

Hon. J. T. Tonkin: They might be wrong this time and might have been right last time.

The Premier: I do not think so.

The MINISTER FOR LANDS: I had the chief officer here in order to be able to give the exact information.

Hon. J. T. Tonkin: I know, and I am sorry.

The MINISTER FOR LANDS: I wanted to be in a position to answer any questions.

Hon. J. T. TONKIN: I assured the Minister that I would not raise any point that would require him to keep his officer here, but subsequently I became worried as I could not see what had occurred. It must have been carelessness on the part of the department in advising the Minister in the first place, which resulted in placing in the legislation something that had an effect opposite to that intended. We should be told what was wrong on that occasion in order to avoid the same trap again.

The MINISTER FOR LANDS: It is new legislation and we are having plenty of trouble in getting it into working order. The three Bills to amend the Acts which relate to the Agriculture Protection Board have been necessary to correct anomalies that have arisen.

Clause put and passed.

Clause 7, Title—agreed to.

Bill reported without amendment and the report adopted.

SELECT COMMITTEE—THE PERPETUAL EXECUTORS, TRUSTEES AND AGENCY COMPANY (W.A.) ACT AMENDMENT (PRIVATE) BILL.

Adoption of Report.

Order of the Day read for the consideration of the report of the Select Committee.

The CHAIRMAN OF COMMITTEES (Mr. Perkins): I report that the Bill contains the several provisions required by the Standing Orders.

Mr. TOTTERDELL (West Perth): I move—

That the report of the Select Committee be adopted.

Question put and passed; the report adopted.

SELECT COMMITTEE—WEST AUSTRALIAN TRUSTEE, EXECUTOR AND AGENCY COMPANY LIMITED ACT AMENDMENT (PRIVATE) BILL.

Adoption of Report.

Order of the Day read for the consideration of the report of the Select Committee.

The CHAIRMAN OF COMMITTEES (Mr. Perkins): I report that the Bill contains the several provisions required by the Standing Orders.

Mr. TOTTERDELL (West Perth): I move—

That the report of the Select Committee be adopted.

Question put and passed; the report adopted.

House adjourned at 11.7 p.m.

Legislative Council

Wednesday, 14th November, 1951.

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

ASSENT TO BILLS.

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

- 1, Bunbury (Roman Catholic Old Cemetery) Lands Revestment.
- 2, Real Property (Foreign Governments).

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Introduced by the Minister for Railways and read a first time.

BILLS (3)—THIRD READING.

- 1, Lotteries (Control) Act Amendment.
- 2, Parliamentary Superannuation Act Amendment.
- 3, Co-opted Medical and Dental Services for the Northern Portion of the State.

Passed.

BILL—LIBRARY BOARD OF WESTERN AUSTRALIA.

Second Reading.

Debate resumed from the previous day.

THE MINISTER FOR TRANSPORT

(Hon. C. H. Simpson—Midland—in reply) [4.38]: Various points have been raised in the debate on this Bill, but as they are mainly suggestions to be dealt with in the Committee stage, I do not propose to speak further at this juncture. Nearly every member who has spoken to the measure has, in general, supported it, and I have no doubt that the House will pass the second reading. I will be prepared to deal with the amendments that appear on the notice paper as they are moved in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Shortening provisions. Interpretation:

Hon. H. S. W. PARKER: I would like to draw the attention of the Committee to the definition of "approved body," which sets it out as meaning "an organisation which is not a local authority and which, pursuant to the provisions of this Act, elects and is declared by the Governor to be a body approved as suitable for participation in a scheme." I would further draw the attention of members to the definition of "participating body" which means "a local authority; and an approved body." Those two bodies are then qualified by the words "which elects and is declared to be an approved body pursuant to the provisions of this Act." The "approved body" cannot be a local authority. I think what is meant is a local authority, without any semi-colon, and an approved body, with a comma after it, so that the words qualify "approved body." I do not know how to amend the clause, but I draw the Minister's attention to the fact because I do not know what it means as it is now.

Hon. J. G. HISLOP: I think this could be put in order by striking out the semi-colon in line 2 of the definition of "participating body" and transferring the word "and" to line 3 of that definition.

The CHAIRMAN: There is no motion before the Chair.

The MINISTER FOR TRANSPORT: I bow to Mr. Parker's legal knowledge in regard to drafting, but as a layman it seems to me that "approved body" means an organisation not necessarily a local authority. It never occurred to me that it might mean anything else.

Hon. H. S. W. PARKER: "Approved body" is all right, but "participating body" is not.

The MINISTER FOR TRANSPORT: It means a local authority and participating body pursuant to the provisions of this Act during such time as it continues to participate as such in a scheme. It seems to me that either of these would be correct.

Hon. J. G. HISLOP: My attention was drawn to this matter by Mr. Parker. A local authority cannot be an approved body.

Hon. Sir Frank Gibson: You can have a local authority and an approved body.

Hon. G. FRASER: Page 3 makes a local governing authority an approved body.

Hon. J. G. HISLOP: It makes it a participating body. I move an amendment—

That in line 2 of the definition of "participating body," after the word "authority" the semi-colon be struck out; that the word "and" be transferred to the beginning of line 3, and that in line 3 after the word "body" the semi-colon be struck out.

Hon. H. S. W. PARKER: I know what the draftsman means but I think it is a matter of printing. I think if we crossed out the semi-colon after the word "authority" in line 2 and moved the words "approved body" in line 3 alongside, it would be all right.

The CHAIRMAN: The hon. member is aiming at the same objective as Dr. Hislop.

Hon. H. S. W. PARKER: That is so.

Hon. G. FRASER: I think if the wording of the definition "approved body" is allowed to stand, it will be very complicated.

Hon. J. G. Hislop: If you take out the semi-colon, it will not.

Hon. G. FRASER: Why stipulate that a local governing authority is not an approved body?

Hon. J. G. Hislop: Because it is stipulated on page 2 of the Bill.

Hon. G. FRASER: I would draw the attention of the Committee to the meaning of "approved body." There is no point

in excluding a local authority from being an approved body and then coupling it up later on.

Hon. J. G. HISLOP: If the hon. member looks further he will find the necessity for a local authority and an approved body each being a "participating body." A local authority will have the power to rate while the approved body may have nothing to do with the local authority. For instance, the Parliamentary Library may be an approved body.

Hon. G. FRASER: The word "and" is necessary but should be transferred to line 3 of the definition.

The CHAIRMAN: I should like to be clear what the amendment is.

Hon. J. G. HISLOP: My original suggestion was to delete the semi-colon after the word "authority" in line 2, transfer the word "and" to the beginning of line 3 and delete the semi-colon after the word "body" in line 3.

The CHAIRMAN: I shall put the amendment in three stages. The first amendment is—

That in line 2 of the definition after the word "authority" the semi-colon be struck out.

Amendment put and passed.

The CHAIRMAN: The next amendment is—

That in line 2 of the definition the word "and" be transferred to the beginning of line 3.

Hon. Sir CHARLES LATHAM: Will not the definition then mean that a participating body will be restricted to the two organisations—a local authority and an approved body—working together. Perhaps the reference to the two bodies should be separated by the word "or."

The Minister for Transport: Clause 4 begins, "(1) A local authority or an approved body" etc., so there we are separating them.

Hon. E. M. HEENAN: My impression is that the wording of the definition should be retained because the intention seems to be that a participating body means a local authority and an approved body.

Hon. N. E. BAXTER: I think the intention is that a participating body means, firstly, a local authority and, secondly, an approved body that elects and is declared to be an approved body.

Amendment put and passed.

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

That in line 3 of the definition after the word "body" the semi-colon be struck out.

Hon. G. FRASER: I am now inclined to think that the semi-colon should be retained. Otherwise, the meaning of "participating body" will be that both a local

authority and an approved body must apply to the Governor and be declared an approved body.

Hon. J. G. HISLOP: I think it will be necessary to recommit the Bill and provide that "participating body" means "(1) a local authority and (2) an approved body." What is really meant is that a participating body can be a local authority, or an approved body which is not a local authority.

Hon. H. S. W. PARKER: I suggest the Minister postpone the clause so that the Parliamentary Draftsman can express it unambiguously.

The CHAIRMAN: Before we can do that, we must deal with the amendment before the Chair.

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

Clause 4—agreed to.

Clause 5—The board:

The MINISTER FOR TRANSPORT: I move an amendment—

That at the end of Subclause (2) the following words be added: "including the chairman and vice-chairman."

