

While we have a special committee which regularly considers the position of boys, we did not have one acting similarly with respect to girls. In recent months one has been established with the object of looking after their welfare.

Several meetings have been held, and as a result several releases have been recommended to me and I have agreed to them. That represents a step forward in the work of the department and I expect that the committee operating for the girls will prove as satisfactory as the one dealing with boys has been in the past. We have also decided this year once more to make available to those dependent on the department a special allowance by way of Christmas cheer, in connection with which the Child Welfare Department receives assistance from the Lotteries Commission. That assistance has been available in previous years and is to be provided again so that it is possible to give the children a little extra help during the Christmas season.

Vote put and passed.

Vote—*Mines*, £160,863—agreed to.

Public Utilities:

Votes—*Goldfields Water Supply Undertaking*, £188,250; *State Electricity Commission*, £5; *State Abattoirs and Saleyards*, £62,680; *Metropolitan Water Supply, Sewerage and Drainage Department*, £172,230—agreed to.

Progress reported.

DISCHARGE OF ORDERS.

The following Orders of the Day were discharged:—

- 1, Stipendiary Magistrates Act Amendment Bill.
- 2, Cattle Industry Compensation Bill.
- 3, Marketing of Potatoes Bill (No. 1).

On motions by the Premier.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne): I move—

That the House at its rising adjourn till 11.30 a.m. tomorrow.

Mr. SPEAKER: As the House will be meeting early tomorrow morning, I would advise members to retain their notice papers for today's sitting in case tomorrow's notice papers do not arrive in time. By doing so they will have before them details of messages from the Council and the amendments that are proposed respecting various Bills.

Question put and passed.

House adjourned at 10.59 p.m.

Legislative Council.

Thursday, 12th December, 1946.

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The PRESIDENT took the Chair at 2.30 p.m., and read prayers.

QUESTIONS.

POULTRY AND PIG FEED SHORTAGE.

As to Transporting Wheat by Road.

Hon. G. B. WOOD asked the Chief Secretary:

1, Is the Government aware that the poultry and pig industries are threatened with a shortage of wheat and mill offal

owing to the inability of the railways to cope with wheat traffic?

2, Will the Government authorise temporarily the unrestricted use of road transport until the present situation is rectified?

3, Will the Government subsidise the extra amount, if any, charged to the poultry and pig industries, caused by road transport?

The CHIEF SECRETARY replied:

1, The shortage of mill offal has been accentuated during the last few weeks due to a combination of circumstances, one being a deficiency in railway tractive power.

2 and 3, The need for road transport to supplement the carrying capacity of the railways and the conditions under which it may be used are receiving the consideration of the Government.

NORTH-WEST SHIPPING.

As to Shortage of Passenger Accommodation.

Hon. F. R. WELSH (for Hon. R. M. Forrest) asked the Chief Secretary:

1, Is he aware of the difficulty and sometimes impossibility of securing passenger accommodation by ship for North-West ports?

2, Has the Government any proposals for relieving this position?

The CHIEF SECRETARY replied:

1, Yes. The loss of M.V. "Koolama" has reduced available accommodation by 164 berths, and modifications to M.Vs. "Koolinda" and "Kybra" by a further 64 berths.

2, Yes. Plans are being considered for additional suitable tonnage for the North-West coast.

BILL—MANDURAH CHURCH BURIAL GROUND.

Introduced by Hon. H. Tuckey and read a first time.

BILL—LEGISLATIVE COUNCIL (WAR TIME) ELECTORAL ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [2.40] in moving the second reading said: I would like once

more to express regret that the necessity for a constitutional majority for this Bill was overlooked and it is therefore necessary that we take this measure through the second and third reading stages again. Members are aware of the contents of the Bill, the object of which is to extend the right to Servicemen who are serving in Japan and Borneo to register a vote at Legislative Council elections, provided they are qualified and are on the roll. The Bill extends the application of this measure until the 31st December, 1947. I move—

That the Bill be now read a second time.

The PRESIDENT: As an absolute majority is required to pass this Bill, I shall divide the House.

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

Ayes	..	..	..	22
Noes	..	..	..	0
Majority for				22

AYES.

Hon. C. F. Baxter	Hon. A. I. Loton
Hon. G. Bennetts	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. J. A. Dismitt	Hon. H. L. Roche
Hon. J. M. Drew	Hon. C. H. Simpson
Hon. F. E. Gibson	Hon. A. Thomson
Hon. E. H. Gray	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. F. E. Welsh
Hon. J. G. Hislop	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. L. Craig

(Teller.)

NOES.

Nd.

The PRESIDENT: There being a constitutional majority, I declare the question duly passed.

Question thus passed.

Bill read a second time.

In Committee.

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

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [2.48]: I move—

That the Bill be now read a third time.

The PRESIDENT: As an absolute majority is required to pass this Bill, it will be necessary to divide the House.

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

Ayes	..	..	..	21
Noes	..	..	..	0
				—
Majority for	..	..	21	—

AYES.

Hon. C. F. Baxter	Hon. W. H. Kitson
Hon. G. Bennetts	Hon. A. L. Loton
Hon. L. B. Bolton	Hon. W. J. Mann.
Hon. Sir Hal Colebatch	Hon. G. W. Miles
Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. L. Roche
Hon. J. M. Drew	Hon. A. Thomson
Hon. F. E. Gibson	Hon. F. R. Welsh
Hon. E. H. Gray	Hon. C. B. Williams
Hon. E. H. H. Hall	Hon. C. H. Simpson
Hon. J. G. Hislop	(Teller.)

**NOES.
NIL.**

Question thus passed.

Bill read a third time and transmitted to the Assembly.

**BILL—WESTERN AUSTRALIAN
TROTTING ASSOCIATION.**

Returned from the Assembly without amendment.

BILL—STATE HOUSING.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 3 to 11 made by the Council, and had disagreed to Nos. 1, 2 and 12.

**BILL—EASTERN GOLDFIELDS
TRANSPORT BOARD.**

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [2.57] in moving the second reading said: It may be of interest to members if I refer briefly to the history of the Eastern Goldfields tramway undertaking. The installation and control of all tramways in Western Australia was originally vested in the Tramways Act of 1885. This measure, which closely followed the English Act, made provision for private persons or corporations called promoters to establish tramways with the approval of the local authority concerned and of the State Government. The procedure was that the promoter would enter into an agreement

with the local authority to construct and maintain tramways on specified routes and would then apply to the Minister for a provisional order authorising the undertaking. Subsequently it was necessary for Parliament to confirm the provisional order by way of legislation, all the early tramways in Western Australia being established by this procedure.

The term of the concession granted to the promoter was limited, and the local authority was given an option to purchase after a period, usually of 21 years. If the option was not exercised the promoter was required to hand over the whole undertaking as a going concern to the local authority at any time within a further period of 19 years.

Between the years 1899 and 1903 the Kalgoorlie and Boulder Municipal Councils and the Kalgoorlie Road Board each entered into various agreements with different promoters for the construction and operation of tramways. The promoters obtained the necessary provisional orders and by a series of Acts passed during those years the provisional orders were confirmed, these being shown in the First and Second Schedules to the Bill.

One of the promoters concerned was the Kalgoorlie Electric Tramways Limited, a company incorporated in England. In May, 1902, all concessions not held by that company were assigned to it, and it has continued to operate the tramway system on the Eastern Goldfields in accordance with the terms of the various original agreements. These agreements all provided that the undertakings in the district of each local authority would be transferred to the local authority at the expiration of 35 years. This term has been extended from time to time, mainly due to the war and, by mutual agreement between all parties, the 31st December, 1946, was finally fixed as the date for the transfer.

The difficulty which now confronts the local authorities and makes this Bill necessary is that, although the undertaking must be handed over on the 31st December, 1946, they are prohibited by Section 16 of the Tramways Act of 1885 from running tramways. In addition, it would obviously be undesirable for a tramway system extending over the districts of three local authorities to be taken over and operated piecemeal

the local authorities. An authority empowered to take over and run the tramway system through the districts of the three local authorities would be the most satisfactory means of administration, and the Bill proposes the establishment of such a body. The local authorities have unanimously signified their desire for the establishment of such a board, which will have a separate legal entity, the three local authorities as such having no responsibility for the administration of the undertaking. The proposed board, which is to be called the Eastern Goldfields Transport Board, will consist of six members and a chairman to be selected by the Governor from three persons to be nominated by the local authorities. This method of appointing the chairman has been requested by the local authorities, and the Government is agreeable.

In order that the board may be appointed without delay to take over its duties as from the 1st January, 1947, the Bill proposes that the local authorities concerned—the Kalgoorlie and Boulder Municipal Councils and the Kalgoorlie Road Board—shall each elect two members. This board will hold office until the 30th November, 1948. At subsequent elections, of the two representatives of each local authority, one will be elected by the council or the road board, and the other by the ratepayers. The board will be empowered to operate all forms of transport in the districts of the three local authorities and adjoining districts and will also be given the power to generate and supply electricity.

In drafting the Bill, the provisions of the Fremantle Municipal Tramways and Electric Lighting Act and the Melbourne and Metropolitan Tramways Act were watched closely, and that part of the Bill dealing with the constitution and powers of the proposed board has been based on those Acts. In regard to the election, qualification and disqualification of board members, the provisions of the Municipal Corporations Act and the Road Districts Act have been substantially followed. It is proposed that the election of ratepayers' representatives to the board will take place at the same time as the municipal or road board elections, and it is therefore desirable that the method of election of board members should conform

to that of the members of the local authorities concerned.

The proposed powers of the board are similar to those conferred by the Fremantle and Melbourne Acts, except that the Bill provides that the board shall have control over all forms of transport. It is not intended that the power to generate and supply electricity provided by the Bill should be exercised in the near future. That power is merely included in case it should be desired later, and in its exercise will be subject to the provisions of the Electricity Act and be limited to the supply of electricity for the use of the board. The power to sell, lease or abandon the whole of the board's undertaking is restricted for the reason that the board will be a public authority formed to provide transport facilities and should not be allowed to abandon its responsibilities without good cause.

The power to obtain advances by overdraft not exceeding £20,000 is similar to that contained in the Fremantle Tramways Act, which is considered to be most satisfactory. So far as loans are concerned, the provisions of the Municipal Corporations Act and the Fremantle tramways Act are generally followed. Representatives of the Fremantle Tramways Board, during discussions, attributed their sound financial position partly to the practice of investing reserves in the undertaking and so provision authorising such transactions has been included in the Bill. Certain sections of the Tramways Act, 1885, to govern the relationship between the board and local or other public authorities have been adopted. It is proposed that Section 385 of the Municipal Corporations Act, by which provision is made for the valuation of tramways for rating purposes and which excludes the Fremantle Municipal Tramways, will also not apply to the Eastern Goldfields board.

In an endeavour to make members au fait with the circumstances I have dealt fairly fully with the Bill, and I trust that it will receive the favourable consideration of the House. It is to be regretted that a Bill of this sort has to be dealt with at such short notice, but members will realise that if the local bodies are to take control of the tramway system on the Eastern Goldfields by means of such a board, we have no option but to agree to the proposal,

provided we approve of the principle of the board taking over the tramways from a private authority. I move—

That the Bill be now read a second time.

HON. W. B. HALL (North-East) [3.9]: I support the Bill and commend it to the House. The Chief Secretary has covered very fully the points affecting the change-over from the Kalgoorlie Electric Tramways to the proposed Eastern Goldfields Transport Board, and I cannot see anything in the measure that could give rise to any objection on the part of any member. During the period from 1902 to 1945, there was an agreement that permitted the Kalgoorlie tramways, under a concession from the local authorities, to run and maintain a tramway service for a number of years. One of the conditions was that at the expiration of the period, the assets of the company, including the rollingstock, etc, would revert to the three local bodies—the Kalgoorlie Municipal Council, the Boulder Municipal Council and the Kalgoorlie Road Board. The year 1945 marked the expiration of the agreement. Various meetings have been held with the object of the three local bodies' reaching a decision, but this had not been finalised sufficiently to permit of a decision being reached, and an extension of 12 months was granted to the company, which period will end on the 31st of this month.

Hon. C. B. Williams: Tell us just what interest the two councils and the road board will have in the undertaking.

Hon. W. R. HALL: I intend to deal with that. Numerous meetings were held last year. I was greatly interested in the project and attended each meeting. Each of the three local authorities has been receiving three per cent. of the takings on the line in its district and the payments, which were made quarterly, amounted to £90 to £100.

Hon. C. B. Williams: Who would get the largest share?

Hon. W. R. HALL: The Kalgoorlie Municipal Council would get the largest share because most of the sixpenny fares were collected in the municipality from passengers using the tram from Kalgoorlie to the mines, as well as the spur line to Lamington Heights, for which a 3d. fare is charged. The Kalgoorlie Road Board re-

ceived three per cent. of the revenue from fares between the carbarn and the boundary of its district at Dart-street, and the Boulder Council received three per cent. of the revenue collected in its district. As a result of serious consideration at numerous meetings, it was ultimately decided that the three local authorities should appoint a board. For this decision, there were several reasons. At one time it was thought that the formation of a company would be more suitable, but eventually the local bodies resolved that a board or trust should be appointed to take over the tramways and assume full responsibility for them. The trams are very old and the board will be confronted with a difficult task in getting the service into order. It will require all the power that is contained in the Bill to carry out the work it will be necessary to do.

The board will have power to borrow money. It will be necessary for it to put the rollingstock into proper condition, and if necessary purchase buses so that the people on the Goldfields will have the service to which they are entitled. I do not think the three local authorities concerned will be likely to receive any three per cents. revenue for some time to come. That, however, is not worrying them because they feel that the responsibility has been handed over to the board that has been appointed by the three authorities, and that it will endeavour to give the service that the municipalities and road boards have in mind to suggest and will also fulfil all its obligations to the ratepayers. At the final meeting when the draft of the Bill was approved, it was decided to appoint two members from each authority to form a board. These have been appointed with an independent chairman to be nominated by the Government. The chairman is not to be in any way connected with the local authorities concerned or even to be a member of one of them. That is a good idea. It will be necessary to appoint two men from each local authority for two years. That will give the board sufficient time in which to make plans as to what it intends to do in the future when the trams are taken over.

Arrangements have been made with the company, if the Bill becomes law, that the board shall take over from the 1st January, 1947. I was, prior to being elected to this House, an employee of the Kalgoorlie

Electric Tramway Company for 14 years, being first employed by that company as a motorman and later as a traffic inspector. The relationship between the manager, Mr. Stanley, and the local authorities has always been of a cordial nature. He is now getting on in years and seems to think the right thing has been done. He has co-operated with the present board to the extent that everything is arranged so that there will be no holdup during the changeover. The company ownership will finish at midnight on the 31st December and the transport board will take over immediately after. Because of several matters relating to the Bill that had to be discussed, and because of the difficulty in local authorities having their meetings periodically when required, it was sometimes hard to get all concerned together, and that resulted in the Bill being delayed.

It was originally intended to bring down a private Bill, but as this is a public matter it became a public Bill. The local authorities are all quite satisfied with what has been done. They agree that when the two-year period has elapsed and the term of representatives who are members of the municipal councils and road boards has expired, it will be for the ratepayers to elect one representative of the Kalgoorlie Road Board, one for the Kalgoorlie municipality and one for the Boulder municipality. Thus each local authority will have its individual representative on the board, making a total of six with an independent chairman. The board will be well constituted. If Kalgoorlie goes ahead as it is doing now I see no reason why the venture should not be a great success. I believe that if it is handled properly, care and judgment being combined with efficiency, the board will make a success of the service and it will be one the Goldfields will be proud of. The local authorities would be better off under the Bill than they were before because the Transport Board will have power—it may be some time before they can exercise it—to distribute moneys, and I see no reason, therefore, why the local authorities should not benefit to some reasonable extent from time to time.

Not one objection has been raised to the creation of the Goldfields transport board and no criticism to any extent has been offered. There has been no controversy over the general set-up and the decision of the three local authorities. Everyone seems to

be well satisfied with the arrangement. One or two points in the Bill require a certain amount of consideration. The first one is that which allows the board to sell various parts of the concern. Before that can be done the consent of the Governor must be given. I do not know whether that consent should not be on the part of the three local authorities, but I will give the matter consideration before that particular clause is dealt with. Then there is the clause dealing with the remuneration to be paid to the chairman and members of the board. It was decided by those who drew up the Bill that the remuneration should be £25 in the case of the chairman.

Hon. C. B. Williams: That is 10s. a week; wonderful!

Hon. W. R. HALL: It was also decided that members of the board should receive £12 10s. a year.

Hon. C. B. Williams: That is less than 5s. a week.

Hon. W. R. HALL: I do not think that will be sufficient remuneration for the services of those concerned seeing the extent of the job they will have to control and the number of meetings they will have to attend. It was, however, their own wish that these amounts should be stated in the Bill. I understand they are satisfied for the time being to allow that to stand until they see how this legislation works out. I dare say an amendment could be brought down to the Bill next session if thought fit. After all, the matter rested in their own hands and they were satisfied. They agreed to the resolution that provided for this remuneration. I know I would not sit on the board for that fee even if requested to do so. It is not sufficient pay for the services to be rendered. I do not feel disposed to do very much about the matter in view of the circumstances in which we find ourselves today and having no intimation that any alteration is required. This will be a new set-up and no-one knows what he is in for. I think it will soon be realised that the payment is altogether insufficient for the services to be rendered.

The Bill empowers the board to borrow money and spend it more or less as it deems fit. I think it will be confronted with some expenditure, although a certain amount of revenue has been derived from

the tramway company over a period of years, and if that revenue continues to come in it will prove of value to the board. No doubt the new authority will want to borrow money in order to give the service that will be required. The Bill is something that the Goldfields people want and to which they are entitled because of the concessions that were given to the company for over 40 years. The undertaking will represent important assets for the ratepayers of the three local authorities. The passing of the Bill will mean that the people of the Goldfields will possess their own tramway service. We know what success has followed in the train of the Fremantle tramways. This Bill has been drawn up partly on the Fremantle tramway legislation and partly on the Victorian Act. If we follow in the footsteps of those two undertakings there is no reason why we should not meet with the same success that they have. I commend the Bill to the House.

HON. G. BENNETTS (South) [3.28]: I support the Bill. Mr. W. R. Hall is a member of the Kalgoorlie Road Board and I am a member of the Kalgoorlie Municipal Council. We dealt with this matter right through the piece and I had a lot to do with it myself. My colleagues in Kalgoorlie will be glad to know that I am here today to support the Bill in which the municipality has taken so lively an interest. I saw the tramways put down in Kalgoorlie and have lived there ever since and seen them operate. The tramways are in a shocking state. They will, however, become the property of the ratepayers who are anxious to have the Bill passed so that the service can be put into proper condition.

The mining industry has not been catered for from Boulder to the mines, only from Kalgoorlie. When the tramway company went out of existence it allowed that portion of the tramway service to get into a bad state. We require the trams at Boulder so that the workers may go from that town to the mines. Mr. W. R. Hall has correctly stated the position. The board will have to face heavy expenditure in order to relay the tracks. I did have the approximate figures of the cost but will not weary members with any details of that kind. I hope the House will

pass the Bill so that the Goldfields may be provided with an up-to-date tramway service.

HON. C. B. WILLIAMS (South) [3.30]: As a Goldfields member, I heartily support the Bill, but I am not much concerned about the tramways being renovated. What I am concerned with is that when the Bill has passed, the local authorities shall take over the business and make a success of it. They need not necessarily run the trams; if they have any sense they will scrap them and establish up-to-date transport. Boulder has been robbed and murdered for years by the trams. In parts of the south end of Boulder we could not get a tram and, as Mr. Bennetts has said, workers have had to travel by tram to the Half Way, and then go back to the Block. Under this Bill the people of Boulder could have a bus service because the trams are out of date.

Hon. G. Bennetts: They are cheaper.

Hon. C. B. WILLIAMS: When 10 or 12 miles of steel rails have to be laid, where is the cheapness?

Hon. G. Bennetts: I say the buses are cheaper.

Hon. C. B. WILLIAMS: I misunderstood the hon. member. I consider he is right. The south end of Boulder is becoming more important, and the west of the town is being built on. The people there have a bus service, but only of a kind. When the council takes over I assume they will have a better service. The road board area, in Mr. W. R. Hall's territory, has extended to the west of the tramline. The trams will not serve all the hundreds of houses built there.

Hon. W. R. Hall: We do not want them to.

