

Legislative Assembly

Tuesday, 20th November, 1956.

CONTENTS.

	Page
Assent to Bill	2403
Questions: Hospitals, South Perth community	2403
Coal, fires caused by use of Collie product	2403
Leschenault Estuary, alleviating deterioration of lower reaches	2403
Sewage treatment, galleonage through Subiaco plant	2404
Free lending libraries, grants to country centres	2404
Railways, (a) discontinuance and needs of districts	2404
(b) loss on Gnowangerup-Ongerup line	2404
Alienation of land, percentage near State railways	2405
Education, appreciation of accommodation and staff, 1957	2405
Betting, on-course bookmakers' turn-overs	2405
Traffic, (a) prosecutions of persons not in driving seat	2405
(b) amended licence fees	2406
Housing, applications for purchase	2406
Loan moneys, allocation of additional £2,000,000	2406
Water supplies, work on comprehensive scheme	2406
Jury Act Amendment Bill, recommendations of Council select committee	2406
Loan Estimates, 1956-57, Message, Com.	2424
Resolution: State forests revocation, Council's message	2433
Bills: Licensing Act Amendment (No. 3), returned	2403
Supply (No. 2), £18,500,000, returned	2403
Loan, £15,915,000, 1r.	2407
State Housing Act Amendment, 3r.	2407
Traffic Act Amendment (No. 3), Com.	2407
City of Perth Scheme for Superannuation (Amendments Authorisation), returned	2424
State Trading Concerns Act Amendment, returned	2424
Metropolitan Water Supply, Sewerage and Drainage Act Amendment, returned	2424
Fruit-Growing Industry (Trust-Fund) Act Amendment, returned	2424
Fisheries Act Amendment, 1r.	2424
Medical Act Amendment, 2r., Com., report	2424
Friendly Societies Act Amendment, 2r.	2433
Profiteering and Unfair Trading Prevention, Council's amendments	2434
Adjournment Special	2446

BILLS (2)—RETURNED.

- 1, Licensing Act Amendment (No. 3).
- 2, Supply (No. 2), £18,500,000. Without amendment.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it had agreed to the amendment made by the Assembly.

QUESTIONS.

HOSPITALS.

South Perth Community.

Mr. CORNELL asked the Minister for Health:

Am I to understand from the final part of his reply to my question on the 13th November, that the South Perth community hospital receives no subsidy from the Medical Department?

The MINISTER replied:
Yes.

COAL.

Fires Caused by Use of Collie Product.

Mr. MAY asked the Minister for Mines:

Will he give a statement showing the number of fires caused by Collie coal each year from 1939 to 1956?

The MINISTER FOR EDUCATION (for the Minister for Mines) replied:

Year ended the 30th June—

1943	.....	89
1944	.....	79
1945	.....	195
1946	.....	234
1947	.....	199
1948	.....	211
1949	.....	235
1950	.....	149
1951	.....	124
1952	.....	162
1953	.....	174
1954	.....	273
1955	.....	151
1956	.....	156

Records of fires earlier than 1943 are not readily available.

LESCHENAULT ESTUARY.

Alleviating Deterioration of Lower Reaches.

Mr. ROBERTS asked the Minister for Works:

Referring to my questions of the 1st November, 1956, on the deterioration of the lower reaches of Leschenault Estuary

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

ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Police Act Amendment Bill (No. 1).

and the possibility of alleviating the trouble by means of penstocks and reflux gates being installed in "the plug"—

- (1) Will he have a further investigation made into the practicability of constructing such waterway capable of trapping silt from estuarial and river waters on such waters flowing into the harbour or trapping sand (if any) on the reflux gates, allowing water to flow from harbour to estuary?
- (2) Is it proposed to widen "the plug" in the near future?
- (3) Was provision made in the 1953-54 Estimates for the expenditure of £11,600 to overcome the pollution problem of Leschenault Estuary?

The MINISTER replied:

- (1) Yes.
- (2) The matter is under consideration.
- (3) No.

SEWAGE TREATMENT.

Galloneage Through Subiaco Plant.

Mr. ROBERTS asked the Minister for Water Supplies:

What galloneage of water is pumped into the Indian Ocean per hour after such water has passed through the Subiaco sewage treatment plant?

The MINISTER replied:

The average hourly discharge of effluent by gravity flow from the Subiaco sewerage treatment plant into the Indian Ocean is 300,000 gallons.

Pumping is not necessary.

FREE LENDING LIBRARIES.

Grants to Country Centres.

Mr. EVANS asked the Treasurer:

What country centres received grants during 1955-56 for the purpose of providing and/or maintaining free lending libraries?

The TREASURER replied:

Municipalities—

Narrogin
York

Road districts—

Esperance
Narrogin
Cuballing
Kwinana
York
Preston
Moora
Wongan-Ballidu
Quairading
Augusta-Margaret River
West Arthur

Drakesbrook
Mingenew
Lake Grace
Plantagenet
Nyabing-Pingrup
Balingup
Brookton
Broomehill
Bunbury
Busselton
Capel
Chittering
Collie
Corrigin
Cranbrook
Cunderdin
Dalwallinu
Dandaragan
Dowerin
Dumbleyung
Goomalling
Greenbushes
Koorda
Manjimup
Merredin
Morawa
Narembeen
Northampton
Roebourne
Tambellup
Toodyay
Tammin
Williams
Wittenoom Gorge

RAILWAYS.

(a) Discontinuance and Needs of Districts.

Mr. O'BRIEN asked the Minister for Transport:

(1) Has the Transport Board inquired into the needs of those districts in which it is proposed to discontinue certain railway lines?

(2) Has the Transport Board recommended the discontinuance of such railway lines?

The MINISTER replied:

(1) Inquiries were made regarding the Meekatharra-Wiluna line and Burakin-Bonnie Rock line in 1952.

(2) Closure of the Meekatharra-Wiluna line was recommended as well as of the Wialki-Bonnie Rock section of the Burakin-Bonnie Rock line.

(b) Loss on Gnowangerup-Ongerup Line.

Hon. A. F. WATTS asked the Minister for Transport:

(1) What has been the stated loss on the Gnowangerup-Ongerup railway for each of the last four financial years?

(2) How have the figures given been arrived at?

The MINISTER replied:

(1) The statistics compiled by the Railway Department cover the section east of Tambellup to Ongerup. Separate details are not recorded for the subsection Gnowangerup-Ongerup. Net losses for the Tambellup-Ongerup section were—

Year ended the 30th June.

	£
1953	47,006
1954	46,431
1955	46,595

Figures for 1956 are not yet available but will be supplied within a few days.

(2) By debiting the section with its proportion of the expenditure, including interest and depreciation, and crediting the section with its proportion of the through-out freight on a pro rata mileage basis.

ALIENATION OF LAND.

Percentage Near State Railways.

Mr. HEARMAN asked the Minister for Lands:

(1) What percentage of land in the agricultural areas situated within 15 miles of a State railway line has been alienated?

(2) Of the land so alienated, what percentage has been fully developed?

(3) Of the land fully developed, what percentage is used regularly for cropping?

The MINISTER FOR EDUCATION (for the Minister for Lands) replied:

(1) Except for isolated patches in the south-eastern wheat belt and excluding forestry reserves, practically 100 per cent. of land within 15 miles of a State railway line in the South West Land Division, has been alienated.

(2) and (3) Developmental records in the Lands Department refer only to land under conditional purchase, which would now represent a small proportion of such alienated land and, for these, no separate figures are available in respect of properties within 15 miles of a State railway.

EDUCATION.

Appreciation of Accommodation and Staff, 1957.

Mr. COURT asked the Minister for Education:

(1) Has an appreciation been made of the accommodation and teaching requirements in respect of anticipated State school attendances for 1957—

- (a) primary schools up to sixth standard;
- (b) high schools up to ninth standard;
- (c) high schools beyond ninth standard?

(2) If so, is he satisfied that requirements will be fully met?

(3) If not, what will be the nature and extent of deficiencies both as to accommodation and teaching staff?

The MINISTER replied:

(1) (a), (b), (c) Yes.

(2) and (3) Requirements with regard to staffing and accommodation will be met satisfactorily, although it will still be necessary to use some alternative accommodation. In February, 1953, 210 alternative rooms were in use. This has now been reduced to 65.

BETTING.

On-Course Bookmakers' Turnovers.

Mr. COURT asked the Treasurer:

In reply to a question by the member for Mt. Marshall on the 16th October, 1956, regarding on-course bookmakers' turnovers, he replied—

Details of individual on-course bookmakers' turnovers are not available at Treasury as returns are collected by racing clubs, which collect the whole of the turnover tax from on-course bookmakers and remit 80 per cent. to the Treasury.

Will he re-examine this question in view of the information that is included in Form T 6, under the Betting Control Act, 1954, and Stamp Act, 1921-54, headed "Return by Racing Club of Bookmakers Fielding and Amount of Betting Tax Payable"?

The TREASURER replied:

The information is shown on "Returns from Racing Clubs" but on-course bookmakers carry on their business on many racecourses outside the metropolitan area and the turnover of each individual bookmaker is not tabulated for all courses.

TRAFFIC.

(a) Prosecutions of Persons Not in Driving Seat.

Hon. A. F. WATTS asked the Minister for Transport:

(1) Under Section 32 of the Traffic Act has it been found possible, successfully, to prosecute a person who was at the time of his arrest in a vehicle not then in motion and who was not seated at the driving seat of such vehicle?

(2) If so, how many prosecutions in such or similar circumstances have occurred during the last five years?

The MINISTER replied:

(1) A few successful prosecutions have taken place when it has been possible to prove a person actually drove the vehicle, but no arrest would take place if the facts were only such as stated in the question.

(2) The number of such prosecutions is not readily available. However, the number would be few.

(b) Amended Licence Fees.

Hon. A. F. WATTS asked the Minister for Transport:

(1) Under the Traffic Act Amendment Bill (No. 3) now before Parliament, what would the annual licence fee be on each of the following vehicles:—

International wagon;
Austin A30 sedan;
Ford Customline sedan;

Holden utility;
Ford Mainline utility;
Leyland omnibus;
Austin 5-ton wagon;
Vanguard car (diesel engined)?

(2) What are the licence fees for the same vehicles under the existing law?

(3) What are the fees for the same vehicles in other Australian States?

The MINISTER replied: The details are as follows:—

	W.A. Proposed.			Present.			N.S.W.			Vic.			Qld.			S.A.			Tas.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
International	21	12	0	11	0	0	23	5	0	27	0	0	21	12	0	26	0	0	18	12	0
Austin 30	4	12	0	2	10	0	6	6	8	5	3	6	6	18	0	5	10	0	6	2	0
Ford Customline	12	4	0	9	0	0	11	3	4	13	14	6	18	6	0	17	10	0	13	14	0
Holden Ute	10	15	3	6	0	0	8	5	0	12	6	0	12	6	0	14	0	0	10	13	0
Ford Mainline Ute	18	18	0	8	0	0	15	15	0	18	15	0	18	18	0	22	0	0	15	14	0
Austin 5-ton Wagon	34	17	6	37	7	6	42	15	0	41	17	0	27	18	0	38	0	0	23	14	0
Leyland Omnibus (double for diesel)	61	0	0	75	15	0	Eastern States fees not available.														
Vanguard—Petrol	8	12	0	6	10	0	9	16	8	9	13	6	12	18	0	11	10	0	10	2	0
Diesel	17	4	0	6	10	0	19	13	4	19	7	0	25	16	0	23	0	0	20	4	0

HOUSING.*Applications for Purchase.*

Mr. COURT asked the Minister for Housing:

(d) With reference to the houses being built by the State Housing Commission for sale, vide my 25th October 1956, questions and answers thereto—

(a) what is the extent of applications before the commission for purchase of these new homes;

(b) how many houses completed, or in the course of construction since the 30th June, 1956, have been sold since that date?

(2) How many State Housing Commission homes built prior to the 30th June, 1956, have been sold since that date?

The MINISTER replied:

(1) (a) These homes are being offered to persons who have lodged applications under the State Housing Act and/or the Commonwealth-State housing agreement.

(b) Five.

(2) Twenty-eight Commonwealth and State rental agreement homes.

The above answers refer to homes under the Commonwealth-State housing agreement and do not include houses sold under the State Housing Act. Since the 1st July, 1956, 352 homes have been sold under the provisions of the State Housing Act. These homes, apart from two or three reverted properties, were all completed after the 30th June, 1956.

LOAN MONEYS.*Allocation of Additional £2,000,000.*

Mr. CORNELL asked the Treasurer:

(1) Has the allocation of the additional amount of £2,000,000 of loan moneys made available to this State in this financial year been fully determined?

(2) If so, will he give full details of the schedule of expenditure of this additional loan money?

(3) If any expenditure from this additional loan money is contemplated on the comprehensive water scheme, would he give particulars of any such expenditure?

The TREASURER replied:

(1) Yes.

(2) The allocation of loan moneys to departments was based on the total funds available to the State in this financial year, including the special loan of £2,000,000. There was no separate allotment of the special loan.

(3) In fixing departmental allocations, special consideration was given to provision of water supplies for country areas.

WATER SUPPLIES.*Work on Comprehensive Scheme.*

Mr. CORNELL asked the Minister for Water Supplies:

Will he give full details of the work proposed to be carried out this financial year on the comprehensive water scheme?

The MINISTER replied:

Yes.

JURY ACT AMENDMENT BILL.*Recommendations of Council Select Committee.*

Mr. BOVELL (without notice) asked the Premier:

In view of the unanimous report of the select committee comprising representatives of all parties in the Legislative Council on proposals to enable women to serve on juries, will he withdraw the Bill at present on the Legislative Assembly notice paper to allow consideration of the recommendations of the select committee?

The PREMIER replied:

I shall ask my colleague, the Minister for Justice, to make a report to Cabinet on the recommendations of the select committee, following which Cabinet will give consideration to the suggestion.

BILL—LOAN, £15,915,000.

Introduced by the Treasurer and read a first time.

BILL—STATE HOUSING ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

In Committee.

Mr. Moir in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 9 amended:

Hon. A. F. WATTS: I move an amendment—

That paragraph (f), lines 12 to 14, page 3, be struck out.

This proposes to increase the fee from 1s. to 2s. 6d. There are a number of substantial increases proposed in this Bill, and I am of the opinion that there should be as few of these minor ones as possible. The motorist should not be regarded as fair game for increases in all sorts of directions. I have already agreed substantially to the idea that there should be a considerable increase in traffic licence fees, because of the reasons already given by the Minister and stated on this side of the Chamber. But we should draw the line at these smaller increases, and I hope that the Minister will agree to the deletion of this paragraph.

The MINISTER FOR TRANSPORT: I am a little disappointed in the Leader of the Country Party for making the submission he has. I think it should be obvious that the fee of 1s. is so much out of proportion that it requires some attention. This fee was determined upon and agreed to by Parliament when the basic wage was about one-third of what it is at present. For the service and the convenience to the individual motorist of delving through the records; making out a new licence for him, which is in the form of an account; posting it to him; subsequently receiving the moneys, which have to be accounted for; perhaps posting to him again a receipt, and issuing a new sticker to go on his vehicle—to suggest that 1s. in this year of grace is sufficient for all of that, is too ridiculous for words.

Nobody can, I think, validly suggest that this is seeking to squeeze a little more out of the motorist. It is merely a desire to give to the local authorities some fair recompense for the time and expense involved in the issuing of these licences of a shorter duration than 12 months. In addition, I dare say it would be the desire of the local authorities—because they surely have important things to do in their district—to encourage motorists as far as possible to take out licences for the full 12-monthly period and not to be worried with these transactions at more frequent intervals. For those reasons I am afraid I am unable to agree to the amendment.

Hon. A. F. WATTS: Anybody would imagine that the situation of the local authority was that all it would get would be 2s. 6d. If that were so, I would be the last person to be interfering in the matter. But actually what will happen is that it will get a substantially increased fee in respect of most motor-vehicles for the half-yearly period; and it does all of the things to which the Minister referred as part and parcel of its duty in collecting ordinary revenue. So far as I am concerned, I do not see much sense in charging any fee at all; but as the present law provides for 1s., I do not propose to repeal that. But it does not seem to me to be justified further to increase the liability upon the motorist. What is the reason that some people desire to take out a half-yearly licence? Usually it is because they are not possessed of the money to take out a full year's licence; and the position will not be improved but worsened by charging an increased licence fee to people who have not a great deal of spare money and who, I should think, would be the last people to whom the Minister would want to charge extra if it could be avoided.

The MINISTER FOR TRANSPORT: I do not think that the question of an increased charge has any bearing on the discussion we are having. The licence fee is paid annually or on an annual basis whether it be £5 or £15. This charge is for the additional service of having a second time in 12 months to go through all the processes I mentioned before; and it is to recoup the local authority for the additional work; and the additional impost on the motorist will be 2s. 6d. per annum for the convenience of receiving two reminder notices, two sets of stickers, and the rest of it. If Parliament thought in 1941 that 1s. was sufficient for that service, then now, when all costs are about three times what they were, I do not think that 2s. 6d. is excessive for any motorist to pay.

Amendment put and negatived.

Clause put and passed.

Clauses 5 to 7—agreed to.

Clause 8—Section 14 amended:

Hon. A. F. WATTS: I move an amendment—

That all words from line 22, page 9, to line 6, page 10, be struck out.

I do not consider that the charge should be made for the purpose set out.

The MINISTER FOR TRANSPORT: When introducing the measure, I indicated that from my point of view—and I hoped that of all members—that part of the road which crosses a railway is an integral part of our road system and is just as important to the motorist as any other part of the road, but in addition there are considerably more hazards attaching to a railway crossing than to other parts of roadways. I would have thought that in their own interests the motorists would have desired that certain of the charges levied on them should be used not for any ordinary governmental or local authority purpose but to make driving in the metropolitan area safer in regard to railway crossings.

I indicated also that it was as a consequence of the information I had received during a recent visit to Victoria where a scheme such as is proposed here is operating, although on a somewhat different basis, that this proposal is contained in the measure. The charge there is not a flat 10s. as is proposed here but varies considerably in accordance with the power weight of the vehicle concerned. I thought that the safety of railway crossings was just as vital to small vehicles as large vehicles and a case could possibly be made out as to why a small vehicle should pay more because of the damage being likely to be greater in the case of a small vehicle than in the case of a heavier one, should an accident occur.

Unfortunately our metropolitan area railway crossings are something in the nature of a forgotten race and, while the amount of money involved annually would not be great, it would at least form the nucleus of a fund to be set aside exclusively for the purpose of making our level crossings safer in the interests of the motorists.

Hon. D. Brand: Have you any idea of the amount that would go into the fund?

The MINISTER FOR TRANSPORT: No, but it would not be very considerable. There would be some thousands of vehicles changing hands in the metropolitan area annually but as the sum accruing to the fund in each instance would be only 10s., the total would not be large. However, the fund would at least be steadily growing until there was sufficient in it to enable something to be done. As I asked the other evening, what motorists in the metropolitan area would not welcome a subterranean crossing instead of the present level crossing at Rivervale, with all the dangers that exist at

present, in addition to the interruption caused to the flow of traffic at peak periods? I have heard of someone missing a plane at the Perth airport through being held up at that level crossing.

This provision is designed to help the motorist in a particular direction and is based on the experience and benefits of which I was informed in the State of Victoria, where the legislation has not been in operation for very long, so I hope members will agree that we should adopt this idea of a light impost in order to provide the benefits I have mentioned to metropolitan motorists. It is only the metropolitan motorists who will be called upon to contribute and then only when a vehicle is transferred.

If there is any desire to extend this system to the country areas, appropriate action can be taken but the principle might be difficult to apply there as the amount in any one district would be comparatively insignificant and a considerable number of years would have to pass before there was sufficient in the fund to do anything of real value for the motorists of the area concerned.