Amendment put and passed.

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

That in line 1 of paragraph (a) of Subclause (3) the word "four" be struck out and the word "three" inserted in lieu.

I shall take this as a test in connection with my next amendment, which is to delete the words "Under Treasurer." I feel there is little the Under Treasurer can do here because the amounts the Government will hand to the library board will be well controlled, and the amount of subsidy to be paid by the Government will be limited in each case. I think the Under Treasurer's time, in this instance, could be saved. Other people should be elected to the board in order to have a wider representation.

The MINISTER FOR TRANSPORT: It is advisable that the Under Treasurer, or his nominee, be on the board; and it might be necessary if a further amendment with regard to the minimum rate is dealt with later. The Government proposes to make an appropriation of £5,000 for the first year, and it is considered desirable, at least until the fund gets well established, to have a nominee of the Under Treasurer on the board, which in its first stages of operation, might be glad to have Treasury advice.

Hon. H. S. W. PARKER: I support the amendment. It seems to me that the Under Treasurer has all the work he can do looking after the Treasury. I cannot

see what object there is in taking such a valuable officer, or his nominee, away from his ordinary duties to attend meetings of the library board. It is suggested that because the Government is providing so much of the fund, a Treasury officer is needed. The Government provides a certain amount of the funds of many organisations, without being represented on them. When an organisation asks for funds, it is then that the Under Treasurer steps in and wants a full account of the position.

If we put the Under Treasurer on this board, we will place him in an invidious position. The board might say it must have a certain sum of money from the Government in order to carry on, and the Under Treasurer might be opposed to that. Would he be there as a member of the board or as Under Treasurer? If he is there as the Under Treasurer, he is protecting the Government's funds. If he is there doing a job for the board, what is then the position of the Treasurer when a request comes along for the sum which the Under Treasurer has opposed?

As Under Treasurer, he can advise the Treasurer according to his Treasury beliefs. If he is on the board, will he advise the Treasurer as a member of the board or as the Under Treasurer? The Treasurer will be placed in an awkward position, and the Under Treasurer in a hopeless position. I have no objection to his being on the board as an individual, but to put him there because some of the funds will come from the Treasury is, I think, entirely wrong. We do not have a representative of the Treasury on local authorities, but they get a lot of money from the Treasury.

The MINISTER FOR TRANSPORT: The board will have an initial grant from the Government, and it will also collect money from time to time from other sources. I think it is desirable that in the initial stages of the fund the advice and direction of a Treasury officer should be available. The Under Treasurer need not necessarily be on the board but, with an important project such as this, he probably would be sufficiently interested to attend one or two meetings, and if he had a knowledge of the background it might be valuable to him in the advice he would give to the Treasurer if and when representations were made later. This is regarded by the Treasury as important, and I recommend members to accept the paragraph as it is.

Hon. E. M. HEENAN: This is a new body that is coming into being, and I agree with the Minister that a man with the knowledge and experience of the Under Treasurer would be of great assistance to it. We do not want the board to make any mistakes in the first critical year or two. He would be a useful mem-

ber and no great demand would be made on his time. I want to see the board make a success of the enterprise.

Hon. A. R. JONES: I support the amendment. The Government has considered the Bill sufficiently to grant £5,000 towards the establishment of the board and it is prepared to have each library governed by a number of people forming a board. I am of the opinion that the Under Treasurer is paid to do a more important job than to control a mere £5,000 under this scheme. If he could prevent the waste of money that may occur in other directions, his services would be used to greater advantage.

Hon. G. FRASER: My first reaction was to support the amendment and I would still do so if it meant that the Under Treasurer would be tied to the board all the time. As Dr. Hislop has said, we are too fond of saying that because a new body is formed, the Under Treasurer must be a member. However, on further perusal of the Bill I notice that Subclause (9) is really a saving provision because it states that it is not necessary for the Under Treasurer to attend every meeting and he can appoint a deputy in his stead. If his services were needed he could be called in to attend a particular meeting. I should say that in the majority of instances his deputy would attend the meetings.

Hon. H. S. W. Parker: Do you suggest that the Under Treasurer should be appointed to the Surf Life Saving Association because the Government has granted that body £400?

Hon. G. FRASER: Yes, it might be advisable. I emphasise that the board will only be established with a Government grant of £5,000, but when that body starts operating it may find that a greater amount will be required to ensure the success of the scheme. If that position arose, there would be a greater chance of extra money being provided by the Government if it were recommended by the Under Treasurer than there would if it were recommended merely by an ordinary member. It is in the early stages of the scheme that the advice and experience of the Under Treasurer will prove of value, following upon which it may not be necessary for him to attend every meeting. I think the wiser course is to leave the clause as it is.

Hon. J. G. HISLOP: Might I warn Mr. Fraser that someone may move to strike out Subclause (9) for the simple reason that a Minister in another place said he would not be worried if it were wiped out? I intend to speak against that subclause, which is the saving provision referred to by Mr. Fraser, because

the board could not possibly function and take its place among other Australian libraries unless it trained librarians. As the Bill is drafted at present, the deputies could outweigh the members of the board. I again warn Mr. Fraser that Subclause (9) may have a very short life.

Hon. G. Fraser: If that occurred, we could easily recommit the Bill.

Hon. J. G. HISLOP: I have known other boards of which the Under Treasurer has been a member and seen situations arise which would have been handled better had the Under Treasurer not been a member, because I think that on occasions he has been of two minds. It would be more advisable to have the matters discussed ex parte and decided on their true merits.

The Minister for Transport: Do not you think that the advice and competence of a man such as the Under Treasurer would be of immense value in an enterprise such as this?

Hon. J. G. HISLOP: I do not think so. What has to be decided is what rates are to be levied in a district and what libraries are to be established. Let me remind members not to make any error about the cost of this scheme. Mention of £5,000 has been made in the Bill, but that will only carry the board for the first six months of the year.

The Minister for Transport: That is all the more reason why the Under Treasurer should be a member.

Hon. J. G. HISLOP: No, it is all the more reason why he should not be there. The Under Treasurer should be left with an unprejudiced viewpoint as to the extension of this library work. It would be better in the interests of the Under Treasurer and the board if it were to make direct application to the Treasury.

Amendment put and a division taken with the following result:

Ayes	.....	10
Noes	.....	9
Majority for	.....	1

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. Sir Frank Gibson	Hon. A. L. Loton
Hon. C. H. Henning	Hon. H. S. W. Parker
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. H. L. Roche

(Teller.)

Noes.

Hon. E. M. Davies	Hon. E. M. Heenan
Hon. R. M. Forrest	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. Sir Chas. Latham
Hon. H. Hearn	

(Teller.)

Amendment thus passed.

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

That subparagraph (1) of paragraph (a) of Subclause (3) be struck out.

Hon. Sir CHARLES LATHAM: I would rather see the Director of Adult Education left off the board than the Under Treasurer, so I intend to vote against the amendment. The Under Treasurer should be a member. If the amendment is carried, I propose to move that subparagraph (iii) be struck out.

The MINISTER FOR TRANSPORT: This is the substance of the proposition upon which a vote has just been taken. Therefore it is a consequential amendment. I cannot see that we can pass one amendment and then subsequently oppose an amendment consequential upon it.

Amendment put and passed.

Hon. E. M. DAVIES: I move an amendment—

That in paragraph (b) of Subclause (3) a new subparagraph be inserted as follows:—

(ii) A person selected by the Minister from a panel of not more than three persons whose names are submitted by the Fremantle City Council.

The Fremantle City Council has been conducting a free lending library for the past two years and has taken greater interest in the movement than some of the bodies that will be represented on the board. I think it should be entitled to at least one representative.

The CHAIRMAN: Before the amendment is further discussed, I draw attention to the fact that the Bill appropriates moneys. If we make provision for the appointment of another member to the board, it will increase the cost to the Treasury, unless a consequential amendment is made in subparagraph (v), now appearing in the Bill, to reduce the number specified there by one.

Hon. G. FRASER: Two problems will have to be solved prior to the amendment being considered. The board is to consist of 11 members and we may cut one of them out. Later there is provision for the remaining seven members and that number will have to be altered. It is not quite plain sailing.

Hon. H. S. W. PARKER: Whether we agree to the amendment or not, the reference to the remaining seven members of the board will have to be altered, because we have decided that the board itself shall consist of 11 members.

