up to subclause (1) (a); and they still have to face the test that there must be a substantial risk of serious injury to the woman's mental

health; they must take into account the proper factors, and assess them honestly and in good faith.

The Hon. G. C. MacKINNON: Naturally I do not want to argue the law with Mr. Medcalf on my own account but, in these circumstances, I must argue it on the advice I have been given. Members will recall that when we were discussing subclause (1) (a) I said two aspects had to be looked at—the doctor's ability to make a decision and his ability to argue the case before a judge. I am informed that subclause (1) (a) which, without doubt, is the operative part of the Bill, refers to the continuation of the pregnancy involving risk, and the point that has been brought to my attention is precisely that which Mr. Medcalf pointed out—that psychiatrists do, in fact, take the environment, and the immediately foreseeable environment, into account when they make a diagnosis. But this cannot be classed with the continuation of a pregnancy, and in a narrow definition of the law on subclause (1) (a) a judge would not allow that as evidence. That is why I agree with Dr. Hislop that it is important to have subclause (3) in the Bill.

I would like to ask Mr. Medcalf if he could convince us on legal grounds regarding this subclause. He may have some case law on the point to show that the advice I have received is incorrect.

The Hon. I. G. MEDCALF: Frankly I would not pose as an authority on this matter; I am making my own decision and I cannot quote any case on the subject. However, in my view, if subclause (3) were deleted from the Bill a psychiatrist would still be required to consider a woman's environment. I cannot see how he could make his decision otherwise.

The Hon. G. C. MacKinnon: I cannot.

The Hon. I. G. MEDCALF: If we were to take subclause (3) out of the Bill, frankly I do not think it would make any difference.

The Hon. G. C. MacKinnon: What about when he was before the judge and he said, "Because of this environment I made this decision." Would the judge accept that if the provisions of subclause (3) were not in the legislation?

The Hon. I. G. MEDCALF: I do not think the judge would need that provision to be in the legislation. I think he would take the view that the relevant factors for the psychiatrist to consider were stated.

The Hon. G. C. MacKinnon: Would you agree that the medical practitioner would be safer before the law if subclause (3) remained?

The Hon. I. G. MEDCALF: No. According to my reasoning it would not make any difference and I do not think I should depart from that.

The Hon. A. F. GRIFFITH: Great emphasis is being placed on the word "psychiatrist."

The Hon. J. Dolan: They don't come into it.

The Hon. A. F. GRIFFITH: Yes, they do, because they are medical practitioners.

The Hon. J. Dolan: Of course they are.

The Hon. A. F. GRIFFITH: However, a patient does not have to consult an eminent psychiatrist before a decision can be made.

The Hon. I. G. Medcalf: But she would normally do that in the case of mental health.

The Hon. A. F. GRIFFITH: The decision can be made by two medical practitioners.

The Hon. I. G. Medcalf: That is so.

The Hon. A. F. GRIFFITH: The woman need not go anywhere near a psychiatrist.

The Hon. I. G. Medcalf: But normally she would.

The Hon. A. F. GRIFFITH: We have to read the law, and I am making the point that she need not do so. She need consult only two general practitioners practising in a country town.

The Hon. I. G. Medcalf: That is quite correct.

The Hon. A. F. GRIFFITH: All this business about psychiatrists is just—

The Hon. R. Thompson: Clouding the issue.

The Hon. A. F. GRIFFITH: No, it is not.

The Hon. R. Thompson: To me it is.

The Hon. A. F. GRIFFITH: Not at all. I am merely trying to point out that there can be two situations. Two eminent psychiatrists could come to the same decision as two general practitioners in the country, or in the metropolitan area. Is that not so?

The Hon. I. G. Medcalf: Yes.

The Hon. A. F. GRIFFITH: Having come to that conclusion, the qualifying provision is in subclause (3).

The Hon. F. J. S. Wise: That puts emphasis on the position.

The Hon. A. F. GRIFFITH: Frankly I do not think it matters whether the subclause is in or out, because the primary decision has to be made under subclause (1) (a).

The Hon. C. E. GRIFFITHS: I have listened with great interest to the opinions which have been expressed, and I have the greatest respect for members' ability to interpret the legislation. However, Mr. Medcalf's interpretation does not necessarily agree with the interpretations of other members, including the Minister. So I am still left in the position of having

to make my own decision. As Mr. Medcalf suggested that he may be wrong, I suggest that I might very well be right in my views. As a consequence I am not convinced, at this stage, that I should change my mind. I still contend this is the portion of the Bill which makes provision for abortion on demand.

The Hon. A. F. GRIFFITH: Might I suggest that Mr. Ron Thompson withdraw his amendment so that we can go on with the rest of the clause, and in the meantime we can seek more clarification and come back to this later.

The Hon. J. Dolan: No.

The Hon. A. F. GRIFFITH: The honourable member should not say "No"; he should be co-operative. This is important.

The Hon. J. Dolan: It always has been.

The Hon. A. F. GRIFFITH: It is important to all of us.

The Hon. R. Thompson: We can defer clause 4.

The Hon. A. F. GRIFFITH: It would be better for the honourable member to withdraw his amendment, and come back to the clause later.

The Hon. G. C. MacKINNON: Whether this subclause is in or out will make no difference to the doctor's decision whether action should be taken. In this I agree with Mr. Medcalf.

The Hon. R. Thompson: You did not say that before.

The Hon. G. C. MacKINNON: Yes, I did. I believe implicitly the provision should be in the Bill. The medical practitioner needs protection in the execution of his duty; the protection this provision affords. When the interpretation is made I ask that it be made on the ground that the right decision should be made by the medico; but, if the medical officer or the nurse or anyone else participates in the procedure and makes a decision, protection should be afforded them at law. Without subclause (3) there is no conditioning of the normal course that would be taken by a medical practitioner who knows the family and the circumstances surrounding it.

The Hon. R. THOMPSON: I am prepared to ask leave to withdraw my amendment on the understanding that I am able to move for the deletion of the subclause if the Committee does not get a satisfactory explanation. I want to be sure that the provision will do what it claims to do. I do not think it will.

It would serve no purpose if I persevered with my amendment and it was defeated by the Committee; particularly if the people who defeated it discovered tomorrow that they were wrong.

The Hon. A. F. Griffith: Or vice versa.

The Hon. R. THOMPSON: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The clause was further amended on motions by the Hon. J. G. Hislop, as follows:—

Page 3, line 16—Delete the passage "(5) Subsections (2) and (4)" and substitute the passage "(4) Subsection (3)".

Page 3, line 18—Delete the words "a gynaecologist" and substitute the words "another medical practitioner".

Clause, as amended, put and passed.

Clause 5: Application of section 336 of Health Act, 1911—

The Hon. J. G. HISLOP: I move an amendment—

Page 3, lines 27 and 28—Delete the words "as the result of" and substitute the words "which results from".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 6: Conscientious objection to participation in treatment—

The Hon. I. G. MEDCALF: I would like to draw attention to the amendment which Dr. Hislop has on the notice paper relating to this clause. The words I wish to delete appear in subclause (1), line 33. They are, "to which he has a conscientious objection." The balance of the amendments will have the effect, if moved and duly passed, of taking away from the person who claims to have a conscientious objection the burden of proof.

I wish to delete the requirement, for a person participating in any treatment under this Act, to cover conscientious objection. I understand this clause relates to doctors, nurses, and any other medical assistants who are, in fact, concerned as participants in the treatment—that is, the medical treatment. It does not refer to the patient or the pregnant woman, but to the people who carry out the treatment. The first subclause prescribes that they shall not be under an obligation if they have conscientious objection.

The second subclause states that if there are legal proceedings the burden of proving that he has a conscientious objection shall rest with the person claiming to rely on it. It is thought that if subclause (2) is deleted the doctor or nurse participating in any treatment need not establish a conscientious objection. That is, of course, true.

If we leave subclause (1) as it stands, the doctor or nurse must establish conscientious objection to avoid participating in the treatment. The Bill has been described as being permissive only, and it has been suggested that nobody is compelled to have the treatment—that a pregnant woman is not compelled to submit

herself to abortion or the medical termination of pregnancy as prescribed in the Bill. The measure merely enables her to have an abortion if she sees fit to do so. But the Bill is not permissive so far as the doctor and the nurse are concerned; they must establish conscientious objection in order to be outside the scope of the legislation.

If the words "to which he has a conscientious objection" are deleted, it will mean that if the acid test is applied to a doctor and a nurse as to why they did not perform this operation, or attend a patient, all they have to say is, "My conscience would not permit me." It means that a person will still have to assert a conscientious objection. In the event of a woman bringing proceedings against a doctor or a nurse because he or she failed to participate in the treatment, I believe the doctor or nurse, to get out of the obligation, would have to assert and prove to a court that he or she had a conscientious objection. Although the onus of proof is taken away, it does not alter the fact that a conscientious objection would have to be established.

I believe the clause as it stands puts a doctor or a nurse in a difficult position. A doctor or a nurse, out of compassion for a pregnant woman, might participate in one operation and then, on another occasion, refuse to participate. It would be difficult for that doctor or nurse to claim he or she had a conscientious objection. The pregnant woman who was refused the operation would have good grounds for claiming that the doctor or nurse should have participated in the operation because they had not established they had a conscientious objection owing to the fact that they had already participated in one other operation. In my view, the Act, when it is passed, will not be permissive as far as the medical profession and the people associated with it are concerned. I believe that is wrong.

If it is good enough for the Act to be permissive as far as the public is concerned, it should be permissive in regard to the medical profession, members of which may well have conscientious objections. Therefore, why should they be compelled to assert their conscientious objection and face the risk of losing because, out of compassion, they performed a previous operation in order to save a patient's life? It could be held that it was not an absolute necessity that they performed the previous operation and they would have to take refuge under the provisions of the Act.

I move an amendment—

Page 3, line 33—Delete the words "to which he has a conscientious objection".

Amendment put and passed.