Hon. C. B. WILLIAMS: At one time there was a tramline serving that end of the town, but this company took it up and ruined that district. Buses should be running there. The transport board will be able to utilise the present asset—and it must be an asset because the trams are still running—while establishing a better service. I could not let the Bill go through without expressing a protest against the fees proposed to be paid to the men on the board. I do not know what Mr. Stanley's representatives in

London get, but it is a long-standing joke that the shareholders get very little back whereas the directors have always been getting their corner. I object to including in the Bill a provision that the directors of a concern like this, handling £20,000 or £30,000 a year, are to get less than 5s. a week for their services, and the chairman less than 10s. I am not much concerned about the bumbles who are likely to run the board, because, I suppose, they could not come to an agreement to pay a decent fee, because they are selfish to one another. But a decent sum should be paid to the men who are running the business. I support the Bill and I hope that the House will give the people of the Goldfields the right to have a decent service, which they have not had for the last 25 years.

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—ROAD DISTRICTS ACT AMENDMENT (No. 2).

Read a third time and passed.

BILL—ECONOMIC STABILITY.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [3.45] in moving the second reading said: In regard to this very important Bill, I would like to say that at the Premiers' Conference held in August last it was unanimously agreed by representatives of the Commonwealth and all the States that it was desirable in the interests of the economic stability of Australia to continue the operation of certain of the National Security Regulations. Some people have seen fit to complain about these regulations, but there can be no doubt that they have served a vital purpose and it is essential that they continue in operation for the time being if Australia is to avoid economic chaos.

At the Premiers' Conference the legal position was fully explained by Professor Bailey, the Commonwealth Solicitor General, who advised that the National Security Act would expire on the 31st December, 1946, and that the subsequent power of the Commonwealth Government to maintain further these regulations under its own legislation was very dubious, such power being at any time likely to be challenged and an adverse decision given against the Commonwealth. The States' representatives therefore unanimously agreed that, with respect to the necessary regulations, they would co-operate by submitting to the State Parliaments legislation to ensure their validity.

While there was some discussion with regard to the best means of securing the desired objective, it was considered that the Commonwealth should draft a Bill which would be submitted to the States for consideration. This was done, and subsequently a conference of legal officers from the Commonwealth and all States was called. Unfortunately, owing to the pressure of work in connection with the parliamentary session Mr. Good, the Solicitor General for Western Australia, could not attend, but arrangements were made for the South Australian Solicitor General to represent this State. The Bill is the result of that conference and is similar to the measures being introduced in other State Parliaments. It provides that the State can bring into force by proclamation National Security Regulations dealing with prices regulation, landlords and tenants, capital issues and economic organisations—other than Regulation 4 and Parts IV and V of the latter regulations.

The Prices Regulations relate mainly to the authority of the Commonwealth Prices Commissioner to fix and declare the maximum price at which any declared goods may be sold or any service may be supplied or carried out. So far as the Landlord and Tenant Regulations are concerned, Western Australia is only concerned with Parts I, III and IV and Regulation 11. Parts I and IV deal merely with preliminary and miscellaneous matters respectively. Part III, however, deals with the recovery of possession of prescribed premises. It limits the grounds upon which a lessor may take court proceedings for an order for the recovery of prescribed premises or for the

ejection of the tenant, and requires the court to take into consideration the question of hardship to any person. Regulation 11 of Part II provides for a rent controller who may, under Regulation 78, exclude premises from the operation of the regulations for a term not exceeding six months.

In regard to capital issues regulations, Part II prevents, without the consent of the Commonwealth Treasury, the registration of any company or any society, club or association with a nominal capital exceeding £10,000, and the increase or issue of capital in any one year beyond £10,000, the issue of shares at a premium and the like.

Part III limits, without Treasury consent, the issue of securities or any mortgage or charge to £1,500 in any one year, and also limits certain interest rates. Exceptions are provided in favour of banks, pastoral companies and local authorities. Part IV limits the amount of interest on deposits subject to exceptions in favour of banks, building societies, declared pastoral companies and partnerships. The effective parts of the Economic Organisation Regulations, which it is proposed to continue, are Parts III and IIIA. Part III relates to the prohibition, without Treasury consent, of the transfer or leasing of certain property including restrictions on dealing with shares, stock or debentures of a company. Part IIIA prohibits, without Treasury consent, the transfer of residential businesses.

In regard to Regulation 7, a telegram was received yesterday from Canberra to the effect that this regulation was to be excluded from Commonwealth legislation and that control of the sale and transfer of shares would cease on the 31st December. The telegram also stated that there was no need for the State Parliament to make express provision for the deletion of this regulation in the Bill. The Bill does not include Parts IV and V of the Economic Organisation Regulations which relate to the fixing by the Commonwealth Bank of maximum rates of interest in respect of any debts whatsoever, whether security is given or not, and to certain industrial provisions generally referred to as the "Wage Pegging Regulations." I intend in Committee to move that Part IV be brought within the provisions of the Bill for

reasons which I will then explain. Although if the Bill is passed the regulations will become subject to State legislation, they will continue to be administered by Commonwealth officers under the existing set-up.

At the conference of legal officers to which I have referred, the unanimous opinion was expressed that the Bill would satisfactorily deal with any emergency which might arise should a Commonwealth regulation deemed necessary for economic stability be held to be beyond the power of the Commonwealth after the 31st December next. It was considered, however, that if it were desired to continue a particular control for a lengthy period after the Commonwealth regulations had ceased to be effective, it would be necessary to devise a more unified means of control than could be obtained through the medium of six States. The Bill, however, would satisfactorily provide for the continuance of the control while a more permanent scheme was being prepared. It is for this reason that the Bill is to continue in operation either until the 31st December, 1947, only, or an earlier date to be fixed by proclamation.

Members may wish to know whether this measure will in any way conflict with the legislation of last session which referred the control of prices to the Commonwealth Government until the end of 1947. The position is that while Western Australia passed such legislation, certain other States did not. To the extent therefore that the present Bill deals with prices regulations, it may overlap the measure passed last session so far as Western Australia is concerned. The Commonwealth Government, however, is only desirous of having uniform legislation in all States to simplify the legal position, and the prices regulations have accordingly been retained in the present measure.

In view of the fact that the National Security Act expires on the 31st December—that is, this month—and action to contest certain of these regulations may be taken at any time after that, it is imperative for this legislation to be passed in Western Australia before the end of the present session, and I trust that it will be approved by the House. Here again, the Government could not help itself in regard to the introduction of the measure at this

late hour. However, it is desirable and essential that all States throughout the Commonwealth should pass uniform legislation of this description and, as I have already explained, the Bill has only quite recently been prepared and submitted to the various States. I move—

That the Bill be now read a second time.

HON. H. TUCKEY (South-West) [3.57]: I protest against legislation of this description being placed before the House so late in the session. There is possibly some reason for its arrival at this stage, but surely the powers that be knew that something had to be done before the 31st December in order to carry on the laws that are now enforced by way of regulations. It does not give Parliament any hope at all of going into this measure to consider whether or not its provision could be modified. I am willing to admit that the National Security Regulations have done a great deal of good, but at the same time they have done a lot of harm. It has occurred to me from time to time that the State could well afford to continue some of the regulations in various directions, but what chance have we, within two days of the end of the season, to do anything about it? Sufficient time is barely left for members to read the Bill and gain some knowledge of its contents, let alone to consider their effect in various directions. If a member desired to move amendments or to take action to modify the application of the Bill in one way or another, his would be a hopeless task. I do not desire to go into details but in the past I have objected to the effect of the National Security Regulations. I can assure the House that in many ways they have operated to the detriment of progress, and the sooner they are set aside, the better it will be.

HON. J. G. HISLOP (Metropolitan) [3.58]: I would like to add my protest against having to discuss a Bill of this description at the present stage of the session. I lodge that protest despite the fact that the Chief Secretary has given us an indication of the reasons why it could not have been presented earlier. Surely the Commonwealth Government and the State Government knew, as did everyone else, that it was necessary to do something, but to in-

troduce the Bill at this stage does not give us any time to consider its provisions and study the possible consequences of the transference of these powers. I have looked through our own Prices Regulation Act and Profiteering Prevention Act and I think it might have been possible to do something by way of modifications to them, or else by submitting a request that the Commonwealth Constitution should be amended to allow each State to control prices within its borders. At this stage, no such attempt can be made. With Mr. Tuckey, I realise that the National Security Regulations have done quite a lot of good, but the time has come when their continuance is bound to do much harm. I shall not take up the time of the House in directing attention to instances that have come under my notice in which the progress of the State is being held up considerably by the continuance of the regulations.

Sitting suspended from 1 to 1.15 p.m.

Hon. J. G. HISLOP: I have come across instances in which I believe no real good is being served by the continuance of these restrictions. I wonder how it is going to be possible to maintain prices when the general move is towards the unpegging of wages? When the desire of the worker is to have the basic wage adjusted and £1 a week extra given, how is it possible to keep prices adjusted? With all this ahead of us, I see considerable difficulty, and I am very disappointed that the Bill does not give the suggested committee more adequate powers. Those proposed are extremely limited. All the Bill really says is that nothing in the way of a reduction of the number of regulations or their abolition shall be carried out until after consultation has taken place between the Premier and this consultative committee. During the Committee stage, I propose to suggest the addition to that paragraph of a provision to the effect that the committee shall meet at intervals of not less than 32 days. That will mean that the committee can meet from time to time—once a month or more often if necessary—to discuss the need for a revision of the various regulations.

The public has reached the stage of believing that the sooner the restrictions disappear from our social life, the better it

will be for everyone concerned. Therefore, instead of the committee having some negative powers, I propose that it shall meet at short intervals to see whether some of the restrictions can be lifted. The second amendment I shall propose to the Bill is to alter the word "December" in Clause 12 to "October." The Chief Secretary told us that there were real reasons why the legislation could not be brought down at an earlier stage than this. But there can be no ground of the same sort next year. Therefore, I suggest we make this alteration so that the Act will continue in operation to a date not later than the 31st October. That would ensure that the Bill next year will be introduced in the early part of the session. With those two amendments, one is more or less forced to agree to the Bill, which would be much better with all the clauses deleted! In view of the present conditions, however, we must accept the measure.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [4.21]: Surely the two previous speakers are just as well aware as I of the circumstances that rendered this Bill necessary. They must be aware, too, that if we are to have uniform legislation throughout the Commonwealth it is necessary for conferences to take place, and these things cannot be dealt with in 24 hours. I understand that the draft Bill was submitted to the State Parliaments as early as possible after experts had had a say in regard to what was required, and this Government was in the position of every other Government of having to wait until such time as the Bill had been received before it could be dealt with in Parliament. The measure has already been before another place, and it is one of those Bills that unfortunately arrive in this Chamber in the last day or two of the session.

Hon. A. Thomson: That is the unfairness of it, unfortunately.

The CHIEF SECRETARY: We may think it unfair, but it is a position we cannot help, so why rail about it? If we could have brought the measure down two or three months ago we would have been only too pleased to do so, but we must work in with the Commonwealth and other States in matters of such grave importance. I trust that when the Bill is in Committee we will be

very careful not to amend it in any vital way.

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 9—agreed to.

Clause 10—Consultative committee:

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

That at the end of the clause the following words be added:—"This committee shall meet at intervals of not less than thirty-two days."

I move that amendment in order that Parliament and the public can be assured that these matters are being kept under constant surveillance, not only by the Government but by the whole Parliament, represented by the Premier of the State and the Leader of the Opposition and those whom they choose to assist them.

The CHIEF SECRETARY: There is absolutely no necessity for the amendment. If we agree to it, we are saying to the Premier and the Leader of the Opposition that we cannot trust them to do the work they are expected to perform, and I do not think Dr. Hislop is justified in taking that attitude. This is a very important matter and one that is constantly before the Government. The Premier and the Leader of the Opposition are just as keen as we can possibly be to reach the stage where regulations of this kind are not necessary. For us to say that they must meet every 32 days is presumption on our part. I oppose the amendment.

Hon. L. B. BOLTON: I support the amendment. I cannot see any harm in making it obligatory for the meetings to take place as suggested. I do not consider it an affront to the Premier or anybody else. Without this amendment they might not meet for months.

Hon. A. Thomson: They might leave it to officials.

Hon. L. B. BOLTON: Yes, and that would be quite wrong.

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

Clause 11—agreed to.

Clause 12—Duration of Act:

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

That in line 2 the word "December" be struck out and the word "October" inserted in lieu.

I do not think there can be any objection to this. If the Act expires in October, it will ensure that further legislation of this kind will come to this Chamber at a time when Bills are not arriving in such force as they do towards the end of the session. We will then have more time in which to consider the implications of any Bill to amend the Act.

The CHIEF SECRETARY: I see no justification for the amendment. The Bill provides that the measure shall remain in operation till the 31st December next year or until such time as a proclamation is issued earlier than that date. I see no need to start pinpricking the Government, and I hope the Committee will not agree to the amendment.

Hon. H. L. ROCHE: I support the amendment. It is not a question of not trusting the Government, but I think legislation as important as this should be brought down before the closing hours of the session.

Hon. L. CRAIG: I do not think there is anything unreasonable in the amendment. Officers appointed under Commonwealth regulations are, in many cases usurping powers much wider than it was intended they should have. By bringing this measure down in October or November both Houses of Parliament would be given an opportunity to voice their displeasure at or distrust in the continuation of the regulations.

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

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Chief Secretary, Bill recommitted for the further consideration of Clause 2:

In Committee.

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

Clause 2—Interpretation:

The CHIEF SECRETARY: When I introduced the Bill I was necessarily brief in my remarks but indicated that I would move an amendment, while in Committee, to strike out the words "Parts IV" on page 2. I stated that I would give reasons for that. It appears that the question of these regulations has been receiving consideration since the draft Bill was completed and sent to the States. Yesterday the Solicitor General received a telegram from Canberra dealing with this matter, but that telegram did not give any reason why it was desirable to strike out those words. In order that members may have knowledge of what is happening I will read the communications that have passed. The telegram from Canberra to the Solicitor General reads—

Refer to draft Economic Stability Bill considered at recent conference of Commonwealth and State officers and proposed to be passed by State Parliaments. Premiers' conference decision August last stated control of Capital Issues should extend to mortgages and interest rates generally. Necessary therefore that Part IV of National Security (Economic Organisation) Regulations which deals with interest rates should be covered by Bill. It is excluded in the draft settled at the conference a copy of which was supplied to your representative, Mr. Bean, of South Australia. The exclusion should be removed by omitting from Clause 2 the words "Parts IV and" and substituting the word "Part."

There is no reason given for that request, and so reasons were asked for. A few moments ago the reasons were given from Canberra in a telegram reading as follows:—

Reference our telephone conversation this morning I have consulted with Treasury who advise as follows:—"It would appear to this department that to give effect to the decision of the Premiers' Conference with regard to the control of interest rates generally it will be essential for the complementary State legislation to include provisions similar to those of Part IV of the National Security (Economic Organisation) Regulations. At present in addition to trading bank transactions State savings bank deposit rates and interest rates on the following classes of transactions are controlled under these regulations—

- (a) Loans to local government authorities.
- (b) Loans to building societies.
- (c) Loans by building societies, co-operative societies and pastoral companies.
- (d) Loans by life assurance companies on their own policies.

Arrangements are now being made to transfer from the National Security (Capital Issues) Regulations to Part IV of the National

Security (Economic Organisation) Regulations control over interest rates on deposits with the classes of companies referred to in (c) above. The control afforded by these regulations should not be exercised under the Banking Act which relates to banking transactions only. That seems to be a valid reason why we should accept this amendment. I move an amendment—

That in line 11 of Subclause (1) the numerals and word "IV and" be struck out.

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

Bill again reported with a further amendment and the reports adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—MINES REGULATION.

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

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading—Defeated.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.46] in moving the second reading said: I have found it necessary to take the Orders of the Day out of the sequence in which they appear on the notice paper because we are experiencing difficulty with regard to the printing and reprinting of Bills. Consequently, I have to determine from time to time in just what order the various items shall be considered.

This Bill proposes to amend the Government Railways Act, 1904-1939, in two respects, firstly, to make the Commissioner responsible to the Minister, and secondly, to place the authority for the audit of railway accounts on the Auditor General. Had the Government been able to proceed with its original intention, this Bill would not have been introduced. That intention was to bring down legislation for the co-ordination of all types of transport. For several reasons this could not be done this session, and so the Government considers it essential that an effort be made to provide the Minister with the authority he so sadly lacks in regard to railway administration.

The ageing Railway Act of 1904 vests the control, management and maintenance of every Government railway in the Commissioner, and apparently this long term of complete responsibility has produced in the railways a hierarchy that is not susceptible to advice or to public criticism and is not on good terms with its employees. The railways constitute the largest public utility in the State and is the biggest employer of labour. Its funds are provided by the Government, but the Commissioner may spend such funds practically as he thinks fit, and any deficiency must be met by the taxpayers, although Parliament, as the guardians of the people, cannot obtain a report from an independent auditor, such as the Auditor General. The railways are responsible for one-third of the expenditure and revenue of the State, and yet the people, through the Government, have no share in the determination of the policy and expenditure of the department.

It seems peculiar that this important and enormous public utility should not, like other departments, be responsible to the Minister, and that the Commissioner, if he so desires, may ignore the wishes of the Government of the day. In the eyes of practically every citizen, the Minister is responsible for the railways. From all quarters has come criticism of the Government in regard to them. The Government does not desire to be divorced from responsibility in this direction, but it has no authority to take steps to rectify the situation, and successive Ministers have found they could do very little about it. The Commissioner may be the most efficient of men—I believe he is a very efficient man—but it would be difficult for anyone to have a sufficient and proper knowledge and control over such a vast and intricate undertaking.

Hon. L. B. Bolton: Do you think the Minister would have more?

THE CHIEF SECRETARY: No, I do not; but if he is to bear the responsibility, he should have some authority, and this Bill will vest him with it. The question arises whether it is right for a public servant to wield such complete powers over a utility that is the property of the people.

Members are well aware that widespread dissatisfaction exists about the railways,

and there is much discontent within the service, but the administration that has grown up in the undertaking apparently takes no steps to ascertain the causes of the complaints. Ministers are responsible to Parliament for the departments under their jurisdiction, and Parliament is responsible to the people. Yet so far as the railways are concerned the hands of the Minister and of the Government are tied and they cannot submit a justification of their stewardship. Yet the Commissioner, with his tremendous powers, is responsible neither to the Government nor to the people. In the words of the present Minister, the Minister is merely a figure-head and a buffer between the railways and a disgruntled public.

The Government has no wish to interfere with the minor details of railway administration, but it feels that, in its duty to the public, it must have a share in formulating the policy of the department and in seeking to remove the causes of the present dissatisfaction and unrest. The Government considers that unless it is given authority to take control of the railways the present troubles will continue, and desires authority to investigate and rectify complaints. In doing so it is not desired altogether to abrogate any of the just responsibilities of the Commissioner, but it is proposed that his activities should be under similar control to that which is exercised over other departmental heads.

It is frequently contended that the railways are not giving the service they should, but no criticism and advice should be levelled at the Government unless Parliament is prepared to provide the necessary authority to rectify the situation. There should be no responsibility without authority. The railways and the employees certainly possess the elements to achieve success, but with the lack of co-operation and teamwork that is manifest, there is apparent a growing deterioration in spirit. The position of the railways makes it obvious that the controlling powers should be subject to advice and guidance to which, under the present set-up there appears to be nothing but passive resistance. So much for the amendment with regard to giving the Minister control.

The second principle involved will require the keeping of proper accounts and of audit

by the Auditor General. It is remarkable that in view of the heavy finance involved, the Auditor General has never been able to investigate the department's accounts and prepare a report for Parliament with his comments, as applies to all other Government undertakings. The Act of 1904 specifically exempts the department from any detailed report by the Auditor General. Successive Auditors General have drawn attention to this and have stated that this exemption was originally made owing to lack of staff in the Audit Department. This situation can be overcome today, and the question of staff should not be a bar.

At present the Auditor General has to be satisfied with certificates from the Railway Comptroller of Accounts and Audits, and Parliament does not receive any information regarding the railways' financial statements nor any comment or advice thereon by the Auditor General. The Comptroller of Accounts and Audits is responsible to the Commissioner for both the accounts and their audit. The position thus arises that there is no independent audit, and this in a department with a total financial turnover of about £14,000,000.

Hon. J. A. Dimmitt: Very unsound!

The CHIEF SECRETARY: I think so. Once Parliament has approved of the Estimates, it is no longer consulted or advised, and the Commissioner may apply the money however he thinks fit, without control from either Parliament or the Government. It can hardly be claimed that this can be justified or that the audit arrangement is satisfactory. There is no independent check on the financial activities of this department and, of course, the most important provision of any audit is that it be a completely independent one.