Hon. J. G. HISLOP: The Bill will have to be re-committed because there are amendments that seek deliberately to increase the personnel of the board. We should not be hamstrung regarding the advice we desire to tender to the Minister when we state what we consider should be a proper board. The Minister could accept the amendment and another place could insist on retaining what it desires. An amendment could be moved that would not increase the expenditure involved.

Hon. Sir FRANK GIBSON: I support the amendment. The Fremantle City Council commenced its movement as a reference library, but very soon it was extended to deal with other types of literature. It has been the only free lending library conducted by a local authority in Western Australia. Adjoining local authorities interested themselves in the movement and contributed towards its cost. As it has set an example to the rest of the State, the least we should do is to give Fremantle representation on the board.

The MINISTER FOR TRANSPORT: The Minister desires me to oppose the amendment, not because his feeling is adverse to Fremantle more than to any other local governing area, but because provision is already made on the board for four representatives of local governing authorities. When I discussed the matter with the Director of Education, he said he wondered whether the desire of the Fremantle City Council to have a representative on the board indicated its intention to allow the present free library to lapse so that it could be a member of a larger State-wide body. In that event, the authorities would be happy to consider such a proposition. As Fremantle already has a free lending library, it was considered that it would be outside the ambit of the present scheme and that it was already provided for.

Hon. E. M. DAVIES: I fail to follow the Minister's reasoning. The Perth City Council is to have a representative, yet that body has not established a free lending library at all. It will not be bound by the provisions of the Bill to establish such a library unless it cares to do so. Yet the Perth City Council is to have a representative on the board! As the Fremantle City Council has already had experience in conducting a free lending library, a representative of that body on the board should be of material assistance. The Minister should be pleased to think that there is one local authority sufficiently interested to offer its services to the board.

Hon. Sir FRANK GIBSON: If a local authority is prepared to spend its own money on a free lending library, does the Minister mean that it will be precluded from receiving any financial assistance from the Government? If that is the position, it would not be any encouragement to a local authority to conduct such a scheme itself.

The MINISTER FOR TRANSPORT: I would not be prepared to say what the Government's attitude would be in that regard. The point is that it is considered adequate representation of local governing authorities is already provided for and that Fremantle has an independent library. If it applied to the Government for financial assistance, I imagine it would receive exactly the same consideration as any other body.

Hon. A. R. JONES: I do not think it is a matter of whether the Fremantle City Council may or may not approach the Government for financial assistance in connection with its free lending library, but of making available a representative of that body who is experienced in library work and as such should be of assistance to the board.

Hon. Sir CHARLES LATHAM: I hope the Minister will agree to the amendment because the Fremantle City Council has already devoted some of its general revenue to the running of a free lending library. Not to accept the amendment would be unwise, especially as we will not increase the number of representatives on the board.

The MINISTER FOR TRANSPORT: Members should understand that there has been no expression of my personal views, but I have put forward those of the Minister who sponsored the Bill. The idea is that, with four representatives of local governing authorities provided for, sufficient provision should be left for the appointment of representatives of other sections of the community. That is the point at issue. Adequate representation is already provided for local authorities.

Hon. H. HEARN: It is unfortunate that the one local body that has blazed the trail should not have representation on the board. I hope the amendment will be carried in recognition of the work the Fremantle City Council has already done.

Amendment put and passed.

Hon. E. M. DAVIES: I move an amendment—

That in line 1 of subparagraph (v) of paragraph (b) of Subclause (3) the word "three" be struck out and the word "two" inserted in lieu.

This concerns three persons to be selected from a panel of six whose names are to be submitted by the Library Association of Australia, Western Australian branch. Without wishing to belittle that organisation, I have not heard of any great work it has done, particularly the Western Australian branch. I have been informed it has been in existence for only a very short period, and I think its representation should be reduced from three to two so as to provide for a representative from the Fremantle City Council.

The MINISTER FOR TRANSPORT: I hope the Committee will not accept the amendment. The Minister who introduced the Bill in another place is of the opinion that the board would be top heavy if it contained five representatives of local governing authorities and only two from the Library Association, which is in a position to provide professional and technical advice of a very high order, so necessary in the initial stages of the scheme.

The idea is that there shall be two representatives from the Library Association and one from the Children's Book Council. In a sense, that gives us only two representatives who are highly qualified technical men and one from another body altogether, namely, the Children's Book Council. If we reduce the number to two we will have only one competent library man instead of two. The Minister is anxious to have three representatives from the Library Association.

Hon. E. M. DAVIES: I have heard a good deal about the Children's Book Council, and I believe it has done something of benefit to this State. But I must confess I have never heard of the Library Association of Australia, Western Australian branch, and would like to know of whom it is comprised. I have been informed it consists of librarians, but I would like to know who they are. I realise there is a librarian at the Public Library and one at the University, but I have yet to learn where the other librarians are.

The Minister for Transport: There is a very competent man at the Perth Literary Institute.

Hon. E. M. DAVIES: That is only three.

Hon. L. A. Logan: If the number is altered, we will still have to find somebody else to put on the board.

Hon. J. G. HISLOP: I am proposing the addition of two people. I would like to agree with the Minister. But members must realise that this is a badly constituted board, because the Minister has been more or less forced to place upon it representatives of participating financial bodies rather than people who will take a vital interest in library work. If the Minister feels that participating financial bodies must be fully represented, then surely those who will be active in pursuing the theme of library services from reading and other aspects should be equally numerically represented.

We have five representatives from local governing authorities who are appointees of organisations and are not necessarily vitally interested in libraries. Then there are the Director of Education and the Director of Adult Education, to whom this work will be but a small fraction of the cultural activities with which they are already tied up. The Library Association is composed of keen people. There are two very prominent people of this kind in the British Medical Association library.

Hon. Sir Charles Latham: Can you tell us the history of the association?

Hon. J. G. HISLOP: It has been formed by these people—

Hon. Sir Charles Latham: How long?

Hon. J. G. HISLOP: I cannot tell the hon. member. But the University library contains people who are qualified librarians and the Literary Institute, the British Medical Association, and the Public Library also have such people in their ranks. I understand that altogether there are about 30 who have received qualifications from the Library Association of Australia. They are the folk who are going to be active in giving technical advice on the work. The British Medical Association sent its librarian away to be trained and its library has consequently been revolutionised. We should have on the board people who are vitally concerned with library services.

Amendment put and negatived.

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

That a new subparagraph be added as follows:—

- (vi) Two persons not holding any qualifications as outlined in the preceding paragraphs to be nominated by the Minister.

I would emphasise the need for a balanced viewpoint on the proposed library board. At present it is to contain three Government servants and five members appointed by local governing authorities, but only three from the Library Association. My amendment may be ruled out of order, since it increases the membership of the board from 11 to 13. If that is done, I shall seek to have the Bill recommitted with a view to moving to delete a clause, which would make the matter not one of appropriating expenditure and would allow of a conference taking place with the Minister.

I feel that if this board is to be a success, it must have on it some prominent citizens. There is too little public representation on boards in Western Australia, and too little inducement for ordinary citizens to take a vital interest in social and other services of our community. I press for the appointment of two persons to the board who do not fill any of the qualifications set out.

Hon. A. L. LOTON: I would like your ruling, Mr. Chairman, as to whether the amendment is in order. The Bill provides that members of the board will be entitled to travelling and out-of-pocket expenses and this amendment increases the membership of the board.

The CHAIRMAN: I would rule that if this amendment is carried it will be immediately challenged in another place, because it appropriates revenue, and this place has no power to do that.

Hon. H. S. W. PARKER: I suggest that the hon. member make the number one instead of two, and then the revenue will not be increased. He might subsequently

be able to consult with the Minister and have the Bill further amended in another place.

Hon. Sir CHARLES LATHAM: I do not think revenue will be appropriated by this amendment. Appropriation to the extent of £5,000 is already provided for in the Bill; and if the amendment is carried, it will simply mean that less money will be available for books.

The CHAIRMAN: I would draw attention to Clause 5, Subclause (15) which reads—

Every member of the board shall be entitled to such travelling and other out-of-pocket expenses as the Governor thinks fit.

If we increase the number of members from 11 to 13, out-of-pocket expenses will have to be provided for two other members, and I think we will find that the amendment will be challenged.

Hon. Sir Charles Latham: I do not think it will be; the general appropriation covers the position.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That at the end of new subparagraph (vi) the following proviso be added:—"Provided that any member appointed by the Governor need not be a member of the body he is appointed to represent."

The CHAIRMAN: I would draw the hon. member's attention to the fact that the amendment does not appear on the notice paper.

