aims at abolishing plural voting. If this amendment becomes law, we shall see the end in this State of the very unfair principle of one person on a Council election day having the right to exercise more than one vote.

Plural voting should be abolished, because it is a vicious principle and gives votes on the basis of wealth and not necessarily on the basis of worth and merit. I support the Bill whole-heartedly. Though, in my opinion, it does not go anywhere near as far as it should, it represents three steps in the right direction, and I sincerely hope that those important steps will be achieved. I tell the Premier and the Deputy Premier that the steps contained in this Bill will not be achieved unless they, as the leaders of their respective parties, take very strong action to ensure that all members of their parties in the Council are called upon, in accordance with the pledges given by the Government to the people, to support the Bill.

On motion by Mr. Hegney, debate adjourned.

House adjourned at 10.25 p.m.

Legislative Council.

Thursday, 25th November, 1948.

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

QUESTION.

RAILWAYS.

As to Fines Inflicted on Employees.

Hon. W. R. HALL asked the Chief Secretary:

(1) What was the total amount received by way of fines inflicted on railway employees during the last five years?

(2) Where was this amount credited?

The CHIEF SECRETARY replied:

(1) £1,516 17s. 8d.

(2) Railway Servants Benefit Fund Account.

BUSH FIRES ACT AMENDMENT BILL (NO. 1) SELECT COMMITTEE.

Extension of Time.

On motion by Hon. Sir Charles Latham, the time for bringing up the report of the Joint Select Committee was extended to the 9th December.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message—Committee of Reasons.

The HONORARY MINISTER FOR AGRICULTURE: I move—

That Hon. E. H. Gray, Hon. H. Hearn and the mover be appointed a committee to draw up reasons for the Council's disagreeing to amendments Nos. 1 and 2 made by the Assembly to the Council's amendment No. 21.

The PRESIDENT: By way of explanation, I should state that yesterday, after the adoption of the Committee's report on the Assembly's message relating to the Council's amendments, a committee of reasons should have been appointed, as indicated in the motion of the Honorary Minister for Agriculture.

Question put and passed.

Reasons adopted and a message accordingly returned to the Assembly.

BILL—PUBLIC SERVICE ACT AMENDMENT.

First Reading.

Introduced by the Chief Secretary and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan Suburban) [4.58] in moving the second reading said: This is a very short Bill the object of which is to give effect to the request of Trades Hall, which asked that Labour Day, the 1st May, be altered to the 1st March. The reason given is that so often the sports and festivities connected with that day have been spoilt by rain. The Government decided to accede to the request. It is necessary that two Acts be amended and one of them is the Public Service Act, which provides that Labour Day shall be the 1st May. This Bill intends to alter the Act so that Labour Day shall be the 1st March in future. I move—

That the Bill be now read a second time.

HON. G. FRASER (West) [4.59]: In supporting the second reading of the Bill might I say that I was associated with the change-over from October to May. This was many years ago and, strange as it may seem, before making that alteration we went back over a number of years and perused the weather reports to ascertain the weather conditions on the first Monday in May in each year. We were satisfied at that time that there was less chance of rain at that period. This is another attempt to pick upon a suitable day in the year, and so the 1st March has been chosen. I do not think there will be any opposition to the measure in this Chamber.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Assembly.

BILL—LAND TAX.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.3] in moving the second reading said: This is a very short measure, but somewhat important from the Treasury point of view because it means an increase in land tax. We cannot do much about it in this Chamber, and I, therefore, ask members to pass it rather than to request the Assembly to agree to any amendment, because I feel sure a move in that direction would not meet with approval in another place.

At present, the land tax is based on the assessed unimproved value of land. For unimproved land the rate is 2d. in the £, and for improved land, 1d. in the £ of unimproved value. In the case of unimproved land, a rebate of 50 per cent. is allowed under Section 9 of the Land and Income Tax Assessment Act. The Bill seeks to increase the tax payable from 2d. to 2½d. in the £ on

unimproved land exceeding £250 in value. Where unimproved land is below that value, the tax will remain at 2d.

Members will note from Clause 2 that the Land and Income Tax Assessment Act is to be incorporated and read as one with the Bill. Section 9 of the assessment Act will therefore still apply, thereby allowing a rebate of 50 per cent. on the unimproved value of improved land. The exemption that applies under that Act with respect to land held by pensioners will continue, and that land will be free of tax. The minimum rate payable in any instance will remain at the present amount of 5s. and it is anticipated that the increase will result during the current financial year in additional revenue to the extent of £10,000. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned.

BILLS (2)—FIRST READING.

1, Industrial Arbitration Act Amendment.

2, Health Act Amendment (No. 2).

Received from the Assembly.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Assembly's Message.

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

BILL—THE BANK HOLIDAYS ACT AMENDMENT.

First Reading.

Introduced by the Chief Secretary and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.9] in moving the second reading said: The purpose of the Bill is similar to that of the Public Service Act Amendment Bill, with which we have just dealt. The parent Act designates specific holidays for banks and they include the 1st May as Labour Day. In the past, that may have had certain significance, but now the Ides of March are more favoured, and it is proposed to change that date to the 1st March. I do not suggest that this has anything to do with recent legislation in the Commonwealth Parliament. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Second Schedule:

Hon. Sir CHARLES LATHAM: Does this provision mean that it is intended to countermand two bank holidays?

The Chief Secretary: No.

Hon. Sir CHARLES LATHAM: It would appear that Labour Day and Proclamation Day are both being set aside.

The CHIEF SECRETARY: Formerly, as Mr. Fraser pointed out, Labour Day was observed on Proclamation Day, but later the date was altered to the 1st May. Of course, Proclamation Day ceased to be observed long ago. Labour Day is now to be held on the 1st March.

Hon. G. FRASER: I have not been able to check up with the original Act.

The Chief Secretary: The same words appear in the principal Act.

Hon. G. FRASER: If the holiday is still to be kept up on a Monday, there can be no objection to the proposal.

The CHIEF SECRETARY: If the 1st May does not happen to fall on a Monday, then the holiday is held on the following Monday. The point is that the holiday is still observed.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Assembly.

BILL—MATRIMONIAL CAUSES AND PERSONAL STATUS CODE.

Read a third time and returned to the Assembly with amendments.

BILL—COUNTRY TOWNS SEWERAGE.

Second Reading.

Debate resumed from the 23rd November.

HON. E. H. GRAY (West) [5.16]: This Bill is a big step forward for country people. It is one of the measures necessary to increase amenities in the country in order to attract a greater population there. One of our greatest problems today is the drift from the country to the cities; it is a big menace to the progress not only of the State but also of the Commonwealth. People do not like living in the country and will do everything possible to obtain a job or a living in the city. I can imagine that all local authorities in the larger country towns will gladly welcome this Bill. The old methods which have to be adopted are an abomination to people accustomed to better facilities. Therefore, I should think that Country Party members in this Chamber will be supported wholeheartedly by the local authorities in their provinces.

The Bill provides that the Government may take over, if requested, the comparatively small installations at Albany, on the Goldfields and at Geraldton. It should be a big advantage both to the ratepayers and the local authorities in those towns to have at their disposal the expert advice which they will be able to get under this Bill in connection with sewerage schemes. The Bill itself is a big one, containing 120 clauses. I have gone through it carefully and have found that a great deal of it is copied from the Metropolitan Water Supply, Sewerage and Drainage Act.

One of the provisions, which was debated in another place, rather surprised me. It is the clause which makes the occupier liable for payment of the rates. I made inquiries on that point and found that the Minister in another place was correct, although I thought he was not. The provision is similar to that contained in the Metropolitan Water Supply, Sewerage and Drainage Act, but it is plainer in that Act. The occupier has the right to reimburse himself for any rates he may pay by retaining the amount out of his rent. The present Bill contains two alternatives; the Minister may recover the rate from the occupier or from the owner. Legally, this may be the interpretation of the provision in the other Act. I understand the present practice is, when the owner does not pay the rates, to recover them from the occupier, who in turn reimburses himself from the rent. However, the Bill does not specifically say so.