The Hon. J. G. HISLOP: I move an amendment—

Page 3—Delete subclause (2).

Amendment put and passed.

The Hon. I. G. MEDCALF: I would like to refer to the words "Subject to Subsection (3) of this section," which is now subsection (2). As I see it, common law will apply, whereby a doctor must participate in treatment which is required and which, if not given, might result in the death of a patient.

Clause, as amended, put and passed.

Clause 7 put and passed.

Clause 8: Regulations—

The Hon. J. G. HISLOP: I move an amendment—

Page 4, line 30—Delete the words "or confirmation".

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

KWINANA LOOP RAILWAY BILL

Receipt and First Reading

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

TRAFFIC ACT AMENDMENT BILL

Second Reading.

Debate resumed from the 22nd October.

THE HON. E. C. HOUSE (South) [8.44 p.m.]: I noticed that the Minister was not very pleased last night when I moved for the adjournment of the debate on this Bill—

The Hon. L. A. Logan: That is an understatement, is it not?

The Hon. E. C. HOUSE: —but I did so for a purpose. I wanted to try to obtain additional information from the Minister for Police on the Bill and I hoped more members would take the opportunity to speak to it, as it is a measure that will have far-reaching effects on the motoring public. This cannot be helped, but the measure virtually revolutionises the penalty system of driving, and we should make absolutely certain there is nothing in it that afterwards could be regretted.

The Minister for Police made it quite clear to me today that the reason for putting out the schedules was so that members could have a look at them and comment on them, and not just for one member to suggest that he likes or dislikes certain aspects. The Minister wanted, more or less, a broad cross-section of opinion from members. In other words, he suggested that if we go along with the suggestions in the schedules, then the penalties will be taken from the relevant schedule almost *in toto*.

I think the points system is a beneficial move. I doubt if any member would be qualified enough to say that he disagreed with it, and that it would not in any way benefit the Act, and improve the general behaviour of drivers. However, I would like to point out one or two things in the schedule which I do not particularly like. One must realise that as it stands at the moment, one has to lose a total of 12 points to qualify for a penalty of three months' suspension from driving. With minor traffic breaches and so on much could happen, and possibly it might not take long to build up this number of points. Three years is a particularly long time to keep one's record clean enough for one to be on the safe side of the ledger.

First of all, I would like to say that most of the provisions contained in the schedule are now more or less the law. All the Government has done, virtually, is to raise the amount of the fines, and the penalties, for each breach of the Traffic Act. So, there is very little difference except that for each and every one which comes under the heading of a minor breach of the Traffic Act, a driver loses one point.

I would suggest to the Minister for Police that the schedule be carefully examined and that those offences which have no relation to the cause of an accident, should be deleted from the points system. Those which do have some bearing on the general accident rate should be left in the schedule. For instance, at present in the schedule we find penalties for roller skating and playing games. These were probably meant only for the younger people who probably do not have a driver's license. However, one never knows. I have quoted that as an extreme example, but there are many other instances in the schedule which I feel could well be excluded from the points system.

I was a little disappointed, as was Mr. White, that some of the offences and penalties seem to have been almost copied from some other source. It is obvious to me, that the rule governing driving to the left of the centre of the highway, when one is prohibited from doing so, has been copied from the Canadian law. I should think that the rule governing give-way-to-the-right was just copied, and not much notice was taken of it.

I think the schedule is important enough for someone to sit down and work out what applies to this State only. Because of our size, we probably have problems different from those in other States and countries. With our long stretches of road we would probably have problems which are unique, and we could have a system of our own.

Another point I would like examined very carefully, and one which I feel could cause many problems, relates to failing to yield the right-of-way, but not causing an accident. I suggest this could possibly cause a great deal of confusion, and I do not think we should introduce anything which could be a problem later on. I say this could do just that.

Giving way to the right is a contentious subject, but we have got used to it. We must have some regulation. However, the question of losing points when one fails to give way to the right, but does not cause an accident, is something which should be looked at a second time.

In view of the seriousness of the points system, I would like some consideration to be given to the period of suspension of drivers' licenses. Instead of having three months' suspension on the first count, it could be a month for the first time, two months for the second, and then three months. A number of people will be involved, and I feel the idea is not so much to punish, but to try to educate people and make them aware that they have to obey the law. Therefore, I think a month's suspension, in the first instance, would be enough, without applying the severe penalty of three months.

It is fairly awkward in the country when one loses one's license for three months. We have not the same transport facilities as are available in the metropolitan area, and there are as many country people involved in this matter as there are city people. So I think this is quite a sensible suggestion, and I would like the Minister to give some thought to it.

I would like to mention the traffic situation generally as I, and I think all other members, see it. It is a continual worry to see the ever-mounting number of accidents and deaths. We should not let ourselves be lulled into a false sense of security because things have quietened down for the time being. We should be looking for bigger and better ideas and suggestions. I think the main thing is the training of drivers.

The Hon. F. R. H. Lavery: Hear, hear!

The Hon. E. C. HOUSE: We have 371,652 licensed drivers in Western Australia for the year 1967-68. Of those licenses, 39,409 are new ones. That is a terrific number of untrained people to be suddenly let loose on the road, and it would seem that we should change our ideas on the issuing of drivers' licenses. A driver's license should be the result of education over a fairly extensive teaching period. I hope I am not out of order in getting off the Bill, but I think when we have an opportunity to discuss the traffic problem we should do so, and make suggestions and be as helpful as possible.

The only way we can do anything to improve the driving ability is to educate the younger drivers. I am not saying that I, and possibly other older drivers, could not do with a little smartening up in this direction. However, old habits die hard

and we were brought up and taught to drive when there was not much traffic on the road, and some of us have got into lackadaisical habits. However, this does not apply to young people who sometimes own very fast cars. Whatever policing facilities are provided, those young people will not be stopped from trying out their vehicles.

I think we should have more films available to show to young drivers, and provide for a probationary period so that they have to come back for a further test before they obtain their proper licenses. I suggest that a cross-country course be included in the driving test. It is not sufficient just to be able to drive around the city at 30 or 35 miles an hour, and do all the right things and have no idea what could be encountered in the country. I refer to gravel roads, wet conditions, night driving, driving at a fairly high speed, and so on.

I am not altogether in favour of the 45 mile per hour limit to be applied to probationary drivers for a period. The alteration to the permissible alcohol content will be made by Act of Parliament, and the 45 mile per hour speed limit will be introduced by regulation, as will be the introduction of the "P" plate. The introduction of the points system is provided for in the Bill now before us. I would like members to bear in mind that this Bill applies only in broad principle, and that everything else will be done by regulation. So if members do not take any notice now, it could be possible that they will not be aware of what some of the regulations mean when they are gazetted.

The 45 mile per hour limit on probationary drivers can only affect country driving, and it can present a hazard. There will be a differentiation of 20 miles per hour between the ordinary licensed driver and the probationary driver, and this will cause a build-up of traffic. Personally, I would like to see this modified.

A young driver who has just got his license should be taken on a 200-mile trip, and forced to drive at 60 to 65 miles an hour, provided he has a competent driver with him. That would be an experience he would not forget—and one which the instructor would not forget, either.

This practice is already carried out in the training of pilots. They are put through every hazard that one can think of so that they will know how to cope. I would think that driving is very little different from the training of a pilot; all pilots go through a period of over-confidence.

This applies with young drivers, too. They reach the stage where they think they have the game sewn up. This is the difficult period and probably why so many accidents are occurring in the younger age group. They have no idea of high speed highway-road hypnosis. As members know, when one has been driving for 60 or 65 miles per hour for a long period and then slows down to 30 miles per hour, one feels as though one could get out and walk at a faster speed. This is something which should be made part of the training of young drivers, because it occurs to every driver and increases the danger.

That is why we should have more graduated speed limits and the corners should be marked at safe limits, even if only as an indication that the corner is not too good and should not be taken at the ordinary speed limit.

I have some very interesting literature which relates to the situation on a world-wide basis. I do not intend to read all of it, but it represents the findings in different countries. Each and every country is experiencing the same problem of accidents on the road on an ever-increasing scale with respect to the number of vehicles to the number of population.

I should like to quote from the French report. It states—

> There is still widespread opposition to imposing speed limits for other than the young or very old on open roads. A major reason, in the words of one authority: "A Frenchman still regards his car as an extension of his ego, a form of self-expression rather than simply a means of transport. Driving is viewed as a competitive sport."

The last sentence is an apt expression to apply to many young drivers who are in our midst.

In America at the present time the emphasis is on car manufacturing, and on trying to incorporate more safety features in cars. Germany does not seem to think that this has any effect, because a very high standard exists in Germany, but it still experiences a very high accident rate. The authorities there attribute only two per cent. of fatal accidents which occur in Germany to faulty cars.

Of the United States it is said—

> Highways abroad are often ancient and inadequate to handle the growing horde of cars. Drivers and pedestrians, in many countries, are still not at home with the auto. Careless, if not reckless, driving is common. Speed limits, when imposed at all, are often ignored. So are traffic signs and signals. Enforcement of the laws is frequently lax.
>
> The best way to see what is happening is to look closely at the record, country by country.

There is no doubt it does not present a pretty picture in any of the countries one likes to name.

One other quotation which I would like to mention concerns a comment made by the director of a safety research project

at Columbia University, which was concluded in 1962. The comment was made after the habits of 4,000 motorists had been studied. The director said—

> The slow driver was generally "a poor driver who characteristically acts to impede traffic flow by blocking other motorists and fails to signal when changing speed and position."

The gentleman concerned also condemned the driver who goes too fast. I had these comments in mind when I mentioned the 45 miles per hour speed limit on country roads for probationary drivers. To my mind it could be more of a hazard than a benefit. If drivers are taught to driver properly they can handle this situation.

One other point I would like to mention concerns the closeness of vehicles in traffic. I should know the actual distance, but it escapes me at the moment.

The Hon. F. R. H. Lavery: It is 30 feet.

