

declared schemes may not become contributors to the Superannuation Fund. If the amendments proposed are enacted, it will be possible for such persons, once they are no longer liable to contribute to a declared scheme, to be able to contribute to the Superannuation Fund.

Clause 1 is formal. Clause 2 inserts a new section 6a in the principal Act which provides that, when a person shows that he is not liable to contribute in respect of a declared scheme and is not able to receive any further benefit from such a scheme, that person may become an employee within the meaning of the principal Act and thus be entitled to contribute to the Superannuation Fund. Clause 3 provides that, where a person subsequent to becoming a contributor becomes liable to contribute in respect of a declared scheme, he will thereupon cease to be a contributor to the fund and be entitled to refund of his contributions without any further benefit. This is consistent with the general philosophy of the principal Act in relation to declared schemes; that is, that no person shall be capable of becoming a contributor to two schemes.

Clause 4 provides, in effect, that a former contributor to a declared scheme who has received a benefit from that declared scheme may be obliged to pay all or part of that benefit to the Superannuation Fund. In consideration of that payment, a number of "contribution months" may be attributed to him. The effect of this proposal will be to place the new contributor in the same position, as regards benefits from the fund, as he would have been had he, at the material time, been a contributor to the fund. Clause 5 amends section 49 of the principal Act and provides for attribution of contribution months to take place on the recommendation of the board. This amendment is in aid of the proposals contained in clause 4.

Mr. BECKER secured the adjournment of the debate.

#### DOG FENCE ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Dog Fence Act, 1946-1969. Read a first time.

The Hon. J. D. CORCORAN: I move:

*That this Bill be now read a second time.*

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

#### EXPLANATION OF BILL

It proposes amendments to the principal Act, the Dog Fence Act, 1946-1969, consequential on the repeal of the Vermin Act, 1931-1967. Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. Clause 3 is formal. Clause 4 amends the definition section of the principal Act and, in addition to amending certain definitions so that they reflect those in the new measure relating to vertebrate pests, inserts a definition of "local dog fence board". Local dog fence boards, as was explained in the explanation of the Vertebrate Pests Bill, 1975, are intended to replace certain of the vermin boards established under the Vermin Act, 1931-1967, whose principal function for some time has been maintenance of the dog fence.

Clause 5 provides for the enactment of a new section 20a, empowering the Dog Fence Board to carry out works relating to the alteration of the site of the dog fence, subject to satisfactory arrangements for repayment of the cost involved. The Dog Fence Board under section 32a of the principal Act may obtain finance from the Treasurer to carry out such works. Clause 6 amends section 21 of the principal Act and is consequential on the repeal of

the Vermin Act, 1931-1967. Clause 7 amends section 23 of the principal Act and is also a consequential amendment. Clause 8 makes some metric amendments to section 24 of the principal Act, and at paragraph (c) ensures that any payments under new section 20a towards the cost of altering the site of the dog fence may be set off against payments to the owner of the part of the dog fence concerned. Clause 9 is a consequential amendment.

Clause 10 repeals sections 25, 26 and 27 of the principal Act and provides for the enactment of new sections 25 and 26. New section 25 continues the present rating, but will enable the Dog Fence Board to determine the lands that are to be ratable. This change is proposed because the Dog Fence Board considers that parts of the existing area of ratable land can no longer be regarded as threatened by dingo predation and should not be subject to the rate. At the same time, it is proposed to raise the minimum amount of rate payable by any person to a figure that reflects the cost of collecting the rate from each ratepayer. New section 26 provides for the imposition of a special rate on landholders within the areas of the local dog fence boards which corresponds to the rate imposed under the Vermin Act, 1931-1967, for the purposes of the vermin boards established under that Act.

Clauses 11 and 12 are consequential on new section 26. Clause 13 provides for the enactment of a new Part IVa relating to local dog fence boards. New section 35a provides for the establishment of such boards by proclamation made on the recommendation of the Dog Fence Board. New section 35b provides for the transfer of the property, rights, duties, obligations and liabilities of vermin boards in existence immediately before the repeal of the Vermin Act, 1931-1967, to the local dog fence boards established in their place. New sections 35c and 35d provide for the variation or abolition of local boards by further proclamation and the effect at law of any proclamation made under this new Part. Clauses 14 and 15 are consequential amendments.

Mr. COUMBE secured the adjournment of the debate.

#### JUSTICES ACT AMENDMENT BILL (VARIOUS)

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Justices Act, 1921-1975. Read a first time.

The Hon. L. J. KING: I move:

*That this Bill be now read a second time.*

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

#### EXPLANATION OF BILL

This short Bill makes three disparate amendments to the principal Act. These amendments can best be explained in the consideration of the clauses of the Bill. Clauses 1 and 2 are formal. Clause 3 is intended to deal with a doubt raised by Her Honour Justice Mitchell in *Samuels v. Nield* last month. Her Honour doubted that section 62ba in its present form was sufficient to allow the admission of certain relevant material as evidence on an *ex parte* disposition of an offence under that section. The amendment is intended to put this matter beyond doubt.

Clause 4 amends section 106 of the principal Act by providing that written statements of witnesses in preliminary hearings shall be verified by an appropriate declaration in the form set out in paragraph (a) of this clause in lieu of an affidavit. Proposed new subclause (9) of this clause provides a condign penalty in the event of a false declaration.