Hon. H. S. W. PARKER: I wished to discuss it with the Minister before placing it on the notice paper, but had not an opportunity to do so. All it means is that the persons nominated by the specified bodies need not be members of those bodies. It is possible that some eminently suitable person might not be a member of the relevant body.

The Minister for Transport: I think that is already provided for.

Hon. H. S. W. PARKER: It is provided that a representative who ceases to be a member of the particular body can continue to act, but I suggest that it should be possible for the organisation to nominate some outside person.

Hon. Sir Charles Latham: I think that could be done under the Bill as it stands.

The Minister for Transport: Would it have power to remove him if it wished to?

Hon. H. S. W. PARKER: I think it is provided that such a person would be elected for a certain time only.

Hon. G. FRASER: I hope the amendment will not be agreed to. We have gone to great pains to select the bodies entitled to representation and we are now asked to give them power to appoint outside persons who are not members of the participating bodies. We specify certain organisations because we want their knowledge, which would probably not be possessed by outside persons.

Hon. H. S. W. PARKER: Read line 7 of the subclause.

Hon. G. FRASER: There is nothing there to say they must be members of those particular bodies and the amendment, if agreed to, would merely draw attention to something we do not want them to do.

Hon. J. G. HISLOP: I think the amendment should be placed on the notice paper because, if agreed to, it would necessitate a number of consequential amendments. The same result could have been accomplished by giving these bodies power to nominate someone outside their own membership.

Hon. Sir Charles Latham: They already have that power.

Hon. J. G. HISLOP: They might wish to appoint their chief librarian, for instance. I think the amendment should be on the notice paper.

Amendment put and negatived.

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

That Subclause (9) be struck out.

The board will control the training of librarians, and reciprocity with the other States will eventually be necessary. That would not be possible if the board, having all the deputies present, could over-rule something that the previous board had decided on. I hope that people becoming members of this board will take a real interest in it.

Hon. G. FRASER: I do not think it probable that the whole 11 persons present at a meeting would be deputies. In almost all organisations where delegates are appointed, proxy delegates are allowed in the case of absence from the State or illness, for instance. The amendment, if agreed to, might in certain circumstances disfranchise an organisation from representation on the board. I think there should be provision for delegates as I have never known such a provision to be abused.

Hon. A. R. Jones: I have.

Hon. G. FRASER: I move in different circles from the hon. member.

Hon. A. R. Jones: I take exception to that remark, Mr. Chairman, as I think it is derogatory. I ask that it be withdrawn.

The CHAIRMAN: I am certain Mr. Fraser did not intend to hurt the hon. member's feelings.

Hon. G. FRASER: Certainly not. I freely withdraw my remark. I believe most board members will be keen and that it will only be on odd occasions that they will not be present. There are to be 11 or 13 members and five or six would constitute a quorum. I do not think we should say there could be no representation if the elected representatives were not present.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. G. HISLOP: I want to reply to Mr. Fraser because I believe that the whole principle of deputies is wrong and many organisations lay down stringent regulations in that regard. For instance, we have an Australasian council, and deputies can be appointed only when a member of the council is outside Australia. While he is in Australia, he must attend meetings. Even in this Bill it is arranged that the quorum is very much less than the maximum number of members of the board. If we stated that deputies could be appointed only for country members, there might be something in it.

The MINISTER FOR TRANSPORT: This clause was put in the Bill on the assumption that the four members nominated by the Governor would, if necessary, have deputies to act for them. For instance, the Under Treasurer, the Director of Education and the Director of Adult Education might have nominees acting for them. I see no harm in the subclause as it stands, and I am certain that its provisions would not be abused. If this subclause is struck out, it might cause considerable inconvenience, whereas it will not create any difficulties if it is left in the Bill.

Hon. J. G. HISLOP: If members appointed to the board do not want to accept their responsibilities, I do not think they should accept appointment. We could bring in a Bill to provide deputies for all members of Parliament, and that would solve a lot of our problems.

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

Ayes	8
Noes	11
Majority against	3

Ayes.

Hon. R. M. Forrest	Hon. L. A. Logan
Hon. J. G. Hislop	Hon. H. S. W. Parker
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. N. E. Baxter

(Teller.)

Noes.

Hon. E. M. Davies	Hon. J. Murray
Hon. G. Fraser	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. F. R. Welsh
Hon. H. Hearn	Hon. C. H. Henning
Hon. A. L. Loton	

(Teller.)

Amendment thus negatived.

Hon. H. C. STRICKLAND: I am not quite clear whether a point raised by Mr. Parker has been cleared up. Paragraph (b) of Subclause (3) says "the remaining seven members", whereas we now have eight.

The CHAIRMAN: The Bill will have to be recommitted to deal with that aspect.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 1 of Subclause (9) after the clause number "(9)" the letter "(a)" be inserted.

Members will see that I have on the notice paper an amendment to provide for the insertion of a paragraph (b). The amendment is self-explanatory and is merely to bring the clause into line.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 2 of Subclause (9) the words "including the chairman" be struck out.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 4 of Subclause (9), after the word "member", the words "subject to the provisions of the next succeeding paragraph" be inserted.

Amendment put and passed.

The CHAIRMAN: I must ask the Minister to move his next amendment in two parts.

The MINISTER FOR TRANSPORT: Very well. I move an amendment—

That at the end of Subclause (9) the following paragraph be added: "(b) (i) In the event of the absence of the chairman, and vice-chairman shall have all the powers of the chairman".

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That after paragraph (b) (i) of Subclause (9) the following subparagraph be added:—

"(ii) In the event of the absence of the chairman and the vice-chairman, then the members of the board present may choose out of their number a member who shall for the purposes of that meeting and until its conclusion, have all the powers of the chairman."

Hon. G. FRASER: In the subparagraph to which we have just agreed, we say that the vice-chairman shall have all the powers of the chairman, whereas in the amendment now before us we make a distinction. I would like to ask

the Minister why there is the difference in the two paragraphs. Is it the intention under paragraph (1) that the vice-chairman shall act in the capacity of chairman and perform the duties of the chairman during any period he is absent? Or is it intended merely to apply to a meeting?

The MINISTER FOR TRANSPORT: My interpretation would be that the vice-chairman elected to the post of chairman would have the power to act in the absence of the chairman.

Hon. J. G. HISLOP: It is not stated that the deputy can be elected as chairman of the meeting.

The Minister for Transport: I do not quite follow that.

The CHAIRMAN: Would the hon. member make it a little clearer?

Hon. J. G. HISLOP: There is nothing in the amendment to prevent a deputy being the chairman at the meeting. Is that intended? If it is, then let us go the whole way and let the deputy take the chair.

The MINISTER FOR TRANSPORT: I think we are assuming that all these members are very much below the standard of intelligence we would expect. If a deputy is qualified to hold the post of chairman for the evening, why not elect him?

Hon. G. FRASER: There is a distinction between the vice-chairman and the chairman elected for the evening.

The Minister for Transport: I admit that.

Hon. G. FRASER: I want to clear that up. If that was intended, then the clause reads all right; if not, it is all wrong.

Amendment put and passed.

Hon. H. S. W. PARKER: The word "prescribed" in Subclause (10) means "by regulation". This would mean that if we wanted to alter the date of a meeting a regulation published in the "Government Gazette" would be necessary before we could do so. The word "prescribed" has a special meaning under the Interpretation Act; it means "by regulation," and I think possibly that is not meant here.

The MINISTER FOR TRANSPORT: Would it not be possible for a general regulation to be passed which would cover that and then be prescribed by that regulation?

Hon. H. S. W. PARKER: I do not think so. In the Interpretation Act the word "prescribed" is defined as follows:

"Prescribed" means prescribed by the Act wherein the term is used, or by a regulation, rule, or bylaw made thereunder.

I think it would be far better to use some other word. I move an amendment—

That in line 6 of Subclause (10) the word "prescribed" where first appearing be struck out and the word "determined" inserted in lieu.

Hon. H. K. WATSON: It seems to me that under Clause 22 the implication is that practically the whole of the operations of the board shall be governed by regulations rather than by minutes and proceedings, as is customary at an association or company meeting. That being so, it is probably intended that the word "prescribed" in the subclause now under consideration is the correct word. For instance, paragraph (e) of Subclause (5) of Clause 22 provides that regulations may determine the number of books, magazines, periodicals, reading matter, and other things, and so on.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in line 6 of Subclause (10) the words "prescribed as convened" be struck out with a view to inserting the word "determined."