The provision relating to the pulling up of roads is practically the same as that in the Act I have already mentioned. It will be an advantage to some local authorities in whose districts it will be far more costly to install the system than in others. The departmental officers are authorised to divide the State into sewerage areas and districts, so that it will be possible to strike rates according to the cost of the local schemes. That is a good idea. The Bill also gives the Minister power to abolish a sewerage area or a sewerage district. I mentioned just now that the Minister will have power, at the request or with the consent of the local authorities, to take over existing sewerage installations. This should prove acceptable, indeed welcome, to towns already sewered, such as Kalgoorlie and Geraldton. Both ratepayers and local authorities are protected, because either may lodge an objection to the construction of any proposed works. The objection must be lodged within one month of the advertising of the proposed works.

Power is also given to resume land, for which compensation shall be paid. Protection, too, is given—and this is important—against the fouling of natural streams and waters with sewerage or sullage. I notice that only 48 hours' notice is to be given to a local authority, except in case of emergency, of the intention of the department to pull up roads in order to install pipes. I think that notice is hardly sufficient; but if it is contained in the water supply Act, it must have worked satisfactorily. Mr. Hall will know more about this matter than I.

An important provision in the Bill which will appeal to local authorities is that works will be carried out under the superintendence of the local authority. That will give general satisfaction, as it is proof that the department by this Bill is endeavouring to establish closer co-operation with local authorities. The rating will be on the annual value. I understand the maximum rate is to be not more than 3s. in the £. There is also to be a rate of 6d. in the £ on the capital unimproved value of the land rated. The rate under the Metropolitan Water

Supply, Sewerage and Drainage Act, including water, drainage, etc., is 3s. 3d. in the £ on the annual value.

Hon. Sir Charles Latham: But the sewerage rate is only 1s. 6d.

Hon. E. H. GRAY: Yes. This important measure is closely linked up with the comprehensive water scheme. Before sewerage works can be installed, water must be made available, and therefore the two schemes must run together. As far as I can see, every effort has been made to include the classes of exemptions that are contained in the water supply Act. The rate book shall be available at all times for inspection by the ratepayers; appeals may be made to the Minister—and, if unsuccessful, to the local court in the district—against valuations. As in the water supply Act, provision is made that the rates may be paid in moieties, and one moiety must be paid before an appeal is heard. There is an amendment on the notice paper which I think will be gladly accepted, as it is clearer and fairer than the paragraph in the Bill. I have lived in the rural areas and know what an advantage this measure will be to country people. I therefore have much pleasure in supporting the second reading.

HON. A. L. LOTON (South-East) [5.28]: I support the second reading. The proposals outlined in the Bill are most laudable. The Minister for Water Supply will be empowered to construct, maintain and control sewerage works in certain areas, namely, country districts. As Mr. Gray has said, the provision of this amenity will be acclaimed by country people. I am afraid, however, that with the exception of Albany, Bunbury, and perhaps Geraldton, the fulfilment of this project is a good deal in the future, as it is dependent upon an adequate water supply. Members will recall that last year we passed a measure dealing with a comprehensive water scheme for Great Southern towns. Work has commenced, but its completion is still a long way off.

We well know the disadvantage as regards water supply which Great Southern towns are suffering today. Narrogin, Wagin, Katanning, Mt. Barker, Brookton, Tambellup and Cranbrook all come under the comprehensive water scheme, yet all those towns today have a rationed water supply. The scheme must therefore be proceeded with apace. Perhaps, if this Bill passes, the Minister will have greater reason to urge the Commonwealth Government to make available the necessary materials for the scheme. The shortage of materials will delay the work considerably. On numerous occasions we have been told that the supply of steel for water pipes is nowhere near sufficient to meet the demand, and very little steel piping seems to be coming forward by sea from the Eastern States. I would mention that a contract has been let for the supplying of fifty miles of main from Wellington to Narrogin. Of course concrete piping will be used in the project as far as possible, but there again we are dependent upon coal, which is the essential with regard to both water supply and sewerage systems. Coal for this purpose is mined in New South Wales.

I would mention first Clause 68. Mr. Gray said the rating would not exceed 3s. in the £ on the annual ratable value of the land, but it must be remembered that that is the rating for sewerage only. To that must be added the water rating, which in the case of the towns I have mentioned is a minimum of 3s. in the £. There must also be added the cost of the water, which in all cases will be in excess of the charges in the metropolitan area. I had hoped that when a scheme such as this was introduced, particularly by a non-Labour Government such as that at present in office, it would have been based on equitable charges and that the Treasury would have taken the whole of the financial responsibility, so that people throughout the State would share in the cost, just as they would all share in the benefit accruing from more people living in country towns.

Hon. G. Bennetts: There should be a flat charge.

Hon. A. L. LOTON: I agree. I thought that a flat charge would be made throughout the State so that one section of the people would not be penalised. When the Bill is in the Committee stage I will move an amendment to that end. In Clause 102 it is laid down that the Minister may, subject to the provisions of the Act, and with the approval of the Governor, make by-laws with respect to various matters, among which is the prescribing and defining of the financial year in relation to any particular district. I realise that that means a dis-

trict, as defined in the Act, but all road boards and municipalities now end their financial year in June. I fail to see why it is necessary to include provision for them to have different times to end their financial years and balance their accounts.

Clause 111 states that any person having charge of any works, the property of the Minister, who refuses, on lawful demand, to give up peaceable and quiet possession of them to any person entitled to possession under the provisions of this Act, shall be guilty of a misdemeanour and shall be liable to a penalty not exceeding £200, and to be imprisoned for any period not exceeding 12 months. In the railway measure special provision was made that a man should be guilty of one crime only and suffer one punishment, yet in this case, for a not very serious offence, a man can be fined up to £200 and be punished by imprisonment as well.

It is time we took exception to provisions such as that. I hope the Minister can explain it, because I feel that someone has issued instructions that are not in line with the thinking of most members of this House. Clause 112 is even worse. It states—

> Any officer of the Minister may, without warrant, arrest any person found committing an offence against this Act or any bylaw thereunder, if the offender refuses to give his name and address.

Under that provision any officer of the P.W.D. would have considerable powers. If he went on to a property and found the owner taking up a pipe in order to see where a break had occurred in a sewerage connection, and the owner on being asked for the information refused to give his name and address, the officer of the department would have the right to arrest without warrant. Power of that sort should not be included in a Bill of this nature.

Hon. G. Bennetts: Those are Gestapo methods.

Hon. A. L. LOTON: They remind me of Hitler and the Gestapo rolled into one. I could not believe my eyes when I first read that clause.

The Honorary Minister for Agriculture: Those provisions are contained in many Acts.

Hon. A. L. LOTON: Then the sooner they are removed from those statutes, the better. Clause 117 states—

> All lands and works vested in or under the management and control of the Minister shall be exempt from any rate, tax, or imposition which any local authority might, but for this section, lawfully levy and impose.

That would exempt Crown lands from all charges that local authorities might make and from any provisions for the destruction of vermin or noxious weeds. In the past we have seen where Crown land under the Forests Department and the Railway Department has constituted a harbour for noxious weeds and vermin, from which those pests have spread to the surrounding country. I hope that provision will be struck out. I fail to see why land under the control of the Minister, if it constitutes a menace to the well-being of the district concerned, should have immunity. The local authority should have power to destroy any weeds or vermin and make a charge, for that work, against the Crown. I hope provision will be made to that effect. I have mentioned the clauses to which I object, and with those exceptions I support the second reading.

