The Hon. H. C. STRICKLAND: Another problem here is in relation to franchise. The situation with regard to franchise in the various States is as follows:—

Western Australia—

> A native within the meaning of the Native Welfare Act and not the holder of a certificate of citizenship rights is disqualified under the Electoral Act from enrolment or voting at any election.

South Australia—

> All aborigines, regardless of caste, have the right to vote at both State and Commonwealth elections subject to usual qualifications required of all citizens.

There is an astounding position where a Liberal-Country Party Government has been in power for many years. In fact, the longest term of any Government in Australia. They are certainly Liberal in their views and in the correct sense of the word. To continue—

Victoria—

> All persons of aboriginal descent have full rights and obligations of citizenship and can exercise the vote.

New South Wales—

> All aborigines have the right to vote subject to usual qualifications required of all citizens.

Queensland—

> (1) A half-blood with a certificate of exemption is entitled to vote.
>
> (2) A full-blood, even with a certificate of exemption, is debarred from enrolment and voting under the State Electoral Act.

In view of the foregoing, it is evident we are miles behind the rest of Australia and behind the Commonwealth legislation. In fact, we are so far behind that we have growing up in our community a class of natives who, because of their proportion of native blood, are denied the British justice of full citizenship. We say we can handle the problems which I have described tonight, and I am sorry to have encountered so many who will not support this Bill in sufficient numbers to enable it to be passed.

However, from time to time it will be brought before this Parliament, and there is not the slightest doubt that eventually some overdue consideration will be extended to these people and to this type of legislation.

Question put and a division taken with the following result:—

Ayes—12

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. J. J. Garrigan	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. D. Teahan
	(Teller.)

Noes—15

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. A. L. Loton	Hon. J. Murray
Hon. G. C. MacKinnon	*(Teller.)*

Pair.

Aye.	No.
Hon. G. Fraser	Hon. L. A. Logan

Majority against—3.

Question thus negatived.

Bill defeated.

ADJOURNMENT—SPECIAL.

THE HON. H. C. STRICKLAND (Minister for Railways—North): I move—

That the House at its rising adjourn till 2.15 p.m. tomorrow.

Question put and passed.

House adjourned at 11.32 p.m.

Legislative Assembly

Wednesday, the 22nd October, 1958.

CONTENTS.

CONTENTS—*continued.*

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

BILLS (3)—ASSENT.

Message from the Lieut.-Governor and Administrator received and read notifying assent to the following Bills:—

1, Supply (No. 2), £18,000,000.
2, Bush Fires Act Amendment.
3, Acts Amendment (Superannuation and Pensions.)

QUESTIONS ON NOTICE.

FRANKLAND SCHOOL.

Deferment of Additions and Renovations.

1. Mr. WATTS asked the Minister for Works:

(1) Is it a fact that the proposed additions and renovations to the quarters at the Frankland school are not to be proceeded with this financial year?

(2) If so, what is the reason for this decision?

Mr. TONKIN replied:

(1) No.

(2) Answered by No. (1).

JERRAMUNGUP SCHOOL.

Attendance, Capacity, and Future Enrolment.

2. Mr. WATTS asked the Minister for Education:

(1) How many children are at present attending the Jerramungup school?

(2) For what maximum number of children is the present accommodation at the school suitable?

(3) What increase in numbers is expected at the school at the beginning of next year?

Mr. W. HEGNEY replied:

(1) 49.

(2) 90.

(3) 60-70. This number will be reduced when the Gairdner school is erected.

BREMER BAY.

Selection of School Site.

3. Mr. WATTS asked the Minister for Lands:

(1) When is it considered that surveys in the Bremer Bay area will be sufficiently advanced to enable a selection of a site for a much-needed school?

(2) What is the reason for the delay so far?

Mr. HAWKE (for Mr. Kelly) replied:

(1) Contour surveys have been completed by this department and forwarded to the Town Planning Commissioner, who is planning Bremer townsite. The school site can be surveyed as soon as the commissioner's plan is approved.

(2) Answered by No. (1).

LAKE GWELUP SCHOOL.

Legal Action re Septic Installation.

4. Mr. ROSS HUTCHINSON asked the Minister for Health:

(1) Under what Act or regulation could the Perth Road Board take action against the Minister for Education for his failure to comply with an order to install a septic system at the Lake Gwelup school?

(2) Will he give the wording of the relevant section of the Act or regulation?

(3) What is the maximum penalty which could be incurred by a non-Government school which failed to comply with such an order?

(4) Would the plea "lack of funds" by private individuals for failure to rectify a serious health menace be accepted by health authorities?

Mr. NULSEN replied:

(1) There is no Act or regulation which empowers the local authority to proceed against the Crown in this matter.

(2) Answered by No. (1).

(3) A fine not exceeding £50, and a daily penalty not exceeding £2.

(4) No; but local authorities consider individual cases on their merits, and they may assist by installing the septic tank on a deferred payment arrangement.

LAKE MONGER.

Action to Reduce Midge Plague.

5. Mr. JOHNSON asked the Minister for Health:

What progress is being made with research and action designed to reduce the midge plague arising from Lake Monger?

Mr. NULSEN replied:

The research work being carried out by the Perth City Council is necessarily a long-term project and is still proceeding. Until such time as the research work discloses an effective method of eradication, the Perth City Council will continue to arrange for insecticide fogging as circumstances warrant this measure.

WANNEROO ROAD BOARD.

Reconstitution and Marmion-Sorrento Area.

6. Mr. MARSHALL asked the Minister representing the Minister for Local Government:

(1) Will early consideration be given to having the Wanneroo Road Board reconstituted, and can any indication be given when the wishes of ratepayers will be granted?

(2) Will consideration be given to requests to have a separate ward for the Marmion-Sorrento area?

(3) What was the amount of rates collected from each separate ward for the year ended the 30th June, 1958?.

(4) What amount in the south ward was collected from the Marmion-Sorrento area for the year ended the 30th June, 1958?

Mr. MOIR replied:

(1) The Minister for Local Government intimated to Mr. Marshall, M.L.A., on the 9th July last, that he was not prepared to recommend the reconstitution of the Wanneroo Road Board until April, 1959, at the earliest, and that the matter should, therefore, be allowed to pend for the time being. Nothing has since occurred which would necessitate any change on that decision.

(2) It is considered undesirable and also unnecessary to give consideration to the creation of new wards while the district is being administered by a commissioner.

(3) The rates collected for each ward for the year ended the 30th June, 1958, were:—

	£	s.	d.
North Ward	2,441	9	3
Central Ward	2,599	16	3
South Ward	9,114	17	6
Total	£14,156	3	0

(4) Rates collected in the Marmion-Sorrento townsites totalled £2,541 10s. 4d.

SCARBOROUGH HIGH SCHOOL.

Intake of Students and Number Leaving Primary Schools.

7. Mr. MARSHALL asked the Minister for Education:

(1) What is the estimated intake of students at the Scarborough High School and the number to be allocated to each classroom?

(2) How many children will be leaving Grade 7 this year in the Scarborough-Doubleview-Innaloo area, at present attending these primary schools?

Mr. W. HEGNEY replied:

(1) 310. Approximately 40 children will be allotted to each classroom.

(2) Scarborough	154
North Scarborough	81
Innaloo	44
Marmion	7
Hamersley	40
Total	326

NATIVE WELFARE.

Victoria Park Hostel.

8. Mr. W. A. MANNING asked the Minister for Native Welfare:

(1) Is it a fact that a hostel for native women and crippled native children is to be built in Victoria Park?

(2) Is it advisable to segregate natives in this way?

(3) What advantage could there be in bringing such natives to the city, instead of catering for them in a suitable country area?

Mr. BRADY replied:

(1) Yes.

(2) Yes, at present for certain cases where no alternative exists.

(3) The majority of the people concerned require specialist attention from time to time. This attention is available only in Perth.

LEGISLATIVE COUNCIL ELECTIONS.

Polling Booths.

9. Mr. W. A. MANNING asked the Minister for Justice:

What was the number of polling booths provided for the Legislative Council elections in each district of each province, where there was a contest in May, 1958, compared with the relative number at the previous contest in each of the same districts?

Mr. NULSEN replied:

Central Province.

District.	Biennial Elections, 1958.	By-election, 1952.
Avon Valley	11	19
Dale	8	10
Darling Range	9	15
Mount Marshall	11	12
Northam	9	8
Toodyay	14	17
	62	81

Metropolitan Province.

District.	Biennial Elections, 1958.	By-election, 1956.
Claremont	7	7
Cottesloe	8	8
East Perth	8	8
Leederville	8	8
Mount Hawthorn	14	13
Nedlands	6	7
North Perth	9	9
Subiaco	9	10
Wembley Beaches	12	12
West Perth	4	5
	85	87

Midland Province.

District.	Biennial Elections, 1958.	Biennial Election, 1956.
Geraldton	7	12
Greenough	14	26
Moore	11	25*
	32	63

*4 now in Central Province as result of 1955 redistribution.

North-East Province.

District.	Biennial Elections, 1958.	Biennial Election, 1956.
Kalgoorlie	8	8
Murchison	11	17
	19	25

South-East Province.

District.	Biennial Elections, 1958.	Biennial Election, 1956.
Boulder	5	5
Eyre	8	8
Merredin-Yilgarn	11	34
	24	47

Suburban Province.

District.	Biennial Elections, 1958.	Biennial Election, 1956.
Beeloo	21	20
Guildford-Midland	19	23
Maylands	11	14
Middle Swan	12	11
Mount Lawley	16	15
South Perth	8	9
Victoria Park	7	7
	94	99

ELECTORAL.

Assembly and Council Rolls and Votes Cast.

10. Mr. ANDREW asked the Minister for Justice:

(1) What is the number of electors on the Legislative Assembly roll for—

(a) the State;

(b) the metropolitan area;

(c) outside the metropolitan area?

(2) What is the number of electors on the Legislative Council roll for—

(a) the State;

(b) the metropolitan area;

(c) outside the metropolitan area?

(3) What is the percentage of electors on the roll who voted at the last Legislative Assembly general election?

(4) What is the percentage of electors on the roll who voted at elections held for the Legislative Council during the last three years?

Mr. NULSEN replied:

(1) (a) 353,058.

(b) 215,579.

(c) 137,479.

(2) (a) 154,407.

(b) 97,742.

(c) 55,665.

(3) For contested districts 92.18%.

(4) (a) Biennial elections 1956. Contested provinces 73.31%.

(b) Metropolitan Province by-election 1956, 48.21%.

(c) North Province by-election 1956, 62.04%.

(d) Biennial elections 1958. Contested provinces 43.17%.

ADULTERATED MILK.

Punishment of Offending Company.

11. Mr. ANDREW asked the Minister for Agriculture:

(1) Did he see the report of the case of a wholesale milk company being fined £40 for adulterating milk?

(2) In view of the large gains that would accrue to the company by this form of adulteration, does he think that a fine of £40 would be any deterrent?

(3) Would it not be more effective for the Milk Board to withdraw the licence of any company that offends in this direction?

(4) If the answer to No. (3) is in the affirmative, will he give instructions to the chairman to this effect?

Mr. HAWKE (for Mr. Kelly) replied:

(1) Yes.

(2) The amount of the fine imposed is a matter solely for the magistrate who heard the case.

(3) The Milk Board has power to revoke a licence in the event of a conviction for offences against the Act or regulations.

(4) The Milk Board initiated the prosecution referred to, and I have no doubt the board will deal with the case appropriately.

GOLDFIELDS HIGH SCHOOLS.

Zoning of Pupils.

12. Mr. EVANS asked the Minister for Education:

Would he please formulate the policy to be followed by the department in the zoning of Goldfields ex 7th grade children to Eastern Goldfields High School and Boulder High School in order to meet objections raised by some parents?

Mr. W. HEGNEY replied:

This matter is again being looked at by the department, and when the report is finally received the hon. member will be informed of the arrangements.

RAILWAY REFRESHMENT ROOMS.

Supply of Small Drinking Containers.

13. Mr. EVANS asked the Minister representing the Minister for Railways:

Would he endeavour to have a supply of small drinking containers—such as 5 oz. glasses—made available at railway refreshment room bars, where there is no alternative glass to the 7 oz. or 8 oz. containers, to further meet the convenience of the travelling public? (Chidlow is one example.)

Mr. GRAHAM replied:

No. The management considers the demand for them is negligible.

PROSPECTORS.

Exemption from Sales Tax.

14. Mr. EVANS asked the Minister for Mines:

Are prospectors exempt from paying sales tax on machinery purchased by them for use in mining activities?

Mr. MOIR replied:

Prospectors are exempt from sales tax on machinery purchased by them for use in the pursuit of mining. This does not apply to vehicles purchased by them for transport.

No. 15. This question was postponed.

PENSIONERS' CONCESSION RAIL TICKETS.

Availability at Armadale.

16. Mr. WILD asked the Minister representing the Minister for Railways:

(1) What facilities are available at Armadale (if any) for the purchasing of concession rail tickets for pensioners?

(2) If these facilities are not available at Armadale, could arrangements be made to provide them?

Mr. GRAHAM replied:

(1) Pensioners' concession rail tickets may be obtained at Armadale, similarly to any other attended railway station. Pensioners must, however, be in possession of a pensioner's identification card, which may be obtained at any railway station, including Armadale.

(2) Answered by No. (1).

DAGLISH-WHITFORDS BEACH RAILWAY.

Decision on Establishment.

17. Mr. MARSHALL asked the Premier:

Has the report on the proposal to establish a railway from Daglish to Whitfords Beach been dealt with, and has any decision been arrived at?

Mr. HAWKE replied:

A decision has been made by the Government not to proceed with this proposal.

SCHOOLS OF AGRICULTURE.

Allocation of Selected Applicants.

18. Mr. W. A. MANNING asked the Minister for Education:

(1) When applications are considered for admission to schools of agriculture, will selected applicants be allotted to the school of their choice?

(2) If not—

(a) on what basis is the allocation decided;

(b) does the allocation take into account the type of farming desired by the boys?

(3) How can selected Cunderdin students be accommodated temporarily in other schools when there is already an extreme shortage of living accommodation?

Mr. W. HEGNEY replied:

(1) Yes, provided that there are no more applicants than places, in which case preference will have to be given to those considered the most suitable.

(2) (a) General suitability.

(b) Yes.

(3) There is a shortage of living accommodation only at Narrogin, so ways will be found.

CROWN LAND.

Terms of Allocation to Selected Applicants.

19. Mr. W. A. MANNING asked the Minister for Lands:

What are the terms under which small areas of Crown land are allotted for agriculture, to a selected adjoining applicant, with particular reference to developmental obligations?

Mr. HAWKE (for Mr. Kelly) replied:

Small areas of Crown land (not more than 500 acres) are made available for selection to adjoining holders only under direct purchase terms, which provide for the payment of the full purchase money in four quarterly instalments following the date of approval.

The selector shall, within three years from the date of the commencement of the lease, fence in the whole of the land and, within seven years—in addition to fencing—expend upon improvements an amount equal to the purchase money, but not exceeding one pound per acre, pro rata, each year. In addition, the selector shall, if so required by the Minister, provide upon the land an adequate water supply, within two years.

PIANOS.

Numbers in Schools and Method of Maintenance.

20. Mr. HALL asked the Minister for Education:

(1) How many pianos are in Government infants, primary and high schools in this State?

(2) Are tenders called for the tuning of school pianos?

(3) If so, how often are tenders called?

(4) If the answer to No. (2) is "yes," would he, in the interests of better tuning and maintenance, give consideration to the appointment of a full-time approved tuner, with the necessary qualifications to give the personal attention to this highly skilled job?

Mr. W. HEGNEY replied:

(1) 365.

(2) Yes.

(3) Annually.

