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SPECIAL

BRAND (Greenough—Premier) [6.5 p.m.]: I move--

That the House at its rising adjourn until Tuesday, the 6th October.

Question put and passed.

House adjourned at 6.6 p.m.

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

BILLS (14): ASSENT

Message from the Governor received and read notifying assent to the following Bills:-

- Vermin Act Amendment Bill.
- 2. Fire Brigades Act Amendment Bill.
- University of Western Australia Act Amendment Bill.
- 4. Radioactive Substances Act Amendment Bill.
- 5. Forests Act Amendment Bill.
- Brands Act Amendment Bill.
- 7. Sale of Liquor and Tobacco Act Amendment Bill.
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- 10. Evidence Act Amendment Bill.
- 11. Agricultural Products Act Amendment Bill.
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- 13. Anzac Day Act Amendment Bill.
- 14. Milk Act Amendment Bill.

QUESTIONS ON NOTICE

PRICE OF GOLD

Report from Federal Treasurer

- 1. The Hon, R. H. C. STUBBS asked the Minister for Mines:
 - (1) Has the Government received any advice or report from the Federal Treasurer, Mr. Holt, on his en-deavours to have an increase in

the world price of gold brought about by the International Monetary Fund?

(2) If so, could the Minister inform the House of such report?

The Hon. A. F. GRIFFITH replied:

- Yes.
- (2) Yes. I desire to read an extract from the speech made by the Federal Treasurer, the honourable Harold Holt, at the recent meeting in Tokyo of the International Monetary Fund on the question of the price of gold. Mr. Holt made this extract of his speech to the I.M.F. available to me:—

I do wish to dwell on one topic which, having regard to its importance has been given inadequate attention in the reports both of the Fund and of the ten. That is the question of gold. Perhaps it is thought that its relationship to the International Monetary System is so well known as to require little elaboration but the Fund report covers the first thoroughgoing review of the functioning of the International Monetary system made after twenty years of operation. This review remains incomplete without a full analysis of the place of gold in the system. In any discussion on international liquidity, the place of gold, the price of gold and the adequacy of the supply of gold should all receive attention appropriate to their importance. The present international monetary system is largely based on gold. Gold makes up the major part of total international re-serves. It is significant in this context that the major industrialised countries, particularly those of Europe, firmly and persistently retain the largest proportion of their reserves in gold, and there is apparently an undiminishing demand for the metal for this purpose.

The Fund requires each of us to supply a substantial proportion of its assets in gold. Yet in our studies of the problem of international liquidity and possible means of ensuring that it will increase sufficiently in the years ahead, it seems to be assumed far too readily that the supply of gold will prove adequate to needs and that the price of this metal, fixed at dollars 35 to the ounce 30 years ago, should be held at that value. There has been no discussion whether steps

should be taken to increase the supply of the metal that provides the foundation, as well as the greater part of the international liquidity at present.

On page 102 of the Fund Report for 1964 there is a table of the value of world gold production, gravely disturbing in its implications. It illustrates the dramatic decline in gold production in almost every country of the world since 1940. If we leave South African production out of the table, we find that the value of free world production of gold has slumped from U.S. dollars 772 million in 1940 to U.S. dollars 399 million in 1963. Some may take comfort from the fact that the total value of free world production has moved from dollars 1,264 million in 1940 to dollars 1,360 million in 1963. An increase of this dimension in the production value of any commodity would be regarded as modest enough over an interval of 23 years but detailed examination reveals that, with the notable exception of South Africa, whose value of production increased spectacularly over that period from dollars 492 million to dollars 961 million, of the remaining ten major producing countries listed, only one, Ghana, has shown an increase, and this only a marginal movement from dollars 31 million to dollars 32 million. The combined value of all the others has shown a sharp decrease. Of the countries not listed individually but grouped under the heading "Other," the value of production has declined from dollars 157 million to dollars 65 million.

