noxious weeds, action for prosecution has only been initiated under the more precise terms of section 22. Because of the existing wording of subsection (4) it has been found very difficult to sustain a prosecution as the interpretation of the phrase "reasonable endeavours" affords a measure of defence.

Prosecution is considered only when measures taken are far from adequate and this subsection, as it stands, tends to protect the resisting party to the detriment of those prepared to undertake necessary measures. Complaints against offending neighbours are frequently received from farmers.

For this reason, the amendment proposes that a defence may be constituted by proving that the requirements of the direction notice as to the manner in which the primary noxious weeds, to which the direction relates are to be destroyed, have been complied with.

It also provides for cases where there are several defendants, and so long as the requirements relating to the manner in which the primary noxious weeds are to be destroyed, are complied with, whether by one defendant or by any one of two or more defendants, each will then have a valid defence. The only onus on a defendant will be to prove such compliance. This onus rests in all cases on a defendant if he wishes to establish a defence.

The Bill also provides for an increase in certain penalties. Under section 22, subsection (3), when the Agriculture Protection Board is satisfied that the owner or occupier of private land is not making all reasonable endeavours to destroy primary noxious weeds, it may direct by notice in writing that the noxious weeds be destroyed in a manner specified in the notice.

The existing penalties provided for failure to comply with the direction are $40 for a first offence and $100 for a subsequent offence. The proposed amendment will increase these penalties to $100 and $200 respectively.

The other penalties which it is proposed be increased refer to section 22A, subsection (2). Under the provisions of this section of the Act the Agriculture Protection Board may publish a notice in the *Government Gazette*, and in a newspaper circulating in the district concerned, requiring the destruction of primary noxious weeds within a specified time. The present penalties provided for failure to comply with this notice are also $40 for the first offence and $100 for subsequent offences. It is proposed that the penalties be increased to a maximum of $100 and $200, respectively.

Debate adjourned, on motion by Mr. Norton.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. NALDER (Katanning—Deputy Premier) [11.44 p.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 11.45 p.m.

Legislative Council

Wednesday, the 30th April, 1969

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

QUESTIONS (10): ON NOTICE

BABBAGE ISLAND

Housing Subdivision

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

   (1) Will the Minister advise the House the policy with respect to the subdivision of Babbage Island in the Carnarvon district as a residential area?

   (2) Is it the intention of the Government to open the area in the near future?

   The Hon. A. F. GRIFFITH replied:

   (1) and (2) Policy for the short term requirements of housing in Carnarvon was determined on the basis of developing Morgantown and its fringing lands.
   Policy for long term requirements has not been determined.

FITZROY SPECIAL NATIVE SCHOOL

Improvement of Facilities

2. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

   (1) Is the Minister for Education aware that class sizes at Fitzroy Special Native School during March this year were as follows:—

   Grouped—

   Grades 4, 5, 6, 7—35 children;
   Grades 3, 4—25 children;
   Grades 2, 3—45 children;
   Grade 1—45 children?

   (2) Is he also aware that this school consists of three classrooms, and that one class is conducted on the school verandah?

   (3) Does the Minister agree that this is a most undesirable situation, and it compounds the special difficulties involved in teaching aboriginal children?

   (4) Will the Minister take steps to improve the facilities at the

school if this has not already been done?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) Yes.

(3) Yes, but the situation has resulted from abnormal conditions at Fitzroy Crossing and enrolments have not yet stabilised.

(4) Our information is that some native families are drifting back to the stations. The department anticipates reopening Cherrabun and Christmas Creek in the near future. This should improve the situation at Fitzroy. If not, a demountable will be moved in as soon as all roads are open again.

SCHOOL CHILDREN: JANDAKOT AREA

Transport Facilities

3. The Hon. R. THOMPSON asked the Minister for Mines:

Would he ascertain from the Minister for Education and advise—

(a) what progress has been made in the provision of transport to their respective schools for children in the Jandakot area;

(b) is he in a position to give the full details of such transport arrangements; and

(c) if not, when is it anticipated that he will be able to supply this information?

The Hon. A. F. GRIFFITH replied:

(a) to (c) The Metropolitan Transport Trust has been able, by a rearrangement of its bus schedules, to extend the route of the special school bus to the corner of Hammond and Russell Roads. It is not possible to make the turn from Russell Road into Barfield Road.

The additional costs involved will be met by the Education Department.

The new arrangement will operate from Monday, the 26th May; i.e., after the term holidays.

FOREIGN UNIVERSITIES

Medical Degrees Acceptable in Western Australia

4. The Hon. G. E. D. BRAND asked the Minister for Health:

Will the Minister advise the House the name of each university outside Australia, the medical degrees of which are acceptable to the authorities in Western Australia?

The Hon. G. C. MacKINNON replied:

New Zealand:

Otago University.

South Africa:

University of Capetown.
University of Natal.
University of Pretoria.
University of Stellenbosch.
University of Witwatersrand.

Malta:

Royal University of Malta.

Hong Kong:

University of Hong Kong.

United Kingdom and Ireland:

University of Birmingham.
University of Bristol.
University of Cambridge.
University of Durham.
University of Leeds.
University of Liverpool.
University of London.
University of Manchester.
University of Oxford.
University of Sheffield.
University of Wales.
University of Aberdeen.
University of Edinburgh.
University of Glasgow.
University of St. Andrews.
Queen's University of Belfast.
University of Dublin.
National University of Ireland.
Royal College of Physicians of London.
Royal College of Surgeons of England.
Society of Apothecaries of London.
Royal College of Physicians of Edinburgh.
Royal College of Surgeons of Edinburgh.
Royal Faculty of Physicians and Surgeons of Glasgow.
Royal College of Physicians of Ireland.
Royal College of Surgeons in Ireland.
Apothecaries' Hall of Dublin.

In explanation, these are the universities accepted without any additional tests at all. There are others, of course, which fringe out from this.

MEAT INDUSTRY

Research: Funds Available

5. The Hon. N. McNEILL asked the Minister for Mines:

(1) What are the total funds made available in Western Australia for investigational and research work into the meat industry, with respect to—

(a) production and husbandry;

(b) processing and marketing; and

(c) procurement of markets and marketing research;
for—

(i) beef;

(ii) mutton and lamb;

(iii) pork?

(2) From what sources do these funds emanate, and in what respective amounts?

(3) What bodies or institutions are involved in such work and utilising these funds?

(4) What steps are taken to integrate or co-ordinate the activities of the various institutions involved?

(5) With respect to (1) (a) and (b), at what places or localities in Western Australia is such investigational and research work being carried out?

(6) What specific steps are taken to disseminate information and results of research, and in what publications is this recorded?

(7) Would the Government give consideration to initiating discussions with all institutions involved in research in the industry with a view to the preparation of a regular publication which combines and includes all such relevant information, and which could be available to all interested persons and sections in the industry?

(8) In view of the growth and importance of the meat industry in Western Australia, and the difficulties which are encountered at all levels in the industry, is serious consideration being given to an appropriate expansion in the facilities, and the extension services, in order to combat these difficulties?

The Hon. A. F. GRIFFITH replied:

(1) to (8) A great deal of the information requested is not readily available within the Department of Agriculture and will require collation after reference to other sources. The details will be furnished to the honourable member by the Minister for Agriculture as soon as possible.

NORSEMAN MEAT CO. PTY. LTD.

Compensation for Meat Condemned

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

(1) Is he aware that—

(a) on the 4th February, 1969, the undermentioned quantity of meat was condemned by the Dundas Shire Council health inspector—

1 body of steer beef weighing 528 lb.;

13 carcases of mutton weighing 570 lb.;

2 pigs weighing 137 lb.;

(b) the meat was subsequently destroyed after being held for the necessary statutory period pursuant to the Health Act; and

(c) the cause of the meat being condemned and destroyed was because of the putrid condition on its arrival at Norseman, due to insufficient refrigeration as a result of delayed storage due to the rail strike?

(2) As the loss incurred is a major financial burden to the Norseman Meat Co. Pty. Ltd., will the Government refund the value of the meat destroyed, or alternatively make some form of *ex gratia* payment to the company?

The Hon. G. C. MacKINNON replied:

(1) (a) to (c) No. This is a matter within the jurisdiction of the local authority in accordance with the Health Act and there is no requirement that the department is advised.

(2) No. The law does not provide for payment of compensation where unwholesome food is destroyed.

PARKING METERS

William Street

7. The Hon. F. R. H. LAVERY asked the Minister for Local Government:

(1) Would he confer with the Minister for Traffic with the view to convincing the Perth City Council parking committee of the continually increasing hazard and delay to the free flow of traffic north in William Street to St. George's Terrace, by the retention of the three parking meters outside the offices of Elder Smith-Goldsbrough Mort Ltd. on the western side of William Street?

(2) Does he agree that the removal of these three meters would give a free flow to those motorists who wish to turn left from William Street into St. George's Terrace?

The Hon. L. A. LOGAN replied:

(1) There is a parking prohibition between the hours of 8 a.m. and 9 a.m. in this portion of William Street to permit the flow of morning peak hour traffic. Nevertheless, consideration will be given to

further parking restrictions in this area.

(2) Yes.

ROAD MAINTENANCE (CONTRIBUTION) ACT

Easing of Provisions

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

Now that the Federal Government has agreed that State Governments may forego existing "matching money" legislation, will this Government reconsider its hitherto relentless attitude towards the repeal or easing of the Road Maintenance (Contribution) Act which imposes financial burdens on industry and residents of remote areas?

The Hon. A. F. GRIFFITH replied:

The need to raise "matching moneys" to attract additional Commonwealth road grants has not been excluded from the latest Federal aid roads proposal. Under this agreement funds allocated for expenditure on principal urban roads and major State highways are to be confined to construction works so that maintenance moneys must be found by the State.

In any event, the raising of "matching moneys" was only one factor which led to the introduction of road maintenance charges. Even at the present level of available finance from both Commonwealth and State sources, the funds which will be at the disposal of the State for road construction and maintenance during the next five years will be many millions of dollars short of estimated requirements to keep abreast of State development.

SCHOOLS IN BALCATTA

Teaching Methods

9. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

(1) Does the Minister agree that the six new schools recently built at Balcatta offer scope for the application of new teaching methods?

(2) If so, what liaison is the Education Department making available between the practising teacher in these schools and the research branch of the department?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) Superintendents are arranging seminar discussions on new teaching methods and plans are being made for inservice and advisory work for teaching staffs.

RESEARCH AND INSERVICE TRAINING

Utilisation of Grant

10. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

Would the Minister supply details of how it is intended to utilise the $30,000 allocated to research and inservice training in the estimates of the Education Department?

The Hon. A. F. GRIFFITH replied:

	$	$
Research—		
Travelling and mileage	8,000	
Equipment	8,000	
Miscellaneous projects	2,900	
Materials	100	
		19,000
Inservice—		
Travelling and mileage	4,500	
Postage	500	
Equipment	500	
Miscellaneous	500	
Materials	500	
Teachers' accommodation	4,500	
		11,000
		$30,000

LEAVE OF ABSENCE

On motion by The Hon. V. J. Ferry, leave of absence for six consecutive sittings of the House granted to The Hon. J. Heitman on the ground of parliamentary business.

TRAFFIC ACT AMENDMENT BILL, 1969

Receipt and First Reading

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

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [4.46 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Traffic Act contains an amendment to enable compulsory vehicle testing and it includes other proposed amendments to which I shall refer later.

Traffic authorities are agreed that the testing of all vehicles used on public roads would make a regular contribution to road safety. The Minister for Police was instrumental in the formation of a committee in 1964 to inquire into the matter. The committee was composed of representatives of the Police Department, the National Safety Council, the Royal Automobile Club, the Chamber of Automotive Industries, and the Automobile Chamber of Commerce. It was unanimous in recommending the adoption of a compulsory vehicle-testing scheme. The committee did a commendable job, which entailed much research, not only in Australia, but in many overseas countries also.

Investigation has shown conclusively that a Government-controlled system of vehicle inspection has many advantages over a scheme operated by private organisations. This was one of the recommendations of the committee referred to and it is substantiated by many research reports gathered from other sources.

There is every reason to believe from evidence in this State and research elsewhere, that manual compulsory inspection of vehicles of all ages is warranted. If, however, after the scheme has been in operation for some time, it is found that statistically vehicles of a certain age, or even of a certain class, have a high percentage of roadworthiness, then there would be nothing to prevent a change in the scheme to exclude particular vehicles from annual inspection or to extend the period of inspection.

In New Zealand, which has had over 30 years' experience with compulsory motor vehicle safety inspection, the people in its Government have come to accept the system as one which is highly desirable to maintain and one which makes a major contribution to road accident prevention. Compulsory inspections in that country are made every six months. Members may not be aware, but I am informed that New Zealand has the lowest accident rate in the world.

In a Gallup poll taken in 1966 in all States of Australia, 90 per cent. of the persons interviewed favoured annual inspection of motor vehicles for roadworthiness.

The introduction of a compulsory vehicle-testing scheme is not aimed at old vehicles but unroadworthy vehicles; that is, vehicles that have some defect, which would either directly or indirectly cause an accident.

Many vehicles in the veteran class, for instance, are kept in immaculate condition and are considered to be completely roadworthy in every respect. On the other hand, many comparatively new vehicles have defects that could cause accidents. Badly adjusted lights are one common fault in this category and this is one aspect which compulsory inspection is designed to overcome.

We could also include tyre failure. Even new vehicles presented for first registration have been found to have handbrakes disconnected, head lamp globes wrongly inserted, and wiring circuits either disconnected or wrongly connected. Also, new vehicles are involved in accidents and subsequent repairs are often poorly carried out. I believe that only recently one firm was found to have plate glass for window replacement instead of safety glass.

It is visualised that the scheme, as far as the metropolitan area is concerned, will be under the supervision and control of the Police Department with a civilian work force engaged wherever practicable. Outside the metropolitan area, the scheme will be operated either by a local authority that has the facilities or by the motor vehicle servicing industry, but in either case, with overall supervision by the Police Department.

In the metropolitan area, to minimise as much as possible any inconvenience to motorists, it has been decided to commence the scheme with three inspection stations. They will be located at Melville, for the coastal areas, Balga, for the northern areas, and Bentley, adjoining Welshpool, for the southern areas.