(4) This has been investigated, but the present system is considered preferable.

No. 21. This question was postponed.

WATER RATES.

Collie, Boyup Brook and Bridgetown.

22. Mr. HEARMAN asked the Minister for Water Supplies:

(1) Are water rates at Collie, Boyup Brook and Bridgetown based on annual values?

(2) If so, has there been an increase in such annual values since 1953; and if so, what are the details of such increases?

(3) What was the rate in the £ for water rates charged for each year ended the 30th June from 1953 to 1958 inclusive, and what is to be the rate charged for year ending the 30th June, 1959?

(4) If the rate in the £ was increased, what were the reasons for such increases in the years affected?

Mr. TONKIN replied:

(1) Yes.

(2) Yes.

Town.	Increase.	Adopted.
Boyup Brook	59%	1955-1956
Bridgetown	27%	1958-1959
Collie	57%	1955-1956

(3)

Town	Rate in £ for year ended 30th June						
	1953	1954	1955	1956	1957	1958	1959
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Boyup Brook	3 0	3 0	3 0	2 0	2 6	3 0	3 0
Bridgetown	3 0	3 0	3 0	2 9	3 0	3 0	3 0
Collie	2 0	2 0	2 3	1 0	2 3	2 0	3 0

(4) To reduce losses on operating the undertakings.

POLICE TRAFFIC BRANCH.

Prosecutions by Heavy Haulage Section.

23. Mr. ROBERTS asked the Minister for Transport:

(1) As 1,206 charges of overloading were submitted by the Heavy Haulage Section of the Police Department during the year ended the 30th June, 1958, will he inform the House how many prosecutions resulted?

(2) How many of such prosecutions were in respect of

(a) privately owned vehicles;

(b) Government controlled vehicles;

(c) local government controlled vehicles;

(d) Main Roads Department owner-driver employed vehicles?

(3) What was the total revenue received from all overloading prosecutions?

Mr. GRAHAM replied:

(1) The 1,206 charges referred to were brought before courts throughout the State.

(2) No record.

(3) £8,455.

No. 24. This question was postponed.

WATER SUPPLIES.

Provision for Miling.

25. Mr. LEWIS asked the Minister for Water Supplies:

(1) Has any provision been made this financial year for a water supply for Miling?

(2) If so, to what extent will the scheme be proceeded with?

(3) What part of this scheme can be undertaken by local voluntary labour, as already offered?

Mr. TONKIN replied:

(1) Provision has been made for the resumption of a small piece of land surrounding a soak on Mr. Ralph's property.

(2) The soak will be tested for capacity at the end of summer.

(3) Trenching, back-filling, and cartage of pipes, etc.

METROPOLITAN TRANSPORT TRUST.

Effect of High Court Decision.

26. Mr. COURT asked the Minister for Transport:

(1) What will be the effect on the Metropolitan Transport Trust of the High Court decision allowing the Tramway Union to go ahead with its application for a new name?

(2) (a) Is it possible or probable that the Metropolitan Transport Trust could find itself with a substantial number of its employees covered by the award conditions obtained by the Tramway Union, and a substantial number covered by the award obtained by the Motor and Transport Operators' Union?

(b) If so, what would be the variations in conditions, and would the trust seek to have uniformity of conditions?

(c) If uniformity is to be sought, which award would be favoured?

(d) When do the respective awards expire?

(e) Can members transfer from one of these unions to the other, and is it intended to encourage them to do so?

Mr. GRAHAM replied:

(1) The way is now clear for the Arbitration Court to grant the Tramway Union coverage of the staff of the Metropolitan (Perth) Passenger Transport Trust. The majority of the staff would then have the choice of belonging to either one of two unions.

(2) (a) No.

(b) and (c) Answered by (a).

(d) The tramway award expires on the 29th April, 1959. Transport and motor operators award expires on the 31st August, 1961.

(e) Part 1

Yes, if the rules of each union allow.

Part 2

Only if it is considered to be in the best interests of all concerned.

SUBURBAN RAILWAY SERVICES.

Passengers Carried and Financial Results for 1957 and 1958.

27. Mr. BRAND asked the Minister representing the Minister for Railways:

(1) How many paying passengers were carried on suburban rail services during the years ended the 30th June, 1957, and the 30th June, 1958?

(2) What was the profit or loss on this section for each of those years?

Mr. GRAHAM replied:

(1) 1957—12,497,353.
1958—13,352,866.

(2) The financial results for the year ended the 30th June, 1958, are not yet available. The direct operating loss of suburban coaching traffic for the year ended the 30th June, 1957 was £528,915.

QUESTION WITHOUT NOTICE.

TRUE CASE.

Application of Rule 61 (b).

1. Mr. WILD asked the Minister for Labour:

(1) Will he read to the House the correct wording of Rule 61(b) of the Collie Miners' Union?

(2) Has he seen the article under the heading "Gestapo Unionism" in the issue of the "News-Weekly," Melbourne, of the 30th July, 1958, which commences as follows:—

> Anyone caught discussing the True case will be dealt with under Rule 61 B.
>
> This notice to coalminers was not posted up in Russia, China or one of the Iron Curtain countries. It was posted up in certain pits around Collie, a coalmining centre in Western Australia.

To most Australians, who regard this country as a land of democracy, it must be a source of amazement that such police-state methods could be introduced in industry.

The notices were posted up by officials of the Collie Coal Miners' Union, the President of which is a well-known Communist, Mr. W. Latter.

(3) Does he propose, as Minister for Labour, to assist Mr. True to secure re-employment?

(4) Has there been to date any breach of the industrial arbitration legislation in this matter either by the company, the Collie Miners' Union, or Mr. True?

Mr. W. HEGNEY replied:

I was advised from my office that the question had been submitted to the office earlier in the day; but I received it just before the House met. I am not blaming the hon. member for that, because I have not been in the office today. I have been through the questions; and in reply, I should like to advise as follows:—

(1) Ordinarily I would say the hon. member could read it for himself, just as anybody else could. I do not know quite what the hon. member for Dale is driving at, as he will see when I read the rule to which he refers. Rule 61(b) reads as follows:—

> Any member convicted of procuring stores or explosives in the name of another member, by falsely pretending that he was that member or that he represented that member, shall be expelled from the lodge upon such conviction. This rule shall not preclude the right of the individual to any personal action against the offender.

(2) No.

(3) I have had no requests from Mr. True for employment of any kind.

(4) Not that I am aware of.

Wording of Rule 61 (b).

2. Mr. WILD: On a point of order, in connection with my question regarding the True case, Mr. Speaker, would it be possible, in the interests of the public, for the Minister for Labour to be made this evening, before the House adjourns, to read the correct rule, 61(b); because what he read to the House here, for public consumption, was 61(c) and was a malicious misrepresentation of the position? I ask your ruling, Sir, as to whether the Minister can be made to read the correct rule.

Mr. Hawke: What rule book are you quoting?

The SPEAKER: Order! My ruling would be that I am not empowered here to order any Minister to read any particular rule. That is the obligation of the Minister himself. I would have no cognisance of that, and therefore there is no point of order in the matter raised by the hon. member.

BILLS (3)—FIRST READING.

1, Wheat Industry Stabilisation.

2, Marketing of Eggs Act Amendment (Continuance).

Introduced by the Hon. A. R. G. Hawke (Premier) for the Minister for Agriculture.

3. Noxious Weeds Act Amendment (No. 2).

Introduced by Mr. Sewell.

LEAVE OF ABSENCE.

On motion by Mr. May, leave of absence for two weeks granted to Mr. Rhatigan (Kimberley), on the ground of ill health.

CRIMINAL LAW (ONUS OF PROOF) AMENDMENT BILL.

Second Reading.

THE HON. J. B. SLEEMAN (Fremantle) [4.55] in moving the second reading said: I notice there are other hon. members thinking about amending the Criminal Code. I have here a question asked by the Leader of the Opposition on the 8th October. He wanted to know what progress had been made in the revision of the Criminal Code, to bring it more into line with modern thought and practice. Some of the Minister's answers were good, but he seemed to slip back in the last part of his reply. The part to which I refer is as follows:—

> It is recognised that some of the provisions may be regarded as being archaic, and the maximum penalties prescribed in some cases may appear to be harsh and out of date . . .

The Minister continued—

> . . . They do not as a rule impose either the maximum sentences or harsh sentences. On the other hand, the possibility of a long sentence of imprisonment can have a strong deterrent effect on potential criminals.

If the Minister thinks the provisions are archaic, and the maximum penalties prescribed in some cases appear to be too harsh, it is his duty to alter that position. He is Minister for Justice, and is in charge of the Crown Law Department. As such, he should bring down the necessary amendments, instead of allowing this to be done by a private member.

Mr. Nulsen: He has a prerogative.

Mr. SLEEMAN: This Bill is to ensure that every person charged with an offence under the Police Act, or the Criminal Code,

must be found guilty before being convicted. At present there are quite a number of cases where the people concerned must prove innocence. That should not be allowed to continue. Something should be done in that regard, and that is the reason for this Bill.

I have for many years been against this principle, and I felt that before retiring from Parliament I should try to bring about the necessary alterations. I remember that many years ago the then Attorney General (Mr. Davy) said to me, "If we both come back after this election we will bring down a Bill to alter this. I think it should be altered." Unfortunately, Mr. Davy never came back, because he died before the elections.

We hear people say, "Why alter the existing laws?" But we all know that it is necessary to amend them from time to time. Hon. members know very well what punishment was meted out to offenders from Great Britain. They were deported to Australia for such trivial offences as poaching on the squire's reserves and stealing his rabbits and pheasants. That was done in those days; but, of course, things have now altered.

Mr. Hawke: Peasants or pheasants?

Mr. SLEEMAN: I said pheasants. Did the Premier think I said peasants?

Mr. Hawke: Yes.

Mr. SLEEMAN: Even Premiers can be wrong at times. We all know that the penalty for sheep stealing at one time was nearly as severe as that for murder; but that has been altered, and sheep stealing is not now considered the serious offence it was many years ago.

This Bill is not a large one, but it is a very important one, and should be carried. Clause 4 practically constitutes the Bill. It reads as follows:—

> (1) Subject to subsection (2) of this section and notwithstanding the provisions of any other Act now or at any future time in force, the onus of proving all matters necessary to establish the guilt of an accused shall at all times rest on the prosecutor.

If we could get that provision accepted, I think it would be merely British justice. Ever since I was a little boy I recall my father—who was a patriotic old Britisher —instilling into me the fact that an Englishman's home was his castle, and that every Britisher was innocent until he was proved guilty. But we find Bills being introduced here one after another; and the longer we are here the more Bills will be brought in containing this clause.

I do not think any hon. member of this House would disagree with me when I say that British justice should mean that every man is innocent until he is found guilty. I think anybody who opposes this Bill will refer to gold stealing. We will hear what has to be said about that matter. Section 76B of the Act reads as follows:—

> Any person being the reputed tenant or occupier of any premises at the time when any gold or pearl reasonably suspected of being stolen or unlawfully obtained is found thereon and seized by any police officer shall be deemed to have been in possession of such gold or pearl until the contrary is proved.

It is just impossible for some people to prove that they are innocent. I will give an instance in a few moments. The Act goes on to say—

> 76C. (1) Any person who—
>
> (a) is charged before any Resident or Police Magistrate with being present at the time when any gold or pearl reasonably suspected of being stolen or unlawfully obtained is found and seized by any police officer on any premises; and
>
> (b) is unable to give an account of his presence there to the satisfaction of the Magistrate, . . .

Therefore, if a person is only present, he has to prove his innocence. The Act continues—

> 76D. (1) Any person charged before any Resident or Police Magistrate with having assisted in the commission of an offence under Section seventy-six A of this Act, who is unable to give an account of himself to the satisfaction of the Magistrate, is liable . . .

Then we come down to Section 76D (b) which says—

> (b) to have been accompanying any person having on his person, or on any animal, or in any cart or vehicle, gold or pearl reasonably suspected of being stolen or unlawfully obtained, and which is seized by any police officer,
>
> shall be deemed to be a person who has assisted in the commission of an offence . . .

That is just too stupid! If you, Mr. Speaker, were walking with somebody, and that person was found to have gold in his possession, you would have to prove your innocence and also prove that you knew nothing about it. It is too stupid, as such things cannot always be proved. There are some cases where a man could prove his innocence; but there are a lot of others where he could not do so, although perfectly innocent.

Mr. Evans: It is not British justice.

Mr. SLEEMAN: I want to know why gold or pearl is singled out? Why not platinum or diamonds? Why pick gold or pearl? That is something which I would like the Minister for Justice to explain.

Mr. Watts: Because they are local industries.

Mr. SLEEMAN: I say it is no worse to steal gold or pearl than it is to steal platinum or diamonds. I think somebody said that gold and pearl were singled out because they are local industries.

Mr. Watts: That is right.

Mr. SLEEMAN: It is no worse to steal something from local industry than from anywhere else. We cannot have degrees of stealing. What about the man who steals another's good name? The man who steals it does not have to prove his innocence; and a man's name is about the most valuable thing he could own.

Mr. Evans: It is more valuable than gold or pearl.

Mr. SLEEMAN: There is a saying that "he who filches from me my good name robs me of that which not enriches him and makes me poor indeed". I would say stealing a man's good name is as bad as stealing gold; but there is a difference in law in these cases.

Mr. Evans: It is worse to steal a man's good name.

Mr. SLEEMAN: If a man lives with a couple of mates in a camp on the Goldfields, or anywhere else, and one of those men has gold in his possession, all are equally liable and have to prove their innocence. If Jones had gold in his possession, Smith and Brown would be equally liable and would have to prove their innocence. I have lived in camps on the Goldfields with one or two mates, and have also worked in batteries and on the cyanide plant at the same time. However, I do not think any gold was stolen. We should do something in the matter.

The Minister for Justice will know that the man working in the battery or extraction room of the cyanide plant has more chance to steal than the man in the bowels of the earth, breaking stone to be brought up to the surface. In the case of unlawful possession one has to prove one's innocence. Section 69 of the Police Act reads as follows:—

> Every person who shall be brought before any Justice charged with having on his person or in any place, or conveying, in any manner anything which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an account to the satisfaction of such Justice how he came by the same shall be liable . . .

Therefore, if one is charged with unlawful possession, one has to prove one's innocence. I think the reason for this being in the Act is to make it easy for a conviction to be obtained. It would be too much trouble to have to prove that a man was guilty; therefore the man has to prove that he is innocent. I notice that the Minister for Justice is taking a good deal of interest in this matter, so he will be able to tell his department that this provision makes the job easy.

Let me give a couple of illustrations. One concerns gold stealing; and the other, what could have been the conviction of an innocent man for unlawful possession. When I lived on the Goldfields some years ago this man was in possession of some nice specimens, although he was innocent of any stealing. The people who knew he had them shifted away from the district, and it cost this man a considerable sum of money to produce witnesses to prove his innocence. It cost him over £100; and in those days, that was a lot of money. That is what comes of a man having to prove his innocence. He was fortunate that the witnesses he required were alive and he was able to trace them. Otherwise he could not have proved his innocence.

The other case is that of a man who went home from work one day and hung his coat up. After tea, he went along to get something out of his coat and found one of his pockets full of goods from the place where he worked. If he had been picked up on the way home, he would have had no chance of proving his innocence. He would have had to say, "I never put them there; someone else did." He would have been told, "That's a good one! Tell us another!" That is the sort of thing that could happen and might have happened in this case if this man had been picked up. He did not know the goods were there, and only discovered them when he went to his coat after tea to get something from it.