Hon. A. Thomson: Surely you are not suggesting that the accounts of the Railway Department are cooked!

The CHIEF SECRETARY: Not at all, but I am suggesting that Parliament and the Government should have the benefit of an independent audit made by the Auditor General, and that it is not right that the Comptroller of Accounts should also be the auditor. This has been going on for many years, and until quite recently nothing definite has been done in the direction of making an alteration but, in view of the position as

we know it today, we feel that there is an absolute need for the two amendments contained in the Bill. These matters would have been dealt with in the more comprehensive measure I have mentioned had it been possible to introduce that Bill this session. Had we brought it down at this very late stage, however, members might have felt justified in saying that there was not time to deal with it, and that it had better stand over until next session. We are anxious to alter the existing position as soon as possible and, with these two amendments, we believe we shall be effecting an improvement that will be in the best interests of the State. I trust that Parliament will agree that the Auditor General should be given this responsibility and, in the interests of the State, that the Minister should be given his rightful position in the affairs of the department. I move—

That the Bill be now read a second time.

HON. C. F. BAXTER (East) [5.0]: This is a very important and far-reaching Bill. To the second part I have no objection, but the first part is decidedly dangerous. Are we going to swing right back and put the railways under political control when we know that such a thing is detrimental to a concern of that kind? I do not think we are; not with my support. What we want is the best man to be put in charge of them—probably more than one man—and for him to be in absolute control without any political interference. The more political interference there is with such a concern, the smaller the amount of success we can expect from it.

Hon. G. B. Wood: We have not had much up to date.

Hon. C. F. BAXTER: No. The Chief Secretary spoke in that direction himself. If he looks back he will find that the first failure started in 1939 when the then Government, to improve its financial position before the election, withheld from the railways a matter of about £100,000 which is always provided annually for what is known as belated repairs. That sum was not provided that year, and this put the railways in a bad position. What chance could the railways have of catching up with arrears seeing that the war then intervened and it was impossible for them to overtake the belated repairs?

I know what the position has been. Let me instance the Goldfields Express! Those trains were kept running all the time, but it was not possible to allow them to get cool enough for the packing of the joints. The engines could not carry out their work satisfactorily and the trains were held up on many occasions. I cannot approve of our railways being brought under political control. It would be a retrograde step to take. Political control means a wavering of policy from one side to the other. They are, after all, a commercial concern. It is true that it is the policy of the State, and one with which I agree, that certain commodities shall be carted at a rate which shows a loss to the railways. While the undertaking is losing in that direction, however, the State is getting it back in revenue by the production which it assists as the result of those cheap freights. The last thing we should do is to bring the railways under political control, for every change of Government would mean a change in railway policy. There may be some good in the part of the Bill which allows the Auditor General to come into the picture, but I object very strongly to the first portion. I trust the House will not approve of reversing the position and placing the railways under political control, if there is a risk of that occurring.

HON. C. H. SIMPSON (Central) [5.3]: During the past three weeks we have been called upon to deal with three measures of major importance. The first was the water supply Bill when we were called upon to authorise an expenditure of £10,000,000 over a period of ten years. Then we had the Wheat Stabilisation Bill which concerns the major industry of our State. Now we have a railway Bill dealing with the biggest undertaking of the lot, one in which £27,000,000 of capital is invested, over 8,000 men are employed and concerning which the revenue and expenditure covers a sum of £4,000,000 a year. The water supply Bill was well conceived and was a model of presentation, and the booklet which the Minister for Works made available to all members was exceedingly educational. The Wheat Stabilisation Bill referred to a subject that has been ventilated through the newspapers and been dealt with by various organisations so that most members were familiar with its implications. The Bill be-

fore us has been produced, as it were, out of the hat at the last minute. In view of its great importance it is unfair that the House should be called upon to deal with it at this late stage of the session when we have already a congested notice paper.

The right course to adopt would be for all the information available to be presented to members, and the natural person to give that information would be the Minister for Railways. For some reason best known to that hon. gentleman, he has allied himself with the critics of the railways. Whilst he is careful to say he has received every courtesy from the administrative heads, the fact that he has gone against them seems to imply that he has joined the ranks of the critics, which leaves the department without any spokesman whatsoever. I can speak with a certain amount of knowledge of the railways. For 25 years I occupied a position which was closely associated with them. One part of my duties made me a minor official of the Railway Department. My other duties were concerned with the other side which in some cases led to a criticism of railway methods, the fighting of certain claims on behalf of my clients, and so on. I thus learnt a great deal about the railways that I do not think is understood by the average civilian. Like many others who have been brought for the first time in contact with the railways I approached them with an air of hostility. Members may recall that animal to which Mr. Gladstone referred, which had no pride in its ancestry and no hope for posterity.

After I had gained some information and some experience of the railways I found that my preconceived ideas were wrong, and that the system had grown up as a result of long years of hard work and was really well designed. I found that the officers of the department from top to bottom, generally speaking, took pride in their work and had a real desire to carry it out efficiently. I also found that they strongly resented the ill-informed criticism which came from all quarters. There were probably some weak links such as occur in every organisation, especially in one as big as the railways. There has been some room for complaint, probably more so now than ever before. Some of the railway troubles indicate that the concern is in a chaotic condition. A ques-

tion put to me recently was, "Why is there such a shortage of trucks, so many have been ordered and only two supplied?" These people asked, if that were the position, why did not the Railway Department or the Commissioner construct additional trucks so that the demands upon the system could be met. The answer is that there is no acute shortage of trucks. The position, however, has deteriorated over the years.

The snag with the Railway Department is lack of power. There are trucks in transit which are under load and cannot be moved from place to place, and released to go back into traffic so that they may be made available to fill the wants of other people. Members will have had an idea of the position of the power plant of the railways and have had a chance of acquainting themselves with it as the result of the ventilation of the transport position during the recent strike. The railway position has deteriorated for some time. That is not wholly due to the wear and tear of transport. It has been developing over the years because of the growth of motor competition, and in later years to a limited extent perhaps because of air transport. When the railway system was thought out it was looked on as a hopeful business proposition. The effect on the railways in this State of other forms of transport is not purely local. It is something that is world-wide and its effect is found in other States and countries. The peak year of the railways in regard to traffic and turnover was 1913-14. I will read an extract from a report bearing on this position. The figures are informative and will give members a reliable and detailed statement on which they can base their own assumptions. The report states—

Transport by railway originated in England, in the latter half of the last century, during should not be exercised under the Banking Act which period the only competition was to be found from the inland waterways, in the shape of canals, and the coastal seaborne traffic. These railways were privately owned.

I do not wish, by the foregoing comment, to convey the impression that cost of service can be entirely disregarded. On the contrary such a procedure clearly could not be followed any more than in any other business undertaking. As you know, quarterly and annual statistics are compiled in considerable detail by this department, showing the total earnings, expenditure, and interest charges. From these it is possible to determine the soundness, or otherwise, of the railway system as a paying

proposition, and to determine the necessity for action in the way of curtailment of costs expansion of business, and increase of freight charges. The matter of our railways being a paying proposition is one to which I shall again refer.

Whilst the private business man is, generally speaking, in a position to base his selling price on the cost of service, this railway administration is unable to do this, for reasons which are summed up as follows:—

(a) The establishing of costs of service would be too costly and difficult to obtain in detail sufficient to be of practical application;

(b) Charges based on such would be burdensome to the community and some of the lower valued commodities would be forced off the railways.

To illustrate this latter point, let us look at the analysis of the paying goods traffic for the financial year ending 30/6/46. It shows the total tonnage of the miscellaneous class as 287,096 tons for an earning of £109,610—the average earning per ton mile being .87d., meaning that on the average, we carried each ton of miscellaneous class traffic for a distance of one mile, charging our clients less than 1d. per ton for the service. The average earning per ton mile during the year for all classes of goods and livestock traffic was 1.76d., so that applying this figure, it would double the charges on miscellaneous class traffic. Apart from this, however, there was a heavy loss on the year's working, and to have avoided this, it would have been necessary to raise an average charge of 2.42d. per ton mile, for all goods and livestock traffic. Application of this figure to the miscellaneous tonnage would increase the charge threefold. This traffic, as you know, is mostly of low value, and the charging of higher rates would have a profound effect insofar as railway transport is concerned.

Well then you may ask, "How did the English railway companies solve this knotty problem?" The plain truth is that it has remained more or less unsolved. The existing system of rating was not born overnight. It can hardly be said to have followed any well defined scientific method, but has developed gradually, in the main, simply through years of experience. Certain principles have evolved, which are now generally followed.

A commercial, rather than scientific, course was followed, with the view of getting the greatest possible volume of traffic, and thus distribute the burden of fixed and interest charges over a greater spread of traffic of both low and high value goods. A system of differential charging was applied by means of various classifications, mainly based on the values of different commodities, with account taken of other factors, such as the quantity sent, cost of handling, and distance hauled. Traffic conveyed under the lower classifications consists of coal, ores, and minerals, and other raw materials. If this method were not followed, then the low rated traffic would be railied, and the remaining traffic would have to bear all the expenses by itself. The principle

is to apportion the burdens where they can best be borne, and develop a great amount of business, which could not otherwise exist.

It is generally difficult to convince the average person of the equity of this method, but as I pointed out in a previous lecture, items of small bulk, but of high value, such as spirits and tobacco, can be freighted at a high rate, without any undue impost arising, so far as the consumer is concerned. As an illustration, five cwt. of tobacco valued at approximately 22s. per lb. railled from Perth to Kalgoorlie, would incur a rail freight charge of less than 1d. per lb. The effect of this on the customer purchasing his modest two ounce packet of tobacco would be, or should be, nil. The rail charge on the same weight of vegetables over the same distance would add but .325d. per lb. to the cost. In the instance of the vegetables you are dealing with a perishable foodstuff required by the mass of the people, and of course, its price value is considerably less than that of tobacco.

The PRESIDENT: Order! I draw attention to the fact that we are discussing a Bill dealing with the bringing of the Commissioner under the control of the Minister, etc., and while this matter is very interesting it is scarcely pertinent to the Bill.

Hon. C. H. SIMPSON: I am sorry. I desired to point out that in certain directions the Commissioner is not able to speak for himself and therefore, to a certain extent, is under a cloud. But he is a most efficient officer and has introduced into the railways reforms of which the average person is not aware.

The PRESIDENT: So long as the hon. member connects his remarks with the Bill he is quite in order.

Hon. C. H. SIMPSON: I understand. I can instance some work which the Commissioner introduced shortly after he was appointed, and which has been of great value to the people as a whole, but which has not been generally realised. The railway report for 1935 contains, on page 23, a table setting out a regrading programme. The capital cost of the work was about £77,000, the interest £3,093, and the savings effected nearly £9,000, which represents a return of 11 per cent. on the capital. This regrading had the effect of stepping-up train loads from about 340 to 520 tons. That meant that fewer engines and engine-crews were required to pull the same haulage, and possibly if the big programme of work had been carried out, there would have been fewer opportunities for promotions and ad-

vancement in that particular branch of the service.

Reference was made by the Chief Secretary to a certain amount of dissatisfaction in the service. I have never found a big concern where every member of the personnel was satisfied with its head. Sir Archibald Wavell said that the most popular general is not necessarily the best one, and that applies equally to the railways. This regrading has resulted in a saving of many thousands of pounds to the State. The present Commissioner of Railways was appointed in 1934 by a Labour Government, and he has twice been re-appointed by a Labour Government. He is the only Commissioner to have been engaged for three terms. That is a tribute to his efficiency. During that time he has served under three Ministers and they, as proved by the test of experience, and the recommendations for re-appointment, must have been thoroughly satisfied. In fact, according to "The West Australian" one Minister for Railways said he received every courtesy and co-operation from the present Commissioner while he was head of the department. It has remained for the present Minister to discover that the Commissioner does not give that co-operation and that there is dissatisfaction in the service. I suggest that where it is known that there are differences of opinion between two heads—one political and the other administrative—of a concern, the rank and file sometimes endeavour to profit by it, with the result that the position instead of being remedied grows worse.

I suggest, with all due respect to the Minister who is an old friend of mine, that he is in some measure responsible for the dissatisfaction that exists in the rank and file of the railways service. I understand that a Royal Commission has either been approved or has been suggested to explore the possibilities of improving the railway service. It would be advisable to await the report of that body before taking action to implement this Bill. After all, the Government Railway Act has been in operation for 42 years and it is not likely that it would matter if the present system were to continue, for the comparatively short period of a few months, so as to give a thoroughly competent body the time to go into the subject

and make its recommendations. I assume that it would be a fact-finding commission and not a fault-finding one.

It has been suggested that the Commissioner's job is too big for one man. The control is vested in an administrator who, admittedly, is a highly qualified technical man who has proved by his performance, to be a capable administrator. If this Bill is agreed to the control would pass to the Minister who, in my opinion, cannot claim the same qualifications for administering the department. Another suggestion is that a board of commissioners should be appointed. I am rather against boards. Sometimes we get divided authority with them. In any case, I regard a department of this kind as something like an army, and in an army there is only one commander, not two or three. I recommend to members that they vote against the second reading.

HON. SIR HAL COLEBATCH (Metropolitan) [5.22]: The Government has not shown much consideration for this House or Parliament generally by bringing down a measure of this kind in the closing hours of the session. If there were need for it, that need was surely realised months ago. I am certain that this House will not, without consideration, pass a Bill transferring the railways to political control. A session or two ago we agreed to a Bill for the establishment of the Rural Bank, and the point on which this House was firmest then was that the bank should, as far as possible, be free from political control. Is it likely that members have completely altered their minds in the intervening couple of years? We have read a good deal of the satisfaction that freedom from political control has given. Mr. Simpson referred to a Royal Commission which the Premier stated he was going to appoint. I do not think the Royal Commission will have the slightest difficulty in coming to the conclusion that there is a good deal wrong with our railway system. I venture to say that one question which that commission will ask itself is this: Is it desirable that there shall be more or less political control of the railways? I am not going to attempt to answer that.

To pass this Bill would be to anticipate the decision of the Royal Commission and put it in the difficult position that it could

not, very likely, express its honest opinion without censuring the Government for having brought down this Bill. Why not leave the matter to the Royal Commission? If it makes this suggestion, or any other, I am sure that the House will be prepared to give it every consideration. The Minister has complained of lack of co-operation on the part of the Commissioner, and he apparently then dealt with other officers and said that they were not prepared to accept his advice. Would it not be reasonable for the facts to be put forward and the nature of that advice placed in front of us so that we might have some opportunity of saying whether the Commissioner and his officers were wise or unwise in refusing to follow the Minister's advice? But nothing of the kind has been attempted; we are merely told that they did not follow the advice. We cannot judge whether they were right or wrong.

I would like to refer to the other portion of the Bill. I am in complete accord with most of what the Minister has said as to the necessity of the railway accounts being placed under the Auditor General. But there is no need to introduce this Bill to bring about that result. If we turn to the Audit Act, which was passed in 1904, we find that Section 44 provides—

The Auditor General or such person as he shall appoint may, whenever he shall think fit, and shall, whenever required so to do by the Treasurer, inspect, examine, and audit the books and accounts of any public accountant, and of any other person in the public service or subject to the provisions of this Act to whose possession or control any moneys have come for or on account of the Consolidated Revenue Fund or (by virtue of his office, service, or employment, or of any legal process whatsoever) for on account or for the use or benefit of any other person.

So, that Act clearly contemplated that the railway accounts would be subject to audit by the Auditor General. But a subsequent section provides—

The Governor may exempt from detailed audit by the Auditor General, but not from appropriation audit by him, the accounts of receipt and expenditure of any department, the peculiar duties, constitution, or circumstances of which may render such exemption expedient.

What has happened is that in 1907 the Executive Council did exempt the railway accounts, to a large extent, from audit by the Auditor General. In 1908 there was a further exemption. The sole reason why

the railway accounts are not audited in detail by the Auditor General is that the Executive Council—not Parliament—has, in accordance with that latter provision of the Audit Act, exempted them. What the Executive Council has done it can undo. A meeting of that council tomorrow could cancel those exemptions and bring the whole of the accounts of the Railway Department under the Auditor General.

Hon. W. J. Mann: There is no reason at all for the Bill in that respect.

Hon. Sir HAL COLEBATCH: None whatever. To my mind, that portion of the Bill rather looks like a little bit of window-dressing with a view to making it appear a little more acceptable to some members, because the Government feels that if it contained only the clause transferring the control of the railways from the Commissioner to the Minister, no doubt it would be rejected out of hand. In the circumstances this provision regarding the auditing of accounts was put in because it was thought that some members would regard it as sufficient reason to agree to the Bill. The fact is that there is no need for that provision. All the Government has to do is, by Executive Council action, to undo what the Executive Council previously did and thus bring the railway accounts under the control of the Auditor General. I shall certainly oppose the second reading.

HON. E. H. H. HALL (Central) [5.31]: I am indebted to Sir Hal Colebatch for having looked up the Acts he referred to and for the information he has given the House.

The Chief Secretary: It does not follow that the information was strictly correct, so be careful!

Hon. E. H. H. HALL: I learnt something only as recently as last night when I gave an assurance that my vote would go in a certain direction—and never again will I do anything of the sort. I accepted a statement by the Chief Secretary as correct and that caused me to alter my mind. If on this occasion Sir Hal has not correctly quoted the Audit Act, I may have to change my mind. I shall deal with the second part of the Bill first. I am especially interested in the audit section of the Railway Department. Members who have been in the House for some while will remember that on more than one occasion I have tried to get the

present Government to arrange—I will not say to instruct—with the Commissioner of Railways to present to Parliament, as representing the people of the State, a detailed statement of account as between the Midland Railway Company and the Government railways. Each time I have tried to get such a statement I have been knocked back by the very unconvincing reply that the Commissioner of Railways did not think it was necessary.

It may not be borne in mind by a majority of the members of this House that the failure to supply Parliament with a reconciliation account as between these two railway services constituted, as it did to my way of thinking, a most unjustifiable breach. If Sir Hal is correct in his statement, then the Government has had it in its power all the time to so arrange that that breach should not continue. This afternoon the Chief Secretary stated that it was recognised throughout the Railway Department and other Government departments as well that the Comptroller of Accounts should not be the auditor of accounts. Over the years Governments have come and Governments have gone, and still that very unsound practice has continued. I am grateful to the Minister for having brought this matter before Parliament for the purpose of letting some light into the financial affairs of the department, that have been hidden from Parliament and the people over the years.

We have been told repeatedly that the Commissioner of Railways is responsible for the management of the service and the Government for matters of policy. Do members need to be reminded of what I consider is a travesty of democracy, that the people's elected representatives may not interview the Commissioner of Railways? To my way of thinking, it is high time that such a ridiculous ruling was abolished. Members of Parliament should have the freest access to a man wielding such power as does the Commissioner of Railways.

Hon. L. B. Bolton: Have we not?

Hon. E. H. H. HALL: Mr. Bolton indulges in his continual interjections which are so obnoxious to him when he is speaking but which he indulges in so freely when others are addressing themselves to the House. His interjections are particularly obnoxious to me, and I hope he will keep quiet. I promise him and I promise you,

Mr. President, that I will keep quiet when he is speaking. I have made inquiries and I know from my own personal knowledge that members of Parliament are not supposed to interview the Commissioner of Railways.

Hon. L. B. Bolton: I do.

Hon. E. H. H. HALL: "I do" says Mr. Bolton.

Hon. G. Bennetts: What sort of a reception does Mr. Bolton get?

The PRESIDENT: Order! I must ask members to allow Mr. Hall to proceed.

Hon. E. H. H. HALL: Members of Parliament are not allowed to interview the Commissioner but, says Mr. Bolton, "I do." Mr. Bolton can see him all the time.

Hon. L. B. Bolton: On a point of order, Mr. President, I ask for a withdrawal of that statement and what I regard as the very offensive remarks by Mr. Hall. I interjected that I have interviewed the Commissioner and I have done so on dozens of occasions.

Hon. C. B. Williams: You know what happened to me when I interjected! You had better look out.

The PRESIDENT: Mr. Bolton has requested the withdrawal of some remarks, and I ask Mr. Hall to do so.

Hon. E. H. H. HALL: If the repetition of his own words is offensive to Mr. Bolton, I will withdraw them. He said, "I do."

Hon. L. B. Bolton: And I have interviewed the Commissioner.

Hon. E. H. H. HALL: Mr. Bolton persists and now he says, "I have interviewed him." What that hon. member has been able to do, others find they cannot do.

Hon. J. A. Dimmitt: Some others.

The PRESIDENT: Order! If hon. members will allow Mr. Hall to proceed we shall get along much better.