Amendment put and negatived.

Hon. A. F. WATTS: The clause now proposes that half of the traffic fees collected in future, in so far as they exceed those collected in 1955-56, should be used for special road purposes and should not be distributable among local authorities in the metropolitan area. It is difficult to decide what the figure is likely to be but as the number of vehicles is increasing and the individual licences will increase and the amount expected to be received is considerable, it would not be unreasonable to suppose that this fund will contribute £200,000 per year for ten years. That seems a tremendous amount to take from a sum which would otherwise be distributable, less certain costs and so on, among the local authorities. As I said during the second reading debate, I could subscribe to the principle but not to the amount, and therefore I move an amendment—

That the word "fifty" in line 28, page 10, be struck out.

If the amendment is agreed to, it is my intention to move that the words "thirty three and one-third" be inserted in lieu. Then the contribution would be one-third of the additional amount collected and that would minimise the depreciation of the share of the local authorities in the metropolitan traffic trust account.

The MINISTER FOR TRANSPORT: Unless the Government had moved by means of this measure, no local authority would receive an additional penny from the traffic fees with the exception of what they would get owing to the greater number of vehicles. If the Government thinks it necessary to do certain things regarding roads in the

interests of motorists, it is surely entitled, with the sanction of Parliament, to levy a fee upon the motorists for that purpose.

If the purpose is laid down in the statute, every motorist can feel assured that the money will be used in that direction. If the money goes to the local authorities, they can please themselves how it is used and need not spend one penny of the traffic fees on roads. They can, and do, in some instances, spend the money received on town halls, swimming pools and all sorts of things. In this instance the Government, through this measure, is seeking to channel the money in a particular direction so that it will be spent on activities of benefit to the motoring public. This provision, again, applies only to the metropolitan area.

During the debate on the second reading, several members, including the Leader of the Country Party and the member for Nedlands, wondered what would be the effect of the formula set out in the Bill and I undertook to have the information prepared. For the twelve months ended the 30th June last £369,000 was distributed to local authorities in the metropolitan area from traffic fee collections. If the proposed rates as contained in the Bill had applied, and with a deduction of an additional £20,000 for traffic lights and with one-half of the increase going to works associated with the Narrows bridge, the local authorities would have received £536,000, so on the same basis as last year the metropolitan local authorities, under this proposal would be £167,000 better off, without any guarantee that a penny of it would go back into roads.

At the present moment the number of registrations in the metropolitan area is approximately 96,000 and looking several years ahead it will probably be 120,000, at which stage the local authorities will receive £669,000. It will be seen that under the proposed new formula, with all the deductions proposed, Parliament will be making a present of more than £160,000 per year—on the present number of registrations—to the local authorities in the metropolitan area.

There is no activity on the part of the local authorities themselves in this regard and the Government could have folded its arms and done nothing. But in association with this and important matters pertaining to the Narrows bridge and traffic lights and signs, we are still assisting the local authorities to a considerable extent—about a 40 per cent. increase in the net return to them—for which I think they should be thankful that we have to impose the tax and accept any criticism, while they are on the receiving end.

Surely no one can suggest that work in connection with the Narrows bridge approaches is not important and urgent! If there are insufficient funds available, surely it cannot be expected that either

this Government or any successor to it should be called upon to starve important public works of various kinds in order to provide an amenity in the capital city! It is the metropolitan motorist who will receive the greatest benefit from the work, and the money is urgently required to enable operations to proceed.

It might even be possible to make out a case for the whole of the increased amount to go towards this project for a period. I do not think it is wrong for me to say that that was the view of the Main Roads Department—that this work is so vital that we would be justified in following that course—but the Government felt, as with the earlier proposed amendment, that the local authorities, in common with everybody else, are faced with increasing costs and are therefore no doubt entitled—apart altogether from the question of the increased number of vehicles—to an increased amount.

That is what is proposed to be done. The reduction, as the Leader of the Country Party suggests, from 50 per cent. of the increased amount going into the fund, to 33½ per cent. will, of course, mean that the work will proceed at a considerably slower rate than would otherwise be the case. Perhaps the Minister for Works could be more specific in connection with this, but I should say that in order to enable this to be most properly and effectively done, it would be better if the whole of the amount were taken over a period of five years rather than half the increase spread over a period of 10 years because it is obvious that, with a tremendous project like the bridge, the job does not finish there.

Then again, the member for Nedlands has expressed some concern about it and many thousands of vehicles will pass over the structure in the very near future—in the next two or three years. So there has to be adequate provision to enable that traffic to disperse not only throughout the city but also beyond it, and similarly on the other side of the river. As is well known, the Canning Bridge would be incapable of taking the traffic because there is only a single lane in each direction.

I think the Government has been exceedingly modest in its request to Parliament and it has been exceedingly fair to the local authorities in making this substantial additional contribution to them which, I repeat, they can use for any purpose whatever; but that being retained by the Government to go into this fund will be specifically used for roads or purposes in the interests of the motoring public. For those reasons, I must resist the amendment.

Mr. Court: Have you made an estimate of the amount you expect to get over the 10 years?

The MINISTER FOR TRANSPORT: Based on the number of vehicles registered last year, £73,500 would go into the

Narrows bridge account. When the motor-vehicle population in the metropolitan area increases to 120,000, a sum of £140,000 will go into that account and perhaps from that we would get some idea of the figure. I am only guessing but perhaps there might be £170,000 a year on an average for the 10 years or in other words, somewhere about from £1,750,000 to £2,000,000 would be the sum total.

Mr. Ross Hutchinson: Over the next 10 years?

The MINISTER FOR TRANSPORT: Yes.

Mr. Court: You are not foreshadowing that this link road will be held up until you get the money accumulated?

The MINISTER FOR TRANSPORT: No; there are certain stages of the work which would require to be undertaken before the bridge was opened, and there are others which are essential within a very short space of time. I am informed, as regards Wellington-st. and the West Perth subway factor, that inside three years, I think it is, there will be a complete and solid mass of motor-vehicles, bumper to bumper, as close and in as many lanes as it is possible to get them, and therefore we will reach saturation point in that period. Something has to be done in order to take the vehicles north out of the heart of the city, and vice versa.

So it will be seen that there is some urgency in connection with the matter and and it may be that the Government will have to dig into other funds in order to meet the urgent situation which will arise regarding certain stages. I do not pretend to be an expert on this matter because I have got the information second, third or fourth-hand, whereas the Minister for Works is more closely associated with the progress of the work in connection with that venture. I think I have said sufficient to indicate that the Government is being quite fair to the local authorities and the motoring public.

Mr. Hearman: Is it proposed to undertake the whole of the work by these fees?

The MINISTER FOR TRANSPORT: I cannot answer that one; all I know is that the Commissioner of Main Roads felt that the work was so necessary, important and urgent, that the entire increase should go into a fund in connection with these main strategic roads which more or less radiate from the proposed new bridge; but the Government has decided to go only half that distance.

Amendment put and negatived.

The MINISTER FOR TRANSPORT: I indicated, when introducing the measure, that there was a somewhat narrow definition of "works," in association with the Narrows bridge, set out in the Bill, and that action was being taken to broaden it

somewhat. Consequently I have had several amendments drafted. At present the clause reads—

and shall be set apart and applied for the purpose of defraying the expenses to be incurred in connection with the taking of land . . .

It is proposed to insert after the word "taking" the words "and preparation."

The clause continues—

for the purpose of providing and developing a new road connecting the northern approaches of the proposed bridge over the Narrows with a proposed radial road to the north thereof . . .

and so on. I propose to move an amendment to delete the passage commencing with the words "a new" in line 38 and ending with the word "road" in line 43 and insert in lieu the following passage:—

such road or roads connected with the approaches to the proposed bridge over the Narrows or such other road or roads associated with the regional development of the metropolitan area as the Minister may, on the recommendation of the Commissioner of Main Roads, determine.

In order to give effect to that, I move an amendment—

That after the word "taking" in line 37, page 10, the words "and preparation" be inserted.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That the passage commencing with the words "a new" in line 38, and ending with the word "road" in line 43, page 10, be struck out with a view to inserting other words.

Hon. D. BRAND: It would seem to me that this is a new principle in respect of the raising of money for certain works. I think it has been recognised, from the inception of the bridge project, that one of the greatest problems associated with it is the clearance of the traffic from Mounts Bay-rd. to what is proposed and is known as the access road. We all realise that there are engineering problems the solution of which will represent a great capital outlay.

Even before the regional plan advisory committee was cut short by the Minister for Works, this matter was discussed and the question raised as to where the money would come from if the work was to be completed in time to enable full advantage to be taken of the bridge over the Narrows. The Minister for Transport has come to his aid and, since the printing of the Bill, has become more courageous, perhaps because there was not such a great deal of opposition, and said, "Not only the approaches—

[At this stage the member for Greenough collapsed and was assisted from the Chamber.]

The CHAIRMAN: Does the Minister wish to suspend the sitting for ten minutes?

The MINISTER FOR WORKS: I do not think the hon. member was opposed to the proposals in the Bill but was simply dealing generally with them, and I very much doubt whether he would desire to continue. I see no reason why the discussion should not proceed and if, subsequently, there is any point he might desire to discuss, the matter can be further considered. I do not think it would be the hon. member's desire that the debate at the Committee stage should be held up.

Mr. COURT: I am not sure, from the progress that the member for Greenough had made, that he was in agreement with the proposed amendment. Members will readily appreciate that at this stage we have not raised any serious objection to the principle of money being diverted and specifically earmarked for the approaches to the Narrows bridge. A debate has already ensued on the amendment moved by the Leader of the Country Party regarding a reduction of the proportion to be allocated for this purpose, but he did not oppose the use of those funds for a specific purpose.

That, of course, means that we are not opposed to the principle of funds being earmarked for that purpose, but at the time the debate took place on the alteration of the percentage, the matter under discussion was not the setting aside of funds to be applied for the purpose of defraying expenses incurred in connection with the taking of land for the purposes set out in the clause. I can imagine the Minister wanting to clarify or enlarge on the words used because they could be restrictive. It might be argued by some pernickety authority, at a later date, that unless it was a brand-new road, the funds could not be used for that purpose and it was not the intention of Parliament.

I cannot imagine that a new road could be constructed from the northern approaches without using some of the existing road and some of the existing road construction. If that is all the Minister sought to do, we would have no objection. But the new principle that the Minister has sought to introduce into the amendment is summarised in the words "or such other road or roads associated with the original development of the metropolitan area as the Minister may, on the recommendation of the Commissioner of Main Roads, determine."

That road need not necessarily have any direct bearing on the northern approaches to the Narrows bridge. The Minister well knows that I have expressed concern regarding the immediate reaction of traffic to the construction of the Narrows bridge and the disposal of that traffic when it comes to, or seeks to leave, the northern

side of the bridge. But this amendment goes much further than the northern approach. I would like the Minister to enlighten us on that point because I believe that is what the member for Greenough was trying to put to the Committee before he left.

The MINISTER FOR WORKS: The member for Greenough has assured me that his speech was not to be carried to the length of strong opposition to this proposal. He was endeavouring to indicate that it was a departure and he wanted further information on it. The hon. member does not want the debate to be interrupted on his account.

Originally, it was intended that the money to be obtained was to be spent in the area of one local authority only. That was considered to be unfair and undesirable because there are other roads in connection with the Narrows bridge which will be in the districts of other local authorities. The planning and construction of roads in conjunction with the Narrows bridge roads, which will serve many local authorities and municipalities, will be costly and involve expenditure of a large sum of money from the point of view of resumptions alone.

We cannot make these changes and put in new roads without seriously interfering with existing buildings—and some of them expensive buildings. So there is no alternative. Two possible routes have been explored, and it is obvious that in order to plan these roads and for the routes to be properly designed, there must be a lot of disruption. Now, where is the money to come from? It cannot come from loan funds because the cost that has to be met in a comparatively short time will leave scarcely any loan funds for anything else. If it were to come from the petrol tax, a disproportionate amount of money would be spent in connection with this project, and it is desirable to avoid that.

It is to obtain funds from some source in order that these costly preparations shall be made that this proposal is before the Committee. It would not be fair or reasonable to limit expenditure, say, within the municipality of Perth. Wherever these approach roads or access roads have to be made, it is desired that funds should be available to meet the cost. That is the real reason for the enlargement of this proposal.

Once we agree it is necessary that funds should come from somewhere, then we should not insist that the money be spent there, but not spent there on exactly similar roads. It is to enlarge it for that purpose that this proposition is before the Committee. The planning must go on over a period of years; we cannot afford to have it held up because funds are not available. We feel that the means which the Government is now submitting will be adequate

to meet the demands for this purpose and it will ensure that nothing else suffers thereby.

We want to avoid using for this project funds from some other source which may be badly needed in another direction. It is considered that this is a sound method of finding the money necessary. It is not much good having a bridge if we have inadequate approach roads to handle the traffic. This will be an expensive business which has to be accomplished in a comparatively short space of time. It would be comparatively simple if it could be planned over a period of 50 years. This amendment will ensure that the work is carried out without detriment to anybody.

Mr. HEARMAN: This would be put in its proper perspective if the Minister worded his amendment to read, "roads associated with the regional development of the metropolitan area as the Minister may, on the recommendation of the Commissioner of Main Roads, determine." The Minister's amendment takes the matter away from the Narrows bridge and makes the purpose very wide. I agree that the implementation of the Stephenson plan will be costly but desirable and that we must get on with it. The original wording of the Bill more or less confines expenditure to the Narrows bridge and the immediate traffic problems associated with that bridge.

Motorists alone will not benefit from this but road users generally, and it might be logically argued that as they will be the people who will benefit mostly, they should bear their share of the cost. But the Minister's amendment rather widens the scope of the original intention and poses the question whether there are any other sources of revenue that the Government has in mind for other people beside road users who might benefit from the original plan. I know this will only go on for ten years but it is a simple matter for Parliament to fix up when the time comes. I would like to hear the Minister's explanation.

The MINISTER FOR TRANSPORT: The intention of the Main Roads Department is what is contained in the Bill. On perusing the draft, I felt it was a little too restrictive and that it could lend itself to disputation, so I thought it better to express it in broad terms while still mentioning the Narrows bridge so that there would be no possibility of a challenge. For instance, as I mentioned earlier, another bridge over the Canning River—that is, the highway to Kwinana from the city—is an indispensable part of the road system associated with the Narrows bridge.

Someone could say with certain validity that that was an entirely new bridge and could not come under the wording as expressed in the Bill. Similarly from the north of the Narrows bridge there will be another bridge going over Wellington-st.,

the railway yards and Roe-st. That is another bridge and anything to the north of that could reasonably be regarded as roads pertaining to the new railway bridge rather than roads pertaining to the new Narrows bridge.

It is the desire of the Government that there should be no impediment to the progress of the work through some small technicality. It is not the intention of the Government under this to develop roads willy-nilly throughout the metropolitan area.

Mr. COURT: I am indebted to the Ministers for Works and Transport for their explanations. The Minister for Works felt that this power was needed for the approaches to the Narrows bridge.

The Minister for Transport: How far do you start approaching?

Mr. COURT: I am coming to that. I feel that the amendment of the Minister for Transport is outside the intention expressed by both Ministers.

The Minister for Transport: That is not the intention in actual fact.

Mr. COURT: But it would be the law, that they could go right away from the approaches to the Narrows bridge. It would be urgent and cost a lot of money. The Minister should reconsider his amendment. My reason for being a little insistent on this is the fact that the whole object of this particular section of the Bill is to establish a fund for a limited period for a prescribed purpose, and if we go beyond that by allowing the addition of any roads which fall within the ambit of the regional development of the metropolitan area, we are defeating the object of the Bill itself. For that reason, I would like to move an amendment.

The CHAIRMAN: These words will have to be deleted first.

Mr. COURT: I would like to move for the deletion of these words from the Minister's amendment.

The CHAIRMAN: The particular words have to come out of the clause before any other words can be inserted.

Amendment (to strike out words) put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That the words "such road or roads connected with the approaches to the proposed bridge over the Narrows or such other road or roads associated with regional development of the metropolitan area as the Minister may, on the recommendation of the Commissioner of Main Roads, determine." be inserted in lieu of the words struck out.

I appreciate the point of view expressed by members of the Opposition, and the Minister for Works feels as I do in connection

with it. It is simply on account of the impossibility of deciding where the approaches begin and end. This is money that otherwise would be going to the local authorities, and, having had the experience of a recent case in connection with rates in regard to the State Housing Commission when certain local authorities tested the issue, I suggest that the court could rule that the approaches to the Narrows bridge were not further than, say, 400 yards from the extremities from that bridge.

Mr. Court: You will be under pressure from the local authorities with your amendment.

The MINISTER FOR TRANSPORT: I think in these matters there can be a certain amount of honour, confidence and understanding. Both the Minister for Works and I have made it abundantly clear that it is not the intention to use these moneys to develop roads throughout the metropolitan area. They are to be used in connection with the Narrows bridge approach. I could not think of any words and neither could the Crown Law Department to meet the situation of resolving clearly where the approaches began and ended.

As I have already indicated, there will be two approaches on either side of the Narrows bridge. It could be held that somewhere between those approaches—it might be at the foot of Parliament House on the one side and Como beach on the other—are the extremities of the Narrows bridge. Other essential work could not be brought within the ambit of this clause because of the limitation, and I feel the Opposition could well accept the assurances made in all good faith by the Government.

Mr. COURT: I do not disagree with the general proposition of facilitating deliberations as to what are the approach roads, neither do I disagree that the south as well as the north might require consideration. However, at the moment it would appear that the most difficult problem is on the northern side. The suggestion I put to the Minister would, I feel, get both him and the Minister for Works out of a lot of difficulty in the immediate years to come.

If the amendment stays as it is, I can see pressure from various authorities seeking some of this money. They will not say, "When you went to Parliament you said this was for the broad definition of the approaches to the Narrows". They will place emphasis on the words "or such other road or roads associated with the regional development of the metropolitan area" and will produce propositions in connection with the metropolitan area within the meaning of the plan.

The Minister for Transport: We will produce similar undertakings given in this Chamber.

Mr. COURT: It says the Minister may, on the recommendation of the Commissioner of Main Roads, make a determination, but a Minister has to take a broad view of these matters. It would be better for Parliament to say that the fund is to be used for purposes of the approaches within the broad definition as determined by the Minister on the recommendation of the Commissioner of Main Roads. I would like to move for the deletion of the words.

The CHAIRMAN: The hon. member cannot move an amendment at this stage as I have omitted to put the amendment.

Amendment put.

Mr. COURT: I move—

That the amendment be amended by striking out the words "or such other road or roads associated with the regional development of the metropolitan area."

The MINISTER FOR TRANSPORT: I have already emphasised the difficulty that there could be in defining what is an approach to the Narrows bridge. Two Ministers have given an undertaking, which I think would be honoured by any succeeding Government, that it is not desired to go beyond the question of the Narrows approach and any limitation of the wording could bring litigation. We are only making potential trouble if we agree to this proposition and I think the member for Nedlands and other members have had all the assurances necessary in connection with this matter.

The MINISTER FOR WORKS: There is one additional point. The amount of money to go into this fund will not be sufficient to enable the cost of the approach roads and of the resumptions in connection with them to be met. If the department spreads itself too far and spends money on roads in connection with regional development, which is only remotely connected with the approaches to the Narrows bridge, it will not have the money to spend on the approaches to the bridge.