But let us have a look at what happens in the case of the mine manager or accountant. The mine manager can rob his company of many goods; and if he is charged, he has to be proved guilty before a judge and jury. Even when persons have to be proved guilty, there have been cases where innocent men have been convicted and hanged. There was a man in Victoria, many years ago, who was hanged for the murder of a woman. Many years later the woman's husband, when dying, confessed that he had murdered her. He had gone home at crib-time one night, murdered her, and then hopped back to work and was never missed from the mine during that crib-time.

The man who was convicted and hanged, had a peculiar pipe, which he had left on the tankstand of the house when he had called in to get a drink of water on his way home; and that was the circumstantial evidence which hanged him.

Recently in Great Britain, a man on his deathbed confessed to murdering a woman, although another man had already been found guilty of the murder. Fortunately, this confession was made before the other party was hanged.

I venture to say that in any hon. member's house—the Premier's included—there are articles which, if police came in tomorrow and challenged him as to the ownership, he would find it very difficult to prove were his own and had not been obtained by some dishonest method. It makes me sick to see this "Prove your innocence" creeping into Bills lately, and such phrases as "shall be deemed to be proved guilty in the absence of proof to the contrary"; or, "the proof of which lies on him"; or, "until the contrary is proved". It is far better that a few guilty people should not be convicted than that any innocent person should be found guilty.

I would like to read from the Police Act, page 32—and there are quite a number of my constituents who could be convicted under this one—

> Every person wandering about or lodging in any outhouse, deserted or unoccupied building, or in the open air, or in any vehicle, not having any visible lawful means of support, and not giving a good account of himself . . . .

There are quite a lot of people in my electorate who are in this category. They have been picked up for having no home, no work, and no money to buy food. They are classed as vagrants and vagabonds, and are gaoled for a few days. But when they are released, they are in the same predicament—no food, no work, no nothing; so they are just picked up again and goaled for a few more days. They are asked, "Weren't you in gaol a few weeks ago, and again before that?" And of course they were!

They have no way of proving they are not rogues and vagabonds, as they are called. These poor wretches cannot show they have a very good past, because unfortunately they have not. I know chaps who have been in gaol on several occasions; and when they come out, it is not very long before they are gaoled again.

I hope that every person in this House will see fit to vote for this Bill. Let us have British justice, which means everyone is innocent until he is proved guilty. This will solve the problem and we will have British justice at last. Let me conclude by saying, "Let justice be done though the heavens fall!" I move—

> That the Bill be now read a second time.

On motion by the Hon. E. Nulsen (Minister for Justice), debate adjourned.

LEGAL PRACTITIONERS ACT.

Amendment of Barristers' Board Rule 30.

Debate resumed from the 8th October on the following motion by Mr. Evans:—

> That new Rule 30 of the Barristers' Board, made under the Legal Practitioners Act, 1893-1950, as published in the "Government Gazette" of the 28th May, 1954, and laid upon the Table of the House on the 22nd June, 1954, be amended as follows:—
>
> Add a new paragraph to the rule:—
>
> (v) Rules 28 and 29 shall not apply to any articled clerk whose principal's main office is situated fifty or more miles from the General Post Office, Perth.

THE HON. E. NULSEN (Minister for Justice—Eyre) [5.17]: I have had a look at this motion and I know that we are short of solicitors and legal practitioners generally in Western Australia; but I do want it to be understood that I would not like to see the status of the legal practitioners of this State reduced. I would not like to see them lose their reciprocity. However, the hon. member for Kalgoorlie will have an opportunity to reply to my remarks and probably will rectify some of the errors—not exactly errors, but misunderstandings—as to the real reason for his motion.

If the motion were carried, an articled clerk with five years' articles could apply for admission to the Bar without passing any examination at all. That is the whole point, I should say, and it will have to be gone into pretty thoroughly. Now the hon. member, who has been associated with a very noble profession, as a school teacher, knows that he had to pass many examinations to enter that profession; but seemingly, under this motion, it will not be necessary for an articled clerk to pass an examination so long as five years' articles have been served, and provided he has the right character. If the motion were agreed to, reciprocity with the other States would be lost, and lawyers from Western Australia would not be admitted to practise in the other States unless the standard here was the same as that required in other parts of the Commonwealth. There is nothing in the Act or the rules as at present constituted—if the motion is agreed to—to permit the examination of any applicant for admission who had served five years' articles to a country practitioner, and the applicant would go straight through, without examination.

Mr. Evans: That is a misunderstanding.

Mr. NULSEN: The hon. member for Kalgoorlie says that is a misunderstanding so far as he is concerned.

Mr. Evans: Not so far as I am concerned, but so far as the Minister is concerned.

Mr. NULSEN: I have here the legal authority. The hon. member for Kalgoorlie is not a legal practitioner, but a school teacher, and I say that my information is correct. Civil servants have to pass examinations—

Mr. Evans: This will not interfere with the examinations.

Mr. Court: Read rules 28 and 29 again.

The SPEAKER: Order! The hon. member for Kalgoorlie has had his chance to speak and must keep order.

Mr. NULSEN: This motion, if agreed to, would jeopardise the status of legal practitioners in Western Australia and would not be fair to those already qualified by examination. We have no reciprocity with New Zealand, because that Dominion has not the required standard; and if the motion were agreed to, not only would we not have reciprocity with the other States in Australia, but we would also lose our reciprocity with England.

Mr. Sleeman: We may not have reciprocity with New Zealand, but some good legal men have been produced there.

Mr. NULSEN: I do not doubt that, even though those people have not complied with the examination conditions required in Western Australia. The Solicitor-General has been in touch with the University; and Mr. Edwards, of the Faculty of Law, said that that faculty requires students to attend about 80 per cent. of the lectures. There is provision under the standards and rules for external students to take the examinations even without attending the lectures; and that has been availed of by other faculties, to enable students to take one subject also without attending lectures, but it has not been used in the Faculty of Law. Mr. Edwards says he considers that he would need the approval and direction of that faculty before allowing country articled clerks to sit for examination, as external students, without having attended the lectures.

Mr. Goode, the Solicitor-General, has done a considerable amount of research on this question. He admits that, if it is possible to get more solicitors in Western Australia, we need them; but he is anxious not to see the status of legal practitioners reduced in this State, or Western Australia to lose its reciprocity with the Eastern States, England, or other parts of the English-speaking world in relation to which reciprocity already exists. The motion is to amend Rule 30, which, so far as material, requires an articled clerk to attend 80 per cent. of relevant law lectures at the University unless, for good cause shown, he is excused from attendance by the Barristers' Board.

The actual motion, however, is not that Rule 30 shall not apply to country articled clerks, but that Rules 28 and 29 shall not so apply. Rules 28 and 29 require articled clerks both to attend lectures at the University and to pass examinations as prescribed by the University. Therefore, if the motion should become effective, country articled clerks would be relieved not only from attending lectures at the University but also from the necessity to pass the University examinations. There may be good reason for this, since it was stated in 1954 that the Faculty of Law normally debars from admission to its annual examinations those of its students who may not have attended the minimum (normally 80 per cent.) of lectures and tutorial classes in each subject.

The mover of the motion, however, states that country articled clerks should still have to pass an examination set by the Barristers' Board. There is nothing in the board's existing rules to provide for such an examination. The alternative examinations prescribed in the fourth paragraph of Rule 30 apply only to articled clerks whose articles were registered prior to July, 1954. No doubt the board could amend its rules to provide for the examination, but the question would then arise whether the standard to be required by the board should be similar to the standard required by the university—as is believed to be required of students for other professions. The alternative would be for the board to prescribe a lower standard for country articled clerks, since, without the benefit of university lectures, the students could scarcely be expected to attain the same standard as the university students.

It is true that we need more lawyers in this State and that therefore encouragement and facilities should be afforded to country students to qualify. The question arises whether the standards for qualification should be lowered. It is obvious that the University course in law is the best way to qualify, since it ensures a comprehensive coverage by skilled lecturers and many other advantages of library, discussion, mock trials, etc., and therefore it is best for all concerned if law students should attend university lectures and pass university examinations.

But in the case of a country articled clerk, who cannot reasonably be expected to attend those lectures, I think that the board would be anxious to excuse his non-attendance provided that he still has to pass the university examinations and the University should agree to his sitting for them. The student would, however, be working under a great handicap when compared with other students, since there is no correspondence course in law provided by the University.

The existing rules ensure that an articled clerk on admission as a solicitor is sufficiently trained to practise. The New Zealand system referred to by the mover of the motion does not require as high a standard as any of the Australian States, and therefore there is no reciprocity with New Zealand in the admission of solicitors. If we should lower our standards, we should jeopardise our existing reciprocity with England and the other Australian

States. In Victoria and South Australia the University has for many years been the sole examining body in law subjects.

Mr. Evans: What about the position before 1954?

Mr. NULSEN: I am not a lawyer or even a school teacher. If the motion should become effective, it could encourage country students who are at present attending, or would otherwise attend lectures at the University, not to do so, with consequent harm to their own training and some weakening of the law school. When they in turn took articled clerks, they would not be properly equipped to give adequate training. In fact, some practising solicitors find that specialisation and the daily pressure of practice prevent their giving proper tuition to articled clerks. Few are expert in the fields of both teaching and practice.

It is submitted that there is no evidence that any likely student is being deterred from becoming an articled clerk because of the existing rules. The great majority of law students come straight from school; and where necessary, the University arranges sufficient financial help for the students to keep themselves while attending lectures. It is submitted, therefore, that the motion, if it became effective, would benefit very few country articled clerks, and would entail the disadvantages I have referred to.

I am anxious to help the hon. member for Kalgoorlie, because I believe he is trying to assist law students in the country. Being a country representative, I consider that we should give every opportunity to those people who live in the outback under conditions which are not as advantageous as those enjoyed by the people in the metropolitan area. On the other hand, I would be sorry indeed if our legal practitioners in this State were to lose their reciprocity and have their status lowered as has been submitted would happen in this case which has been presented to me.

In cases that have been heard in the Eastern States, including those heard in the High Court, Western Australian legal practitioners have proved themselves equal to the legal practitioners in the Eastern States. However, if we were to do anything that lowered the status of legal practitioners, it would probably result in a lowering of the standard and the capacity of the practising lawyers in this State. If the hon. member for Kalgoorlie can find a way out for these students in the country so that they may sit for examinations without attending the University, that would further his case considerably.

THE HON. J. B. SLEEMAN (Fremantle) [5.32]: I cannot see much wrong with the motion which has been moved by the hon. member for Kalgoorlie to amend the Barristers' Board rule, because I think the boys and girls in the country should be afforded the same opportunities and privileges as those who reside in the city. It seems to me that this profession has become a close preserve for the sons and daughters of the well-to-do people who reside in country towns; because unless parents have enough to send their children to the city and to keep them while they continue their studies, law students have no chance whatsoever of passing examinations.

Mr. Nulsen: I agree with the hon. member whole-heartedly, provided they pass the examinations.

Mr. SLEEMAN: They cannot sit for the examinations unless they are properly trained and have attended the lectures at the University, because they would have no chance of passing them. In Queensland and other places a law student does not have to be articled, and I have never heard it said that legal practitioners in Queensland are on a lower standard than the lawyers in this State. In fact, it has been mentioned that a carpenter, whilst following his trade, studied to be a lawyer, and he was successful in passing his examination, and later became an eminent judge.

In fairness to the boys and girls who live in the country, we should make it possible for them to attend law lectures at the University; and if they pass their examinations, they should be admitted to the bar.

THE HON. A. F. WATTS (Stirling) [5.35]: I have a good deal of sympathy with the object the hon. member for Kalgoorlie has in mind with his motion; and, in fact, I can go a good deal further than that. Obviously, what he wants to do is to ensure that a clerk articled to a country legal practitioner is not obliged to make frequent trips to Perth to attend lectures at the University. If his proposal were to achieve that alone—as I think the Minister has already pointed out—it could meet with a good deal of support from the hon. members of this House.

However, I suggest that the Minister is perfectly correct in his interpretation of what this motion would do if carried into effect, because Rules 28 and 29 not only provide for attending lectures at the University, but they also apply to the necessity for the intermediate and final examinations to be taken by articled clerks.

So if we exclude the effect of those rules from the provisions of Rule 30, it seems to me—as the Minister has said—that we will be in grave danger of wiping out the necessity to take the exams as well as the necessity to attend lectures at the University, and we cannot take that risk. There has certainly got to be the obligation upon a law student to take examinations. I realise what the hon. member is seeking, but I do not think he will achieve it in view of what we have heard.

Part IV of Rule 30, published in the "Government Gazette" of the 28th May, 1954, makes certain provisions in regard to examinations; but, there again, as the Minister has said, they are only in respect of articled clerks whose articles were registered prior to the 1st July, 1954. They are expressly referred to in the rules. So the maximum time for a normal period of articles in respect of those people is rapidly running out. Therefore, they would not be the people who would be affected by this amendment if it became law, but it would be those who have been articled since that period and who will be articled in the future.

It seems to me that the hon. member for Kalgoorlie has tackled this job in too simple a manner. What he has sought to do is to exclude the provisions of Rules 28 and 29—which deal not only with lectures at universities but also examinations—from the provisions of Rule 30 which deals with the powers of the board —among other things—over these matters. However, they do not give the board unlimited power to exempt a law student from attending lectures; it is only a limited power to do so.

It seems to me, therefore, that the hon. member has to go a long way further to achieve what he desires. At the least, he will have to propose to the Legislature a new regulation to take the place of Rule 28. If he wants to do that he can do so under the Interpretation Act, as amended. There is no objection to that whatsoever. These rules have been passed since 1949; and there is no objection to his seeking their amendment to provide that if a person is a bona fide articled clerk beyond a certain radius from the City of Perth, he need not attend lectures at the University, but must pass the examinations. In that event, I would suggest that the Minister's objection could be substantially withdrawn, because we would have reached the position that the embryo legal practitioner had at least established, by the normal method of examination, that he had a sufficient knowledge of the law.

As a matter of fact, that is the only way I ever established my knowledge of the law, because in those days there was no chair of law, and these arguments never arose. In those days it was only by examination set by the Barristers' Board in this State that one could determine one's right or otherwise to be admitted to the Bar. Therefore, if the hon. member could do as I suggested in respect of the country legal practitioner and his articled clerk, we would simply get back to that position, which I am sure would be objectionable; and the Minister agrees with me.

On looking at these rules carefully, there is the very distinct risk—if we agree to this motion—that we would rule out, not only the University lectures, but also the examinations; and the country articled clerk would have substantial ground for saying, "I have served five years' articles and I desire to be admitted to the Bar." I think we can all agree that that would never do. I repeat what I said at the beginning—namely, that I am in sympathy with the desire of the hon. member, principally because I do not wish to see country legal practitioners—particularly those in the substantial country centres—being prevented from taking on an articled clerk; and the present situation might lead to that.

I am afraid the hon. member has carried his motion a little too far or dealt with it in too simple a manner, with the result that, if it were passed, it might swing the pendulum too much the other way and thus make a bad position considerably worse. I therefore regret that I have to oppose the motion.

On motion by the Hon. J. J. Brady (Minister for Native Welfare), debate adjourned.

TRUE CASE.

Wording of Rule 61 (b).

Mr. W. HEGNEY: Under Standing Order No. 119, I would ask the indulgence of the House to make a personal statement.

The SPEAKER: Is it the wish of the House that the Minister for Education should make a personal explanation?

Leave granted.

Mr. W. HEGNEY: A little earlier this afternoon, I was absent from the Chamber, when I understand the hon. member for Dale made reference to the reply I gave to his question without notice. I am open to correction, but I have been advised that the hon. member for Dale insinuated that I misled the House. I would therefore like to explain that at about 25 minutes past four the Secretary for Labour handed to me the rule which I quoted to the House. I asked him if he were sure of it and he replied, "Yes, the officer of the Department of Labour checked the appropriate rules in the offices of the Arbitration Court."