The Hon. E. C. HOUSE: Is it one car to every 30 feet?

The Hon. F. R. H. Lavery: Yes.

The Hon. E. C. HOUSE: Big trucks and cars bank up and present a hazard on the road. Personally I think the distance should be increased and the penalties made more severe. Possibly this kind of action would help.

The other point to which I wish to refer concerns parking on the side of the road. There is far too much of it and it represents a real danger. At night time one does not know whether one is going under a truck or into the back of another car. We should not take these things lightly. They should be strictly policed and the penalties made fairly severe.

I know all members will go along with anything which will lower the accident rate on the road. Any suggestion would have their full support. However I consider we need more than the provisions contained in this measure, as I have tried to point out.

I will conclude on the point that we should look very closely into the issuing of drivers' licenses and make the course much tougher and longer. We should go into this aspect much more extensively than we do at the present time. In addition, we must not forget the cars themselves. Supervision would have to be at a Commonwealth level, but it must be remembered that now we can buy a brand new car, drive it through a little water and find that the car has no brakes, or that the brakes grab, which causes the car to tip to one side. This might be all right for an experienced driver, but it is not all right for drivers who do not have many hours of driving behind them.

I support the measure and I hope the Minister will look at the points system and try to sort it out so that it is sensible. As I have said, I know all members would support any other measure which had the intention of reducing the accident rate on the road.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.8 p.m.]: I appreciate very much the approach which members have taken in speaking to this Bill. I would like to inform the last speaker, Mr. House, that I am sorry if I looked so annoyed the other evening when he asked for an adjournment of the debate on this Bill. The only sense of displeasure I had was in regard to not having the opportunity to reply, there and then, to what Mr. Clive Griffiths had said. I felt that his remarks would be interpreted in a certain way by the Press, and that is exactly what happened. I would have liked to be in a position to correct the impression which I felt the honourable member was creating. Had I been able to do so, the situation would have been saved and the Press would not have had the occasion to say, "Not all people go to court."

I do not for a moment think this was the impression which Mr. Clive Griffiths tried to convey, but it was most definitely the interpretation given by the Press in the article in the paper this morning. To my mind the article seemed to indicate that if one had a friend at court, or a friend in the Police Department, one would not necessarily be charged. I repeat that I do not feel that is what the honourable member meant and it is certainly a long way from the situation. That is the only reason I felt I would have liked the opportunity, then and there, to jump to my feet and say that it was wrong. If I had had that opportunity, the Press could have heard both sides of the question at the one time.

I would like to deal firstly with the remarks made by Mr. Dolan. The Government does not want to give the impression that it is chasing revenue. It wants to give the impression that it is trying to do all that it possibly can to lower the toll on the road.

The Hon. J. Dolan: I understand that.

The Hon. A. F. GRIFFITH: That is what the honourable member said.

The Hon. J. Dolan: That is right.

The Hon. A. F. GRIFFITH: Together with Mr. Dolan I wonder how far we should go to achieve this objective or whether we should increase the penalty. I am not necessarily in favour of increasing penalties merely because one range of penalties does not bring about the desired result. However, there seems to be an end to what one can do to prevent this.

Only today when I came to the House at lunchtime I saw two clowns—I can only describe them as such—racing up Harvest Terrace. I have no idea who they were

but one tore to the right around the corner and the other one carried on speeding up Harvest Terrace. What these two people were doing, or what they hoped to achieve, is just beyond my comprehension.

The Hon. J. Dolan: They do not know themselves.

The Hon. A. F. GRIFFITH: If a car had been coming quickly down Parliament Place I know what one fellow would have achieved. Because he had not given way to his right, he would have met with a very severe accident. I could not understand it, because he was going around that corner at such a speed that his tyres were screeching.

The Hon. E. C. House: It is so hard to police all these things. It would be necessary to have an army.

The Hon. A. F. GRIFFITH: He was gone before anyone could do anything about it; but the regrettable part is that one finds this occurrence so often. One of the functions of the Bill is to attempt to get more policemen on the road so that this sort of person might be caught in the act of doing what I have just described. If he is caught and his offence is sufficient for his license to be taken from him, then the taking of the license, as Mr. Lavery said last night, is the real leveller.

Mr. Dolan raised a point in connection with a man who comes from another State in Australia and who has a current driver's license which has been issued for five years. The license may have more than 12 months to run, and we must bear in mind that the Bill provides for the lesser of the two.

The Hon. J. Dolan: Yes, the lesser of the two.

The Hon. A. F. GRIFFITH: I simply cannot give the answer to Mr. Dolan, because I have not had time to check it. However I would certainly say that it would not be Western Australia's intention to make a contribution to him through refunding the difference on his license. He should apply to the State from where he came if he wants any alleviation. On the other hand he may think it is so trivial that he would not apply for a refund. Again it may be his intention to go back to his State of origin and, in that case, not much harm would be done. In any case, not a great deal of harm would be done.

The Hon. J. Dolan. There would not be many.

The Hon. A. F. GRIFFITH: To my mind Mr. Clive Griffiths got hold of the wrong idea when making his speech. I would simply like to explain that any constable or traffic inspector who apprehends a traffic offender may, if he thinks the circumstances warrant it, issue the offender with a caution. He does not necessarily have to issue him with a ticket; this would amount to his breaching the Act and doing something for which he may subsequently be charged.

Similarly, a senior officer may review the action of the constable. It is surely essential for a number of reasons that a constable's action on the road in relation to apprehending a traffic wrongdoer should come under the surveillance of some senior officer. The constable reporting an offence for prosecution to his senior officer may find that there is some technical situation in which the charge may not be sustained. Consequently a decision could be made not to go on with that case.

It could be that in his view a prosecution is not warranted for some reason or other. He may administer a caution verbally or in writing, or he may decide to send the offender to a lecture on safety given by the National Safety Council. The officers of the Police Department do not feel there is anything wrong with this procedure, and I agree with them. If every traffic offender had to appear before the court, no doubt the department could be accused of chasing revenue, but the police err on the side of giving the offender the benefit of the doubt.

The Hon. F. R. H. Lavery: That is part of the education angle.

The Hon. A. F. GRIFFITH: That is correct. A senior police officer would not administer a caution or send an offender to a traffic lecture unless he first examined the report submitted by the apprehending constable. It could be that a senior officer may be in possession of facts unknown to the constable who had apprehended the offender.

The Hon. C. E. Griffiths: I maintain the constable should be consulted. That is what I said, but you suggested he should not be consulted. The answer to my question was that he was not consulted.

The Hon. A. F. GRIFFITH: To this point of time I have not dealt with that side of the honourable member's speech, but if he will only contain himself a little longer, I will. What is more, the more impatient he becomes, the more trenchant I will become. The position is that after the few inquiries I have been able to make, I find the only piece of incorrect information I did supply to the honourable member was that on occasions the apprehending constable is consulted, but perhaps not on all occasions. I just checked on this information, because the honourable member made such a hullabaloo about it last night.

The Hon. C. E. Griffiths: They were the answers I got, and I can do no more than take notice of them.

The Hon. A. F. GRIFFITH: Oh, yes, the honourable member can! He can do what he did; that is, he can go on asking a series of questions and make the speech he made yesterday evening.

The Hon. C. E. Griffiths: That was two years ago.

The Hon. A. F. GRIFFITH: Two years ago or not, the honourable member will find the Minister is perfectly willing to clear up any doubts in his mind if he considers there is any matter on which he must ask a question again. I will continue from the point at which I was interrupted. The offending constable may not have all the facts. He may not know that a person apprehended has a previous record. It could be that the offender has an extremely long list of offences recorded against him. On the other hand the offence for which he was apprehended by the constable may be his first offence and he may have a perfectly good excuse which he can make to the senior officer if he is given the opportunity so that the senior officer may be in a position to know whether or not he should proceed with the prosecution.

Frequently, because the apprehending officer only has knowledge of the one apparent breach of the Traffic Act and of nothing else relating to the offender, the senior officer could be the better judge of the situation. The senior officer may decide that the man who comes before him is an argumentative type and therefore he would not be a satisfactory subject to send to the National Safety Council safety lectures. On the other hand he may consider that the offender would suitably respond to treatment of that nature.

I know a friend of mine who committed a traffic offence and he attended the traffic safety lectures for many nights. When the course was completed he told me it was one of the most enjoyable experiences he had ever had. What on earth would be the use of prosecuting a man such as that?

The Hon. C. E. Griffiths: No use at all. All I am saying is that everyone who is pulled up by a traffic constable should have it made known to him that he is entitled to appear before a traffic inspector and, if it is at all possible, he should be absolved from the charge.

The PRESIDENT: Order!

The Hon. A. F. GRIFFITH: I think this is plainly the situation, and I do not think there is any need to change it. It is good public relations to allow a member of the public to appear before a senior police officer to have a talk with him, and in those cases where an offender ought to be cautioned, in fact he is.

The Hon. S. T. J. Thompson: The same does not apply with traffic inspectors; they have the last say.

The Hon. A. F. GRIFFITH: I would say that the court has the last say.

The Hon. S. T. J. Thompson: I did not get to that stage.

The Hon. A. F. GRIFFITH: Finally, I wish to say to Mr. Griffiths, that with the introduction of these scheduled penalties there may be more people who will pay a fine on the spot, and therefore this should please him all the more. In the Press this morning the suggestion I did not like to read was that if one had a friend at court, one did not have to face the music. It was very unfortunate indeed that that appeared in the Press. When I heard of this it was obvious to me what the headline might be. I know that the Standing Orders do not permit me to read the newspaper report, but I feel sure that every member of this Chamber saw it.

The Hon. F. R. H. Lavery: Could you tell us something about the stamp duty being paid on the purchase of a vehicle?