It is not at all likely that the Commissioner for Main Roads will spend this money on anything but the approaches to the Narrows bridge. In order to overcome the difficulty of defining just where these approach roads start and where they finish, it is considered desirable to have the wider definition proposed. There is no danger because the inclusion of these words will not enable the Government to appropriate more money. There will still be the same amount of money in the fund and it is not possible to spend more. If such expenditure were attempted, there would not be sufficient money in the fund to finance the approach road in connection with the northern access to the bridge.

The point arose that the concentrating of all the expenditure within the boundaries of one local authority was unfair and to make it possible to spend money elsewhere—on the south side, for example—some alteration was desired. When the alteration was under review, it was considered desirable to have the wider definition in order that there would be no difficulty in spending money where the Commissioner of Main Roads felt it was desirable in connection with the approaches.

If the Commissioner of Main Roads goes too far in the spending of this money, he will not have funds to deal with the access roads immediately adjacent to the bridge itself. As Minister, I am not likely to agree to that, nor would any other Minister, because our first concern will be the bridge and the approach roads leading to the bridge. I do not think there is anything to fear from this wider definition but some local authorities may want to be obstructive and refer to the wording of the Bill.

Mr. Court: Have you made a rough assumption of the cost of going from the northern end of the bridge up to and including the bridge across the railway at Wellington-st.?

The MINISTER FOR WORKS: We have made a number of guesses but we are not able to give a reliable figure because we do not know what the cost of resumption will be. We have made only a wild guess, but I would think that under the most optimistic assumption, there will not be sufficient money accumulated in this fund to meet the expenses involved.

Mr. Court: They will be in excess of £1,000,000.

The MINISTER FOR WORKS: Much more.

Mr. OLDFIELD: This procedure appears to be a departure from that which has previously been adopted. It is not many years since the Mt. Lawley subway in Guildford-rd. was constructed. Not only the local authority in whose district the subway is, but the Bassendean and Bayswater Road Boards contributed towards the cost, because those were the areas that were going to benefit from it. But under this clause, the whole of the metropolitan area will make a contribution—indirectly of course—towards the approaches to the Narrows bridge. Even local authorities that are not going to benefit from the approaches will contribute.

The Minister for Works: Every local authority will benefit.

Mr. OLDFIELD: People from the eastern suburbs are not going to benefit from the bridge any more than do people from the western suburbs benefit from the Mt. Lawley subway.

The Minister for Works: They will benefit indirectly, if not directly.

Mr. OLDFIELD: In the past the underlying policy was that the people who were going to use the road each and every day, would contribute, but here people who are not going to use it in that manner are to make a contribution. If this is going to be the policy in this instance, I hope it will be a precedent that will be observed in the future.

The Minister for Transport: We have already agreed to that in respect to railway crossings. You will get some benefit there.

Mr. HEARMAN: It seems to me that members on this side of the Chamber are not particularly concerned about the idea of taking some of this money for assisting in the building of the Narrows bridge and its appurtenances; they are simply concerned with the question of drafting. The Minister has said that in an effort to avoid complications and, so that no one can dispute it, the provision is made as wide as possible. I follow that logic, but it would perhaps be more satisfactory if we made some effort to define what is intended.

I offer two suggestions—one is that after the word "approaches" in line 2 of the amendment the words "or directly affecting the proposed bridge" be inserted. This does not confine the matter rigidly to the Narrows bridge; it might meet the Government's requirement. The other suggestion I offer is that assuming the bridge is open for traffic in six years' time—

The Minister for Works: In two years' time.

Mr. HEARMAN: That would make my argument stronger. The matter could come up for review at the parliamentary session following the opening of the bridge, and Parliament could then decide whether it wanted to carry on with this form of taxation for the remainder of the implementation of the regional plan. If the Government would accept either of those suggestions, it would meet the requirements of members on this side. The first makes some effort at definition. Although the Crown Law authorities are not always able to make definitions, Parliament frequently attempts to achieve something that the Crown Law officers say is difficult. The words I have suggested would give the court some idea of Parliament's intention.

The Minister for Transport: I think you are using a sledge-hammer to crack a peanut.

Mr. ROBERTS: I suggest that after the word "with" in the amendment we insert the words "and closely allied to."

The Minister for Works: Who interprets that?

Mr. ROBERTS: Who interprets the other?

The Minister for Works: There are many differences of opinion about the meaning of "closely allied to."

Hon. A. F. WATTS: The Committee having decided that 50 per cent. of the additional collections shall be devoted to certain purposes, it does not much matter for what purposes so long as they are expended within the confines of the legislation.

It seems to me there is much substance in the argument of the Minister for Transport, namely, that we could get into conflict in the original wording of the clause, as to just where the money could be expended. The first thing that struck me, bearing in mind what the Minister for Transport said on my amendment, that it is unlikely that the money to be derived from the 50 per cent. will be sufficient to meet all the obligations referred to in the Bill, is that there certainly would not be much money to do anything more. His contention that this is being altered merely to obviate the possibility of statutory legal argument is probably the true and correct reason for the alteration. In the circumstances, I see no reason to alter the Minister's amendment, and I shall take action accordingly.

Mr. COURT: The Leader of the Country Party has emphasised the main argument I have for wanting the deletion of the words. If we are going to throw this money into a common pool, I would like to see the whole of this business scrapped, or at least the proposition originally put forward by the Leader of the Country Party accepted whereby a lesser sum was made available to the Government. If the money is to be spent outside the confines of a broad definition of the main approaches to the Narrows bridge, I would rather let the local authorities have the money and spend it the way they think best.

The Minister for Transport: On football grounds and new town halls?

Mr. COURT: If we believe in local government, we have to trust the local authorities to spend the money in the best interests of their districts. I do not think a lot of money has been spent outside the actual use to which it morally should be. There may be some cases where it has been used in some way outside of roads, but overall I think the money is well spent. If we are to throw this into a common pool—

The Minister for Works: It is not quite that.

Mr. COURT: I know it is not the Minister's intention.

The Minister for Works: The wording does not suggest that.

Mr. COURT: The wording leaves it completely open. Parliament could not criticise the Minister in a few years' time if some of this money had been used on the fringes

of the regional plan, although it is intended to be used in connection with the Narrows bridge approaches. If the Minister did use some of this money for an area completely removed from the Narrows, he would, at law, be completely within his rights.

The Minister for Works: Yes, but if we used it on an approach that was not directly connected with the Narrows, but was a new road to conform with the regional development of the metropolitan area, as recommended by the town planning consultant, what would be the objection to it? If it was spent there, it would not be available to be spent somewhere else.

Mr. COURT: The objection I have is that the Minister would have broken away from the principle that Parliament agreed to when it adopted the measure for a restricted number of years. The whole atmosphere of the introduction of the provision was to make funds available from an unusual source for a special purpose. If roads were constructed, far removed from the Narrows project, I think we would have broken away from the spirit of the Bill as originally introduced and to which we gave our agreement.

Amendment on amendment put and negatived.

Amendment (to insert words) put and passed.

The MINISTER FOR TRANSPORT: The proposition in the Bill is that the Minister may authorise the construction, maintenance, etc., of bus shelters, and the money so expended is to come from the traffic fees fund; or from the 50 per cent. portion of it. This would be grossly unfair to those local authorities who, by building bus shelters, are making a contribution because, indirectly, they would also be making a contribution towards the erection of shelters for a local authority which had not been doing anything in connection with this matter.

I intend to move an amendment which provides that if £500 is spent on shelters in a certain local authority district this year, the £500 should come from the allocation to that local authority and not from the general amount.

Point of Order.

Mr. Court: I understand that the member for Greenough intended to move for the deletion of the clause authorising the allocation of funds for the construction of bus shelters. If, in his absence, the amendment is to be moved, I presume it will have to be moved before the Minister brings his amendment forward.

The Minister for Transport: I take it that after the words I propose to have inserted in the clause are included—if the Committee does include them—and you, Sir, submit the motion "That the clause stand as amended," members can vote against it.

The Chairman: Yes, the whole clause.

Mr. COURT: If we voted successfully against the clause, as amended, we would defeat certain things that we desire to be included. Therefore we should delete paragraph (e) before the Minister deals with his amendment.

Sitting suspended from 6.15 to 7.30 p.m.

Debate Resumed.

The MINISTER FOR TRANSPORT: On page 11, in paragraph (e), the word "subsection" in line 4 should read "subsections". I move an amendment—

That the word "subsection" in line 4, page 11, be struck out and the word "subsections" inserted in lieu.

Amendment put and passed.

Mr. COURT: I propose to move an amendment that paragraph (e), page 11, be struck out.

The CHAIRMAN: I suggest to the hon. member that he should move an amendment merely to strike out the proposed new Subsection (2c), with the exception of the word "and" at the end of that subsection.

Mr. COURT: Very well, Mr. Chairman. I move an amendment—

That proposed new Subsection (2c), page 11, down to and including the word "subsection" in line 19, be struck out.

Although I find some logic in the allocation of funds for the construction of the approaches to the Narrows bridge and the construction of railway crossings—in view of the improved form of crossing proposed—I cannot understand why these funds should be allocated to erect shelter sheds. It will not be the motorist who will use those sheds but, on the contrary, it will be the people using public transport. Therefore, the operators of public transport, whether Government or private, should be contributing towards the construction of these shelter sheds.

Mr. WILD: Like my colleague I, too, cannot understand this provision which will, in effect, make the motorist contribute towards the construction of shelter sheds. I have every sympathy for those people who, over the years, have stood in St. George's Terrace in long queues waiting for buses. That practice even went back to the time when I was a Minister. At that period there was some talk of erecting bus shelters on the Esplanade, but no agreement could be reached on that suggestion and nothing happened.

Recently, however, a company has been formed in this State and has indicated that it is prepared to erect bus shelters provided it can place advertising signs on them. Two local authorities in my electorate have agreed to permit this company to erect bus shelters at no cost to

themselves. The company, of course, is benefiting from the advertising fees. The Perth City Council, in my opinion, should think along the same lines.

I ask the Minister to have a further look at this provision. The Bill has much to commend it because everyone understands that motorists have to pay increased licence fees to improve the traffic position in this State, but I do not see why the motorists should be responsible for meeting the cost of constructing bus shelters. I support the amendment.

The MINISTER FOR TRANSPORT: I have had another look at the propositions contained in paragraphs (e) and (f). The Government is concerned about certain local authorities not having made any move to provide bus shelters for the convenience of people who use public transport. Previously, local authorities were most co-operative because the Government met 50 per cent. of the cost of erecting such shelters. Although the advertising firm referred to has been erecting these shelters from its own resources, I have agreed that the Government should subsidise the company to the extent of £20 for each bus shelter, but this is at no cost to the local authority. As a result, therefore, bus shelters in several suburbs are being, or have been, erected.

The Government does not wish to use any money to erect bus shelters, but in those instances where local authorities refuse to co-operate, the funds, indirectly, should come from the local authority so that these bus shelters can be constructed. The result is that whilst the money is indirectly being taken from the traffic fees' fund, it is coming from the local authorities concerned. Upon reflection, my feeling is that it would be better for the Minister to have the power to pay, but to use the funds that are levied upon the bus companies and which are collected by the Transport Board.

Mr. COURT: I agree with that.

The MINISTER FOR TRANSPORT: In view of the concurrence of the member for Nedlands, I suggest to him that he withdraw his amendment, following which he can move for the deletion of paragraphs (e) and (f) in their entirety.

Mr. COURT: I ask leave of the Committee to withdraw my amendment in view of what the Minister has said.

Amendment, by leave, withdrawn.

Mr. COURT: I move an amendment—

That paragraphs (e) and (f), in lines 3 to 25, page 11, be struck out.

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

Clause 9—agreed to.

Clause 10—Section 17 amended:

Hon. A. F. WATTS: I move an amendment—

That after the word "Act" in line 19, page 12, the words "other than an offence prescribed as a minor offence under Section 74A of this Act" be inserted.

This clause provides for special penalties in regard to offences relating to the cancellation of licences. Section 74A was inserted in the Act last year to enable the Government to declare what were minor offences, and to set up a scheme of punishment for minor offences by a postal system. Nobody would expect the court to prescribe any of the penalties in this clause for offences which are considered minor.

The MINISTER FOR TRANSPORT: As the law stands, the court has power to cancel licences, therefore no new principle is being introduced by this clause. Whichever way the voting on this amendment goes, I shall not be concerned. A person committing a minor offence can continue to disregard the penalties inflicted and there may be only one way in which he can be made to comply with the law.

One of the minor offences is the parking of a vehicle within 20 ft. of an intersection or junction. The penalty for the first offence is 10s., for the second 15s., and for the third and thereafter £1. A person might be prepared to go on paying £1 whenever he is caught committing this offence rather than to go around the city to find somewhere to park. In this way the whole purpose of preventing parking at intersections will be defeated. The same remarks apply in respect of offences such as double parking, parking within 2ft. 6 in. of a fire hydrant, defective lamps, reflectors and so on.

Under this clause it is proposed to give the court a discretion to cancel the licence only if the holder persistently offends in this regard. I am reminded of what the Leader of the Country Party said, that some people will not learn unless they are put to some personal inconvenience. I do not know how seriously he desires to press the amendment, but rather than spend a lot of time in debating it I would agree to it.

Hon. A. F. WATTS: When an offence is defined as a minor offence by the Governor-in-Council the penalty of cancellation or disqualification of a licence should not be permitted. If there is any possibility of such an offence not being a minor one, the prescription of minor offences should be altered accordingly. So long as a minor offence is defined as such it should not be treated as a major offence. For that reason, I would prefer to see the clause amended.

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

Clauses 11 to 13—agreed to.

Clause 14—Section 23 amended:

Mr. JAMIESON: This clause deals with licensed drivers with defective vision or hearing. Whilst everyone is in agreement with the restriction relating to defective vision, I suggest that the person with defective hearing should not be placed in the same category. Under this clause both defects are considered as equal. If a person is completely blind, everyone will agree that he cannot hold a licence, but if a person is deaf he should not be prevented from holding a licence altogether. There are some deaf people who are able to drive, and as long as they can prove their ability to drive a vehicle, they should be granted a licence. I therefore move—

That the words "or hearing or both the sight and hearing" in lines 30 and 31, page 20, be struck out.

The MINISTER FOR TRANSPORT: Under the Act the police can require any licensed driver to undergo a medical examination in respect of vision and hearing before renewing a licence. At the moment the police have issued licences to about 4,000 persons in this State, including at least one Cabinet Minister, on the condition that they wear glasses when driving. We know that some people suffer from defective hearing, but with the use of hearing aids they are able to hear as well as people who have their full faculties.

All this clause seeks to do is enable the police to endorse a licence that a person suffering from defective eyesight shall not drive a vehicle unless he is wearing spectacles; in the case of deafness, that he shall not drive a vehicle unless he is wearing a hearing aid. If a person is able to satisfy the police that he has the normal faculties sufficient to enable him to drive by either wearing spectacles or using a hearing aid, there is no doubt about such a person being granted a driver's licence. Penalties are provided where such conditions are not observed. For that reason, we should not deprive a person of the right to hold a licence if he is able to conform to the standards set out in the licence.

Mr. OLDFIELD: I am in agreement with the condition relating to the wearing of spectacles, but I cannot understand the provision in respect to the wearing of hearing aids. A condition of a driver's licence may be the wearing of a hearing aid, but there is no method of ascertaining whether such a person has turned on the hearing aid while he is driving. He may be wearing a hearing aid but he may not have turned on the switch.

Mr. JAMIESON: The Minister does not appear to understand my amendment. It is obvious that a blind person will not be issued with a driver's licence, but it is my contention that the deaf person should not be considered in the same category. It

may be all right to set out a condition in the licence if the applicant is deaf, but there are different types of deafness. For instance, there is the complaint known as diesel deafness. One goes almost completely deaf on account of the noise of the engine. The same would apply to a person with a wireless in his car, if he were listening to what was going on and did not keep a look-out.

Mr. Oldfield: Such people are not deaf but dumb.

Mr. JAMIESON: While the Act allows that to occur, surely the fact that a person is completely deaf should not debar him from obtaining a licence if he is very alert in other ways. I would like the Minister's assurance that this will not prevent a person who is completely deaf from securing a licence. From my reading of it, it does.

The MINISTER FOR TRANSPORT: The Act already provides for tests in respect of sight and hearing. Whether we like it or not, that is the practice followed by the police and insisted on by them as being an indispensable requirement before a person is granted a driver's licence. In this clause it is proposed that as long as an applicant can satisfy the police that, with the use of a hearing aid, he can stand up to the test, he will be granted a licence. Unless we make that provision, there is every possibility that such a person would not be granted a licence.

I do not know what the radio has to do with it. If we think that is a distraction, perhaps we should ban conversation in motorcars. There is no new principle about this. It is merely a condition which is laid down in the licence, and a penalty is provided where a person in receipt of a licence does not conform to the requirements.

Mr. NALDER: I am inclined to support the member for Beeloo. A partially deaf man, with the assistance of a hearing aid, could definitely be as competent a driver as anybody else, but I think he would be debarred if the Minister continues to press this clause. The amendment would give such people an opportunity to obtain a driver's licence. Doubtless figures could be obtained from the Police Department to prove that there are some people in this category who would be dependent for their livelihood on their ability to secure a licence.

The MINISTER FOR TRANSPORT: The position has been completely misunderstood. The purpose of the amendment contained in the Bill is to make it possible for people who are rejected at present to receive drivers' licences.

Mr. Nalder: Deaf people?

The MINISTER FOR TRANSPORT: No, people very hard of hearing.

Mr. Ross Hutchinson: Could a deaf person be given a licence?

The MINISTER FOR TRANSPORT: That would be entirely at the discretion of the police. I am unable to answer whether any have or have not received a licence. It might be dependent entirely on the circumstances of the case. The point is that, at present, if a person is deaf—in other words, if he does not pass the police medical examination—he can be refused a driver's licence. What we are seeking to do is to make it clear that if, with the assistance of a hearing aid, he can pass the examination, the police are empowered to grant the licence on condition that when he is driving the car he is wearing the hearing aid. The whole intention is to achieve the very thing that concerns the member for Katanning.

Hon. A. F. WATTS: To my mind, there is no question that the provisions of this clause may go further than the Minister is inclined to agree. I think the member for Beeloo hit the point when he referred to deaf-mutes. Some of those people cannot be assisted by hearing aids to any degree, but they are extremely bright and intelligent people and quite capable, I feel sure, of driving a motor-vehicle.

There is no question that the eyesight is a most important factor in the driving of a motor-vehicle. If one can see what is going on, and keeps one's weather eye open in all directions, the prospects of running into trouble are very remote. On the contrary, if one has defective eyesight which prevents one from seeing either short or long distances—depending on the circumstances—without some visual aid, the circumstances are quite different.

It seems to me that under the Minister's clause there would be some people who could justify being placed in charge of a motor-vehicle, but who would be unable to obtain a licence because a hearing aid would be of little use to them. I think that the point made by the member for Beeloo is worthy of further consideration.

The MINISTER FOR TRANSPORT: I again emphasise that it already appears in the Act that if the Commissioner of Police desires, a person must submit himself to a hearing and an eyesight test.

Mr. Roberts: Under what section?

The MINISTER FOR TRANSPORT: The one we are amending—Section 23, Sub-section (4) appearing on page 36 of the Act.

Mr. Ross Hutchinson: I think my question is pertinent, because the matter of deaf-mutes has been raised by the Leader of the Country Party, too. If the Minister could relate that to the Bill—

The MINISTER FOR TRANSPORT: I am afraid I have no information on that point. All I can tell the Committee is that this was a suggestion by the police for the purpose of helping people who otherwise would be denied a driver's licence.

If the Committee feels disposed to ignore my words, I feel they will be restricting people who would otherwise be eligible to receive licences.