We would have been discussing this question of international liquidity much earlier if gold reserves had not been propped up by South African production, which has more than doubled in value over the past ten years. But even in relation to that source of supply, the Fund report has a sombre comment. It says on page 103 that "South African production will have nearly reached its peak in 1964 or 1965, thereafter it may level off for a few years, and subsequently decline."

It must be assumed from their reports that neither the Fund nor the group of ten contemplate any change in the price of gold. It remains to be seen how

long this commodity can be held at a price fixed 30 years ago. It is against nature to hold it there unchanged indefinitely, regardless of general cost and price movements, and for my own part, I think we merely increase the difficulties of adjustment the longer the adjustment is de-layed. However, whatever views we may hold on that aspect, we clearly need a comprehensive and up to date study by the Fund of the causes of the decline in gold production in so many countries, and an examination of methods whereby the supply of a metal fundamental to the liquidity of the international monetary system can be substantially augmented. I would hope that by the time of our next meeting, such studies would not only have been put in hand, but their results made available to us early enough for a more searching discussion then.

VERANDAHS OR SLEEPOUTS

State Housing Commission Policy

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

What is the policy of the State Housing Commission to existing home purchasers who require extensions in the construction of verandahs or sleepouts in—

- (a) Metropolitan area; and
- (b) country districts?

The Hon. A. F. GRIFFITH replied:

- (a) Subject to elegibility at the date of application for extensions, approval is given to the construction of a sleepout, providing need is established for the extra accommodation and there is a balance of funds available between the original loan granted and the maximum permissible loan at that time. Verandahs are only approved in special circumstances.
- (b) Same as (a).

GOLDMINING INDUSTRY ASSISTANCE

Government Approaches to Commonwealth

- 3. The Hon. R. H. C. STUBBS asked the Minister for Mines:
 - (1) On how many occasions has the State Government approached the Commonwealth Government to make representations for assistance to the goldmining industry since 1959?
 - (2) When were those occasions?

- (3) (a) Will an approach be made in the near future to plead for a more generous subsidy and development allowance for the industry?
 - (b) If not, why not?

The Hon. A. F. GRIFFITH replied:

(1) and (2) The Minister for Mines personally accompanied a delegation representing the several State chambers of mines concerned to Canberra in 1959, in regard to increased Commonwealth assistance. The delegation requested a continuance of the Goldmining Industry Assistance Act and for provision of a development allowance. The Commonwealth Government extended the Goldmining Industry Assistance Act for a further period of three years and gave an increase in benefits.

In 1962, the Government again joined with the chambers of mines in a further delegation to the Commonwealth Government for an extension of the Goldmining Industry Assistance Act and renewed its request for the provision of a development allowance.

These were the two major approaches by the industry and the Government to the Commonwealth Government itself, such approaches being timed to coincide with requests for extension of the expiring Act and added assistance.

The 1962 approach resulted in the further extension of the Assistance Act and also the passing of the Gold Mines Development Assistance Act providing for the payment of a developmental allowance in respect of approved expenditure on development of a goldmining property.

(3) (a) and (b) In view of the present proposal before Parliament for the appointment of an all-party Parliamentary committee to consider the position of the industry and its requirements, it is desirable to await the results of its deliberations, following which a further approach can be made.

CANCER COUNCIL OF WESTERN AUSTRALIA ACT AMENDMENT BILL

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.48 p.m.]: I move—

That the Bill be now read a third time.

1198 [COUNCIL.]

THE HON. J. G. HISLOP (Metropoliton) [4.48 p.m.]: May I ask if the Minister has obtained any information on the clause to which I referred?

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.49 p.m.]: I am sorry, I have not obtained any information for the honourable member, but I shall obtain it and let him have it in due course. I find myself in a somewhat embarrassing situation, because I do not like to confess to not having done something which I undertook to do. I would not like the third reading to be held up; however, I shall obtain the necessary information for the honourable member.

Question put and passed.