HON. W. J. MANN (South-West) [5.38]: I congratulate the Government on having brought down what I consider to be a worthy measure and one that will in the course of time be of considerable advantage to local authorities and country people generally. However, there is a great deal of work ahead of any local authority that proposes to establish a sewerage system at the present time. Very few of our country centres have water supplies more than sufficient to cater for their growing populations. In few parts of the State are we blessed with copious water supplies, and it must be remembered that the installation of a sewerage system involves a considerable increase in the demand for water. I do not know what would be the ratio of that extra demand, but I think the installation of a sewerage system would at least double the volume of water consumed.

There are many country towns that at present have little water to spare. I feel that the Government and the local authorities will have a great deal to do before many of these sewerage systems can be completed. Bunbury has a fair water supply, but the population of that centre is growing fast and the water problem may become serious before very long. For years Geraldton has been in difficulties with regard to its water supply and for that reason the in-

stallation of a sewerage system there will require most careful consideration. Busselton was not mentioned in this regard, although it happens to have an almost unlimited water supply, which is probably the cheapest in the State. In that centre the water is supplied from an artesian bore and up to date I do not think more than 50 per cent. of the available supply has ever been used.

Hon. Sir Charles Latham: What will they do with the effluent there?

Hon. W. J. MANN: That may raise another problem in the case of towns that are low-lying. Portion of Bunbury is hilly, but other parts are flat. Similar disadvantages apply in the case of Mandurah and Safety Bay, both growing towns with very little water supply at all. Most of Busselton is only 11 feet above sea level. While this in an excellent measure, a note of warning should be struck that not all the benefits envisaged in the Bill are likely to be available at short notice. When it takes its place on the statute book the measure will give considerable encouragement to local authorities to investigate the position and will spur them on to undertake the installation of what after all is the only system of sewage disposal that can be countenanced in any modern community. If people are to have the benefit of sewerage they must pay for it at a higher figure than they are paying for the obsolete system that many of them are using now. I do not think there will be any outcry at the increased charges, and I have pleasure in supporting the Bill.

HON. J. M. A. CUNNINGHAM (South) [5.43]: I join with other members in supporting the Bill and commending the Government on its action in bringing the measure down. For years now, many of our inland towns have been growing to a size at which the obsolete methods of disposal of nightsoil have become increasingly dangerous to health. The only criticism that I intend to offer on the Bill will be constructive. Despite the intention of the Government to encourage the installation of sewerage systems in various country towns of sufficient size, the measure may raise false hopes in the minds of many people who may expect to see such projects implemented in the fairly near future.

The point is that the water supplies at present will not cope with the proposed scheme. It is on that aspect that I wish to speak. The Public Works Department, under its regulations, stipulates that a two-gallon flush is the minimum allowed for a normal pedestal pan. That minimum, however, is based on metropolitan conditions where water is—I will not say of no consequence—not as important as in country areas. A two-gallon cistern is designed to give a complete flush from a fall of four feet through a 2in. pipe. On departmental figures exactly the same result can be obtained with a cistern of 1½ gallons capacity and with a fall of six feet through a 1½in. pipe.

I suggest that there would be an enormous saving if those standards could be used in the country areas, because when the regulations were first promulgated, it was on the basis that all installations of any description would be used to the same extent, irrespective of the probable usage over a 24-hour period of each individual closet. Recently, several public bodies on the Goldfields made some extensive inquiries following their application to the Government for a permit to install a septic tank system at the Boulder Central School. The figures showed that there were approximately 950 pupils in that school. Actually, there were 980 pupils, but I use the approximate number of 950 to bring it into line with the Kalgoorlie Central School of 940 pupils.

Following their application, the department supplied them with figures that were intended to prove that the proposition was impracticable. The department said that a school of 950 pupils would necessitate the use of 20,000 gallons of water per week, for the disposal of the effluent and would mean pumping, carting, drains, or some other method. The point I wish to make is that every scheme we put forward was refused on the ground that the amount of effluent was too great or the system too costly. As our guide we instanced the Kalgoorlie Central School, which, about five or six years ago, changed from the old pan system to the town sewerage system. As I have mentioned, the number of pupils was almost identical with that of the Boulder Central School at the time.

From the Water Supply Department we obtained figures showing the amount of water used over a school period of 40 weeks prior to installation and that used for a corresponding period after installation. Despite

the department's estimated minimum of the water that would be required for that school, we proved beyond all doubt that the amount of water that was used was 2,000 gallons per week. I can understand the officers of the department doubting whether that amount was sufficient for requirements. The school was not allowed to use a system with a capacity of 2,000 gallons a week, because in actual practice it might require more than that. The fact remains that during the period set and on the figures taken under no unduly favourable conditions, only 2,000 gallons of water per week were needed. That is a vast difference from the estimated figures of the department, based on metropolitan standards.

The reason that was submitted for the great difference was that a boarding school in the metropolitan area, for 24 hours of the day, might use somewhere near the amount of water suggested. I think the Government allowance is estimated at three gallons of water per person, which actually amounts to 1½ flushes per day. I suggested that boarding schools, hotels, hospitals and private homes and other such institutions where the sewerage system might be used continuously over 24 hours of the day, would produce figures utterly different from those applying to institutions such as day schools, warehouses, shops and theatres where the system would be used only occasionally.

Take, for instance, a day school, with which we are dealing here. A child arrives at school at approximately 9 o'clock. Invariably, almost every child would go to the closet at home before he left for school. Probably about 50 per cent. of the schoolchildren go home for lunch and, if necessary, they would go to the closet once again before returning to school. They would leave the school at 3.30 p.m. in the summertime—in the other part of the year there would only be a difference of half an hour—and I again suggest that the children, generally speaking, would still not use the school lavatories but would go to the lavatory when they arrived home. This was the reason given to the department why 20,000 gallons of water would not be necessary and 2,000 gallons would meet the requirements.

Hon. G. Fraser : A lot of the children do not put their hands up!

Hon. J. M. A. CUNNINGHAM: They put their hands up, but they use the time to go out for a smoke-oh! When the regulations were framed, they were drafted to suit the conditions. Today, after 20 years or more, the conditions are being made to suit the regulations. I do not think it would be asking the department too much to try to arrive at a sliding scale applicable to various types of institutions that normally would not be expected to use the same quantity of water, particularly if they could do so with a reasonable chance of success. If the department agreed to do that, I suggest that these proposed country shemes would have a better chance of coming to fruition years ahead of the time expected, than they would if the country areas had to look forward to using the same amount of water as is laid down for the metropolitan area.

HON. W. R. HALL (North-East) [5.53]: I rise to support the Bill whole-heartedly for more reasons than one. The first reason is that it will assist in safeguarding the health of the people. Everyone should enjoy the advantage of a sewerage scheme if it is possible for him to do so. However, in the past, I have known that requests submitted by local authorities for the installation of sewerage schemes in certain districts have not always met with success. If the Bill is passed, the effects of it will not be felt for many years and even then by very few of the local authorities, to my way of thinking.

The water problem will be a big one, but not so far as Kalgoorlie is concerned. However, after hearing hon. members speaking of places such as Narrogin and other centres down that line, where it is hardly possible to obtain water in the summer months without carting it, I fail to see how they will overcome the difficulty regarding the shortage of water. This State has always been backward because of the lack of adequate water supplies, and until such time as the water that comes from the heavens is harnessed, the State will always be backward. Therefore, efforts should be made to conserve the water, which would overcome a lot of our difficulties. However, this does not deter me from supporting the Bill.

Although certain things have been said about the pan system, I do not think we have had any epidemic in Kalgoorlie or Boulder since its introduction. However, on principle I do not agree with the

pan system because we should keep abreast of the times, and the sewerage system is the only one that does ensure the good health of the community. There is also another point that will concern those people who are desirous of having a sewerage system installed. It is that there will be a certain amount of excess water to be paid for. Therefore, a flat water rate will have to be seriously considered because, even in the metropolitan area and other places, with a 2-gallon flush, the system runs away with a considerable amount of water. That will result in excess bills unless some alleviation is forthcoming regarding water rates.