Mr. JAMIESON: I still cannot agree with the Minister. Possibly those who framed the Act and the Bill, and possibly the Minister, have not had much experience of hearing aids. Otherwise, they would know that once a person wore a hearing aid in a vehicle, it would be bedlam; and, as the member for Mt. Lawley implied, the first thing such a person would do would be to turn off the hearing aid. If not, he would be distracted and unable to carry on.

If this reference were deleted, it would give complete discretion to those testing a person for a licence to grant such licence, even if the person concerned were deaf, provided it was clear that such person was bright enough to hold a licence. To provide for a penalty which cannot be policed is to place people in a ridiculous position, especially those associated with the administration of the Act.

Mr. RODOREDA: I cannot see it the way the member for Beeloo does. It is true that under the Act a person has to undergo a sight and hearing test; and if he fails to pass the hearing test—which is the one we are concerned with—a licence will be refused. That is the position at present; and it seems to me that the Bill is designed to remedy that, and not to impose further restrictions.

The Bill gives a chance to a person found to be too deaf to pass the examination provided by the police. If, after having failed in that test, he can secure a hearing aid, be again tested and then, in the opinion of the examiner, be regarded as being sufficiently improved in relation to his hearing to pass the test in the room where it is held, he can be granted a licence.

It is true the concession cannot be policed, but neither can that relating to the wearing of spectacles unless it is proved that at the time of being involved in an accident, the person concerned was not wearing his spectacles. Apparently the police do not think hardness of hearing should bar anyone from holding a licence.

Mr. WILD: I agree with the member for Pilbara. The wording of the provision is specific. The Act already states that a licence can be refused on account of deficient hearing or eyesight or both and this would give the deaf person whose hearing was capable of improvement a chance to get a licence. I oppose the amendment.

Mr. ROSS HUTCHINSON: I oppose the amendment as I think this provision is an improvement on the relevant part of the Act. However, a completely deaf person could be refused a licence if he could not be helped by a hearing aid and while I do not think a deaf person would ever be as

efficient a driver as one with normal hearing, I believe there are occasions and certain circumstances in which he could be given a licence. The Minister might consider that point.

Mr. JAMIESON: Surely the members for Dale and Cottesloe will not agree that the penalties in this instance should be as severe as those relating to faulty eyesight. In view of what has been said, I think the Minister should examine the question further and perhaps bring down an amendment to separate hearing and eyesight, thus making provision for the people about whom I am concerned. Many people who have had licences for years may have gone deaf and no one would know, but if a holder of a licence went blind, he could no longer drive. In spite of that, the Minister has grouped them together in the Bill.

The Minister for Transport: That is how they are in the Act.

Mr. JAMIESON: Two wrongs do not make a right. We know that many deformed persons are licensed to drive motorised wheel chairs, but I do not think deafness should be aligned with faulty eyesight or we will restrict instead of improving the position. There should be provision that a deaf person who has proved himself capable should be given a licence.

Mr. HEARMAN: Does not the provision apply only to drivers of public transport?

The Minister for Transport: No, it says, "Every applicant for a driver's licence."

Mr. HEARMAN: I just wanted the point clarified.

Amendment put and negatived.

Mr. ROSS HUTCHINSON: Would the Minister agree to an amendment in line 7, page 21, to insert after the word "offence" the words "a maximum of."

The Minister for Transport: That is how it is.

Clause put and passed.

Clauses 15 and 16—agreed to.

Clause 17—Section 31 amended:

THE MINISTER FOR TRANSPORT: When introducing the Bill, I said that on several occasions we have, wittingly or unwittingly, made penalties retrospective in regard to the suspension of licences either for dangerous and negligent driving or what is known as drunken driving. As regards drunken driving, for the commission of the first offence the licence is suspended for three months and for the second offence the suspension is for 12 months. For the third offence, the licence is cancelled for life.

The amendments in regard to the matter we are discussing were made only three years ago and at present if a person was guilty of an offence in 1910 and is now up for a second offence of the same kind, regard is had to that first offence and so

the licence is automatically cancelled for the longer period. If the breach had been committed not once or twice but 20 times prior to 1953 the driver could be still on the road. I therefore think that the number of convictions affecting the cancellation of the licence should apply only from the date when the new law came into operation.

There have been many anomalies and even injustices owing to the operation of this provision and I hope the Committee will agree that in this instance 1953 and in regard to driving under the influence of liquor, 1946, shall be the years from which regard shall be had in relation to the suspension of the driver's licence, as the date of coming into operation of the provision for automatic cancellation. I move an amendment—

That after the word "committed" in line 27, page 3, the words "by a person" be inserted.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That after the word "subsection" in line 30, page 23, the words "by suspension of that person's licence to drive or by disqualification for any period of that person from holding and obtaining a licence to drive," be inserted.

As the provision stands in the Bill, if a person comes before the court this year it will be required totally to ignore any previous offence. In regard to the infliction of a fine, I think that if a person is up for a second time he should pay more than for the first offence, but where the offence was committed prior to 1953 and the person concerned was unaware and Parliament had not decided that in respect of an offence committed perhaps 10 years ago there would be a disqualification or withdrawal of the licence, I do not think the retrospectivity should apply to that extent.

Hon. Sir Ross McLarty: Would there be many of these people?

The MINISTER FOR TRANSPORT: I do not think so, compared with the number of motorists. A person could have been up on a drunken driving charge every week from 1910 to 1945, or every year for that period, and would have been fined certain amounts. There would have been no interference whatever with his driver's licence so long as he has not been up for drunken driving since then; notwithstanding that he has committed 30 or 40 offences, he is still driving on the road. But the person who committed only two offences during that lengthy period and now comes up for the third time is disqualified for life. That seems unfair. Therefore it is proposed that so far as disqualification or cancellation of a driver's

licence is concerned, that penalty shall apply only in respect to offences since the coming in operation of those provisions.

Hon. Sir Ross McLarty: That means that some of them will get their licences back.

The MINISTER FOR TRANSPORT: That is so.

Mr. Oldfield: Whom have you in mind?

The MINISTER FOR TRANSPORT: I have not anyone in mind, unless the member for Mt. Lawley is pleading guilty to something of that nature. There have been cases mentioned, and there may be persons whom I know who are affected, but I am unaware of it. The idea of this amendment is to get away from the retrospectivity, and I think it is quite fair and reasonable. The words I have moved to insert are to make the section apply only in respect of the cancellation of the licence but, in regard to any other penalties that there might be, regard is had to previous offences.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That after the word "committed" in line 32, page 23, the words "by that person" be inserted.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That the words "where a" in line 1, page 24, be struck out and the words "if that" inserted in lieu.

Again, it is a matter of drafting.

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

Clause 18—Section 32 amended:

The MINISTER FOR TRANSPORT: I move an amendment—

That paragraph (a) be struck out. These words were placed in the Bill in connection with a proposed amendment to the section which was not proceeded with and, of course, the words are now redundant.

Amendment put and passed.

Hon. A. F. WATTS: I wish to insert a paragraph to stand as paragraph (b).

Mr. Hearman: It will be paragraph (a) now.

Hon. A. F. WATTS: I think the clerks will attend to that. I move an amendment—

That the following be inserted to stand as paragraph (b):—

by adding the following proviso to Subsection (1):—

Provided that it shall be a defence to a charge under this subsection in respect of a person under the influence of drugs to

prove that such drugs were taken by the person pursuant to the prescription of a duly registered medical practitioner, or administered to the person by such a practitioner in the course of treatment for or in prevention of disease from which such person suffers or is likely to suffer.

At present the law makes no difference between a person under the influence of drugs taken voluntarily and for improper purposes and the person under the influence of drugs taken on medical advice or, indeed, actually given by a doctor, provided that the net result was that the person was under the influence of those drugs.

So many things are being given to people today, in varying circumstances, and the effect upon the individual not being expressly known until some time after they are taken, that to submit a person in such circumstances to the possibility of being convicted under Section 32, with its considerable penalties, is quite out of place. It is because I am desirous of ensuring that in such bona fide circumstances the persons concerned should not suffer from heavy penalties that I have moved the amendment.

THE MINISTER FOR TRANSPORT: Perhaps I can most effectively describe my reaction to this by saying that I feel very sorry for the person who is found in the circumstances outlined in the amendment. The purpose of this section of the Act is, first of all, to endeavour to ensure that every person in charge of a vehicle on the road is capable; and, secondly, if he is not, to ensure that some action is taken against him. Parliament's attitude has been to take a serious view of a person incapable of properly handling a vehicle.

I should say that it matters not whether a person has been at a dinner party to himself, where he has dined and drunk exceedingly well, albeit not to say wisely, or whether he has been taking some form of drugs, possibly for medicinal purposes—although many people, unfortunately, take drugs for other purposes—the fact is that they are a menace on the road. A person whose mind is befuddled is incapable of properly handling a machine and is therefore a menace to everyone. It is unfortunate if the circumstances outlined in the amendment occur, but it could be classed as an escape clause.

Hon. A. F. Watts: You will note that I have not prevented them from being arrested.

THE MINISTER FOR TRANSPORT: No. If I were given to the taking of drugs I am certain that with the kindly co-operation of the family doctor—and that is pretty well known—I could get him to prescribe for me some form of drugs for anything at all. It might be in order that I can sleep a little more, or something like that—my nerves might be frayed. I would always

carry a supply of those pills with me, and I would swear on a stack of Bibles that I was taking them because I felt mentally disturbed and I was wanting to soothe my nerves.

In other words, I could be as silly as the proverbial wet hen, and completely incapable of doing the right thing on the road, but so long as I had this excuse, virtually everything would be in order. No. The purpose of this section, and the penalties connected with it, is to hit and hit hard those who are incapable of properly handling their machines, because they are a menace. I think, therefore, that the well-intentioned amendment would not be in conformity with the attitude so often adopted by all sections of both Houses of Parliament.

Mr. HEARMAN: I do not think I could agree to the amendment in its present form because the Leader of the Country Party has made no provision to meet the case in which drugs have been administered and the doctor concerned has warned the patient that he is not to drive his vehicle. Yet he goes out and does so. I have known such cases to happen, although no accidents have resulted. Perhaps in some respects, people might think it was excusable; but I know of one case where a person was given one of these modern drugs which puts him out temporarily. He was told to stay the night in hospital but he said, "No; I want to go home," and home he went.

He drove his own car although he was warned by the doctor that he should not do so. If we accepted the amendment in its present form, that man could not be punished and I hardly think that would be the intention of the Leader of the Country Party. I think he should add a phrase to the effect that he had received no warning from his doctor that he should not drive a vehicle.

I am a bit inclined to agree with the Minister that it is not a question of sympathy for the person so much as a question of endeavouring to make the roads as safe as possible. We could get the case of a chap who has had a couple of beers but did not mean to get drunk. In the circumstances he is drunk, so I am inclined to think that the amendment wants some tightening up, although I agree there could be cases in which people might be affected by drugs, even though medical science could not predict their effect. However, if that were the case, I feel sure that the court would, even in the present circumstances, take a lenient view of it.

Hon. A. F. Watts: The court cannot do that.

Mr. ROSS HUTCHINSON: Unlike the member for Blackwood, I think there is a great deal of merit in this amendment. It says—

Provided that it shall be a defence to a charge under this subsection in respect of a person under the influence

of drugs to prove that such drugs were taken by the person pursuant to the prescription of a duly registered medical practitioner, or administered to the person by such a practitioner . . .

In his comments, the Minister rightly said that this provision in the Act should be a severe one, and the great majority of people would agree with him in clamping down on drunken driving. The Leader of the Country Party is providing for the odd case where there is a definite excuse for which a defence can be provided. I could visualise such a case occurring. It would not affect the Bill to include the amendment. It would not detract from the severe clause which the Minister desires. Indeed, I think it would be part and parcel of it.

The Minister for Transport: Every drunkard would ask his doctor for a course of tablets.

Mr. JAMIESON: Apparently, the Minister is not happy about having his Bill amended in any way. I support the amendment of the Leader of the Country Party. We all know that there was the case of an hon. member on the other side of the House who had been given inoculations, and we know the effect it had on him. The effect of injections is most unpredictable; they affect different people in different ways, and even the medical profession will agree that no two people will always react alike. Similarly, 10 men who had drunk 10 schooners would also react in 10 different ways.

The same is the case with drugs, antibiotics and various types of injections—they all have varying reactions on different people. Innocent people must be protected and this amendment will provide that protection. If people drink to excess they know what they are doing and deserve the full penalty. The same applies to people who take drugs. But if a person is not expecting a particular type of reaction from a certain drug, he should be given some protection, particularly if that reaction was not expected by his medical practitioner. If the Minister were affected by a drug while on the way home, he would be an irresponsible person momentarily, but not of his own choosing. I support the amendment.

Mr. CROMMELIN: I am inclined to support the Minister. It is too fine a point to differentiate as to the nature of drugs and what could happen to people who had been given injections. I would like to quote from the traffic regulations of New South Wales. The portion to which I refer reads as follows:—

Section 5 (2) (a) . . . Any person who, whilst he is under the influence of intoxicating liquor or of a drug, drives a motor-vehicle or occupies the driving seat of a motor-vehicle and attempts

to put such motor-vehicle in motion, shall be guilty of an offence under this Act and shall be liable to a penalty not exceeding £100 or imprisonment for a period not exceeding six months or to both such penalty and imprisonment.

Section 3A provides that he shall be disqualified automatically by such conviction and without any specific order for a period of one year from the date of such conviction from holding a driver's licence under the Act.

There is no option at all in New South Wales for anyone under the influence of a drug. It also goes on to say that it is a major traffic offence under the Traffic Act. According to the law of New South Wales for anyone under the influence of is under the influence of liquor or drugs he must lose his licence for 12 months.

Mr. LAPHAM: The member for Claremont has referred to the New South Wales Act and has drawn attention to the penalties provided there. But in New South Wales the driver must occupy the seat of the vehicle or be actually driving it. It is different in this State; here, one has only to be in charge of the vehicle.

The person concerned can be having a sleep in the back seat but he is still in charge of the vehicle. That is unfair. If a driver felt that the drug was affecting him and he pulled up on the side of the road and perhaps got in the back seat to try to sleep off the ill effect of that drug, he would still be in charge of the vehicle and liable to the penalty provided under the Act.

Mr. Lawrence: Supposing he did not have the ignition keys on him?

Mr. LAPHAM: He would still be in charge of the vehicle. I think a certain amount of cleaning up is necessary.

The Minister for Transport: Who said that was in the section?

Mr. LAPHAM: It is; and the Minister does not seem too sure of his ground. The matter of drunkenness and that of drugs should be provided for in two separate sections. I agree that drunkenness cannot be countenanced at all. No one has sympathy for a man who is driving a vehicle while drunk. But the person who is affected by drugs is in a different position.

We had the case of a member of the Country Party who was given a couple of tablets by his Leader to cure a cold. He was so affected by those tablets that he had to go to bed. Had he been given those tablets before proceeding home and they took effect en route, he would have been in charge of that vehicle and been liable to the penalty under the Act. Although I think the amendment of the

Leader of the Country Party is insufficient, I would support it rather than see the provision go through in its present form.

Mr. COURT: I subscribe to what the Leader of the Country Party seeks to achieve, but I cannot support his amendment in its present form. If I must err on the side of severity, I would err against the motorist. Drunken driving is a menace and we should not legislate to permit a person guilty of that offence to escape on a technicality.

The Minister for Health: The percentage of accidents caused through drunken driving is very small; it is only about 0.7 per cent.

Mr. COURT: That may be so, but these people are a potential menace and I am sure the Minister for Health would not allow an escape clause for a drunken driver.

Mr. Ross Hutchinson: It is not an escape clause.

Mr. COURT: I agree with the Minister for Transport that people addicted to drinking would soon have a prescription from their doctor which they would always carry to enable them to plead that they were following the advice of their medical practitioner. If a person must take these drugs which have an adverse effect upon his ability on the road, he should be dealt with under another section. We have had considerable discussion as to whether a person should be licensed if he has defective sight or hearing. If a person has some other medical defect, he should be dealt with under some such section.

As I see it, only omnibus and passenger vehicle drivers are subjected to a special form of medical examination, and the principal Act provides that the two tests to which the driver of an ordinary vehicle can be submitted are those of sight and hearing; and unless he can be proved to be addicted to alcohol or something of that nature he would normally be given a licence. The amendment moved by the Leader of the Country Party would permit an unscrupulous person to take advantage of a provision meant for the protection of decent people.

I would refer members to Section 32 of the parent Act. If the Minister would agree to separating the two offences as suggested by the member for North Perth—that is, the offence of drunken driving and that of drugs—I would support such move and oppose the amendment. If, however, the Minister considers that should not be done, I would have to support the amendment moved by the Leader of the Country Party so as to achieve some degree of equality and fairness for these people until the law is suitably amended.

Hon. A. F. WATTS: I wish there were more medical practitioners in the Chamber because they would be astonished to

hear some of the views expressed about them and views which I do not think, in the great majority of cases, could be justified. I am not in the slightest bit interested in a person who takes drugs or gets drunk for his own satisfaction. The amendment is confined to the drug section of the present Act and therefore I am only going to deal with that because there is no reference in my amendment to drunken driving.

The provisions of the law in that regard will not be affected if this amendment is carried. It only concerns itself with persons taking drugs. There is a vast difference between a man who takes drugs for his own satisfaction and one who has them administered by a medical practitioner without any knowledge of the after effects. Over the last few years there has been a vast increase in the number of injections given. They are given for almost every conceivable thing and many of them undoubtedly are of extreme value in the treatment of illnesses which, previously to their coming into existence, were extremely serious to the individual.

It is unquestioned that they have increased considerably in number and in use by responsible medical practitioners, particularly in regard to persons who are about to travel overseas where the vaccination or injections against tropical diseases are almost compulsory by law and administered frequently by medical practitioners. On some individuals, they have no effect at all and they are able to go about their avocations as if they had received no treatment of any sort. But there are others who, to some degree, are unsettled by these injections.

Mr. Ross Hutchinson: Your amendment does not provide a complete exoneration.

Hon. A. F. WATTS: It does not prevent them from being arrested; it only provides a defence after they are arrested. The position is that if we do not make some provision in the law for cases such as these, we are going to inflict injustice on an innocent individual who has never in any circumstances taken either alcohol or drugs for the purpose of bringing himself under their influence but who has, because he has consulted a duly qualified medical practitioner, brought on himself a set of circumstances under which he can be inflicted with a penalty of £45 and the loss of his licence for three months. The magistrate has no alternative; once convicted, the licence goes.

It is essential in fairplay and decency to find some solution to this problem. I make this appeal to the Minister; I am prepared to withdraw the amendment if he will have the points I have raised given consideration and produce something in another place which will have the effect of making some provision for bona fide cases.

The Minister for Transport: We will report progress now and we will see what can be done to make your amendment more watertight.

Progress reported.

BILLS (4)—RETURNED.

- 1, City of Perth Scheme for Superannuation (Amendments Authorisation).
- 2, State Trading Concerns Act Amendment.
- 3, Metropolitan Water Supply, Sewerage and Drainage Act Amendment.
- 4, Fruit Growing Industry (Trust Fund) Act Amendment.

Without amendment.

BILL—FISHERIES ACT AMENDMENT.

Received from the Council and, on motion by Mr. Heal (for Mr. Lawrence), read a first time.

BILL—MEDICAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th November.

MR. ROSS HUTCHINSON (Cottesloe) [9.8]: The establishment of a medical school in Western Australia has necessitated the introduction of this Bill to amend the Medical Act. It appears that the Medical Board of Western Australia and the Senate of the University, through the Vice-Chancellor, have approached the Minister with regard to straightening out certain matters related to reciprocity with respect to medical degrees.