Bill read a third time and passed.

CHIROPRACTORS BILL

Recommittal

Bill recommitted, on motion by The Hon. J. M. Thomson, for the further consideration of clause 4.

In Committee

The Deputy Chairman of Committees (The Hon. A. R. Jones) in the Chair; The Hon. L. A. Logan (Minister for Local Government), in charge of the Bill.

Clause 4: Interpretation-

The Hon. J. M. THOMSON I move an amendment—

Page 2, line 16—Delete the words "hand only" and substitute the words "application of infra-red ray heating and by hand".

I thank honourable members for allowing the Bill to be recommitted at this stage. As I said during the second reading debate, I consider it desirable to have included in the interpretation clause some reference to the application of heat which the registered chiropractor will find necessary at times to apply to the body to render flexible the muscles.

The Hon. L. A. LOGAN: I think the Committee dealt with a very similar amendment when the Bill was under discussion previously and it was rejected. I ask the Committee to do the same this time. In this measure we are dealing with the definition of a chiropractor. We are not dealing with a conglomeration including chiropractors, physiotherapists, and osteopaths. We have a standard definition which has been recognised in Scuth Australia, New Zealand, and in most of the States of America. It is not necessary to have this amendment included in the Bill, because at the moment the chiropractor is not debarred from using heat. We have only to read the

definition contained in the Physiotherapists Act to realise that if we include these words we will be getting away from the definition of a chiropractor.

If we read the definition contained in the Physiotherapists Act we will realise that at the moment it is possible for a chiropractor to use heat, and it is not necessary to have this amendment included in the Bill. Since this matter was dealt with last, objections have been received from chiropractors themselves and from physiotherapists and from the medical profession. Therefore I ask the Committee to reject this amendment.

The Hon. R. Thompson: What is the objection?

The Hon. L. A. LOGAN: The objection is that there is no desire to get into another field, and no wish to alter a principle which has been firmly accepted.

The Hon. R. Thompson: What is your argument then if you say chiropractors are allowed to use heat?

The Hon. L. A. LOGAN: There is no need to put this into the definition in the Bill. If we do we will have one definition in this legislation and another in the Physiotherapists Act.

We are setting up a board under this legislation. Surely that board should, after experience, be the authority to state whether or not the definition should be altered. This is certainly not the time to do it. I believe the Committee would be much better advised to leave the Bill as it is without making any further alteration.

The Hon. R. THOMPSON: I do not think there is any analogy between the amendment moved the other night and this one. I cannot understand the Minister's reasoning when he says it is in the Physiotherapists Act but it is not necessary in this one. When we read an Act we consider what is in that Act and not what is in some other Act.

I support the amendment. Anybody who has been to a chiropractor will realise it is necessary to use heat sometimes, and therefore I believe this amendment should be included to give chiropractors the right to use heat in order to manipulate with the least pain to the patient.

The Hon. G. C. Mackinnon: The purpose of putting anything into an Act is generally to specify the method which shall be used. For instance, in the definition are the words "a system of palpating and adjusting...by hand." These words have been put into the legislation not only to specify the way in which things shall be done, but also, by exclusion, the way in which they shall not be done. The inference in this case is that no palpating or adjusting shall be done by machine.

The difficulty is that once we start to include certain things, as the honourable Mr. Thomson is endeavouring to do, we must automatically exclude. I take it that if a chiropractor used a machine on a patient, even if only in an isolated case, he would, under the honourable Mr. Thomson's amendment, be contravening the law. Under his amendment only one kind of heat must be used. As I tried to indicate the other night, the honourable member would have done a disservice to the profession by his other amendment; and, from consultations with chiropractors, I have discovered they believe so too, because an exclusion must limit. If we say that a man shall do this and this, it means he shall not do that and that.

The Hon. H. K. Watson: When you particularise, you limit.