Hon. E. H. H. HALL: We should have the freest access to any man solely in control of such a huge undertaking as the Government railways. We have placed before us quarterly reports from the Commissioner and also annual reports, conveying to the House information which, I might say, is not of the slightest importance. As a representative of a province which is

served by a private railway, the operations of which are so dovetailed in with those of the Government railway system, I know that the financial arrangements between the two systems must run into considerable figures. We, as members of Parliament, and the public generally have been denied the slightest information in that respect. Over a period of years I have endeavoured to get some information on the point but all I can get is that the Commissioner does not think it is necessary to supply it. It is high time a change was made. I certainly think it should be. That deals with the audit section of the Bill.

Now I shall express my opinion regarding the first portion of it, which deals with the matter of control. For years we have heard it said that we must maintain the railway system outside political control. The statement has been repeated this afternoon. Does any member imagine that, in an age such as this, we can keep a huge concern like the railways outside political control? Let us face the facts. It does not matter what system we have, whether it be commissioner-control, general manager-control or ministerial control. We must face up to the fact of the political power wielded by the unions, without which we cannot hope to make a success of anything. During his remarks Sir Hal drew a comparison between the proposal in the Bill with what was done in connection with the Rural and Industries Bank. With all due respect to him, I say that was an entirely different proposition. What I would like to see is a really experienced railway man in charge of the State system, a man who had proved himself.

I have made statements about the Commissioner of Railways previously and have been taunted by personal friends of his with having been unfair to him. I hold Mr. Ellis in the highest regard but in appointing him to his present position and in agreeing to his reappointment for another period, the Government took a risk because of his inexperience in the task he had to carry out. What experience did he have of railway management?

Hon. G. Bennetts: None.

Hon. E. H. H. HALL: He had absolutely none whatever.

Hon. J. A. Dimmitt: He has had 12 years of experience now.

Hon. E. H. H. HALL: Yes, but at the expense of the people.

Hon. J. A. Dimmitt: Nevertheless, he has had 12 years of experience.

Hon. E. H. H. HALL: I make the statement—it does not give me pleasure to do so—that the Commissioner of Railways has cost the taxpayers of this country some hundreds of thousands of pounds of unnecessary expense.

Hon. L. B. Bolton: You are attacking a man who cannot reply.

Hon. E. H. H. HALL: Mr. Bolton can defend the Commissioner if he so desires; I am stating the facts. I ask you, Mr. President, to request Mr. Bolton kindly to keep quiet. I say that through inexperience and want of business management such as we should expect, the taxpayers of this country have been mulcted in a huge bill. The action of the Government in appointing Mr. Ellis and subsequently in renewing his appointment has landed us in that very regrettable position and that most regrettable affair which took place a few weeks ago when the whole of the business activities of the State were paralysed. The present Commissioner who, as I have mentioned before, received his appointment from the present Government, had no previous experience to justify his selection for that office. He is a very able professional man as a civil engineer. Had the Government appointed him to the position of Chief Civil Engineer, which would have meant promotion for him, I could have understood it, but for the position of Commissioner of Railways he did not possess the necessary qualifications.

The PRESIDENT: Order! I would remind the hon. member that we are discussing the question of bringing the Commissioner of Railways under the control of the Minister. Will the hon. member confine himself to that?

Hon. E. H. H. HALL: Very well, Mr. President. Had the Government appointed him to the position I have indicated, I could have understood it. Now we have the Bill before us and we are asked to give the sole control of the railways to the Minister. In view of that, we must ask ourselves what happened in the past when a man was appointed to the position for which he had

had no actual experience. I am not willing to give the present Minister sole control of the railways for the same reason that I would not agree to appoint the present Commissioner of Railways to his job because of lack of experience.

Those who argue that the introduction of the Bill is ill-timed because the appointment of a commission to investigate the administration of the railway system has been suggested or mentioned or is pending are, I think, on solid ground. In my opinion, their objection is well-founded. This afternoon it was suggested that a committee should be appointed to inquire into the working of the railways but I hope that will not be done. Just as I say that if the Minister takes charge of the railways he will be guided and advised by a general manager who has had experience in the financial management of such an undertaking, on the same grounds I urge that if a Royal Commission is appointed, the Government would be well advised to delay this measure until it could lay on the Table of the House a report by the commission. The person appointed as Commissioner should have extensive knowledge and experience of railway control and management. Feeling, as I do, that we should not carry on with the Bill, and feeling that we should have the advice of an expert, as I suggest, I am reluctantly compelled to vote against the second reading.

HON. A. THOMSON (South-East) [5.46]: I deplore the personalities which have been introduced during the discussion of this Bill.

Members: Hear, hear!

Hon. A. THOMSON: Our duty is to deal with the Bill, not to criticise responsible officers of the Railway Department. No member has more keenly criticised railway administration than I have. Over many years I have endeavoured to get alterations made. The introduction of this measure is a serious admission by the present Government, which has been in control of the finances and administration of the State for the last 20 years.

Hon. C. B. Williams: Not 20 years.

Hon. A. THOMSON: Labour has been in control for 20 years.

Hon. C. B. Williams: Not even 14—since 1932.

Hon. G. Fraser: Since 1933.

Hon. C. B. Williams: Less than 14 years.

Hon. A. THOMSON: I still maintain that Labour has been in control of the affairs of the State for the period I mentioned.

Hon. G. Fraser: Thirteen years.

Hon. A. THOMSON: Very well. I will make the period two years if it will suit the hon. member.

The PRESIDENT: Order!

Hon. A. THOMSON: My desire is to deal with the Bill before the House. The question is whether we shall hand over the control of our railways to the Minister for Railways, especially under the conditions in which we find ourselves today. Is it fair, is it reasonable, to blame the Commissioner of Railways for the serious financial drift in his department? The Government cannot escape its responsibilities in that respect. We know that it has been the policy of Governments to construct railways, which were said to be in the interests of the development of the State, without consulting the Commissioner. We are now proposing to abolish the present system. I am favourable to an alteration and have been for many years past. The party of which I am a member has publicly advocated an alteration of the system. We certainly should have a commissioner representing the public. But all our suggestions have fallen on deaf ears as far as the Government is concerned. Our Railway Department is too important to be dealt with in what might be termed a cavalier manner.

I sympathise to a great extent with the Commissioner of Railways. He has a policy laid down for him by the Government, and I refer not only to the present Government but to past Governments. Then the Arbitration Court hands over control of the administration to the unions. I do not say that offensively and I do not wish the unions to misunderstand me; I am making a plain statement of fact. The Commissioner has to abide by the instructions given to him by the unions through the Arbitration Court. He therefore cannot be expected to economise. I shall be

quite honest. I know the Commissioner can turn round and say, "Our costs have been increased and the only way to make up the difference is to increase the charges to the public." If that is done, it will kill the country districts; we have an alternative and that is to remove the present restrictions on motor transport. The Chief Secretary touched upon the general administration of the railways and the provision in the Bill by which the Auditor General shall audit and report upon railway accounts. But why should the Government bring in a measure containing these provisions in the closing hours of a Parliament? Surely the matter could have been left over for a few months, especially in view of the fact that Labour has been in charge of the State for 20 years, despite the objections of my friends to that statement. I have no hesitation in saying that I shall vote against the second reading, and that should be an indication to the Government, if it is returned after the elections, to introduce another measure to which we can devote ample time and attention.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.54]: I did not propose to speak to the Bill until I heard Mr. E. H. H. Hall's speech. The position seems to me to be this: The Government should lay down the policy, whether the railways are to be run for profit, or whether they are to open up the country. Having decided upon the policy, the Government should secure the best man available to control the department and carry out the policy. I am not an expert on railway management and therefore I shall not criticise a man who has been re-appointed after ten years as Commissioner. I am not sure whether the present Government appointed him, but he must have given satisfaction, as the Government has re-appointed him. Every country member from time to time has found it necessary to criticise the railways, but that has been done with the object of getting cheaper freights for their constituents.

Hon. C. B. Williams: They get their goods carried for practically nothing now.

Hon. H. S. W. PARKER: That may be one of the reasons why it is suggested that the Commissioner cannot make a do of the railways. I do not suppose my views on how railways should be controlled, or how

transport should be run, would interest members, but I firmly believe it is necessary to appoint a Royal Commission to inquire into all forms of transport, with a view to ascertaining whether the railways are obsolete or not, and if not obsolete how they can be improved; whether they should not have competition and whether competition would be better for the country as a whole. It may be that it would be cheaper in the long run to scrap the railways altogether: but, as I say, I have not the temerity to criticise the professional abilities of the person who has held the position of Commissioner for so long. I have the temerity however, to criticise a policy by which the railways would be controlled by a Minister of the Crown. I consider that would be entirely impossible.

I have from time to time said that a Government cannot trade successfully because it is controlled politically. A Minister could not be expected to have the knowledge required to run a trading concern and it would be unwise and improper to ask him to run a trading concern. He would be unable to look after his administrative duties and his parliamentary duties if he had thrown upon him the responsibility of running a trading concern. The more the Minister keeps his nose out of the railways, the better will they be run. It has been stated that a member of Parliament cannot interview the Commissioner of Railways. He can do so; but Section 80 of the Government Railways Act provides that no member of Parliament may attend on a deputation to the Commissioner. I am very pleased indeed that the Commissioner cannot be influenced politically. No attempt should be made to do so, and that is a wise and proper provision. It is obvious from my remarks that I intend to oppose the first portion of the Bill.

With regard to the second portion of the measure, I cannot understand why it is necessary. Under Section 54 of the Government Railways Act, the department's accounts have to be published in the "Government Gazette." The Audit Act provides that the Auditor General shall audit all accounts, but on the 11th October, 1907, the Governor specifically exempted, under Section 48 of the Audit Act, the audit of certain railway accounts. It may be suggested that that cannot be cancelled: but in the "Government

Gazette" of the 11th December, 1908 is a notification that the Governor-in-Executive Council had cancelled the order of the 9th October and issued a fresh one. If that could be done then, it can be done now. But surely if the Governor-in-Council can cancel a proclamation, he can cancel an exemption! I entirely disagree that the Governor can cancel a proclamation, but the Government thinks it can be done; therefore why does it not think that this other cancellation can be made? The second part of the Bill is entirely and absolutely unnecessary. All that is required is to cancel the existing exemption under the Audit Act. So I oppose the second part of the Bill also; and in opposing both the first and the second parts, I oppose the whole Bill.

HON. W. J. MANN (South-West) [6.3]: What strikes me about this Bill is the attempt to take the control of the railways away from a man, who, whatever may be said of him, has had a lifelong experience of railway matters and who, in the eyes of the general public, has done remarkably well in the circumstances. I voice my disapproval of the personal attacks made in this House at odd times against servants of the State who have had no opportunity to reply. If the position was such as has been represented, I should have thought the Government would have made an alteration at the time the Commissioner was last re-appointed.

Hon. C. B. Williams: We had a say in that, did we not?

Hon. W. J. MANN: That was not long ago; and had the position been so serious, a change could easily have been made. I am not going to say there is any connection between the sudden agitation for the removal of the Commissioner and the recent railway strike. But it does seem to me, rightly or wrongly, that some of the discontent may have arisen out of the industrial upheaval we had in the railways. I do not know, but I have a shrewd suspicion, that that incident, if not altogether responsible for activities in certain directions, was at any rate responsible for accentuating them. What has been the complaint against the administration of the railways?

It has been said there have been slow trains and worn-out rollingstock and a service that was not frequent enough. I think

that about covers the general range of complaints. That condition of affairs has been occasioned by the fact that the railways have been starved from year to year, and the department has not had an opportunity to spend any of its earnings on renewals and work of that description. The Government, moreover, has not come to its aid. Not very long ago, the predecessor of the present Premier decreed that there should be a fairly generous increase in the basic wage allowance; I think it was about 5s. a week. That cost the railways hundreds of thousands of pounds a year. But did the Government say to the Commissioner, "We are going to hand the employees this increase. We know you are hard-pushed, but we will make you a grant to compensate you for that additional expenditure?" Did the Government say that? Not on your life! Nothing was done.

It is that kind of thing that has caused discontent on the part of the public regarding the railways. Until within the last few months, for some years no paint brush had been put on any of the buildings used by the railways throughout the State. We know the reason why; it just could not be done. I am not going to say the administration is perfect. I have made complaints often enough about things I thought could be improved; but I must be perfectly honest and say that neither the Minister who proposes to take over the railways—a totally untrained man—nor I, nor anybody else, could have done much better in the circumstances. It would have been impossible for even a highly trained and efficient man to have made very much improvement in the position.

I admit there have been one or two disquieting circumstances. Perhaps I should not go into the matter, but what passed through my mind was the purchase of the much-discussed Garratt engines. There would be some reason for a difference of opinion as to whether the proper course has been followed in some instances. But looking at the matter broadly and realising that whatever the deficiencies of the railways in past years, they have been forced upon the administration, I do not consider it fair to propose such a drastic move as is suggested in the Bill. The Chief Secretary said the Bill would not have been introduced had it been possible to deal with the matter in an-

other way. I think the matter could still be dealt with in another way, and consequently I intend to vote against the second reading.

HON. G. B. WOOD (East) [6.9]: I am in a quandary whether to vote for the second reading or not. There is a tremendous amount of room for improvement in the railway management. At various times I have been to the railway officers—the engineers and the traffic manager—to get something done, but always appeared to get nowhere. Only recently, within the last two years, I have been at great pains to get certain work done but could obtain no satisfaction till I went to the Minister. That makes me want to support the measure. Once we approached the Minister we got what we wanted, or a promise, and I believe plans are in hand for this particular work to be undertaken almost immediately. Consequently I do not want to turn down this Bill. Whether it goes too far is a question that has exercised my mind. It seems to me that at present the Minister is ignored by the railway officers.

Are we going to do any better by putting most of the control in the Minister's hands? I believe that under ministerial control there would be greater co-ordination between the Transport Board and the railways. At present there is none. One goes to the Transport Board and says, "We want so many trucks to shift wheat or to cart oil." The answer is, "Ask the Commissioner of Railways or the transport officer of the Railway Department." It seems to rest with that officer whether permission will be given to the Transport Board. I believe that if the Minister for Railways had greater control there would be more co-operation between those departments. There are very many matters that require investigation, and in view of the promise by the Government for the appointment of a Royal Commission to make investigations, I have asked myself whether this is the time for the introduction of such a Bill. Rather than vote against the measure, or for it, I move an amendment—

That all words after the word "That" be struck out and the words "this House should not proceed with the debate on the second reading of the Bill until the Government has appointed a Royal Commission to inquire into railway matters and its report has been presented to the Governor" inserted in lieu.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—on amendment) [6.13]: I am assuming the amendment is quite in order, in view of a decision given previously. It is what I would describe as a sort of sugar-coated pill. I cannot quite understand why the hon. member should be anxious to postpone any action in matters of this kind until such an indefinite date as the submission of the Royal Commission's report on matters connected with railways and transport generally.

Hon. L. B. Bolton: If the amendment is carried it will be up to the Government to move.

THE CHIEF SECRETARY: The Government has already made an announcement that it will move in that direction.

Hon. G. B. Wood: It did not say when it would do so, though!

Hon. L. B. Bolton: We have heard that before.

THE CHIEF SECRETARY: I take exception to that remark, because the hon. member cannot quote one instance in which this Government has committed itself without carrying out its commitment. That is a challenge to the hon. member.

THE PRESIDENT: Does the Chief Secretary want a withdrawal?

Hon. L. B. Bolton: I will withdraw.

Sitting suspended from 6.15 to 7.30 p.m.

THE CHIEF SECRETARY: During the ten hour I have had opportunity of considering the amendment moved by Mr. Wood. I have come to the conclusion that it is one that this House cannot accept, more particularly if we take notice of Standing Order 184. For that reason I must ask you, Mr. President, to give a ruling as to whether this amendment is in order, or not.

THE PRESIDENT: When the amendment was handed in I was in doubt on the matter, but desired the opportunity to compare it with the amendment moved by Mr. Bolton yesterday, because there was some similarity between the two. On investigation I found there was a distinct difference. Standing Order 184 provides—

No other amendment may be moved to such Question except in the form of a resolution strictly relevant to the Bill.

Mr. Bolton's amendment was relevant to the Bill in that it provided for the insertion in the Bill of certain provisions. The amendment moved by Mr. Wood reads as follows:—

This House should not proceed with the debate on the second reading of the Bill until the Government has appointed a Royal Commission to inquire into railway matters and its report has been presented to the Government.

The Bill deals with two matters; first, the bringing of the Commissioner under the control of the Minister and, secondly, with the provision that the Auditor General shall audit the accounts, so it will be seen that Mr. Wood's amendment is not in any way relevant to the subject-matter of the Bill. It is simply a reason for opposing the Bill, and consequently I must rule the amendment out of order.

Amendment ruled out.

HON. H. L. ROCHE (South-East)

[7.35]: Once in a while I find myself at variance with my colleagues, and I am at variance now with some of those who have spoken on this Bill. I think some of the criticism of this measure is justified, but in view of the adverse comment in the past regarding the Railway Department and its administration, I feel that I, at least, am impelled to support the present proposal. It has been introduced late in the session and I think the Government should have had more consideration for the measure and should have brought it forward earlier. It might have been made more comprehensive so that the railways in this State could have undergone a general reconstruction. I am not unmindful of the fact that only a couple of years ago the present Government re-appointed Mr. Ellis Commissioner for Railways.

Hon. C. B. Williams: So did this House.

Hon. H. L. ROCHE: In the face of a considerable amount of criticism levelled at that re-appointment, government spokesmen strongly supported the attitude of the Government, so I take it there has been something of a reversal of opinion in government circles. I have not found any insuperable barrier to approaching or interviewing the Commissioner. Certainly on occasions one has to get through the close picket fence, as it were, with which ho

seems to be surrounded, but I doubt whether that is of his own making. I have always found him courteous and reasonable. At the same time, one does not make as much progress as one has a right to expect. Again, I doubt whether that is solely the responsibility of the Commissioner. I am inclined to think it may be due more to the subordinates that the bureaucratic system which has grown up in the railways has placed in the position of advisers to Mr. Ellis.

It is useless to deny that the railway administration today is on the borderline of hopeless chaos. If members think over the happenings of the last few months—I do not refer to the industrial troubles, but to the inability of the railways to discharge their function to the community—they will understand the position. I have in mind what is happening today. The system cannot maintain even that comparative dribble of wheat required for the mills of the metropolitan area, and the prospect of the railways being able to handle anything like a reasonable harvest, and the carting of super back to the country, looks hopeless. Primary products generally are suffering possibly to a lesser degree than wheat, but in the case of wool and goods generally one does not know when delivery will be made.

One of the most malign influences in the Railway Department today is the attitude of mind that has developed as a result of the operation of the State Transport Co-ordination Act. The railway administration seems to have adopted the attitude that so long as it provides a conveyance that sooner or later reaches its destination, with or without any consideration for the public, it is discharging its obligation and can continue to make the public take it, irrespective of whether it gives anything like reasonable service or return for the charges made. The State Transport Co-ordination Act has, to my mind, developed that attitude in the railway administration. The greatest criticism that can be levelled at the Bill is the fact that the Minister is placed in a position of responsibility for the railway administration. At the moment I think the Railway Department is the only government department not responsible directly to a Minister. I would prefer a position where the Minister and the Government he represents could be

held directly responsible for the shortcomings of the department that he is supposed to administer.

I have heard the remark that under this Bill the unions connected with the railways will run the railways. I have often heard that statement made about the railways of today; that it is the influence of the unions and the attitude they adopt on occasions that has handicapped the administration. Whatever may be the faults of the unions, I do not think the administration can hold itself altogether blameless in some respects for the attitude of mind of many of the men working for the department. I have met a considerable number of railway employees in various phases of the department's activities and, though some of them would possibly be better employed elsewhere, I think the average railway man with whom I have discussed the railways, and the service they should and do not give the public, seems just as keen on doing his job and effecting improvement as is the average man in any other job.

Possibly the bureaucracy that has grown up in the railway administration interposes too great a shield between the men who would like to do their jobs—and who in the main try to do them—and those who are charged with the higher administration of railway affairs. Though I am not altogether in love with the measure, and I think the Government would have been wiser had it brought down one reconstructing the whole of the higher administration of the service, at the same time I have for some years been a critic of the present administration. I certainly do not think it can get much worse, and having the Minister directly responsible to Parliament for the administration and control of the railways might, I think, result in an improvement. I support the second reading of the Bill.