The Hon. A. F. GRIFFITH: All the Bill sets out to do is to ensure that the stamp duty is paid at the same time as the transfer fee. The transfer will not be effected unless the appropriate stamp duty is paid. The obligation to pay stamp duty is covered under the provisions of the Stamp Act but there is no corresponding provision in the Traffic Act. To rectify the situation a man who holds a receipt for the purchase of a motor vehicle—

The Hon. F. R. H. Lavery: It was my error.

The Hon. A. F. GRIFFITH: It was not an error. The honourable member brought this matter to my attention and it gives me an opportunity to investigate the position. The Act at present provides for the recovery of the transfer fee when a vehicle changes hands, and what happens is that although the transfer fee is paid, the stamp duty can be recovered only by civil action. Therefore in the future, to ensure that the stamp duty is paid at the time the vehicle changes hands, the appropriate amendment has been inserted in the Bill.

The principal matter discussed by Mr. White was in connection with the tabled schedule. That schedule was supplied to the House merely as a guide. I suppose it could safely be said that perhaps someone could have gone through it more meticulously, but I can assure the House it will not be inserted in the Act. It is merely a guide to show what was done in Queensland and Canada; and what was intended to be done in Western Australia.

The Hon. F. R. White: Intended to be done?

The Hon. A. F. GRIFFITH: Yes. It was the intention that that paper should not be copied for the reason that we would not insert in our Western Australian regulations the column relating to Canada. However, I think the points raised by Mr. White have performed this service; namely, having brought the matter to notice, I am now assured that all the

proposals that are intended to be inserted in our regulations will be meticulously checked. I have a note here to that effect.

The Hon. L. A. Logan: That is why Mr. White raised the point.

The Hon. A. F. GRIFFITH: If that is the reason for the honourable member making his comments, he has achieved his objective.

The Hon. F. R. White: Also, my intentions have been realised.

The Hon. A. F. GRIFFITH: That being another one, the honourable member will be satisfied to know he has achieved two points. On that question, once again, the material I provided and laid on the Table of the House was, to my cost, quickly analysed and criticised. The department will watch this point and, in fact, the regulations that are intended will not cover all minor offences.

The Hon. F. R. White: Very good.

The Hon. A. F. GRIFFITH: Clause 11 of the Bill is the regulation-making clause. The regulations will be drafted and laid on the Table of the House for all members to peruse. This is the procedure followed with all regulations. In fact, any member can move to have the regulations disallowed when the House assembles once again.

I will not comment in detail on the remarks made by Mr. House except to say that his suggestion regarding the period of suspension of a driver's license is open to debate. Quite frankly, I am not sure. Perhaps I could express my own point of view, although I suppose a Minister handling a Bill for the Government in this House should not have his own point of view. However, I am sure members will accept my remarks in the spirit intended.

There could be a man who is a persistent traffic offender. He has a complete disregard for the traffic laws of the State. He appears to have no regard for his own safety and, because of that, he certainly does not have any regard for the safety of anybody else.

The Hon. E. C. House: You would catch up with him on the second occasion.

The Hon. A. F. GRIFFITH: What does one do with a man such as that, bearing in mind that none of the offences committed by him constitutes a major offence? It is questionable whether he learns a lesson by losing his license for one month, two months, or even three. The Government has decided that, because of the situation on the roads, we should be fairly severe in attempting to do something to solve the problem.

The Hon. S. T. J. Thompson: Under the proposed provision an offender will be treated more leniently if he is apprehended for speeding, because he will lose only three points. At the moment an offender, even on his first offence, could lose his license for speeding.

The Hon. A. F. GRIFFITH: Yes, that is true, if he is travelling at a very high speed. The honourable member must not overlook, of course, the other sections which will remain in the Traffic Act and under which regulations will be made. I appreciate the attitude that has been adopted by members towards the Bill. Everyone who has spoken to it has been in favour of it in an endeavour to support the Government which is trying to find some solution to the road toll problem. I suppose it is a matter of trial and error in a way.

The Hon. F. R. H. Lavery: Can we expect that the points system will be introduced immediately?

The Hon. A. F. GRIFFITH: No, but I do not think the Commissioner of Police will waste any more time than he has to. Of course, as I have said, the offences listed will have to be meticulously examined before the regulations are promulgated. I do not think the Commissioner will waste any time in drafting the regulations.

The Hon. F. R. H. Lavery: I am thinking of the Christmas period approaching and of the large number of new vehicles that will be appearing on the roads.

The Hon. A. F. GRIFFITH: I cannot comment on that. Although it is not mentioned in the Bill, a move is foreshadowed to lower the permissible alcoholic content in the blood of drivers in respect of drunken driving. This matter is also to be under surveillance. This is another attempt to reduce the toll on our roads. I conclude by thanking members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Section 69 amended—

The Hon. F. R. H. LAVERY: In discussing the points system the question was raised in another place as to who in fact will lose the points—the owner of the vehicle, or the driver for the time being. No satisfactory answer was given.

The Hon. A. F. GRIFFITH: This clause seeks to amend section 69. I have already told members that at times the police officers have difficulty in identifying alleged offenders.

The Hon. F. R. H. Lavery: Such a case was reported in the newspapers yesterday.

The Hon. A. F. GRIFFITH: A police officer might apprehend a person who is driving a car at night and ask that person

for his name and address. The officer might also ask the person whether the car belonged to him, and he might be told that it did. If the offender gives the name and address of someone else, and a charge is made against that person, then when that person appears before the court he can give evidence in rebuttal—that he is not the offender involved. If no evidence is given to the contrary it is presumed that the person named in the complaint is the alleged offender. It should be borne in mind that a person who gives a false name and address to a police officer is guilty of an offence.

Previously there was an open go. A police officer taking the name and address of an offender at night might have difficulty in identifying that person when the case comes before the court. Many offenders have been acquitted because the police officers found difficulty in identifying them.

Clause put and passed.

Clause 10: Section 74 added—

The Hon. S. T. J. THOMPSON: Under proposed new section 74 (1) does the police officer have to prove that the person concerned had committed the offence?

The Hon. A. F. GRIFFITH: As I understand the position, a police officer might apprehend a driver who is doing over 50 miles an hour and book him. If the driver admits he has been travelling at that speed he will have the opportunity to pay the fine; if he does not then the case will be taken before the courts.

The Hon. S. T. J. Thompson: The police officer might be acting on information received.

The Hon. A. F. GRIFFITH: He has to apprehend the person and give him a ticket.

Clause put and passed.

Clause 11: Section 75 repealed and reenacted—

The Hon. J. DOLAN: I want to correct an impression which I might have given. When I said that the revenue had increased from $16,000 to $150,000 I did not wish to convey the impression that the Government was looking for money. I used those figures to illustrate a wide divergence, in order to impress upon members that increased penalties are not the solution to the problem.

The Hon. A. F. Griffith: I did not think the honourable member gave that impression.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.39 p.m.]: I move—

That the Bill be now read a third time.

THE HON. C. E. GRIFFITHS (South-East Metropolitan) [9.40 p.m.]: In speaking to the third reading I wish to comment on the remarks of the Leader of the House when he replied to the second reading debate. He was kind enough—and I thank him for that—to explain to me that he agreed it was through no fault of mine that some particular item was reported in this morning's newspaper.

I take exception to the fact that, because the Minister was not particularly pleased with the headline in the Press, he endeavoured to make it appear as though I would be content with nothing less than the prosecution of every driver on the road. That is the part of the reply of the Minister which I challenge. He implied that I would not be content unless all drivers were prosecuted, and that I considered no allowance should be made for offenders to give an explanation in respect of the charge, or for senior officers of the Police Department to waive a charge, in preference to sending the offender to attend a traffic lecture. That is not the situation at all.

The Hon. V. J. Ferry: That was the impression you gave.

The Hon. C. E. GRIFFITHS: The honourable member might have got that impression, but that was not my view at all. I have no control over what is assumed by somebody. What I said I will repeat: I fail to see why a police constable, who apprehends a person because the constable considers that person has broken the law, should not be given an opportunity to express his point of view on the case, when a senior officer has been approached by the alleged offender who gives an explanation of the incident and is let off with a caution. Surely if offenders are allowed to give an explanation, the constables concerned should also be given the opportunity to express their point of view on the case.

The answers which the Minister gave in reply to my questions were perhaps incorrect, but I based my speech on the answers which he gave, and I assumed they were correct in every detail. I had no reason to think otherwise. I want to correct the impression given by the Minister that I would be a party to leniency being shown to any offender, if the circumstances did not warrant it.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.45 p.m.]: I am going to say only that I

attempted to go to great lengths to inform the honourable member of the practice employed in the Police Department.

Question put and passed.

Bill read a third time and passed.

MANGLES BAY RAILWAY BILL

Receipt and First Reading

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

MINING ACT AMENDMENT BILL

Second Reading

Debate resumed from the 22nd October.

THE HON. R. H. C. STUBBS (South-East) [9.46 p.m.]: The Bill before the House is to amend the Mining Act 1904-1965, and is a very short one but, nevertheless, very important to the prospectors. It should be generally satisfactory to most of them.

Seven members of Parliament, all representing goldfields electorates, met the Minister for Mines on the 21st August this year. The deputation was led by Mr. T. D. Evans, M.L.A., Kalgoorlie, and consisted of Messrs. T. D. Evans, Burt, and Moir, members of the Legislative Assembly; and Messrs. G. E. D. Brand, Berry, Garrigan, and Stubbs, members of the Legislative Council. The case was put to the Minister and each member expressed his point of view. The Minister listened very patiently and the result of the deputation was that through the leader we were invited to make submissions to the Minister for his consideration, or to suggest draft amendments to sections 26 and 28.

Whilst all that was requested of the Minister was not obtained, I feel it is fair comment to say that the Minister made a fair, genuine, and reasonable attempt to meet the situation which existed.

The section in dispute provides that land held under a miner's right cannot be occupied by anyone else. It was agreed by the deputation that this is an anomaly. Prospectors at various meetings, and also publicly, have stated that gold prospectors are being squeezed out of mining areas as the result of the mineral boom. It was further said that most of the worth-while land had been taken up in temporary reserves or mineral claims. It had been said also that companies had been granted prospecting land as temporary reserves or mineral claims, thus restricting the genuine prospector.