These stations will be constructed in such a manner that they will blend in with the locality and the buildings will be of such a type that they will add to the prestige of the neighbourhood.

It has been estimated that the time taken for an inspection will be approximately 10 minutes.

The most often quoted argument against motor vehicle inspection is that statistics do not show vehicle defects as an important cause of road accidents. To put these statistics in their proper perspective, one must realise that probably about 80 to 90 per cent. of all accidents are reported by the parties concerned and probably less than 10 per cent. of vehicles involved in accidents are even examined for vehicle defects. Therefore, statistics compiled from these reports could be regarded as being completely misleading. In support of this, it is most unlikely that the driver of a vehicle reporting an accident would acknowledge his vehicle had faulty brakes, lights, or any other defect likely to have contributed to the accident.

For instance, for the year ended the 31st December, 1968, the total accidents in the metropolitan area numbered 18,794. Casualty accidents accounted for 3,607, and of these accidents, vehicle inspections were made in approximately only 137 instances, being those in which fatalities occurred.

Consequently, it may be readily appreciated that a large number of vehicles were involved in accidents in which no check as to the mechanical fitness of the vehicle was made.

Any motorist knows only too well the number of vehicles on the road that have dazzling or faulty headlights and this is one fault alone that could be rectified by an annual inspection scheme.

However, in submitting this type of legislation, it should be recognised that it should be sufficiently flexible to enable it to be applied in stages to the various parts of the State. Certain types of vehicles may need to be exempted; for example, certain types of farm vehicles or new vehicles. Some remote parts of the State may be exempted as testing facilities do not exist. When members study the Bill, they will see that this is provided for in the wording of the particular clause.

It is not envisaged that a Government-operated scheme will be a drain on public funds. When originally costed two years ago, it was considered a compulsory vehicle inspection scheme could be financed as to both capital outlay and maintenance by a charge to the owner of $1 per vehicle. It is believed even at this stage that this amount will be sufficient to cover costs.

It is considered that the value received by a motorist in peace of mind after his vehicle had passed a vehicle examination test and was thereby deemed roadworthy by traffic authority standards, would be good value in terms of a dollar well spent.

Turning now to other amendments in the Bill, we are advised by the Parliamentary Draftsman that some consequential amendments are required to be made in respect of the introduction of the points demerit system and the fixed penalties and infringement notices passed by Parliament last year.

The Minister for Police mentioned in another place that regulations covering the points system and infringements were ready for submission to Executive Council, and also that the views expressed by members of Parliament when the Bill was debated, regarding the list of penalties which had been submitted to members for their guidance, had been taken notice of. This reference applies particularly to the objections raised to some of the offences included in the list, and Mr. Craig advised members that the points demerit list had been cut down to about 25 offences—a substantial cut in the number of offences included in the original draft.

Another amendment is proposed to delete the reference to "minor offences" in section 24. This was not provided for when the infringment notice system was agreed to last year.

In order to enable the cancellation of licences, loss of points, and also the penalty incurred to differ according to the severity of the offence, it has been necessary to prepare amendments to sections 25B (clause 5 of the Bill), 74 (clause 8), and 75 (clause 9(a)). For instance, in such offences as speeding, it must be agreed that a person driving a vehicle in a controlled area at 36 miles per hour is equally guilty of an offence as a person driving there at 46 or 56 m.p.h. But it is reasonable that the difference in the speeds be taken into account as a measure of the degree of offence and as though a different offence were committed according to the speed at which the vehicle is driven. In other words, the greater the speed, the greater the fine and the loss of points.

An amendment is proposed to section 30, which requires at present that all accidents be reported no matter how minor, whereas the National Road Traffic Code stipulates that a traffic accident need not be reported if damage does not apparently exceed the value of $100.

I am advised that this is also the position in other States and it appears that Western Australia is the only State that continues to receive reports of these very minor accidents.

A side effect of adopting the National Road Traffic Code requirement might also be the overcoming of the current tendency of drivers involved in minor collisions to leave their vehicles blocking traffic while they wait to summon the police. With suitable publicity, this position could largely be eliminated.

The Minister's attention has been drawn by the Commissioner of Police to the considerable amount of wasted police time in attending and accepting reports of minor non-injury traffic collisions. So it is felt that this is a step in the right direction to help the Police Department to make the best use of its available manpower.

As a result of doubts which were raised in another place in respect of the application of the proposed amendment to section 30, it is my intention to move in Committee, on behalf of the Minister for Police, for the substitution of a redrafted amendment to replace clause 6 of the Bill. After conferring with the Parliamentary Draftsman, the Minister believes that the amendment, as recast, will overcome problems which some members in another place considered could be encountered.

I believe the objections hinged in the main on the interpretation which could be placed on the words, "apparently exceeding in the aggregate." Instead, it is proposed to include the phrase, "has reasonable cause for believing." The amendment in question concerns the estimation of the eventual cost of repairing damage. The Government wants to ensure that no person is penalised without just cause, because of his personal interpretation of damage apparently exceeding the minimum figure of $100.

Another proposed amendment is to section 33A to enable a person—other than the holder of a probationary license—to obtain an extraordinary license to drive a motor vehicle if his license is suspended for any purpose whatsoever. As the Act now stands, a person losing his license under the points demerit system has no right in this respect and it is intended to rectify this.

Provision is also made by additional provisions to section 75 for an appeal against the suspension of license caused by an error in the application of the number of points or in the computation of such points, such as could occur with two persons of the same name. Such an appeal must be lodged with the Court of Petty Sessions within 30 days after service of the suspension.

The court is empowered to uphold the appeal or dismiss it and the costs incurred by the appellant could be awarded against the Commissioner of Police, at the discretion of the court.

Having mentioned probationary license suspensions, it may be of interest to members to know that a review has been undertaken of the list of offences which carry the mandatory suspension or cancellation of a license. At the time this particular legislation was approved by the House, the Minister for Police promised such a review and, as a result, quite a number of offences have now been eliminated.

This legislation will take effect possibly at about the same time as the "P" plates for probationary licenses are introduced—I understand about the 1st May.

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

SOLICITOR-GENERAL BILL

Receipt and First Reading

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

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [5.1 p.m.]: I move—

That the Bill be now read a second time.

This Bill has, as its main objective, the creation of the statutory office of Solicitor-General. It prescribes the functions of the office and the terms and conditions applicable to a person thereto appointed.

Mr. S. H. Good, Q.C., who retired from the position of Solicitor-General on the 29th January, 1969, was appointed to that position under the provisions of the Public Service Act. He occupied the position for a period of 23 years, and, during that period of time, the professional staff of the department increased from four to 40. Owing to the growth of the State and the consequent growth of the department, the Solicitor-General has been obliged to devote a great deal of his time to administrative and other functions and this has prevented his appearance as principal counsel for the State. It is emphasised, nevertheless, that the State has received excellent service from Mr. Good in many directions, not the least being in regard to the negotiation of extensive industrial agreements entered into during recent years.

At this point I would like to depart for just a moment from my written notes to make a few comments about the service that Mr. S. H. Good, Q.C., now the Chairman of the Third Party Claims Tribunal, has given to the State over a long period of time as Solicitor-General. As members would expect—the Solicitor-General being the Government's principal legal adviser—I, as Minister for Justice, had a great deal to do with him in the carrying out of his duties as Solicitor-General, and I can only pay the highest tribute possible to him for the manner in which he carried out those duties.

He was ever-willing to assist, irrespective of the time of day or night, to help overcome problems that confronted the Government of the day. Now he has taken on the position of Chairman of the Third Party Claims Tribunal and I am confident that that tribunal will be very well served by having Mr. Good as the chairman. I would like to take this opportunity, and in the House, to express on behalf of the Government our grateful thanks and appreciation for the services of this officer over a long period of time.

I believe it is sound policy to review the duties of any position which has been occupied by any one person for a long period, particularly one of such importance as the State's Solicitor-General. Therefore, I decided to undertake such a review, and with this purpose in view, sought information from the Attorney-General of the Commonwealth, and of each of the States, as to the duties of and terms and conditions of appointment to the office of Solicitor-General in their jurisdictions. It was known that Solicitors-General in other places generally appeared as counsel in all major matters affecting their respective States and there is a body of opinion which felt Western Australia had suffered in some respects through the Solicitor-General being unable to carry out this duty. Might I add here that he was "unable" simply because of the tremendous amount of work that Mr. Good carried out in other directions.

The general view is that the policy of providing for the office of a Solicitor-General independently of the Public Service is to be highly commended and that it should be filled by the best available person, whether he be a member of the Public Service or not. Also, the appointment of a Solicitor-General under a separate Statute is more acceptable to the legal profession.

The policy adopted elsewhere has been for the Solicitor-General to appear in any matter in the superior courts, and most certainly in the High Court and Privy Council when constitutional matters are the subject of litigation.

The Commonwealth Attorney-General, in his reply to my inquiries, stated, *inter alia*—

> One of the especial merits of our system (that of the Solicitor General appearing as counsel) is that the High Court in particular may explore in a case peripheral or related matters which it is difficult to foresee and on which it is difficult to brief outside counsel adequately.

A similar argument applies with equal force to the position of the States.

Attorneys-General throughout the Commonwealth are agreed on the advantages of having the Solicitor-General representing the State as counsel. In the Privy Council, the High Court, and the Supreme Court, the Solicitor-General is accorded

the respect and consideration appropriate to his office and considerable attention is paid to his submissions. Indeed, his standing is considered to be enhanced by his appointment independent of the Public Service.

Constitutional matters in dispute are of considerable importance to the State and the need for the best representation is apparent if State rights are to be protected.

For instance, recently the State was called upon to defend certain aspects of the Stamp Act. Whilst this State was ably represented by our Crown Counsel (Mr. R. D. Wilson, Q.C.), other States who intervened in the matter in support of this State were represented by their Solicitors-General. In this respect, it was felt Western Australia was at a disadvantage because of the status of Solicitor-General in relation to Crown Counsel.

There should be no cause for members' concern about the proposal to remove the position from the provisions of the Public Service Act. The decision will ensure that the full working hours of the Solicitor-General will be utilised in undertaking work commensurate with his position. Apart from appearing as counsel on behalf of the State, he will be available to give opinions and advice on such matters as may be referred to him. He will continue to be the second law officer, after the Attorney-General, and will undertake any duties as directed by the latter. However, he will not be required to carry out administrative functions.

The legislation now submitted for consideration is not novel. It follows the pattern established by the Commonwealth and Victoria, and which is under consideration by New South Wales and South Australia. The Act does not restrict any government in the appointment, as the most suitable person to be selected may come from within or without the Public Service.

The Bill proposes conditions of appointment similar to those enjoyed by Solicitors-General in other places. The salary has been related to that of a puisne judge of the Supreme Court. Provision is made for the period of service as Solicitor-General to be regarded as period of service as a judge for the purpose of a judge's pension should an occupant of the office be subsequently appointed a judge of the Supreme Court. This qualifying period is important as the office will attract men who otherwise would be likely to be appointed to the Supreme Court bench and who might be elevated to the court after a period of office as Solicitor-General.

It is proposed that Mr. R. D. Wilson, Q.C., be appointed Solicitor-General under the provisions of the new Act. As a result of the introduction of the legislation in the Legislative Assembly, some Press publicity has already been given to this matter. I would have liked to introduce the Bill into this House, and to generate the discussion on it, because I believe it is a most important measure. As the State continues to progress, and as the legal problems of the State become greater, the need for representation in the courts, on behalf of the State, by the Solicitor-General will grow and I think the wisdom of introducing legislation of this nature will become more obvious than it is at the moment.

Mr. R. D. Wilson is known to members and well regarded by the judiciary of all courts before which he has appeared. His appointment as Solicitor-General will enhance his status before the courts and ensure the State is represented in the best possible manner. I commend the Bill to the House.

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

NORTHERN DEVELOPMENTS PTY. LIMITED AGREEMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [5.12 p.m.]: I move—

> That the Bill be now read a second time.

The State has entered into an agreement to replace the Northern Developments Pty. Limited Agreement ratified by Act No. 65 of 1957, which dealt with the disposal of certain Crown lands pursuant to the provisions of section 89D of the Land Act.

The 1957 agreement was executed on behalf of the State by The Hon. A. R. G. Hawke, Premier and Treasurer, and by Northern Developments Pty. Limited, which was desirous of acquiring land in the State for the purpose of cultivating and processing thereon rice and other agricultural crops necessitated by the rotational cultivation of rice.

The subject land was about 20,000 acres, being portion of Pastoral Lease 394/493 held by the Kimberley Pastoral Company Limited. It was bisected roughly from north to south by the Snake River.

The company, by virtue of the agreement, became entitled to apply for license areas of about 5,000 acres, and these parcels progressively on performance of the special conditions imposed could be converted to freehold. The essence of these conditions was that the whole cultivable area of each parcel was required to have been planted to rice and that it was to be demonstrated that rice could be successfully and economically grown. A yearly rental of $200 was charged in respect of each license granted.

The State installed a barrage in the bed of the Fitzroy River and charged the company $6,000 per annum for the supply of water up to 30,000 acre-feet, plus a charge of 50c per acre-foot for water delivered in excess of this quantity. The State also recovered an annual charge of 5½ per cent. of the cost of irrigation channels it installed within a parcel under license.

In addition, the State constructed a weir across Uralla (Snake) Creek; two main irrigation channels; maintained the weir, barrage, and off-take works; constructed a road from Derby and roads within the Camballin townsite and the subject area; improved the Uralla (Snake) Creek bridge and its approaches; and erected and let houses to the company.

Freehold purchase price of the subject lands was fixed at $2 per acre for parcels 1 and 2; not more than $10 per acre for parcel 3; and not more than $20 per acre for parcel 4. The form of Crown grant specified that not less than one-fifth of the area of a parcel should be planted annually with rice, subject to water supplies being available.

The 20,000 acres of land, the subject of the agreement, was surrendered to the Crown on the 12th November, 1957, by the Kimberley Pastoral Company Limited from Pastoral Lease 396/493.

After the Northern Developments Pty. Limited Agreement Bill had been assented to on the 6th December, 1957, Northern Developments Pty. Limited was notified on the 24th December, 1957, that it was entitled to apply for the first parcel, being Fitzroy Location 30 with a surveyed area of 6,577 acres and 10 perches. Subsequently license 389D/4 was approved on the 13th January, 1958, for a term of five years commencing on the 1st January, 1958.