It was on that basis that I quoted the rule in answer to the question. If the rule is not correct in the terms that I quoted, I am big enough now—or at any time—to apologise unreservedly to the hon. member for Dale, and to the House. However, the rule still remains to be checked.

Mr. Brand: Have they a copy of those rules at the Arbitration Court?

Mr. W. HEGNEY: My object now is to reply to the hon. member for Dale, and I do not want to abuse the privilege that has been granted to me.

LAND ACT AMENDMENT BILL (No. 2).

Second Reading.

Debate resumed from the 17th September.

MR. W. A. MANNING (Narrogin) [5.44]: This amending Bill, which was introduced by the Leader of the Country Party, is quite important; and I am sorry that the Minister for Lands is not present, because I think that he should give this matter further consideration.

Mr. May: You know he is in the country, of course.

Mr. W. A. MANNING: That is not the point. It should be brought to his notice that the matter concerns him, and he should have another look at the measure. This Bill makes no criticism of the Minister or the Land Board; as a matter of fact, it would be very helpful if the Bill was fully understood.

There are three separate amendments in the Bill. The first concerns the appointment to the board of a person acquainted with the districts involved in the applications before the board. In his speech, the Minister told us that practice has been followed. I submit that if what he suggests has been the practice, he should agree to the Bill so that the Act can be amended, and so that we can be assured that the existing practice is continued.

The present Minister apparently agrees to that practice, but there is no guarantee that future Ministers will continue it. If the provision suggested is included in the Act, it must be continued. We should seek to make permanent in the Act what is being done at the present, and what has evidently proved to be successful. The first amendment in the Bill presents no difficulty. It simply endorses what is being done. There is no criticism against anyone, and that provision is rather a compliment to those concerned with this matter.

The second amendment in the Bill deals with the exclusion of other applicants. The Minister mentioned that many people, particularly unsuccessful applicants, will take strong exception if the board sees fit to accept written evidence without the applicants' appearance.

The regulations stipulate that a declaration form has to be sent to the applicant; if he is unable to attend, he may make a declaration. However, that is not the object of the amendment. It does nothing to prevent the appearance of an applicant before the board. The idea of the amendment is to allow the applicant the privilege of giving his evidence before the board, without the presence of other applicants.

I submit this: If an applicant can present the whole of his evidence without having to appear before the board, why—when he appears personally—insist on the presence of other applicants? The whole procedure has no basis or reason, because an applicant can present his case in writing, in which event there is no-one to criticise him.

Mr. Norton: The written evidence is read in open court.

Mr. W. A. MANNING: That may be so on some occasions.

Mr. Norton: That is the usual practice.

Mr. W. A. MANNING: I shall deal with that point later on. There is no value whatever in insisting on the appearance of other applicants before the board. I raise this query: Of what value at all is the presence of other applicants?

The Minister has given us an example where the applicant told the board that he was well able to finance and develop the property in question and he intended to put his three sons on it. The Minister said, in fact, that this man had nothing. It seems to me to be reasonable that the board should check the facts which are presented. Or is it a fact that the board depends on the presence of other applicants to query any evidence that is being presented? If that is the case, it is a very serious matter, because in most cases the other applicants present would have no knowledge whatever of the affairs of the person giving evidence. So if the board is depending on other applicants to put it right, on many occasions it will have no-one to do so. In any case, the board must check on the details given.

In regard to the case he illustrated, the Minister said that if an applicant has alongside him at the hearing neighbours who know that he cannot finance the development of the property, they will have the opportunity of openly declaring that to be so. So the other applicants will have the opportunity of declaring against or contradicting anything given in evidence by the applicant.

Would another applicant so declare if he did know the evidence was incorrect? That is a moot question. Would the other applicants know about the details at all? As I have said, in most cases even a neighbour of the applicant would scarcely know his financial ability. The neighbour would not be in a position to know how much the applicant could spend on the development of the land. He might have an impression; but impressions can be entirely wrong in respect of financial matters, as we gathered from an instance which occurred recently.

Another point is this: With other applicants before the board, what opportunity has the person giving evidence to

query the evidence which might be presented by others? I have had only one experience of appearing before the Land Board; on that occasion no opportunity whatever was given to query the statements of the other applicants. The hearing was quite a simple one. There did not appear to be any court sitting. At the time I did not know it was supposed to be a court. I was merely told to appear before the board, and I went into a room where the board members were sitting on one side and the applicant being interviewed was on the other side of a table. The other applicants were behind the one being interviewed. Depending on how loudly the person being interviewed spoke, and whether he was facing the opposite way with his back to the other applicants, they were or were not able to hear him. The applicant sits before the members of the court, and he simply speaks to them.

In any case, a statement is presented to the board in writing regarding the financial ability of the applicant to develop the property. That was not read out on the occasion I am referring to, so the other applicants had no opportunity to know what the written evidence contained. It seemed to me to be a very strange type of court. The board might just as well have interviewed each applicant separately. As I have said, it cannot depend on the other applicants knowing anything about the affairs of the applicant being interviewed.

There are cases in which there is a strong reason why these other applicants should be exempt from appearing, because I consider it is totally unfair to the first applicant to have them there. This practice might prove advantageous to the last applicant: if he could hear what had transpired he would be able to gain the best possible information, which he could use. This second amendment in the Bill would do no-one an injustice and would be of considerable help to the board in its deliberations.

The third amendment in the Bill is quite important, because it provides that under certain circumstances the board shall grant the land which is applied for to the person who has been instrumental in having it released. The case is not quite as the Minister has represented. He pictured applicants rushing in, looking over the maps, and requesting the attendant at the counter to tell them where land was available; and they would immediately make application. It sounded like a small gold rush, according to the way the Minister presented the picture. That could not happen, because the land is not released in that manner. There are strong reasons why preference should be given to the one who was responsible for the release of land.

There are two reasons for which the Land Board need not grant land to the person who was instrumental in getting it released. The first is the acreage of land already held by him. So, anyone who already holds sufficient land will be excluded from that right to allocation.

The second reason is that an applicant is unable, within a reasonable time, to develop the land being applied for. Those are two very good reasons for exclusion of applicants from that provision in the Bill.

I have an amendment on the notice paper which provides for another exemption, and this covers many of the objections of the Minister to the clause in question. It also covers the query raised by the hon. member for Vasse, and I think it will be quite acceptable and satisfactory to him. This amendment is another reason why the board shall not grant land to the original applicant. It states—

> or is for any other reason deemed by the Board as not justly entitled to the land.

That puts the whole matter in the hands of the board, the policy of which is not being queried one iota. It has to decide on the facts of the case as to whether an applicant is entitled to the land. The amendment does give a definite preference to the person who is intrumental in getting the land released.

There are strong reasons why this preference should not operate in many cases, because in some instances farmers have a lease of land with timber growing thereon. The farmers have been given grazing rights, and many of them have top-dressed the land, in between the trees, and have been grazing it for years. If they apply for that land, and it is released, at the present time they have no greater right—not even a preference—than any other applicant.

The object of the amendment on the notice paper is to ensure that those who are justly entitled to the land shall be given some preference. It will also protect the person who has been using the land by some means or other to have a preference as against a person who merely comes along and tries to get his application for the land granted. The latter may be instrumental in getting the land released. This amendment will therefore protect the person who is holding the grazing rights in land, because of his interest therein; and will also protect him from another person, who has no interest in the land whatever, getting it.

The Minister should definitely have another look at the Bill, because the points which have been referred to therein will enable the operation of the Land Act—and, in particular, the allocation of land—to be carried out on a much fairer basis than at present. I urge that the measure be reconsidered.

On motion by the Hon. A. R. G. Hawke (Premier), debate adjourned.

METROPOLITAN BEACH TRUST.

Introduction of Legislation.

Debate resumed from the 8th October on the following motion by Mr. Marshall:—

> That in the opinion of this House the Government should take early steps to introduce legislation to establish a metropolitan beach trust.

which, on motion by the Hon. L. F. Kelly (Minister for Lands) has been amended by deleting the word "introduce", and inserting in lieu the word "consider" and to which Mr. Crommelin had moved a further amendment to insert before the word "legislation" the following words:—

> ways and means whereby financial and technical co-operation between the Government and local authorities for the adequate preservation and development of beaches may be achieved without the creation of a further Government authority in the form of a beach trust and without reducing the powers, responsibilities and initiative of local government

MR. JOHNSON (Leederville—on amendment) [5.59]: I wish to make a few remarks on the motion we are dealing with. I think it is very sound, and the hon. member for Wembley Beaches should be commended for introducing it, and for giving this House an opportunity of expressing opinions on this matter in a fairly wide degree.

I am not completely in agreement with the amendment moved by the Minister for Lands, nor am I completely in agreement with the detailed proposal put forward by the hon. member for Wembley Beaches. I take this opportunity of saying, as I have said before on two somewhat similar occasions, that the right method of dealing with the very real problem referred to in the motion is to establish something in the nature of the Melbourne Metropolitan Board of Works.

The model that is produced in the legislation and practice of the City of Melbourne—the Metropolitan Board of Works Act—is one which we could follow with a good deal of virtue, and profit to the State. The legislation is neither new nor untried. The original Act was introduced in 1928, and it gave the board power to control water supply, sewerage, drainage and rivers. In 1956, it was amended to include parks, foreshores, bridges, and highways.

The Metropolitan Board of Works has all the powers that are sought for the proposed beach trust, and it has a great many others. It has the power to produce its own finance. Section 18 of the Act provides—

> The board may construct and maintain works for the protection and improvement of foreshores in the metropolitan area, and the prevention of erosion thereof, and the reclamation of adjacent land covered, whether continuously or intermittently, by the waters of Port Phillip.

Section 19 states—

> The board may grant subsidies to any council or public authority for or toward the improvement of any foreshore, public open space, pleasure ground, park, garden or place, public resort or for the recreation or amusement of the people which is within the metropolitan area but is not used principally by the residents of any one municipality.

These provisions cover most of the needs envisaged in the proposed metropolitan beach trust. But the organisation of the Melbourne Metropolitan Board of Works covers a much wider field. It is my opinion that the metropolitan area of Perth is reaching a stage of development whereby it would be in our interests to have a single body to handle a number of interrelated and semi-related responsibilities. There are a number of matters now handled at State Government level which concern the City of Perth and its environs only; they are not the concern of the rest of the State.

I am not proposing that these matters should be handed over to private enterprise—private enterprise does not want them—but it would be proper to hand them over to a body like the Melbourne Metropolitan Board of Works, which is more in the nature of a local government than a State-wide government.

The thoughts which I have, include the production and distribution of electricity in the metropolitan area, which at present is handled by the State Electricity Commission. Only a small change in organisation would be required to take this function from State Government control to local government control, provided the local authority concerned was of a sufficient size to handle it. The Metropolitan Transport Trust, which deals with passenger transport in the metropolitan area, is another form of public utility which should be handled at the level of the people directly concerned—those in the metropolitan area.

A body which has the power to handle these large forms of public utility would also be in a position to deal with our beaches and the whole of the tourist industry in the metropolitan area. The idea of a trust dealing solely with beaches seems to envisage a narrow authority to deal only with the requirements of the people who use our beaches. People from

all over the State, from interstate and from overseas, patronise our beaches; and I am one who advocates quite strongly that improvements can be made to the beaches in all ways.

For a number of years I have been in the habit of going to City Beach. I can remember going to City Beach before the groyne was built. I can remember swimming there in the days when a swimming suit was not required, because so few people went there. There was not even a road to the beach. In those days, the plank track stopped before it got to the final line of sandhills. That beach has been developed in a manner which is a credit to the local authority—the Perth City Council—and it is probably the best developed of all the beaches in the metropolitan area.

It suffers from a lack of parking space, as do all places that are of public interest these days. Further development is required. Seeing that most of the funds which are required for that development have to come from the Leederville ward, in which the beach lies, it is difficult to develop the beach at the rate it deserves. But that is not to say that the local authority has not done a first-class job.

A little further north, at Scarborough, we have a beach which is, at the least, as good as any of the beaches I have seen in Sydney. I have seen most of them, and have swum at several; but I have not been to them on a sufficient number of occasions to know for sure that Scarborough is better than any of them, although I think it is. But that may be because Scarborough is home to me; and when one is away, home looks best.

The Scarborough beach should be considerably developed. It could be the type of tourist resort which people would travel around the world to visit. I feel that these beaches, and others both north and south of them, are a heritage of, at least, the people in the metropolitan area. The idea of a State-wide beach trust includes not only these beaches, but those at places like Albany—where there are some lovely beaches—and Bunbury.

Mr. Roberts: They are beautiful at Bunbury.

Mr. JOHNSON: Bunbury has a back beach containing features of great interest —or it has on occasions. Geraldton is a place where people can swim all the year round; and it is very nice there, too. The beach trust would also include control of the 90-Mile Beach, which is one I have never visited, but of which I have heard. I can imagine that all the resources of the proposed beach trust could be spent on the 90-Mile Beach without anyone seeing where they went. Yet that beach would be part of the responsibility of the trust.

Mr. Nulsen: There are some beautiful beaches at Esperance.

Mr. JOHNSON: The hon. member for Eyre, in his capacity as Minister for Health, knows that to be at Esperance is about the best thing that can happen to anyone's health. The development of Esperance would also take a large amount of the funds that would be available to the beach trust. The point I am advocating is that when considering the matter of beaches, we should not regard it as being just a matter of beaches; or even of all the beaches in the State; or just those in the metropolitan area; but we should consider where beaches take their place in metropolitan area development, and how the whole scheme could be financed. I think it should be financed by the people in the metropolitan area; because, in majority, they will be the ones who will benefit mostly from it, and I think it is right that the people who benefit should foot the bill.

The model is an established one, and the method has been tried and recommended by those who have lived under it. I feel we should make a detailed research into the possibility of applying the principles of the Melbourne Metropolitan Board of Works to the metropolitan area of Perth. For the purpose of any such board of works, I would define the metropolitan area as being that envisaged in the Town Planning Act. This would cover a large number of local governing bodies.

The Melbourne Metropolitan Board of Works, I point out, covered 22 local governing authorities at the time it was established; and since then, there have been some changes. I believe some additions have been made to the local governing authorities. These local governing bodies managed to find a method whereby they could work in harmony and produce the desired results. They have worked by giving to the central body some portion of their authority. I am suggesting that should happen here.

I am proposing that certain of the authority of the local governing bodies should be handed to a central body—a metropolitan board of works if hon. members like—based on legislation tried in the Eastern States. Further, I suggest that the State Government's responsibilities—which are purely metropolitan and include those which were the foundation of the Melbourne Metropolitan Board of Works, such as water supply, sewerage, and drainage, as well as parks, foreshores, bridges and highways—should, as they are State responsibilities, be handed over to this enlarged local body.

This, I think, is something which can be done; and it should be done. It is a development away from centralisation; because, although it might appear to be greater centralisation from the local government aspect, it is decentralisation from the State Government angle. I feel that is the correct way to deal with this proposal.

I commend the hon. member for Wembley Beaches for giving us the opportunity to discuss this matter and to put on record our personal opinions in connection with it. I cannot support the amendment moved by the hon. member for Claremont.

Sitting suspended from 6.15 to 7.30 p.m.

THE HON. A. F. WATTS (Stirling—on amendment) [7.30]: This motion is so far removed from what it was when the hon. member for Wembley Beaches first introduced it, that some different considerations apply now as against those that applied when it was first introduced; because then it was a request from this House for the Government to bring down legislation for the formation of a metropolitan beach trust. The Minister for Lands had it amended so that the Government should only give consideration to such legislation; and that, of course, may ultimately achieve nothing, because that consideration might result in the decision that there should be no legislation.