HON. G. BENNETTS (South) [7.43]: I support the remarks of the Chief Secretary. I have always been in favour of our railways being under a business management. The system is the biggest business undertaking in the State, with 9,000 employees and responsibility for practically the whole of the transport of commodities and passengers to and from the different centres in the State. I say nothing against Mr. Ellis personally, because he is the Commissioner who was put there to do the job,

and whether or not he is a business man he was expected to put the railways on a business footing. That he is an engineer does not say he is a business man, and he may not be. If he is made responsible to the Minister that does not say the Minister is to run the railways. He might have a scheme for setting up a board or something of that nature to confer with the Commissioner and work out the details for bettering the system. As Parliament is responsible to the people of the State, we ought to have some say in the administration of the railways and be able to make some contribution towards the improvement of the system.

I suppose each member comes into contact with business people and members of the travelling public and has heard criticism of the railways. We must admit that the service is worse today than ever before in the history of the State. I remember when the Goldfields railway was laid down and I say there has been no improvement in the last 40 years, except that first-class compartments have been reduced from four to two berths and second-class compartments from six to four berths. In the matter of the attention given to passengers, however, the service has dropped back 50 per cent.

Under the present control there is disorganisation, and the staff is dissatisfied. I do not think there is a man in the service who is content with the administration. The men are not encouraged to show any enthusiasm. I believe that if one of them went to the heads and offered some suggestion for effecting improvements, it would not be at all welcomed. I come into contact with many railway men and, having worked alongside them for 35 years, I suppose I would be able to get more information from them than could any other member.

At one time the conductors used to do the full trip and passengers got proper service. Now, however, the conductors do only half the journey and, when they are taken off, they fill in time as glorified porters, lumping wheat and flour and other commodities from vehicles, and are even put on to lavatory and other classes of work. Train passengers regard the conductor with a certain amount of respect; he is regarded as a clean, honest type of man who is there to look after their property and minister to their comfort. But after he has been put on to other work and

his clothes have become filthy—he is away from his own station and cannot change them—he has to take up the duties of conductor again in an untidy condition. The men themselves are very discontented about this sort of thing. If we look into various branches of the department we see the old type of equipment that has been in use as long as I can remember.

The PRESIDENT: Order! I must ask the hon. member to connect his remarks with the Bill. ●

Hon. G. BENNETTS: The trouble is faulty administration, and I feel satisfied that these duties cannot be carried out by one man. The sooner we realise the true position and institute ministerial control, instead of having one official exercising a sort of dictatorship, the better it will be for the travelling public and for the State.

HON. L. CRAIG (South-West) [7.49]: I consider it necessary that some defence should be put up on behalf of the Railway Department. To me it is amazing that members should indulge in criticism not only of the running of the department but also of the Commissioner himself. To be fair, members should carry their minds back and recall what happened to the department during the years of war. Many of the engines were taken away and sent to Darwin and the Middle East; rollingstock was also taken, and many of the young men employed in the service enlisted. The Midland Junction workshops were taken over for the manufacture of munitions, when probably they should have been reserved for the maintenance of rollingstock and the construction of locomotives. We have to be fair in dealing with this matter.

Admittedly our trains are not comfortable to ride in. Nobody knows that better than I do—I travel on one of the worst lines—but the trouble is that the engines are overloaded. I admit that the railway stations and general equipment are in a very bad state of repair, but is the Commissioner to blame for these things? The department has all the costs stacked against it—cost of living allowances, basic wage increases, etc., and no money with which to effect repairs and maintain the rollingstock, equipment and stations. Not only is there a shortage

of manpower, but the Government controls the purse. Consequently, the Commissioner has not a full say in the running of the railways. He that controls the purse controls the railways. We must be careful not to be unfair. Only about three years ago this House approved of the re-appointment of the Commissioner and, on that occasion members, with one or two exceptions, spoke most eulogistically of his work. Members said the appointment was a good one.

Hon. H. L. Roche: Not all.

Hon. L. CRAIG: Some criticised the administration, but did not oppose the re-appointment of the Commissioner. We have heard talk about the need for a businessman to control the railways. Nobody could control the railways on business lines unless he had the requisite equipment and the finance to supply and maintain it.

Hon. A. Thomson: And a free hand, too.

Hon. L. CRAIG: The Commissioner has not a free hand in the running of the railways. I cannot believe that this Bill is going to increase the effectiveness of railway administration. Considering all the difficulties, I believe the Commissioner has done as good a job as could be expected. We should bear in mind that Western Australia is not the only State suffering from ill-equipped and badly run railways. A friend of mine from New South Wales said, "You people are most fortunate in the way you can get trucks for your stock. In New South Wales the railways are refusing altogether to send trucks for certain stock, and sometimes we have to wait weeks and even months for rollingstock to take our livestock and wool away." I believe the same thing is happening in South Australia, though I cannot speak with authority about that State. So Western Australia is not the only State that is suffering these disabilities or the only State where the railway equipment is bad. We have more miles of railway per head of population than has any country in the world. Therefore I say that in all the circumstances, it is not fair to blame the Commissioner. I do not consider that he is blameable at all.

Hon. R. M. Forrest: He is being made the scapegoat.

Hon. L. CRAIG: Of course he is. He is not allowed to increase any of his charges.

If we were running a transport organisation and had all these costs loaded against us year after year, what is the first thing we would do? Of course we would raise our charges. But the commissioner is not permitted to make the railways pay or to run the system as efficiently as it should be run. I repeat that it is unfair to saddle the Commissioner with the blame. If this Bill would achieve any good, I would support it, but I do not think it will do more than add to the difficulties of the commissioner. Therefore I intend to oppose the second reading.

HON. E. M. HEENAN (North-East) [7.55]: I support the second reading. The trend of the debate would indicate that the Bill amounts more or less to a vote of no-confidence in the Commissioner and his administration, but I think it is wrong to take that view. The measure simply proposes to make an important change in the administration of the railways by substituting direct ministerial responsibility for commissioner control. My experience of the railways has been gained chiefly by travelling on the Kalgoorlie express, and I must say that I have the utmost sympathy for the Commissioner and his staff. During the war years particularly, the railways did a remarkably good job in face of many adverse circumstances.

The department has to contend with much lack of co-operation on the part of the travelling public. It is easy to criticise and a popular form of criticism is to blame the railways. If a train runs half-an-hour late, one hears an outcry that is often quite unjustifiable. People do not look for causes, and I have not much sympathy with the popular trend to criticise the railways on every conceivable occasion. People ought frequently to take stock of their own actions. On the Kalgoorlie express lavatories are often left in a disgusting state, for which the unfortunate railway men are probably blamed, and they have the unpleasant job of cleaning them up. We have all seen people put lighted cigarettes on the valuable fittings of trains and burn them. In many ways the public does not do much towards making a contribution to the upkeep and betterment of railway facilities.

However, we have reached the stage when some radical change in policy should be made. The railways seem to have reached

a crisis in their career. Western Australia has a small population of less than half-a-million and it has a very great mileage of railway to maintain. The public will have to face up to the need for spending much money on the system. We could have a better system if we had 50 or 100 new locomotives, new coaches and lines reballasted, but this would involve tremendous expense. As regards the change proposed by the Bill, I think it might achieve some good. There is an outcry for something to be done, and the responsibility will simply be moved from the Commissioner to the Minister, and from the Minister to Parliament. Unless some vast improvement is made, more will be heard of the matter. Something should be done and the proposal to invest almost complete control in the Minister will certainly impose a big obligation on him, and on the Government, but the Government and the Minister evidently have some policy in mind and we should give them the opportunity of carrying it through.

HON. C. B. WILLIAMS (South) [8.2]: I support the Bill. It is useless saying the Commissioner is not to blame. At the moment members get the blame and we have no more say in the administration of the railways than Haille Selassie has in that of Abyssinia.

The Chief Secretary: Why pick on him?

Hon. C. B. WILLIAMS: Members should not tell me that the Commissioner is not to blame! His office is upstairs in Wellington-street, and surely he sees the queues that commence at 5 a.m. outside the ticket office. In the "Kalgoorlie Miner" of the 10th December we find this paragraph—

Railway bookings: "It is time we got some sort of service from the railways" said Cr. Seddon Vincent, at the meeting of the Kalgoorlie Municipal Council last night, in seconding a motion by Cr. O'Callaghan, that the Railway Department be asked to make an extra window available for the booking of sleepers on the express, thus helping to obviate the necessity of people having to queue up all night for the purpose.

Needless to say, the motion was carried unanimously. That has been going on there for years, and it also occurs in Perth. The lowest paid clerks in the department could put forward a better system than one which requires people to wait all night out-

side a booking office. It would not need a man receiving more than £6 a week to improve on that system. If a married person, with children, wants to go to the Eastern States he is sent upstairs and downstairs, and eventually over to Bridge-street, and not one man in the department can tell him whether the children are entitled to concession tickets, notwithstanding that there is a book which sets out the fares.

Members might say that these things are beneath the Commissioner, but long queues outside the booking office are not beneath his notice. When the railway strike was in progress there were some long queues at the Tourist Department, but they were not for the purpose of getting tickets but to get into a bus. The railway authorities have driven their customers to the buses. It would be interesting to know how many members of Parliament and what number of the railway heads have shares in private bus companies. Trains do not run empty up and down our lines for fun, while buses, running parallel to them, are full. I do not know what dividends the bus companies pay, but they must be a thousand times more than the railways will ever return!

Hon. G. Bennetts: Do they double-load the buses?

Hon. C. B. WILLIAMS: Yes. When I returned from my last visit to Kalgoorlie, about two or three months ago, the train left on time but, because of our intelligent Commissioner it was held up at Kurrawang for over half an hour, and it is only about 16 miles from Kurrawang to Coolgardie. It was a hot and dusty day and we who were on the main train in Western Australia had to wait there until the Commissioner, who had left Coolgardie, went through. He and his officers were sitting up like delegates at a peace conference. Well, I saw, in the "Kalgoorlie Miner," that he later went to Esperance. But he did not go to Esperance on that occasion. He lumped his royal train back to Perth and, a couple of months afterwards, went for another jaunt around the country. Does he consider the finances of the railways? No! Mr. Craig said that if he suggests increases in freights we all roar. We on the Goldfields have had little consideration from him in the way of freights.

Anyone who knows the obstacles that the Minister has been confronted with would

vote for the Bill. I think the Labour Party will be in power for many years in this State, and evidently members of other parties agree with that because they do not want this power to be given to the Minister. By this authority they could do some good for the people by virtue of having direct control of the railways. I agree that the department has been stinted for money, but the war was not always on. The Commissioner was, for about three years, in the East. Apparently there were no commissioners elsewhere in the Commonwealth who could do the job there, so we lost him for that period. Yet ours is the smallest State numerically, and the weakest financially.

Hon. J. A. Dimmitt: He was picked because of his ability, I suppose.

Hon. C. B. WILLIAMS: He was picked because the expenses and emoluments were good, and there were no taxes on them.

Hon. H. L. Roche: He knew something about Garratt engines.

Hon. C. B. WILLIAMS: Do not bring that up, for goodness sake! I was one who voted for his appointment less than three years ago. It is useless talking about how successful and how short of money he has been. We know that in one instance he must have cost the State £150,000 because of his stupidity.

Hon. L. B. Bolton: It might prove to be just the opposite.

Hon. C. B. WILLIAMS: What might prove to be?

Hon. L. B. Bolton: What you are saying.

Hon. C. B. WILLIAMS: I am not talking of the Garratt engines, but of the strike of the enginedrivers.

The PRESIDENT: Order! Will the hon. member confine his remarks to the Bill?

Hon. C. B. WILLIAMS: I am doing so! I am not referring to the Garratt engines but to the deviation in the hills. On that occasion the railway men had to cease work before the Commissioner could be forced to do anything to provide the deviation. Members know when the job was done. If the Minister could have had the final say, that mix-up would probably not have occurred. I like to give credit where it is due, but I cannot give it to the railways. When I came to this State, 37 years ago,

It took about 17 hours to get to Kalgoorlie, and it requires not much less than that now. When travelling in a sleeper one can hear, on any station the rattle of the barrows. Instead of having rubber-tyred barrows that would make for easier work and be more economical—because one man could handle a rubber-tyred barrow whereas it takes two or three to push the present ones—we still have the old iron-tyred ones. These things have gone on and on. Last year some of the heads became due for retirement, and on the very eve of their retiring their salaries were increased by £250 a year. Yet the railways do not pay!

Hon. G. Bennetts: What do the workers get, anything?

Hon. C. B. WILLIAMS: No. They ruin the railways because of the basic wage increases. I am pleased that the Government has had the courage to bring down this Bill. Past Governments have put the responsibility on to the Commissioner by saying that section so and so gives him full authority. In the early days members of Parliament did a certain amount of log-rolling by getting railway lines here and there. I am not here to run down the Commissioner personally, because I would hardly know him if I saw him. Neither am I here to eulogise him because anything that has been got by the railway men has been forced by strikes. Any business manager who cannot forestall and stop a strike ought to be out of a job. This country has been put to the cost of the best part of £1,000,000 because one individual could not stop a strike. We saw recently, at the W.A.T.C. racecourse, the result when an autocratic man could not stop a strike—but his committee could. Let us hope that the Minister, when he gets this power, will be able to prevent strikes.

HON. L. B. BOLTON (Metropolitan) [8.14]: I feel that someone should say something in defence of the Commissioner of Railways. I deplore attacks at any time, but more than ever when made on the floor of the House against a high official doing his duty to the State, and where he has not a chance to defend himself. I was in hopes that Mr. Wood's amendment would be accepted. We would then have had a Royal Commission before which the Commissioner and his officers would have been

given an opportunity to defend themselves against such attacks as have been launched tonight.

I am sorry that Mr. E. H. H. Hall is not in the Chamber. He usually goes out when he has said what he wants to say—particularly if it was not pleasant. Something should be said in defence of the Commissioner of Railways, Mr. Ellis, and his principal officers. I would remind the House that the railways have been starved for money over a number of years. We all appreciate that the concern is losing a tremendous amount. What undertaking could carry the interest bill alone that the Railway Department is asked to shoulder? What increases have there been in fares and freights compared with the additional costs the railways have had to bear? Perhaps members will remember that when the Premier at the time, Mr. Willcock, declared he had power to grant an increase in the basic wage of 6s. per week, that action of his cost the Railway Department £250,000. That was one item.

There is another matter that some of us may have forgotten. I do not mention it as an excuse for the condition of the railways altogether, but it certainly can be availed of from that angle, up to a point. We may have forgotten that the two principal officers of the department—the Commissioner of Railways, Mr. Ellis, and the Chief Mechanical Engineer, Mr. Mills—were away from their jobs for over three years. At that time I expressed the opinion that it was wrong for both those head officials to be away at the one time. However, it was necessary, and we have been told, and quite appreciate the fact, that they did an excellent job in their war service. I shall take a risk and mention the Garratt engines.

Hon. C. B. Williams: They brought them back with them, anyhow.

Hon. L. B. BOLTON: Yes, that is so.

The PRESIDENT: I trust the hon. member will make only incidental references to them.

Hon. L. B. BOLTON: That is all I intend to do. I am certain that the Commissioner and his Chief Mechanical Engineer have been blamed for the purchase of those engines, and we have been told frequently that, in consequence, a tremendous amount

of money has been lost to the State. What the man in the street has said for a long time, I intend to say on the floor of the House. In my opinion, and I believe that eventually I shall be proved to be right, in common with those who think as I do, when these engines are adjusted and put in perfect running order, they will prove to be one of the greatest boons to the railway system this State has ever had.

Hon. G. Bennetts: How much will that cost?

Hon. L. B. BOLTON: They will pull a 50 per cent. additional load compared with other engines, and that means a saving of 50 per cent. in labour.

Hon. G. B. Wood: That is the trouble.

Hon. L. B. BOLTON: That is the trouble behind all these attacks on the Commissioner of Railways, or rather it discloses the intentions of the Government to get rid of the Commissioner if possible.

Hon. C. B. Williams: But the Government has only to wait two years, and then it can get rid of him automatically.

Hon. L. B. BOLTON: Up to a period, in the eyes of the Labour Government the Commissioner was doing a wonderful job and was regarded as a wonderful man. That continued until one day he stood up against the railway unions when they demanded something that, in his opinion, was most unfair. The Commissioner of Railways stood up against the unions, the Premier and the Labour Cabinet. However, the Minister in charge of the department supported him and stood by him in the trouble. What happened to the Minister? He was sacked. He was not re-appointed to the Cabinet as Minister for Railways when Caucus elected the new Ministry.

Hon. C. B. Williams: You know nothing about it.

Hon. L. B. BOLTON: From that day onwards, Mr. Ellis has been condemned by the Labour Government. In my opinion that is the reason for the introduction of the Bill. I would deplore the action of this House if it passed it, because I consider it is nothing but a move to get rid of the Commissioner. If we were to pass the measure, the next thing the Government would do would be to see that Mr. Ellis was dismissed. That is what I honestly be-

lieve, and I say so on the floor of the House. I hope the Bill will be defeated on the second reading, and I shall certainly vote against it.

HON. G. FRASER (West) [8.20]: I shall offer two comments only with respect to the Bill. My criticism will not be directed against the Commissioner of Railways but against the administration of the department. Over the years, we have seen a persistent drift. I speak as a metropolitan member when I say that there has been a continual drift of passengers formerly carried by the railways. We can see the suburban trains running mostly half or a quarter full, and sometimes with hardly any passengers at all. No attempt has been made by the department to regain the lost passenger traffic. Another feature was mentioned by Mr. Williams. I consider it a standing disgrace to the administration that queues can be seen, particularly with regard to bookings for the Eastern States, waiting outside the railway station almost every day. It is not so bad as regards those who are in a position to remain in the queue and await their turn to secure bookings. Those who are ill cannot do that, and consequently cannot get bookings. They cannot take part in the queue and no arrangements have been made to extend consideration to them. Surely something could be done to obviate incidents of that description. I know quite a number who have stood in a queue for hours awaiting their turn. Then, over the loudspeaker, has come the announcement that no further bookings could be received, and they have had to go away disappointed.

The position of people who have to travel under doctors' orders is much worse. No arrangements have been made to cater for them. Whether the Commissioner of Railways is responsible for that I do not know, but certainly someone in the department is. When these things happen, the public blame the Government although it is not the Government's responsibility at all. If the public are going to blame the Government for the misdeeds of the railway administration, it is time Parliament gave the Government some say in that connection. The Bill seeks to make a Cabinet Minister responsible for the administration of the department. If the Government is to shoulder the blame, it should certainly have some say. During the debate it was suggested that the proposal

meant a return to political control. I cannot remember any other department that is not subject to political control, and why should the Railway Department not be under that control? It has been said that if we make this change and political control is established, with every change of Government there will be a change of policy. Do we get a change of policy in connection with the Electoral Department every time there is a change of Government?

Hon. H. S. W. Parker: There ought to be.

Hon. G. FRASER: We have had changes of Government, but there has been no change in the policy of that department. That applies to the Lands Department and others. Has there ever been any change of policy because of a change of Government? Of course not.

Hon. G. B. Wood: Sometimes a change would not do any harm.

Hon. G. FRASER: That argument seems to me to be very weak. The other part of the Bill concerns the auditing of accounts. Very little discussion has taken place regarding that matter, so I assume most members are prepared to accept it.

Hon. W. J. Mann: Sir Hal Colebatch dealt with that.

Hon. G. FRASER: That part of the Bill represents an attempt by the Government to improve the position of the railways, and I am certain not one member of this House would say that the railways are giving the service they should. If that is so, then if any member were running a business that was not rendering service, he would immediately effect alterations. That is all the Bill attempts to do in this instance. If the change should be effected and better service not rendered, we would not be any worse off than we are at present. If it should not prove successful, then at any rate it could not make the position any worse.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [8.25]: I very much deplore the personal attacks that have been indulged in by members during the debate on this Bill. When I introduced the measure, I endeavoured as far as I could to get away from personalities.

Hon. H. S. W. Parker: Hear, hear!

The CHIEF SECRETARY: I pointed out very plainly, I think, that it could be divided into two parts. The first contem-

plates a change by giving the Minister more control in the administration of the Railway Department, and I pointed out it was only fair that should be done if the Minister was to accept any responsibility at all. I do not know that members should make it a personal matter with regard to Mr. Ellis in any shape or form at this juncture. There is no necessity to deal with some of the matters mentioned during the debate. The point to be considered is whether the Minister, who has to accept responsibility with regard to administration of the railways, is to have such control as will enable him to accept that responsibility in a proper way. The Minister has made a statement on several occasions that there has been passive resistance to the policy of the Government, as laid down by the Minister. If that is so, it would be exceedingly difficult for the Minister to carry out his duties, so far as the Government and Parliament are concerned.