On the 29th January, 1963, the Under-Secretary for Works advised that the company had complied with all the terms and conditions under the agreement and on the 17th April, 1963, formal application for Crown grant of Fitzroy Location 30 was lodged, together with the purchase money £6,577 1s. 3d. The Crown grant duly issued on the 4th October, 1963.

Meanwhile, on the 30th January, 1963, the company was offered, and accepted Fitzroy Location 39 of 4,820 acres 2 roods 39 perches and this was approved as parcel No. 2, the subject of permit No. 389D/12 for a term of five years commencing from the 1st April, 1963.

On the 25th June, 1968, the company requested that license 389D/12 which expired on the 31st March, 1968, be extended for a further three years. In support of this application it stated—

(a) That during the entire period of the license the company had suffered a series of critical setbacks;

(b) during both 1967 and 1968 in the wet season the land was completely flooded, to the effect that in 1967, 1,500 acres of rice plantings were destroyed, and in 1968 no plantings could be made;

(c) the company was seriously short of finance;

(d) the company was hampered by the non-availability of a suitable strain of rice to grow on the area and which would give an economic return.

The company, at this stage, had lost its right under the provisions of the agreement to apply for the Crown grant of parcel No. 2. It was also considered that any extension to the term of license 389D/12 would require the approval of Parliament.

During the period under review the State duly proceeded with the construction of the Fitzroy River barrage, the 17 mile dam, or weir, on the Uralla (Snake) Creek, off-take works and two irrigation channels, roads, and housing.

Because of the proposed sale of the shares in Northern Developments Pty. Limited to other interests it has become desirable and necessary that the existing agreement of 1957 be cancelled and replaced by a new agreement to be called the Land (Camballin Area) Agreement.

This provides for a progressive take-up of land parcels of about 5,000 acres each, the first being that issued as the second parcel under the 1957 agreement. The first parcel was freeholded under the terms of the original agreement. In this instance the term of the license is for three years but subsequent licenses issued will be for a term of five years. The Minister, who is the Minister to whom the administration of the Act is responsible for the time being, may extend the term of any license.

The company may apply for a license in respect of the second parcel when the term of the first parcel has expired and the area has been planted with rice or other approved crop. It may apply for the third parcel when the whole cultivable area of the second parcel has been planted.

Application for subsequent parcels will be limited to the extent of lands capable of being irrigated from the available irrigation system at Camballin and to no more than an aggregate of parcels amounting to 50,000 acres. It will also be contingent upon the construction by the company of a levee between the Fitzroy River and the irrigable lands. It is the Minister's prerogative to designate land as a parcel.

The State will issue a license for each parcel at the appropriate time and the company will be obliged continuously to develop the area to rice or other approved

crops over the whole cultivable area in four seasons, to erect within five years a cattle-proof fence on the boundaries, and within one year provide equipment for water supplies for the crop. The State will receive an annual rental of $200 for each license.

The State will maintain the existing 17 mile dam, the Fitzroy River barrage, off-take works, irrigation channels outside permit parcels, and the road between Derby and Camballin. It will also continue to let existing houses erected.

The company shall pay $6,000 annually in half-yearly instalments for water from the weir for up to 2,000 acre-feet, plus $3 per acre-foot for water in excess of this figure. These rates are to be reviewed every 10 years.

The supply of water will be measured by gauging equipment installed by the State and the company will indemnify the State against claims in connection with the construction or maintenance of the weir, barrage, off-take works, or other works.

The company shall have the right to subdivide and sell up to one-half of the land it acquires under license, but any purchaser shall not acquire title until the Crown grant issues to the company in respect of its license. The price fixed for the land within the initial Crown grant will be $2 per acre, and at the Minister's prerogative for subsequent parcels, but not exceeding $10 per acre for the second parcel, and $20 for succeeding parcels. Those I might say are the same amounts that were in the original agreement. The Minister may condition his consent to a subdivision on adequate provision for roads, irrigation channels, and other communal facilities.

The form of Crown grant issued to the company shall include a provision that not less than one-fifth of the area shall be planted annually to rice, or other crop, or crops approved by the Minister.

Upon the sale of land by the company to a purchaser, whether under agreement or by transfer of title, the Governor may constitute an irrigation board for the Camballin area. This will consist of a representative of the Minister for Water Supplies, who will be the chairman, and a nominee of the company and purchasers respectively, and will operate with perpetual succession as a body corporate. With the Governor's approval, the board may make, alter, and repeal by-laws relating to the supply and protection of and charges for water and other matters.

The company may not without the consent of the State, assign its benefit under the agreement. A prospective assignee may be required to execute a deed of covenant. This agreement will continue in force until the 31st December, 2007. The object of this proposal is the closer settlement of an area presently utilised chiefly for grazing and pastoral leasing.

I would stress that the State has, in good faith, expended considerable funds in this area. The original project was not successful, but we have been able to negotiate a new agreement which is substantially on the lines of the previous one, although there are a few amendments. I refer to the fact that the area has been increased from 20,000 to 50,000 acres and the proprietors may sell up to one-half of the area. Furthermore, another important principle in the new agreement is that in addition to rice, other proved crops, which have no relation to the growing of rice, may be grown.

As this agreement has only just been concluded, its presentation to Parliament could not have been made earlier. However, if we do not get this measure passed this session we will lose a whole year of operation; so, though late in the session, it is desirable that the measure be dealt with, not only in the interests of the new proprietors, but in the interests of the State also.

The Minister in charge of this legislation has asked me to say he thinks this might be an appropriate occasion to express his appreciation in this House to the Parliamentary Draftsman (Mr. Walsh), to the Government Printer (Mr. Davies) and his staff, and also to the Under-Secretary for Lands (Mr. Gibson) in enabling this urgent piece of legislation to be brought to the House at this time, as the preparation of the details had to be finalised within 24 hours. The Government considers that this measure should be approved by Parliament now, to enable the company to proceed immediately and therefore save one year's operation. In this light I commend the Bill to members.

Debate adjourned until a later stage of the sitting, on motion by The Hon. H. C. Strickland.

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 24th April.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.27 p.m.]: The first thought that comes to mind in connection with a Bill of this nature is that, as a Parliament, we must have reasonable regard for and give fore-thought to maintaining our judges in a financial position which is at least equal to that enjoyed by their counterparts in the other States of Australia. I think the Minister expressed this in slightly different terms when he said it behoves any Government to keep the level of salaries to a point where that level will attract the right people.

Bearing in mind the differences in population and area of the various States, the salary levels are perhaps always likely to be different and it may be difficult to

maintain some sort of equilibrium whereby the salaries throughout the States can be maintained at a similar level.

Accordingly it is not easy for the Government of the day to make a decision to maintain an equality in the salaries of the judiciary of this State with those of the other States. In the first instance it must be borne in mind that the men who are to be appointed as judges will require to be given some sort of incentive before they will allow themselves to be called from the profession which they follow at the time; because I think it is undoubtedly true to say that in each and every case the men concerned are earning more in the profession they are following at that moment than they would earn as judges.

So the salaries that are provided for them must be attractive enough to compensate for this great deficiency, if not in monetary terms then in the collateral aspects of the appointment. The qualifications demanded of judges are high, and they must be men with a long experience of the law and have been very successful in the practical application of the law during their careers. In addition, they must administer the law and give judgments upon it to the benefit of the people of the State.

Because of all this, a fairly frequent revision of the salaries of judges comes before Parliament. The Minister mentioned the fact that this occurs approximately every two years. In the present case, the Bill is retrospective to the 1st January this year. As a layman, one could not undertake to assess the difference that must take place in the life of a person who takes upon himself the responsibilities of a judge. He must divorce himself from much of the day-to-day experience of a lifetime and go into semi-seclusion because he holds this high office.

It cannot be said that a judge's life is an easy one. The recent heavy toll taken of our senior judges in this State is a matter of concern. I think their loss is of great consequence.

There is a great responsibility on those who are charged with the selection of judges to ensure that adequate remuneration is paid. It is necessary to attract the best men to sit in judgment and give decisions according to the laws that are on our Statute book. Therefore it behoves all of us to make sure that the remuneration paid to our judges is always comparable to that paid to judges elsewhere in Australia.

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 Justice), and passed.

ACTS AMENDMENT (SUPERANNUATION) BILL

Second Reading

Debate resumed from the 24th April.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.35 p.m.]: The previous Bill was couched in legal terms; and I am not quite sure whether a Philadelphia lawyer is much better than any other type of lawyer. When I endeavoured to examine this measure and the copious notes of the Minister, I would have settled for any lawyer at all to help me. Upon the due application of a slow mind I was eventually able to follow the situation with reasonable clarity to myself.

I begin by placing my faith in a resolution of the superannuation committee which, upon an examination of this Bill, said that it considered the measure was a distinct advantage and a considerable improvement on the present situation, albeit a very belated one. It is a good starting point to find that this Bill is regarded so highly. To my mind, there is no doubt that the system proposed in the Bill is much better and more equitable than the previous one. It represents a substantial improvement in almost every scale, and it goes back and includes those pensioners of the 1871 Act vintage, of whom there are not many left.

The Minister explained that the present scale hits hard on the salary range which exceeds $2,860 per annum. Those are the pensioners, in particular, who have not been able to obtain sufficient money under the present scheme to live in the reasonable comfort they enjoyed at the time of their retirement. It is a pleasing feature of this legislation that these people in particular have been catered for to a most satisfactory degree.

From a general observation of the legislation I think, in general terms, half shares of all contributions will in future be paid by the State. This is the main principle applying to the scale of rates for pensions which will be given to members of the superannuation scheme. It varies at different ends of the scale, but generally there is a 50 per cent. contribution.

A principle enumerated in the Bill is one of non-contributory units for employees. This is something new and it is quite interesting in its application because at the point of 20 units, provided an employee has 20 units in his own right, and he takes out a further unit in his own right—making a total of 21 units—he has an entitlement, through the non-contribution factor, of 22 units. The Government provides this extra unit, possibly, one might say, by way

of a bonus. This scale progresses until a total of 10 such units is available to the applicant. It has to be borne in mind that each unit has a $65 per annum value. I was interested in what this meant in terms of cost to the Government and was rather surprised to find that it will be in the vicinity of some $500,000 for this year, which is not very much when one examines the total application of the legislation.

This is not a setback to the Government because the money has already been provided for in a general way, in the Estimates. Apparently somebody has looked into the future and seen the possibilities of implementing this legislation. One can applaud this forethought.

In discussing this Bill I find I am confined by technical limits because it is strictly a technical Bill. The Minister's speech contained paragraph after paragraph of figures upon figures.

The Hon. A. F. Griffith: I am afraid that could not be helped.

The Hon. W. F. WILLESEE: I am not for one minute critical of the situation. It is one of those Bills that has to be presented in this manner. I would rather the Minister did that than introduce the measure with fluency and a musical accompaniment.

The Hon. A. F. Griffith: I am not good at that sort of thing.

The Hon. W. F. WILLESEE: The Minister is good at anything, if he tries. The Bill allied itself to the basic wage background when the cost-of-living index from 1953 was accepted in its provisions. The cost-of-living index will be basic to the contributory scheme. So, in effect, it will be possible in the future for any government to bring forward legislation tied to the rise and fall of the cost-of-living index. The people whose pension is linked with the 1953 cost of living as a base, will receive a greater increment than those who, say, resigned in 1967 and whose pension will be linked with that cost of living index as a base.

A good feature about this provision is that those who retired in 1953 will receive a greater increase in their pensions than those who retired in 1967—they will only receive the increase in the cost of living from that time until 1968. The person who retired some years ago, and who is on a low rate of pension, will receive a big increase, while the person who retired as late as a year ago will receive a small increase. That is the crux of the Bill.

Two points have been raised and I think they are worth putting before the House. Where a member of the Civil Service elects to retire at 60 years of age he can do so, and draw his pension for the number of units he has taken out. However, in most cases that member of the Civil Service is at a stage in his career where his services are most valuable, and they are lost to the Government service. He draws his pension and is re-employed by private enterprise doing the work which he knows so well with great advantage to the organisation with which he associates himself.

I would like to see provision in the superannuation scheme for such a person to elect to go on to the age of 65 with the right to increase his entitlement or, alternatively, with the right to accept his pension, as well as continuing in his job. That might seem to be a prosperous situation in which to place a person, but he could do just what I have described by moving out of the Civil Service and going into private enterprise.

We must consider the value of such men to the State. If a man is so valuable that he can leave the service of the State at the age of 60 and move into private enterprise, and receive just as much money, plus his pension, then I think it would be advantageous to the Government to keep him in the service if it so elects. Of course, it could not be one-way traffic; the man would have to be needed for the job. I am prompted to say that because it is sometimes found necessary to employ civil servants beyond the age of 65, and I think the Act provides for that situation.

The Hon. A. F. Griffith: I understand your intention, but don't you think this would encourage every man to retire at 60 years of age in the belief that he is needed until he is 65 years of age?

The Hon. W. F. WILLESEE: The Minister was conferring with his colleagues and perhaps he did not hear. I said that it could not be one-way traffic, and it would be the right of his superiors to say whether he was needed.

The Hon. A. F. Griffith: The man who elected to go on would not be in as good a position as the man who retired at 60, and who was taken back. That man would be getting the same salary, plus his pension.

The Hon. W. F. WILLESEE: That is the point, but the Act at present does not provide for this situation. With all due respect to the improved conditions provided for in the Bill, something seems to be lacking when one man goes out when he turns 60, and another man can go on in the employment of the Civil Service.

The Hon. A. F. Griffith: I think a clause in the Bill does the opposite to what you are suggesting.

The Hon. W. F. WILLESEE: I think it does, and also I think we require something in the Bill to provide for the reverse. I know there are difficulties involved and I merely raise the matter as something which could be looked at in the future. Even if the improvement is not as grandiose as I suggest, I think that basically we cannot continue to lose men, from the upper-salary bracket, at 60 years of age.