During the course of his remarks, Mr. Gray spoke about local authorities having jurisdiction over the installation of sewerage schemes, but there are not too many engineers, employed by local authorities, that have any great knowledge of sewerage installation work, which requires to be under a technical expert. Therefore, there will be no occasion for concern until the time arrives for the installation of such schemes. Although it will not apply in some instances, the Government will find a good deal of trouble will arise with sewerage installations installed by local authorities, because of the scattered areas under their jurisdiction.

That is one of the problems concerning the installation of a sewerage scheme in the Kalgoorlie Road Board area. It is different with municipal councils, which control only a small compact piece of territory, with which anything can be done. I am pleased that the Kalgoorlie Municipal Council—which is a wealthy one, of course—has undertaken the installation of a sewerage scheme, which apparently has been very successful. If I remember correctly, it was only recently that that municipality made application for further sewerage installations and desired some assistance from the Government. However, the request was refused.

Hon. G. Bennetts: The Government is putting a sprag in our wheel with three applications now.

Hon. W. R. HALL: The Government is bringing this Bill down, and Mr. Bennetts says it is putting a sprag in their wheel concerning further applications! The proposals contained in the Bill will be merely a dream for some local authorities, but if only from the health point of view, I will support the Bill in every way I can.

Hon. G. Bennetts: We have half of the town sewered, and we now want the other half to be similarily dealt with.

HON. G. FRASER (West) [6.0]: I support the Bill wholeheartedly, but there are a couple of points to which I wish to refer. One clause empowers the Governor to constitute any part of the State a sewerage area. I think it would have been better had the Bill provided that this should be done at the request of the local authority. Let the first advance be made by the local authority. I dare say it is safe to assume that before a district was sewered, the local authority would be approached by the department.

Hon. W. R. Hall: The department would not install the sewerage without the approval of the local authority.

Hon. G. FRASER: But it could do so, under the wording of the Bill. It says that the Governor may, by Order in Council, order any part of the State to be constituted a sewerage district. Probably there are not many local authorities that would object if the Government took action along these lines, but I think it would have been preferable had provision been made for application by the local authority in the first place. Presumably the local authority would express its views on the question of sewering its district. However, it would be better for a district to make application to be sewered, rather than run the risk of having the department walk in and give the local authority notice of intention to sewer. Possibly there are some districts that do not desire a sewerage scheme.

Hon. W.. R. Hall: They desire it, but do not want to bear the expense of it.

Hon. G. FRASER: Provision should be made for the Government to grant loans to residents of a district not in a position to afford the cost of connecting their premises with the main. In the metropolitan area, ever since the depression, money has been advanced for this purpose. It would be useless to lay mains in a district and notify the people to have their premises connected when they might not possess the means to do it. This difficulty has been overcome in the metropolitan area by the Government making available money which is advanced by way of loan, I believe, over a period of six years. I hope a similar pro-

vision will be made to apply to the country areas. Of course, people in the country are wealthy as compared with those in the metropolitan area, but in some of the country towns there might be workers on the basic wage living in a little shack to whom the cost of sewerage connections would be a serious item. Possibly some of them own property on which they could not borrow sufficient money to pay the cost of the connections. However, some hardships are bound to be experienced under legislation of this sort.

On motion by Hon. G. Bennetts, debate adjourned.

BILL—COMPANIES ACT AMENDMENT.

Second Reading.

HON. H. K. WATSON (Metropolitan) [6.4] in moving the second reading said: The new Companies Act—a monumental Act of over 350 pages with a further 80 pages in the form of regulations—came into operation on the 1st January last and is a matter of vital and everyday concern to the business and commercial community of the State. Shortly after it began to operate, a company secretary in Perth revised the well-known lines of Omar Khayyam in this way—

> I often wonder whether members of Parliament ever have to work under anything one half so mysterious or complicated as the laws they pass.

Of course, it is one thing to pass a law, but it is quite a different matter to see that the law operates successfully. The Act has been in operation for nearly a year and, during that period, it has caused an immense amount of extra work, both in the office of the Registrar of Companies and for the commercial community. On their part, members of the commercial community have been at pains to accustom themselves and order their affairs to conform to the new Act. I wish to pay a tribute to the manner in which the Registrar, Mr. Boylson, and the Deputy Registrar, Mr. McFarlane, have co-operated with the commercial community in dealing with the many problems that were inescapable in consequence of the coming into force of this far-reaching and comprehensive Act.

An idea of the keen public interest in the operation of this law may be gathered from the fact that, a couple of months ago, the Deputy Registrar delivered an address on the provisions, the working and the implications of the Act; and the attendance at that meeting was so large that the hall which had previously been engaged for the meeting had to be abandoned and a larger hall obtained. I understand that the attendance numbered 600 or 700.

As was only to be expected in an Act of this magnitude, a year's working under its provisions has disclosed a number of directions in which amendment has become necessary or desirable. The amendments contained in the Bill are designed to correct a couple of obvious errors in the drafting of the Act, to clarify certain ambiguities and to streamline some of its provisions and thus make the statute more workable in the interests both of the Registrar's office and of the commercial community.

The Chartered Institute of Secretaries, which has 483 members in this State, the Chartered Institute of Accountants and the Perth Chamber of Commerce are the three responsible bodies whose day-by-day activities bring them into close contact with the working of the Act, and the amendments contained in the Bill are strongly recommended by those three bodies as a result of a thorough study of the Act and the experience of its practical application during the past year. The measure is essentially one for consideration in Committee, but I will now outline its general provisions.

Section 28 (5) of the Act authorises the use of abbreviations such as "Pty.", "Ltd.", "Co.", etc., in place of the words for which they stand and the use of the full words in place of the abbreviations in the names of companies "for the purposes of this part," that is, Part II., which deals with the incorporation of companies. Here a section of the Victorian Act has been adopted without modification in wording, but the effect in our Act is vastly different. Part I. of the Victorian Act deals with trading companies and covers the equivalent of virtually the whole of our Act. The Registrar, however, has instructed his officers to give effect to the subsection insofar as the acceptance or rejection of documents using authorised abbreviations, etc., is concerned, as though Section 28 (5) had the general application that its Victorian equivalent has. The Bill will correct that anomaly and confirm the action being taken by the Registrar.

The Bill proposes to remove from the Act a provision regarding prospectuses which, in practice, has been found to afford no practical protection to investors but has proved very irksome to them and to sharebrokers. The position is that if a company issues, say, a thousand prospectuses and they are posted by sharebrokers to prospective investors, all that the investor has to do is to complete the application form which, by the Act, must be attached to the prospectus, but be capable of being detached from it. An investor, on receiving such a prospectus, simply signs his name at the foot after having completed particulars as to the number of shares desired and returns it to the company or to his sharebroker. That applies to cases where prospectuses are posted out without there being any other activity.

Should the company, in addition to posting out the prospectuses, insert a brief advertisement in a newspaper in the form of an abridged prospectus, then the persons who received prospectuses by post must, in their own handwriting, write at the foot of the application form words to the effect, "I hereby certify that I have perused this prospectus and read it completely before detaching and signing this application form." That serves no good purpose; it does not protect any unwary investor. The Bill proposes to remove that condition from the Act.