Hon. C. F. Baxter: Why Parliament? What has it to do with the matter? Parliament does not instruct the Minister.

The CHIEF SECRETARY: Parliament has quite a lot to say about it.

Hon. C. F. Baxter: Yes—after the event.

The CHIEF SECRETARY: We have had many motions moved in this House.

Hon. C. F. Baxter: And what has happened to them?

The CHIEF SECRETARY: Those motions have criticised the Government and the Minister with regard to the administration of the railways. If the Government and the Minister are to accept responsibility in that direction, it is essential that they at least have some authority. There is no question of the Minister wanting to run the railways, as has been suggested. The Minister could not run the railways if he tried, but he could at least lay down the policy and see that it was carried out by the Commissioner and his staff. The general administration of the railways would be the responsibility of the Commissioner and his officers.

As to the auditing of the accounts, Sir Hal Colebatch takes the point that there is no need for the amendment included in the Bill, and he suggested that it was only included as so much packing to support the

other amendments, and that if the Government desired it could tomorrow cancel the order of the Executive Council and give the Auditor General of the State the right to audit the railway accounts. To support his argument, he quoted what happened in 1904 and 1907. Up to a point, Sir Hal was quite correct, but he was not strictly accurate, because in 1904, when the Auditor General at that time made a report to the Government, no action was taken to ensure that he should audit the accounts of the Railway Department and that a balance sheet and statement of the department's accounts should be presented to Parliament. But in 1907—another year mentioned by Sir Hal—there was an Executive Council minute exempting the Railway Department at that time from compliance with certain aspects of the Audit Act. In 1909 that particular Executive Council minute was cancelled.

Hon. Sir Hal Colebatch: No, in 1908.

The CHIEF SECRETARY: My advice is 1909, but it does not matter whether it was 1908 or 1909—that minute was cancelled and another one took its place. That minute referred to phases of railway accounts which were to be exempted so far as the Auditor General's jurisdiction was concerned. The question is now asked, "Why did we not cancel that Executive Council minute, in which case it would automatically revert to the Auditor General and there would be no need for this Bill?" That is not quite the position. If that Executive Council minute were cancelled today or tomorrow there would still be no provision whatever for the presentation to Parliament of a balance sheet and statement of account. That is what we are asking for in this Bill. There is nothing in the Government Railways Act and nothing in the Audit Act—

Hon. Sir Hal Colebatch: Read Section 44 of the Audit Act.

The CHIEF SECRETARY: I think it is Section 46 of the Audit Act. This gives the Auditor General various rights to carry out certain duties, but it does not make the position what we desire it to be, which is that Parliament should have presented to it a balance sheet and statement of account, duly audited by the Auditor General. That is the advice that has been tendered to me.

Therefore, while Sir Hal Colebatch's version of what took place is quite correct up to a point, he does not cover the position entirely. The amendment in the Bill is not packing at all. Whether it is carried or not, it is inserted in the Bill with the object of ensuring that the Government and Parliament shall have proper access to correctly drawn-up statements of account, vouched for by the Auditor General. That is all there is in the amendment. As I said before, it is rather regrettable that we have not been able to bring down a more comprehensive measure. That was intended.

If a Royal Commission is appointed, it will naturally take many months to make its inquiries and present a report, and we should have to wait probably 12 months before effect could be given to these desirable amendments. I sincerely hope the House will agree with the Government in this respect. The railways are probably the most important public utility in the State. Everybody seems to think there is something wrong with the department, but it is not everyone who can put his finger on what is wrong. All sorts of things are stated to be wrong. It is therefore the intention of the Government, as I have already announced, to appoint a Royal Commission to inquire into all transport matters, including the railways. I do not wish to delay a decision any longer; but I think that, in the best interests of the State, this House should be prepared to pass the Bill as I have presented it.

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

Ayes	..	..	..	9
Noes	..	..	..	16

Majority against .. 7

AYES.		NOES.	
Hon. G. Bennetts		Hon. A. L. Loton	
Hon. G. Fraser		Hon. G. W. Miles	
Hon. E. H. Gray		Hon. H. S. W. Parker	
Hon. W. R. Hall		Hon. A. Thomson	
Hon. E. M. Heenan		Hon. H. Tuckey	
		Hon. F. R. Welsh	
		Hon. G. B. Wood	
		Hon. W. J. Mann	(Teller.)
PAIR.		No.	
Hon. J. M. Drew		Hon. C. H. Simpson	

Question thus negatived; Bill defeated.

BILL—STATE (WESTERN AUSTRALIAN) ALUNITE INDUSTRY.

Received from the Assembly and read a first time.

RESOLUTION—STATE FORESTS.

To Revoke Dedication.

Message from the Assembly received and read requesting concurrence in the following resolution:—

That the proposal for the partial revocation of State Forests Nos. 20, 27, 30 and 32 laid on the Table of the Legislative Assembly by command of His Excellency the Lieut.-Governor on Thursday, the 12th day of December, 1946, be carried out.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.44]: I move—

That the resolution be agreed to.

It is usual when dealing with the partial revocation of State forests to provide members with brief details of the areas dealt with in the proposal. In this instance, the lands concerned are situated at Greenbushes, Balingup, Donnybrook, Boyanup, Hester and an area extending along both sides of the Blackwood River near the Jalbarragup Bridge. The particulars are contained in papers which I propose to lay on the Table of the House. They are as follows:—

Area No. 1—About 1 mile North-West of Greenbushes. Approximately 6 acres of land applied for by an adjoining land-holder as an extension to his present holding.

Area No. 2—About 4 miles South-East of Balingup. Comprising 27 acres of land applied for by an adjoining land-holder as an extension to his present holding.

Area No. 3—Adjoining Donnybrook townsite. About 330 acres of heavily-cut over country of little value for forestry purposes. Applications have been received for several portions of this area by the Lands Department.

Area No. 4—About 3 miles East of Boyanup. Approximately 110 acres of poor forest country applied for by an adjoining settler as an extension to his present holding.

Area No. 5—About 2 miles North-East of Hester. An area of 8 acres applied for by an adjoining land-holder as an extension to bring his present holding out on to the road.

Area No. 6—About 1 mile South-East of Jalbarragup. Approximately 180 acres of poor forest country applied for by a returned soldier to enable him to establish a dairying and grazing property.

Question put and passed, the resolution agreed to and a message accordingly returned to the Assembly.

BILL—FACTORIES AND SHOPS ACT AMENDMENT (No. 2).

Assembly's Message.

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

BILL—MILK.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 3, 4 and 12 made by the Council and had disagreed to Nos. 1 and 2, 5 to 11 inclusive, and 13 to 20 inclusive.

BILL—VERMIN ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 4 and 5 made by the Council and had disagreed to Nos. 1, 2 and 3.

BILL—ROAD CLOSURE.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.47] in moving the second reading said: This is the usual Bill submitted at the end of the session relating to the closure of certain roads. It is essentially a Committee Bill, and I will deal with the schedule item by item. Schedule Item No. 1 deals with Forest Timber Reserve No. 60/25, not far away from the Margaret River townsite. The Forests Department is extending its pine plantation to include Sussex locations 2140, 587 and 1200, which are within this timber reserve. There are certain roads within these locations which are of no use to the general public, and the Forests Department has asked that they should be closed so that they will not interfere with the subdivision of the area when planted with pines. Neither the Lands Department officers nor the local road board has any objection to the request. As the roads pass through a

reserve, and as the Crown is not an owner within the meaning of the Road Districts Act for the purpose of applying for the closure of roads, parliamentary approval is necessary. Plan A shows bordered blue the Forest Timber Reserve 60/25, and coloured red the roads which it is proposed to close.

Hon. A. Thomson: Why not save time by giving the details in Committee?

The HONORARY MINISTER: I will do that. 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 Honorary Minister in charge of the Bill.

Clauses 1 to 3—agreed to.

Schedule:

The HONORARY MINISTER: I have dealt with Schedule Item No. 1. Item No. 2 deals with the Collie municipal district. It is proposed to set aside certain education endowment land at Collie for the purpose of a new schoolsite. This land consists of one whole subdivision with a right-of-way running through it, and half another subdivision on the opposite side of Roberts-street. To consolidate the site, it will be necessary to close that portion of Roberts-street adjoining the two subdivisions concerned, as well as the right-of-way in the northern subdivision. Both the Town Planning Commissioner and the local council agreed to the proposal and there is no objection by the Lands Department officers. After closure, the land in the closed right-of-way and street will be included in the schoolsite. Plan B shows coloured red the road and right-of-way to be closed, and bordered green the proposed new schoolsite.

Item No. 3 concerns the Cue road district. The Big Bell branch of the Returned Soldiers' League is desirous of establishing a children's park at Big Bell which will be in the nature of a memorial park. The branch is asking that certain land should be granted for this purpose. To give full effect to the scheme, it would be necessary to close portion of a road be-

tween the land to be granted and the recreation reserve. After closure, the land within the closed road will be added to adjoining land, and the whole set aside for the children's park. The local road board supports the proposal, and the department's view, as well as that of the Town Planning Commissioner, is also favourable to it. As the land on each side is Crown land, parliamentary approval is required, as the Crown cannot apply for the closure of a road under the Road Districts Act. Plan C shows coloured red the road, which it is proposed to close, and coloured green the land to be granted for a children's park in addition to the closed road.

Item 4 has reference to the Denmark road district. There are certain public roads which are not in use, running through the site of the Agricultural College at Denmark. The Agricultural Department desires that these roads should be closed, so that the land may be incorporated in the consolidated site for the college. The Lands Department officers see no objection to the proposal, as the roads are not used, and are not required for the public. The Denmark Road Board agrees that the roads in question should be closed. As the land on each side of the roads is Government land, parliamentary approval is necessary. Plan D shows coloured red roads to be closed, and bordered green the Agricultural College site.

Item 5 refers to the Murray road district. At the request of the Forests Department, an area was excluded from the Dwellingup townsite, and included in the adjoining State forest, to enable the Forests Department to establish a settlement for forest workers. Within this area are certain roads which will have to be closed to enable a new design for the layout of the settlement to be adopted. The new layout has been designed by the Town Planning Commissioner. As the land adjoining the road is Crown land, it is necessary to obtain parliamentary approval as the Crown cannot apply for the closure of roads under the Road Districts Act. Plan E shows coloured red the roads and right-of-way to be closed.

Item 6 refers to the Geraldton municipal district. The whole of the subdivision bounded by Jose, Burges, Shenton and Crowther-streets, Geraldton, was dedicated some time ago to the Workers' Homes

Board. This includes Lots 470 to 477, and 1030 to 1037. A right-of-way runs down the centre of this subdivision. Three of these lots are now held by private persons, viz., Lots 470, 472, and 1030. The balance is still owned by the Workers' Homes Board. It is desired to close the right-of-way so that it can be included in adjoining lots. The owners of the three private lots have given their consent. The Geraldton municipality and departmental officers see no objection to the proposal. It is necessary that the right-of-way should be closed by Parliament. Plan F shows the right-of-way to be closed.

Item 7 refers to the Kalgoorlie road district. C. and T. K. Kirkwood have a 99 years' lease over Kalgoorlie Lot 2585. They are purchasing the lease over Lot 2584, and desire the 9 links wide right-of-way between the two lots closed, so that they may lease the land. This would enable them to enlarge their cordial factory. The lanes were originally provided for pedestrians, but they are not now used, and the closure would not cause hardship to anyone. The clause at the same time provides for the closure of the land between Lots 2574 and 2575, as this also is not required, and the land may be of use to adjoining holders. This means the closure of the whole of the 9-link lane through this subdivision. The Kalgoorlie Road Board, the Town Planning Commissioner, and the Surveyor General all support the proposal. Plan G shows coloured red the lanes that it is proposed to close.

Item 8 also concerns the Kalgoorlie road district. The High School at Kalgoorlie is situated on Kalgoorlie Lot 2887, Reserve 11245. The Parents and Citizens' Association approached the Education Department with a scheme for the extension of the site to allow of additional playing ground facilities. On the opposite side of Davidson-street there is a mining reserve, No. 11246, Kalgoorlie Lot 2888. The Mines Department has agreed to allow portion of this reserve to be included in the secondary school site for the purpose of extension of the playing fields. To obtain full use of this extension of site, it will be necessary to close that portion of Davidson-street lying between these two reserves. The road board, the Town Planning Commissioner and the Surveyor General all support the closure which, it is considered, will not inconvenience the public in any way. As this road lies between two Government reserves, and the Crown is

not an owner under the Road Districts Act, parliamentary approval is necessary for its closure. Plan H shows coloured red the road to be closed, and bordered green the enlarged schoolsite.

Item 9 deals with the Nedlands road district. The Nedlands Road Board has applied for the closure of certain rights-of-way running between Cross, Clement and Kirkwood-streets, Nedlands. This is a private subdivision. All the adjoining holders have agreed to the closure of the rights-of-way. The proposal is supported by the Surveyor General and the Town Planning Board. If these rights-of-way were declared public thoroughfares, the land, after closure, would be divided equally between adjoining holders in accordance with Section 151 (3) of the Road Districts Act. Though these are private rights-of-way, it is only reasonable that the same principle should apply, and the clause, therefore, provides that on closure the land shall be equally divided between the owners of adjoining land. Plan I shows coloured red the rights-of-way to be closed.

Hon. C. B. Williams called attention to the state of the Committee.

Bells rung and a quorum formed.

The HONORARY MINISTER: Item No. 10 deals with the Northampton road district. On the east side of the railway at Isseka Siding, a townsite subdivision was surveyed, but none of the lots has been sold. An application has been received for the making available for agricultural purposes of the land comprising this townsite subdivision. Inquiries made locally show that the townsite subdivision is not required, nor is it likely to be required. The Northampton Road Board is in accord with this view, and sees no objection to the land being thrown open for selection. Before this can be done, the roads within the subdivision must be closed, and as the adjoining land is owned by the Crown, this can only be done by Act of Parliament, as the Crown is not an owner for the purpose of applying to the local authority under the Road Districts Act for the closure of roads. The boundaries of this townsite have already been amended to excise the area east of the railway line. Plan J shows coloured red the road and rights-of-way to be closed.

Item No. 11 deals with the Rockingham road district. Along the sea frontage between

Rockingham and Kwinana is a reserve for recreation and camping (No. 18247), vested in the Rockingham Road Board. Some time ago, the Crippled Children's Seaside Home Committee approached the Government for a site for a home, and suggested that vacant Government land on the other side of the road from this reserve might be made available. As it was thought advisable that crippled children should have direct access to the sea, without having to cross a busy road, the Government agreed, subject to there being no objection by the road board, to make part of reserve 18247, situated between the road and the sea, available for the Crippled Children's Seaside Home. Later, representatives of the Children's Hospital also applied for a site, for an orthopaedic hospital. After a conference with the representatives of both bodies, it was agreed to set aside Lots 156, 157 and 159 (portion of reserve 18247) to meet the requirements of both institutions, which will have adjoining sites. The whole proposal has the support of the road board, the Town Planning Commissioner and the Surveyor General.

To make a consolidated site, the roads from Marine-terrace to the sea between Lots 156 and 157, and between 157 and 159 must be closed and this must be done by Act of Parliament. Plan K shows coloured red the roads to be closed, bordered blue the site of approximately three acres to be granted for the crippled children's home, and bordered green the site of approximately 11 acres to be granted for the orthopaedic hospital.

Item 12 deals with the Wagin municipal district. The Wagin Municipal Council asked that Villa-street, and portion of Ventnor-street in Wagin should be closed. The portion of Ventnor-street is required for the new siding and stockyard to be constructed by the Railway Department, and is to be used in conjunction with the municipal saleyards; the closure of Villa-street is required for the extension of the existing municipal saleyards. This street will be useless as a thoroughfare when the proposed railway works are completed. Both the Surveyor General and the Town Planning Commissioner are agreeable to the proposal. Privately held lots affected by the closure have either been resumed by the council or the owners of the land have

given their consent. Plan L shows coloured red the roads to be closed.

Schedule put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed*.

BILL—RESERVES.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [9.7]: 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 Honorary Minister in charge of the Bill.

Clauses 1 and 2 agreed to.

Clause 3—"A" Class reserve No. 1840:

The HONORARY MINISTER: Lot 89, at Mosman Park, is a Class "A" reserve, No. 1840, for recreation. It is vested in the Mosman Park Road Board. There is a kindergarten committee at Mosman Park, which desires to erect a kindergarten on this reserve. As it is considered that the term "recreation" does not include "kindergarten," which is primarily educational, parliamentary approval is necessary for the excision of an area of ground from this reserve, before it can be used for kindergarten purposes. The road board has agreed to the use of a portion of the reserve for the purpose, and the area to be excised is acceptable to both the road board and the committee. It is also in accordance with the design prepared by the Town Planning Board for the use of this reserve. The Surveyor General supports the proposal. Plan B shows coloured red the reserve 1840, and coloured green the land to be excised for the kindergarten.

Clause put and passed.

Clause 4—Class "A" reserve 2298:

The HONORARY MINISTER: Reserve 2298 is a Class "A" reserve for a resting and watering place, stock route and common, for travellers and stock. It is surrounded by the Yanda property which was recently given by Mr. Lee Steere for the purpose of soldier settlement. For some years the reserve has been leased to Mr. Lee Steere. It is considered that the Yanda property will make two holdings for ex-Service men if the reserve is included. The reserve is not now required for the purpose for which it was set aside, and it is proposed, therefore, to cancel the reserve so that it may be included in the Yanda property. The Mingenew Road Board, in whose district the reserve is situated, has no objection to the cancellation of the reserve. It is one of those reserves that were excluded from the Midland Railway Company's grants and the company claims that, when any such reserve is no longer necessary, it should have the first claim to a grant of the land. In view of the special circumstances, however, the company has agreed, without prejudice to its claims to other reserves, to release this reserve from any claim which the company might have upon it. As it is a Class "A" reserve, it is necessary to obtain parliamentary approval for its cancellation. The reserve is shown coloured red, and the Yanda property is shown bordered green on plan C.

Clause put and passed.

Clause 5—Reserve A10950:

The HONORARY MINISTER: Kalgoorlie Lot 834 is a Class "A" reserve, No. 10950, for park lands, and is under the control of the Kalgoorlie municipality. The Boy Scouts' Association has asked that the lot should be granted to it for the purpose of a Scout hall and training centre. The Kalgoorlie council has no objection, and is prepared to relinquish its control. The lot is just over three-quarters of an acre, and it is proposed, if the present reserve is cancelled, to excise half-an-acre from the lot and grant it to the Boy Scouts' Association, and to make the balance of a quarter-acre available for leasing. The Boy Scouts' Association is one of the bodies to which it is the policy of the Government to grant land where such is available. As this is a Class

"A" reserve, before anything further can be done it is necessary for the present reserve to be cancelled by Parliament. This reserve is shown coloured red on plan D.

Clause put and passed.

Clause 6—Reserve No. 2388 and Reserve No. 17143:

The HONORARY MINISTER: Yardarino Lot 20, an area of 97 acres, is held under a 99-years lease by trustees for the Yardarino Race Club in trust for the purpose of a racecourse. That club is now defunct. A new club has been founded, called the Dongarra Amateur Sports Club, for the purpose of conducting race meetings, and has asked that this racecourse should be vested in it. It is understood that this club intends to change its name to the Irwin District Race Club, and will probably seek incorporation. All the trustees to whom the lease was granted are now dead, and the last president and secretary of the defunct club have agreed that the racecourse should be handed over to the new club. The local road board is agreeable to the proposed surrender of the lease, and the granting to the new club of a fresh lease. As the three trustees are dead, there would be great difficulty in surrendering through ordinary legal channels, and therefore parliamentary approval is sought. The racecourse reserve is shown coloured red on Plan E.

Reserve 17143 (Young's Siding Lot 6) is set aside for the purpose of an agricultural hall site. A 999 years' lease of this reserve is held by five trustees. It has been pointed out by the agricultural hall committee that two of these trustees are dead; another one left the district about 20 years ago, and the other two have resigned. The committee of the hall has elected new trustees. In view of the legal difficulties owing to the death and departure from the district of some of the trustees, it is necessary to deal with the matter by Act of Parliament. As difficulties are always inclined to arise when a lease is granted to trustees, it was suggested to the committee that instead of a lease the new trustees should accept a vesting order under the Land Act. To this the committee has agreed, and the clause provides for the cancellation of the existing lease over the reserve so that it may be dealt with under the Land Act, when a vesting

order will be issued to the new trustees. This reserve is shown coloured red on Plan F.

Clause put and passed.