The Bill legislates for the negotiations to commence between this State and the General Medical Council in England for the acceptance of medical degrees which will eventually be granted by the University of Western Australia. The Minister pointed out that reciprocity would not be approved by the Privy Council as it appears that this State, under its Medical Act at present, does not provide for the registration of medical qualifications that are already registerable by the General Medical Council in London and the particular case he instanced was that there was a specific exclusion from direct registration with regard to the Republic of Eire.

The Minister also pointed out that there is some sort of reciprocity between this country and Eire, but only in so far as arrangements may be made between the State of New South Wales and Eire. Therefore it seems highly desirable that this State should be able to cater for its own affairs on its own feet. There is nothing in the Bill, so far as I am concerned, which is controversial. It is a Bill that is essential for the wellbeing of the

medical school and to establish reciprocity with the General Medical Council in London.

I made some inquiries in regard to reciprocal arrangements so far as medical degrees are concerned between the countries of the United States and Australia, and I ascertained that there is no reciprocity whatsoever. If a medical practitioner in the United States were to come to this country and desired to set up a practice, he would find that he was unable to do so, but he would, with permission of the Medical Board, be able to be employed in a medical institution and subsequently the way would be made open by the board for him to take up a practice. I am led to believe that somewhat similar circumstances would obtain in reverse. I can see no reason why I should delay the Committee stages of this Bill, and I propose to support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

LOAN ESTIMATES, 1956-57.

Message.

Message from the Governor received and read transmitting the Loan Estimates for the financial year 1956-57, and recommending appropriation.

In Committee.

The House resolved into Committee to consider the Loan Estimates, Mr. Heal in the Chair.

Vote—Railways, £3,820,000:

THE TREASURER (Hon. A. R. G. Hawke—Northam) [9.17]: At a meeting of the Australian Loan Council held in June of this year, all States voted to fix the borrowing programme for the current year at a figure of £210,000,000. The Commonwealth Government's representative did not agree with this move, but did agree to support a programme to a limit of only £190,000,000, which was the total figure for the previous financial year.

Borrowings Programme.

As internal and external loan raisings are not expected to raise all the money required to finance the States' works programmes, the total funds to be made available this year will depend finally on the amount of special assistance the Commonwealth is prepared to provide from its own financial resources.

Although the Commonwealth Government, at the conference, was prepared to support a total loan borrowings programme of £190,000,000 for the year, it was not

prepared to guarantee to make available whatever amount might be required to make up the difference between what was raised on the market and the figure of £190,000,000. However, the Commonwealth Government did agree to make loan funds available to the States each month on the basis of a total figure for the whole year of £190,000,000, reserving to itself the right, in January of next year, to make whatever adjustment it thought desirable or necessary in view of the experience during the first six months of the financial year.

Therefore the Government in this State has during the expired months of the financial year been receiving from the Commonwealth this State's share of a total loan programme for the financial year of £190,000,000, which share is £17,900,000. An amount of £3,000,000 more than that total has been allotted for Commonwealth-State housing undertakings in Western Australia, leaving a balance of £14,900,000 available in this State for other works.

Special Allocation.

Furthermore, as is now generally well-known, we will receive from the Government a special loan allocation of £2,000,000. This allocation followed representations to the Commonwealth to recognise the need to provide Western Australia with additional funds in order to maintain the current volume of Government employment on works and also to provide additional employment on such works in order that the number of unemployed in Western Australia might be substantially reduced.

The Commonwealth Government did not agree to provide the total special amount of £4,000,000 which the State Government sought, and which it was considered by the State Government was necessary to achieve the two objectives which I mentioned a moment ago. Therefore, it has not been possible to provide in these Loan Estimates for as many governmental works as was desired. Nevertheless the additional amount of £2,000,000 is a very welcome contribution to the loan funds of the Government and it will have the effect of enabling the Government to maintain approximately the same volume of employment on Government works as existed during the last financial year. Unfortunately, we will not be able to take on any additional men. Therefore the special loan allocation of £2,000,000 will not relieve the general unemployment which is existing within the State at the present time.

General Works Programme.

On the assumption that a total of £16,900,000 will be available for the general works programme and £1,536,000 by way of loan repayments in this financial year, a total cash expenditure for the year of £18,436,000 is anticipated. It is also proposed to carry out certain school and hospital works to the value of £200,000 for

which payment is to be made in the next financial year. Therefore the total programme is £18,636,000, and the details making up this figure are set out in the printed Estimates which have been distributed to members.

State Electricity Commission Borrowings.

Approval was also given by the Loan Council for the State Electricity Commission to borrow £2,150,000 in this current year. Expenditure by the commission up to this figure will be met from its own loan raisings, and will therefore not form part of the Estimates to be considered by Parliament.

Estimated Expenditure.

I will now proceed to give some details of the main items of expenditure last year and the estimated expenditure for the current year. First I shall give the Railways expenditure.

Railways.

The total expenditure of the Railway Department for 1955-56 was £4,064,000. Of this amount, £949,000 was for locomotive and rollingstock contracts. The remainder of the money was expended on works in the following main categories:—

	£
Permanent way renewals and improvements	1,929,000
Mechanical and motive power workshops machinery and improvements	351,000
Housing	254,000
Communications, interlocking, etc.	169,000
Civil engineering machinery and improvements	26,000
Station yards and depot works	63,000
Industrial requirements and amenities	105,000
Locomotive and rollingstock	177,000
Other works	41,000

For the current year, £3,820,000 has been allocated to the Railways, of which £1,866,000 is needed to meet the following commitments:—

	£
V Class locomotives	633,000
X and XA Class locomotives	559,000
Workshops machines and equipment, wagons, motive power and other equipment	161,000
Rails and fastenings	431,000
Buildings, barracks and institutes	64,000
Collie new yard and loco housing	18,000

The main items of expenditure which will be financed from the balance of the railways allocation are:—

	£
Relaying and ballasting	361,000
Renewal of track components, sleepers, bridges and culverts	941,000
Communications and signalling	70,000
Geraldton wharf fendering	50,000
Station yards improvements and extensions	40,000
South-West railway—centralised traffic control	35,000
Station and depot buildings and works	35,000
Collie locomotive depot	110,000
Land resumption	30,000
Rebuilding old wagons	59,000

Rehabilitation of Railway Tracks.

Last year I mentioned the need for considerable additional capital to bring the railway tracks up to required standards to enable the new and modern trains to carry the heaviest loads, consistent with the haulage capacity of the engines and the carrying capacity of the wagons, and also to enable them to travel at reasonably faster speeds.

During the last financial year, relaying work proceeded, and approximately 94 track miles of new rails were placed on the eastern and south-western lines. New or replacement ballast, mainly on the re-laid sections, aggregated 128,000 cubic yards.

The number of new sleepers placed in the track during the year was 623,000 at a cost of £881,000, which represents slightly more than 28s. per sleeper.

Relaying of Heavier Rails.

In spite of the expenditure that has been incurred in relaying, there still remain 133 miles of old 60lb. material to be relaid with 80lb. rails between Perth and Kalgoorlie, and 45 miles on the South-West railway, the latter including 19 miles of double track.

Unfortunately, the funds available for railway work this year will not permit of these gaps being dealt with. Indeed, the extent of re-railing during 1956-57 will be limited to 69 miles.

Purchase of New Locomotives.

As mentioned earlier, an amount of £1,192,000 will be spent this year in satisfaction of locomotive contracts, the major part being payments which became due last year for "V" and "X" class locomotives, but which were deferred by arrangement with the manufacturers.

Locomotives from the manufacturers continued to arrive during 1955-56, when three "X", 14 "XA", and three "Y" diesel electric locomotives and 16 "V" steam

locomotives were received. Since the 30th June last, all of the locomotives ordered overseas have been delivered and no new orders have been placed.

Business of Railway Rehabilitation.

At this stage, I point out that the business of railway rehabilitation appears from practical experience—at least, over the last 10 years—to be never-ending and the cost of carrying out this type of work is, of course, very heavy. It is a cost that has been increasing from year to year during the past 10 years. I would have thought, when the programme of rehabilitation was commenced some 10 years ago, that all those who were in Parliament at that time and who had some knowledge of what was proposed and what was required, would have thought that a total rehabilitation programme could have been carried out at a reasonable total cost.

Expenditure over a Decade.

In order to give members a clear picture of what has been expended so far, I propose to quote details of the loan expenditure on the railway system for each of the years since and including the financial year of 1946-47. Those details are as follows:—

Total Loan Expenditure since 1946-47.

	£
1946-47	268,000
1947-48	287,000
1948-49	362,000
1949-50	2,212,000
1950-51	2,304,000
1951-52	8,024,000
1952-53	7,344,000
1953-54	6,588,000
1954-55	5,882,000
1955-56	4,064,000

Total 37,335,000

Hon. Sir Ross McLarty: And this year the estimate is £3,820,000.

Railway Commission's Unfulfilled Requests.

The TREASURER: In addition, I should say that the total loan expenditure on the railway system in more recent years was not the maximum amount by any means which the Railways Commission sought from the Treasury. In each of the more recent years the Railways Commission sought much greater amounts for expenditure than were finally allocated to it. So, as I said a few moments ago, the anticipations that members had some 10 years ago were, I am sure, far short in total amount of what has already been expended during the last 10 years on the railway system. Unfortunately, that system is still far from being completely rehabilitated.

Railway System's Future.

Based upon my own practical experience as Treasurer, I have a fear—not in the back of my mind, either, but far too

close to the front of it—that the railway system may never be totally rehabilitated. Apparently, when one section of the railway system becomes completely rehabilitated, another section is badly in need of rehabilitation once again. That illustration is a little exaggerated, I know, but there is a great deal of truth in it. I think it would be true to say, also, that the rehabilitation of the system on this occasion—that is, during the past 10 years—has been carried out in an upside-down fashion. I would not set out to blame anybody for that. That situation was brought about through circumstances over which no one could have had any effective control.

Position of Track.

The basic and probably the most urgent part of the system requiring rehabilitation after the war was the track itself. However, either steel rails were not available from the Australian manufacturers or were not available in anywhere near sufficient quantities. With the result that the authorities had only the alternative of buying steel rails from overseas manufacturers at a price which was a very heavy one indeed.

Therefore, the programme of rehabilitation, so far as I have been able to ascertain, proceeds mainly upon the basis of acquiring fast, modern engines and fast modern wagons and other rollingstock. The purchase of that rollingstock had to be carried out by expenditure from the State's own resources from year to year. Unfortunately, when all this rollingstock became available it was found, as was anticipated, that it could not be used economically. In other words, the condition of the track determined the economic extent to which the new rollingstock could be used.

Restriction upon Engine Speed and Loads.

The speed of the new engines had to be severely restricted; the loads which the new engines could carry had to be restricted because of the condition of the track and consequently the system did not receive anywhere near the value that it otherwise would have had from the tremendous expenditure of loan money on the new engines and the new railway wagons. The position is much the same today. These new engines and new wagons cannot be used to anywhere near their economic value because railway trucks are not in a condition to enable the engines to travel at anywhere near their maximum safe speed and the engines are not permitted, because of the conditions of the tracks, to pull the loads of freights or goods which they were built by the manufacturers to haul.

Hon. Sir Ross McLarty: When is it expected that this difficulty will be overcome?

The TREASURER: I would not even hazard a guess.

Mr. Cornell: It could be a Kathleen Mavourneen operation.

The TREASURER: It could be a Kathleen Mavourneen operation to some considerable extent although from year to year the length of track on the main lines which will be capable of carrying these engines at their top, safe speeds and the new railway wagons at their full loads, will naturally increase as relaying operations are continued.

No one could, with any degree of safety, offer an estimate as to when the more important lines in the State will be relaid to a degree which would enable those lines to meet all the requirements of the new engines and the new trucks because no one knows from year to year how much total loan money will be available to the State and therefore how much of the total could fairly be allocated next year and in the succeeding years to the Railways Commission to strengthen the tracks and for other essential and urgent railway purposes.

So it would seem to me that whatever Government is in office and whichever Minister is in the unhappy position of administering the railway portfolio, he will have considerable headaches in regard to the financing of railway rehabilitation and also, of course, in regard to the financial results on the operation of the railway system.

Tramways.

A sum of £35,000 was expended last year in the provision of a bus washing plant. I understand in regard to this item, that one of the members of this Chamber made a complaint through the Tramways Department a few weeks ago that one of the buses had some dust on the outside of it. However, as I have said, £35,000 was expended last year for the installation of a washing plant, although I admit that that did not include sufficient plant to ensure that all dust would be washed from the outside of the buses. This expenditure of £35,000 also embraced the provision of workshops machinery, major overhauls of trolley-buses and omnibuses and the extension of railway bus services. For this current year provision has been made for expenditure of £110,000 towards the purchase of 20 new Daimler omnibuses and £16,000 for additional workshops equipment and overhaul of trolley and omnibuses. Other sundry items are expected to cost £15,000.

State Electricity Commission.

The amount expended from the General Loan Fund during 1955-56 was £1,025,000. Of this sum, £125,000 was expended on the change of frequency in the metropolitan area and £900,000 on generation and distribution works. Funds were obtained from the public by means of subscribed loans totalling £2,100,000. Included

in this figure were two public loans amounting in all to £1,600,000, both of which were fully subscribed. I should say that members of the Government, and I should think members of Parliament, are appreciative of the response by the people in Western Australia to the loans which the State Electricity Commission, on its own account, offers to the public periodically.

The total borrowings in the last financial year were not sufficient for the commission's total needs, therefore it was necessary to defer payments totalling £633,000 due to contractors. That amount will be met in cash during the current financial year. The major expenditure by the commission during last year was on the construction of the Bunbury power station, where plant with a capacity of 90,000 kilowatts is under construction. At the East Perth power station a new 30,000 kilowatt turbo alternator came into service in June of this year, and a modern coal-handling plant was also installed.

South-West Power Scheme.

The South-West power scheme was interconnected with the metropolitan power scheme by means of a 132,000 volt line. A hydro turbine with a capacity of 2,000 kilowatts has been installed at Wellington Dam. The commission continued its policy of extending transmission lines and electricity services through the country areas. During the year the commission acquired the Kellerberrin and the Tammin electricity undertakings.

The Loan Council has given permission to the commission to raise a sum of £2,150,000 by subscribed loans during the current financial year. In addition, the sum of £2,100,000 has been allocated from the General Loan Fund. This total allocation to the commission of £4,250,000 will not be sufficient to meet the commission's original planned programme, and as a result some proposed works will require to be deferred.

The greatest expenditure to be made by the commission during the year will be on the Bunbury power station, where it is anticipated that one 30,000 kilowatt set will be installed before the end of the financial year. Work is proceeding on the installation of an additional boiler at the East Perth power station and payments will have to be made on the new turbine and on the boiler recently installed at that station. Some extension works will be carried out in the metropolitan system, including expenditure on lines and equipment to maintain standard voltages.

In the South-West power scheme, distribution work will be carried on, including some extensions in the rural areas.

The work of changing frequency in the metropolitan area from 40 to 50 cycles is proceeding. At the 30th June of this year almost 80,000 consumers had been changed

over. It is expected that £100,000 will be spent on this work during the present financial year.

Public Works.

The major items of expenditure incurred last year by the Public Works Department were under the headings of public buildings, harbour works, country areas and towns water supplies, and drainage and irrigation.

Public Buildings.

Provision has been made in this year's Estimates to spend £2,477,000 on public buildings in comparison with £1,915,000 in 1955-56. It is also intended to carry out works to the value of £200,000 in respect of which payment will not be made until 1957-58. Most of the proposed deferred payment works will be to provide schools for use by the Education Department.

Although an increase in cash expenditure of £562,000 is planned for this year, an amount of £641,000 is required to pay for works carried out during the last financial year on the deferred payment system. In this current year, construction will be continued of a considerable number of primary school classrooms, which were commenced in the 1955-56 year.

The construction of new high schools at Fremantle, Midland Junction, Mt. Lawley, Armadale, Tuart Hill, Belmont, Manjimup and Merredin will also be continued. A section of each of these schools will be ready for occupation in the new school year, 1957.

A number of new primary schools and additions to many others will be put in hand in several parts of the State.

Work on the Royal Perth Hospital will be completed this year. Other hospital works commenced last year will be continued. It is hoped that a start will be made on the proposed new regional hospital for Albany. Additions to the Manjimup hospital will also be put in hand, and will also be made to the Boddington, Pingelly and Bridgetown hospitals.

Work will be continued on the new Government Printing Office at Subiaco with a view to a section of the building being ready for use during this year.

Albany Harbour Works.

An amount of £89,000 was expended last financial year in completing the No. 1 berth and developing the No. 2 berth. In the current year, expenditure is estimated at £117,000, which is for the purpose of maintaining the present rate of development of the No. 2 berth.

Bunbury Harbour Works.

Extensions of the jetty and the erection of the transit shed cost £52,000 in the last financial year. In the current Estimates, provision is made to spend £60,000 to complete work on both of these projects.

Cockburn Sound Harbour Works.

An amount of £243,000 was spent last year on dredging activities and also the provision of navigational aids. During this financial year £15,000 is to be expended on navigational aids.

Country Areas and Towns Water Supplies.

Provision has been made in the current Estimates for a total expenditure of £1,250,000 compared with last year's expenditure of £1,091,000. Expenditure on the comprehensive scheme last year was £570,000, and a similar provision is made for this year; £370,000 of this amount is for the northern section, covering work principally on the North Kellerberrin and Cunderdin North mains, and £200,000 for the southern section covering work mainly on the Narrogin and Pingelly main.

Hon. Sir Ross McLarty: That does not include the Commonwealth subsidy.

The TREASURER: That is the planned expenditure from the loan funds which are available to the State. The Commonwealth will pay a subsidy to the State on the amount which the State expends.

The programme provides for the completion of the pipelines to ensure a supply to No. 1 district for the forthcoming summer and to Pingelly by the end of this financial year.

Provision is also made in the Estimates for an expenditure of £290,000 on the existing Goldfields system, the major items under that heading being—

£120,000 for urgent renovations to the main conduit;

£31,000 for enlargement of the main conduit outside the provisions of the comprehensive scheme;

£24,000 for Kalamunda water supply;

£65,000 for improvements and extensions to town supplies.

An amount of £390,000 has been provided for water supplies for towns, including—

£82,000 for Bridgetown;

£23,000 for Geraldton;

£116,000 for Mt. Barker;

£49,000 for Cranbrook;

£20,000 for Albany;

£28,000 for Lake Grace.

Drainage and Irrigation.

Of last year's total expenditure of £147,000, an amount of £95,000 was spent on raising the wall of the Wellington Dam; £20,000 on the Harvey Irrigation No. 2 area; and £20,000 on the lining of channels and channel improvements in the Collie district. Provision is made in this year's Estimates for a total expenditure of £225,000 under this heading of which £170,000 will be used to continue the work of raising of Wellington Dam and £42,000 for improvements to the main Collie Irrigation channel.

North-West.

Expenditure on water supplies, public buildings, additions to jetties, and similar works amounted to £201,000 in the last financial year. Provision is made to spend £245,000 on similar works during the current financial year.

State Shipping Service.

Expenditure on the State Shipping Service for last year amounted to £492,000, which included a deposit of £112,000 on the new ship which is now under construction in Scotland. The total cost of that vessel is estimated at £1,118,000, and the vessel is expected to be in commission by November, 1957. A progress payment of £209,000 was made last year on the "Koojarra," and a further £30,000 was expended towards the purchase of the "Dulverton" and the "Dorrigo." Costs associated with the electrification and structural alterations to the "Dulverton" and the "Dorrigo" amounted to £140,000.

In the current year's Estimates, £1,127,000 has been provided to meet progress payments of £895,000 on the new ship, a final payment of £157,000 on the "Koojarra," and further instalments of £30,000 on the "Dulverton" and the "Dorrigo." In addition, an amount of £45,000 is to be spent in completing the conversion of the "Dorrigo."