As a consequence, as I see the position up to that point, it is a very different proposition from the motion which was introduced by the hon. member for Wembley Beaches. But up to that point also there might be said to be two disadvantages: one that it has application to beaches only in the metropolitan area; and the other, that it proposes to set up a body—if anything is done about it at all—which, in respect of the care and attention necessary for metropolitan beaches, would supersede the local authorities in whose districts those beaches now are.

I cannot see very much virtue in the latter proposition. I cannot see any real need for the setting up of a separate authority to handle the question of beach development and improvement. Less still can I see the desirability of setting up an authority to deal with beaches only in the metropolitan area.

I was somewhat intrigued by the reference of the hon. member for Leederville to the idea that if we gave consideration to extending the ambit of this motion beyond the metropolitan area, we would probably involve ourselves with the 90-Mile beach on the north coast. I think the hon. member for Leederville is becoming more adept day by day in drawing the long bow; because I do not suppose any hon. member in this House, prior to that suggestion, would have considered that in the immediate future the whole 90 miles of the beach should receive the consideration which the hon. member for Leederville apparently suggested.

But that humourous aspect aside, it seems to me that if we are to do anything about the development of beaches in Western Australia, we should do something about developing those both within and without the metropolitan area, where there is some substantial public usage. I think that is the criterion which should govern this matter. In some places today there is little public usage, but that position may change in the run of years; and, if it does, such places can be included for consideration. However, there are at present a number of places which come readily to mind, and which experience very substantial public usage, not only by local residents but also by visitors and tourists from many parts of Western Australia, and indeed from other parts of Australia.

I suggest that any proposals for additional care and attention to beaches should include those beaches; and it would not be a very difficult matter for the Government, if it came to a question of giving financial assistance to the local authorities concerned, to decide in a reasonable way which beaches come under some such definition as I have proposed. Those beaches could be given consideration year by year as regards assistance under any scheme that might be evolved.

The proposition which is to be found in the amendment that the hon. member for Claremont proposes to move is a more desirable way to go about this improvement to beaches than the other suggestions that have been made in the terms of this motion. He believes that financial and technical co-operation should take place between the Government and local authorities, so that the adequate preservation and development of beaches may be achieved without the creation of a further Government authority, and without reducing the power and authority of local government. I am firmly convinced that there is a great deal to be said for that.

If it is a question of raising additional funds for the purpose, and it is considered that the position is pressing enough to warrant the raising of those funds, that matter can be discussed in Parliament. A fund such as the Argentine ant fund did not necessitate the setting up of a superimposed authority upon local authorities for the raising of it, and—except for expert assistance—for the control of it. Nor is there any need in my view for any such thing to be done in regard to beaches. I realise the difficult position of many local authorities both within and without the metropolitan district.

During my term as Minister for Local Government, at least two metropolitan local authorities discussed this problem with me. Quite obviously the very substantial number of persons who used the beaches in their territories bore no relationship whatever to the population of their districts. It exceeded it by many times, and there would be as many people there in one day as are resident in the whole of the local authority's area. The same argument at times applies to local authorities in rural districts, among those I have already quoted. To my mind it becomes a question of the policy being drawn up by

the Government after deciding whether or not it is desirable to assist in the improvement and development of beaches.

If, as I believe it would be, the decision is in the affirmative, it is a question of deciding how the money should be raised or made available, and how it should be distributed. It seems to me that all these things are a matter for the Government and the local authorities; they are not matters for any separate body superimposed to some degree upon both, and certainly superimposed upon the local authorities themselves. So, realising as I do the good intentions that underlie this proposition, and realising that if it is to do what it ought to do, it must go outside the boundaries of the metropolitan area; and believing that the way to recover it is through the local authorities, by co-operation and assistance, I am very happy to support the amendment moved by the hon. member for Claremont.

On motion by the Hon. H. E. Graham (Minister for Transport), debate adjourned.

STATE TRANSPORT CO-ORDINATION ACT AMENDMENT BILL.

Second Reading Defeated.

Debate resumed from the 8th October.

THE HON. H. E. GRAHAM (Minister for Transport—East Perth) [7.42]: In order to put the hon. member for Katanning out of his misery, I indicate to him at the outset that I cannot agree with the propositions contained in the Bill which is now before us. In the first instance, he seeks to have a direct representative of the Farmers' Union as a member of the Transport Board. It will be appreciated that at present the Act lays it down that there shall be three members, of whom one shall be a Government official; one shall represent city interests; and one, rural industries.

Farming is not the only rural industry, although undoubtedly it is an important one. If the hon. member's proposition were agreed to, no doubt there would be demands, which would be difficult to resist, from the timber industry, the mining industry, the fishing industry, and so on; and then equally the various types of interests in the metropolitan area could ask for special representation for themselves. In order to cater for all of the likely demands it would be necessary to have a board of considerable proportions.

The whole concept of the Transport Board is that its members should be completely divorced from any prejudice or self-interest; and when I use the term "self-interest" I mean in the broadest sense, not only as affecting a member of the board, but also people in a similar walk of life. I do not think there is room for cavil at the existing representation. There is the Government servant, who is a full-time chairman, and who is, of course, the administrative officer of the department. One is appointed to represent city interests; and there have been quite a number of different persons filling this position, but I do not know of any valid objection, or criticism, that has been raised on any occasion.

So far as the country is concerned, at the present moment there happens to be one who is a farmer and who is, coincidentally, a member of the Farmers' Union. But I suggest it would be palpably wrong to give any one section of the rural industries direct representation on the Transport Board. The amendment goes further; because at the present moment the Act provides that the members of the board shall be persons who, in the Government's opinion, are capable of assessing the financial and economic effect upon the State as a whole, of any transport policy.

The hon. member for Katanning seeks to exclude this Farmers' Union representative from that requirement. In other words, he would be there as agent or as urger for the interests of a particular section, irrespective of the needs and requirements and best interests of the State. The Transport Board is called upon to make most important decisions. In certain respects it is a quasi-judicial body; and I think it would be wrong and unfair to have a paid advocate for one class of the community as a whole, and for that person to be given a charter under which it would be possible for him to ignore the best interests of the State.

The second amendment requires that inspectors of the Transport Board should wear hatbands embellished, in large capital letters, with the words, "Authorised by the Transport Board," or words to that effect. I wonder what the purpose of this is. Does the hon. member for Katanning desire that there should be a publicity campaign engaged in so that all who are indulging in the transport of goods contrary to requirements of the Transport Act should have sufficient warning to enable them to dive into the bush, or detour into some back road, or something of that nature? Persons are apprehended; but if they are conforming with the laws of the land, they have nothing to fear. If they are breaching those laws, then surely it is right that they should be apprehended!

Mr. Nalder: I agree with what you say. But don't you think it is fair that an officer should have some identification?

Mr. GRAHAM: He has.

Mr. Nalder: Under his lapel. How can an ordinary person know when he is confronted with one of those officers?

Mr. GRAHAM: He will know quite easily. For the past 11 months or so inspectors of the Transport Board—not at all times, for reasons easy to guess—when

apprehending persons have had certain distinguishing marks about them. They wear a cap similar to that which I have in my hand at the present moment.

Mr. Nalder: Not all of them.

Mr. GRAHAM: The cap has a chrome-plated front with the words, "Transport Board" on it.

Mr. Mann: Put it on.

Mr. GRAHAM: It is neither my size nor my shape.

Mr. Roberts: Is it made in Western Australia?

Mr. GRAHAM: I sincerely hope so. It has in it the name of a place called Perth, and the address Forrest Place. Those are the only distinguishing features. So it can be seen that if it is felt that it could be a highwayman, or someone of that nature, holding up an innocent person, or usually law-abiding citizen going about his way, and that there should be some distinguishing mark, I repeat that the evidence is here in my hand. I may inform the House that with one exception, owing to a misunderstanding, all of the inspectors when apprehending suspected offenders wear these caps. When they are riding motorcycles, they wear crash helmets with a metal band with the words, "Transport Board" engraved on them.

Mr. Nalder: What about the ones in cars?

Mr. GRAHAM: The same thing applies.

Mr. Nalder: About three weeks ago I saw one apprehend a truck, and he had no cap on him. He stepped from a car which was at the side of the road.

Mr. GRAHAM: Perhaps in this, as in all matters, we have the personal factor to contend with. But instructions have been given by the Transport Board that this should be done.

Mr. Roberts: Would the Minister stop on a country road if hailed by a person in mufti?

Mr. GRAHAM: The hon. member for Bunbury should have some regard for the generous nature of the Minister for Transport. If somebody hailed him it would be because he required a service; and, so far as is possible, I endeavour always to render a service to other people.

Mr. Roberts: In Perth.

Mr. GRAHAM: Almost invariably. But I am developing an affection for the newly-constituted Metropolitan Transport Trust, and I cannot see why I should deny it business if that concern is to achieve the results that the great majority of us expected of it at the time when the legislation was passing through this Parliament. I feel that the requirements of the hon. member for Katanning have been more than amply met, and in a more satisfactory manner than envisaged by the amendment contained in his Bill.

Mr. Nalder: Can you tell us how long it is since the regulation has been gazetted?

Mr. GRAHAM: It is not a regulation, but an instruction; and it has been in vogue for almost 12 months.

Mr. Nalder: If the instruction is carried out, I am sure it will meet the requirements of the case.

Mr. GRAHAM: I want to make it clear that these men will not be wearing caps or badges at all times. If they are parked in their vehicles at the side of the road waiting for passers-by, they will not be necessarily wearing a cap. But if they ask a person to stop and interrogate him, they will be wearing caps with badges. If they are wearing crash helmets, then the badges will be on those helmets. Therefore there will be no question of any failure to identify the person stopping the vehicle as one clothed with authority.

Mr. Nalder: That means that if a car goes past, the man can stand without his cap; but if a truck goes along, he can put his cap on.

Mr. GRAHAM: That is so. There may be odd occasions on which individual inspectors may not conform; but these are the instructions of the Transport Board, and its officers are expected to comply with them.

The third amendment contained in the Bill seeks to allow a farmer to carry farming implements, machinery, or other requisites from one property owned by him to another property owned by him. I do not consider there is a problem that requires this amendment to solve it. One might use an exaggerated case to make the point: that if this were written into the statute, all that would be necessary would be for a farmer to have a cheap block of land on the verge of the metropolitan area and take his goods there, after which he would be free to take them to wherever his legitimate farm was. That illustrates the point I am making.

Mr. Nalder: It is a very poor illustration.

Mr. GRAHAM: I interjected when the hon. member for Katanning was introducing his Bill, and I have checked since with the Transport Board, and can give an assurance now that no farmer need have any fears whatever in the matter of the legitimate removal of his farming implements, etc., from one property that he owns to another property that he owns, whether it be near or far. It is not a transaction which ordinarily would be undertaken with any great frequency. As a general rule, a telephone call will do, or perhaps a letter

seeking permission to undertake this movement next week or the week after is all that is necessary. Permission will be instantly given by the Transport Board.

Mr. Nalder: It was not given in the case to which I have referred.

Mr. GRAHAM: The hon. member for Katanning made the statement that the particular farmer went to another officer and encountered some difficulty.

Mr. Nalder: He was flatly refused, and those goods were sent by train.

Mr. GRAHAM: I wonder what the nature of those goods was.

Mr. Nalder: I can let the Minister have a full description of everything.

Mr. GRAHAM: I would like it, because I am suspicious of this word, "requisites" that appears in the Bill. That, of course, could include anything.

Mr. Nalder: Only requirements from one farm to another.

Mr. GRAHAM: The carriage of requisites between a property owned by a producer to another property owned by a producer. There is no limitation to that. It could be drums of fuel, or anything else. Naturally I was unable to trace this case home to the particular official who is alleged to have been unreasonable. If I correctly understand the position and the case was submitted to the officer of the Transport Board, the farmer should have received permission without any query or fuss whatever.

If the hon. member for Katanning will agree to give me more detailed particulars in connection with the case, I can assure him they will not be used for the purpose of carpeting the officer concerned, but merely for the purpose of endeavouring to see that there is not a repetition of what he alleges, and which is contrary to the established practice of the Transport Board.

Mr. Nalder: The reason for my amendment is to make the position clear.

Mr. GRAHAM: Even so, if there were merit in what the hon. member for Katanning is seeking to place on the statute book, it would be unnecessary because there is provision in the Transport Act for exemptions to be granted. It requires no tabling of a proposition in Parliament, but merely the gazettal of a notice; and the Transport Board tomorrow, if it wished, with the consent of the Minister could gazette the exact words that appear in the Bill that we have before us at the present time. But with the exception of an odd case, where again apparently the personal factor has crept in—the personal factor of error—I do not think that farmers generally could have cause for legitimate complaint in respect of this matter of moving machinery or something essential from one part of their farming activities to another.

It is realised, of course, that if the farming properties are reasonably close to one another, then the exemptions of the Transport Co-ordination Act would apply; but where there is any great distance—and there would not be many farmers in that category seeking to move machinery from one place to another—I think that the Act has been operating quite smoothly and effectively and could continue in that way.

I think it is essential, without being too much of a busybody in the matter, that the Transport Board should be in the position of having some idea of what is going on; and probably it saves a whole lot of complications and explanations if the farmer is able to show an authority to an inspector, instead of investigations having to be made subsequently to see if it is a bona fide case or not.

Apropos of that, the amendment of the hon. member for Katanning goes much further than he outlined. As a matter of fact, it contradicts what he stated when introducing the measure, because he said it was for the farmer to do the transportation himself and not for a carrier. However, if he reads his Bill closely, he will see it refers to the carriage of farming implements; and there is no limitation imposed upon it whatsoever. So professional hauliers could be engaged.

If I felt there was an impediment or some unreasonable requirement on the part of farmers who sought to do this natural thing—albeit very few cases—I would have sympathy with the hon. member for Katanning in what he is seeking to achieve; but I feel there is no necessity for it.

Therefore, to summarise the three points: In the first instance, what he has sought in the Bill in connection with the appointment of the members of the Transport Board would be contrary to the whole spirit and intention of that legislation; something which has been religiously observed by Governments of various political complexion over the years. It is now some 25 years since the legislation was passed; and if we allow this in respect of the farming community, I suggest it would open the floodgates and open the way for interests of all description from the metropolitan area as well as country districts to seek direct representation.

If we have vested interests comprising the Transport Board, then we cannot expect fair, impartial, and judicial decisions, but, in some cases would have decisions which could have the effect of making or breaking certain industries or certain individuals engaged in those industries, either carrying, or anything else.

With regard to the labelling of inspectors, I think I have already convinced hon. members that the position is adequately catered for; and in connection with the proposed concession to the farming community, there is a simple and expeditious

system employed at the present moment, which has been operating for over twenty years or something of that nature. The present system caters adequately, and I can find no merit in the three propositions contained in the Bill. I have no alternative but to oppose the second reading.

MR. PERKINS (Roe) [8.5]: I can agree with the Minister for Transport in regard to one provision in the Bill: that is, the labelling of inspectors. The provision which has now been made for the wearing of a cap when inspectors are on duty and have cause to request any driver of a vehicle to stop will very largely meet the case. However, I would point out that apparently this is a very recent innovation; because, although I have travelled on country roads a good deal, this is the first time I have seen one of the caps which the Minister exhibited in the House tonight.

Mr. Graham: Have you ever been apprehended?

Mr. PERKINS: I have been stopped on the road, but I have never had cause to appear before the court as a result of any such apprehension.

Mr. Ross Hutchinson: Or even be alarmed.

Mr. PERKINS: I have not seen one of these caps before. But I can agree with the Minister that it will distinguish a Transport Board inspector from any other person on the road who would not be authorised to take the action of requesting a driver to stop. I think the Minister must agree that this action was necessary, and the fact that the Transport Board has arranged for these caps to be worn is an indication that some action along the lines suggested by the hon. member for Katanning in this Bill was necessary. However, I do not wish to stress that point; because, as I say, the action taken by the Transport Board probably does very largely meet the difficulty mentioned by the hon. member for Katanning.