Clause 7—Reserve 8473:

The HONORARY MINISTER: Beverley Suburban Lots 97 to 106 inclusive, and 181 constitute a reserve under the Land Act for "Showground (Agricultural Society)," Reserve No. 8473. The trustees of the Beverley Agricultural Society hold the fee simple of these lots in trust for the purpose of an agricultural showground. There is a recreation reserve nearby (No. 4790), vested in the Beverley Road Board, which has purchased adjoining freehold land for the extension of the recreation ground. It will be possible for the agricultural show to be held on this reserve, and arrangements have been made between the road board and the Agricultural Society for the use of the recreation reserve for its shows, instead of Reserve 8473. Under this arrangement, the Agricultural Society has agreed that the fee simple of the reserve should be surrendered to the Crown. When the land is surrendered, it will be set aside as a reserve for park and recreation, and vested in the road board, while the purpose of the existing recreation reserve will be changed to include the purpose of agricultural show ground. The show ground reserve, which is being surrendered, is shown green, and the recreation reserve, vested in the road board, coloured red on Plan G.

Clause put and passed.

Clause 8—Perth Lot H143:

The HONORARY MINISTER: Perth Town Lot H143 is a block with a frontage to both Hay and Murray-streets, and is situated in West Perth between Harvest-terrace and Havelock-street. It has an area of 1 rood 27.3 perches. It is vacant Crown land, and it is desired to set aside portion of it as a reserve for an infant health clinic. It will probably also be used in connection with the correspondence course on infant health, which may be developed and housed with the health centre. The proposed use of the land is supported by the Commissioner of Public Health. As, however, this lot is included in the schedule to the Public Buildings Act, 1937, nothing can be done with the land until it is excluded from the operation of that Act which provides for the con-

stitution of a committee to lease the land to which the measure applies. However, it has never actually been put into operation, and there is no intention to do so. This clause will exclude the lot from the Public Buildings Act, and thus enable the land to be dealt with as ordinary Crown land under the Land Act. It is not proposed that the title to the land should be transferred from the Crown. The lot in question is shown coloured red on Plan H.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and passed.

BILL—COMPREHENSIVE AGRICULTURAL AREAS AND GOLDFIELDS WATER SUPPLY.

Assembly's Message.

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

BILL—COUNTRY AREAS WATER SUPPLY.

Assembly's Message.

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

BILL—FREMANTLE TRAMWAYS AND ELECTRIC LIGHTING ACT AMENDMENT.

Second Reading.

HON. F. E. GIBSON (Metropolitan-Suburban) [9.25] in moving the second reading said: An amendment to the Act has been found necessary because a doubt has arisen as to the powers of the board to dispose of any of its surplus assets. From the inception of the undertaking until the present, it has been understood that the board had this power. No difficulty has been experienced in the past in completing the purchase and sale of land, and the Titles Office at no time has ques-

tioned the right of the board in this direction. Some years ago, the board purchased Fremantle Town Lots 353 and 354, situated 39 Queen Victoria-street in proximity to the car barn and omnibus garage. This was acquired for the purpose of erecting a modern omnibus garage. On further consideration, a decision was reached that this site was unsuitable.

The advent of the trailer-bus and the fact of traffic increasing greatly through Queen Victoria-street, which is the main thoroughfare between the port and the city, influenced the board in coming to this decision. A larger and more suitable site was purchased near the water front. Recently the Egg Board made an offer for the block in Queen Victoria-street, and a sale to this body was made. The Crown Law Department, which was apparently recruited by the purchasers, questioned the board's powers to sell, and it is to remove this doubt that the amendment of the Act is brought before the House. I think the doubt was raised when the Act was being examined during the drafting of the Eastern Goldfields Transport Board Bill.

Members will realise that, with such an undertaking and the increase of its activities, areas which were sufficient for its purposes for years are now too small and it has been found necessary to secure the sites already referred to. The board would be in an extremely difficult position if it were not able to dispose of areas that had served their purpose and were now unsuitable. We have several such sites which, in the not distant future, will be vacated, and the passage of this amendment will enable the board to sell them. Section 2 (d) of the principal Act empowers the municipalities of Fremantle and East Fremantle to purchase or otherwise acquire land for the purpose of erecting thereon a generating station with all necessary plant and machinery for the supply of electricity as motive power and providing electric light for streets, houses and buildings within those municipalities.

The amending Act of 1943 added Section 2A and clarified the position by specifically naming the Fremantle Municipal Tramways and Electric Lighting Board as the undertaking responsible for the exercise of the powers conferred by the Act. Section 30 (d) of the Act empowers the

board to spend money for the purpose of laying down, construction and equipment of tramways and for all necessary plant, land, buildings and material in connection therewith and in paying for the purchase of motor cars, omnibuses or other vehicles to be used in connection with the said tramways.

The Bill provides that a new section be inserted in the principal Act after Section 26 as follows:—

26A. Without prejudice to the powers hereinbefore conferred on the board and in addition thereto and to all other powers under this Act, the board may for any of the purposes of this Act exercise the following powers:—

(a) To purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and any rights or privileges which the board may deem necessary or convenient for the purpose of its operations.

(b) To sell, exchange, lease mortgage, dispose of, turn to account or otherwise deal with such of its property, both real and personal which in the opinion of the board is no longer required by the board for the purposes of this Act.

This is practically identical with the clause contained in the Bill passed this afternoon relating to the Eastern Goldfields transport board. 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 transmitted to the Assembly.

BILL—COAL PRODUCTION.

Second Reading—Defeated.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.37] in moving the second reading said: This Bill is introduced to meet the position should the Commonwealth Coal Production (Wartime) Act lapse at the end of 1946 and the Commonwealth Government decide not to submit a similar measure to the Commonwealth Parliament, a matter on which, so far as I know, it has not come to a decision. Should such legislation eventuate it would, of course, override the proposed State Act.

The Bill contains three basic principles and they are the security of coal production, provision for its distribution, and the institution of a tribunal to deal with industrial matters. There is very little need for me to elaborate on the importance of coal in the economy of the State. The tremendous impact on domestic and business life that was caused through shortage of coal during the recent railway and coal strikes is fresh in everybody's memory. It is, therefore, essential that we make the best use of our coal resources, and to do this we must adopt the most modern and efficient methods of production and distribution. I do not think anyone will gainsay this.

It is to be regretted that expert opinion indicates that coalmining at Collie has not generally followed the most efficient principles. Collie does not stand alone in this respect, as from time immemorial coalmining in practically every country was carried out in a more or less haphazard fashion. In the development of the Collie coalfields many obstacles occurred. The calorific value and characteristics of the Collie product were the subject of unfavourable comments, with the result that it was hard to obtain a market for the coal. As a consequence it is perhaps not surprising that operations at Collie have proceeded on a somewhat unscientific basis. It is most probable that a great deal more coal could have been extracted by more efficient methods, and unless such methods are soon put in operation we will not obtain the benefit of the coal that has been overlooked.

The Bill proposes to continue the provisions of the present Commonwealth legislation which may lapse at the end of the year, and to give the Minister the power to take action to ensure that adequate and regular quantities of coal are produced in Western Australia to meet our local requirements in the most economical and advantageous manner. To do this the Minister will have the authority to see that, so far as is practicable, the most modern and efficient methods of mining are initiated, and that up-to-date machinery is used. Control over the distribution of coal is another most important matter while demand exceeds supply. If the Commonwealth control ceases on the 31st December, and there is not a measure of this nature to take its

place, shortage of coal would bring about a most undesirable state of affairs. With lack of control, coal could be obtained by non-essential users or those of low priority, to the detriment of those providing housing materials or generating electricity, etc. It is most important, in view of the housing situation and other essential requirements, that there be provision for the control of distribution which can be exercised when necessary.

The third principle to which I have referred is also contained in Commonwealth legislation and in the National Security Regulations. This is the formation of a coal industry tribunal consisting of a chairman and four members, two being representatives of the employers and two of the employees. The tribunal will have power to deal with any dispute between the union and employers, or any other industrial matter that is referred to it by the union, the employers or the Minister. For some time prior to the war and since there has been either a board or a tribunal at Collie which has been constantly on call, and which has done very valuable work.

The tribunal proposed by the Bill will be limited in authority by the provisions of the Arbitration Act. Under that Act the court may delegate its powers temporarily to an industrial board or a board of reference to deal with a specific matter. The Bill provides for a permanent body of this nature. Since the appointment of the present permanent tribunal it has been found that it has been a very important factor in maintaining peace at Collie, for the reason that it was always on call and could very often foresee and deal with industrial trouble before it arose. When any dispute suddenly eventuated the tribunal was able to deal with it at a moment's notice and in this way it achieved considerable success. Its great value to the industry and to the State definitely warrants its continuance on a permanent basis. The President of the Arbitration Court wholeheartedly supports the retention of the tribunal, and in expressing his views said:

Whatever value in a general sort of way the Commonwealth control over coal mining may have had, one obvious virtue appears certain. That is that coal miners are a race apart in the industrial world and special and intimate attention to their industrial affairs is necessary.

The present tribunal is constantly sitting and can visit the scene of any dispute. Then again, Mr. Wallwork, who is chairman, has said that a great advantage was the ability to discard court formalities, view the scene of any dispute, whether underground or not, and pronounce a decision on the spot. That procedure has settled many industrial disputes that could have had serious repercussions. All of the tribunal's decisions are filed at the Arbitration Court, and it has the same authority as a board created under the Arbitration Act. Should any party desire to appeal against the tribunal's decision it may do so to the Arbitration Court. Prior to the war an industrial board created by the court was always available at Collie to attend to any disputes. The proposal in the Bill to appoint a tribunal will not usurp the responsibilities of the Arbitration Court in any way, or challenge its authority. Its appointment, as I have said, is recommended by the President of the Court.

There is a great opportunity awaiting Western Australia, but such is our dependence on coal that legislation of this nature is required to ensure that our mines are scientifically, efficiently and economically developed, so that not one ton of coal is lost and that industrial harmony is maintained. Without this our chances of successful competition with the other States are remote. I would like to say to members that although much coal is being won at Collie and harmonious relations appear to exist between employers and employees, every step must be taken to ensure that industrial disputes either do not occur or can be dealt with at once by a highly competent body. Coalminers, who spend such a large proportion of their lives in the depths of the earth, are entitled to every consideration in regard to working conditions and amenities, and in the interests of the State the industry must be developed and controlled in the most efficient manner possible. I trust that the Bill will be favourably considered and move—

That the Bill be now read a second time.

HON. L. B. BOLTON (Metropolitan)
[9.43]: Following my usual custom, I would vote against this measure as it is an important one brought down almost on the last day of the session, but, in addition, a perusal of the Bill makes me suggest that

in its present form it is merely a clumsy attempt to nationalise the coal industry. It is, by comparison, an infinitely more drastic piece of legislation than the wartime National Security Regulation controlling the production and distribution of coal, which expires on the 31st December next; this, despite what the Minister in another place has stated. It was hoped that an agreement would have been arrived at so that it would not have been necessary to introduce this legislation. The coalmining companies at Collie approached the Minister, and I understand, gave a written undertaking that they would allow the production of coal to be distributed by a board or committee, as at present, for six months or until Parliament met in 1947, whichever was the greater period, provided the Government deferred the present measure or allowed it to lapse. It was hoped that the Minister would favourably consider that proposition and so render this legislation unnecessary. Unfortunately, the suggestion was not agreed to, and the Minister expressed his desire to legislate for the continuance of the industrial tribunal, or local reference board, which has functioned under the wartime control, with Mr. Wallwork as chairman.

It is contended that the necessary machinery under the existing Arbitration Court structure for setting up industrial boards would have to be convened by the President of the Arbitration Court whereas under the National Security Regulations a reference board could meet without any direction from the court. I do not intend to speak at length on the measure but there are one or two points I wish to bring under the notice of members. Clause 3 gives the Minister the right to control the production of the coalmining industry, with the sole exception of providing compensation in respect of terminated contracts. There is no real provision in the Bill for the Minister to accept any financial responsibility.

Let members contrast that position with Section 90 of the State Electricity Commission Act of 1945. That commission is authorised to purchase coalmines or mining leases and to work them—subject to the payment of proper compensation. Clause 3 also gives the Minister power, by proclamation, to order, inter alia, the intro-

duction, modification, replacement and operation of machinery, plant, and equipment used in the production and distribution of coal. It also gives him power to order the classification, blending, cleaning and grading of coal and its preparation for market. Under that power the Minister may terminate, suspend or otherwise deal with contracts or agreements affecting the production and distribution of coal. These powers, I claim, are unnecessarily wide, for under Section 49 of the Coal Mines Regulation Act, 1946, the Minister may make rules for the proper working of the mines.

In operating under the new powers proposed in Clause 3 of the Bill, the Minister must, of necessity, act in accordance with the advice received from departmental officials, the Minister himself not being a technical expert. Experience in other States has shown that in certain collieries of New South Wales using high capacity "Joy" and "Jeffrey" loaders, the cost of mechanising one section of the mine has been as high as from £50,000 to £60,000, with a theoretical capacity of 500 tons per shift of 8 hours. Unfortunately, in most instances in N.S.W. the results per man shift do not show any improvement by the use of mechanical loaders instead of hand filling. Therefore all that has happened is that owners have spent considerable sums of money for the privilege of making the work easier for the miners. The provision of a blending and cleaning plant might easily cost £100,000 while to completely mechanise the collieries in the Collie fields might cost £250,000.

Another clause in the Bill—I refer to Clause 5—will give the Minister the right to authorise any person to have full and free access to all confidential matters relating to coalmining and to all coalmines. The exercise of this power might easily become offensive and dangerous. It is well known that Communist activists hold positions of authority in the coalminers' unions in other States. These men frequently visit Collie, and not always for the purpose of preserving industrial peace. As they are officials of the coalminers' union, the Minister would find it difficult to refuse them access if these wide powers of entry were granted to him.

I am told that quite recently, when it was decided on the recommendation of the Coal Commissioner to take out a large volume of coal from the Cardiff mine at Collie by a process new to Collie of pillar extraction, certain individuals came from Sydney for the purpose of preventing this work being carried out. They demanded access to the mines but this was refused. Had they been permitted access whilst men were working, it is highly likely that the work of pillar extraction would have been discontinued. An offensive feature of this easy access to mines would be the dislocation of work underground. Visitors must necessarily impede progress of work and unfortunately some visitors may deliberately do so. Clauses 3 to 8 make provision for securing an increase in the production of coal and for the regulation and control of its production and distribution.

Production of coal in Collie has been made the subject of several official inquiries by highly qualified technical investigators from New South Wales. Furthermore, through the initiative of the companies, new methods of mining, including the open cut method, have resulted in considerable improvement in production and means of production. These investigators have, moreover, exploded the oft-repeated charge that the companies were lacking in initiative in development work. Actually the development programmes applied in the Collie mines some years ago and now coming to fruition have been largely responsible for the increased output of coal.

A reference to Judge Davidson's report on this aspect of coalmining technique will satisfy any member that no fault is attachable to the employers. It should also be observed that individual production per man has increased and that there is every prospect that such increase may continue and that, therefore, the industry can very safely be left to follow its present course. At this juncture the distribution of coal is in the hands of the Western Australian Coal Committee appointed by the Commonwealth Coal Commissioner under the Commonwealth Coal Production (Wartime) Act No. 1 of 1944. The members of the committee are Mr. R. C. Wilson, the former State Mining Engineer, Mr. F. C. Edmondson, the manager of the City of Perth Electricity & Gas Department and vice-

chairman of the State Electricity Commission, Mr. P. C. Raynor, the Deputy Secretary for Railways, and Mr. Porter the manager of the Melbourne Steamship Company recently appointed in place of Mr. Morgan, the former manager of that company.

The present constitution of the board is not satisfactory because two members represent Government concerns whilst the chairman is an ex-civil servant, and the private consumer is not represented. It has been suggested in many quarters that the board should be differently constituted and should include a representative of the manufacturers, one representative of the Government utilities, the present chairman and a representative of the coalmining companies. Those companies are just as concerned as anybody else in the proper distribution of coal and could, in fact, be entrusted with its distribution even in the absence of a coal committee. If the committee is to remain it should be constituted upon more properly representative lines. With the safeguards already mentioned there is no necessity for Clauses 3 to 8, which have been included in the Bill.

Clause 8 provides a penalty for any person who refuses or fails to comply with any order, direction or requirement made or given by the Minister in the exercise of any power or function vested in him by this legislation. This is constituted an offence under the Act for which a person may be fined £500. Unfortunately in drafting the Bill the Government failed to add a proviso setting out that the fine will be remitted—as happens when the fine is imposed on the other side of the ledger! The clause goes on to state—

In addition to such penalty, the Governor, on the recommendation of the Minister, may declare any coalmining lease held by such person under the provisions of the Mining Act, 1904, and its amendments, to be void, and upon publication in the "Gazette" of notice of such declaration all the estate and interest in the lease of the lessee and any person claiming under him shall cease and determine.

I have made these few points and I hope have not delayed the House longer than was necessary. The Bill represents an attempt to nationalise the coalmines of Western Australia, and I certainly hope members will vote against the second reading of the Bill.

HON. SIR HAL COLEBATCH (Metropolitan) [9.57]: Several weeks ago the Commonwealth and New South Wales Governments passed legislation on which this Bill, apparently, has been founded. Both those measures were considered to be very drastic and extreme, but the Bill before the House goes a good deal further.

The Chief Secretary: It does not go so far.

Hon. Sir HAL COLEBATCH: What opportunity have members of this House been given to compare the Bill with the legislation passed by the Commonwealth and New South Wales Parliaments? Why could not this Bill have been introduced a month ago when a detailed comparison of the different measures could have been entered upon. When I say that the Bill is more extreme in its provisions, I am acting rather on the opinion of people who have examined them; I cannot claim to have examined them myself, nor have I had any opportunity to do so. The powers given to the Minister are such as would be consistent only with the nationalisation of the coalmines, and absolutely inconsistent with anything else.

Subclause (3) of Clause 3 which deals with the powers and functions of the Minister sets out that in particular and without limiting the generality of those powers the Minister may make provision with respect to the working of coalmines including the introduction and operation of sound mining principles, practices and methods of haulage and the regulation of output; the conservation of coal, the development of any coal mine, seam or field, and the opening, closing and abandonment of any coalmine. All this applies not to a coalmine that the Government has purchased but to any coalmine. A provision of that type is consistent only with the complete nationalisation of the mines and it is curious that while some sort of provision is made under which a person whose contract is cancelled—and it is a rather extreme measure that gives the Minister power to cancel a contract—the cancelling of a contract is a small matter compared with the absolute closing of a mine. Yet in the case of a closed contract, any person who claims he has sustained any loss or damage may appeal to the Minister and, if they cannot settle the matter between them, they may go to the court. But on the

larger matter, the closing of the mine, there is no appeal to anybody—no compensation, no suggestion of compensation.

Apparently, the Minister may arbitrarily close a mine being worked by some private company, which will have no redress whatever. A tribunal is to be set up, apparently for the settlement not only of industrial disputes but of any threatened, impending or probable disputes. How is that tribunal constituted? It is to consist of five members, all to be appointed by the Minister and to be subject to immediate dismissal by him. One of the five is to be a chairman; of the other four, two are to be representatives of the employers and two are to be representatives of the employees. But there is no suggestion that either the employers or the employees shall have any voice in the selection of their representatives. They will be appointed by the Minister. He may say, "Well, John Brown, you are to represent the employers, and you, Tom Jones, are to represent the employees." Neither the employers nor the employees have the slightest voice as to who their representative shall be.

Here is this provision—this most extraordinary provision—put in by a Labour Government, which is constantly harping on the necessity for the observance of majority rule; if, of this board of five—two representing the employers and two the employees—four are unanimous of opinion on a certain matter, and the chairman is not, the chairman's decision shall prevail. Majority rule! Four members think one thing; one member, who is appointed by the Government and who can be removed by the Government at any moment, thinks something else, and his opinion shall prevail over those of the other four! I submit that this is not a Bill that we can be decently asked to deal with at this stage of the session. I shall vote against the second reading.

HON. W. J. MANN (South-West) [10.3]: I am not very happy about the Bill. I was hopeful, when I knew it was likely to be introduced, that it would take another form. I have a fear, too, that the Bill as framed is likely, in the hands of a Minister who has strong views on nationalisation, to make the position of the coalmine owners so difficult as practically to force them out of business. I was hope-

ful that the Bill would be one that would assist in a greater measure in the direction of ensuring larger production and better distribution. Experience in the past has shown that the methods followed in the coalmines have not always been the best. They have certainly been instrumental in a great deal of coal being hewn, but I think there has been an absence very often of shall I say—the good coalmining technique which is so desirable if the mines are to have long life. This Bill does not seem to help very much in that respect. The powers that are given to the Minister are so drastic that, while in the first instance I was hopeful of supporting the Bill, I feel I would not be doing the correct thing in casting my vote in its favour.