Metropolitan Water Supply, Sewerage and Drainage.

Provision has been made in the year's Estimates for expenditure of £1,209,000 on metropolitan water supplies, compared with an actual expenditure of £970,000 during the last financial year.

Trunk Main and Pipe Head Dam on Serpentine River.

Expenditure in the current year on this project will amount to £800,000, which is the minimum amount required to complete the pipe head dam and trunk main, according to schedule. Most of this expenditure will be incurred on the progressive construction of the 48in. trunk main from the pipe head dam to Victoria Park. Last year, £476,000 was spent on this undertaking.

Lake Thompson-Fremantle Trunk Main.

An amount of £38,000 was spent on this work last year. This main provides for a 30in. feeder main to maintain a reasonable supply of water to the large area between South Fremantle and Canning Bridge, and the amount of £150,000 on the current Estimates will ensure its use for the present summer. The amount of £21,000 has been also provided for improvements supplementary to the 30in. main.

Roleystone Water Supply.

An amount of £23,000 has been set aside for the completion of the main reticulation during the current financial year. An amount of £13,000 was expended during the last financial year.

Water Main Extensions and Improvements.

Reticulation mains to serve new homes and areas, and to effect improvements to existing reticulation mains, resulted in an expenditure of £184,000 during last year. An amount of £31,000 was spent also in providing boundary water services.

An amount of £140,000 is included in this year's Estimates for further water main extensions and improvements, and £30,000 for service connections.

Morley Park Feeder Main.

An amount of £38,000 was spent during the last financial year on the provision of a feeder main to provide a water supply to the Morley Park area. Progressive subsidiary reticulation is being carried out during the current year as minor water extensions.

Sewerage and Drainage.

During 1955-56, the sum of £231,000 was spent on sewerage and £26,000 on drainage works, whilst for the current year a total expenditure of £391,000 is anticipated. Of this amount, £195,000, approximately 50 per cent., will be used on drainage, comprising £8,000 for the completion of the Bayswater (Bowden-st.) drain, and £187,000 towards coping with acute flooding conditions in the Bentley-Welshpool and Victoria Park-Carlisle areas.

Provision of £196,000 for sewerage works includes £39,000 for recurring works and services, of which £26,000 is for minor sewer extensions. Provision has been made also for sewerage reticulation in various districts and an amount of £44,000 is to be spent on the Subiaco sewerage treatment works amplification.

Mining.

Expenditure during 1955-56 under the heading of Development of Mining totalled £164,000. This year provision has been made in the Estimates for an expenditure of £285,000. The Mines Department drilling organisation has drills operating in the Pilbara, Murchison and Coolgardie goldfields. Some of the private goldmining companies also have deep drills operating in some of the goldfields areas.

Deep Drilling Operations.

The department is continuing deep drilling at Day Dawn on the old Great Fingal mine where the extension of the ore body at depth was proved by an intersection of the lode at 3,200ft. Drilling at Bamboo Creek, 40 miles north-east of Marble Bar, has been successful; and as a result, it is

hoped that the field will shortly be in production again at a moderate scale. In all, £110,000 has been provided for this year's drilling operations. An amount of £20,000 is also provided for assistance to prospectors, and 82 men are now operating under the Government's scheme.

Assistance to Sons of Gwalia Mine.

During the year 1955-56, a further loan of £125,000 was made to the Sons of Gwalia mine by way of a guaranteed bank overdraft, to assist in completing the work of modernising the plant, to provide for amenities for employees and developmental works, and to restore the main shaft after a collapse between the 200ft. and the 300ft. levels.

This collapse was due, I understand, to abnormal floods that occurred in the Sons of Gwalia some two years ago. I might add that, in all, the Government has assisted this mine financially in recent years to the extent of £225,000. The guarantee of £125,000 to which I have referred was given to the company's bank by the Government on the understanding that the bank would provide the ready cash to that amount for a period, following which it would be necessary for the Government to lift the guarantee by paying the bank off.

That will be done out of the Government's loan resources during the present financial year; and it is expected that the company will commence to make repayments of the capital funds advanced by the Government some time next year, provided that those in charge of the mine are able to push ahead with new developments to an extent that will make it possible for the company to do that.

In recent months I have read some items in the newspaper about the progress at that mine and, by and large, I think the development has been favourable. Therefore, members of the Government are hoping that the company will be able to start repayment of the sums advanced by the Government early next calendar year.

State Housing Commission.

During the past year, 883 housing units were erected under the provisions of the State Housing Act; and at the close of the year the commission had under construction or contract a further 283 houses, all of which will be completed during the current financial year. In addition, contracts will be let during this year for approximately 156 individual homes, and a further 94 houses under the group building scheme.

Provision of £150,000 has been made to assist home builders by way of second mortgage under amending legislation to the State Housing Act which was approved by Parliament a year or so ago; and £30,000 to assist "self-helpers" who have made considerable progress with the erection of homes; but who, through lack of

finance, have been unable to complete them. Special provision has been made to assist pensioners in the maintenance of their homes, under short-term mortgages.

Agriculture.

Expenditure by the Department of Agriculture last year amounted to £38,000, the most important project being the commencement of the new laboratories which have been urgently needed for so many years. Site preparation has been completed and two stores buildings are almost ready for occupation.

It was possible during the year to effect some further improvements to research stations, including the provision of a dairy building and cottage at Wokalup; preliminary development of the vegetable research station; and accommodation for advisers at the Gascoyne and Kimberley research stations.

Land was purchased for the establishment of a horticultural research station at Stoneville, and a property adjacent to the Manjimup research station was also taken over. At Wiluna, accommodation was also provided for officers engaged in work in what is known as the mulga region.

This year, the total amount provided for the department is £150,000, which will be very largely spent on the new laboratories. It is expected that the first block of laboratories will be completed within this financial year. It is hoped that, in addition, the more urgently needed items for research stations can also be provided.

Forests.

In this financial year, an amount of £196,000 will be spent on the development of pine plantations. Of this sum, £100,000 will be provided from loan funds, and the balance of £96,000 from the reforestation fund. This year it is proposed to plant 1,314 acres of pine and to clear 2,640 acres for future planting. Last year, 1,268 acres were planted.

Charcoal Iron and Steel Industry.

During the past year, ore handling and crushing equipment was installed at Koolyanobbing and improved equipment was obtained for Wundowie. It is proposed this year to commence the expansion of the industry to provide increased output and added employment.

A growing market has been developed overseas for the high-purity charcoal pig iron produced at Wundowie. Sales to both dollar and sterling areas in recent years have been as follows:—

1953-54	....	....	1,941 tons.
1954-55	....	....	13,722 tons.
1955-56	....	....	8,160 tons.

During 1954-55, surplus stocks which had accumulated during previous years were sold, in addition to production for the

current year over and above local requirements. This is the explanation for the 13,722 tons sold to overseas buyers in the year 1954-55 as against the lesser total sold in the following year. There was not the quantity available for sale overseas in the following year because the surplus which had accumulated during several years and was available in the previous year was all sold during that year.

The demand has been far in excess of production and even with the proposed expansion of the industry, it will not be possible to supply, in full, the total overseas demand for this product. The expansions of the plant at Wundowie have been scheduled for completion by mid 1958. Overseas sales over the next three years will absorb the total surplus over local requirements and are expected to be as follows:—

1956-57	....	....	10,000 tons.
1957-58	....	....	12,000 tons.
1958-59	....	....	30,000 tons.

Contracts have been offered for the full output of the industry—present and potential—up to the end of 1959.

Fremantle Harbour Trust.

In 1955-56, an amount of £501,000 was expended on the construction of the No. 10 berth; provision of quay trains and other mechanical equipment; and the reconstruction of the north and south quays. The continuation of these works in 1956-57, at a cost of £400,000, is allowed for in the Estimates.

Rural & Industries Bank.

A total provision is made in the Estimates for an allocation to the R. & I. Bank of £1,130,000 in this financial year to assist in the development and progress of the State. Most of this amount will be required to clear advances made by the bank to Chamberlain Industries Ltd.

Mr. Bovell: How much longer is that going on?

The TREASURER: I hope to be in a position before the session ends—or perhaps I should say before the end of this year—to give members some further information on that question. However, the bank will be in possession of some funds this year to assist several land settlement advances for land development on the Esperance Downs. That second item has nothing to do with the plans for land development which the Chase syndicate will put into operation.

Some provision will also be made for advances under the dairy farms improvement scheme and a payment has to be made to the Commonwealth Bank of £30,000 as an instalment on account of a loan made by the bank to the Albany Superphosphate Works.

An amount of £105,000 was made available to the State Saw Mills in 1955-56 for housing at various mills, the modernisation of Buckingham mill and the reconstruction of Holyoake mill. Additional working capital of £30,000 was also provided. Included in the Estimates for this year is provision for sprinkler systems at Buckingham mill, Deanmill and Shannon River, a new metropolitan yard and reconstruction of the Holyoake and Pemberton mills, for which a total sum of £150,000 has been provided.

Cockburn Cement Proprietary Ltd.

In accordance with the agreement entered into by the previous Government with the Cockburn Cement Pty. Ltd. in the Kwinana district, a sum of £100,000 is to be advanced this financial year, which will bring the total advances to the company to date of £600,000. These payments are due under the terms of the agreement entered into at the time when the company agreed to establish a cement-making industry in Western Australia. The company pays interest on the amounts paid to it by the Government and to that extent the investment by the Government—if I can call it that—is quite a sound one financially. However, that does not ease the loss to the Government of the £100,000 this financial year, because if we did not have to pay that amount to the company it would be available for school classrooms, water supplies or other purposes.

New Cement Selling Organisation.

I noticed in the Press a few days ago that this company and the old-established Swan Cement Company had come to an arrangement. I am not sure of the details, but broadly I think a separate company was formed by the two companies, presumably to act as a sort of selling organisation for them. I understand that the cement produced by both will go through that organisation to the purchasers. Although I am not sure, I imagine the arrangement will prevent any price competition between the two companies in future.

When the new company commenced to produce cement in this State, I believe it offered its product to the public at a lower price than the older company was then charging, following which the old company, if I remember rightly, brought the price of its product down to the level set by the new company. However, those are just a few ideas which come into my mind. They may be completely on the beam or only partly so, but in any event I think they are worth giving expression to at this stage.

Deficit Funding.

Allowance is made in the Estimates to fund the adjusted deficits for 1953-54 and 1954-55. This provision of £464,000 will

clear the accumulated deficit in the Consolidated Revenue Fund to the 30th June, 1955. No action can be taken in respect of the deficit for 1955-56 until the Commonwealth Grants Commission investigates and reports on our Budget results for that year.

Endeavour to Balance Loan Expenditure.

I would say that the Government has tried hard to balance the total loan expenditure proposed for the current financial year. I have mentioned on previous occasions that no Government is able to do exactly or, in fact, anywhere near what it would wish to do in connection with Loan Estimates in these times. Naturally, from the purely financial angle, any Government would wish to expend the whole or most of the loan moneys available in a particular financial year in a way which would be reproductive, both in the sense of producing more real wealth within the State and in the sense of bringing a reasonable financial return to the Government for the loan money expended. Any Government would desire to proceed along that pathway, because it is always well known to members of a Government that whenever expenditure of loan money is incurred, the public debt is correspondingly increased.

Public Debt.

As the public debt increases, so the interest burden on the people increases. Unless loan moneys are expended reproductively, much of the growth of the public debt becomes a total burden upon the people, because they have to meet in full the added interest burden and there is no corresponding financial return to the Government to offset that burden. As I see it in theory, this would, I am sure, be the desire and policy of any Government. However, Governments are up against stubborn facts of community requirements.

Hon. Sir Ross McLarty: And always will be, as regards schools, hospitals and so on.

The TREASURER: I hope the Leader of the Opposition is correct in his view. I join with him in expressing the hope and desire that Western Australia will continue to progress and develop to such an extent as will necessitate action on the part of whatever Government is in office to provide more schools, water supplies, harbour development, electricity expansion and so on.

Hon. Sir Ross McLarty: Some of those are partly reproductive, but to a minor extent.

The TREASURER: If the Leader of the Opposition was listening carefully, as I am sure he was, he will have noticed that I left hospitals out and I did that deliberately because I think we all hope that as time goes on there will not be the need to provide more hospitals.

Health in Western Australia.

I do not desire to say much in this regard at the present stage, but it might be worth while to say that I think there is too much hospitalisation in Western Australia and presumably in the other States of the Commonwealth. We have an amazingly healthy climate and we are, or are supposed to be, an educated people. We are, or are supposed to be, civilised, and it seems absurd to me that in a climate such as we have here, there should be so much sickness and disease; so many doctors and so many nurses and hospitals required—

Mr. Bovell: You know that the hours of sleep most conducive to health are before midnight.

The TREASURER: In reply to the interjection, I can only say that, judging by appearances, the hon. member must have had a great many hours of sleep before midnight during his lifetime, as there is no more healthy-looking person in the Chamber and I doubt whether there is one in Western Australia. However, as I have said, it seems to me that we are much less healthy than we should be. That is the main reason why, when suggestions and proposals were put before me in connection with the proposed medical school, as it was then, I insisted that there should be a strong emphasis in the teaching and training on the preventive side instead of a total concentration on the curative side in regard to illness and disease.

It may be that in this matter I am just expressing an unconscious ego and pride. It may be that I am foolishly trying to judge everybody else in the community by the fact that I have been fortunate during my life in the matter of health and strength. However, I intend to take part in a cricket match tomorrow and I might after that—and very soon after it—have to eat most of the words I have been saying during the last few minutes, because I may have to call a doctor and go into a hospital.

Hon. Sir Ross McLarty: You will be all right if you get a decent night's sleep.

The TREASURER: I am prepared to enter into a compact, as it were, with the Leader of the Opposition. In the event of his being prepared in a moment or two to grant me a pair for the rest of this sitting, I will give him an undertaking that I will go straight home to bed!

Hon. Sir Ross McLarty: I cannot do that.

The TREASURER: I conclude by submitting these Estimates for the careful and favourable consideration of the Committee.

Progress reported.

RESOLUTION—STATE FORESTS.*Council's Message.*

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.*Second Reading.*

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [10.30] in moving the second reading said: The object of this Bill, which comes to us from another place, is to allow friendly society dispensaries to trade with the general public in the same way as pharmaceutical chemists do today. Previously, when consideration was given to the desirability of this step, it was logically argued that it was unfair to permit friendly society dispensaries to enter into open competition with pharmaceutical chemists because they were not subjected to the same expenses, they not being obliged to pay taxation. That position was altered some little time ago so that now they are on a comparable basis.

They have to stand on their own feet as businesses, and they do not get subsidies from the other funds of lodges. Because they are now subjected to taxation, in order to be able to trade at a profit and make ends meet, they would be obliged either to extend the sphere of their business or put up their prices. Generally speaking, the people who derive benefits from the friendly societies are people in the lower income group and it is desirable, if possible, to keep the cost of medicines to these people down as much as possible.

I do not think that there can be any objection now to the step which it is proposed to take under this Bill. It is not intended that these dispensaries shall grow in number and become a serious threat to pharmaceutical chemists; it is intended that only those friendly societies already in existence shall be permitted to extend the sphere of their operations.

Mr. Nalder: Will they be permitted to sell patent medicines?

The MINISTER FOR WORKS: I think they will. As members know, for the payment of a small quarterly contribution, friendly society dispensary members and their dependants are supplied with medicines at considerably reduced prices. These dispensaries work on very narrow margins, and I reiterate that because they now have to meet taxation, having had to do so since November, 1955, they find it difficult to make ends meet and they are faced with the necessity of either increasing their charges or looking for some increased business.

Mr. Court: Do you know off hand the basis on which they pay tax?

The MINISTER FOR WORKS: The same basis as the pharmaceutical chemist—on the basis of income.

Mr. Court: I thought they had a special basis of taxation which was lower than the ordinary taxation paid by trading concerns.

The MINISTER FOR WORKS: No, I understand that there is no difference now and that under the Commonwealth Income Tax and Social Services Contribution Act, they have become subject to taxation in the same way as other businesses.

Mr. Ross Hutchinson: I think there is a slight difference, but you might be right.

The MINISTER FOR WORKS: I would not attempt to be definite in the matter but that is my understanding of it; if there is any difference it is very slight, but I understand they are on the same basis. The Commonwealth Government is aware of the valuable service given by friendly society dispensaries and has authorised any member of the public to have his National Health Act prescription or his pension and medical service prescription dispensed at any friendly society dispensary which was operating as at the 1st August, 1945. So there is the first extension and a recognition on the part of the Commonwealth that it is not unfair, because of the changed circumstances, to permit these friendly society dispensaries to dispense for members of the general public. Dispensaries which commenced after that date can supply members and dependants only.

For a prescription covering eye drops or nasal drops, the dispensary cannot supply a dropper unless the patient is a member of a friendly society. This Bill will correct an anomaly such as that and permit a member of the general public who presents a prescription to the friendly society for dispensing, to purchase the necessary eye dropper to be used in conjunction with the lotion that he is buying. I am informed that this is the only State where friendly society dispensaries have not yet been authorised to trade with the general public. We are the only one out of step and this Bill, if agreed to, will remedy that position and enable members of the general public in Western Australia to deal with the friendly society dispensaries in the same way as they do in other States.

Mr. Ross Hutchinson: Can you tell me whether it is your intention to move an amendment to limit only the present dispensaries to dispense for the general public.

The MINISTER FOR WORKS: The intention of the Government in connection with the Bill was that this privilege should be limited to dispensaries already in existence and if it is considered that the Bill still leaves it open for dispensaries not yet in existence, but subsequently to be established, to trade with the general public, we would be prepared to consider an amendment to prevent that being done because it is not intended to authorise other than existing dispensaries to trade with the general public.

Mr. Ross Hutchinson: Are you examining it now?

The MINISTER FOR WORKS: Yes, an examination is being given to a suggested amendment. I am informed that only seven of these friendly society dispensaries exist in this State at present.

Mr. Roberts: Are there any in the country?

The MINISTER FOR WORKS: Yes, there is one in Kalgoorlie and one in Boulder. I am informed that an amendment of the Pharmacy and Poisons Act, made in 1937, prevents the opening of any more friendly society dispensaries. However, there has been some doubt thrown upon that in the last 48 hours, because I have had a discussion with a pharmaceutical chemist who has told me that that is not so; but I have not yet had an opportunity of determining the matter definitely.

Prior to that discussion I would have been prepared to assure the House that the Pharmacy and Poisons Act did prevent the opening of any more friendly society dispensaries. The Government was accepting that position when it introduced this Bill, realising that if that was so, this right to trade with the general public would definitely be limited to existing dispensaries. The necessity or otherwise of this amendment is dependent on the truth or otherwise that the Pharmacy and Poisons Act does, in fact, prevent the establishment of any further dispensaries. If it does not, there is nothing in this Bill, so far as I can see, which would limit the right to existing dispensaries.

But if the Pharmacy and Poisons Act does, in fact, prevent the establishment of further dispensaries, then without an amendment to that Act, this right to trade with the general public would definitely be limited to existing dispensaries, and that being so, there would be no objection, if it were necessary, to an amendment keeping the position where we believe it is. This is a simple Bill for the purpose only of correcting the small anomaly that I have mentioned and permitting an extension of trading to members of the general public, which trading is not now permitted. I repeat, this is the only State where the restriction is still in existence and it is felt that because of the developments I have mentioned, the time is now right for this extension of trading. For this reason, and at the request of the dispensaries, this step has been taken and I move—

That the Bill be now read a second time.

On motion by Mr. Ross Hutchinson, debate adjourned.