In regard to the provision in the Bill for one of the members of the Transport Board representing the rural industries to be appointed from a panel of names submitted by the Farmers' Union, at the present time apparently that member of the board is just appointed by the Government of the day from whatever information it has at its disposal as to the suitability of such an appointee. It could be that the Farmers' Union would be consulted by the Government, of whatever political complexion it might be, when it was necessary to make such an appointment; but on the other hand, it could be that the Government of the day would obtain its information as to the suitability of such an appointee from some other source—perhaps very foreign to those country interests particularly concerned.

I think all hon. members would agree that the Farmers' Union is the most representative body of rural interests that we have in the State at the present time. The great preponderance of the rural community connected with the land belong to this particular body, and I can think of no organisation more suited to suggest such a panel of names than the Farmers' Union. The Farmers' Union is frequently requested by Governments, both Federal and State, to express opinions and guide Governments in the actions taken in regard to many problems affecting country districts.

I think it is reasonable that if such an organisation is going to be asked to take the responsibility for such advice, then at least it might be recognised when such a measure as this is placed on the statute book of the State. I would very seriously suggest to the Government that it reconsider its attitude on this particular point. I think that the Government would find that it would make for very much smoother working of the Transport Co-ordination Act if some member were on the Transport Board who was cognisant of the viewpoint of such an organisation as the Farmers' Union of Western Australia.

The Minister has said that there are other industries concerned besides farming. I agree with that. But on the other hand, most of the actions taken under the Transport Co-ordination Act, and most of the administration of the Transport Board in rural areas—either directly or very closely indirectly—affects the farming industry. For that reason, there does seem to be a good case why the viewpoint of the representative body of the farming industry should be consulted.

The Minister has said that it would be very dangerous on a body such as the Transport Board to have sectional interests represented which might not take a broad view of the policy which had to be carried through by that board. That is so; but the Minister should realise that the Farmers' Union of Western Australia is not an irresponsible body; and I have no doubt that the panel of names submitted for an appointment of this nature would contain the names of people who would be eminently suitable to exercise the function of a member of the Transport Board. If that were not so, and difficulties arose after a trial of the measure in its amended form then, of course, it would always be possible for the Government of the day to suggest an amendment in order to make the statute more workable.

Mr. Graham: Actually, I think the farmers would be the least entitled to representation, because there are more concessions to them than to any other section of the community, irrespective of where they live.

Mr. Bovell: So there should be.

Mr. Graham: I am not arguing about that; I am just making a statement of fact.

Mr. Nalder: The Bill does not say he shall be a farmer; it says a panel of names shall be submitted.

Mr. PERKINS: I think the Minister is taking a narrow view on this particular question. As he says, the Act very closely affects the farming community. But surely the Minister realises that it is highly desirable that the administration of the Act should be such that it obtains the maximum of co-operation from the farming community. I do not think the Farmers' Union is so irresponsible as to think that the Transport Co-ordination Act does not serve some useful purpose.

On the other hand, I suggest it is desirable that the Transport Co-ordination Act should be administered in such a way that it dislocates rural life to the minimum extent possible and also obtains the maximum co-operation from the farming community. When the farming community feel that the State Transport Co-ordination Act has not got that co-operative attitude towards them, the position is liable to develop where the farming community consider that if there is anything they can get away with they are justified in doing so because of the unsympathetic attitude on the part of the Transport Board.

Mr. Graham: Do you know of any substantial legitimate grievance by the farmers against the Transport Board?

Mr. PERKINS: In reply to the interjection of the Minister, I would say that at times the Transport Board has taken action which has been pin-pricking so far as the rural community are concerned. At times it has been far too slow to amend its regulations in order to meet the particular difficulties which have been stressed in certain country districts. I feel that that position could be considerably improved if the Transport Board was so constituted that the viewpoint of the rural community was automatically available to it.

The Minister said that at the present time one member of the Transport Board is a farmer, and a member of the Farmers' Union. I think that particular member was appointed by the present Government; and if that is so, does it not indicate that it is desirable to have some member of the farming community on the Transport Board? Apparently the present Government accepted that particular point.

Mr. Graham: He has to be engaged in some form of occupation.

Mr. PERKINS: This particular man might happen to be one of the nominees on the panel suggested by the Farmers' Union. I would not know. The important point is for the Farmers' Union to feel that it has the right to nominate its particular panel. If, on the other hand, the Government of the day is going to step in and just pick up some individual member of the farming community, irrespective of the viewpoint of the Farmers' Union, I suggest to the Minister that that does not make for harmony between the Government of the day, the Transport Board, and the rural community.

Mr. Graham: But where are you going to stop? There are some country cordial manufacturers, who have a grievance, coming to see me next week. Why not give them all a go?

Mr. PERKINS: If the Minister could suggest some more representative body than the Farmers' Union, I for one would be prepared to listen to him. But I think the principle has been accepted in this House on a great many occasions that in obtaining a representative to sit on some particular board, the body most concerned should have the right to suggest a panel of names from which such representative can be chosen. The fact that a panel of nominees has to be suggested is some safeguard for the Government of the day. It ensures that it will not be saddled with some individual of whom it does not approve. It gives the Government some choice; and in these circumstances, I can think of nobody more suitable than the Farmers' Union.

Its members are either directly concerned in the administration of the State Transport Co-ordination Act or else it affects them indirectly, but very closely. Obviously the interests of the farming community are very closely tied up with our country towns. It is in the interests of the local farmers that they should have prosperous and solid country centres, and I do not think any representative of the Farmers' Union would be the type who would do some damage to industries in our country towns. Therefore I think the viewpoint which the Minister has just expressed by way of interjection, has not got very much backing, and I think the nomination of that panel from the Farmers' Union could meet any objection which he raised on that particular point.

The other question deals with the carrying of farm implements from one farm to another. The Minister has said that the Transport Board is sympathetic to such requests and is willing to issue a permit for the carriage of such implements if the request is in any way reasonable. In fairness to the Transport Board, I think I can say it is rarely that such a request is refused.

On the other hand, I would point out to the Minister the cumbersome nature of that procedure. Obviously, should a farmer who has two properties decide at fairly short notice that it is necessary to shift a major implement from one of his farms to the other, if he is to comply with the

law he has to get in touch with the Transport Board for a permit. I am aware that such permits are issued as a result of telephone calls or telegrams, but I would point out that even those means have their limitations.

Sometimes it is necessary to make such transfers when the Transport Board's office is not open. I think the Minister realises that the farming community does not work the same hours as Government offices. There are public holidays and week-ends when it would be impossible to comply with the law in this regard. In any case, does there seem to be any reasonable necessity for the application of such a regulation?

It would be quite obvious that the implement involved, or the farm requisite involved, was not new material, and I think that any Transport Board inspector would very rapidly sum up the situation and could easily see that it was a legitimate transaction. In any case, if he was not satisfied he could obtain details from the farmer concerned, and it would not be a very difficult matter to test out the bona fides of that particular farmer. There again I think that the Minister, on reflection, has realised that there has been a case submitted for the proposal made by the hon. member for Katanning in this particular Bill, and I hope the Government will reconsider its attitude towards it.

MR. HEARMAN (Blackwood) [8.23]: Like the previous speaker, I feel the Minister has taken a rather narrow view of the first proposal—the appointment of a nominee of the Farmers' Union as a rural representative of the board. The very fact that the person who is in that particular position at the moment does happen to be a farmer and a member of the Farmers' Union indicates it is quite possible to find a suitable applicant who would fall within that particular category.

I would agree that it is not a matter that has caused a great deal of difficulty. But, at the same time, I think anything we can do to cultivate goodwill between people, without in any way weakening the legislation, should be done. I personally cannot see that there is any real valid objection. The Minister thinks that because a member of the Farmers' Union happened to be among the panel of nominees submitted, he would have a brief from the Farmers' Union.

I do not think that necessarily applies at all. He would still have to do the job envisaged in the Act, and consequently the suggestion that he is to be a stooge of the Farmers' Union is not a particularly fair one. It more or less implies that the Farmers' Union would only submit the names of people who would be cat's-paws, and I do not think that is a justifiable assumption.

It seems to me that the Government could accept this proposition without necessarily weakening the legislation. I think such provision is made in other Acts. If I remember correctly, the Farmers' Union has some say in appointing personnel to the Bush Fires Board. I doubt whether the sawmillers' industry has and yet it should have a very considerable say in that board.

The second provision—the question of identification caps for inspectors—was to a very large extent met by the remarks of the Minister when he pointed out that the board itself had made provision for them. However, there is one aspect of this which I would like to draw to the attention of the Minister, and that is the question of these traffic inspectors who are also acting on behalf of the Transport Board. These men are not actually employees of the board in the sense that they are normally employees of the board. They are employed by the local authorities and actually have watching briefs for the Transport Board. These people do not wear these caps that inspectors wear. If those inspectors represent the Transport Board, then I think that where they are actually engaged on the job, it is desirable that there should be some means of identifying them.

It is true that some of them do wear some sort of a cap or uniform which identifies them as being officials of some sort, but it does not necessarily represent them as being members of the Transport Board. They could be going about their normal job as traffic inspectors; and the great majority of them have no interest in the Transport Board. But some have, and I think the question of identifying themselves is a desirable one. It is a matter that the Minister might consider; because some of these men, to my knowledge, do not always wear caps by which they can be identified, either as traffic inspectors, inspectors of Transport Board, or inspectors of the Potato Board.

The year before last, we had some discussion about Potato Board inspectors wearing armbands, and the House decided it was desirable. Here we have exactly the same position, in connection with the Transport Board; and unless people wear some sort of identification, difficulties arise. I just point this out to the Minister because there are a few of these people acting in this dual capacity, and I would like to ensure that they wear some form of identification when acting for the Transport Board. I do not care whether they have "Transport Board" or anything else written across their caps; but the person being stopped should have some way of knowing that he is being stopped by an official.

Mr. Graham: Until recently about 99 per cent. of the traffic inspectors in country areas did their intercepting in plain clothes.

Mr. HEARMAN: That is so, and I do not think it was a good thing, as I believe they should wear some sort of identification. The local authorities have been lax in that regard and, as the Minister is aware, it has led to some trouble. The standard of traffic inspector has not always been as high as is desirable—

Mr. Graham: The standard is improving.

Mr. HEARMAN: That is so, but we never seem to reach the goal to which we aspire in these matters. I think that when these people act in a dual capacity they should have some identification.

Mr. Graham: What is wrong with the cap which I have in my hand?

Mr. HEARMAN: If they want to wear that sort of cap they can; but if a Transport Board inspector has a watching brief for the Potato Board, and perhaps for some other body, he will eventually look like something out of Wirth's Circus, with these things written all over him.

The Transport Board should look into the behaviour of some of these people. I know the case of a carrier who got into trouble, although admittedly he brought some of it on himself. In this instance the inspector concerned was a traffic inspector who also acts for the Potato Board and the Transport Board. I think the relationship between the two parties may have reached a personal level and I believe the carrier was a little stupid.

At all events, he was carrying bricks, and the inspector concerned waited for him to pull out, after completing his load; and when he reached the road, the inspector said, "Where is your permit?" The man said, "I have not a so-and-so permit", and he was subsequently charged. He preferred to plead guilty rather than appear in court, having had some experience of appearing in court, and was duly convicted and fined, which was all the court could do in the circumstances. But the injustice lay in the fact that he was not carting the bricks even 20 miles.

Mr. Rowberry: What difference would it have made to the conviction if the inspector had had a hat on?

Mr. HEARMAN: I do not know what bearing that interjection has on the matter. I feel that when a Government official prosecutes anyone, evidence should be placed before the court to show that an offence has been committed. No such evidence was possible in this case, because the man had not carted the bricks more than 20 miles. I admit that the carrier was negligent, as he should have appeared in court to state his case.

At all events, I believe the position has reached almost a malicious level and I think the Minister should ensure that the Transport Board is satisfied that its inspectors secure the necessary evidence to obtain convictions, rather than rely on bluff. These inspectors should be briefed in the requirements of their duties and we should ensure that they do not engage in malicious prosecutions. I have no instance of where a Transport Board inspector has behaved in a manner such as I have outlined, but I know of cases—

Mr. Graham: Before a prosecution is launched the circumstances are closely investigated by the Transport Board; and in the great majority of cases where people are intercepted, no action is taken.

Mr. HEARMAN: I know that. But in this instance a prosecution was launched and the man was fined £15. If the Minister wishes to pursue the case I will give him the details.

Mr. Graham: I would like to have them, as perhaps there is another side to the story.

Mr. HEARMAN: I will give the Minister the details, so that he can examine the case, in order to ensure that the inspectors do their work properly and do not simply rely on bluff to secure prosecutions. The third point to which I refer relates to farming implements or requisites. The Minister suggests that there is no difficulty in obtaining a permit to transport farming implements and requisites and generally that is true, although there are plenty of instances where the permit must be paid for. Sometimes the fee is only 5s. or so; but in some cases, as the hon. member for Roe pointed out, it is not possible to get a permit in the time required.

A neighbour of mine, who also has a farm at Three Springs, used to transport a crawler tractor to and fro between his properties. Provided he gave due warning, he always received a permit; but on one occasion a sudden downpour during seeding caused him to require the crawler tractor at Three Springs straight away, so he put it on his truck and took it up there. As this happened during the weekend he could not obtain a permit.

I think the Minister could agree that in cases where machinery has to be moved frequently between properties, a permit could be granted—something in the nature of a licence to operate over a given route between two properties. If it appeared that they were plying for hire the permit could be withdrawn, and in any case they could still be stopped on the road by inspectors and examined to see what they were carrying.

Farmers, like many other individuals, dislike filling in forms, and it takes up not only the time of the applicant but also that of the Transport Board. Perhaps the Minister could go that far and grant a permit of the nature I have outlined.

Mr. Graham: You can count that as being as good as done.

Mr. HEARMAN: Apparently I am making some progress; and as the Minister has gone that far, perhaps I had better sit down.

MR. BOVELL (Vasse) [8.40]: I was delighted to hear the Minister's interjection in regard to the third provision of this measure, because that was one which I desired to discuss. The three provisions of the Bill have been fully dealt with, and I wish to commend the hon. member for Katanning on having brought them forward in the interests of primary producers. The third provision seeks to enable farmers to move machinery and so on from one property to another, and that is a necessity in the district I represent. It affects also a number of primary producers in the district represented by the hon. member for Warren.

Where stock is raised in coastal areas it is necessary, in many instances, for the owners to have properties away from the coast; because the stock become coasty if left near the coast too long. A number of farmers in the Nannup area, which is in the Warren electorate—although I represented that district for a number of years in the old Sussex constituency—have coast runs around the Leeuwin, Augusta, or the Scott River area; and it is necessary for them from time to time to transport stock from their coastal properties inland, and vice versa, as well as to transport farming implements.

The same circumstances apply to many farmers in the Capel area, who are acquiring stock runs at the coast, as it is advantageous to be able to run stock on coastal runs in addition to inland pastures. There again it is necessary to transport not only stock but also farm implements from one property to another.

Mr. Graham: Do you think an oil company should be permitted to transport oil from a depot in Perth to a point perhaps hundreds of miles out in the country?

Mr. BOVELL: I am dealing with the problems of primary producers, which the measure is designed to overcome. The interjection of the Minister for Transport, while the member for Blackwood was speaking, encouraged me to quote these cases, which are by no means isolated. We all know that one cannot operate a property without the requisite machinery, and this question affects my electorate as well as that of the hon. member for Warren; so I hope the Minister will carry out his expressed intention and allow permits to be granted to cover the transport of implements from one property to another, as has been suggested.