The Bill also seeks to relieve a company secretary from the present obligation of preparing share certificates even though a transferee of shares does not desire the share certificate to be issued. The Bill also seeks to relieve a company secretary of the need for keeping at the registered office of the company copies of every document creating a charge upon the company. Section 95 provides that the company must keep at the registered office copies of every instrument creating a charge on any of the property of the company.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. K. WATSON: I was explaining that under the Act a company must keep in its registered office copies of every instrument creating a charge on any property of the company. The definition of "charge" in Section 3 of the Act includes a bill of sale registered under the Bills of Sale Act, but does not include a mortgage registered under the Transfer of Land Act, the Land Act or the Mining Act. Therefore, as to mortgages over land, a company is not required to keep copies of such instruments at the registered office, nor should there be any necessity for it to do so since the instrument can easily be searched at the Titles Office or some other registry.

Bills of sale can likewise be easily searched at the Supreme Court registry, and there should, therefore, be no necessity for a company to keep copies of registered bills of sale in its office. In respect to bills of sale and mortgage deeds, it ought to be quite sufficient that they be noted and described in the register of charges which a company, in accordance with the provisions of Section 96, must keep at its office. The parent Act contains a thousand and one declarations stating what a company must do or refrain from doing. In this connection, I would invite members to bear in mind Section 424, which provides, in effect, that when any matter or thing is directed to be done and it is not done, or when it is forbidden to be done and it is done, the company is liable to a penalty not exceeding £20; and, in the case of a continuing offence, to a penalty not exceeding £5 for every day.

The Bill is designed also to relieve a company secretary from the necessity to lodge a return of directors except on the occasion of the lodgment of the annual return, or when there is an actual change in the directorate. At the moment, under the Act, even if a director changes his occupation the secretary is obliged, within 14 days, to lodge a return at the court notifying such change. Failure to do so makes him liable to the penalties I have mentioned. After all, a director is not a ticket-of-leave man, and it should be sufficient if the return is lodged only when there is a change in the directorate. The measure likewise seeks to permit a secretary to certify to the balance sheet in the same manner as do the auditors and the directors. The Bill will relieve a foreign company of the necessity to open a share register in this State if there are no shareholders resident in Western Australia. That is desirable because there are literally hundreds of companies carrying on business in Western Australia which have

no shareholders here and are not likely to have any. The requirement that such companies should open a share register under pain of the penalty I have just mentioned, is unnecessary and irksome.

Hon. G. Bennetts: Most of the shareholders of the goldmines at Kalgoorlie are in London.

Hon. H. K. WATSON: That is so but, on the other hand, there are shareholders of goldmining companies resident in Western Australia, and in such cases there is no reason why a local register should not be kept. If, however, a New Zealand company opens a branch here for its own purpose, there is no reason why it should have to keep a local share register. The Bill also provides that the annual return of shareholders which has to be lodged at the court shall be made up to the 30th June in each year in lieu of the 31st March. This will save duplication and bring about uniformity with the list of shareholders that has to be prepared by the company for income tax purposes at the 30th June in each year.

The measure also provides that share registers, minute books, etc., may be kept on the loose-leaf principle. The clause relating to this question has been taken from an Act passed by the United Kingdom last year. The Bill also makes clear that a company may use its popular trade name in the case of ordinary trade advertisements, and shall not be compelled to use its full legal title. The strict technical position under the Act at the moment is that even in the case of an ordinary newspaper advertisement or an advertisement on a container, a company has to use its full legal title whereas on a packet of ice-cream the usual thing is to see "Peters." Technically, that company should have printed on the packet "Peters American Delicacy Co. Pty. Ltd."

A similar anomaly in the English Act was removed by amending legislation last year. The amendment in this Bill is designed to have a similar effect here. Needless to say, a company will still be required to use its official title in all formal documents, and advertisements that appear in the public notices. The existing provisions of the Act regarding the closing of the register for the declaration of dividends affords insufficient time in the case of companies which pay quarterly dividends, or which have several classes of shares and pay dividends on those various classes at different times. The Bill, therefore, is designed to extend the period during which the share register may be closed.

Under the Act, a company must hold its annual meeting within three months after the closing of its financial year. Experience has shown that with many companies this period is too short in which to finalise the year's accounts have them audited and distributed, and then hold the annual meeting. The permitted period for the finalising, auditing and printing of the accounts is really less than three months because the documents, almost invariably, have to be circulated at least a fortnight before the holding of the annual meeting. Auditors and accountants work under extreme pressure from the 30th June onwards, and it is asking too much of them to have the affairs of their clients finalised within a couple of months. The Bill, therefore, proposes to extend the period to six months. The Deputy Registrar when discussing this question in an address he gave some months ago, said that 12 months to keep accounts and six months to check them was far too long. That is not quite a fair or true statement of the position, which is that it certainly takes 12 months to keep accounts; but when it comes to finalising them, the average auditor in the three, four or five months after June, is not merely dealing with the accounts of one company but with those of dozens or hundreds.

It is really a physical impossibility for all companies to have their accounts balanced and finalised so that they are able to hold their annual meeting within three months. The Bill is also designed to remove some of the present disabilities of auditors —particularly those who carry on business in this State and who, by virtue of connections in the United Kingdom, have partners resident there. Subsection (6) of Section 154 of the Act seems to have been an unfortunate local invention without any counterpart in the English Act or in any of the Australian Acts or the New Zealand Act. Last year, Parliament amended this subsection to make it not apply to a director of a proprietary company or a co-operative company. But the prohibition which that section contains against a director voting on a contract in which he is interested still creates some absurd situations which pre-

vent companies from carrying out their normal functions.

Particularly is this so in the many cases where there are companies, subsidiary companies and inter-connected companies, and the same persons are the directors of all of them. In other words, the directors of a holding company are the directors of a subsidiary or associated company. In such a case, the provisions of Subsection (6) of Section 154 seriously hamper the continuance of the business relationship between the two companies inasmuch as, there not being an independent board, no director is entitled to vote on a contract. It really becomes impossible, in those circumstances, for one company to carry a valid resolution in respect of agreements between the two companies. It is felt it should be sufficient that an interested director should declare and have minuted his interest in any contract as provided by the earlier subsection of Section 154, and the Bill provides accordingly.

Under the parent Act, as it stands at the moment, a company, to be a proprietary concern, must restrict its membership to 21. For all practical purposes, it is submitted that 21 is rather too low, particularly where one finds, as one frequently does, a shareholder dying and his shares being split up amongst half a dozen beneficiaries. In an event where a company has 18 or 19 shareholders, and one of the shareholders dies and leaves his shares to be split up amongst three, four or five beneficiaries, it takes the number over 21 and, therefore, that proprietary company becomes a public company. As far as I can ascertain, all the other Australian Companies Acts provide that the membership of a proprietary company shall not exceed 50.

The Chief Secretary: Proprietary companies?

Hon. H. K. WATSON: Yes, proprietary companies shall not exceed 50, and, therefore, in the interests of uniformity as well as from the practical aspect, the Bill proposes to make a similar limit of 50 in Western Australia. The measure also seeks to clarify Section 151 of the principal Act and to remove an anomaly that is causing serious concern to the majority of companies in this State. This section is without precedent in any other Companies Act of Australia or the United Kingdom. This is a doubtful distinction of which the Act could well be relieved. Article 68 of Table A of the Companies Act provides that the directors may appoint one of their body to the office of managing director, or manager, at such remuneration as they may think fit. That article is really a standard article, which is to be found in Table A of any Companies Act in Australia or the United Kingdom.

It simply proclaims the universally accepted practice that the remuneration of the managing director or the manager shall be fixed by the board of directors. In legal circles there is a considerable difference of opinion as to just what Section 151 means, but it is at present interpreted and applied by the Companies Office as meaning that a managing director's remuneration—that is, his salary as distinct from his director's fees—shall be fixed not by the board of directors but by the shareholders in general meeting. The salary which a company pays to its managing director is not a matter to be broadcast by a company for the benefit of its competitors, yet that is a distinct danger which it apparently has to run under the Act as it stands. Moreover, there are on the boards of many companies professional men, such as solicitors, architects, engineers, and so on, who, in addition to acting as directors of the companies, may sometimes be called upon to do some professional work for the companies over and above their ordinary duties as directors. Such men are, of course, most eminently suited in the interests of the company to do that particular work which the company desires them to carry out.