Hon. G. FRASER: I do not know whether the provision reads very well, but we could deal with the matter on re-committal.

Hon. H. S. W. PARKER: I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. H. S. W. PARKER: I move an amendment—

That in line 6 of Subclause (10) the words "prescribed as convened" be struck out and the words "determined as fixed" inserted in lieu.

Hon. L. A. LOGAN: I do not see the sense in the hon. member wanting to put that in. The clause sets out that the Minister will convene the first meeting; after that the meetings will be arranged by the chairman. Having taken the word "prescribed" out the matter will now be determined by the chairman of the board.

Hon. G. FRASER: I hope the amendment will be defeated. There is no need for any further power beyond that first mentioned. If the clause ends at the word "determined" it will read sensibly.

Hon. H. S. W. PARKER: I think it reads all right.

Hon. G. FRASER: Earlier in the clause we say "until the chairman is elected." It is quite possible that no chairman will be elected.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 1 of Subclause (11) after the word "chairman," the words "and vice-chairman" be inserted.

This amendment is consequential.

Hon. J. G. HISLOP: The subclause is worded in an extraordinary way. It reads—

The chairman shall be elected annually by the members of the board from among their number and shall be entitled to hold that office for a period of 12 months, and shall, on the expiration of any term of office, be eligible, subject to the provisions of this Act, for re-election.

All that is necessary is to state that the chairman and vice-chairman shall be elected annually and shall be eligible for re-election.

Hon. L. A. LOGAN: The chairman and vice-chairman would be elected at the first meeting of the board. If both were absent, would one of their deputies act?

Hon. Sir Charles Latham: Provision is made that one of the members shall be appointed to act as chairman.

The MINISTER FOR TRANSPORT: Sir Charles Latham is correct. A member would be appointed by the meeting to act as chairman. In reply to Dr. Hislop, I maintain that the subclause is intelligible, though the word "that" should now be deleted.

Hon. J. G. HISLOP: The subclause could be improved by striking out the words "be entitled to hold office for a period of twelve months, and shall, on the expiration of any term of office."

The MINISTER FOR TRANSPORT: The retention of the words would do no harm. They express the intention of the draftsman. If we start to amend the drafting, we may produce anomalies neither intended nor desired. The striking out of the words will not make the subclause more intelligible.

Hon. J. G. HISLOP: The striking out of the words will make the subclause more intelligible, and I remind members that there are intelligent people who occasionally read these things.

Amendment put and passed.

Hon. J. G. HISLOP: We have gone a good way towards making the Bill useless and we should now try to make it useful. I move an amendment—

That in lines 3 to 5 of Subclause (11) the words "be entitled to hold that office for a period of twelve months, and shall, on the expiration of any term of office" be struck out.

The MINISTER FOR TRANSPORT: The words clearly express the intention. Provision has already been made for the chairman and vice-chairman to be elected annually and we are now providing that they should hold office for 12 months and be eligible for re-election.

Hon. Sir Charles Latham: Surely "annually" covers that!

The MINISTER FOR TRANSPORT: Not necessarily. "Annually" does not precisely indicate the period.

Hon. H. S. W. PARKER: If the words are retained, they might be construed to mean that a period of 12 months must expire before they could be re-elected. The fewer the words we use, the less the danger.

Hon. A. R. JONES: I agree with the remarks of Dr. Hislop. The words proposed to be struck out are redundant and might well be omitted.

Hon. E. M. HEENAN: The subclause is quite intelligible. Members should confine their attention to its merits or demerits and not set themselves up as draftsmen. We did so last year, and people have since said that they were not able to interpret the measure. We might play with words and phrases, but we are merely amateurs alongside the man who drafted the Bill.

Hon. G. Fraser: Do you think it would be intelligible if the words were deleted?

Hon. Sir Charles Latham: Equally intelligible.

Hon. E. M. HEENAN: Perhaps so, but the subclause as printed is satisfactory.

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

Ayes	....	....	....	8
Noes	....	....	....	12
Majority against				4

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. Sir Frank Gibson	Hon. L. A. Logan
Hon. J. G. Hislop	Hon. H. S. W. Parker
Hon. A. R. Jones	Hon. G. Fraser

(Teller.)

Noes.

Hon. E. M. Davies	Hon. A. L. Loton
Hon. R. M. Forrest	Hon. J. Murray
Hon. E. H. Gray	Hon. C. H. Simpson
Hon. H. Hearn	Hon. H. C. Strickland
Hon. E. M. Heenan	Hon. F. R. Welsh
Hon. C. H. Henning	Hon. H. K. Watson

(Teller.)

Amendment thus negatived.

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

That in line 5 of Subclause (12) the word "five" be struck out and the word "seven" inserted in lieu.

In view of the fact that deputies are allowed on the board, one wonders whether seven is sufficient. This will allow only four votes out of 13 to determine the board's policy.

Amendment put and passed.

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

That Subclause (15) be struck out.

Following on the suggestion that the Committee should increase the number of members on the board, this Chamber

should do something to protect itself in regard to its power to suggest to the Minister how the board shall be constituted. If we do not delete the subclause, and another place says that our amendment to increase the two members nominated by the Minister is out of order, then we shall be in a hopeless position because in conference we cannot discuss the question of putting two extra members on the board.

If, on the other hand, we delete Subclause (15) we shall be constitutionally sound in increasing the number. The only other way to have our wishes acceded to, if the other place decided that revenue would have to be appropriated, would be to send a request that our suggestion for two extra members be agreed to. I think, however, that this is the easier method of dealing with the situation. I do not suggest that the members of the board should not be entitled to their full rights, and have their expenses paid.

THE MINISTER FOR TRANSPORT: I think it would be better to leave the subclause as it is and submit a request to another place to agree to the addition of two extra members, even though it might involve the Government in slight extra expense. I tried to see the Minister in charge of the Bill in another place during the tea hour, but unfortunately I was not successful. I am, however, of the opinion that he would not oppose the extra two members that have been proposed.

If the subclause is deleted, members in another place might take the view that we object to the members of the board receiving any out-of-pocket expenses. I remember on another occasion that Dr. Hislop deliberately suggested an amendment, feeling sure that it would be picked up in another place and not agreed to, but we found later that it was agreed to, so that by attempting in a roundabout way to gain our objective, we sometimes achieve the wrong result.

Hon. G. FRASER: I think we ought to play safe regarding this subclause. There are varying opinions as to whether this expenditure would come out of the appropriation of £5,000. If it is additional expenditure, we are in trouble immediately. If we delete the subclause and another place refuses to accept it and the Leader of the House here moves that we should not persevere with our amendment, would the Assembly be taking the action or would we?

Hon. H. S. W. Parker: It would be the Assembly.

Hon. G. FRASER: If at the Assembly's request we reinsert the subclause there would be no difficulty from the financial point of view. I suggest we carry the amendment and allow the other place to take the initiative in putting back the subclause.

Hon. Sir CHARLES LATHAM: This does not alter the appropriation. It is a matter for the Government to do as it likes. If the Government has £1,000, and it decides to divide it amongst the extra members, the amount could be reduced proportionately. I am satisfied that this will not interfere with any right that we have to increase or reduce.

Hon. G. Fraser: I agree with your interpretation, but we may be wrong.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 6—Appointment of secretary and officers:

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

That in line 1 of Subclause (1) the word "secretary" be struck out and the words "State librarian who shall be the executive officer of the board" inserted in lieu.

I regard this amendment as the key to the running of a library service. To have a non-technical person as the first executive appointment to the board, and then a State librarian, will lead to considerable disharmony. The board will need a good deal of technical advice, and someone who can inspect libraries efficiently and report back to it, and that someone must be the head of the organisation. The participating bodies will need a person to whom they can appeal for advice. If the board can appoint only a secretary and then have to get ministerial sanction before appointing anyone whose remuneration will exceed £1,000 a year, the whole organisation will be hamstrung before it starts. We cannot have a full service without a properly trained officer to act as the executive officer. If the amendment is not agreed to, I can see only failure for the whole service.

Hon. G. Fraser: Do you think the State librarian should carry out the dual duties?

Hon. J. G. HISLOP: No, he would want a secretary.

Hon. A. L. Loton: Would not the State librarian come under the Public Service Act?

The Minister for Transport: No, he is provided for in the Bill.