Mr. Graham: Just to clear up a point, I did not suggest, I hope, that these permits should be granted for all time. The intention was that they should be granted only for a certain period with the necessity to make application when such a period has expired.

Mr. BOVELL: What would be the length of the period? If the Minister could indicate what period should be granted, it would be most helpful.

Mr. Graham: A reasonable period.

Mr. BOVELL: I should say that 12 months would be a reasonable period, or even longer.

Mr. Graham: At the moment I can see no objection to 12 months, but I do not want to be firmly committed to that.

Mr. BOVELL: That is a most encouraging statement, and I hope the Minister for Transport will endeavour to ensure that it will be put into effect, because I can see no reason why it should not be possible. Today, primary producers are being confronted with so much clerical work, apart from having to make application for licences for this, that and the other, that if we can assist them to facilitate the transporting of their farming implements from one place to another, it would be greatly appreciated by the farming community. It is becoming almost necessary for a farmer to engage an accountant to perform all the clerical work with which he is faced today.

MR. OWEN (Darling Range) [8.47]: I also support this Bill; and while the Minister seems to be in a co-operative frame of mind, I would like to press the arguments in favour of it a little further, particularly in regard to the provision covering the transportation of farming machinery from one property to another. This aspect of the Bill has been covered fairly adequately by previous speakers, but I would like to point out to the Minister the position which exists in my territory and just beyond.

In the last few years there have been quite a few small farmers who have properties in the foothills and close to the metropolitan area, who have acquired additional land at Wooroloo—some on the Inkpen estate—and they work both properties in conjunction with one another. As a result, they have found it necessary sometimes to transport their farming machinery from one spot to the other, at very short notice. On such occasions they have had to run the gauntlet of Transport Board inspectors, who seem to be stationed almost permanently in the region of Mundaring and Chidlows Wells.

However, I would say that those farmers generally are treated reasonably well by the inspectors, because in many instances they are merely transporting their own machines within the prescribed 20-mile radius.

Mr. Graham: Thirty-five miles from the G.P.O., Perth.

Mr. Watts: Only on the issue of a permit. A permit has to be issued.

Mr. OWEN: I believe that is the position; it is necessary to obtain a permit. However, in those instances where the farmer is transporting his own machinery from one place to another within a radius of 20 miles from his property, there is no necessity for him to have a permit. Because of this fact, the transport officials do not worry the farmers as they know from their vehicle registration, where they are travelling.

However, on one occasion a farmer was apprehended by a Transport Board official; and on making representations to the Transport Board on his behalf, I was told that it would be safer if he took out a permit. I was told that it would not be a great hardship for a permit to be issued to him, and the fee would not be very much.

Nevertheless, on making closer inquiries, I discovered that any permit issued would be only for a certain vehicle to transport the machinery specified. This farmer has more than one vehicle. When he requires to transport only a small farming implement he uses a utility, but if it is a larger piece of equipment he uses a truck. However, if it is a fairly heavy tractor he has to cart, it is necessary for him to engage the services of the local cartage contractor. So it appeared that the farmer did not have to get a permit for the implements he desired to have transported, but for the vehicle that carried them; and, to me, that appears to be a hardship.

If the Minister, in promising to co-operate to a certain extent, would issue an instruction that a farmer should be granted a permit to transport certain farming implements, which could be listed by him, from one property to another, it would facilitate matters considerably. Very often, as seasonal work comes around—such as with the advent of late rains and certain changes in the weather—it is found necessary for a farmer to transport machinery from one farm to another; and it would be impossible for him, at such short notice, to obtain a permit from the Transport Board office. Therefore, his work would be facilitated if a permit could be granted to him to cover the range of farming implements to be transported, such as ploughs, broadcasters, reapers, binders and so forth.

I do not think the other provisions are unreasonable, and I hope the Minister will change the opinion he expressed to the House earlier and agree to the Bill.

MR. I. W. MANNING (Harvey) [8.53]: I commend the hon. member for Katanning for introducing this Bill and I support fully the three provisions contained in it. Firstly, I consider that the representative of rural interests on the Transport Board should be selected from a panel of names submitted by the Farmers' Union. That union is well organised and comprises members who are spread throughout the length and breadth of the farming districts. Those members, who make up the various branches of the Farmers' Union, have a very good knowledge of the activities in their district and what its requirements are. I was very interested to see the cap produced by the Minister which it is proposed should be worn by the transport inspectors when they stop vehicles on the road.

Mr. Graham: That they have been wearing for the last 11 months.

Mr. I. W. MANNING: I did not know that they had been wearing them for that period. I knew that they were being worn. One of the inspectors in my district has been wearing a cap, but I did not think it was so distinctive as the one produced by the Minister tonight. I think that the wearing of such a cap is a sound move, because it does clothe the inspector with some sort of authority and the driver of any vehicle need not have the idea that he is being stopped by a tramp who is seeking a lift.

I am particularly interested in the provision which seeks to permit farmers to transport farming machinery from one property to another. I agree with what the hon. member for Vasse has said in that most of the properties settled in the early days are along the coast, but the majority of those farmers have found that they are unable to run stock on those properties throughout the whole year and that it has been necessary to develop another property further inland where they can spell their stock for a few months. Some of these properties are found in the clay country.

So we find that many farmers today are running two properties—one inland and one on the coast—but they are both part and parcel of the farming operations of those particular farmers. Therefore it is necessary that they should be permitted to transport their implements from one place to the other. Not all farmers have their own trucks with which to carry their farming implements. There are occasions when a cartage contractor has to be hired to transport farming equipment. I notice that today, in the coastal country, there is a great deal more development work being done than has been the case in previous years. More attention is being given to fire breaks, and so forth. Many of these dual properties, as it were, are 40 miles apart. This means that for some distance a farmer, in transporting his machinery from one farm to another, is liable to be apprehended by Transport Board inspectors.

It is very necessary, therefore, that these farmers should be granted the right to be able to transport their farming equipment

from one property to another without having to obtain a permit from the Transport Board. If they were obliged to apply for a permit in those circumstances, it would prove to be irksome and unreasonable, because in most instances it is inconvenient for the farmer to leave his work for the purpose of making such an application.

There are many occasions, such as in the case of a fire breaking out, when it would be impossible for a farmer at short notice to obtain a permit from the Transport Board to carry his fire-fighting equipment to the scene of the fire. Also, as the hon. member for Darling Range pointed out, it is often very necessary for a farmer to transport his farming implements from one spot to another because of seasonal changes. As I have said, it would be most unreasonable to ask him to apply for a permit in those circumstances.

I think previous speakers have covered this question very fully, but I had to take this opportunity to put forward my views in support of the measure, because I am of the opinion that it is legislation that should be enacted to assist the operations of farmers, instead of imposing upon them conditions which are most unreasonable.

MR. NALDER (Katanning—in reply) [8.59]: Whilst he was making his reply to my second reading speech on this Bill, the Minister said that he was going to put me out of my misery. I did not realise at the time that I was labouring under such difficulties, but nevertheless I am still able to rise again.

In his usual form the Minister allowed his imagination to run right away from the subject matter before us in suggesting that the panel of names submitted by the Farmers' Union would bring about a parochial type of representation, which would have no other interests but those of the farming community, and which would be dictated to by the Farmers' Union. He said that such representation would not be in the interests of the State or the Transport Board.

That is a very exaggerated statement indeed, because I feel sure the panel of names to be submitted by the Farmers' Union would be representative of the farming community. No doubt it would include men who possess business knowledge and who have proven ability, and they would prove to be an asset to any board.

The Minister would not be obliged to choose anyone. The suggestion in the Bill is that a panel of three names be submitted to the Minister. It would be his job to investigate the qualifications of the nominees. I am sure that the proposal in the Bill is very worthy, and should be accepted by the Minister. As was pointed out by other speakers, this same suggestion has been adopted in other legislation, and it has assisted the Government to choose the best representatives.

I cannot agree with the suggestions put up by the Minister when he tried to lead the House into believing that the Bill would be the death-knell of the Transport Board because the Farmers' Union representative would have such a narrow view of the transport position in this State that he would, in time, wreck the Transport Board. That was an exaggerated statement. I ask the House to give serious consideration to the first suggestion contained in the Bill.

In regard to the second provision, the Minister has told us that he has issued instructions, and that they have been in vogue for about 12 months. I must confess that I have once seen an inspector on a motorcycle in the last three months wearing a cap, but I have recognised other inspectors on the road, and they were not wearing identification caps. One does not have to travel along the roads very frequently to recognise the Transport Board inspectors sitting in their cars alongside the road.

The Minister has objected to the second proposal in the Bill. At present, if a Transport Board officer does not wear an identification hat, the driver of a vehicle who is about to be apprehended but who does not recognise the officer and speeds away, can be charged for failing to comply with the instruction to stop. The Minister should inform the House in no uncertain terms that a farmer or driver of a vehicle, about to be apprehended by an officer not wearing an identification cap, will not be liable to be charged in court if he speeds on his way.

An instance occurred about three weeks ago when I was travelling on the road. A person whom I recognised as a Transport Board inspector, put his hand out to stop a truck travelling in front of me. That inspector did not wear a cap. The driver pulled over to the side of the road. I presume he was acting in a legitimate manner, because there was a private number plate on his vehicle. Apparently he had carried stock to Midland Junction and was on his way back home. If he had driven on, his number would have been taken, and it was quite possible that proceedings would have been taken against him for failure to stop.

Mr. Bovell: Although he had no way of recognising that the officer was an inspector.

Mr. NALDER: None at all. The officer was bareheaded and wore an ordinary suit. He wore no identification at all. If the Minister will declare that drivers of vehicles who are stopped by Transport Board officers not wearing caps, can speed on their way without being prosecuted

later on, I shall be satisfied. I shall be happy to accept a statement from the Minister that caps will be worn by inspectors at all times when they are apprehending drivers of vehicles on roads.

Mr. Watts: If an inspector does not wear a cap, the drivers will be prosecuted all the same.

Mr. Graham: People can be prosecuted when they are apprehended by plain-clothes policemen.

Mr. NALDER: It looks as if the Transport Board will before long have another name—it will be classed as a secret service.

Mr. Graham: Unfortunately, one of the inspectors misunderstood the instruction and only wore his cap at night-time. Now he has been put right.

Mr. NALDER: I am happy to accept that assurance given by the Minister. With reference to the third amendment in the Bill, it was introduced to clarify the existing position. If the Act provides that a farmer has the right to cart goods from one place to another, I cannot understand why he has to apply to the Transport Board for a permit. He should be able to do that without having to make application.

The Minister should not object to this proposal. When any hon. member on this side of the House puts forward a suggestion, the Minister becomes suspicious and thinks there is a catch. I can assure him there is no catch in this instance, and the amendment has been introduced to clarify the position. The idea is to do away with the necessity for the farmer having to apply continually to the Transport Board for permits to carry on his legitimate business.

Cases of farmers carrying goods between two properties owned by them have been brought to my notice. In one instance the farmer was in the habit of applying to the board for a permit, because he did not want to be apprehended. On the last occasion when he applied for a permit, another officer of the board dealt with the application and the farmer was refused a permit. Such a permit had been issued to him on four or five occasions in the last 12 months. The third amendment in the Bill has been put forward to overcome such a difficulty.

Mr. Graham: You will supply me with the details?

Mr. NALDER: I shall do so. This amendment will clear the matter up for all time. The Minister should not disagree to a proposal which seeks to clarify the existing position so that it is understood by all parties concerned. The farmers of this State are doing a good job in developing the land under many inconveniences, especially in cases where they have a farm in one district and another miles away. Such persons should be permitted to carry on their work without interference. The Bill with which we are dealing has been submitted in all good faith, with the object of bringing about smoother working of the Act. I hope the House will agree to the second reading.

Question put and a division taken with the following result:—

Ayes—14

Mr. Bovell	Sir Ross McLarty
Mr. Court	Mr. Nalder
Mr. Crommelin	Mr. Owen
Mr. Hearman	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. W. Manning	Mr. I. Manning

(Teller.)

Noes—22

Mr. Andrew	Mr. May
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rowberry
Mr. Johnson	Mr. Sewell
Mr. Lapham	Mr. Toms
Mr. Lawrence	Mr. Tonkin
Mr. Marshall	Mr. Graham

(Teller.)

Majority against—8.

Question thus negatived.

Bill defeated.

LICENSING ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 8th October.

THE HON. E. NULSEN (Minister for Justice—Eyre) [9.16]: The hon. member for Cottesloe explained the Bill fairly conclusively when he introduced it. Briefly, the proposal is to permit the catering and bar establishments at the Perth Airport to be let independently and each to be controlled separately from the other. The existing provisions of the Act do not permit of this. They envisage that the person holding the liquor licence will also control the dining room and the serving of liquor with meals in the dining room.

As explained by the hon. member for Cottesloe, the Department of Civil Aviation wishes to have the control of the two establishments separated, and no doubt the department has good reasons why this should be done. I can see no objection to the proposal, and I support the measure. However, I intend to move amendments to the Bill when in Committee for reasons which I will now explain.

The Licensing Court and the Liquor Inspection Branch have pointed out that the dining room is at present situated some distance away from the bar, and to give legal protection to the licensee serving the liquor to a waitress or waiter who, in turn, would serve the customer in the dining room, it is desirable that conditions be prescribed as to the manner in which the licensee shall supply, or cause to be supplied, liquor which is required for consumption with a meal in the dining room.

It was explained by the hon. member for Cottesloe that it is not known what might happen in the future in regard to building at the airport; and subsequent building may make a further change in conditions necessary. In my opinion, it would be advisable to leave to the Licensing Court the authority to impose conditions, and it could act according to any particular circumstance which might arise in the future. That is what my proposed amendment will provide for.

The amendment also provides for the Licensing Court to approve of premises at the airport other than in the overseas terminal building—if such should become necessary owing to future alterations there —as a suitable room for the serving of meals. I feel that this also is desirable.

As far as I can learn, the dining room at the airport is separate from the bar. In consequence it is necessary to move an amendment, to protect the licensee. He might otherwise, under the Act, be trespassing; and we do not want that. The Bill is desirable. I feel that people travelling are entitled to have an intoxicating drink with their meals. It is something they are used to, and they look forward to it. This practice will bring us more up to date with the rest of the world.

MR. ROSS HUTCHINSON (Cottesloe—in reply) [9.20]: At the outset, I record my appreciation to the Minister, to the Crown Law Department, to the Licensing Court, and to the Liquor Branch for the assistance they have rendered to me in what I have endeavoured to do in tidying up a small section of the Licensing Act, with a view to enabling certain concessions to be let independently at the airport.

The amendments proposed by the Minister will, I feel, improve the Bill a good deal. Indeed, I did mention in my introductory speech, that I felt something should be done to obviate the necessity for future amendments as I was afraid the amendments in the Bill did not cater altogether for that eventuality. However, the Minister has suggested an amendment which will enable this future possibility to be overcome. The Minister also mentioned that, because of certain possible happenings with regard to charges which could be made under Sections 6 and 7 of the Illicit Sale of Liquor Act, it is desirable to protect the licensee. Section 6 of that Act provides —

> No person shall, except on licensed premises, carry about liquor, or employ any other person to carry about liquor, from place to place for sale.

Section 7 provides—

> No person shall carry liquor, or employ any other person to carry liquor, for delivery off the premises on which such liquor is sold, unless the barrel, cask, vessel, bottle, case, or package containing the liquor is labelled on the outside with the name and address in writing of the seller and the purchaser.

The amendment proposed by the Minister will give legal protection to the licensee. It is felt that this is necessary, because of the distance between the bar and the dining room. The proposed amendments do not alter the principle of the Bill, but go a long way towards improving it.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; Mr. Ross Hutchinson in charge of the Bill.