The Hon. G. C. MacKINNON: That is right. This is a fundamental principle of legislative drafting, and one which I respectfully submit the honourable Mr. Thomson may on this occasion have overlooked.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Further Report

Bill again reported, without further amendment, and the report adopted.

BUSH FIRES ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.3 p.m.]: I move—

That the Bill be now read a second time.

It is required under the Bushfires Act that at least three of the six nominees of the Country Shire Councils Association shall be active farmers. This Bill increases the number of persons so engaged actively in the business of farming to five. They will also be required to be actively engaged in any organisation for the prevention, control, and extinction of bushfires, and in a Bushfire Brigade established under part IV of the Act.

No term of appointment is at present stipulated, and this Bill includes a provision for the appointment of members of the Bushfires Board, other than the chairman, for a term of three years. They shall be eligible for reappointment.

The amendment to section 18 altering the word "shall" to "may" is in regard to the existing compulsion on a local authority to schedule burning times for the purpose of developing or clearing land. The proposed change will restore the conditions which applied before the passing of last year's amending Bill.

The preparation of a schedule of burning times or "programme burning" has been in practice by shires since the parent Act was passed, and during the intervening period before 1963 it operated satisfactorily. The intention of the compulsory provision for "programme burning" was that it should be applied by local authorities to meet local conditions. Concern has, however, been expressed by shire councils that legal problems could arise should a liberal interpretation of the section as it stands be made, because of the fixed requirements in the Act.

Considering the long period during which the original provisions operated satisfactorily, it has been decided in the interests of local administration to revert to the word "may" instead of "shall."

Debate adjourned, on motion by The Hon. R. Thompson.

CLEAN AIR 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

GOLDMINING INDUSTRY: STABILISATION AND EXPANSION

Appointment of Parliamentary Committee:
Assembly's Resolution

Message from the Assembly received and read requesting concurrence in the following resolution:—

That in view of the refusal of the International Monetary Fund at its meeting in Tokyo last week, to agree to any increase in the world price of gold, and bearing in mind the tremendous importance of the gold mining industry to Western Australia and the difficulties which the industry is facing due to rising costs of production, an all-Party Parliamentary Committee be appointed with the object of examining and exploring means by which the industry in Western Australia can be assured of stabilisation and expansion in the future.

The committee shall consist of two members nominated by the Premier and one member nominated by the Leader of the Opposition from the Legislative Assembly; and that the resolution be transmitted to the Legislative Council for its concurrence, and the Legislative Council be requested to appoint a similar number of members to the committee, making a total of six members.

PRISONS ACTS AMENDMENT BILL

Second Reading

Debate resumed, from the 23rd September, on the following motion by The Hon. A. F. Graffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. W. F. WILLESEE (North) [5.8 p.m.]: The Bill seeks to impose increased penalties upon prisoners for misdemeancurs when they are in gaol or within the precincts of a gaol. This is a measure that I find some difficulty in supporting, because one would imagine that a person taken from society and placed in seclusion could be subjected to discipline, with reasonable restraint, by the officers in charge of him.

However, one is mindful of the fact that legislation is frequently brought to this House to increase monetary penalties; and I am also conscious of the fact that the Minister said that the W.A. Gaol Officers Union asked that penalties be increased in respect of prisoners who did not fall into line with the discipline of the prison but who showed some endeavour to rebel, or whose efforts were a basis of rebellion.

Nevertheless it seems to me that it is difficult for any of us to imagine what happens to the mind of a person who is committed to spend a period of his life within the precincts of a gaol. I feel that the mental characteristics of many of us would change; and, whilst some of us might accept the situation, others would rebel against it, and yet others might have irreparable harm done to their mental outlook even though they received what is termed British justice.

In the circumstances I think the Government is endeavouring to bring about a state of affairs which in the main will. I hope, be preventive. I do not for a minute think a man should, because of some mental aberration, lose any gratuity that has come to him for good conduct over a period; he should not be sentenced for misconduct within a prison simply because of the sheer frustration which caused him to do something which, in normal circumstances, he would not do.