Under this Bill a prospector will be able to enter a mineral claim after the claim has been in force for 12 months, and peg a prospecting area of 24 acres. I think this is fair and reasonable. The application will be approved or rejected by the Minister after a recommendation has been made by the warden on the evidence submitted to him.

The proposed new subsection (12) to section 26 will enable the miner to enter a mineral claim, but he will not be able to mine. He will be able simply to prospect. That is my interpretation of the amendment.

Two new sections, 28A and 28B, will provide the machinery under which the application can be made. Subregulation (14) of regulation 55 will validate the granting of previous applications. In other words, it will make the provision retrospective.

I think everyone connected with prospecting generally will be satisfied with the amendments. They will enable prospectors to look for gold and then peg a lease under the circumstances allowed. If a prospector's case is strong enough, the warden will probably recommend to the Minister that the application be approved. I therefore support the Bill.

THE HON. J. J. GARRIGAN (South-East) [9.50 p.m.]: I rise to say just a few words in support of this Bill. Everything I had intended to say has already been covered by my colleague and friend, Mr. Stubbs.

I remember that some time ago I asked the Minister for Mines a question concerning prospectors. I do not have a copy of it with me, but it was something like this—

> Can a genuine prospector go on a mining lease or reserve?

The answer was that he could if he were a genuine prospector. Evidently since that time it has been discovered that prospectors must wait 12 months before they can enter a mining lease or reserve. That is as I see the situation.

Whilst I am on my feet I would say that it is not only the mining reserves which are holding up prospectors. Many individuals have mining leases which they have never worked. In some instances to my knowledge these leases have been held for six or seven years, and were acquired in the first place merely for speculative purposes. I believe the warden should have a look at these leases and make them available to the genuine gold prospector.

I commend the Minister for submitting this Bill at such short notice. I am sure it will meet with the approval of the prospectors. Some very well attended meetings have been held, one of which was attended by the Minister. However, without further ado, I support the measure.

THE HON. G. E. D. BRAND (Lower North) [9.52 p.m.]: I, too, wish wholeheartedly to support the Bill. I have not had the opportunity to attend the meetings at Kalgoorlie, as have our friends

across the way, but I do know that this situation has been a thorn in the side of the prospector for a long time. It is pleasing that the Minister listened to the deputation and was willing to make this amendment, and I thank him most sincerely. I will not deal with the machinery provisions, which have been covered already.

THE HON. G. W. BERRY (Lower North) [9.53 p.m.]: I was a member of the deputation to the Minister and I rise merely to support the Bill and to commend the Minister for his prompt action in amending the Act as requested by the deputation.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and transmitted to the Assembly.

IRON ORE (HAMERSLEY RANGE) AGREEMENT ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.57 p.m.]: I move—

> That the Bill be now read a second time.

This Bill proposes ratification of an agreement, the significance of which relates to the processing of iron ore within Western Australia. Another Bill currently before Parliament, and which is complementary to this measure, is the Iron Ore (Hanwright) Agreement Act Amendment Bill.

In explaining the provisions contained in the Hamersley Range Bill, it will become apparent that the provisions of the two measures are so closely related that the explanation of one would be incomplete without intrusion into the provisions of the other. I shall, therefore, speak in some detail upon the measure now before the House and when it is necessary to refer to the Bill covering the other agreement, I shall ask members to bear these references in mind in order that it will not be necessary to cover the same ground when explaining the Hanwright agreement Bill. This will enable the introduction of the other measure at the second reading stage to be restricted to essential formalities.

Hamersley Iron Pty. Limited is the main force behind these agreements. After completing the construction of major port and mine facilities, a 180-mile railway, and townsites, within a period of 18 months, Hamersley Iron commenced to export iron ore in August, 1966. It then proceeded to secondary processing, almost 11 years ahead of its obligation under the agreement with the State.

The particularly significant features of the agreement contained in this measure may be summarised as follows:—

1. A firm commitment to produce metal in the north by the end of 1972. And this represents a major breakthrough as a supplier of natural and processed materials to steel industries of the world, which have not indigenous raw materials.

2. The possibility of fuller and more balanced use of the high-grade ore deposits, such as Tom Price.

3. An assured long life to Tom Price town through the development of Paraburdoo.

4. A major water pipeline from Millstream to Dampier with obvious advantages when we have to supply large volumes of water to the Cape Lambert-Roebourne area.

5. Expansion of harbour development at Dampier and the birth of a new town at Karratha, which will be about eight miles from Dampier.

6. The building of a new town at Paraburdoo to take its place along with the towns of Tom Price, Newman, Goldsworthy, Dampier, and Karratha, and which will be approximately two-thirds the size of Tom Price, and of the same standard.

7. An assurance that large-scale geological, engineering, economic, and market studies of the remaining Hanwright areas will be undertaken with the backing of a major company such as Hamersley Iron. Through this means, we will best determine with certainty the future of the old Wittenoom town and other related areas.

8. A continuation of the work loads of our engineering and other important industries extending far beyond the Pilbara itself.

The full extent of the ultimate investment involved is not readily assessible, but may be gauged by the Paraburdoo project alone, which, as an extension of the Hamersley Iron project, will involve expenditure in excess of $300,000,000 when the fundamental structure and processing plants have been completed.

The Hanwright areas to be developed under the Mount Bruce Mining Pty. Limited part of the total project will, if Hamersley Iron exercises its option, involve a similar sum. In the Mount Bruce phase of the project, the Australian component will increase considerably and perhaps to 50 per cent. This company will initially be 75 per cent. Hamersley and 25 per cent. Hanwright Iron Mines. But the final lineup of the capital structure of the Mount Bruce part of the project has yet to be resolved. However, there will be a

substantial Australian component in excess of the proportion that will be held by Hancock and Wright.

It is desirable at this point to mention that the figures of capital commitment in the agreement are minimum sums and that, in reading the agreement, this should be kept in mind, for in endeavouring to explain the consequences of the provisions in this Bill, I will try to convey to the House something of the practical aspects of the development as distinct from the minimum legal figures that have been expressed in the agreement itself. In other words, the more important figures from our point of view are the commitment figures given in respect of capacity, rather than the capital figure that is involved, as the ultimate capacity commitment will dictate the final investment.

This Hamersley Range Bill proposes that a temporary reserve previously held by Hanwright Iron Mines be transferred to Hamersley Iron Pty. Limited. Hamersley Iron is required by the 31st December, 1968, to submit detailed proposals to the State and, when these proposals are approved, the State will grant a mineral lease to Hamersley Iron of an area not exceeding 50 square miles. Indeed, the company is well advanced with this engineering to the point that it has been able to discuss the proposals and reach general agreement with our own engineers on the shape and form of the engineering to be undertaken.

It is required that the proposals submitted by the company cover mining activities; any further harbour or port development; the railway between the mining area and the company's existing railway from Tom Price to Dampier; a townsite on the mining area, including a school, hospital, and other amenities; and development services and facilities in relation thereto. In addition, its proposals must cover housing, water supply, roads, and any other works or services and facilities necessary to meet the company's commitments.

The company is required to commence construction work on the facilities I have outlined by the end of 1972. These are the fundamental structure and economic developments as distinct from metallised agglomerates, to which I shall refer later. Assuming the mineral lease is granted by the end of 1968, construction must be completed by the end of 1975, and in this I refer to the works outlined as distinct from the processing plant for metallised agglomerates which has a separate commitment.

The date by which the company must complete its construction programme varies according to the quantity of product it has to supply under long-term contracts; namely, those contracts which have a currency of not less than three years from the relevant dates thereof.

I think I would explain this latter reference more effectively by pointing out that if, by the end of 1971, the maximum number of tons of iron ore, iron ore concentrates, and metallised agglomerates, which the company is or could become obliged to deliver during 1972 under all long-term contracts existing at the end of 1971, exceeds by 7,500,000 tons the maximum number of tons of iron ore, or iron ore concentrates, which the company now is or could become obliged to deliver during 1972, under present existing long-term contracts, then the company's construction programme must be completed one year earlier; that is, by the end of 1974.

If, indeed, this further explanation could be better clarified, I would endeavour to do so by saying that we have a review period at the end of 1971, and if the company's iron ore contracts and iron ore concentrates contracts have increased by this figure, the company has to accelerate the completion of the facilities at Paraburdoo and the other facilities related thereto. So it is that the company has to complete them by the end of 1974 instead of 1975.

On the other hand, if by the end of 1972, these long-term contracts to be met in 1973 do not exceed the 7,500,000 tons, it is then the time factor for completing the Paraburdoo and other associated facilities will be extended one year to 1976. The main year is 1971. At this point it is considered that the company will be in possession of the required contracts by that date and therefore will have to accelerate construction.

The agreement also provides for a more advanced form of processing to be undertaken in this State at a much earlier date—in fact, 17 years earlier—than under the existing Hanwright principal agreement, as the company is required to submit proposals in 1970 for the establishment of a plant to produce metallised agglomerates according to the following timetable:—

Proposals in 1970 for 1,000,000 tons per annum plant by 1972.

Proposals in 1975 for 2,000,000 tons per annum plant by 1977.

Proposals in 1978 for 3,000,000 tons per annum plant by 1980.

The metallised agglomerates represent a product having an iron content of not less than 85 per cent.

Progression to 3,000,000 tons of metallised agglomerates by Hamersley is 16 years ahead of the programme for metallised agglomerates in the original Hanwright agreement. That agreement provided originally for metallised agglomerates, but the original Hamersley iron ore agreement did not.

The construction of a plant for producing these agglomerates or expanding this plant is conditional on the feasibility of

such a project. Should the company consider this metallising operation not feasible for technical, economic, and/or other reasons, it may submit these reasons, together with supporting data and other information. Economic reasons would, necessarily, include markets.