Hon. J. G. HISLOP: The board must have the right to appoint a highly skilled technical officer to be its chief official. We should not have an intermediary between him and the board. We have for many years had this trouble in the Health Department where our technical officers have been the second string. It may be that the secretary will be appointed as the principal officer. I want the principal executive officer to be the State librarian and the secretary should

attend to his needs. To appoint a man to the office of State librarian who is not a trained man would be just as stupid as appointing a layman to conduct a medical service.

Hon. G. FRASER: I cannot follow Dr. Hislop's logic. One would think that we were appointing the officers by passing the Bill, but we are doing nothing of the kind. We propose to grant certain powers to a board, among which it will have the right to appoint a secretary or other officers. So it will determine who shall be the chief executive officer. I would assume that the title of State librarian would be conferred upon the principal officer. There is nothing in the Bill to show that the secretary shall be other than what his title indicates.

The MINISTER FOR TRANSPORT: In principle, Dr. Hislop's idea is a good one but if we follow it and insert the words "State librarian", it will cause confusion among the public because there is already a Public Librarian and people would be in doubt as to which man they should go to. To overcome that position I would suggest that after the word "secretary" the words "who shall be the librarian and principal executive officer" be inserted.

Hon. J. G. HISLOP: The Minister's amendment will achieve exactly what I seek, and I am prepared to accept it.

Hon. H. S. W. PARKER: Who shall say that he is a trained librarian?

Hon. J. G. HISLOP: There are recognised bodies that train librarians. I withdraw my amendment in favour of the one proposed by the Minister.

Amendment, by leave, withdrawn.

The MINISTER FOR TRANSPORT: I am prepared to allow Dr. Hislop to move the amendment because the idea was originally his.

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

That in line 1 of Subclause (1) after the word "secretary" the words "who shall be a qualified librarian and the executive officer of the board" be inserted.

Hon. G. FRASER: I must oppose the amendment. I cannot see why we should hamstring the board by saying that it shall appoint a secretary who is a trained librarian. It may wish to appoint a secretary to deal with correspondence only. I am prepared to leave the subclause as it is because it is for the board to say who shall be the executive officer. It can appoint an officer as State librarian or call him what it likes, but it will still be able to appoint a secretary.

Hon. J. G. HISLOP: I trust not.

Hon. G. FRASER: Dr. Hislop has stated that the chief executive officer shall be a trained librarian.

Hon. J. G. HISLOP: He must be, if the scheme is to be a success.

Hon. G. FRASER: I do not think so. I am prepared to leave it to the board to appoint the chief executive officer. If it wishes to appoint a secretary who has the qualifications of a librarian, well and good. But it might appoint a good librarian who is a bad secretary, or vice versa.

Hon. J. G. HISLOP: I appeal to the Committee not to listen to Mr. Fraser playing with words which mean nothing. The reality of this matter, at which we must look, is that this is a board conducting a trained service, and unless the chief executive officer is a trained person, then the scheme is doomed to failure from the start. There will be discord from the moment the appointment takes place, and we shall find difficulties arising because of the different status and training of the officials. As inferred by the Minister, the word "secretary" obviously meant senior officer. The board could appoint any other officers it liked, for its own protection, but I do ask the Committee to see that the chief executive officer is a trained librarian.

The MINISTER FOR TRANSPORT: I think Dr. Hislop is quite right. The secretarial work could be done by an assistant secretary, or possibly by an accountant, and a man highly qualified as a librarian might not be qualified as a secretary. I do think the keymen should be qualified for the work they are asked to fulfil.

Hon. H. C. STRICKLAND: I oppose the amendment. I think we are taking completely out of the hands of the board its functions and prerogative to appoint a secretary and such other officers as are required for carrying out its work. By confining the board's authority to selecting a secretary who must be a trained librarian, we are setting ourselves up as the board. There are not many registered trained librarians in Australia, which will mean further restricting the board's choice of a secretary. What is wrong with its being allowed to choose a secretary and other officers? I agree with Mr. Fraser that we should not hamstring the board. I should like to know a little more about the Australian Library Association before I vote on the amendment.

Hon. J. G. HISLOP: I have already no less than three times during this debate given what information I have about the Library Association of Australia. All the librarians of Australia, who have been recognised as men skilled in their job, have organised in much the same way as other professions have done; they have laid down conditions of training and a rigid system of examination before a person can

qualify as a librarian. If the hon. member has had any experience of libraries, he will know how they have been improved by the appointment of a qualified librarian. It is futile to say that we are hamstringing the board or that we are exceeding our duties. We have asked that this be a legal document drawn up by Parliament and given to the library board so that it can conduct its affairs, and we say that its chief executive officer shall be a librarian. I do not mind whether he is given the title of secretary or not.

Hon. E. M. HEENAN: A great deal of the success of the board will depend upon the wise choice of a secretary, or whatever we might call him. I think it is conceded that he will be the chief executive officer. We are to have 13 members on the board who will be men of good standing, and their judgment should be worth while. The appointment of a secretary will have to be a very wise one because success will depend largely on his capacity, integrity and enthusiasm. To say that he must be this or that must restrict the choice. When appointing a man, the first thing the board will do will be to look into his qualifications and see if he has had experience in library work. We might exclude the right man by tying the board down. I would prefer to leave the choice to the board.

Hon. L. A. LOGAN: All the way through this Bill, we are giving instructions to the board as to what it should and should not do. So I do not see why we cannot tell the board what it should do in this regard. It is our duty to do so. It is quite conceivable that the board might pick any civil servant to be the secretary, and he will then be the chief executive officer.

Hon. G. Fraser: Who said so?

Hon. L. A. LOGAN: We should make sure that the librarian will be the chief executive officer. I support the amendment.

Hon. H. HEARN: I do not believe that we should go to the utmost in defining what should be. As Mr. Heenan pointed out, we have agreed to a board of 13 members and I take it they are going to be men of intelligence and capacity. I appreciate the zeal of Dr. Hislop, but would suggest that if he were to be appointed to a board where certain things were to be done by people who knew nothing about the position, he might hesitate in accepting the appointment. We should have confidence in the board and leave it to deal with appointments.

Hon. E. H. GRAY: I do not want to give a silent vote on this matter. I think Dr. Hislop's amendment is vital. It is necessary for the keyman of the board to have knowledge and literary experience. It is an important job and it would be of great assistance to the board if that man were a trained librarian.

Hon. N. E. BAXTER: I think the argument on this matter is rather futile. No matter what words Dr. Hislop may wish

to insert, the clause definitely states that the board "may" appoint a secretary, etc. There is nothing mandatory about it, and the board need not appoint an officer who will be a State librarian. The word "may" will have to be deleted and the word "shall" inserted in lieu.

Hon. G. FRASER: I would like to ask all those who laid such stress on the fact that the secretary should be the chief executive officer, to point to any part of the Bill that sets out that he shall be the chief executive officer. If they cannot, then their argument falls to the ground. As Mr. Baxter pointed out, there is nothing mandatory as to the position the secretary shall occupy in the scheme of things. This will be left to the board and that is what we should do.

Amendment put and a division taken, with the following result:

Ayes	....	....	....	11
Noes	....	....	....	10

Majority for 1

Ayes.

Hon. Sir Frank Gibson	Hon. J. Murray
Hon. E. H. Gray	Hon. H. S. W. Parker
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. A. R. Jones
Hon. L. A. Logan	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. E. M. Davies	Hon. H. L. Roche
Hon. E. M. Forrest	Hon. H. C. Strickland
Hon. G. Fraser	Hon. F. R. Welsh
Hon. E. M. Heenan	Hon. H. Hearn
	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clauses 7 to 9—agreed to.

Clause 10—Judicial notice of common seal:

Hon. H. S. W. PARKER: There is often quite a lot of redundancy in the drafting of Bills. What appears in Clause 10 has been set out in the Evidence Act in Section 55 since 1906. Surely it is time that the Attorney General did something to present Bills to Parliament in such a way that we do not have an unnecessary number of clauses involving waste of paper and time in printing! I suggest that this clause be voted out as being redundant.

Clause put and passed.

Clause 11—Service of notices and legal proceedings:

Hon. H. S. W. PARKER: This is the most remarkable clause I have ever seen. It provides that the board shall appoint an officer to accept writs. So when the board hears that someone is going to take action against it for damages, it solemnly meets and appoints someone to receive the writ. It is laughable! Furthermore, the unfortunate chairman, a highly respected citizen, may be the man who is to receive the writ. He may be walking down the street when the bailiff comes up and hands

him a writ of summons or some other writ. Or the bailiff may go to his office or anywhere else. Anyone who has had experience of bailiffs knows that they do not care where they serve writs.