Therefore it is with great reluctance that I give my vote to the Bill; and I do hope that the extension of the terms of imprisonment will be entirely preventive and will not be used to lengthen the time a prisoner has to spend in gaol; and I trust that it will not mean any loss of remission for good conduct that he might have earned. I hope the Bill will act as a deterrent to people doing the things I have mentioned.

THE HON. E. M. HEENAN (North-East) [5.12 p.m.l: I have looked briefly at the Bill, and I was very interested in the

comments just made by the honourable Mr. Willesee. Because of the reasons he outlined I am sure most of us feel we have no alternative but to support the Bill.

I sometimes doubt whether the community is doing enough to prevent some of the behaviour that the Bill provides for. In this connection, I had a quick look through the annual report of the Prisons Department for the year 1962-63, and I was somewhat surprised to find that the Comptroller-General of Prisons in the paragraph relating to prison buildings, is reported as follows:—

All buildings are in good repair. Extensive repairs and renovations having been carried out at Fremantle Prison. Plans are advanced for a new Laundry Block.

At Pardelup more land has been cleared, additional dams put down and more stock is being carried.

That is a general statement concerning the prisons throughout the State. From time to time I have been very concerned and worried about some of the comments I have heard from unfortunate persons who have been locked up in the Perth gaol. The gaol to which I refer is commonly known as the Roe Street lockup. I am surprised that the Comptroller-General of Prisons has not had some comment to make regarding the unsuitability and inadequacy of those premises.

Looking through the report I find that there were up to 50 prisoners in that lockup on one occasion during the year, and I think the average daily number held in the lockup was 20.78. It must be remembered that people who get drunk, people who are arrested for assault, and those arrested and charged with the offence commonly described as drunken driving are taken to these lockups—and I am speaking about the Perth lockup in particular now—where they are charged and locked up. They then have the right of applying for bail, but quite a rigmarole must be gone through in that connection; and if it is late at night it is difficult for people to obtain bail.

Then, of course, quite a number of unfortunate beings have no-one to whom they can appeal and, as a result, they are incarcerated for the night. I might add here that not all of them are adjudged guilty when brought before the court; a number of them are acquitted. So these people are arrested and locked up for an alleged offence which the magistrate subsequently finds is not proven.

I have heard some alarming accounts from individuals who have been incarcerated in the Perth lockup. I have been told that the conditions there are almost inhuman and often degrading. As a matter of fact, a friend of mine who was

charged on one occasion with the offence of drunken driving, and who was subsequently acquitted, said that he would rather cut his throat than spend another night in the Perth lockup. Apparently the night he was there the premises were overcrowded. Anyhow, it left that impression on him.

I have often had it in mind to try to prevail upon the Government to do something about this state of affairs, or at least to ask it to conduct an investigation to ascertain whether or not these reports are exaggerated. The fact is that it must be a long time since the Roe Street lockup was erected.

The Hon. A. F. Griffith: I am wondering where this comes into the Bill.

The Hon. E. M. HEENAN: The Bill provides for extra penalties for prisoners who commit offences when locked up.

The Hon, A. F. Griffith: But it has nothing to do with the Perth lockup.

The Hon. F. J. S. Wise: I have not heard the President say anything.

The Hon. E. M. HEENAN: I realised when I rose to speak that my comments might be a little astray from the Bill, but I am seizing this opportunity to make those comments. I have often thought I would like to ask the Minister to arrange for some of us who are interested to go down to have a look through this lockup some evening to see at first hand what it is like, and whether or not something should be done about it.

The Hon. A. F. Griffith: Something should be done about it and something is being done about it.

The Hon. E. M. HEENAN: I am very pleased to hear that. It will assuage my anxiety. If I have gone astray in speaking to the Bill I am sorry.