Should the Government not agree with the company's non-feasibility submissions, the company may then request that the Government appoint a tribunal to adjudicate. If the company does not request this, the metal agglomerate commitments will stand.

The structure of the tribunal is rather unusual and calls for some explanation as to why it is to be in the unusual form decided. It will consist of a judge of the Supreme Court—or a commissioner appointed under the Supreme Court Act—and two other persons, who shall have appropriate technical or economic qualifications.

It is considered that in a matter of such magnitude, so far as the State and the company are concerned, it could not be reasonably dealt with by the ordinary system of arbitration, which would be leaving far too much to one particular person. It is also considered that the State had some rights to have a tribunal, which it would appoint, and one which would have specialised experience. Therefore, instead of having normal resort to arbitration, it was resolved that a tribunal would be set up under a judge, or the equivalent of a judge, and there would be two persons, as already mentioned, with proper technical and economic qualifications as members. These members will be appointed by the Government and as the decisions to be made will be of major importance, for, if for some reasons neither the company nor the State can see that metallised agglomerates will find acceptance in any market, there would be reposed in the members of the tribunal, a responsibility to decide a substitute to give the State an equivalent economic benefit.

Both parties would submit representations and there is provision for the company and the Government to try to reach agreement. It could eventuate that, instead of the company going into metallised agglomerates because of the non-acceptance by a market, the Government might elect that it should produce steel. Such might be a satisfactory solution for the Government and, on the other hand, some other form of product development at a particular time could be acceptable to the Government. The important point is that it has to have the same technical and economic worth to the State and the nation as had been hoped for in the metallised agglomerates proposals.

The tribunal will be defined by this agreement and it will decide what the company has to do. It will decide after considering evidence what it deems to be advisable and economically practicable and, when it states what substitute has to be produced by the company, it will also have in mind that the main test is that it has to be something of an equivalent economic value to the nation. If the company is in default, it will lose its investment under this particular agreement.

As is normal, the agreement provides for default in the due performance or observance of any of the company's covenants or obligations to the State. Certain specific conditions do, however, apply, should the company default in its metallised agglomerates or substituted obligation commitments.

In considering the constitution of the tribunal, the judge will have training in hearing evidence and sitting under him will be two technical officers, one appointed, no doubt, because of his metallurgical knowledge, and the other because of his financial and economic knowledge. So far as the company is concerned, there is a further $200,000,000 in processing involved and it is entitled to state its case to people with proper qualifications to give a judgment, just as the Government is entitled to state its case, and we are not prepared to leave it in the hands of a single arbitrator, as is the case under the Arbitration Act

When I make mention of the company defaulting, the particular case to which I was referring was in regard to the company being in default in providing a metallised agglomerates plant with a capacity of not less than 1,000,000 tons. In such a case, the company may continue to export iron ore won from the Paraburdoo mineral lease to the extent of 37,500,00 tons, or a period of 10 years, whichever first takes place.

Secondly, should the company default in respect of its commitment to provide a metallised agglomerates plant with a productive capacity of not less than 2,000,000 tons, then it may continue to export iron ore won from the Paraburdoo mineral lease to the extent of 37,500,000 tons or a period of 7½ years, whichever first takes place.

Again, should the company default in respect of its commitment to provide a plant for the production of metallised agglomerates with a capacity of not less than 3,000,000 tons per annum, then it may continue to export iron ore won from the Paraburdoo mineral lease to the extent of 25,000,000 tons, or a period of five years, whichever first takes place.

The significance of this is the fact that, unless we are prepared to identify the Paraburdoo deposits for this particular exercise, it would have been impossible to raise the finance. In order to obtain finance for this particular project, it was

necessary to prepare machinery whereby if the company was to be deprived of the leases through failure to undertake the metallised agglomerates commitment, then before the lease was cut off, there would be a reasonable chance for some of the very heavy capital commitment in railways and town to be recovered. Without this, it could have been impossible to have financed the venture.

In each case these periods I have mentioned may be extended as may be necessary to enable the company to fulfil any contract or contracts for the sale of iron ore from the Paraburdoo mineral lease, provided that these contracts have been entered into with the consent of the Government.

These permitted tonnages relate only to a situation when the Paraburdoo railway, mine, and town have been completed and default is confined to metallised agglomerates. Without this approved tonnage, finance of the Paraburdoo railway line, mine, and ancillary erections would be impossible.

Another important default provision is that, should the company default under this new agreement, the State is not entitled to determine the principal agreement —that is, the principal Hamersley agreement. This provision is necessary in order that the company may obtain finance for its new project without impairing the security held by the institutions which have made loans available to the company in respect of its projects under the previous agreement with the State.

We are now entering into a very large new agreement and the commitments will be in excess of the original one. Were we not prepared to endeavour to tie in the two documents at this stage, it would have been impossible to cover the securities. Indeed, it could have been regarded as a breach of faith in respect of some of the securities given for very large amounts in respect of the original project.

Rather than make this a new agreement, it is preferable for it to be an amendment of the original agreement; because we want the two projects—the Paraburdoo and the Tom Price projects—to be merged into one. The ores at Paraburdoo and Tom Price are not entirely different, but they do have substantially different characteristics both as to phosphorus content and the metal nature of the ore, such as friability and so on.

It is in the interests of Tom Price as well as the project generally that this other deposit be opened up fairly quickly, otherwise we will have a situation where there is an over-concentration of one type of ore, and a very good type too, but we will be denying ourselves the benefits of a longer life for the project by not feeding in the other deposit. From the State's point of view, and also from the company's, the two areas should be regarded as a total project and not two separate projects.

I wish now to make some comments regarding the associated measure, which at this point merges into the Hamersley Bill. In the other Bill, there is a reference to Mount Bruce Mining Pty. Limited, and this company may give notice by the 31st December, 1970, that it intends to take over and comply with the remaining obligations of the principal Hanwright agreement.

The amendments to the Hamersley and Hanwright agreements widen the scope for securing a steel industry through Hamersley Iron as during the Paraburdoo development Hamersley steel commitments under its original agreement remain unaltered. If Hamersley decides to exercise its option over the balance of the Hanwright project through Mount Bruce Mining Pty. Limited, its steel commitment under the original agreement is suspended, and only suspended until it is determined whether Mount Bruce will meet this commitment. There are reasons for this and they are related to the overall processing programme.

One further important condition in the agreement is in respect of the supply of power to the company; that is, power within a radius of 30 miles from the post office at Dampier. It is necessary from a State point of view to specify the radius from Dampier, because we do not want to be transmitting power over unrealistic distances.

Should the State give notice to Hamersley before the 1st January, 1977, that it can supply all power requirements at 5c per kwh, then the steel commitment under the original agreement must be met six years earlier. Although the agreement refers to the State supplying the power, if someone can provide the power, under an arrangement with the State, then that is in order. But so far as the agreement is concerned, it must refer to the State supplying the power.

However, if the State grants a mineral lease to Mount Bruce, the advanced timetable applies, provided the State can supply power at a rate of 6c per kwh. Naturally, it is more difficult to achieve a rate of 5c than it is a rate of 6c. However, the reverse applies and at that particular stage, where we would be serving notice on Hamersley, its commitments would be very much greater proportionately because at that stage the company would only be working on Paraburdoo-Tom Price deposits; whereas if we reached the stage where we had given the lease to Mount Bruce, then the deposits would be infinitely bigger, because of the Mount Bruce deposit being incorporated in the total complex.

Referring specifically to the Iron Ore (Hanwright) Agreement Act, the Bill provides in the first place for the mining areas at present held by Hanwright Iron Mines to be reduced by an area known as Paraburdoo—approximately 50 square miles—and, as explained in connection with the Iron Ore (Hamersley Range) Agreement Act Amendment Bill, for this area to be taken over by Hamersley Iron. In other words, the Paraburdoo area is excised from the Hanwright agreement and added on to Hamersley.

The agreement in the Hanwright Bill provides for Mount Bruce Mining Pty. Limited, a combination of Hamersley Iron and Hancock Prospecting Pty. Ltd. and Wright Prospecting Pty. Ltd.—the latter two companies carrying on business under the firm name of Hanwright Iron Mines—to give the State and Hanwright Iron Mines notice at any time before the 31st December, 1970, to the effect that it is desired to take the place of Hanwright Iron Mines under the original Hanwright agreement. In other words, Mount Bruce exercises an option and it has until the 31st December, 1970. In the meantime, the company is committed to undertake advanced and large-scale exploration in geology, engineering, and subsidiaries.

If Mount Bruce does not give notice—and this is very important from Parliament's point of view—Hanwright Iron Mines must meet its commitments in accordance with the schedule provided in its original agreement, and also from a mineral lease granted from its original temporary reserve. When this notice is given, Mount Bruce automatically agrees with the State to undertake all of the obligations contained in the Hanwright agreement; only, it will undertake them more quickly. If Mount Bruce gives this notice, then by amendments to the principal Hanwright agreement it will, subject to Hamersley Iron Pty. Limted agreeing, be empowered to use Hamersley's port at Dampier, the channel, wharf, berth, swinging basin, port installations, air strip, townsite, roads, facilities and services established or to be established by Hamersley at Dampier.

It may, again subject to Hamersley Iron's agreement, use the railway or part of it from Tom Price to Dampier and any locomotives, freight cars, and other railway stock or equipment now in use, or to be provided by Hamersley in the future; and it may use any increase in the capacity of Hamersley's existing pelletising plant beyond 2,000,000 tons per annum. However, this availability of Hamersley's facilities does not reduce Mount Bruce's commitments.

The agreement is also amended to the extent that any proposals already submitted by Hanwright Iron Mines, whether or not they have been approved or determined, are withdrawn. Incidentally, the only proposal that has been submitted by Hanwright has been in respect of port location, and this has not been approved.