Most of those who retire at 60 elected to do so when they were 20 or 21 years

of age. At that age they decided that they would not work after they were 60; but, good heavens, that is the age when one really starts to work—as I am finding out. My suggestion would affect the actuarial side of the whole scheme. I would like to leave the subject on this note: Can we afford to lose a man who has been trained for 38 or 40 years, and who has spent the whole period of his active life in the Civil Service? All the benefits accrued to the age of 60 are given away to private enterprise. It is like accepting migrants into the country; they are given to us free. In this instance we are giving our trained people to private enterprise free.

Another point which has been mentioned is that in the case of the death of a pensioner the widow and the children of the deceased person receive proportionate allowances. These amounts are written into the Act. However, where children are orphaned they receive a set figure which, I am advised, is $4 per child. This is a disparity because those orphaned children are limited to a set figure whereas a widow, whose husband had taken out the same number of units as the father of the orphaned children, would be able to provide for her children on a better income.

I hope this aspect will be looked at the next time this legislation is before the House. Because of the cost-of-living adjustments this legislation will come forward fairly frequently for amendment. If an adjustment were made for orphaned children it would not have a great impact on the fund.

I hope I have not said anything to frighten those behind the superannuation scheme, or the actuaries. I think the total cost of this improved scheme will be only $500,000.

The Hon. A. F. Griffith: For this financial year.

The Hon. W. F. WILLESEE: Compared with what has already been spent by the Government, the cost of providing for the two items I have mentioned would be almost infinitesimal.

THE HON. V. J. FERRY (South-West) [5.54 p.m.]: I rise to support the Bill, and I shall do so in general terms because I am in a similar position to Mr. Willesee, in his analysis and interpretation of the Bill and the statistics relative thereto. As Mr. Willesee said, this is that type of Bill. Nevertheless, I am very pleased to see it before us. I realise that this legislation has been given considerable thought over quite a long period, and it is a matter which has caused a great deal of concern —and heartache, I should imagine— amongst former employees of the Civil Service.

It is right and proper that the Act should be updated to meet the many situations we can foresee, and the situations that might arise in the future. As I said, I propose to support the Bill in general terms because it is in such detail that it would be presumptuous of me to endeavour to give the Bill the analysis which it deserves.

This is no light measure. It is a Bill which will affect many people employed in the Government service, and will affect their wives and families. For that reason I am happy that it is receiving, what I believe to be, a very good reception in this Parliament.

The Hon. A. F. Griffith: It will also substantially affect many people who have already retired.

The Hon. V. J. FERRY: That is quite correct, and that is a most pleasing feature of the measure. It will benefit those who have found themselves in the iniquitous position of being squeezed out of existence, financially. Indeed, virtually that is what has been happening to some former contributors and their dependants. So it is right and just that those people should be adequately provided for.

I will not labour the point; I wish to record my appreciation of the work which has gone into the preparation of the Bill. I feel that with the practical implementation of this measure there will certainly be further amendments, but the Bill in its present form will serve as a very fine base from which we can branch out and improve the situation. I formally support the measure.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.57 p.m.]: I intend to reply but briefly. First of all, I thank Mr. Willesee and Mr. Ferry for their comments. I will refer the two matters raised by Mr. Willesee to the appropriate persons for consideration.

I would point out that in reverse the Bill deals with the situation mentioned by Mr. Willesee. It will be remembered that when I introduced the second reading of the Bill I pointed out that a situation could now arise where a man could retire at 60 years of age, be re-employed, and draw his pension and the salary which he was entitled to draw had he not retired. However, a man who elects not to retire at 60, but to continue on until 65 years of age, would draw only the salary to which he was entitled until 65 years of age.

Surely there is an anomaly in that situation. My own personal view is that if we provided for a situation such as that referred to by Mr. Willesee we might then have many people anxious to retire at 60 years of age, knowing that on retirement they would receive the pension to which they were entitled, and who would then seek re-employment in the same position and receive their salary as well. That is the anomalous situation which exists at the present time.

Whilst it is not intended to upset any arrangement that has been made to date, it is intended that the pensioner will not benefit from any increase, to the extent that he will not be paid more than his previous salary would have allowed him to draw on retirement. I think I used the following words:—

> . . . it is intended to withhold, during the period of employment, any increase in pension in those cases where the salary paid plus the existing State share of pension is greater than the current equivalent of the salary previously paid to the officer.

However, I am interested to hear the point of view of the honourable member: that he thinks there is possibly some equity in the fact that a man should be able to retire and then be re-engaged on the same job and draw his pension and his salary.

I think, in giving an example of this, I drew the analogy of a member of Parliament who, on defeat or retirement, would be entitled to draw a pension. He could then stand for another seat a month or a year later and draw a salary in respect of his occupancy of that seat as well as his pension. The Constitution Acts Amendment Act provides that that would be an office of profit under the Crown, and a member would not be able to do that any more than the Agent-General in London would be able to draw his salary plus a parliamentary pension. The Agent-General cannot commence to draw his parliamentary pension until he ceases to be employed as such by the Government. So, I think this is a little difficult.

The Hon. W. F. Willesee: I agree; but there is almost a principle involved which is being adopted in certain cases at the present time.

The Hon. A. F. GRIFFITH: There is, and in my second reading speech I gave an example of this. I agree it is a little away from the question of civil servants' superannuation, but there could be two classes of people: a person employed in a Government department, and entitled to receive superannuation under this Act, and a member of Parliament who retired from his seat, or was defeated, and who took a job in the Government service.

Both of those people may receive a pension only if they do not take another Government job; but both of them are entitled to a pension if they go along and earn exactly the same amount of money doing exactly the same job, so long as the salary is not paid by the Government.

The Hon. W. F. Willesee: I am not so concerned about a member of Parliament going into private enterprise; I am more concerned about the Government losing good employees.

The Hon. A. F. GRIFFITH: I just used that as an example. The Government had a look at this, and it is a fact that there are some people doing it. The Government feared that the practice might grow, and it would create a difficult situation if it grew out of proportion.

However, I readily realise the difficulty one has in understanding the whole of the ramifications of a Bill of this nature. I am sure an individual assessment will have to be made in respect of every person who has retired and who is in receipt of a pension in order to see what sort of improvement can be made in the return for each and every person.

One of the important principles involved in the Bill is that it encourages a person to assist in his own superannuation to the maximum of his ability to take out more units, together with the free units—if I might use the word—which the Government will make available under the plan. After all, it is quite competent for a civil servant to take the maximum number of units, but it might not be possible for him to do so; and I spoke also of some people who, although entitled to many more units than they held, had not taken those units out in the earlier days.

The Hon. F. R. H. Lavery: There were some who were precluded from taking more than 21 units.

The Hon. A. F. GRIFFITH: Yes, at a time when the maximum number of units was much lower than it is now. At the present time the number is quite high and any person, more particularly after this measure is passed, who is able to avail himself of the opportunity to purchase the maximum number of units, will certainly receive a substantial and satisfactory pension on retirement.

The promise of the Government to look at the scheme from time to time is another very important ingredient of the whole plan, because it will keep the scheme up to date. In the past, it has perhaps reacted unfairly on some people who retired a long time ago. The cost of living is rising and the entitlement of those persons under the scheme has not changed very substantially.

I think that is all I intended to say. I am glad of the reception the Bill has received not only in this Parliament, but also from other people who have spoken to me and who have had the opportunity to get some knowledge of the amendments. Those people are appreciative of the contents of the Bill and the improvements it will provide for people under the scheme.

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 passed.

Sitting suspended from 6.10 to 7.30 p.m.

LAKE LEFROY (COOLGARDIE-ESPERANCE WHARF) RAILWAY BILL

Receipt and First Reading

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

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [7.32 p.m.]: I move—

That the Bill be now read a second time.

This is the Bill to which reference was made when the Lake Lefroy Salt Industry Agreement Bill was being introduced in this Chamber. It is presented for parliamentary approval for the construction of two sections of line to connect the Norseman Gold Mines No Liability salt operations at Lake Lefroy with the land-backed wharf at Esperance.

The first schedule to the Bill provides for the construction of a short section of line —approximately two miles—to connect the existing line to the land-backed wharf at Esperance. In the second schedule a description is given of the spur railway to serve the salt works at Lake Lefroy. The total length of this line will be 10 miles 66 chains, and it will commence at a point on the existing Coolgardie-Esperance line near Widgiemooltha.

The reason for this is to permit such additional deviation as may be necessary should some unexpected contingency necessitate a relocation of the production area.

The provisions for the company to meet the cost of upgrading the existing line between the two new sections of line have already been explained to members, and they will recall that the agreement provides also that the company is to be responsible for the construction of the spur railway to the works' site at Lake Lefroy. This spur line on termination of the operations by the company becomes, of course, the property of the State without cost.

The normal limit of deviation for a railway, as provided under the Public Works Act, is one mile on either side of the line. In this case, clause 3 of the Bill provides for a deviation of 10 miles on either side of the spur line as described in the second schedule.

The Hon. F. J. S. Wise: The Public Works Act allows that to be done.

The Hon. A. F. GRIFFITH: Yes, but for only one mile on either side; not 10.

The Hon. F. J. S. Wise: It may be adjusted in accordance with that Act.

The Hon. A. F. GRIFFITH: Is the honourable member referring to the Public Works Act?

The Hon. F. J. S. Wise: Yes; the distance is one mile or as is provided in the Bill.

The Hon. A. F. GRIFFITH: I thank the honourable member. I was a little at sea as to what he was referring to.

During the negotiations with the company, the Director-General of Transport has been kept informed of the transport arrangements as discussed, and has examined the final agreement.

In his report to the Minister, he has advised that he is satisfied that the introduction of this railway into the State's transport system will not react against any measures that have been, or are likely to be, taken in future for the sound economic development of that system.

He has also commented on the acquisition of a useful asset in the form of an upgraded railway line from Widgiemooltha to Esperance and has expressed his satisfaction on the freight rates to be paid by the company.

I desire to table a copy of the director-general's report, together with a copy of railway plan No. 52984, which shows the connecting line to the land-backed wharf at Esperance, and a copy of railway plan No. 61519, which shows the spur railway to Lake Lefroy.

The report and copies of plans were tabled.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

MECKERING DISASTER

Inadequacy of Relief: Motion

Debate resumed, from the 24th April, on the following motion by The Hon. N. E. Baxter:—

That in the opinion of this House, the contributions by the State and Federal Governments to provide relief to the people of the State, particularly Meckering and surrounding districts, for losses suffered as a result of the earthquake disaster which occurred on 14th October, 1968, were totally inadequate, and requests both Governments to reconsider the problem and make further greater contributions; furthermore, this House registers its disapproval of the assessment, allocation and distribution of the Lord Mayor's Relief Fund.

To which The Hon. W. F. Willesee (Leader of the Opposition) had moved the following amendment:—

Delete all words from and including the word "furthermore" down to and including the word "Fund".

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [7.37 p.m.]: The motion moved by Mr. Baxter had an amendment moved to it by Mr. Willesee which, in my opinion, seeks to remove one of the principal factors of criticism put forward by Mr. Baxter when presenting his motion to the House. I consider that, in the interests of the motion, I should speak to the amendment—because you, Sir, will prevent me from doing otherwise—but I also wish to make some brief remarks on the motion itself.

At the outset I would point out that the motion is divided into two principal parts. It seeks to criticise the Commonwealth Government and with the same sort of criticism it enjoins the State Government. It then seeks to register disapproval of the assessment and distribution of the moneys in the Lord Mayor's Relief Fund. The major part of the speech made by Mr. Baxter when moving his motion was concentrated on the criticism levelled against that fund, which criticism Mr. Willesee now seeks to remove from the motion by his amendment.

Before going any further, I make it known that I support the amendment to the motion for the simple reason that I do not support the motion, and at least by agreeing to the amendment it will tone down some of the criticism which the motion called upon the House to register against the Lord Mayor's Relief Fund and the distribution of money from that fund. I wonder in what sort of position we find ourselves at the moment. I cannot imagine Mr. Baxter agreeing to the amendment, because if he did it would imply a very ill-conceived action, as the amendment, if agreed to, will cut the motion in half, and I should expect that Mr. Baxter, to be consistent in his argument and his criticism, would oppose the amendment and hope that the House will carry the motion he has moved.

I think it would be wise if the House were to divide on the question of the amendment, but I do not think that will come about, although I may be quite wrong. I think the amendment will be carried on the voices, but I repeat; I may be quite wrong, and I hope I am quite wrong. I would like to see members pass to one side of the House or the other in voting on the question of whether criticism should be expressed against the Lord Mayor's Relief Fund. If you, Sir, decide the question in favour of the ayes and I call for a division, Mr. Baxter would be able to claim me and at least he would have me on his side. However, in my early parliamentary career I made that mistake on one occasion and nearly found myself claimed, but I am not proposing to make that mistake tonight.

The Hon. J. Dolan: You never let the same bee sting you twice.

The Hon. A. F. GRIFFITH: The same bee can never sting one twice because I am told he dies after the first sting. There are one or two aspects to which I think I should draw attention. It has been said that the State should establish what is referred to as a national disaster fund. This claim is nothing new. In fact I am sure it is not. The subject has been discussed from time to time at Premiers' Conferences, but the general consensus of opinion has been against such a proposal. I understand that as far back as 1957 the then Premier of the State referred to the difficulties in applying a scheme over the whole of the Commonwealth and made mention of the very wide issues involved, particularly as they would affect the personal liability of individuals to arrange for the protection of their own property.

In more recent times the Commonwealth has said that the principal problem in establishing a general scheme to provide Government relief to those affected by such an occurrence as the one we experienced last year—this being regarded as a national disaster—would be to establish a clear definition of the basis on which relief should be granted. We have had a great deal of criticism during the course of this debate of the basis on which relief should be given. By way of innuendo only we have heard that the Lord Mayor's Relief Fund has done some very wrong things. To date we have not had any examples put forward by Mr. Baxter of these wrong things, except that he referred to farmer A and farmer B, and so on.

I have taken this matter up again with Mr. Gabbedy, and I will return to that subject in a few moments. However, at this point let me say that Mr. Gabbedy assured me as late as this morning that his relief committee is still prepared to investigate these complaints, and he suggested to me—and I agree with him—that if members of Parliament have knowledge of these complaints they should let Mr. Gabbedy's committee know and such complaints will be investigated even at this stage of the proceedings.