The opinion has been expressed by the Deputy Registrar of Companies that this section is framed in such wide terms that all remuneration paid to a director, not merely for his services as a director but for any service at all, may have to be authorised and approved by a general meeting of shareholders. For example, it would seem that a solicitor who is a director of a company and who, in his professional capacity as a solicitor, writes a letter to, or issues a summons against, a debtor of the company, must have the payment of his fee for that service authorised by a general meeting of shareholders. The Bill proposes to do away with this absurd position and clarify the section and remove its present conflict with Article 68 of Table A.

I would emphasise, however, that the Bill in no way diminishes the right of a shareholder under Section 153 to have furnished to him full particulars as to the amount of all payments made to any director or managing director, by way of director's fees, salaries, etc. Nor does it in any way diminish the right under Section 152 of a minority shareholder to appeal to the court against any excessive remuneration of a director or managing director. The Bill also provides for the repeal of Section 397, which is one of those pernickety sections that achieve no real purpose except to make people cross. The Bill is designed to make the Companies Act work, and to work more efficiently than it does today. The passage of the Bill is requested by a large body of men who, like myself, are company directors, secretaries, registered auditors and liquidators and who have daily contact with the Act and its requirements—men who speak from practical experience.

One other matter I wish to mention concerns Section 5. To me it is of academic interest only. Nevertheless, since I have introduced the Bill, I feel that the occasion should be taken to clear up an ambiguity relating to banks, which at present is contained in that section. It seems that up till a few months ago the Registrar of Companies held the view that under Section 5 a bank was intended to be exempt from the operations of the Act, but on a strict legal interpretation it was brought under the Act. I understand that the Crown Law Department has since given a ruling to the contrary and to the effect that banks are legally not bound by the Act. Their position is extremely doubtful, and there appears to be a difference of opinion in the highest legal circles as to just what Section 5 does mean. I feel, therefore, that the position should be clarified.

My own view is that the Act should make it clear and that as banks are registered under the Banks and Banking Act they ought not to come under the general provisions of the Companies Act but should, in the main, be exempt from it. However, I do not think that they should be exempt from that section of the Companies Act which requires a company to have a local share register. If a bank is carrying on business in this State, and has shareholders in this State, then I feel it should be required to keep a local share register because that would then permit local shareholders to be relieved of the burden of having to pay double death duties in the event of death.

Unless a company has a share register in Western Australia, people domiciled in Western Australia have to pay probate duties on those shares in this State and probate duty in the State in which the company has its share register. For that purpose I feel that whilst the banks should be exempt from the general provisions of the Act, it should be made clear that they are covered by the requirement to have a local register in Western Australia. The amendment contained in the Bill regarding Section 5 is a pro forma one and during the Committee stage I will either submit, or invite the Chief Secretary to do so, a suitable amendment which will clear up the particular point I have been discussing. I commend the provisions of the Bill to the House, particularly on behalf of that not overpaid and most long suffering individual, the company secretary. I move—

That the Bill be now read a second time.

On motion by Hon. J. A. Dimmitt, debate adjourned.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 23rd November.

HON. J G. HISLOP (Metropolitan) [7.57]: This Bill embodies provisions similar to those of one which was before the House about two years ago, in regard to the age at which nurses should be permitted to undertake training at the Wooroloo Sanatorium. Since then—we introduced the words "twenty-one" so that it would not be permissible to employ nurses at Wooroloo under that age—considerable investigation and a number of reports have been made on the incidence of tuberculosis. These appear to have convinced the authorities who are in charge of the conduct of the Wooroloo Sanatorium and they feel they are justified in now bringing forward a Bill to revert to the age of 18 years for the commencing date of training as a tuberculosis nurse.

Whilst I must admit that I do not like it and I feel that I have not given sufficient thought to the mass of literature which has been published on the matter, I do not intend to oppose the Bill, because I do not think that there is any real hope that it will

affect the number of nurses wanting to undertake tuberculosis training. Why I do not particularly like the Bill at all is that it allows to be perpetuated an inadequate scheme of nursing training. I feel so long as we continue to allow the introduction of a Bill of this nature permitting old ideas to remain in force, we will only delay the introduction of modern methods.

Using the remarks of Dr. Henzell, which the Chief Secretary quoted during his second reading speech, we find that the death rate in England and Wales in young women in the age group of 15 to 19 years is 35 per 100,000, compared with the death rate in the age group of 20 to 23 years of 63 per 100,000. If I liked to use those figures for my own purposes, I could point out that it obviously means that the time of infection occurs in the earlier age group. For that reason, I think we must face the fact that the nursing population does run a greater risk of developing T.B. than does any other section of the community of the same age and sex occupied in any other walk of life.

For that reason, I feel that considerable stress should be laid upon the need for every possible protection of the health of girls undertaking nursing training. I am quite in agreement with the statement made at the end of Dr. Henzell's statement—

> Every nurse who is handling cases of pulmonary tuberculosis must be instructed in the precautions which she is to adopt.

Furthermore, I also agree with his statement—

> All nurses commencing training with a negative Mantoux reaction should receive B.C.G. vaccination.

I go further than that. I am going on what the Working Party, to which I referred in my earlier speech, laid down as the essentials for future safeguards for nurses. They state—

> All immunisation should be carried out prior to the commencement of ward work and should include at least vaccination against small-pox, T.A.B. inoculation against typhoid, immunisation against diphtheria and, when available, B.C.G. vaccination against tuberculosis.

I draw particular attention to the words, "the immunisation should be carried out prior to the commencement of ward work." Then, again, we have Dr. Henzell's statement that nurses in a general hospital run a greater risk of contracting tuberculosis than do nurses in sanatoria. We must place against that the fact that we continue to use up the health of young adolescent girls at a greater rate than we are doing in a general hospital, by asking them at the time they are most susceptible to tuberculosis, after carrying out a day's heavy work extending over eight hours, to fit themselves for nursing examinations.

Therefore, I make a further plea that if there is anything at all of truth in the statements that have been compiled into the memorandum of Dr. Henzell, it lends force to my view that the time is very ripe for the introduction of modern methods of nursing training whereby all these measures of protection would be carried out prior to the nurse undertaking nursing work of any sort, whether in a general hospital or in a tuberculosis sanatorium. Thus, we must come back eventually to the institution of a central training school for nurses in which they are placed for academic instruction as well as being prepared to face this period of infectivity whilst nursing, before they undertake nursing work at all.

That brings me finally to the method of training, which I asked the House to consider only at the end of last week, whereby we institute a year of academic training followed by two years of nursing service, thereby setting up the basic training for a nurse, who could then qualify for specialised work afterwards. By that means, we would again be able to fulfil the wishes of the National Health and Medical Research Council of the Tuberculosis Committee, which suggests that all these girls in training spend two months at a tuberculosis sanatorium. If we agreed to that, we would do away with the need for tuberculosis nursing, and we would institute modern methods which would be much safer and would not call upon those who are concerned about this measure, to approve of it while they do not really accept it in principle.

HON. G. BENNETTS (South) [8.8]: I support the contentions of Dr. Hislop in this matter. On the Goldfields some years ago, we were always scared about the position of young girls undertaking this work, and it certainly was the means of preventing many of them engaging in the profession because they, as new chums, would have to go to the Sanatorium at Wooroloo for training. I do not know, but I certainly think that girls of 18 years of age would be too young for that training.