Under the present principal Hanwright agreement, the company is permitted to provide a pellet plant with a capacity of 3,000,000 tons per annum by 1979. An amendment under the agreement now before the House provides for Mount Bruce to produce only 500,000 tons of pellets per annum, on condition that it constructs a plant for the production of metallised agglomerates, having an annual capacity of not less than 1,000,000 tons by 1980.

I emphasise that this metallised agglomerates plant in lieu of 2,500,000 tons of pellets is additional to and distinct from, other metallised agglomerates commitments under either Hamersley, Paraburdoo, or Mount Bruce agreements. Expressed another way, the 3,000,000 tons of oxide pellets commitment can be satisfied by 500,000 tons of oxide pellets and 1,000,000 tons of metallised agglomerates. This would represent a substantial economic gain to the State and we hope that the company will concentrate on metallised agglomerates rather than on oxide pellets.

Before the end of 1978—and assuming that the company will not give notice until late December, 1970, and that its proposals will be settled during 1971—it must advise the State whether it proposes to establish a plant for the production of metallised agglomerates with an ultimate capacity of 3,000,000 tons per annum, or whether it will, before the end of 1989, submit detailed proposals for the establishment of a plant for the production of 1,000,000 tons of steel per annum.

In 1978, when the company gives notice whether it wants to proceed with the construction of either a metallised agglomerates plant or a plant for the production of steel, the State may give notice to the company that it is required to produce steel in accordance with the timetable and conditions in the agreement. In other words, the choice is virtually with the State. If the State prefers metallised agglomerates, there is a continuing obligation on the part of the company to submit proposals for increased plant capacity. The submission for the first increase is to be made in 1980 and is to provide for an increase to 2,000,000 tons of metallised agglomerates annually by the end of 1982. Again, in 1982, the company must submit proposals for further expansion so that the plant has a capacity to produce not less than 3,000,000 tons of metallised agglomerates annually by the end of 1984.

It is the second lot of metallised agglomerates which would give a total of 6,000,000 and possibly 7,000,000 tons of mineralised agglomerates, according to whether the company decided that instead

of producing 3,000,000 tons of oxide pellets, it produced 500,000 tons of oxide pellets and 1,000,000 tons of metallised agglomerates. We hope the company produces the 500,000 tons of oxide pellets and 1,000,000 tons of metallised agglomerates instead of the 3,000,000 tons of oxide pellets.

There is a provision in the agreement, similar to the Hamersley agreement, that if the company at any time considers the construction of plant for the production of metallised agglomerates and/or as the case may be the expansion, or further expansion, of the productive capacity of such plant is not feasible, then it must give the State reasons why it considers the metallising operation is not feasible. In that case it has to go through the same procedure as I outlined for Hamersley and the same tribunal could be constituted to make the final decision as to what would be the substitute product of the same economic work.

I have previously mentioned the question of power. If, by 1977, the State Government is in a position to arrange for, or make available, power at 6c per kwh —referred to in the industry as 6 mills per kwh—then the steel commitment will be brought forward six years.

Under the Hamersley part of the project, whereby Paraburdoo is incorporated into the Hamersley deal, we get out of that a very tight programme, starting in 1972, of 3,000,000 tons of metallised agglomerates. The company at this stage retains its steel commitment as in the original agreement. If the option is exercised by December, 1970, to go on with the Mount Bruce agreement, then the steel commitment is suspended and transferred to Mount Bruce, with the proviso that it will be met by Hamersley if need be.

In the meantime, this is perhaps the part of the project, once the option is exercised, that will be committed to 3,000,000 tons of metallised agglomerates, in addition to the 3,000,000 tons to be produced from Paraburdoo; and it is possible that a fourth 1,000,000 tons could be added, being a substitute for the 2,500,000 tons of oxide pellets.

It is a rather involved type of agreement, I am sure. We have to read the two agreements in with the two original agreements, both the Hamersley and the Hanwright agreements.

I wish to make some comments regarding the background information so that members will have an appreciation of the importance of the agreement. There have been negotiations and discussions with the steel industries of other countries without indigenous materials to see whether Western Australia can be a supplier of raw materials in a processed form in increasing quantities.

The concept of steel being produced through electrical furnaces is one that is much more real and much more popular than it was a few years ago. From our point of view, this is a very good thing because it enables us to develop markets for metallised agglomerates and similar substances which will lend themselves readily to the production of steel by the electrical method. The electrical furnace method would not have been as attractive had it not been for the change of thinking that is going on in Europe, Japan, and Britain. Regarding the source of power, they are accepting the concept that if they can go to steel by the electrical furnace method, based mainly on nuclear energy produced on a large scale, they will not have to import into their countries large quantities of raw materials in the form of ore or coking coal.

In effect, we are hastening the day, if our concept is eventually achieved, when we will form a close partnership with those countries of the world that have big steel industries, but no indigenous raw materials. We want to get our share of the processing and they want to get their share.

I want to refer to coal development. Every time we try to make progress and try to make it possible to use Collie coal, certain people through the Press and in Collie criticise our efforts and those of Hamersley Iron. The economical difference between landing Queensland coal and Collie coal at Dampier is quite considerable. The Chairman of Hamersley, the managing director, and others are anxious for us to try to find ways and means of bringing this gap to manageable proportions. The company, in association with the State Government, is genuinely trying to find ways and means of providing for at least a proportion of coal from Collie in Dampier's colossal programme. We have not abandoned the prospect of Collie coal being used in this exercise. I must admit this is a tough problem, but it is our desire to find ways and means to close the gap.

In the agreements, there is reference to Plans A and B. Although there is no statutory requirement that they be tabled, I think members would want to see these plans; and I wish, with your permission, Sir, to table these. They contain areas marked as temporary reserves which are different in some particulars from the original Hanwright agreement. When the field surveys were done by experts and the plans reprepared, it was necessary to recast the areas, and the plans I am now about to table represent the recast areas in the light of these surveys and the revised application that was made.

The plans were tabled.

Debate adjourned until Tuesday, the 29th October, on motion by The Hon. H. C. Strickland.

FIREARMS AND GUNS ACT AMENDMENT BILL

Assembly's Message

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

IRON ORE (HANWRIGHT) AGREEMENT ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.34 p.m.]: I move—

That the Bill be now read a second time.

In introducing this measure, which has been drawn up to amend the Iron Ore (Hanwright) Agreement Act, I desire to say that its provisions are closely related to those contained in the Iron Ore (Hamersley Range) Bill, to which it is complementary.

I feel that the main purpose of the terms of agreement entered into under this measure were of necessity explained when I was dealing with the other Bill. I would like to make sure, however, that there is no misunderstanding regarding the relevant phases of the Paraburdoo and the Mount Bruce basis of the complex we are trying to develop. The Paraburdoo part is to be part of the Hamersley project and it is at a very much advanced stage. The engineering and other stages are well advanced and the company has proceeded a long way along the road in negotiating the engineering side of this part of the project with the Government.

The second part—that is the Mount Bruce part—which is a portion of the Hanwright areas—is to be the subject of an intense geological and economic assessment over the next year or two. If Hamersley exercises the option in this center by the 31st December, 1970, the company will be 75 per cent. Mount Bruce and 25 per cent. Hamersley. That will be the company which will accept the commitments in respect of the Hanwright agreement and I feel that there is nothing further that I might add in explanation of this measure.

Debate adjourned until Tuesday, the 29th October, on motion by The Hon. H. C. Strickland.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 22nd October.

THE HON. J. DOLAN (South-East Metropolitan) [10.36 p.m.]: This Bill brings to notice the new taxi-car licenses to be issued. I was agreeably surprised when I read that the new licenses for taxi-cars—

The Hon. A. F. Griffith: Have you had a look at clause 4?

The Hon. J. DOLAN:—are to be given to people who have not held a license.

I do not know whether this is a wise decision or not, but I will leave it to Mr. Ron Thompson to handle the Bill on behalf of this side of the House. I support the measure.

THE HON. R. THOMPSON (South Metropolitan) [10.38 p.m.]: I thank Mr. Dolan for carrying on while I was not present.

The Hon. A. F. Griffith: It was a very good speech.

The Hon. R. THOMPSON: The Bill before us contains 15 clauses, some of which are new; and some of which will repeal and re-enact new sections. In the main, I give my support to the Bill.

If members look at the first clause of the Bill they will see that this Act may be cited as the Taxi-cars (Co-ordination and Control) Act Amendment Act. Why do we have to have brackets around the words "Co-ordination and Control." If one looks at page 2 of the Bill one will find mention of the State Transport Co-ordination Act and the Road and Air Transport Commission Act—and there are no brackets to bracket off a section of the title of those Acts. I believe that now, when reprints of Acts are made, any brackets are taken out. So I cannot see any reason for having them in this legislation. Its title should be, "Taxi-cars Co-ordination and Control Act."

Brackets should not be used so that people will be in no doubt as to what the title means. Candidly, I do not know what the brackets are for; and I do not think they serve any useful purpose.

The Hon. G. C. MacKinnon: That makes two of us.

The Hon. R. THOMPSON: In the main, the Bill makes some improvements to the Act. There are 20 new licenses to be issued; and these licenses will be procured by the successful persons who nominate for them for about 70 per cent. of their current market value—or approximately $5,000—and be payable over a five-year period at $20 per week. As the Minister said, at the present time cabs are being leased for $65 a week; and after years and years of service in the industry, when a person has to leave it, he has no equity in the cab.

I agree with the provisions in the Bill in regard to transfers. A transfer will be permitted only after a five-year period. I think this tends to assist the person who has given some length of service to the industry. If this were not so, we could have someone acting for the companies; and this is not desirable. I can see this creeping into the fishing industry as boats are being bought to the advantage of companies. However, there is very little one can do about this.

The same thing applies in respect of taxis and has done so in the past. I think the Minister and the Taxi Control Board are to be complimented on giving these licenses to people who do not now own a taxi; and it will only be possible on compassionate grounds that a license can be transferred after a five-year period.