To get back to the creation of a national relief fund, the question of whether people who are suffering losses as a result of national disasters should be entitled to receive assistance on a standard basis, regardless of the nature and the extent of the disasters, the frequency with which they occur in the areas concerned, and the extent to which those affected could and did take action to ensure that they themselves were not involved, arise. Here we have criticism of one person who was wealthy receiving the same treatment as another who was not, and criticism that the first person did not deserve that treatment. There is no doubt that a problem arises in such circumstances, and it would be difficult to lay down a fixed set of rules to deal with the different situations that could arise.

The crux of this matter is plainly and simply this: somebody has to provide the wherewithal to establish a disaster fund. The people who regard themselves as being unlikely to suffer from national disasters would be unwilling, I imagine, to be placed in the position of being compelled to subscribe to a fund. Most people think that disasters will not happen here and will not affect them; others think they are sufficiently insured and that they can look after themselves. These are difficult matters to decide.

What it boils down to is that in the event of a disaster, in the absence of a national fund about which we have been speaking it becomes a matter of the Government having to come to the party; and the extent to which the Government comes to the party is determined by the Treasury. But the money in the Treasury is made up of subscriptions from the people of the State. So the greater the subscription in the event of a disaster, the greater is the form of draw-off from the taxpayers by and large. I simply say this to demonstrate there are difficulties in establishing a fund of this nature.

In respect of the earthquake which occurred last year—although this is a past event—the State and the Commonwealth have made some contributions.

The Hon. F. R. H. Lavery: Not enough.

The Hon. A. F. GRIFFITH: Let me make my own speech. The extent of the contribution is under criticism. Not only that, but I take to heart the fact that criticism was levelled at the Lord Mayor's fund, not in this Chamber but in some quarters. I subscribe to the point of view that has been put forward by Mr. Willesee in respect of the criticism of the Lord Mayor's fund, and that is why I propose to vote against the motion.

I have been told by Mr. Gabbedy—and I have used his name quite a lot because he has played a very important part on the Government relief committee, and in fact he is still playing an important part —that he has been back to Meckering in recent days. He gave me permission to read a minute which he had addressed to me. It states—

> Having carefully studied the debate in the House occasioned by the Hon. N. E. Baxter's recent motion regarding inadequacy of relief I cannot help but feel that the second paragraph of the letter dated the 17th January, 1969, written to the Hon. member by Mr. Partridge, Secretary of the Local Committee, may have done much towards prompting the Hon. member's action.
>
> Some doubt was expressed by your good self in reply to the motion as to whether the opinion expressed in Mr. Partridge's letter would have been private or official. I consider that I can state with confidence that it did not have official backing. On the 17th of January, Mr. Hewitt—

He is the representative of the Treasury. The minute continues—

> —and myself met the Chairman of the Cunderdin Shire and Secretary, with the two Meckering representatives at the Meckering Show Grounds.

The Hon. L. A. Logan: You referred to the chairman of the Cunderdin Shire, but he is the president.

The Hon. A. F. GRIFFITH: I am doing pretty well, but I am also grateful for this sort of help. The minute continues—

> Copy of the notes as to purpose of this meeting and business discussed are attached for your information.
>
> This meeting was arranged by the Shire, following our Advisory Committee's request for an "on-the-spot" meeting. I am not aware as to why Mr. Partridge was not present. Both Shire representatives were members of the Local Committee and, in fact, one was the Chairman. Again, several members of the Local Committee also were present, either by invitation or interest.

The Hon. N. E. Baxter: You again mentioned the chairman of the Cunderdin Shire, but he is the president.

The Hon. A. F. GRIFFITH: Technically he is the president of the shire, but I am quoting from a minute and I have to read it accurately. I made a mistake when I mentioned the honourable's initials, so I will be careful to read the minute correctly. To continue—

> Mr. Partridge was aware of the meeting as he had been contacted by the Secretary of the Advisory Committee, Mr. T. F. Jones, that morning on other matters and, in passing, Mr. Jones stated that he anticipated seeing Mr. Partridge later in the day at the meeting. Mr. Partridge replied that he had not been invited.
>
> The coincidence of the dates leads to the conclusion that the Local Secretary, hurt over his not being invited, promptly put his pen to paper. Such action from our part, although we were not the conveners, is very much regretted, but the point we desire to stress is that the letter read by the Hon. member could only have been Mr. Partridge's own opinion, and in the present circumstances it is more than ever regrettable that it was not brought to the notice of the correct Authorities much earlier.
>
> We have not discussed this matter further with either Chairman Max Kelly, or members of the Local Committee, as we consider there have been enough personality clashes already and no useful purpose would be served thereby.

Then follows a copy of a minute recording the names of the people who were present, and the discussions which took place.

Mr. Gabbedy told me this morning that he felt quite satisfied that so far as this local committee was concerned they were not at cross purposes; that he had been down to Meckering again; and that generally speaking there was satisfaction among the members of the committee and the local community. But he reiterated—and I pass on his message—that if any further complaints are to be lodged they should be lodged with the authority which can give those complaints attention. That is not an unfair proposition. I know that Mr. Baxter said he might be in trouble in naming these people.

The Hon. N. E. Baxter: I did not say I would have trouble in naming them; I said I did not wish to name them.

The Hon. A. F. GRIFFITH: That is tantamount to the same thing. I can understand how the honourable member feels about this matter. I think he will agree that if criticism is to be levelled in Parliament against a body of public-spirited people then it is only fair to do one of two things: Either name the people so as to get on with the job, or not criticise the band of people who are trying to do a job for a section of the community who are in trouble. That is the way to look at this. Irrespective of what anybody has said, this is surely a fair approach.

I have nothing further to say, because I must stick pretty closely to the fact that the amendment moved by Mr. Willesee seeks to delete certain words from the motion. I come back to where I started. I am interested to find out what will be the result of the question that is next to be put to the House by you, Mr. President: The question is that the words proposed to be deleted be deleted. If those words are deleted, as I expect them to be on the voices, then the whole of the criticism is levelled at the Commonwealth and the State Governments.

I cannot change my attitude in opposing a motion of this nature. I propose to vote against the motion in its amended form; but if the amendment is not agreed to then I am left in exactly the same position, and again I will not alter my attitude.

I make one last appeal to Mr. Baxter and to anybody else who is connected with those who have suffered as a result of this disaster. If there are complaints to be made they should be made to the committee that is charged with the responsibility of listening to them. Each and every individual complaint will be investigated by this committee. I am told—and it has not been contradicted, although Mr. Baxter did not tell me privately or otherwise—that he himself has not made one single complaint to the committee.

The Hon. N. E. Baxter: I have.

The Hon. A. F. GRIFFITH: It seems that he has done so since last Thursday; that is, within the last week. I am told that is the position, but if I am wrong I retract my statement. On the information given to me no complaints have been made by Mr. Baxter, but they have been by other members of Parliament. If the honourable member has knowledge of matters that can be placed before the committee for the purpose of investigation, then even at this late stage he should present them for investigation to the committee headed by Mr. Gabbedy. I conclude my remarks on this note: I will listen with interest to anything else which other members of the House might say on the amendment moved by Mr. Willesee.

THE HON. N. E. BAXTER (Central) [7.58 p.m.]: Addressing myself to the amendment moved by Mr. Willesee I would like to say, firstly, that there appears to be some misconception in regard to that part of the motion which Mr. Willesee's amendment proposes to delete. There is also some misconception as to my attitude in regard to that part of the motion. I would like to say at the outset that I have not criticised Mr. Gabbedy, Mr. Hewitt, Mr. Smith, or the assessor or assessors who were placed in the position of Government advisers to the relief committee, in respect of the distribution of the Lord Mayor's Distress Relief Fund.

The Hon. A. F. Griffith: You have just criticised the Lord Mayor's fund.

The Hon. N. E. BAXTER: How can one criticise a fund?

The Hon. A. F. Griffith: You criticised the distribution of it.

The Hon. N. E. BAXTER: What I criticised was the method used in distributing the fund. This is quite different from criticising the members of the committee. I was not criticising the committee which is responsible for the collection of the money in the Lord Mayor's fund, because it is charged with this responsibility. The advisory committee was appointed by the Government to go into the area concerned; assist the people wherever possible by restoring public services; assist in every way possible to ensure that the people were placed in reasonable living quarters after the disaster and for some months afterwards; and ensure that an assessment was made of the damage which was sustained during the earthquake.

Finally it had to advise the basis of distribution of money from the Lord Mayor's fund. Nowhere did I intimate that the Government advisory committee did a bad job. All I said was that the method used was, in my opinion, not a good one and that in future we should guard against a distribution of this nature and ensure that a better method is adopted so that there will not be the ill-feeling

there has been on this occasion and which is illustrated by some of the letters which have been written to the newspapers. Those letters are an example of the feeling that exists on this matter throughout the State, not only among people in the country areas, but among those in the city also.

I received a letter from a gentleman I do not know, that I can recall, pointing out that he was fully in accord with me and that the distribution should have been carried out very differently. Even a senior Treasury official has remarked that in the future he believes a fund of this nature should be distributed on a means test basis.

The Hon. G. C. MacKinnon: Like in Tasmania where they had just as much criticism, or more so?

The Hon. N. E. BAXTER: I do not think it was done in Tasmania purely on a means test basis, only to some degree. However, that is the attitude of a very senior Treasury official.

I am not blaming the Government advisory committee for the anomalies that have occurred. The members of that committee have done what they thought was right. They have received valuations through the assessors of the damage done on properties over a very wide area, and on that basis they decided upon the allocation of the money. But what I do criticise is the announcement made at an early stage as to how the money was to be distributed.

It was stated that those whose homes had been completely destroyed would receive at least $3,000 from the fund and those whose homes had been affected would be compensated to the best of the ability of the fund.

I gave illustrations which I do not believe the Minister understood. I mentioned farmer A and farmer B and I clearly stated that in the case of these two farmers a reputable builder, with years of experience, examined the two properties. His assessment was that with farmer A's property the damage was 10 to 15 per cent. greater than the damage to farmer B's property.

The Hon. A. F. Griffith: Did you refer these complaints to the committee?

The Hon. N. E. BAXTER: This is not a complaint. The Minister talks about taking complaints to the committee. I think if he checks up he will find that the complaints taken to the committee were complaints by those who have not received enough, not by those who have received too much. I am not saying that farmer A's assessment was too much, but that the discrepancy between what was granted to farmer A and what was granted to farmer B, under the circumstances and according to the evidence given by the builder who examined both places, indicates that something is wrong somewhere.

I do not say the committee did this deliberately, but some mistake has apparently been made. I illustrated the other case of the party who had bought a home for a small sum in Meckering, and who had received from the fund an amount about twice the figure he paid for it. I have been given to understand since then, by a member of the local committee at Meckering, that he also received insurance, almost to the full value of the property.

Are these things I can take to the committee and complain that it has given one person too much and another too little? This is not my job. I am not a policeman for the committee. That is its job. What I am pointing out is that the manner in which it was done is one which will not instil confidence into the public who have donated to this fund and who will, in future, be expected to donate to another similar fund should the occasion arise.

The Hon. A. F. Griffith: You do not blame them, but seek to censure them in Parliament!

The Hon. N. E. BAXTER: This is the attitude the Minister takes. If he likes to take it, I cannot alter it.

Let us get back to the reason I moved this portion of my motion. It was so we can assure the public that in future there will be no ill-feeling regarding the distribution of funds of this nature because we will do our level best to ensure that funds are distributed on a basis that will satisfy everyone. That is the way we will instil confidence in the public to donate to any future fund that may be required.

We must not let the matter rest and indicate that we are satisfied with what has been done in respect of the anomalies, and in respect of complaints which have appeared in the Press in recent times. Do we intend to allow this matter to rest and say that we approve of the way it was done? Because that will be the position if the House accepts the amendment moved by Mr. Willesee. It means that the Legislative Council of Western Australian approves of the allocation and distribution of the Lord Mayor's fund for the recent earthquake disaster.

The Hon. A. F. Griffith: I take it you do not think anyone disapproves of your action.

The Hon. N. E. BAXTER: Public opinion of late, according to what has appeared in the Press has not done so. Does the Minister intimate that the Press is printing only letters received by it to support the action I have taken? I do not think I have any particular tie-up with the Press.

The Hon. G. C. MacKinnon: I don't think you can win whatever you do. They did not do this in Tasmania; and in Aberfarne in Wales they have about $5,000,000, but they cannot find a way to distribute it.

The Hon. N. E. BAXTER: They are fortunate. They have too much and we have too little.

The Hon. G. C. MacKinnon: They do not have too much. They just cannot find a satisfactory basis of distribution.

The Hon. N. E. BAXTER: The Minister said earlier in this debate that Mr. Gabbedy was not the chairman of the Lord Mayor's Relief Fund. I know that, and I think everyone does. He is the Chairman of the Government relief advisory committee. When the Minister spoke in the debate on the motion, he was splitting hairs when he tried to make it appear that I had said that Mr. Gabbedy was the chairman of the fund.

If the Minister reads the whole of my speech he will find that I mentioned Mr. Gabbedy twice, but not in connection with his being chairman. I did not refer to his being chairman anywhere in that speech.

The Hon. Clive Griffiths: Read it out.

The Hon. N. E. BAXTER: If the honourable member wants to read my speech, he will find it in *Hansard* No. 18 at page 3040.

The Hon. A. F. Griffith: I wonder whether you would listen to this, which is from your speech: "I have here a letter from the secretary of the local committee which was formed at Meckering under the direction of Mr. Gabbedy, who was appointed Chairman of the Lord Mayor's Relief Fund."

The Hon. N. E. BAXTER: A letter?

The Hon. A. F. Griffith: That is from your speech.

The Hon. N. E. BAXTER: No, it is not.

The Hon. A. F. Griffith: You say you have a letter from the secretary.

The Hon. N. E. BAXTER: I have not received a letter from Mr. Gabbedy so how could I have referred to it?

The Hon. A. F. Griffith: In order to make sure, I will read it again as follows:—

> I have here a letter from the secretary of the local committee which was formed at Meckering under the direction of Mr. Gabbedy, who was appointed Chairman of the Lord Mayor's Relief Fund.

Maybe you altered your duplicate, but that is what I have.

The Hon. V. J. Ferry: At page 3040.

The Hon. A. F. Griffith: You know, this is very unimportant.

The Hon. N. E. BAXTER: I will check that up later. I have been through the speech and cannot find those words.