Girls at that age are apt to be careless. If they were to attend a school for 12 months, as suggested by Dr. Hislop, they would receive instruction in what was likely to happen to them if they were neglectful. That in itself would be a good thing. Then, if they undertook two years of further training, the girls would be better fitted for their work. It has always been recognised that those under 21 years of age are more likely to suffer from tuberculosis than those who are older. Whether it is that certain portions of their lungs are not strong enough or whether it is a matter of carelessness, I do not know. I would like to see the school suggested by Dr. Hislop set up, and I certainly think it would be better for the girls themselves.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Section 5:

Hon. E. H. GRAY: In 1946, I sponsored a Bill, acting on the advice of Dr. Henzell, which fixed the age at which girls could start training at Wooroloo at 21 years. On this occasion, I am again accepting Dr. Henzell's advice in view of the statement read out to members by the Chief Secretary. I support the amendment that is now proposed. Dr. Henzell has at his disposal information regarding all the recent developments in the treatment of tuberculosis. He is a man to be trusted, and is one of the most outstanding figures in the Commonwealth in the treatment of this very serious disease.

Hon. J. G. HISLOP: Is there any need for the provision in the Bill reducing the age at which these girls can start their training from 21 to 18 years? I would point out to the Committee that at present girls are able to commence training in nursing at 18 years. It does not seem that the proviso is necessary at all.

The CHIEF SECRETARY: I think the proviso has been inserted in view of the wording of the 1946 Act. I agree that possibly we could strike out the proviso.

Hon. J. G. Hislop: It is not needed.

The CHIEF SECRETARY: Possibly that is so, but, on the other hand, as a matter of drafting I think it should be retained. In any event, the effect is the same.

Clause put and passed.

Clauses 6 to 8, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—PUBLIC SERVICE APPEAL BOARD ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [8.18] in moving the second reading said: This short Bill deals with the rights of temporary employees in the Public Service. Originally, a person who was employed for five years in a temporary capacity in the Public Service could apply to be placed on the permanent staff. In 1941, owing to war conditions, an amendment of the parent Act was passed providing that this particular provision should not operate during the period of the war and for one year after the Governor-General of the Commonwealth should have declared the war to be ended. The war continued longer than was expected when that amendment was passed. Therefore, in 1945 the following proviso was made law:—

> Provided further that in the computation of such period of five years as is mentioned in the first paragraph of this subsection any period of employment during such time as is mentioned in the first proviso to this subsection shall be excluded.

In other words, men who served during the war would not come under the original provision of the parent Act, because, if they did, there would be such an enormous number of public servants to be absorbed. They were made temporary servants only while other officers were with the Forces. The Bill provides that any period of employment between the 25th November, 1941, and the 30th day of June, 1949, shall be excluded; that is, as regards the right of appeal to be placed on the permanent staff.

Hon. Sir Charles Latham: Those employed during that period?

The CHIEF SECRETARY: Their service would not count for the purposes of the Act.

Hon. G. Bennetts: Does that apply only to persons who were relieving the men who went to the war?

The CHIEF SECRETARY: No. This provision does not apply to a person who had been continuously employed for a period of not less than two years immediately prior to joining the Forces. His rights are preserved. The Bill also provides that a person who has been continuously employed during the whole of the period from the 25th November, 1941, to the 30th June, 1949, shall be included. Members will readily understand that it would be quite impossible to absorb into the Civil Service all those persons who had temporary jobs during the war period.

It must not be understood that everyone of them will be excluded from applying for a permanent position. It is not advisable to lift the restrictions immediately, as there are 211 temporary officers still employed in activities due to the war, such as the State Housing Commission, price control and War Service Land Settlement. As the necessity for these departments diminishes, the services of the temporary officers will have to be dispensed with. In addition to the 211 employees, there are 207 temporary officers acting in permanent positions in the Public Service.

The employment of such a large number of temporary officers in permanent positions is not normal. It is the direct result of losses of permanent officers through war service and also owing to the shortage of juniors. This shortage of juniors has been aggravated by the policy of the Commonwealth Bank, which has been offering automatic progression to a salary in excess of £600 per annum, with the result that the service has lost a considerable number of junior officers through resignations.

It is difficult to obtain juniors for the Public Service, because in the service they get promotion by merit, and it is but natural that they should go for the plum of £600 per year dangled in front of them by the Commonwealth Bank. A plan is therefore being formulated with the object of bringing into the permanent service a number of officers who are at present employed in a temporary capacity. A scheme for the training of ex-Servicemen has been introduced. Under this plan, which was arranged through the Commonwealth Reconstruction Training Scheme, 40 selected ex-Servicemen have been undergoing a full-time course at the Technical College.

Some of these trainees will become fully qualified for permanent employment at the end of this month and the remainder by June of next year. There are 15 ex-Servicemen at present employed in Government departments who are taking part-time studies and their appointment to permanent positions will follow on their passing certain subjects. Members will therefore realise that efforts are being made to place the Public Service on a more stable basis in the future than has been possible under conditions necessitating the employment of a large temporary staff. I fear that some of these temporary officers are doing work of a nature not commensurate to their age. However, the matter is being attended to as quickly as possible, but it is essential to pass this Bill, otherwise these people will have the right to apply for permanent employment, and that is not a fair bait to dangle before them. I move—

That the Bill be now read a second time.

HON. G. FRASER (West) [8.25]: I do not like the Bill very much. We are now extending the time to seven years and eight months in which a man will be engaged in temporary employment. I quite understand that during the war years these temporary men had to be employed because of the number of permanent officers who enlisted for military service. We have to remember, however, that most of the soldiers were discharged from the Forces between October, 1945, and June, 1946. Not a great number was left in the Forces in June, 1946. Therefore, any necessary readjustment of the Public Service ought to have been completed by the end of 1946, at all events. Yet we now have this proposal to extend the period to June, 1949.

I am reminded of a Select Committee of which I was a member. During the course of the proceedings we were dealing with the definition of a casual, and one witness, who had been some 39 years in a job, was still classed as a casual. It seems to me that this legislation will lead to that sort of

thing and I do not think it is fair. I am prepared to concede that a reasonable time should be given for the readjustment of the service, but this is carrying it a little too far. I quite realise the point mentioned by the Chief Secretary regarding the number of men in departments which ordinarily would not employ anything like the number they now do. He referred to the State Housing Commission as an example. Because of abnormal times the number employed by that Commission has been increased, and it would not be right to include the temporary officers employed there in the Public Service.

Some other way out of the difficulty ought to be found, rather than the method suggested by this Bill. If my recollection serves me aright, a number of men were employed in the Commonwealth Public Service as temporary officers or casuals, but they were engaged on work that was not likely to lead to a permanency. The difficulty in that case was got over by exempting them from the provisions of the Public Service Act. That method is to be preferred to what this Bill proposes, as it covers all the temporary employees, not a few in a particular department. Some of these men will eventually become permanent officers. I quite realise some of the difficulties facing the Government; but, if we do agree to pass this Bill, I hope we shall not have a similar Bill extending the period beyond June 1949, because this would then be a kind of Kathleen Mavourneen legislation. We made an extension some two or three years ago. Now we are to make a further extension.

I think we should definitely tell the Government that any similar measure will in future receive a hostile reception. I shall not go as far as to oppose the second reading. I would impress upon the Chief Secretary, however, that some of the officers deserve better treatment than this Bill will give them. As regards other temporary officers in departments of mushroom growth, some drastic action should be taken with respect to their right of appeal to the board to be made permanent officers.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [8.29]: I think Mr. Fraser misunderstands the position. The Act already provides that no time shall count until one year after the Governor-General shall have declared the war ended. That provision will be repealed by this Bill.

Hon. G. Fraser: Did we not actually do that before, in 1946?