Some years ago there were several successful people who got taxi plates. One of them had been a cab driver for some 30 years. About six months after he bought his taxi plates he died, and his wife had quite a battle because she should have relinquished the plates. Eventually, justice was brought to bear and she was able to retain the plates and carry on with the taxi with the aid of a driver. This assisted in her rehabilitation after her husband's death. I think this is the idea of the legislation.

The Minister can, on compassionate grounds, allow a license to be transferred, and any moneys accruing will go to a widow. Similarly, if a person was to relinquish a license, any moneys he has paid in are recoverable.

Further licenses are to be given on a restricted basis. The Minister mentioned such places as Rockingham and Armadale. In particular, I would mention Medina, because with the build-up of Kwinana more ships will be calling there in the future to bring in oil and superphosphate, and take away some of our products—possibly bulk wheat in several years' time. We could have an influx of ships there; and it is not possible for taxis based at Fremantle or near Fremantle to make such a long journey to transport a fare some three or four miles to a hotel.

If that be the case, the issue of a restricted license to Medina and Rockingham is not unreasonable. I see a lot of merit in these licenses, particularly with a build-up of the area to which I have referred. These licenses could possibly be issued in places like Medina, Calista, Orelia—a new townsite—the Hills district, and possibly Rockingham which is also expanding. It is very good, because these areas will then be efficiently serviced by taxis.

In the main, we all know that in some of these quieter places, it is not possible for full-time taxis to operate; this has to be done in conjunction with some other type of employment.

I have no complaints to make about the Taxi Control Board being made a corporate body. I think the Minister explained that in detail, and I need not say any more. However, when I first read the clause which provides for part-time drivers, I hesitated because during the war years there was a great deal of concern and trouble over part-time taxi drivers.

It was not until I read further into the Bill that I understood exactly what it meant. It would appear to me that the part-time operator, at the present time, will be restricted to working on weekends and this will allow the full-time operator to have some recreation. However, this will have to be closely watched and checked, although there is a provision for a statutory declaration from the employer and the taxi-driver to say that the position is not permanent.

I can recall some of the cases in the past when people have worked at their normal jobs during the day and driven taxis all night. This resulted in the loss of much life on our roads, particularly during the war years. Many Americans were killed mainly due to the fault of part-time taxi drivers who were not getting sufficient sleep. They were working at two jobs, month in and month out.

I think the weekend provisions could have some advantages, but we do not want to let the position get to the stage where a person who is working in the industry can become a part-time driver. We could have the situation arise, which I have just outlined, where a person could be doing two jobs and that would not be very good for the travelling public.

I do not think I need say any more. I support the Bill, and I do not think there is much need to speak at length on anything with which one agrees.

THE HON. H. C. STRICKLAND (North) [10.48 p.m.]: There is only one aspect of the Bill that attracts my attention. It seems to be a unique Bill to be brought into force by a free enterprise Government. The clause to which I refer, if I understand the Bill, provides for the issue of 20 new taxi plates by the board. However, they must go to new operators. The plates are not available to anybody who is the holder of a taxi license at present.

The unique feature, to my mind, is that the business of a taxi proprietor is about the only one I know of which is completely restricted by law. It means that a taxi operator—an owner-operator—must remain an owner-operator for the rest of his life. He is not allowed to expand.

That is a different situation from that which applies when a person owns a school-bus service. As a district expands, that person can apply for another bus license; it does not go to another operator. The same thing applies to passenger buses operating in the north, and in other parts of the State. If the bus operators find that their business requires another bus, they simply buy one and operate it.

I cannot see why the business of a taxi proprietor should be restricted. Let us look at the hotel business, for example. As the population grows the Swan Brewery simply buys a block of land, applies for a license, and we have another hotel. It is permitted to build as many as it likes.

My question is: Can this free enterprise Government explain adequately why this particular business is restricted?

The Hon. G. C. MacKinnon: Adequately, for whom?

The Hon. H. C. STRICKLAND: Adequately for those concerned. It could be the taxi proprietors on the one hand, and for me on the other hand.

The Hon. G. C. MacKinnon: That might be difficult.

The Hon. H. C. STRICKLAND: As long as the Minister explains the position; I do not care who he thinks might be adequately concerned. I am concerned and so are the taxi operators, so let us hear the reason for the restriction on this particular enterprise, which is not allowed to expand in what we hear is a very rapidly expanding State.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [10.52 p.m.]: In reply to Mr. Ron Thompson, I am quite unable to find out why the brackets are in the title of the Bill. Suffice to say that they are in the parent Act. Perhaps I could find out the reason, and have them removed the next time the Bill is amended. I do not think we need bother about them at this stage, and I do not think that Mr. Ron Thompson would want us to.

I think the only query Mr. Thompson raised was in regard to part-time drivers, and the comparison he made was in connection with the conditions during the war. He would agree that those conditions were different from the conditions which operate today. Today we have a Taxi Control Board which has done a fairly good job, I gather, and it will watch the position closely. Also, we do not have a shortage of petrol or any of the other problems these days. I was not here at the time, and I do not know what went on, but I can visualise the sort of problems which existed.

Mr. Ron Thompson said he hesitated a little when he saw the reference to part-time drivers, and I think the Minister also hesitated. He approached this with a great deal of caution and was extremely careful in its preparation. We believe that sufficient safeguards have been built in.

I anticipate that answering Mr. Strickland might be a little more difficult. Suffice it to say that this free enterprise Government, which has been successful in its policies, has on occasions found it necessary to impose some restrictions in certain areas in order to ensure a fair, reasonable, and humane attitude to the people in different categories in the State. A few instances come to my mind where such restrictions apply, such as the crayfishing industry and potato growing. These are the areas where it is necessary to keep some sort of rationalism.

I am at a loss to understand the analogy given by Mr. Strickland. This Bill is doing precisely what he has asked for; it is allowing the industry to expand in an expanding economy in an expanding State—to rephrase the honorable member's words.

I would say that a taxi operator could expand if somebody wanted to sell. He could buy another taxi and set himself up in business. I should imagine he would be able to do this even more easily than the setting up of a hotel business, because he would not have to go before a court and have a license issued to him. If the taxi plates were available for sale, he would just buy them.

The Hon. H. C. Strickland: He would have to go before the board.

The Hon. G. C. MacKINNON: That is so; he would have to prove his *bona fides* before the board, but not before a court and he would not be opposed automatically by the police or people from the area where the license was applied for. I can assure Mr. Strickland that the obtaining of a hotel license, even by the Swan Brewery, is not as easy as that. With those comments, I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 to 8 put and passed.

Clause 9: Amendment to section 18—

The Hon. G. C. MacKINNON: Two amendments have been placed on the notice paper. If they are accepted, the deletion which affects lines 14 to 18 of the clause will be as follows:—

> only; and the Minister or the Board, as the case may require, has an absolute discretion to authorise or refuse to authorise any such transfer. ;

This was pointed out in another place. There is quite a long explanation, but the short explanation is merely that the words are redundant because section 9 of the parent Act states that subject to the Minister this Act shall be administered by the board. Consequently the position is covered because exactly the same thing is meant.

Therefore, purely as a tidying operation, it is suggested that the words in this clause should be deleted. In fact, the words imply that application is restricted to only this particular portion, but that is not so. Therefore, I move an amendment—

> Page 6, lines 14 to 18—Delete the passage immediately after the word "Board" down to and including the word "transfer".

The Hon. R. THOMPSON: This amendment has resulted from a request made by Mr. Graham in another place. The Minister there said he would look at the position and, if necessary, effect amendments in this Chamber, and we are quite happy about the amendment.

Amendment put and passed.

The Hon. G. C. MacKINNON: I move an amendment—

Page 6, lines 24 and 25—Delete the words "in its absolute discretion and".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 10 to 15 put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. G. C. MacKinnon (Minister for Health), and returned to the Assembly with amendments.

House adjourned at 11.4 p.m.

Legislative Assembly

Wednesday, the 23rd October, 1968

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

BILLS (3): INTRODUCTION AND FIRST READING

1. Land Tax Assessment Act Amendment Bill.
2. Land Tax Act Amendment Bill.
3. Parliamentary Superannuation Act Amendment Bill.

Bills introduced, on motions by Mr. Brand (Treasurer), and read a first time.

QUESTIONS (23): ON NOTICE

TOWN PLANNING

Shire of Rockingham

1. Mr. RUSHTON asked the Minister representing the Minister for Town Planning:

   (1) Has the town plan for the Shire of Rockingham been submitted to the Metropolitan Region Planning Authority for approval?

   (2) If "Yes," what steps are still required to be taken to make the plan legally effective?

   (3) When is it expected finality will be reached with this plan?

   Mr. LEWIS replied:

   (1) The Rockingham Shire Council has adopted a town planning scheme for the whole of its district. This scheme has been lodged with the Town Planning Department where preliminary examination has been completed. However, modifications are now necessary as the result of the acceptance by the Government of the recommendations of an interdepartmental committee for the development of the area. It is understood that the council is considering ways of effecting the amendments.

   (2) The scheme will be amended and then dealt with administratively under the terms of the Town Planning and Development Act and the town planning regulations.

   (3) In the circumstances of the above it is not practicable to give any estimate.

2. *This question was postponed.*

REGIONAL DEVELOPMENTAL COMMITTEES

Connection with Premier's Department

3. Mr. W. A. MANNING asked the Premier:

   In view of the fact that the Department of Industrial Development is concerned with the decentralisation of industry, why are the regional developmental committees attached to the Premier's Department?

   Mr. BRAND replied:

   The whole question of regional and local committees is currently under review.

   However, it is appropriate to add that the full concept of regional development goes beyond matters of industry alone and it may continue to be necessary to have the final form of regional organisations attached directly to the Premier's Department.

TELEPHONE CONNECTIONS

Business Area, Bayswater

4. Mr. TOMS asked the Minister for Industrial Development:

   (1) Is he aware of the difficulty being experienced by firms moving into the industrial area of Bayswater in obtaining telephone connections?

   (2) As the above condition is detrimental to good business, will the department make representation