Clause 1—put and passed.

Clause 2—Section 44C amended:

Mr. NULSEN: I move an amendment—

> Page 2—Add after the word, "and" in line six the passage, "adding after the word, 'purpose' in line three of paragraph (b), the passage, 'in the Overseas Terminal Building or in such other premises so situate at the Perth Airport as the Court approves, and is hereby authorised to approve, from time to time, for the purpose'."

I have already explained the reason for the amendment.

Mr. ROSS HUTCHINSON: I support the amendment, which the Minister described when speaking to the second reading of the Bill. Perth Airport has made great strides in the past, but I imagine that in the future it will make even greater strides. We can look forward confidently to the day when it will be an international airport of real repute, and will take its place with the great airports of the world. It is foreseeable that in such circumstances, considerable building alterations and changes will take place with regard to the situation of the bar and the eating facilities. The amendment will ensure that no further amendments will be necessary to cater adequately for the provisions outlined in the Act.

Mr. BOVELL: As the amendment deals with the serving of liquor, and the hon. member for Cottesloe and the Minister have foreshadowed that the international significance of Perth Airport will grow to greater dimensions, I hope the management, and the authorities, will encourage the serving of local wines. We are endeavouring to establish an overseas market for our Western Australian wines, and, as we are agreeing to amend the Act to meet the requirements of overseas travellers, the authorities at the airport should have impressed upon them the desirability of serving Western Australian wines.

Amendment put and passed.

Mr. NULSEN: I move an amendment—

Page 2—Add after the word, "section" in line fourteen the following passage—

; and

(c) adding the following subsection—

(3) (a) The Court may, by order in writing signed by the Chairman,

(i) impose, in respect of any airport license whether granted before or after the coming into operation of this subsection, conditions as to manner in which the licensee shall supply, or cause to be supplied, liquor which is required for consumption with a meal; and

(ii) revoke, or, from time to time, alter, conditions so imposed.

(b) Conditions imposed, including alterations, if any, made, under paragraph (a) of this subsection, shall, until revoked, be complied with by the licensee, and for the purposes of this Act shall be deemed to be incorporated in, and to form part of, his licence.

Cf. s. 236 post.

(c) Compliance by the licensee, with conditions so imposed and with alterations, if any, so made, exempts the licensee from liability for an offence under section six, and under section seven, of the Illicit Sale of Liquor Act, 1913, in respect of liquor to which the conditions apply.

Cf. No. 36 of 1913, ss. 6 and 7.

That gives the court power of initiative in regard to certain changes and gives also protection for the licensee under certain conditions.

Mr. ROSS HUTCHINSON: I support the amendment, the first portion of which is necessary owing to the possible difficulty in regard to transporting liquor from the bar to the dining room, and the fact that the licensee could be charged with carrying liquor after sale.

Amendment put and passed; the clause, as amended, agreed to.

Title—put and passed.

Bill reported with amendments.

ELECTORAL ACT AMENDMENT BILL.

Second Reading.

Order of the Day read for the resumption of the debate from the 8th October.

Point of Order.

Mr. GRAHAM: On a point of order, Mr. Speaker: I feel that the Legislative Council is endeavouring to play ducks and drakes with the Legislative Assembly and, on the grounds of consistency, I desire to raise a point with you, Sir. Last evening there was a Bill before the Legislative Council, which sought to amend the Electoral Districts Act. That measure was agreed to by the Legislative Assembly by a simple majority. It was contended, on a motion of the hon. Mr. Griffith, that a constitutional majority was necessary; and, notwithstanding Crown Law opinion and the ruling of the President of the Legislative Council, the hon. Mr. Griffith was able to prevail upon a majority of the hon. members of another place to disagree with that viewpoint.

We have now before us another Bill, to amend the Electoral Act, and I note there is no accompanying certificate to the effect that it was agreed to by an absolute majority of the hon. members of the Legislative Council. Naturally enough, I do not desire to discuss either of the Bills concerned or to canvass their merits. I might use some of the words employed by the hon. Mr. Wise last evening, when speaking to the Electoral Act Amendment Bill (No. 3), on which occasion he said—

> It does not affect or alter the franchise in any way but merely compels those folk with an entitlement to vote to vote. This Bill does not introduce any new class of elector. The persons qualified to be enrolled are enrolled and those persons so qualified must vote. It does not in any way alter the standard of the franchise. It does not affect any qualification. It does not affect any point at all which impinges on Section 73 of the Constitution Act or the two provisos in it.

In a few words, all the Bill sought to do was to make it compulsory for those, within the existing franchise, who were eligible and enrolled to vote, to do so. The Bill before us does not interfere with any of the things previously outlined; all it does is to alter in some small particular, the manner in which postal votes, under certain circumstances, should be taken.

Accordingly, if the Legislative Council by a majority vote last evening ruled that to amend the Electoral Act it is necessary to have an absolute majority of members of the Legislative Assembly voting for the measure, otherwise it is not prepared to consider the matter, surely on the grounds of consistency we must, in order to regularise what the Legislative Council has done,

or thinks it has done, insist that its members agree to this measure by an absolute majority!

I do not know whether you, Sir, would agree with the point I have made, or whether you would be prepared to accept a motion couched in these terms—

> That in conformity with the decision made by the Legislative Council on the 21st October, 1958, in respect to the Electoral Act Amendment Bill (No. 3), the Legislative Assembly considers that this Bill requires to be passed by an absolute majority and the certificate on the Bill received from the Council does not indicate that this provision has been complied with.

I am employing the same verbiage as that which was conveyed to us in Legislative Council's Message No. 33. Mr. Speaker, am I in order in moving that resolution for the reasons I have stated?

The SPEAKER: I would rule that the Minister is not in order in moving such a resolution. The question before the House is that the Bill be now read a second time. Either the Bill is read a second time, or it is rejected.

Mr. GRAHAM: Can I get some guidance from you, Mr. Speaker, in connection with this matter? You will recall that during last session I introduced a Bill which did not conform with the long title used when I gave notice of intention to introduce the Bill. That measure was introduced by me as Minister for Transport. On a subsequent day the Leader of the Country Party raised a point of order on the matter, which you upheld, and accordingly it was necessary for me to reintroduce the measure.

In this case the Bill has been introduced, and we are at the second reading stage, as we were on that occasion. I have detected where the Bill, according to a ruling by a majority vote in the Legislative Council as late as last evening, should have been passed by an absolute majority; that is the position according to the Legislative Council, in regard to Bills of this nature. You, Sir, are aware that no certificate to that effect accompanied the Bill when it arrived here from the Legislative Council. As a result, I am wondering whether, upon reflection, you do not consider it the bounden duty of a member of this Chamber to draw your attention to the discrepancy or error that has occurred.

The SPEAKER: The Minister has said that last session he introduced a Bill, and when one hon. member raised the point that it was not properly before the Legislative Assembly, I ruled that the Bill was not in accordance with the Order of Leave. That was done under the Standing Orders. The Minister withdrew that Bill and submitted another Bill in accordance with the Order of Leave. Subsequently that measure was dealt with in this House. The Bill now before us seeks to amend the Electoral Act, and in no way affects the Constitution. Therefore it is not necessary that it be passed through this House by an absolute majority of members voting.

As the Speaker of this Assembly, having full cognisance of the importance of the matter, and having in mind the terms of the Constitution, I will quote Section 73 of the Constitution Act again for the information of hon. members. It reads as follows:—

> The Legislature of the Colony shall have full power and authority, from time to time, by any Act, to repeal or alter any of the provisions of this Act. Provided always, that it shall not be lawful to present to the Governor for Her Majesty's assent any Bill by which any change in the Constitution of the Legislative Council or of the Legislative Assembly shall be effected, unless the second and third readings of such Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly respectively.

The section then goes on inter alia. The relevant and the most crucial point in that section is that the Bill we are now considering in no way affects the Constitution of the Legislative Assembly or the Legislative Council. Therefore, I have no alternative but to rule that the Bill is properly before the Legislative Assembly. I will take the opportunity at a later stage to deal with what has occurred in another place.

Before the Bill left this Assembly I gave full and mature consideration to the question of whether it required an absolute majority of the whole number of the members voting for it to pass through the third reading stage, and I think that no hon. member of this House could by any stretch of imagination agree that this Bill affects the Constitution in any way.

What another place has done is its own business. I am giving my viewpoint as Speaker of this Assembly; and in respect to the other matter that was before us, there is the precedent of a Bill similar to this being dealt with in the Legislative Assembly in 1936. In that year, when a Bill to amend the Electoral Act to provide for compulsory voting for the Legislative Assembly passed through the second and third reading stages in this House and through the second and third reading stages in another place, no hon. member of either House raised the question as to whether the Bill should have passed through those stages with an absolute majority of the whole number of the members voting.

On that occasion, evidently, all hon. members of both Houses were quite satisfied that the Bill did not seek to alter the Constitution as such. It is only when a measure seeks to alter or affect the Constitution that an absolute majority of the whole number of members voting is required. All hon. members should get this matter in its proper perspective. I am not concerned with the merits of the Bill, but with its being properly before this Assembly, in accordance with precedent, the Standing Orders, and the Constitution.

At this stage I rule that this Bill is properly before the Legislative Assembly and does not require an absolute majority of all the members voting for the purpose of its passing through the second and third reading stages.

Debate Resumed.

THE HON. J. T. TONKIN (Minister for Works—Melville) [9.50]: I move—

That the debate be adjourned for one month.

I do so because I think it might afford sufficient time for commonsense to prevail. Obviously you, Sir, cannot uphold the point of order raised by the Minister for Transport because, you are taking this Bill on its own without reference to what happened in another place, which rejected a measure on the ground that it was not passed through the second and third reading stages in this Assembly by an absolute majority of all members voting.

You have indicated that, in your view, there is no difference between the principle contained in this Bill and that contained in the measure which was rejected in another place.

The SPEAKER: I might draw the attention of the Minister to the fact that he is moving the adjournment of the debate on this Bill, and I do not think he is entitled to express an opinion.

Mr. TONKIN: I must agree with you, of course; but I could have achieved the purpose I am seeking if I had spoken first and then moved the adjournment of the debate subsequently.

The SPEAKER: Yes, but the Minister did not do that.

Points of Order.

Mr. COURT: On a point of order, Sir, is the motion acceptable to you in that form? We have before us a motion that the Bill be now read a second time, and the Minister for Transport was making his speech on the Bill.

Mr. Tonkin: No; it was a point of order.

Mr. COURT: The Minister did not raise a point of order.

Mr. Tonkin: Yes, he did!

Mr. COURT: No, he did not; he went straight into his speech. Subsequently, when he found that the Speaker did not agree with his tactics—

Mr. TONKIN: On a point of order, Sir, on what question is the hon. member for Nedlands speaking?

The SPEAKER: The Minister for Transport did raise a point of order when he first came to his feet, and then he referred to what happened in another place. I subsequently gave the ruling in connection with what took place. The Minister for Works has now moved that the debate on this Bill be adjourned for one month. It is an adjournment motion, and I propose to put it.

Mr. Bovell: Can't we speak to the motion?

The SPEAKER: No. It is a question of the debate being adjourned.

Mr. BOVELL: On a point of order, Sir, the Minister for Works has moved a motion for the adjournment of the debate; and according to Standing Orders, we should be entitled to speak on that motion. The Deputy Leader of the Opposition rose on a point of order; and then you, Sir, rose in your Chair and I rose to speak on the adjournment moved by the Deputy Premier.

Mr. Graham: You cannot speak on an adjournment motion.

Mr. BOVELL: I want your ruling, Sir, on whether I can speak on the motion for the adjournment of the debate, because I want to clarify this matter.

The SPEAKER: I rule that the hon. member for Vasse can speak on the motion for the adjournment of the debate.

Mr. BOVELL: I thank you very much.

The SPEAKER: I do not need any thanks; I have merely ruled to that effect.

Debate Resumed.

MR. BOVELL (Vasse) [9.54]: The motion moved by the Deputy Premier is one which affects the business of this House, inasmuch as the time suggested for the adjournment of the debate is one month. I want the Minister's or the Premier's assurance that the House will have the opportunity to deal with this measure at a later stage, because the rumour is current that this session of Parliament might terminate before one month has elapsed. In effect, therefore, the Deputy Premier will not afford the House an opportunity to discuss this legislation which has been transmitted from another place. I consider that we should have some assurance from the Deputy Premier, because if he had inquired—

Point of Order.

Mr. TONKIN: On a point of order, Sir, how long have we to listen to this? On what question is the hon. member talking?

The SPEAKER: On the Minister's motion to adjourn the debate for one month.

Mr. TONKIN: I understood that I had no right to speak to the motion. So what right has the hon. member for Vasse got?

The SPEAKER: The Minister moved the motion.

Mr. TONKIN: With all respect, I would like to point out that when I moved this motion for the adjournment of the debate and proceeded to speak to it, you denied me that right. Therefore, if I am not entitled to speak to the motion that I moved for the adjournment of the debate, how does the hon. member for Vasse become entitled to do so? If he is entitled to speak to this motion, I claim the right to do so.

Mr. Court: You stopped yourself.

The SPEAKER: The practice that has been followed here for some time is that an hon. member formally moves the adjournment of the debate, but gives no reasons for doing so. However, when that motion is before the House, other hon. members have the right to oppose the adjournment. Standing Order No. 157 reads as follows:—

> A debate may be adjourned on Motion and without discussion or by leave being granted to a Member then speaking to continue his remarks at a future time either to a later hour of the same day, or to any other day.

Generally, when an adjournment motion is moved in this House, the opportunity is presented to other hon. members to oppose the motion. Therefore, I have allowed the hon. member for Vasse to oppose this motion for the adjournment of the debate and I shall continue to do so.

Mr. TONKIN: Will you please clarify, for our guidance, the meaning of the words "without discussion" as mentioned in the Standing Order which you have just read?

Mr. Hawke: Would I be in order in moving that the House do now adjourn?

The SPEAKER: In replying to the Deputy Premier I would point out that Standing Order No. 157 is relevant to an hon. member who has moved the adjournment of the debate. It reads—

> A debate may be adjourned on Motion and without discussion or by leave being granted to a Member then speaking—

The Deputy Premier would have the right, at a later stage, to enter the debate, but not at this stage. Other hon. members would be entitled to oppose the motion for the adjournment. However, in order to clear the air, I am prepared to hear what the Premier has to say.

Mr. HAWKE: I wish to move that the House do now adjourn, if that is in order.

The SPEAKER: The position is that there is before the House a motion that the debate be adjourned for one month, and this has to be dealt with first.

Debate Resumed.

Mr. BOVELL: Before the point of order was raised, I said it was general knowledge that this House will adjourn before the expiration of one month. I submit that the House is entitled to discuss this measure. For that reason I move—

> That the motion be amended by deleting the word "month" with a view to inserting the word "week."

The SPEAKER: The question is that the words "one month" be struck out.

Mr. LAWRENCE: You, Mr. Speaker, said the words "one month." I respectfully submit that the amendment was to strike out the word "month."

The SPEAKER: The question is that the motion be amended by striking out the word "month." I thank the hon. member for his guidance.

Amendment put and a division taken with the following result—

Ayes—15

Mr. Bovell	Mr. Nalder
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Hearman	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. W. Manning	Mr. I. Manning
Sir Ross McLarty	*(Teller.)*

Noes—22

Mr. Andrew	Mr. Marshall
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Heal	Mr. Rowberry
Mr. W. Hegney	Mr. Sewell
Mr. Johnson	Mr. Toms
Mr. Lapham	Mr. Tonkin
Mr. Lawrence	Mr. May
	(Teller.)

Majority against—7.

Amendment thus negatived.

Motion put and passed.

House adjourned at 10.5 p.m.