Again, why alter the law that exists? I would direct members' attention to Section 31 of the Interpretation Act. Why do we want to alter the wording of that provision and say that this unfortunate chairman is the man who must be served personally with a writ, or that the board shall go through the farce of authorising an officer to receive such writ? Members will recall that not long ago there was a very litigious person in this State and there had to be a law to prevent her from taking court action. Such a person could take action against this board just because he could not get a book out of the library. The board would then solemnly appoint someone to accept service of the writ!

Hon. Sir Charles Latham: If that person happened to be away, how awkward it would be!

Hon. H. S. W. PARKER: If it is a genuine claim, the chairman gets out of the way and the board does not appoint anyone to accept the writ, so it cannot be sued.

Hon. A. L. Loton: Cannot a proxy be there?

Hon. H. S. W. PARKER: No, it must be the chairman. Members will see that the clause is ridiculous.

Clause put and negatived.

Clauses 12 to 15—agreed to.

Clause 16—Functions of the board:

Hon. N. E. BAXTER: I move an amendment—

That in line 1 of paragraph (c) the word "free" be struck out.

As I said on the second reading, I feel very strongly about services being given free to people. In the long run they are not free except to a certain number of people. One section will receive them for nothing but the other section, the rate-payers, has to pay. There is no reason why anybody should not pay a small sum for the loan of a book.

Hon. Sir CHARLES LATHAM: If we remove the word "free" there will be no such thing as a free library. The Carnegie endowment has made money available for the establishment of libraries, and I think there is one at Midland Junction. This board will use its discretion and I do not think we should stop anybody who wishes to endow a library with money.

Hon. L. A. LOGAN: I do not think Sir Charles is correct. This clause deals with the functions of the board. We can have the position that ratepayers of a district will be contributing to a scheme that will be free to somebody else.

Hon. Sir Charles Latham: The Carnegie library is provided for by endowment.

Hon. L. A. LOGAN: That does not come under this provision.

Hon. Sir Charles Latham: It does. The board will take that library over in all probability. An honorary board is running it now.

Hon. L. A. LOGAN: This board can make a free library out of an existing library which is collecting money from the rate-payers. That is the idea behind Mr. Baxter's amendment. In discussing Carnegie or anyone else, we are getting off the track.

Hon. G. FRASER: Mr. Baxter should look at the provision again, as the board registers the free library only on application by the participating body, and I think that body would be the best judge of whether the library should be free or not.

The MINISTER FOR TRANSPORT: I think the whole intention of the Bill is to create free library facilities.

Hon. N. E. Baxter: Perhaps, but it does not say so.

The MINISTER FOR TRANSPORT: I think it can be taken from the verbiage that that is the intention. Provision is made that the controlling bodies of individual libraries may collect fees for books to guarantee their return, but the general intention of the Bill is that libraries shall be free. I advise the Committee to preserve the spirit and intention of the Bill.

Hon. N. E. BAXTER: It is strange that the Bill should be introduced with the intention of creating free libraries, in view of the fact that the Title does not mention anything about the libraries being free. There is no mention of that until we get to Clause 16. I feel that people can well afford to pay for the loan of books in these days.

Amendment put and negatived.

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

That in line 1 of paragraph (d) of Subclause (1) after the word "inspect" the words "or cause to be inspected" be inserted.

That would make the position clearer, as I do not think the board should actually have to make the inspections.

Amendment put and passed.

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

That in lines 1 and 2 of paragraph (a) of Subclause (2) the words "libraries and" be struck out.

I think it would be wise to restrict the board to library services rather than allow it to run libraries, as it should bear the same relationship to other libraries as the consultant physician bears to the general practitioner. The board will have its books in a central office or depot and

will have to distribute them, and see that they are returned. It will be responsible for the standard of the books, and so on, and I think it would only get into difficulties if it started trying to manage libraries.

The MINISTER FOR TRANSPORT: There is no intention that the board should manage libraries in the ordinary way. The amendment would prevent the board from undertaking the management of the Public Library should the trustees of that institution ever desire it to become an approved body, as defined in the Bill. It was for that reason that this provision was included in the measure.

Hon. J. G. HISLOP: I think Parliament should be given the opportunity to review the association of the Public Library with this library board in the event suggested by the Minister, because the Public Library would then become the storehouse of the library board. By that time some further organisation might be necessary and this might not be the right board to take over the Public Library, which we may desire to remain a technical and reference library. I think the Committee would be wise to agree to the amendment. I do not like to see the library board, which will really be a training school, taking on the actual management of libraries.

The MINISTER FOR TRANSPORT: If the position that I have outlined arose, it would probably be for Parliament to say under what conditions the change would be made. If the amendment were agreed to, the Act would have to be amended in order to put this provision back again, should it be required.

Hon. J. G. HISLOP: I still think that, in the event suggested by the Minister, the matter should be one for Parliament to decide, and if the amendment is not agreed to, it will not be necessary for the question to be referred to Parliament.

Amendment put and negatived.

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

That in line 3 of paragraph (b) of Subclause (2) after the word "assistants" the semi-colon be struck out and the words "such training to conform to the requirements of the Library Association of Australia" be added.

It would be futile to try to train librarians and give them certificates that would be worthless. There is nothing more galling for a person than to be trained in something and then be told he can practise only within his own State.

Hon. Sir Charles Latham: That is what you have done in the medical profession.

Hon. J. G. HISLOP: No, any doctor trained in Australia can be registered in any part of the Commonwealth. This training should conform to the requirements of the Library Association of Australia, and then the trainees would be qualified on an Australia-wide basis.

Hon. Sir Charles Latham: Why can we not do that here?

Hon. J. G. HISLOP: We can if we state that the training shall be of that standard. The certificates of competency mentioned in following provisions would be useless in any other State if they did not conform to the standard I have mentioned.

Amendment put and passed.

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

That paragraphs (c) and (d) of Subclause (2) be struck out.

It is important that we should not issue our own certificates of competency. We should allow people who are trained to the requirements laid down by the Library Association of Australia to have reciprocity regarding their certificates throughout Australia and also that the requirements here should conform to the standards throughout the world.

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

Clauses 17 to 19—agreed to.

Clause 20—Rating powers of local authorities:

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

That in line 3 of Subclause (2) the word "exceed" be struck out and the words "be less than" inserted in lieu.

I ask the Committee to give considerable thought to this amendment because whilst the rate could be raised steadily to a large amount, it must be realised that it could only be done by the participating body itself. If an increased rate is asked for, it must only be as the result of that area finding the library of great benefit to its people.

Hon. N. E. Baxter: That does not necessarily apply.

Hon. J. G. HISLOP: I do not think any local authority would raise its rates if it did not consider the library service to be of benefit to the people within its boundaries. If members accept the Bill as it is and fix a maximum rate, it will mean that the rate will commence well below the maximum, which will result in the scheme having an unsatisfactory start. Unless the scheme is based on the idea of serving libraries in the outback centres, it will be a failure. It must not be one embracing metropolitan libraries only but should be State-wide. The scheme will build itself up well if we start with a

minimum rate and allow the participating bodies, in consultation with the Government, to fix the amount that they intend to rate.

All the local governing bodies and the people have adequate protection under this proposal. A local authority will not come under the scheme at once, but only after consideration by the board and with the approval of the Governor. The Government may find that a particular local authority is extravagant and if an increase in the rating is asked for, the Government will want to know if it is warranted. No local authority is going to increase its rate heavily for a library that is not being used by the people. Once the central body sees that books are circulating backwards and forwards from and to that library, it would probably approve of the local authority increasing its rate.

Hon. N. E. BAXTER: I oppose the amendment. Dr. Hislop seems bent on giving the board an ideological setup and does not seem to care what the scheme will cost the people of Western Australia. He starts off by saying that £5,000 will only cover the operations of the board for the first six months. What is to happen in the next six months? The amount may be £10,000 and a similar rise could occur in the rating if the amendment is passed. Ratepayers have enough to pay now in rates and taxes, and we only need to have a drop in the prices of our primary products to find ourselves in a pickle with these added rates and taxes. The more we can keep the rates down, the better service we will be doing the people of the State at present.