The Hon. V. J. Ferry: We can.

The Hon. A. F. Griffith: It is very unimportant.

The Hon. N. E. BAXTER: I will not go on with that at present. The Minister seems to think I made the statement, and if I did I am wrong in that respect. Possibly when I was using those words I made a mistake because I knew very well Mr. Gabbedy was not the chairman. I was referring to the chairmanship of the Government advisory committee. After all, who would be the chairman of the Lord Mayor's Relief Fund from a collection point of view?

I would now like to refer to the statement by the Minister that Mr. Gabbedy did not suggest the formation of the local committee in Meckering. To make sure I was not imagining this, or was not suffering from delusions, I checked with two very reputable people. If the Minister doubts me after I have spoken, he can check with the people concerned, these being Mr. Tom Sullivan, the Secretary of the Farmers' Union who was present on the occasion, and Mr. Laurie Reynolds from Meckering, who was also present. Both of these people assured me I was completely right when I said that the suggestion for the formation of a local committee was made by Mr. Gabbedy.

At the end of an address to the people in Meckering he suggested that they form a committee. He said, "We"—referring to Mr. Hewitt, Mr. Smith, and himself—"will retire while you form your committee." If the Minister likes to check, he can do so with Mr. Sullivan, Mr. Reynolds, and Mr. Tom Henderson, also from Meckering, who is a member of the Cunderdin Shire Council. They will all assure him it was Mr. Gabbedy's suggestion about the formation of the local committee.

I now come to Mr. Partridge's letter. It was not a letter from the committee, and I did not say it was. I said that Mr. Partridge was secretary of the committee. The letter was written to me in response to some correspondence I had with him on the relief fund. It emanated from a discussion I had with members of a committee when I was in Meckering. They said they would like to meet the Premier, the Cabinet subcommittee, and the three members who represent the area— that is, you, Sir, Mr. McIver, and me—to have a discussion on the future of the relief and rehabilitation of Meckering. To this end I wrote to the Premier on or about the 20th December, and I will read the letter to the House.

The PRESIDENT: Order! I would ask the honourable member to direct his speech to the words proposed to be deleted. At the present time he is almost making a closing speech on the whole issue.

The Hon. N. E. BAXTER: I wished to read this, Sir, because I connect it with some of the remarks made by the Minister. However, instead of reading it at this stage, I will state that a letter was written

to the Premier on the subject of the distribution of funds which affected rehabilitation in the Meckering area and a desire was expressed to meet the Premier and discuss certain matters.

I have made reference to this because the Minister has questioned why I have not taken complaints to the Government Relief Advisory Committee. I will say, firstly, that in reply to my letter the Premier said that no good could come from a meeting and that the Government would decide what would be done when the amount of money made available by the Commonwealth Government was known.

You, Sir, can imagine how I felt in relation to this matter when I was more or less told in a letter from the Premier that we could mind our own business as the Government would decide the matter. My feeling was: Where could I go on this matter after having received such a salutary reply from the Premier?

I did not have any application made to me by people to intervene on their behalf with the advisory committee. However, many people within the area have come to me and expressed their feelings in regard to the distribution of the fund and that is why the motion was moved and why the section under discussion was included in the motion. Since then, of course, the Premier has received a deputation from another body, so members can imagine how I feel in this respect.

When Mr. Willesee moved the amendment he stated that the motion was unfair because it criticised those who were responsible for the distribution. I certainly would not say that I criticised those who were responsible for the distribution of money; I criticised the method they used in the distribution of money. I was not criticising them as persons.

The Hon. I. G. Medcalf: Did they devise the method or did somebody else?

The Hon. N. E. BAXTER: The advisory committee recommended how the money should be distributed.

The Hon. I. G. Medcalf: Did the members of the committee devise the method, or did somebody else?

The Hon. N. E. BAXTER: The committee was under trust to obtain all possible information on the damage done; to carry out an assessment as to how the money should be distributed; and to recommend how it should be distributed. I think members should be quite clear about that aspect, because some misconception has occurred in respect of this. The Lord Mayor's Distress Relief Fund committee itself did not make this decision. It is only the body which collects the money that is donated; but the Government Relief Advisory Committee was the body that made the recommendations and handled the whole question of distribution. I hope that is now clear; because, as I have said, I know there has been some misconception in this respect.

I do not want members to think that I am criticising Mr. Gabbedy, Mr. Hewitt, or Mr. Smith as persons, or Mr. Jones, who is one of the assessors. I am not attempting to do that; because these men were given a job to do.

The Hon. W. F. Willesee: Your qualification makes your original speech sound very different now.

The Hon. N. E. BAXTER: No criticism was made against these gentlemen in my original speech, singly, or as a committee. If Mr. Willesee had studied my speech he would have seen that I was criticising the method used—

The Hon. W. F. Willesee: I listened to it; I could not be bothered reading it.

The Hon. N. E. BAXTER: —and the Government by saying that I would like to see a different formula in respect of distribution used in the future.

I do not want to delay the House for very long. Nevertheless, I want to make it quite clear that neither my motion nor my speech sets out to criticise the committee as a committee or as individuals; but I want to ensure that a different method will be used in future. Much dissatisfaction has been expressed over the distribution. That statement is borne out, as members well know, by letters to the Press; it is borne out by the approaches which have been made to myself; and it is borne out by information that has been supplied to me. Even you, Mr. President, have received similar information in regard to the distribution of the fund.

We cannot at this stage, after the decision has been made, turn round and police the matter and say, "You have given A so much and B so much. Now, you have given A too much and B too little." Or, are we to do that by going along to the advisory committee and saying, "Here is a case where you have given someone too little, but there is a case where you have given someone else too much"? If we were to do this we would probably have quite a full-time job on our hands.

Now that I have brought the motion forward, perhaps the committee may have another look at some of the assessments and some of the applications which it has received. In some cases an application for relief was made direct by the people concerned; but in others, payment was made on a report. What happened was that the Government Relief Advisory Committee asked everybody concerned in the area to report the damage caused to their properties. An assessor went round to people's homes and to farms, as you, Sir, would know, when the residents had not made any report to the committee. Nevertheless, he went round and it is quite right that he should have done this. The assessor said, "I have come to make an assessment." As

I have stated, this action was taken when there had been no application from the farmer or resident for an assessment. Perhaps the committee will look through that list and consider again the assessments that were made.

In fact, I have a list here which was prepared by some of the members of the committee in Meckering. It is quite outstanding to see, if one knows the circumstances. Unfortunately, many members in this House do not know the circumstances that existed around that area; but the only way one can appreciate the position is by knowing the circumstances.

I ask members to consider the motion this way: it is not intended as a criticism of the Government Relief Advisory Committee. However, it is intended that in future there should be a different method of distribution of these funds, so as to instil confidence in the public to donate further should another such tragedy occur.

I trust the House will not agree to the amendment; because, in essence, it says that the Legislative Council of Western Australia approves of the manner in which the Lord Mayor's Distress Relief Fund was distributed in this instance. I oppose the amendment.

THE HON. V. J. FERRY (South-West) [8.24 p.m.]: I rise to support the amendment moved by Mr. Willesee. I find it very difficult to reconcile Mr. Baxter's speech tonight with the one he made when he introduced the motion. He is far from convincing me that the distribution of the Lord Mayor's Relief Fund or the action of the members of the committee were in any way detrimental to the community in the damaged areas. I believe there are many inconsistencies in Mr. Baxter's reasoning when I compare one speech with the other.

The Hon. N. E. Baxter: That is a two-way stand.

The Hon. V. J. FERRY: I do not wish to weary the House, but I make the comment that I am not convinced. To my mind there are inconsistencies and I leave it to members to make up their own minds as to where these inconsistencies may be.

I refer to a similar set of circumstances in the early 1960s when a certain sum of money was allocated to relieve hardship. No act of nature, such as an earthquake, caused that emergency; it was, in fact, the collapse of the tobacco growing industry in Western Australia.

A certain sum of money was made available by the Commonwealth Government. I am drawing on the resources of my memory, but I believe the sum in that instance was of the order of £25,000 which was the currency of that era. The guidelines for the distribution of the relief money were set down by the Commonwealth, and a committee was formed to administer it. The committee was requested to distribute the money amongst the tobacco growers according to the degree of hardship assessed.

I repeat that the formula was to be implemented on the basis of degree of hardship. It is a terribly difficult exercise to assess a degree of hardship amongst people who have been associated with a rural industry. What yardstick does one adopt? The committee had my fullest sympathy. Fortunately for me, I was not on the committee, and I hope I never will be on such a committee. It certainly was a tremendous job to try to be fair and just in that set of circumstances.

The Hon. A. F. Griffith: Certainly it is a very thankless job.

The Hon. V. J. FERRY: It is exceedingly thankless. I know full well the discontent and hostility that existed amongst the tobacco growing community. These men had lived in the area and had conducted their farms there. They realised that on the one hand their neighbour received X amount of money and they received a lesser amount, or perhaps nothing. They could not find out why. Being human they naturally felt it would be just and fair if they were to receive the maximum; yet, some of them missed out altogether, and this caused no end of mental hardship to these people. This was in addition to the loss of their livelihood; because the tobacco industry had, in fact, collapsed completely and utterly.

I repeat: By what yardstick does one assess the degree of hardship? I mentioned the tobacco growing industry to indicate that this sort of method is not at all satisfactory in respect of the distribution of relief funds. It is virtually a means test.

In referring to the amendment before the House, I wish to say that I agree that the words should be struck out of the motion, because I am certainly not convinced that the charges—if I may use that expression—laid by Mr. Baxter have been proved. In fact, to my mind, they certainly have not been proved. I propose to support the amendment.

Amendment put and division taken with the following result:—

Ayes—24

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. G. W. Berry	Hon. N. McNeill
Hon. G. E. D. Brand	Hon. I. G. Medcalf
Hon. R. F. Claughton	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. C. E. Griffiths	Hon. F. R. White
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. E. C. House	Hon. F. D. Willmott
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. L. A. Logan	Hon. V. J. Ferry *(Teller)*

Noes—3

Hon. N. E. Baxter	Hon. J. M. Thomson
Hon. T. O. Perry	*(Teller)*

Pair

Aye	No
Hon. J. Heitman	Hon. F. R. H. Lavery

Amendment thus passed.

Debate (on motion, as amended) Resumed

THE HON. R. THOMPSON (South Metropolitan) [8.34 p.m.]: I support the motion, as amended. However, I would like to refer to one thing the Minister for Mines said when he spoke to the motion originally. He said there was a reluctance —and he emphasised the word "reluctance"—on the part of anybody to second the motion.

The Hon. A. F. Griffith: That is not correct.

The Hon. R. THOMPSON: You have a look at your speech.

The Hon. A. F. Griffith: I said there was a reluctance to second the motion; not on the part of anybody, because you seconded the motion, or at least you tried to do so.

The Hon. R. THOMPSON: I thought you were accusing me for seconding the motion.

The Hon. A. F. Griffith: I asked you privately whether you did.

The Hon. R. THOMPSON: The only reason that there would have been any reluctance on my part to second the motion was that, naturally, I thought Mr. Baxter would have someone ready to second it for him. In my view it is the right and privilege of any member to move a motion which affects the area he represents. If we believe in the freedom of speech then I think this is the place where that freedom should be exercised. It is the place where members can bring forward the views they wish to express in regard to their districts. I have done this on many occasions, and I will continue to do so. Even if I disagree with a motion I will always be prepared to second it for the purpose of allowing the member concerned to have his freedom of speech.

Another criticism was made a short while ago and I will refer to it now while it is fresh in my memory and before I get on to the main topic, which is the inadequacy of the aid provided by the Government. When Mr. Baxter was speaking to the amendment Mr. MacKinnon interjected and said that the same criticisms that are being voiced in Western Australia were voiced in Tasmania. That may be so. There will always be criticisms from somebody about something.

The Hon. G. C. MacKinnon: Not "may be." What I said was true because I was over there not long afterwards.

The Hon. R. THOMPSON: Let me finish! That may have been the position initially, when hundreds of people in Tasmania were without houses. Those who have seen the devastation in that State—and it is only a small area—would realise that naturally there would be some criticism at the time. However, there is no criticism in Tasmania now as to the Government's actions in rebuilding houses and so on in that State. The Premier of Tasmania is held in the highest esteem, as are the members of the committee who were responsible for the assessments of damage. Large sums of Government money were used to rebuild, and to rehouse the people of Tasmania. I investigated this matter when I was in Tasmania and there is no criticism there about the Government's contribution. My colleague on my right (The Hon. J. Dolan) can verify what I am saying.

However, when we come to Western Australia what do we find? We find that the State Government contributed $50,000 well knowing that the Commonwealth Government would provide a like amount —on a dollar-for-dollar basis.

In the course of my speech I shall read out a part of the Prime Minister's reply to the Premier. When I spoke to the amendment I said that I had Mr. McIver's file. This member did a tremendous amount of work for the people of Meckering. He did so much that in February this year the people there elected him Patron of the Meckering Agricultural Society. I am not sure whether it is an honour to be elected patron of a society because it usually costs one money. But by the same token, in recognition of the services he rendered to the people of the district, they elected him patron of that society.

In December the member for Northam (Mr. McIver) received this letter from the residents of Meckering—

> Sir,
>
> We urgently request your consideration and interest in the following matters.
>
> 1. The complete lack of commitment by W.A. Government with regard to relief or assistance generally.
>
> 2. The complete lack of information as to when or how residents and small businessmen are to transfer, rebuild and start again after heavy financial losses.
>
> 3. We are disgusted and disillusioned with the attitude of the W.A. Government to date in relying wholly on the generosity of the public in the form of The Lord Mayor's Relief Fund to alleviate the hardship and shocking conditions prevailing in Meckering at present.
>
> Further to the petition.
>
> It is understood that Mr. Gorton made a statement in Canberra that he was waiting for Mr. Brand to make a commitment with regard to Meckering and that Commonwealth Government would give dollar for dollar.
>
> If this is so why has Premier Brand not done so.

So far we have had hot air and platitudes in plenty from official bodies with a mass of officials running around but little action.

If a portion of the salaries of these gallant gentlemen had been applied to Meckering the town would already be rebuilt and a going concern.

A large portion of the public are under the impression that there is a Meckering relief fund.