The CHIEF SECRETARY: That was in 1941. In 1945 it was declared that five years' service during the war period should not count, and now we say that whether the service was rendered during the war or not the time shall expire in June, 1949.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—LAND AND INCOME TAX ASSESSMENT ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [8.34] in moving the second reading said: The purpose of this Bill is to rectify an error made in the past. Apparently for some years now provisions that should have appeared in the assessment Bill have appeared in the taxing measure. The present Bill takes out of the latter the words that appear in Clauses 3 and 4 and inserts them in the assessment measure where they should always have been. The Bill alters the law materially, but only in a technical way by putting these words in their correct place. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—DOG ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—MINING ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [8.38] in moving the second reading said: This is a most important Bill which deals with the coal position. Members will realise that the production of coal is a matter of the utmost importance. I am pleased to say that the industry is thriving in this State and the past year's output was a record. We have been blessed with industrial peace and, although there was some upset on the Collie coalfield a little while ago, our industrial troubles there have been nothing like as serious as those experienced in other parts of Australia.

Although, as I have said, a great quantity of coal has been produced, a good deal of trouble has been experienced in keeping the industry going and planning for the future. At present the Commonwealth has control of the coal industry under Federal laws providing for the settlement of industrial disputes through the Commonwealth Coal Tribunal, which, in fact, is Mr. Gallagher. He has appointed a board with Mr. Wallwork as chairman. That board has done excellent work in the settlement of disputes and, rather than wait until they have reached an acute stage, has nipped them in the bud.

The Collie miners have requested that the Commonwealth regulations or a similar form of control be continued, with the idea particularly of avoiding stoppages. Of course, friction will arise from time to time, but the intention is to prevent it from becoming serious. The Government has given consideration to the question of appointing an advisory board and a capable and efficient coalmining engineer. We have already a State Mining Engineer, but it is desired to secure the services of a coal specialist and efforts are now being made to obtain the services of an eminent man, with a practical as well as a theoretical knowledge of coalmining, to be chairman of a board consisting of a representative of the owners and a representative of the employees.

Such a board will give the employees an interest in the welfare of our coalfields. The Bill provides for the formation of an advisory board of that type with the chief coal engineer as its chairman. The board will be able to make full inquiries into the general running of the coalmines, besides acting in an advisory capacity. About 12 months ago pressure was brought to bear on the Government to appoint a coalmining engineer who could be consulted by the companies and whose appointment would give the men confidence. Members may have read in the Press recently how some men were put off from one of the coal mines because the workings were approaching older workings and it was feared that water from that old portion of the mine would break through into the new workings. On another mine men were put off because sufficient developmental work had not been done.

Naturally the men wish to see developmental work going ahead, in order that there may be continuity of employment. In those directions it is believed the board will give considerable assistance. It will be able to advise the companies and will give the men a much greater sense of security. Another important provision in the Bill gives the Governor power to make regulations with regard to the development of coalmines, working conditions and so on. A complaint was made recently about bad air, but it was thought that there was not sufficient power to deal with the matter. This amending legislation and the regulations—which will have to be placed before Parliament in order that they may be disallowed if necessary—will meet the position. The regulations could be so framed as to give the men the security to which they are entitled, and to control the working conditions generally. At present, certain power is given to an inspector to do these things, which is thought to be not quite sufficient.

As I have mentioned, an important phase dealt with concerns industrial disputes. It is proposed to appoint an arbitrator, or whatever members may choose to designate him, to be chairman of a board dealing with industrial disputes. The board will be called, the Western Australian coal industrial tribunal. Apart from the chairman, the members will comprise two employees' and two employers' representatives. Except in one respect, it will be entirely apart from the Arbitration Court. It will act on its own and quite expeditiously, with a view to preventing disputes arising. That is the object. It follows the existing law.

I am asking the House to pass this Bill because it is understood that early next year the Commonwealth will repeal its present laws, or discontinue its control, and we must be ready for the cessation of that control. Either party may appeal to the Arbitration Court if the approval of the President is first obtained.

Hon. G. Fraser: That is, an appeal against a decision of the tribunal.

The MINISTER FOR MINES: Yes, by either party. But they cannot appeal as a right; they must obtain the permission of the president. The next important matter is the distribuion of the coal. At present, a board set up by the Commonwealth distributes all coal, whether it be oversea or native coal, and it is an extremely efficient and successful body. From time to time there has been a shortage in one place or another, say, at the Power House, in connection with the railways or at the cement works. Coal is allocated from wherever it is lying and sent to where it is required. Occasionally it has been necessary, when there has been a holding up, say, in shipping, to take bunker coal and divert it to the gas works to keep them going. It is proposed to continue the board with the same powers.

Hon. H. K. Watson: They are extraordinarily wide powers.

The MINISTER FOR MINES: Yes, but the board possesses those powers at present. The arrangement has worked most satisfactorily. Members need not worry about the distribution aspect. We can consume far more coal than is at present being produced. The Goldfields are particularly anxious to obtain coal, and there is an assured market for it, but we have not been able to get sufficient quantities to meet the demand there. The Government has had to guarantee on behalf of some of the mines in Kalgoorlie, the money required for the purchase of the woodline. It is hoped that we shall be able to supply coal for the power house at Kalgoorlie in the not distant future. The Government has done a great deal to encourage the production of coal at Collie.

Some of the mines are mechanised and others are being mechanised, but difficulty is experienced in getting the necessary machinery because of the dollar situation. All the business in that respect has to go through the Commonwealth. We are securing some machinery which is being despatched to Collie to work the open cuts for the production of additional quantities of coal. A new company is about to be formed to take over a lease covering an area where excellent quality coal has been located by boring. The object of opening up that area is to supply the gold mines in Kalgoorlie and other consumers, but those concerned will be called upon, under the agreement, to supply the railways with a certain quantity.

We trust the development on the Collie coalfield will be very satisfactory in the near future. We are handicapped to a great extent by lack of machinery and our inability to obtain greater quantities of it. Everything possible is being done to overcome the difficulty. There was a conference in my office this morning between the unions and the mineowners. It was a happy gathering and that augurs well for the production of coal to last over the Christmas holidays. Great hopes are entertained that nothing will occur to curtail activities at Collie, and there is every prospect of a great improvement in the mining of coal. This Bill, when passed, will be of great assistance in the administration of the coalfield, and will have a considerable bearing on the industry in every way. We hope to be able to obtain adequate supplies of coal under good and proper conditions. The object of the measure is to assist the industry. I move—

That the Bill be now read a second time.

On motion by Hon. E. H. Gray, debate adjourned.

BILL—ELECTRICITY ACT AMENDMENT.

Second Reading.

Debate resumed from the 23rd November.

HON. L. A. LOGAN (Central) [8.52]: At first sight, this Bill seemed to contain nothing contentious. After examining it carefully, I feel that there is no intention on the part of the framer to impose any harsh measures. I was, however, rather worried about the clause dealing with the wiring or fitting of electrical installations, and feared that this might lead to something more than the original permanent fittings that must be supplied by every landlord to the house. If it is not intended to go further than that, the Bill should be all

right, but if anything more than that can be read into it, I would not be in favour of the measure.

I understand that some landlords are rather lax with regard to electrical installations in the houses occupied by their tenants. In many instances it is possible that defective wiring may lead to danger to life. Electrical fittings that are faulty are always dangerous, not only to occupants of the house but possibly to the neighbours. I do not think this measure will affect many people. There are very few houseowners who would allow a defect in the wiring to remain unfixed. The object of this measure is to deal with those owners who are lax in that respect. As there is nothing contentious in the measure, I shall support it.

On motion by Hon. H. A. C. Daffen, debate adjourned.

House adjourned at 8.55 p.m.

Legislative Assembly.

Thursday, 25th November, 1948.

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The SPEAKER took the Chair at 3 p.m., and read prayers.

QUESTIONS.

POLIOMYELITIS.

As to Incidence and Risk at Places of Entertainment.

Mr. LESLIE asked the Minister for Health:

(1) Is poliomyelitis contracted through infection or by contagion?