The MINISTER FOR TRANSPORT: I trust the Committee will not agree to the amendment. Dr. Hislop may not realise that by his amendment he will commit the Government to considerable outlay because under the Bill it must subsidise the amounts raised on a £ for £ basis. The Government has considered the possible liability and is anxious to know where it stands. The majority of local authorities would still have the right to say whether they would come into the scheme or not and whether they would be prepared to accept the rates as set out in the Bill rather than accept a minimum rate.

Hon. L. A. LOGAN: It might be just as well to point out what the scheme will cost some of the ratepayers. A man with 7,500 acres worth approximately £2 10s. an acre would be paying £5 12s. and Dr. Hislop wants that to be the minimum rate. I therefore do not know where it is going to end.

Hon. J. G. Hislop: All I want to do is to fix the minimum rather than the maximum.

Hon. L. A. LOGAN: I think it is advisable to leave the clause as it is. The amount that some ratepayers will be paying for the benefit of somebody else is going to be terrific.

Hon. A. R. JONES: Am I to understand from the Minister that whatever the local authority does collect from the rate fixed, the Government will subsidise that amount on a £ for £ basis? Is that correct?

Hon. J. G. Hislop: Yes.

Hon. A. R. JONES: Whatever the amount a local authority might consider advisable to strike as its rate, which the Government would subsidise on a £ for £ basis, it would not be fair if a neighbouring local authority decided to strike a rate that was twice as much. We want to be sure of the rate a local authority can impose to the satisfaction of its ratepayers.

Hon. Sir Frank Gibson: It is at the option of the local authority.

Hon. A. R. JONES: Yes, but before we can encourage all the local authorities to enter the scheme, we want to get down to a basis of rating which will be within reasonable limits; and it should be uniform, otherwise the scheme will not be workable. The amendment should be altered to make the maximum one-eighth of a penny.

Hon. N. E. Baxter: Dr. Hislop wants to make it a minimum.

Hon. A. R. JONES: As I have said, it should be made a maximum of one-eighth of a penny or we should leave the Bill as it is.

The MINISTER FOR TRANSPORT: Clause 19 provides that the board may subsidise a registered free library on a £ for £ basis expended by the participating body on its maintenance, including the costs of library services and salaries. The intention is that the amounts to be collected, which presumably will be sufficient to cover the expenditure, may be subsidised on a £ for £ basis. That is the Government's objection to making the rates of ¼d. and 2d. the minima instead of the maxima as provided by the Bill.

Hon. Sir Frank Gibson: What source of revenue would the board have?

The MINISTER FOR TRANSPORT: It would get a £5,000 grant from the Government and might require additional money from time to time. The Government envisages that further money will be necessary, and it is also contemplated that some of the money required will be raised by the local authority in the form of rates.

Hon. Sir FRANK GIBSON: I suggest to Dr. Hislop that he should not persist with his amendment. While his pro-

posal might be satisfactory to some, it would not be to others. Any facilities granted will be made available as a result of the decision of the local authority, and if dissatisfaction is felt with the members, they can be replaced. There is no doubt that people will appreciate the provision of free library facilities.

Hon. A. R. JONES: Doubtless people will appreciate the provision of library facilities, but not all the people who will benefit will be ratepayers, and it might be found that the ratepayers will finance the whole scheme. A man owning 5,000 or 6,000 acres of land could be rated at £8 a year for the library. Quite possibly he would not take books from the library, and yet some people in the town might obtain the whole benefit and not contribute a penny. That would not be fair. I think that a small rate would be sufficient to provide the desired facilities, but whatever the rate is, it should be uniform. Then a board could decide whether to enter the scheme or stand out.

Hon. N. E. BAXTER: On further thought, it seems to me that the ratepayers may be led up the garden path by the proposed subsidy. The Bill provides that the board may subsidise a free library. If the Government allowed only £2,000 or £3,000 for free libraries and the local authorities needed £10,000, the board would have a let-out under the permissive wording of Clause 19. If we had an assurance that the Government would subsidise as needed, that would be a different matter. Therefore I think there would be a danger in accepting Dr. Hislop's amendment.

Hon. J. G. HISLOP: I have an open mind as to what the minimum should be, but the fixing of a maximum would completely hamstring a local authority because that would be the limit to which a local authority might go.

Amendment put and negatived.

Hon. H. S. W. PARKER: I move an amendment—

That at the end of Subclause (2) the following proviso be added:—

Provided that in the metropolitan water, sewerage and drainage area as set out in the Metropolitan Water Supply, Sewerage and Drainage Act, 1909, the ratable land shall be rated on the annual value.

In the metropolitan area, we have a multiplicity of municipalities and road boards and, as Mr. Jones said, it is only right that the people should pay on the same basis. We pay on the same basis for water and electric current, but for local authority rating, some adopt the unimproved capital value and some the annual rental value. Near where I live there are local bodies that under-value their land because they do not require addi-

tional rates, while another body values its land to the full because it requires the revenue.

In the district where I live, the hotel pays far less than does a private residence and there will be the anomaly of places in more populous areas commanding a high rent paying far less than a residence accommodating one or two people. I raised this point when an amendment to the Health Act was being considered and the department put forward the specious argument that I was on the wrong track and should have moved to amend the Municipal Corporations Act and the Road Districts Act. I wish to amend this measure in order that the basis shall be uniform throughout the metropolitan area. Some local authorities under this scheme might have to pay more, but whether more or less, it should be the same throughout the metropolitan area.

Hon. Sir CHARLES LATHAM: I hope that Mr. Parker will not be permitted to get away with this proposal, which is merely a subterfuge to amend the Municipal Corporations Act and the Road Districts Act. The hon. member has tried to convince us that the rating in the metropolitan area is the same. In Netherlands, the rating is on the unimproved capital value, and the water rate is fixed on that value. The same applies in other parts where the rating is on the annual value. This seems to be a subterfuge that should be corrected in the two local governing Acts.

Hon. A. R. JONES: Mr. Parker explained that water rating is carried out in a manner which is equitable in the whole area. He asks, not that we change the local authorities' method of rating, but adopt something that is universal.

Hon. Sir Charles Latham: The water rate in the city area is more than it is in the road board areas.

Amendment put and negatived.

Clause put and passed.

Clause 21—agreed to.

Clause 22—Regulations:

Hon. Sir CHARLES LATHAM: I would like the Minister to tell us what the continuing penalty in paragraph (a) of Subclause (2) is likely to cover. Looking at the Bill, there seems no justification for it. I move an amendment—

That in paragraph (a) of Subclause (2) the words "and in the case of a continuing breach, a further penalty not exceeding five pounds for each day the offence continues after notice thereof has been given to the offender" be struck out.

The Minister for Transport: I have no objection to the amendment.

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

Title—agreed to.

Bill reported with amendments.

BILL—EASTERN GOLDFIELDS TRANSPORT BOARD ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—VERMIN ACT AMENDMENT.

Returned from the Assembly without amendment.

House adjourned at 10.7 p.m.

Legislative Assembly

Wednesday, 14th November, 1951.

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

QUESTIONS.

HOUSING.

(a) *As to Position at Bencubbin.*

Mr. CORNELL asked the Minister for Housing:

(1) On what date did Mr. Barry of the Country Organisation Section visit Bencubbin?

(2) Did he interview the secretary of the Mount Marshall Road Board?

(3) Did the secretary of the road board inform him that no housing need then existed in Bencubbin?

The MINISTER replied:

(1) 11th January, 1951.

(2) Yes.

(3) Yes.

(b) *As to Restriction of Building Loans.*

Mr. HOAR asked the Premier:

(1) Will the recently announced Commonwealth policy to restrict credit issues and loans interfere with the—

(a) Commonwealth - State Rental Homes Scheme;

(b) home-building generally;

(c) purchase of second-hand houses?

(2) If the policy referred to does have an adverse effect, will he give consideration to using the resources of the State Rural and Industries Bank to an increased extent to assist our people to obtain homes?

The PREMIER replied:

(1) Yes, but the exact extent is not yet known and the whole matter is being investigated.

(2) Any restriction of funds will also affect the Rural and Industries Bank borrowings.

(c) *As to Cost of Homes, Manjimup.*

Mr. HOAR asked the Minister for Housing:

(1) What is the cost of producing and erecting in Manjimup—

(a) pre-cut four-roomed house;

(b) pre-cut five-roomed house?

(2) What is the cost of—

(a) production and preparation of material;

(b) erection?

(2) What materials are used, and in what quantities?

(4) Are these houses available for rental purposes only; if so, what is the system used in allocation?

(5) Is it intended to ultimately make them available for purchase; if so, on what terms?