I think we all agree that many members in this Chamber thought there was a Meckering relief fund. The letter continues—

This is not so.

There is only one fund The Lord Mayor's Relief which is applicable to the whole State.

It should further be pointed out that no payment has so far been made to Residents of Meckering.

This may have been withheld for good reasons but some statement by the relief body would alleviate the bewilderment and disillusion existing at the present time.

It had been hoped that the State Government would at least contribute 2 to 1 against the Lord Mayor's Relief Fund and though we are not begging for handouts this is surely not unreasonable when you consider the grants being given to other towns for luxuries like swimming pools.

The letter was signed by J. Cooper, and it was accompanied by a petition.

On the 24th December, Mr. McIver wrote to the Premier, in similar vein, and on the 21st January, the Premier replied as follows:—

Your letter of the 24th December relating to assistance in meeting the cost of damage arising out of the earthquake in October is acknowledged.

The Commonwealth's attitude as conveyed to me in a letter from the Prime Minister is as follows:—

We do, of course, assist in the provision of relief to those suffering personal hardship and distress as a result of a disaster; but as we do not wish to place ourselves in the position of being a free insurer, we take the view that such assistance should not be available for the general restoration of private assets. In addition to the immediate relief of distress, Commonwealth assistance for relief of personal hardship and distress is available for making essential repairs to houses and for repairing or replacing essential items of furniture and equipment to the extent necessary to provide reasonable living conditions for those who, due to lack of adequate financial resources, would otherwise suffer personal hardship.

You will note from the foregoing that Comonwealth assistance (on a $ for $ basis with the state) is limited to relief of immediate distress which normally covers such items as emergency food supplies, clothing, bedding, etc., and in the case of persons who lack adequate financial resources, essential repairs to houses, furniture, etc. No help is given by the Commonwealth for the general restoration of private assets.

The Commonwealth contribution of $50,000 to the Lord Mayor's Distress Relief Fund was for the purposes referred to in the previous paragraph and matches a like contribution from the State. If total expenditure from the Fund which would come within the definition of personal hardship and distress as defined above by the Prime Minister exceeds $100,000 then both the Commonwealth and the State are prepared to meet this excess but the indications here are that such expenditure is unlikely to exceed this sum.

The main problem is to provide assistance for the restoration of private assets particularly where the persons concerned cannot be classified as having inadequate financial resources. Although the Commonwealth has refused to provide funds for this purpose, my Government has decided to make money available by way of loans through the Rural and Industries Bank in those cases where finance cannot be obtained from normal channels. The terms and conditions of these loans will depend on each applicant's financial position and will take into account the capacity of each individual to pay interest and meet capital repayments.

Big-hearted! The letter goes on—

Delay in payment to Meckering residents of grants from the Lord Mayor's Distress Relief Fund have been occasioned I understand, by the uncertainty surrounding the new site for the town. Although the Lord Mayor's Committee thought it better to withhold payments until this issue was settled it has now been decided by that Committee to go ahead with these payments.

The State Government has incurred considerable expenditure in re-establishing services, restoring Government assets and providing staff at all levels to administer relief measures. It has contributed to the Lord Mayor's Distress Relief Fund and has indicated its intention to share with the Commonwealth the cost of restoring Local Authority assets destroyed or damaged

by the earthquake. It will provide finance for re-establishment loans.

The Government is therefore supplementing in no small measure the assistance being given from the Lord Mayor's Distress Relief Fund. However, like the Commonwealth Government we cannot act as a free insurer at the expense of the taxpayer and victims of disasters must necessarily rely to some extent on the generosity of the public for restoration of private assets.

From this we can see, as the Minister for Mines pointed out, that the Government did not intend to become an insurer. This is possibly where I can agree to a certain extent and, as I said previously when I spoke to the amendment, I think it is the needy who should have been assisted and not the greedy. Those who suffered no financial loss should not have been assisted ahead of people who required assistance; those in their twilight years. Some of the letters I received referred to pensioners, and there is one man in particular who is 62 years of age—who I am sure you know very well, Mr. President. This gentleman had to move from the town and live in pensioner accommodation. He had been a basic wage earner for the majority of his life; his house had been destroyed, and the compensation he received from the Lord Mayor's Distress Relief Fund was quite inadequate to enable him to re-establish himself elsewhere. He is now living at York.

The contribution of $50,000 made by the Government was quite inadequate; it was a drop in the ocean, particularly when we consider the moneys made available to companies to help them establish in Western Australia. In some such cases as much as $1,000,000 has been made available. I well recall something like $600,000 being made available for the provision of electricity to Alcoa, and not one unit was used. Instead of making use of this facility the company is now selling the power back to the State.

So we find that when it comes to big business money is made available; and, after all, it is the taxpayers' money which is being made available. The Government, however, cannot see its way clear to making a similar substantial contribution to people who have lost all their worldly possessions; all they receive is a small handout from the Lord Mayor's Distress Relief Fund. I must say that I will certainly think twice before I donate anything further to this fund, unless something is done to change the system of allocation.

The Hon. N. E. Baxter: I don't think you are right.

The Hon. R. THOMPSON: The honourable member was criticising the people who undertook the job at Meckering; I am criticising the manner in which money was allocated from the Lord Mayor's Distress Relief Fund, which is something quite different.

I was making the point of the Government's willingness to spend money to assist private enterprise and its unwillingness to assist its own citizens; people who have been taxpayers and who have contributed to the welfare of the State all their lives; those who have pioneered and taken on jobs in the outback—and, after all, Meckering was not always as close to the metropolitan area, in terms of travelling time, as it is now.

The people to whom I refer, and who have lost their all, have spent 50 years or more working in that district; they have contributed substantially to the welfare of the State, and they should have been treated a lot better than they were by the Government of the State. We all know the amount of money that was made available to Tasmania during its period of disaster, but here we find a paltry $50,000 offered by the Premier.

The amount offered is a disgrace to the Premier and to the party he represents. We cannot, of course, completely blame the Commonwealth Government, because that Government did offer a payment on a dollar for dollar basis. The Premier was aware of this fact and he should have made a substantial contribution so that the Commonwealth Government would have had a base figure from which to work. The people of Western Australia have been most generous, but the Government, on the other hand, has been most parsimonious. It leaves me cold when I think that our own people have not been looked after.

Is this a humanitarian approach, or is it a case of, "I'm all right Jack, you fend for yourself"? Let us now consider the building that has taken place in Meckering. We find that very little building work has been done in that area since the 14th October.

The Hon. G. C. MacKinnon: Was there not some holdup because of local disagreement in connection with sites?

The Hon. R. THOMPSON: I have read out the Premier's letter in that regard. I have here a letter from the Minister for Lands, although I must say he was not to blame for the holdup. I do feel, however, that the Titles Office and those responsible for the quick processing of this aspect of the work should have got on with the rebuilding and made it a No. 1 priority.

I do admit that certain people were entitled to war service finance, but they could not get this finance because they had no title to their land. These people are today still waiting for a title to enable them to obtain the necessary finance to build.

I have many more letters here, though I do not think it is my prerogative to read out more correspondence than is necessary. I do, however, want to deal with what the Minister said when he spoke to the original motion moved by Mr. Baxter. I listened intently to what the Minister had to say, but apart from his having said that the Government was not a free insurer I do not think he dealt with the subject matter of the motion at all. Most of the time he dealt with that portion of the motion which has been deleted.

I thought the Minister would have defended that portion of the motion dealing with the inadequacy of the Government's contribution, but he did not deal with that at all. To refresh the memory of members I will read the motion as amended. It is as follows.

> That in the opinion of this House, the contributions by the State and Federal Governments to provide relief to the people of the State, particularly Meckering and surrounding districts, for losses suffered as a result of the earthquake disaster which occurred on 14th October, 1968, were totally inadequate, and requests both Governments to reconsider the problem and make further greater contributions.

The Minister for Mines did not deal at any length with what is now in the motion. As a House of Parliament I think we are quite justified in requesting that this be done in the interests of justice and in the interests of the people who have suffered. They have been wiped aside and ignored by a responsible Minister of the Crown, and that is not good enough.

We have had nothing but platitudes from the Premier, to the effect that it is not intended that the Government should be a free insurer. I hope and trust the motion as amended, will be carried and that the Government will be obliged to do what the motion says—to reassess its contribution—and that it will have a second look and make application for further and greater contributions from the Commonwealth. If this is not done I am sure we will lose face with the people whom we know as Western Australians.

THE HON. F. R. H. LAVERY (South Metropolitan) [8.57 p.m.]: Now that the motion has been amended I propose to support it, and I would like to make one or two comments on the interjections I have already made. Several times during the debate I have intimated by interjection what I thought about the contribution of $50,000 made by the Government to the Lord Mayor's Distress Relief Fund. I fully expected that from that point on an approach would be made to the Commonwealth Government for a much larger grant to be made available for the relief of the citizens in Meckering.

I dare say it was felt, however, that Meckering was not a very big place; that there were no large industries involved; that there were fewer than 150 homes destroyed, even though there was destruction to the water supply and to the railway and roads. By comparison with some of the other tragedies experienced in the world, however, perhaps the Meckering disaster did not rate very high. I must point out, however, that the Governments of other countries have done far more to assist the people affected by such disasters. I did not know about the letter from the Premier until I heard Mr. Ron Thompson read it out, nor was I aware of the fact that the Commonwealth would in fact have made a further contribution had the State Government increased its contribution. The contribution of the State Government was a paltry $50,000.

My wife and I were in London at the time of the *Torre Canyon* disaster which occurred at about 10 o'clock in the morning. By 6 p.m. the Prime Minister had informed the local governments of the south of England that £600,000 sterling would be made available to them to alleviate the suffering caused by this disaster. The Prime Minister also visited the area and took with him the Chancellor of the Exchequer who, at that time, was, I think, Mr. Jenkins. By Thursday the Prime Minister had allocated £1,600,000 sterling for this disaster.

The Army and the Navy were called in and finally Air Force aircraft were used to blow up the ship so that all danger could be removed. This disaster occurred at a time in England when all tourist resorts were expecting holiday crowds. Thousands of people had booked for their holidays; and had the oil from the ship polluted the beaches the tourist trade would have completely disappeared. Not a single person lost a home on this occasion.

The Hon. G. C. MacKinnon: On my calculation £1,600,000 on a population basis would represent £26,600 in Australia. This is almost identical with the amount given by this Government to Meckering.

The Hon. F. R. H. LAVERY: The official figure was £2,400,000 sterling.

The Hon. G. C. MacKinnon: I thought you said £1,600,000.

The Hon. F. R. H. LAVERY: This money was provided by the Government of England. I feel the motion before the House has been debated for long enough without my delaying the matter any further. However, I want to emphasise the fact that I honestly believe that when the Premier made $50,000 available to the Lord Mayor's Relief Fund he considered he was providing something to be built up by the public, who contributed over $400,000. Consider this amount against the $50,000 given by the State! Surely the people of Western Australia set a pattern for the Government to follow!

Whatever Cabinet as a whole may think about this, I feel that some of its members are not completely happy. I support the motion as amended.

THE HON. N. E. BAXTER (Central) [9.3 p.m.]: I do not intend to delay the House for very long in speaking to the remnants of this motion. However, I would like to correct some of the things that have been said in respect of assistance offered by the Commonwealth Government. If one reads the letter from the Prime Minister one will find that it appears to say one thing and means another. It gets down to the fact that the Commonwealth would be prepared to exceed the $50,000 given to the Lord Mayor's Relief Fund to the extent necessary to provide reasonable living conditions for those who, due to lack of adequate financial resources, would otherwise suffer personal hardship.

If the stage were reached where a person could not get enough finance to rehabilitate himself, or his home, the Commonwealth would give some assistance, but the Prime Minister did not say he would assist people on a dollar for dollar basis. However, he did have this to say in his letter—

> In the case of damage to State and local Government assets the Commonwealth, again, regards it as primarily the responsibility of State Governments to meet the cost of restoration. However, where the cost involved would be an undue burden on the the financial resources of the State, the Commonwealth is normally prepared to provide assistance on a $ for $ basis.

The last paragraph of the letter reads as follows:—

> I understand that our respective Treasuries have discussed the possibility of a Commonwealth contribution in respect of damaged State and local Government assets and I am informed that the total damage involved is estimated at about $155,000. Although this amount would normally be too small to warrant Commonwealth assistance, in view of the substantial expenditure which you may have to meet from your own resources in financing the concessional loans scheme, on this occasion my Government would be prepared to help, on a $ for $ basis, meet the cost of restoring damaged assets of State and local authorities.

I have read part of the reply received by the Premier from the Prime Minister in respect of the application made for financial assistance.

Yesterday I received in my mail a booklet titled *Australia's International Aid*. The booklet is published by the Department of External Affairs, Canberra, and is dated January, 1969. It states—

> Aid is neither a bribe nor a charitable handout. Fundamentally, aid policies are based on the hard fact that we all live in one shrinking world and that every man's welfare is the concern of all his neighbours.

I think this applies just as much at home as it does to our neighbours abroad, because we must remember the old saying that charity begins at home.

It is interesting to read what follows on the first page of this booklet, particularly when one takes into consideration the attitude of the Federal Government in regard to aid in the event of a national disaster occurring in our own country. The following is a statement by the Department of External Affairs:—

> Aid became part of international relations only after the end of the Second World War, and since that time the Australian Government has provided approximately $1,160,000,000 as international aid. In 1968-69, Australians, through taxation, will contribute the equivalent of nearly $13 per head towards aiding other countries. This expenditure by the Australian Government of approximately $164,000,000 will be nearly double the amount spent by the Government on aid only five years ago. Private donations through charitable organisations will probably amount to a further three to four million dollars.

At the bottom of the first page there appears this statement—

> The Australian Government's practice is to extend all of its aid as outright gifts and therefore no repayment and debt servicing problems are incurred. Australia alone among aid givers has consistently pursued this policy.

I agree with the last paragraph. I am of the opinion that we should give international aid, but I still say that in the event of a disaster in our own country aid should be extended to people who have suffered. This would not have very much impact on the finances of the Federal Government when one realises the large amount of money that is given as international aid, not as a loan but as a grant.