The PRESIDENT (The Hon. L. C. Diver): In my opinion the circumstances surrounding the lockup in Roe Street are relevant.

Debate adjourned, on motion by The Hon. R. F. Hutchison.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 23rd September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [5.22 p.m.l: This short Bill of two clauses proposes to widen the field for investment by the trustees of the superannuation and family benefits fund.

The move that is proposed by the Bill to enable the Superannuation Board to invest its funds in real estate to earn rentals, and therefore interest, upon the money so invested, although it has been alleged by the Minister in charge of the Bill to be similar to the provisions in the New South Wales law, is not entirely on all fours with the Statute of that State.

This Bill proposes that the Superannuation Board shall take over propertyand very valuable property-already purchased by the Crown, which fronts St. George's Terrace, and build thereon mod-ern offices which will be let at appropriate rentals. It is proposed that the offices house Government departments supplementary to the buildings now being erected on the observatory site. The anticipated earnings from such a venture appear to be sufficiently lucrative to attract this sort of investment from the fund; and there could be no quibble with investment in real estate, although it is outside the specified trust investments which come within the scope of the Public Trustee Act.

It is not a departure from the State point of view, and it cannot be said that the investment of such funds would not be for the good of the State. One can think of many better ways of investing the funds of the Superannuation Board than in tractors for local governing bodies, and the like: because, as is well known, the Superannuation Board has leaned to local governing bodies money for housing and for all sorts of other things within the scope of its charter under its own Act.

The growth of the surplus within the superannuation fund is a very interesting matter. Quite apart from the very large sum shortly to become available by repayment to the board, funds are being accumulated annually from its collections, which are very substantial indeed; and it is obvious, as has often been said in this Chamber on other occasions, that actuaries take little or no risk at any time. They take no risk at all with insurance: whether it be insurance for companies or insurance for the Government, they are very much on the safe side.

This prompts one to wonder whether the contribution and benefit angle has recently been sufficiently investigated—investigated to the point of showing that the benefits may not be appropriate to the contributions these days. The sums accumulated annually can be readily discovered by honourable members; and I think it could be that, in the light of the lessening value of money, the question of greater benefits from the contributions made should be given consideration.

One very interesting thing in this law is the specific mention in section 24 of the Act of the fact that the income of the fund shall not be subject to taxation by the State. There is no right for a State Government to tax these funds. In noting that particular point I investigated the other angle; namely, from whence does the Crown obtain its exemption from Commonwealth tax on such funds?

It is very interesting and, I think, pertinent to observe that there is a complete exemption of this fund under section 23 of the Income Tax and Social Services Contribution Act, 1936-63, which specifies that the income from certain organisations, such as some insurance offices, superannuation funds, and so on, is exempted. Indeed, this fund is also exempted from the 1961 arrangement which is known as the 30-20 arrangement which involves insurance companies in compulsory investment in Commonwealth loans of a certain portion of their earnings.

There is, fortunately, a specific exemption for our funds also from that Act. I thought it pertinent to raise that matter, because when one sees specified in an Act of a State a particular exemption, it makes one wonder. I was very interested, and I received a lot of help from the State Under-Treasurer in obtaining this information, because I gave him some cause for concern when I raised the matter just in case it had not been specifically exempted by the Commonwealth. The information I have given has come from the State Under-Treasurer.

No-one can object to the collections and accumulations of money by a superannuation board being soundly and properly invested. I can think of many ways in which benefits can accrue to individuals, but I think the major aspect we are asked to consider in clause 2 of the Bill is whether this is the appropriate method of dealing with the funds that have been assembled.

I support the Bill, but I repeat: In the interests of all contributors who will retire progressively, and of those who enjoy the reward of their service and of their contributions, I think that with the lessening, and the continuing lessening, of the value of money there should shortly be a review of the benefits obtained by them.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [5.31 p.m.]: I would like to thank the honourable member for his very helpful contribution to this debate.

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.

House adjourned at 5.32 p.m.

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