BILL—PROFITEERING AND UNFAIR TRADING PREVENTION.

Council's Amendments.

Schedule of 37 amendments made by the Council now considered.

In Committee.

Mr. Sewell in the Chair; the Minister for Labour in charge of the Bill.

No. 1.

Clause 1, page 1, lines 9 and 10—Delete the words "Profiteering and Unfair Trading Prevention" and substitute the words "Unfair Trading and Profit Control."

The MINISTER FOR LABOUR: This amendment refers to the title of the Bill, and, after all, there is not a great deal in a name, although I think the title that was originally given to the Bill was the most appropriate one. Apparently another place deems it advisable to change that and I do not see any great objection to it. I would prefer, however, the original title, because it places an emphasis on profiteering and unfair trading prevention. I move—

That the amendment be agreed to.
Question put and passed; the Council's amendment agreed to.

No. 2.

Clause 8, page 4, line 33—Delete the word "includes" and substitute the word "means".

The MINISTER FOR LABOUR: This refers to the definition of unfair trading and we had a rather lengthy discussion on the advisability of including or excluding the word referred to. I move—

That the amendment be not agreed to.

Mr. COURT: I oppose the view taken by the Minister. The council's amendment is consistent with that attempted in this Chamber, and there was a discussion as to why this definition should be restricted. The Government inserted the word "includes" and objected to the word "means" being included in the amendment moved here. If the Government has its way, the position will be more vague than ever. For those reasons I support the Council's amendment.

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

Ayes	....	....	....	22
Noes	....	....	....	16
Majority for	....	....	....	6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Moir
Mr. Graham	Mr. Norton
Mr. Hall	Mr. Nulsen
Mr. Hawke	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rodoreda
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. Tonkin
Mr. Lapham	Mr. May

(Teller.)

Noes.

Mr. Ackland	Sir Ross McLarty
Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson

(Teller.)

Pairs.

<i>Ayes.</i>	<i>Noes.</i>
Mr. Andrew	Mr. Perkins
Mr. Hoar	Mr. W. Manning
Mr. Kelly	Mr. Brand
Mr. Sleeman	Mr. Thorn
Mr. Rhatigan	Mr. Mann

Question thus passed; the Council's amendment not agreed to.

No. 3.

Clause 8, page 4, line 34—Insert the words "or services" after the word "goods".

No. 4.

Clause 8, page 4, line 40—Insert after the word "good" the words "or services".

On motions by the Minister for Labour, the foregoing amendments were agreed to.

No. 5.

Clause 8, page 6, line 2—Delete the word "include" and substitute the word "mean".

The MINISTER FOR LABOUR: This has been dealt with by our not agreeing to Council's amendment No. 2. I move—

That the amendment be not agreed to.

Mr. COURT: So that a silent vote will not be recorded, I must point out that we are opposed to the Minister's disagreement to this amendment.

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

Ayes	....	....	....	21
Noes	....	....	....	15
Majority for	....	....	....	6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Moir
Mr. Graham	Mr. Norton
Mr. Hall	Mr. O'Brien
Mr. Hawke	Mr. Potter
Mr. Heal	Mr. Rodoreda
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Sir Ross McLarty	

Pairs.

<i>Ayes.</i>	<i>Noes.</i>
Mr. Andrew	Mr. Perkins
Mr. Hoar	Mr. W. Manning
Mr. Kelly	Mr. Brand
Mr. Sleeman	Mr. Thorn
Mr. Rhatigan	Mr. Mann
Mr. Nulsen	Mr. Ackland

Question thus passed; the Council's amendment not agreed to.

No. 6.

Clause 8, page 6, line 9—Delete the word "restrain" and substitute the word "restraint".

No. 7.

Clause 9, page 7, line 10—After the word "Minister" insert the words "and subject also to the provisions of Subsection (2) of this section".

On motions by the Minister for Labour, the foregoing amendments were agreed to.

Mr. Moir took the Chair.

No. 8.

Clause 9, page 7—Add the following sub-clauses:—

(2) For the purposes of this Act the Governor shall appoint to advise the commissioner an advisory council of four persons comprising—

(a) Two representatives representing the organisations known as the Chamber of Manufactures, the Chamber of Commerce and the Retail Grocers' Association.

(b) One representative nominated by the Minister to represent the general public.

(c) One representative representing primary producers.

(3) Each member of the council representing the organisations mentioned in paragraph (a) of the last preceding subsection shall be selected by the Government from a panel of four names submitted conjointly by those organisations, and the member representing primary producers shall be selected from a panel of two names submitted by the Farmers' Union of Western Australia (Inc.), to the Governor in either case within such time as the Governor appoints, or if in either case no such panel is submitted each member of the council other than the member nominated by the Minister shall be such person as the Governor thinks fit.

(4) Each member of the council shall hold office during the Governor's pleasure.

(5) The council shall meet whenever summoned by the commissioner but not more than one month shall elapse between each meeting.

(6) The number of members necessary to constitute a quorum shall be three and the commissioner shall be chairman of and preside at each meeting.

The MINISTER FOR LABOUR: I would like to know, Mr. Chairman, whether I would be in order if I moved to amend the council's amendment.

The CHAIRMAN: The Minister would have to move that the amendment be agreed to subject to a further alternative amendment.

The MINISTER FOR LABOUR: That is what I propose to do. I move—

That the amendment be agreed to subject to the following alternative amendment:—

By deleting the whole of the Council's amendment and inserting in lieu the following:—

(2) For the purposes of this Act the Governor shall appoint to advise the commissioner an advisory council of four persons comprising—

(a) Two representatives representing the organisations known as the Chamber of Manufactures, the Chamber of Commerce and the Retail Grocers' Association.

(b) Two persons, one of whom shall be a farmer, nominated by the Minister, to represent consumers.

(3) Each member of the council representing the organisation mentioned in paragraph (a) of the last preceding subsection shall be selected by the Governor from a panel of four names, submitted conjointly by those organisations within such time as the Governor appoints, or if no such panel is submitted, the Governor shall appoint such members of the council other than those nominated by the Minister, as he thinks fit.

(4) Each member of the council shall hold office during the Governor's pleasure.

(5) The council shall meet whenever summoned by the commissioner but not more than one month shall elapse between each meeting.

(6) The number of members necessary to constitute a quorum shall be three and the commissioner shall be chairman of and preside at each meeting.

The difference between the Legislative Council's amendment and the amendment I have just now submitted is that the two representatives shall be nominated by the Minister and one of the two representatives who will represent the consumers should be a farmer.

Mr. Ross Hutchinson: That is the only difference.

The MINISTER FOR LABOUR: If members will look at Subclause (3) of the Legislative Council's amendment, it will be seen they propose a member representing the primary producers. This amendment will indicate that the two representatives from the three organisations mentioned in paragraph (a) will be selected

from a panel of four names, and two persons representing consumers shall be nominated by the Minister, but one shall be a farmer.

Mr. COURT: I think we are entitled to an explanation from the Minister as to why he wants to delete reference to the Farmers' Union. He has replaced (b) and (c) of the Legislative Council's proposition by the words "two persons, one of whom shall be a farmer nominated by the Minister to represent consumers." The Legislative Council made it very clear as to how the representatives of the Chamber of Manufacturers, the Chamber of Commerce and the Retail Grocers' Association were to be appointed.

It then left an appointee of the Minister to represent the general public, and went on to explain how a representative of the primary producers was to be appointed. It selected the obvious body, the Farmers' Union of Western Australia (Inc.), to submit a panel of two names from which the appointment would be made. I think we are entitled to some explanation from the Minister as to why he has abandoned the Farmers' Union.

The appointees in paragraph (a) are the nominees from a panel which will be put forward by the Chamber of Manufacturers, the Chamber of Commerce and the Retail Grocers' Association. They are associations which we acknowledge in their respective spheres and have named them as such, but the Farmers' Union has been dropped by this amendment, and the Minister did not explain why.

The MINISTER FOR LABOUR: The position is that in the original Bill provision was made for the commissioner to have advisers, and that is still in the Bill. Besides this advisory council, the commissioner can call in other advisers and the Legislative Council did not alter that particular clause. The organisations mentioned in the first place are those which are prominent in the business life of the community. There are other organisations such as the Australian Labour Party, the Housewives' Association, the Employers' Federation and associations which could claim some right to represent interests on this particular advisory committee.

Mr. Nalder: Why don't you put them on?

The MINISTER FOR LABOUR: The advisory committee as agreed to by the Legislative Council is to consist of four persons. It is believed that the farming community is one of the interests we are trying to protect and that is the reason why we have specifically mentioned that of the two consumer representatives, one should be a farmer. I think the amendment is very reasonable for that reason.

Mr. Roberts: Why not let the farmers nominate him?

Mr. Hearman: You make fish of one and flesh of another.

The MINISTER FOR LABOUR: I could not hear the member for Blackwood; he should speak up. The farming community is one of the sections we are trying to protect and we are specifically mentioning that one of the two consumers' representatives should be a farmer nominated by the Minister and I do not think any objection can be taken to it. There is still provision in the Bill for the commissioner to call in expert advisers in regard to any particular industry or case. I do not think the Opposition has any substantial argument to put forward against the proposed amendment.

Mr. NALDER: When the Bill was before the Chamber previously, a suggestion was put forward by the Country Party that the commissioner should have an advisory council of six members. The idea was to get as many representatives or members on this advisory council representing as many of the people in Western Australia as possible. The Minister stated he would not agree to that but would give consideration to a smaller advisory council when the Bill was before another place, which he did.

But what I want to know is why he should want to have the representative of the primary producers nominated by the Minister. Why does he not be consistent and say that the other representatives should be nominated by the Minister? He is agreeing that those people should be appointed from a panel of names submitted by the organisation. Yet he wants the Minister to nominate the farming representative. It is very clear that the Legislative Council has stipulated that one should represent the primary producers, and he should be nominated by the Farmers' Union.

Mr. May: The Farmers' Union does not cover all farmers.

Mr. NALDER: It is representative of the majority of primary producers in Western Australia.

Mr. Lawrence: That is absolutely wrong.

Mr. NALDER: It is representative of the majority of primary producers in Western Australia.

Mr. Lawrence: That is wrong.

Mr. NALDER: It is quite correct and figures can be produced to prove it.

Mr. Lawrence: I would like to see them.

Mr. NALDER: The Minister is arguing against himself. He agrees on the one hand that it is fair to have a panel of names submitted by one section of the community and yet he wants to nominate one man from the other section. We cannot agree to that, and I strongly oppose the amendment put forward by the Minister and agree to that of the Legislative Council.

Mr. HEARMAN: I am rather surprised at the Minister wanting this alteration because it seems to me that the amendment as proposed on the notice paper does give this advisory council a completely unbiased membership without any political leanings at all. By the Minister's proposal, out of a council of five, including the chairman who is the commissioner, three will be ministerial appointees and that places the responsibility on the Minister of virtually deciding what the political complexion of that council will be.

Had the Government really wanted to give this council the appearance of being completely unbiased, it should have agreed to a minimum of nomination and the maximum of selection. The Farmers' Union does not necessarily represent all sections of the farming community, but it is by far the biggest organisation representing primary producers, and for that reason alone warrants equal consideration with the other organisations. I do not think there is any likelihood that the Farmers' Union would nominate anybody who was not a farmer, and if that is the objection, it could be overcome without taking away the powers of this union to select its own representatives. It seems to me that it is most desirable that this council should not only appear to be impartial but should be impartial. Government members should be an irreducible minimum.

The PREMIER: There is quite a good argument for allowing the business organisations to offer a panel of names from which their representatives are to be drawn. Some members of the businessmen's organisations have condemned the Bill very bitterly—lock, stock and barrel in fact—with all these amendments thrown in. Some of them have, through stooges, described members of the Government as communists carrying out communistic policy. I think they have even described some members of the Country Party as being on the same basis as members of the Government. Obviously, therefore, the businessmen's organisations feel that they ought to have the opportunity to offer to the Government a panel of names from which the Government may select persons to represent those organisations.

The position of the farmers and the second consumers' representative is different. The farmers will be affected by this proposed law almost entirely as consumers; and consumers only. Surely the Government, is qualified to select a consumers' representative. If the Government is not qualified to do that, then it is not qualified to do anything.

Mr. Nalder: Why have a farmers' representative at all? Why not, say, two representatives nominated by the Minister.

The PREMIER: We would be quite prepared to accept that. If the hon. member would support that, we would have no

objection to it. We feel, however, that if the farmers are to have a representative as a consuming section of the community, the Government should select their representatives the same as the Government will select the other consumers' representative. We have not suggested that the executive of the A.L.P. or the Housewife's Association shall nominate the second consumers' representative. We feel that the Government represents a majority of the electors and it entitled to select the two consumers' representatives.

However, there is a good and logical argument as to why the businessmen's organisations should present a panel of names because they would feel, no doubt, if they were not given the opportunity to present a panel of names, that we would appoint, to represent them, members of trade unions—officials of trade unions may be. There is, however, no argument why any farmers' organisation should have an opportunity to present a panel of names or why any consumers' organisation should have the right to present a panel of names in respect of the appointment of the second consumers' representative.

Hon. Sir ROSS McLARTY: I do not agree with the Premier's reasoning on this matter. I would think the Government would be glad to have the advice of the Farmers' Union in regard to suitable representatives on this committee. I would think that the Farmers' Union, or its executive, would have a better idea than would the Government of the suitability of certain persons to sit on such an important committee. The Farmers' Union is in constant touch with all farmers throughout the State. It knows them and it knows the prominent men and their abilities. It would have a practical knowledge in submitting names to the Minister which should be of considerable help to the Minister.

It could also be said, even if it is not factual, that the Minister was selecting a certain representative from the Farmers' Union who was favourable to his own views. I would think that is not desirable, either, but that we should get someone who is truly representative of farmers' interests in the State. The Premier said that the businessmen would be given the right to submit to the Minister, names from which a selection would be made. I cannot see any difference to giving them that right and to giving the farmers the same right. I would say that the reaction among the farmers who are interested in the Bill, will not be favourable when they read that they will not have the right to submit to the Minister names from which one shall be chosen to represent the consumers.

When I heard the Minister make his explanation, I wondered why he wanted to reject the Legislative Council's amendment and submit his own in place of it; I wondered just what was behind it. I am

not even yet quite clear. My inference may be wrong, but it is the natural one to come to, namely, that the Minister is looking for someone who will be favourable to his point of view.

The Minister for Labour: Oh!

Hon. Sir ROSS McLARTY: The Minister indicates that that is far from being factual, but that could be said, and I have no doubt it will be said if the Minister sticks to the amendment proposed here. I can only repeat, it would be far more satisfactory from the point of view of the Minister and of the Government to agree to the amendment suggested by the Legislative Council.

Mr. BOVELL: The Premier mentioned that the Chamber of Manufactures and the Chamber of Commerce were to submit a panel of names and they were specifically mentioned in the amendment moved by the Minister. Then there are two consumer representatives. The Premier said it was not proposed to select a member of the A.L.P. or the Housewives Association or anyone like that, but they are not mentioned here. The farmer is mentioned and therefore I submit that it is only right that the farmers' organisation should submit a panel of names, one of which should be approved by the Minister.

Mr. COURT: A little earlier I asked the Minister why he had struck out the Farmers' Union and he explained why. There was a further explanation by the Premier but I cannot see the logic of either explanation. A member opposite interjected and said the Farmers' Union did not represent all farmers. That is so, but it represents the bulk of them in this State. Neither the Chamber of Manufactures, the Chamber of Commerce nor the Retail Grocers' Association represents all the persons that it could. There are manufacturers and traders who for various reasons refuse to belong to those organisations and I suppose that applies to farmers also, but the Farmers' Union in this State is known as representing the main body of primary producers.

In his speech, the Premier argued that the Chamber of Commerce, the Chamber of Manufactures and the Retail Grocers' Association should be considered for special representation because of their special uneasiness towards this legislation, but to my mind that argument is not a good ground for giving them preferment, or otherwise if the Farmers' Union had attacked this measure strongly in print, it would automatically be given representation on the advisory council. Through editorials and statements in its journal that organisation expressed strong opposition to the measure. The opposition may not have been unanimous but by the Premier's reasoning the organisation should be given representation. They have come out against the measure—

The Premier: But not as a union.

Mr. COURT: According to the Premier's reasoning, they would be qualified for representation. The original proposition was that the council should consist of representatives of the Chamber of Manufactures, the Chamber of Commerce, the Retail Grocers' Association, the trade unions, the Farmers' Union and the public. It is no use the Minister saying the trade unions are not represented, because the original proposition rejected by the Government was to give them representation. We now have a four man advisory council—as a result of a compromise—presided over by the commissioner. I oppose the Minister's proposition.

Mr. JOHNSON: I am opposed to the whole of the amendment because I think the principle is wrong. The object of the advisory council as proposed in the amendment and those still on the notice paper is to stultify, hamper and act as a brake on the administration of the man appointed. It matters little who the people are as individuals. I think the Country Party should appoint the farmer's representative and then the Australian Labour Party could appoint the consumers' representative.

The idea of the representation from the organisations mentioned, the Chamber of Manufactures, the Chamber of Commerce and the Retail Grocers' Association is laughable, as it would be asking those who are expected to appear before the commissioner to appoint their own judge. If the commissioner is to have someone to help to advise him, it should be someone not of that class. The whole idea of this legislation is to protect the exploited and it is not to provide further cover for exploitation under protection. Therefore I am opposed to the whole principle; but sooner than lose the remaining clauses, I am prepared to agree to it but I wish to record that I do so under protest.

Mr. NALDER: I listened to the explanation given by the Premier and I think his suggestion is only a sprat to catch a mackerel. Why not come straight out and say, "We want two representatives submitted by the Minister and have them nominated from any section of the consuming community." He might as well say that it shall be a member of the A.L.P. who is a farmer because unless the farmers of the State are asked to submit names, I do not see any reason why they should be included.

The Minister for Labour: Don't you want one?

Mr. NALDER: I would like one nominated by the Farmers' Union as a representative of the farmers, but otherwise, no. Unless he were truly representative of the farmers, it is possible he would not have the interests of the farming community at heart. There are a number of farmers in different sections of agriculture

who would not agree with the majority of farmers. I strongly oppose the Minister's suggestion.

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

Ayes	21
Noes	15

Majority for	6
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Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jameson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Sir Ross McLarty	

(Teller.)

Pairs.

Noes.

Ayes.	Mr. Perkins
Mr. Andrew	Mr. W. Manning
Mr. Hoar	Mr. Brand
Mr. Kelly	Mr. Thorn
Mr. Sleeman	Mr. Mann
Mr. Rhatigan	Mr. Ackland
Mr. Nuisen	

Question thus passed; the Council's amendment, as amended, agreed to.

No. 9.

Clause 11, page 7, lines 16-18—Delete the words "Commissioner for Prevention of Profiteering and Unfair Trading" and substitute the words "Unfair Trading Control Commissioner."

The MINISTER FOR LABOUR: This is only a change in the name of the commissioner and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 10.

Clause 11, page 7, lines 23 and 24—Delete the words "having experience in commercial business and trading affairs" and substitute the words "who has within the State conducted his own retail or wholesale business or practised as a public accountant for a period of at least five years."

The MINISTER FOR LABOUR: The effect of this amendment would be to restrict the appointment of a commissioner to one who has conducted his own retail or wholesale business within the State, or who has practised as a public accountant within the State for a period of at least five years.

Mr. Roberts: That is fair enough.

The MINISTER FOR LABOUR: I do not think even members of the Opposition are serious in their opposition to this.

Mr. Ross Hutchinson: In their opposition to it?