Even in the application made by the Premier to the Prime Minister suggesting that some aid be granted, he asked for loan moneys—moneys that would be repayable—to assist the people whose properties were damaged. This was refused because the Prime Minister said it was not the policy of the Federal Government to grant aid such as that. Yet the policy of the Federal Government is to give aid internationally by way of a grant; and after reading in the booklet from the Department of External Affairs the amounts involved, I am staggered to think that a country as prosperous as ours—and we say it is prosperous—cannot come to the assistance of people on occasions of disaster.

Quite a lot of aid has been given in other instances, such as for drought relief in the Eastern States; and with that I agree. It is only right that this money should be found by the Government to ensure that our primary industries can carry on and that people are enabled to carry on when their homes have been destroyed. After all is said and done, our nation is only as good as its people and if we do not assist them in times of disaster, we do not deserve to have good people.

I feel the Government should point out to the Prime Minister and the Federal Treasurer that what we are asking for is a mere pittance in comparison with the amount granted each year for international aid. For this reason, I hope the House will support the motion to ask the Federal and the State Governments to reconsider their decisions in regard to assistance. I support what is left of the motion.

Question (motion, as amended) put and a division taken with the following result:—

Ayes—16

Hon. C. R. Abbey	Hon. H. C. Strickland
Hon. N. E. Baxter	Hon. R. Thompson
Hon. R. F. Claughton	Hon. S. T. J. Thompson
Hon. J. Dolan	Hon. J. M. Thomson
Hon. J. J. Garrigan	Hon. F. R. White
Hon. E. C. House	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. T. O. Perry	Hon. R. H. C. Stubbs *(Teller)*

Noes—11

Hon. G. W. Berry	Hon. G. C. MacKinnon
Hon. G. E. D. Brand	Hon. N. McNeill
Hon. A. F. Griffith	Hon. I. G. Medcalf
Hon. C. E. Griffiths	Hon. F. D. Willmott
Hon. J. G. Hislop	Hon. V. J. Ferry
Hon. L. A. Logan	*(Teller)*

Pair

Aye	No
Hon. F. R. H. Lavery	Hon. J. Heitman

Question thus passed.

PIG INDUSTRY COMPENSATION ACT AMENDMENT 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.

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [9.16 p.m.]: I move—

That the Bill be now read a second time.

When I spoke to the Exotic Stock Diseases (Eradication Fund) Bill earlier in this period of the session, I mentioned that complementary legislation would be necessary to amend certain stock compensation Acts dealing with enzootic diseases. Two of the Bills referred to—those concerning cattle and poultry—have already been dealt with, and the third complementary measure, the Pig Industry Compensation Act Amendment Bill, is that which I now propose to explain.

Apart from the formal clause to adjust the title of the Act, amendments are proposed to seven other sections of the existing Statute and these provide, broadly, for the following:—

(a) to remove swine fever from consideration in the Act;

(b) to make it possible for enzootic diseases additional to those listed to be considered for compensation in the future;

(c) to make periodic changes in the level of compensation payable, on the approval of the Governor;

(d) to provide a reasonable check on compensation payments to safeguard the fund; and

(e) to extend the fund to the use of research and the promotion of sales of pig meats.

The first of the amendments concerns section 3, where it is intended that the definition of an "approved person" be a person approved by the chief veterinary surgeon in lieu of the Minister, as presently required.

The recognition of diseases for which compensation is paid is a technical undertaking and is often one involving a restricted time factor. In addition, as there are only a few specified diseases designated as qualifying for compensation payment, accuracy in diagnosis is essential.

The chief veterinary officer is qualified to determine the competency, or otherwise, of a person who may be approved for this purpose and, as stated, because the occasion can arise where an appointment must be made at short notice to assess whether compensation is payable, it is deemed advisable to confer the power of appointment on the chief veterinary officer.

The definition of a "disease" for the purposes of the Act is to be amended to remove the exotic disease swine fever, which is now to be embraced by the Exotic Stock Diseases (Eradication Fund) Bill mentioned earlier. This definition will now encompass enzootic diseases only, and all reference to swine fever throughout other parts of the present Act are being deleted by appropriate amendments.

A new provision is proposed in relation to the market value of a pig which is destroyed because it is suffering from a disease, or, is suspected to be suffering from a disease.

The Act has always specified a market value of any pig, which for the purposes of the Act shall not be exceeded, and any alteration to this maximum valuation requires amendment of the Act. This procedure lacks the flexibility necessary to cope with the frequent considerations peculiar to the economics of the pig industry.

An appropriate amendment will therefore provide that the market value of a pig shall not exceed an amount recommended from time to time by the Minister and approved by the Governor. The maximum compensation payable under the existing Act is $80, but the suggested amendment will allow fluctuations in the economic structure of the pig industry to be covered by having the value of a destroyed pig determined by the Governor at the required time.

The next amendment relates to section 8 of the Act and is designed to authorise the chief veterinary surgeon or an approved person to determine the value of a pig destroyed because of a prescribed disease. At present, the value of a pig destroyed is determined by the person by whose order or under whose authority destruction was carried out. The Bill proposes to prevent unauthorised and unqualified people from authorising compensation payments and this will assist in a reasonable check on payments and safeguard the fund.

Section 13 of the principal Act is to be amended to allow the fund to be utilised to promote research in pig diseases and pig husbandry and production problems in Western Australia. I feel sure that if we can make more positive use of the fund in this way, the industry will benefit considerably. If we are able to reduce the amount of compensation paid out by helping to control these diseases, then we could, with considerable security, use part of the fund towards financing the promotion of scientific and applied research.

Another amendment to section 13 will enable the fund to be applied to any other purpose that will promote and encourage the pig industry. This provision envisages that funds will be made available for the promotion of the sale of pig meats.

The decision to introduce these amendments to section 13 was taken after discussions with, and reference to, the Australian Pig Society (W.A. Branch) and the Farmers' Union, both of which organisations have agreed to the principle of an increased levy on pig sales to provide additional funds for these purposes. The question of allocation of the additional levy between research and sales promotion will be decided after further consultations with the industry at the appropriate time. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. J. Dolan.

LAND ACT AMENDMENT BILL, 1969

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [9.22 p.m.]: I move—

> That the Bill be now read a second time.

The amendments proposed in this Bill to sections 91 and 115, and the inclusion of a new section 115A, are to give the Minister for Lands a right to exercise his discretion to approve of the transfer of shares in a company which holds a pastoral lease.

There is a tendency under present-day conditions for lessees to convert their interests from a personal basis to one of shareholding to spread the incidence of liability and taxation, whereas the original Act did not envisage pastoral lessees as other than persons.

With amendments to the Land Act in 1963 to limit the holding of pastoral leases to 1,000,000 acres and, in fact, to prohibit the beneficial interest in any such pastoral leases to the same extent, it now becomes necessary to examine whether the present trend in holding shares in companies holding pastoral leases does not give the Minister the same discretionary right over beneficial interests as represented by shares in the particular company.

There is a legal impediment to the exercise of the discretion in the transfer of shares of a company which holds assets including pastoral leases, as these shares may be freely offered on the Stock Exchange. Therefore, a pastoral lease may change hands simply by the transfer of shares in such cases, without the Minister being aware that this is taking place.

Where these circumstances exist, there is no way in which the State can retain the right given under the beneficial interest provisions of the Land Act to ensure that no one person holds more than 1,000,000 acres of pastoral land.

On the other hand, it is not proposed to amend the Act to give a discretionary right to the Minister to approve the transfer of shares in companies which are shown on the Western Australian share register and whose principal activity, or one of whose principal activities, is the working of a pastoral lease or leases. The intention is to retain as far as possible existing tenure as Western Australian companies.

To illustrate further what is meant by a beneficial interest, let us assume that two persons hold a pastoral lease of 500,000 acres as joint tenants; each then has a beneficial interest of 250,000 acres under the lease. Where two or more people hold a lease under tenancy in common, each has a beneficial interest under the lease amounting to the proportion of the area to his share. Therefore, five people hold a

one-fifth share in 500,000 acres, or 100,000 acres as a beneficial interest.

Shareholders in companies holding pastoral leases have a beneficial interest in the total acreage of the pastoral land in relation to the shares held and paid up. To further illustrate the point, if a company has a paid up capital of 500,000, $1 shares, and holds a pastoral lease of 500,000 acres, then each $1 share is the equivalent of one acre of land, and the beneficial interest is related to this value accordingly. Consequently, if a shareholder holds 100,000 shares in a pastoral company, his beneficial interest is to the extent of 100,000 acres. That means that he could hold beneficial interests of 100,000 acres in 10 companies which would give him the maximum beneficial interest for one person in 1,000,000 acres.

However, companies whose activities include other assets as well as pastoral leases are difficult to follow in this way and, in fact, shares may be traded on the Stock Exchange because of the open nature of the assets themselves. With a local company, however, whose principal activity is a pastoral lease or leases, it is possible under the proposed amendment to determine the extent of the beneficial interest so that it does not exceed 1,000,000 acres as required under the Land Act.

Such proposals impose no hardship on anyone holding a beneficial interest in a pastoral lease unless the Land Act is infringed. Notice of the proposed transaction is required, under the amendment, to be lodged at the Department of Lands and Surveys and this would allow an examination of the overall shareholding of the proposed transfer of shares in relation to the beneficial interest in such company, or other companies holding pastoral leases as the case may be, so as not to exceed the maximum of 1,000,000 acres.

Of the 620 pastoral leases in existence at the present time, approximately 190 are held by local companies and approximately 40 are held by companies which have other assets as well as pastoral leases and by this means we will hold the present position substantially within the hands of local shareholders.

It is also necessary to ensure that any future pastoral lease be not issued to a company or body corporate without the recommendation of the Minister for Lands, to ensure that prior knowledge is given of the company's shareholding both in relation to beneficial interest and other assets. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. F. J. S. Wise.

Sitting suspended from 9.28 to 10.20 p.m.

STOCK DISEASES (REGULATIONS) ACT AMENDMENT 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.

Second Reading

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [10.21 p.m.]: I move—

That the Bill be now read a second time.

Last November, the Stock Diseases (Regulations) Act, 1968, was passed and it is to come into effect on a date to be proclaimed. Action is proceeding with respect to parts I, II, and IV but proclamation has not yet been made.

Part III of the Act, which deals with exotic diseases, is not to be proclaimed until and unless the necessity arises.

Since the passing of this measure, it has been established that the Act is deficient in power to regulate the matters required to be done under the vesicular diseases plan during the period falling between the suspicion of an outbreak and the actual diagnosis of an exotic disease.

There is no provision for regulations on exotic diseases to be brought into effect until the disease has been confirmed in accordance with the vesicular diseases plan by proclamation of the Governor.

However, there would be an interim period between initial suspicion of an exotic disease and its confirmation and during that period it would be essential to apply certain restrictive measures. These would be usually on a local basis until the outbreak had been either confirmed or disproved. It could well be that a diagnosis could not be established in this State or in the Commonwealth, with the result that specimens would need to be sent to the United Kingdom to establish with certainty the existence of an outbreak of such disease. Therefore, the vesicular diseases plan, if it is to be effective, will require that regulations can take effect before a declaration is made under section 12 of the Act that a state of emergency exists, and the amendments contained in this Bill deal with the regulations which will be required during the interim period to which I have referred. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

CO-OPERATIVE AND PROVIDENT SOCIETIES ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [10.24 p.m.]: I move—

That the Bill be now read a second time.

This Bill amends the Co-operative and Provident Societies Act, 1903-1947, in four respects. Firstly, it raises the maximum shareholding per member to $5,000. The original shareholding in 1903 was $200, increased in 1947 to $750.

One of the principal and persistent drawbacks with co-operative societies has been insufficiency of capital and the present-day valuation of moneys has changed materially since 1947, and overheads, including wages, capital equipment, etc., have increased considerably. The South Australian Government raised its maximum to $10,000 in 1966.

The second aspect touched on in the Bill affects those sections specifying fees. When considering present-day costs, in the main those are regarded as being inadequate. Allowing fees to be set by regulation, however, will enable them to be brought into line with cost factors, should the occasion arise.

The third aspect to which I would refer is an anomaly in relation to the carrying out of the annual audit. It is intended to amend the Act to provide that only such auditors who are appointed by Order-in-Council may carry out an audit for a society. Thus the Governor might, from time to time, by Order-in-Council, appoint persons to be public auditors and, in a like manner, terminate any such appointment.

The final point is related to a principle of co-operation in that each member should have a single vote, irrespective of his shareholding. This is an accepted practice in the co-operative movement. However, by comparison with the co-operative section of the Companies Act, the Co-operative and Provident Societies Act is not specific and, indeed, there are at present instances in societies' rules where, contrary to the accepted ideal, voting is in accordance with the number of shares held.

This amendment is, in a manner of speaking, complementary to the amendment regarding maximum shareholding and its passing would ensure a majority of members deciding on changes of laws within a society.

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

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.26 p.m.]: I move—

That the House at its rising adjourn until 11 a.m. tomorrow (Thursday).

Question put and passed.

House adjourned at 10.27 p.m.

Legislative Assembly

Wednesday, the 30th April, 1969

The DEPUTY SPEAKER (Mr. W. A. Manning) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS (51): ON NOTICE

BUNBURY REGIONAL GAOL

Successful Tenderer

1. Mr. WILLIAMS asked the Chief Secretary:
   (1) Who is the successful tenderer for the Bunbury Regional Gaol and what is the accepted price?
   (2) How many tenders were submitted and what was the price in each case?
   (3) What are the commencement and completion dates?
   (4) Does this project differ from the Albany and Geraldton Gaols; if so, in what ways?

   Mr. CRAIG replied:
   (1) to (3) This information is not available as the closing date for the receipt of tenders has been extended to the 6th May, 1969.
   (4) Yes. Albany prison is designed as a maximum security institution. Bunbury will provide maximum security for a small proportion of prisoners, and facilities for other selected prisoners.
   Plans for the Geraldton regional prison have not been finalised.

FOOTPATHS

Keep-left Rule

2. Mr. FLETCHER asked the Minister for Traffic:
   (1) Is he aware that—
      (a) some Eastern States capitals have a white line down the centre of footpaths with arrows also painted thereon indicating the flow of pedestrian traffic in opposite directions;
      (b) pedestrians, particularly in Hobart, noticeably observe this keep-left rule?
   (2) As head-on pedestrian conflict appears rare in the capital mentioned, will he use his influence in appropriate quarters to have