The MINISTER FOR LABOUR: We desire to have the right to appoint some competent person to be the commissioner and we do not want to be restricted as the Legislative Council's amendment proposes. The Government will appoint the most appropriate person for this onerous job and I could not agree to the Legislative Council's amendment. I hope the Committee will not agree to it either and I move—

That the amendment be not agreed to.

Mr. COURT: I feel the Minister has completely missed the point at issue. In the original Bill it provided that the commissioner was to be a person having experience in commercial business and trading affairs. All the Legislative Council has done has been to alter that to make sure that it will be such a person in the true sense of the word.

The Minister for Transport: Look serious!

Mr. COURT: Members of the Government laugh but it is no laughing matter because the term "with commercial business and trading experience" is as wide as the sea. A person who has had a very minor contact with commerce and industry and trading generally would come within that category.

When the Bill was originally introduced in this Chamber it was made clear that the appointee would not be a civil servant. Therefore, once we get outside the sphere of the Civil Service, I consider that this definition is not unreasonable and it does help to ensure that the person to be appointed does conform to the original wording in the Bill.

Mr. JOHNSON: The suggestion made by the member for Nedlands is rather amusing when we consider that towards the end of the notice paper there is a proposed amendment to limit this legislation to an extremely short time. There are many people who have had experience of commerce and trade but who have not conducted their own wholesale or retail business or have practised as a public accountant for five years.

Many people have reached great heights in the business world without conducting their own business. However, when we consider appointing a man for 12 months who has run his own business or practised as an accountant for five years, what kind of business would that man have conducted? The type of man whom we would get in those circumstances would be a man who had run his own business into bankruptcy.

Mr. Court: If that occurs, you are casting a reflection upon the Government.

Mr. JOHNSON: The Government will have no choice. No person who has successfully conducted his own business will accept an appointment for 12 months. No accountant who has practised for five years and is aware of the rewards that are offering from following such a profession would accept a position for 12 months only. The only people open to the Government for appointment would be failures in commerce or trade. If the members of the Liberal Party desire an incompetent person to be appointed to the position, they should say so and not hide their intentions behind specious remarks.

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

Ayes	.....	21
Noes	.....	15
Majority for	.....	6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Sir Ross McLarty	

(Teller.)

Question thus passed; the Council's amendment not agreed to.

No. 11.

Clause 14, page 8—Delete:

The MINISTER FOR LABOUR: I move—

That the amendment be not agreed to.

This amendment relates to the clause which gives authority to the commissioner to delegate some of his powers. This provision was taken from the prices control legislation because it was found that it had operated quite successfully. It is considered essential that the commissioner should have the right to delegate his powers if and when required. I cannot understand what prompted the Legislative Council to ask for this amendment.

Hon. A. F. Watts: For the same reason, no doubt, that prompted us to move it here.

The MINISTER FOR LABOUR: And I oppose it for the same reason. It may be said that should the commissioner be absent through illness, the assistant commissioner could take his place. It has been found, however, that it would be impossible

for the commissioner to be everywhere at once and therefore he should certainly have the right to delegate his authority when he considers it necessary that that should be done.

Mr. COURT: I support the Council's amendment.

The Minister for Transport: I bet you have not a reason.

Mr. COURT: We gave some very good reasons when this Bill was here previously.

Mr. Johnson: Who said they were good?

Mr. COURT: It is a matter of opinion. The powers of delegation are all-embracing. The man appointed will hold a most important office. It was different under price control because of the amount of detail with which the commissioner had to deal, and it was necessary for him to have certain powers of delegation. Under this measure, there will be only selected cases and there will not be the same amount of detail involved. The Bill provides for an acting commissioner who will have all the powers of the commissioner in the absence of the latter. So there is all the machinery set up to carry on.

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

Ayes	.....	21
Noes	.....	15
Majority for	.....	6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. I. Manning	Mr. Crommellin
Sir Ross McLarty	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Andrew	Mr. Perkins
Mr. Hoar	Mr. W. Manning
Mr. Kelly	Mr. Brand
Mr. Steeman	Mr. Thorn
Mr. Rhatigan	Mr. Mann
Mr. Nulsen	Mr. Ackland

Question thus passed; the Council's amendment not agreed to.

No. 12.

Clause 20, page 11, line 38—Add at the end of this clause the following:—

"nor should a person be obliged to furnish any information or answer any question until he has been given sufficient notice to enable him to obtain the information or ascertain the answer as the case may be."

No. 13.

Clause 21, page 12, line 22—Add after the word "obtaining" the words "from a justice of the peace."

No. 14.

Clause 21, page 12, line 24—Insert after the word "premises" the following—"upon which any trade or business is conducted by a person suspected of unfair trading."

On motions by the Minister for Labour, the foregoing amendments were agreed to.

No. 15.

Clause 21, page 12, line 30—Delete Subclause (2) and insert the following as Subclause (2):—

(2) The commissioner, or an authorised officer, may make copies or abstracts of, but shall not remove from the premises wherein the same are kept, any documents, books and papers produced to, or inspected by, him in pursuance of this section, or of any entries therein, and in the absence of proof to the contrary any copy certified as correct by the commissioner shall be received in all courts as evidence of and as of equal validity as, the original.

The MINISTER FOR LABOUR: I agree to this amendment rather hesitantly. If the Bill becomes law, it will be inconvenient for the commissioner to take copies of certain documents and records, but as an indication of our tolerance and our co-operation, I am prepared to accept the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 16.

Clause 23, page 13, line 36—Insert the word "lawfully" before the word "entering."

No. 17.

Clause 23, page 14, line 1—Insert the word "lawfully" before the word "inspecting."

No. 18.

Clause 23, page 14, line 2—Insert the word "lawfully" before the word "making."

No. 19.

Clause 28, page 15, line 17—Insert the words "in writing" after the word "notice."

No. 20.

Clause 28, page 15, line 24—Add at the end of paragraph (a) the words "and held for sale."

No. 21.

Clause 28, page 16, lines 8-13—Delete subclause 3.

No. 22.

Clause 29, page 16, line 30—After the word "trading" insert the words "then subject to subsection (2) of this section."

On motions by the Minister for Labour, the foregoing amendments were agreed to.

No. 23.

Clause 29, page 16—After line 33, add the following subclause to stand as subclause (2):—

(2) Before exercising or causing to be exercised all or any of the powers of investigation conferred on him by Part II. of this Act, the commissioner shall give to the advisory council seven days' notice of his intention in that behalf, and in exercising or causing to be exercised all or any such powers the commissioner shall have regard to the advice of the advisory council with respect thereto.

The MINISTER FOR LABOUR: I would like members to read Clause 29 as it was when it left this Chamber. They will then have a better appreciation of what the Council seeks to do. If the Committee agrees to this amendment, the activities of the commissioner will be hamstrung. From Part II. of the Bill it will be seen that the commissioner is given certain powers of investigation. If he is called upon to obtain the sanction of the advisory council before taking action, he will not be able to administer the Act effectively. The function of the advisory council should be to give advice. I move—

That the amendment be not agreed to.

Mr. COURT: I do not agree with the contention of the Minister. The advisory council has been agreed to and if the intention of the Government is as harmless as he has endeavoured to make out, this amendment will not be any worry. It is true the commissioner has to give seven days notice of intention to investigate, but he has only to obtain the advice and the amendment provides that he shall do no more than have regard to such advice. That does not stop the commissioner making the investigations if he wants to persist. At least this amendment will stop him from creating any unnecessary hardship if, in the opinion of the advisory council, action should not be taken.

The Government has conveyed to us that this is not to be a witchhunt where every trader is to be investigated because of some frivolous complaint. I cannot accept the Minister's argument that the Act will not be effective if this is agreed to. When he does investigate, following the advice of the advisory council, he will be assured that he is on fairly sound ground.

Hon. A. F. WATTS: I am astounded that the Minister has asked the Committee to reject this amendment, because he has already agreed to amendment No. 22 which inserted certain words in Clause 29. That clause is therefore subject to Subsection (2), but the Minister has now moved to

disagree with the insertion of Subsection (2). When he agreed to amendment No. 22, I thought he would agree to No. 23 or part thereof. He appeared not to agree to any part of it and has made an error which will have to be rectified by some other means.

Question put and passed; the Council's amendment not agreed to.

No. 24.

Clause 31, page 18, line 29—Insert the word "or" after the word "Commissioner."

The MINISTER FOR LABOUR: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 25.

Clause 31, page 18, line 40—Delete the word "ten" and substitute the word "thirty."

The MINISTER FOR LABOUR: I move—

That the amendment be amended by striking out the word "thirty" and inserting the word "twenty-one" in lieu.

I propose to compromise because the period of 10 days was agreed to in this Chamber but the Legislative Council amended it to 30 days.

Mr. COURT: I do not propose to disagree with the amendment on the amendment but I would like to know the reason for reducing the period of notice from 30 days to 21. Is this to allow for some period of legal process?

The MINISTER FOR LABOUR: In order to arrive at a compromise, it is considered that 21 days should be the maximum in which a person can lodge an appeal.

Question put and passed; the Council's amendment, as amended, agreed to.

No. 26.

Clause 31, page 19, line 1—Insert after the word "prescribed" the following:—", and on payment of the fees prescribed."

The MINISTER FOR LABOUR: I feel this amendment should be agreed to. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 27.

Clause 31, page 19, line 2—Delete the words "president of the Court of Arbitration." and substitute the words "judge of the Supreme Court."

The MINISTER FOR LABOUR: I propose to oppose the amendment of the Legislative Council. A long discussion took place on this particular clause when we were in Committee. The Council proposes to delete the words "president of

the Court of Arbitration" and substitute the words "judge of the Supreme Court." The president of the Arbitration Court is, by virtue of his position, a judge of the Supreme Court and the reason why we insisted on the president of the Arbitration Court as the person to whom appeals should be made was that he is dealing exclusively, because of his jurisdiction in the Arbitration Court, with matters relevant to this Bill, such as wages and conditions of employment. Wages are another name for foodstuffs, rent and services. The president of the Arbitration Court, by virtue of the provisions of the Act, must be qualified to sit as a judge of the Supreme Court in order to hold his position. He deals with the computation of the basic wage and he is the person to whom an appeal should be made. I move—

That the amendment be not agreed to.

Mr. COURT: I cannot agree with the Minister. We advanced many reasons in support of a judge as distinct from the president of the Court of Arbitration. The Minister well knows that a judge of the Supreme Court would include the president of the Court of Arbitration who is a judge of the Supreme Court. If we say the president of the Court of Arbitration, it would restrict the matter to that one judge. The Supreme Court gives the choice of all the judges and the appeal can be heard without delay. I support the Legislative Council's amendment.

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

Ayes	.....	21
Noes	.....	15
Majority for	.....	6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Sir Ross McLarty	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Andrew	Mr. Perkins
Mr. Hoar	Mr. W. Manning
Mr. Kelly	Mr. Brand
Mr. Sieeman	Mr. Thorn
Mr. Rhatigan	Mr. Mann
Mr. Nulsen	Mr. Ackland

Question thus passed; the Council's amendment not agreed to.

No. 28.

Clause 31, page 19, line 4—Delete the word "President's" and substitute the word "Judge's."

The MINISTER FOR LABOUR: This is a consequential amendment and I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 29.

Clause 31, page 19, line 5—Add after the word "thereto" the following:—"and may confirm, reverse, or alter the decision appealed against and may include such order as to the costs of, and incidental to, the appeal as the judge thinks just."

The MINISTER FOR LABOUR: This is a desirable amendment—

The CHAIRMAN: Order! Will members kindly refrain from the buzz of conversation as it must be hard for the Hansard reporters to hear.

The MINISTER FOR LABOUR: This is a desirable amendment, because it gives the judge power to confirm, reverse, or alter a decision appealed against. I move—

That the amendment be amended by deleting the word "judge" in the last line and inserting the word "president" in lieu.

Question put and passed; the Council's amendment, as amended, agreed to.

No. 30.

Clause 31, page 19, line 10—Insert after the passage "Subsection (2)" the following:—"or on appeal under Subsection (3)."

The MINISTER FOR LABOUR: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 31.

Clause 31, page 19—After Subclause (5) insert a new subclause to stand as Subclause (6):—

(6) the commissioner shall not declare a person to be a declared trader under this Act unless and until the advisory council has first determined the circumstances and conditions in and under which it appears right and proper in the cause of justice to so declare a person and the commissioner should have due regard to such determination.

The MINISTER FOR LABOUR: I propose to agree to the Legislative Council's amendment subject to a further amendment. I move—

That the amendment be amended by inserting after the word "person" in line 7 the words "provided such determination is made within 21 days after

the commissioner has informed the council of his intention to make such declaration."

Question put and passed; the Council's amendment, as amended, agreed to.

No. 32.

Clause 32, page 20, line 5—Delete the word "ten" and substitute the word "thirty."

The MINISTER FOR LABOUR: I move—

That the amendment be amended by striking out the word "thirty" and inserting the words "twenty one" in lieu.

Question put and passed; the Council's amendment, as amended, agreed to.

No. 33.

Clause 33, page 20, lines 39-42—Delete paragraph (d).

The MINISTER FOR LABOUR: Paragraph (d) is considered to be very important. The commissioner, after due inquiry, could find that a trader was engaging in unfair trade practices. Where commodities are in short supply the trader might refuse to sell unless he got his price. It is not considered that a trader, if he has goods for sale, should refuse to sell after the matter has been determined by the commissioner. I move—

That the amendment be not agreed to.

Mr. COURT: I am amazed at the Minister not agreeing to the amendment. If ever there was a big brother clause in the Bill, this is it. It does not refer only to goods but services, and services cover a terrific field.

The Minister's argument that the trader could refuse to sell at a price, does not get the trader very far, because once a man has been declared and has appealed unsuccessfully, he remains undeclared until such time as the commissioner, after due investigation, considers he should be released from the declaration. I refer also to Clause 33. If this does not give the commissioner all the power he wants when he has the man under his thumb for an indefinite period, I do not know what does.

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

Ayes	....	....	....	....	21
Noes	....	....	....	....	15
Majority for					6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Sir Ross McLarty	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Andrew	Mr. Perkins
Mr. Hoar	Mr. W. Manning
Mr. Kelly	Mr. Brand
Mr. Sleeman	Mr. Thorn
Mr. Rhatigan	Mr. Mann
Mr. Nulsen	Mr. Ackland

Question thus passed; the Council's amendment not agreed to.

No. 34.

New clause—Insert a clause after clause 37 to stand as clause 38 as follows:—

38. The commissioner shall in each year prepare an annual report of his proceedings under this Act during the preceding year disclosing therein the result of the operation of this Act except such information as by this Act is required not to be published or in the opinion of the commissioner should be kept confidential and this report shall in each year be laid on the Table of both Houses of Parliament by the Minister within fourteen days of its receipt, or if at that time Parliament is not in session then within fourteen days of the commencement of the next session of Parliament.

The MINISTER FOR LABOUR: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 35.

New clause—Add a new clause to stand as clause 41, as follows:—

41. This Act shall continue in operation until the thirty-first day of December, one thousand nine hundred and fifty-seven, and no longer.

The MINISTER FOR LABOUR: I move—

That the amendment be amended by striking out the word "fifty-seven" and inserting in lieu the word "fifty-eight."

I think members will agree that it will take some time before the legislation is proclaimed and the administration is set up and that therefore it would be unfair and unreasonable to expect anyone to accept the position of commissioner with a tenure of office of less than twelve months.

Mr. COURT: We went over, during earlier stages, the reasons why the measure should be limited to one year and in any case I have no doubt that the Government will want to bring the measure again before Parliament, if it becomes law, in order to make amendments to it, before the end of 1957. I oppose the amendment on the Council's amendment.

Hon. Sir ROSS McLARTY: This is one of the most contentious questions that has been before us for a long time. As the member for Nedlands said, I have no doubt that if the measure is to be continued until 1958, the Government will bring it before Parliament then for amendment, after some experience of how it works.

The Premier: If the period of the measure is only till the end of 1957, we will have to get a commissioner from within the Government service.

Hon. Sir ROSS McLARTY: I suppose the Government has already had discussions as to who would be a suitable commissioner.

Mr. Sewell: Would you take it on for 12 months?

Hon. Sir ROSS McLARTY: I would not take it on at all.

Mr. Johnson: You would not be suitable, either.

Hon. Sir ROSS McLARTY: For once, I think the hon. member is right. I believe Parliament should examine this highly contentious measure further at the end of 1957, when it will have been in operation for nearly twelve months. If there is any considerable delay in proclaiming the legislation, it will be the fault of the Government. At the end of nearly twelve months' operation, we will know how the measure works and whether it is in the public interest. I hope the amendment on the Council's amendment will not be agreed to, and I also hope that another place will insist on its amendment which is justifiable in the public interest.

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

Ayes	.....	21
Noes	.....	15
Majority for	.....	6

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Lapham	

(Teller.)

Noes.

Mr. Bovell	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Sir Ross McLarty	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Andrew	Mr. Perkins
Mr. Hoar	Mr. W. Manning
Mr. Kelly	Mr. Brand
Mr. Sleeman	Mr. Thorn
Mr. Rhatigan	Mr. Mann
Mr. Nalder	Mr. Ackland

Question thus passed; the Council's amendment, as amended, agreed to.

No. 36.

Schedule—Delete the words "Profiteering and Unfair Trading Prevention" and substitute the words "Unfair Trading and Profit Control."

The MINISTER FOR LABOUR: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 37.

Title—Delete all words in the title after the word "to" in line one and substitute the words "Control and Regulate Unfair Trading and Unfair Profit."

The MINISTER FOR LABOUR: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported and the report adopted.

A committee consisting of Hon. A. F. Watts, Mr. Court, Mr. Heal and the Minister for Labour drew up reasons for not agreeing to certain of the Council's amendments and agreeing to certain of the Council's amendments subject to further amendments.

Reasons adopted and a message accordingly returned to the Council.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. A. R. G. Hawke—Northam): I move—

That the House (as) its rising adjourn till 5.15 p.m. today.

Question put and passed.

House adjourned at 12.57 a.m.
(Wednesday).

*also in which
number*

Legislative Council

Wednesday, 21st November, 1956.

CONTENTS.

	Page
Questions : Education, (a) Wanneroo school, repairs and renovations	2446
(b) Canning Vale school	2447
Railways, concession fares	2447
War Service Land Settlement Scheme Select Committee, extension of time	2447
Bills : City of Perth Act Amendment, 1r.	2447
Belmont Branch Railway Discontinuance and Land Revestment, 3r.	2447
Betting Control Act Amendment, reports	2447
Nurses Registration Act Amendment, report	2447
State Housing Act Amendment, 2r.	2447
Rural and Industries Bank Act Amendment (No. 2), 2r.	2449
Land Act Amendment (No. 1), Com.	2451
Factories and Shops Act Amendment (No. 1), 2r., defeated	2452
Profiteering and Unfair Trading Prevention, Assembly's message	2459
Medical Act Amendment, 1r.	2459
Workers' Compensation Act Amendment, 2r.	2459
Child Welfare Act Amendment, 2r.	2465
Adjournment, special	2471

The PRESIDENT took the Chair at 5.15 p.m., and read prayers.

QUESTIONS.

EDUCATION.

(a) Wanneroo School, Repairs and Renovations.

Hon. N. E. BAXTER asked the Chief Secretary:

In view of advice received from the Minister for Works that provision of finance had been approved for repairs and renovations (internal and external) at the Wanneroo school—

- (1) What is the amount of finance approved for the work?
- (2) What repairs and renovations are to be carried out?
- (3) Does the carrying out of these repairs and renovations indicate that it is not intended that new schoolrooms will be built for some years to come?

The CHIEF SECRETARY replied:

(1) £825.

(2) Internal and external painting and repairs, and installation of washhand basins.

(3) No.