I do not want to cover the ground traversed by Sir Hal Colebatch. I desire to emphasise, however, his objection to the iniquitous idea of constituting a tribunal consisting of five men and then saying that no matter what the views of four of them may be, the decision of the fifth member shall prevail. We assume that the tribunal will consist of men trained in the industry. In addition to the chairman, there will be two representatives of the employers; naturally they will be experts, men of long experience who understand the whole technique of coalmining. The other two members will represent the employees; they definitely will be experienced colliers. To turn round and say that the combined opinion of those four members of the tribunal shall be flouted because the chairman, who may not be and probably almost certainly will not be a collier, does not agree, is enough of itself to make me vote against the Bill. I would be loath to do anything to disturb the happy course of the industry at the present time; but I am afraid that, much and all as I would like to see the industry carried on as it has been during the past few months, this Bill is so dangerous that I cannot support it.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [10.8]: I am afraid Mr. Mann has had some difficulty in trying to find a reason to object to the Bill.

Hon. W. J. Mann: I have one good reason.

The CHIEF SECRETARY: The reason Mr. Mann gives for opposing the Bill is

one that I find it exceedingly difficult to understand, because the tribunal now functioning is the same tribunal as is provided for in this Bill. It has been most successful.

Hon. W. J. Mann: Up to date.

The CHIEF SECRETARY: The tribunal has been so successful that Mr. Mann and other members of this Chamber have congratulated it upon the successful work it has done. Now Mr. Mann says he cannot understand why we have the cheek to include this provision in the Bill.

Hon. W. J. Mann: Because the occasion has never arisen. There has not been a difference of opinion between the chairman and the four members.

The CHIEF SECRETARY: I do not think the hon. member knows enough about the matter to be sure of that statement. Undoubtedly, the existing tribunal has done remarkable work during the time it has been functioning. All sections of the community have expressed themselves as being very pleased at the way in which the chairman, Mr. Wallwork, has carried out his duties.

Hon. W. J. Mann: He may not be there always. The Bill does not say he will be there, either.

The CHIEF SECRETARY: He is not likely to be there for all time, either, but the hon. member can take it for granted that Mr. Wallwork's services will be availed of as long as it is possible to use them. With regard to the other provisions of the Bill, the argument is that they are too drastic. Experience has shown that it is essential to have some drastic provisions if we are to develop the coalfields as they should be developed and worked. How many inquiries have we had into the Colliery coalfields? I can remember at least half a dozen of one kind or another; and quite recently experts have been brought from the Eastern States to advise on the methods of development and production and, to an extent, distribution as well. It is necessary that we should have very specific and explicit provisions in this legislation in order to ensure the most efficient methods of production. So far as distribution is concerned, personally I do not look on that as being anything like as serious as the pro-

duction side, because, when all is said and done, the Government takes over 90 per cent. of the total production.

Whatever decision may be made with respect to the distribution of coal, of course the Government, through its various instrumentalities and particularly the railways, is perhaps the most important factor. Mr. Bolton, I think, has considerably overstated the case he made out against the Bill. He spoke about the Minister appointing some Communist fellow, who would have access to the mines and, because of that, access to the books and everything else dealt with in the Bill. I think the hon. member has been either dreaming or been extremely ill-advised. No Minister for Mines is likely to place himself in the position outlined by Mr. Bolton. I have already spoken about the proposed tribunal. It is an important point that the President of the Arbitration Court has given it his blessing. We have been remarkably free of serious industrial disputes at Colliery, and I should have thought that our one objective would be to maintain the existing state of affairs, to avoid as far as possible industrial disputes in the interests of continuity of production, in order that the industries of the State, and particularly our public utilities, might carry on without interruption.

At this late hour I am not going to spread myself in regard to the main provisions of the Bill. The Government believes the Bill to be absolutely essential and in the best interests of the Colliery coalfields. If this House differs from the Government, I am sorry, but I cannot help it. I do urge upon the House, however, the importance of not doing anything which might interfere with the most efficient production of coal at Colliery, and certainly not to do anything which would interfere with the functioning of a tribunal that has proved so successful during the past six or eight months and that is likely to continue to be successful, if it is allowed to function.

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

Ayes	..	..	..	7
Noes	..	..	..	18
				—
Majority against	..	..	11	—

AYES.

Hon. G. Bennetts
Hon. G. Fraser
Hon. E. H. Gray
Hon. E. M. Heenan

Hon. W. H. Kitson
Hon. C. B. Williams
Hon. W. R. Hall
(Teller.)

NOES.

Hon. C. F. Baxter
Hon. L. B. Bolton
Hon. Sir Hal Colebatch
Hon. L. Craig
Hon. J. A. Dismitt
Hon. K. M. Forrest
Hon. P. E. Gibson
Hon. E. H. H. Hall
Hon. J. G. Hislop

Hon. A. L. Loton
Hon. W. J. Mann
Hon. G. W. Miles
Hon. H. S. W. Parker
Hon. H. L. Roche
Hon. A. Thomson
Hon. F. R. Welsh
Hon. G. B. Wood
Hon. H. Tuckey
(Teller.)

PAIR.

AYES.
Hon. J. M. Drew

No.
Hon. C. H. Simpson

Question thus negatived; Bill defeated.

BILL—COAL MINES REGULATION.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1, 3 and 5 made by the Council and had disagreed to Nos. 2 and 4.

BILL—WHEAT INDUSTRY STABILISATION.

Second Reading.

Debate resumed from the previous day.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [10.20]: This debate was adjourned in order that members might be supplied with as much information as possible concerning legislation relating to this matter. I propose to give that information and I have no doubt it will be sufficient to induce members to pass the second reading, take the Bill into Committee and finalise it without amendment with the exception of that proposed by Mr. Wood with regard to the taking of a ballot. Three Bills were introduced into the Commonwealth Parliament, of which I have copies here. I propose to give statements made by the Minister when introducing the legislation. The first Bill was the Wheat Tax Bill of 1946. In introducing the measure the Minister made the following statement:—

States. The States' legislation is not yet passed and so it is necessary for the Commonwealth to acquire the 1946-47 crop. In view of this need to acquire the 1946-47 crop and of other factors our legal advisers express doubts as to whether the Act passed last session is in fact effective in carrying out the policy approved by Parliament. This makes it desirable to resolve the doubts, and to express unmistakably the intention of the plan. There is no alteration in the policy of the Government in the matter, and that policy is perfectly well understood by the wheatgrowers of this country. The object is to make the legislation water tight technically and so to express the intention which has been made plain from the outset.

From the finance aspect the importance of this will be understood when I mention that £6,000,000, is to go into the Stabilisation Fund from the 1945-46 wheat crop. Unless the Wheat Stabilisation Plan is effectively covered by the legislation the Fund would not receive that money, and there would be an additional liability on the Treasury to meet it when the time comes to pay out from the Fund for the benefit of wheatgrowers. The Bill covers wheat from the 1945-46 and from the present crop only. It does so because those two crops are acquired under National Security Regulations, and cannot be conveniently taken with the later crops which also come under the stabilisation plan.

A tax is imposed on the wheat from those crops, and it is specifically a tax on the grower. This again is the intention of the plan, and a point which has been the subject of some discussion during recent months. It is the real crux of the legislation, as it is a point about which the legal doubts have arisen. The contribution by growers in high price years is essential in any sound stabilisation plan, and the principle is accepted generally. The Bill carries this principle into effect. The next portion of the Bill may not be clear, and I am sorry that it has not been possible to find a formula which would satisfy legal requirements and also be easy to understand. That is not a new difficulty with wheat legislation, and what the Bill provides briefly is this: The export return in high price years is taken. The wheatgrower gets first his guaranteed payment of 5s. 2d. per bushel for f.a.q. bagged wheat, and then the remainder is divided between the wheat pool and the stabilisation fund. The pool gets at least 5 per cent of the surplus, and the stabilisation fund gets the remainder. The amount for the stabilisation fund is therefore decided by calculating its share of the export surplus. That surplus comes only from wheat exported, and the original idea was to impose a charge only on wheat exported.

At this stage there comes the difficulty that wheat is exported in different proportions from different States, and the proportions vary from year to year. This year New South Wales will have no wheat to export, while last year it had the greatest surplus, and a tax on wheat exported might cause legal difficulty when

This Bill imposes a tax on wheat marketed through the Australian Wheat Board from the 1945-46 and 1946-47 wheat crops. Hon. members are aware that the legislation of last session is to give effect to a plan which depends on complementary legislation by the

applied to a pool consisting of wheat from different States. It is considered better therefore to apply the tax to the wheat which is marketed in the normal way, and so apply it to the whole of the wheat in the pool. This is logical since the idea of a pool is equality, and the pooling system is regarded by growers as giving the fairest return to all wheatfarmers. Under it they merge their interests and take a proportionate share in all the fortunes—good or bad—of the pool. All markets available are shared, and the crop can be sold so as to get the maximum overall return. The alternative is for growers to sell in competition with each other. But in wartime, and the transition period, when shipping, land transport, and overseas markets are far from normal, that alternative would involve uncertainty to such an extent that an intolerable gamble in selling would be added to the rest of the wheatgrowers' troubles.

Pooling first enables all sales to be made for the common benefit, and to the best advantage of growers on the markets available. This outweighs any advantages which a few individuals might get from fortuitous sales on favourable markets, and the security given is far greater than any disadvantage attached to the system. It implies that each grower should get the same f.o.r. ports return for his wheat, so there is nothing unfair about a tax which applies equally. Objection, of course, could be taken if the growers' contribution was increased by the formula. There is no intention of doing this. The formula for finding the tax rate precludes it. And the policy of the Government remains unchanged. Growers will not be asked to contribute more than 50 per cent of the export price surplus from any crop. The stabilisation fund will not be allowed to become excessive, and the formula gives the method for keeping contributions to the lowest figure practicable. The amount of the growers' contributions to the fund can be kept in line with estimates of reasonable future needs by varying either the percentage or the price of wheat to be taxed.

I want to draw attention to the provisional rate of tax covered by clause 5 of the Bill. We are acquiring the 1946-47 crop, and wish to avoid any possibility of a grower being hindered in the exercise of any constitutional right. If he wishes to exercise such a right it is undesirable that there should be undue delay in fixing a tax rate, when that tax rate would be a factor in assessing compensation. So the provisional tax rate is provided and will become effective at the earliest date practicable. Hon. members know that it is the practice to make advances from wheat pools long before the wheat is sold, and before the final returns to the pool can be ascertained. Then as sales are made and money comes in further payments are made in advance. These payments are possible because the Commonwealth guarantees the Board's overdraft, and it is not till the final small payment in a pool that there is a surplus held by the Board to cover payment. That has been the practice, but our legal advisers consider that the provision should be

made in the Bill so that it is clear that growers' legal rights are guarded. In this matter we follow that advice.

The policy of making progress payments as soon as they are justified by the finances of the pool will be followed, and there can be no objection to the earliest practicable fixation of the provisional tax rate. A delay in completing a pool and fixing the final rate is always possible, but the provisional rate will be effective, and will safeguard any person wishing to exercise his constitutional rights against undue delay. The Bill contains a provision that the tax may be deducted from amounts payable to the growers, and this is a method of collection which is convenient for all concerned.

Acquisition of the crop, and doubts as to the effectiveness of the previous legislation in expressing the policy of the Government, make this Bill necessary. There is general agreement that the pooling system is fair, but for these two crops it is combined with acquisition, and mass acquisition was something unknown before World War II. Wheat crops have been acquired for the protection and benefit of wheat-growers as individuals at a time when the individual interest was interwoven with that of all other growers in Australia. The pooling system is accepted by Australia's wheat-growers everywhere as fair, and they want it for the future. Growers want stabilisation of their industry, and this Government will do everything it can to give them permanent stabilisation. Growers will not be asked to contribute more than a fair amount to get security in the future. Our task is to meet the growers' needs fairly while adhering to constitutional requirements concerning wheat acquired. I present this Bill to the House in the belief that it meets constitutional requirements in giving effect to the Government's policy. It is fair to the people of Australia who are guaranteeing wheatgrowers' prices and to the wheatgrowers whose future welfare is the whole object of the stabilisation plan.

Then there are two complementary Bills. I will deal next with the Wheat Export Charge Act, 1946.

Hon. H. L. Roche: How does this affect the position?

The HONORARY MINISTER: The whole tenor of my speech was that it was in the interests of the farmers and for their protection.

Hon. G. B. Wood: It is legalised robbery.

The PRESIDENT: Order! Will members give the Honorary Minister a chance to continue?

Hon. G. B. Wood: How does this Bill affect the others?

The HONORARY MINISTER: If members will listen it will save a lot of argument.

Hon. G. B. Wood: We have not had much argument here.

The HONORARY MINISTER: I have heard a lot of argument about the measures on the wireless, and have seen argument in the newspapers. The statement on the Wheat Export Charge Act of 1946 is as follows:—

This is the second in a series of three Bills concerning the wheat stabilisation plan. The first deals with a tax on wheat acquired from the 1945-46 and 1946-47 crops. The third provides necessary amendments to the Wheat Stabilisation Act, and this one deals with wheat of the 1945-46 and 1946-47 crops which may escape the provisions of the first Bill. The Bill provides for a charge on wheat from the two crops of 1945-46 and 1946-47, which, although not acquired, may be exported. It covers specifically a part of the two crops up to October, 1947, as it has been decided that these crops should be dealt with separately before applying the provisions of the present Acts to the crops which come later, and which will not be acquired. The charge is imposed on wheat not acquired, which may be exported, and so closes a gap which is possible. It also imposes a charge on wheat products exported where the exporter is not the board.

The point here is that with high export prices and a fixed home consumption price it is profitable to buy wheat at the Australian price, manufacture it, and export the products at the higher price now obtainable on overseas markets. If this is done a manufacturer secures the benefit of the high export price which should go to growers. The board supplies wheat for manufacture and export of the product, and charges export price for that wheat. Cases have come under notice of attempts to evade this payment to the board, and one part of this Act is to ensure that the tax on this wheat will be payable in these cases. The tax payable on the wheat and products concerned is 50 per cent of the surplus of the export price above the home consumption price. If this is satisfactory here why is it not satisfactory in the charges Act. The Bill is necessary for the protection of the fund established for the benefit of growers, and for that reason I submit it for your approval.

The next deals with the Wheat Industry Stabilisation Bill (No. 2), 1946, and is as follows:—

This is the third of the series of Bills on this subject, and this one is needed to provide amendments consequential upon the other two. These amendments do not really need comment. The opportunity has also been taken to settle a legal doubt which has arisen after the lapse of several years, about the validity of the 1939 wheat acquisition order. The Australian wheat

crop was acquired at the beginning of the war, and the acquisition order covered all wheat harvested after October 1st 1939. This order was intended to remain in effect indefinitely, and of course at the time it was made no one thought we would still be operating under it at the end of 1946. It was never considered necessary to issue fresh acquisition orders for wheat, and through the years Governments and growers have acted on the assumption that it remained valid. Growers have delivered all the intervening crops, and are delivering the 1946-47 crop, under its provisions. The Commonwealth has accepted the liabilities for the crops and everyone has assumed its validity and acted accordingly.

Now a doubt has been expressed, and it is considered that possibly acquisition orders should have been made separately for each season's crop. Accordingly this opportunity is taken to settle the matter by making sure that the continuity of the order is effective. All parties concerned have assumed that right along the line, and the provision now inserted will put the matter beyond doubt. This provision is a commonsense one to which no one can object. Should the order be found invalid the results would be embarrassing to growers and to the Commonwealth, and it is best now to put the question beyond doubt.

That is the explanation of the three Bills which, to the best of my belief, are for the benefit of the farmers and to protect their interests and to prevent other people taking advantage of them by securing the wheat and exporting wheat products, thereby obtaining money that rightly belongs to the growers.

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

Ayes	..	..	..	..	16
Noes	..	..	..	..	7

Majority for 9

AYES.	
Hon. C. F. Baxter	Hon. E. M. Heenan
Hon. L. B. Bolton	Hon. W. H. Kitchin
Hon. R. M. Forrest	Hon. W. J. Munn
Hon. G. Fraser	Hon. H. L. Roche
Hon. F. E. Gibson	Hon. A. Thomson
Hon. E. H. Gray	Hon. C. B. Williams
Hon. E. H. H. Hall	Hon. G. B. Wood
Hon. W. R. Hall	Hon. G. Bennetts
	(Teller.)

NOES.	
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. L. Craig	Hon. F. R. Welsh
Hon. J. A. Dymally	Hon. J. G. Hildop
Hon. G. W. Miles	(Teller.)

PAIR.	
AYE.	No.
Hon. C. H. Simpson	Hon. A. L. Loten

Question thus passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2:

Hon. G. B. WOOD: I move an amendment—

That in lines 2 to 4 of Subclause (1) the words "a proclamation is made by the Governor fixing a day on which the Act shall come into operation" be struck out, and the following words inserted in lieu—"and until the Government has thoroughly examined the effect—

(a) of the most recent Federal wheat legislation including the imposition of retrospective Federal taxation on the proceeds of the 1945-1946 crop;

(b) of the possibility of the creation of a Western Australian pool as part of a national stabilisation scheme and has after inquiry determined that the proposal contained in the Bill is in the best interests of the wheatgrowers of Western Australia."

The HONORARY MINISTER: I expected the hon. member to put up a case for the amendment. I have given a clear explanation of the Commonwealth wheat legislation, and the Government cannot accept this amendment, firstly because it is unnecessary and, secondly, because it would be a waste of time and would delay the finalisation of the legislation between the States. I have said the three Bills were introduced to protect the interests of the farmers against outsiders.

Hon. G. B. WOOD: The Honorary Minister has taken me to task for not putting a case, so I will do so. We consider this is one of the most iniquitous schemes that has ever been put up. We are so dissatisfied with this scheme that I am prepared to suggest an alternative which would be of advantage not only to the wheatgrowers but also to this State. I wish to demonstrate the advantages of this proposed scheme, which the State Government should explore before proceeding further with this Bill. The Federal wheat scheme is nothing but legalised robbery of the farmers. The Commonwealth Government, knowing that the wheatgrowers of Australia had subscribed a large sum of money to fight this legislation in the High Court, introduced an additional measure to make the scheme watertight and imposed retrospective taxation on the 1945

crop. The farmers of this State subscribed over £5,000 to fight the case, and the Federal Minister was not game to stand up to it.

Here is the alternative scheme that the State Government should fully investigate before proclaiming the measure now before us.—

	bushels.
Estimated Australian marketable crop	95,000,000
Estimated W.A. marketable crop	20,000,000
Actual consumption of wheat for bread, flour, stockfeed, breakfast foods, etc.:	
All Australia	60,000,000
Western Australia	5,000,000
Wheat and flour for export as wheat:	
All Australia	35,000,000
Western Australia	16,000,000
Prices:	
Internal sales, 4s. 11d. bushel f.o.b. bulk	
Export sales, say 13s. bushel f.o.b. bulk.	
Examples of pool realisations without stabilisation deduction:	
All Australian pool:	£
Internal consumption, 60,000,000 bushels at 4s. 11d.	14,750,000
Export sales, 35,000,000 bushels at 13s.	22,750,000
	<u>£37,500,000</u>

	s.	d.
Average realisation f.o.b. 95,000,000	7	10·7
Less railage, handling and storage costs, etc.		10·5
Value at average siding	7	0·2
Western Australian pool without stabilisation deductions:		£
Internal consumption, 5,000,000 bushels at 4s. 11d.		1,229,166
Exports wheat and flour, 15,000,000 bushels at 13s.		9,750,000
		<u>£10,979,166</u>
Average realisation f.o.b. 20,000,000	10	11·7
Less railage, storage and handling costs		10·5
Value at average siding	10	1·2

From those figures it will be seen that Western Australia will lose to the extent of £3,000,000 on one crop. This State could run a stabilisation scheme of its own by putting so much money into the fund—a scheme that would be far and away ahead of the Australian scheme. The local scheme would give an average realisation at the siding of 7s., compared with the average at growers' siding for Australia of 5s. 6½d. The advantage is apparent. Under a Western Australian scheme conducted by a board, the farmer who put wheat into the pool would have the equity. Under the Australian scheme, a farmer growing wheat this year, next year or later, if he went out of wheat-growing, would have no equity whatever. That is the iniquitous part of the Australian scheme, and it is a most extraordinary proposal for any Government to put up. It is tantamount to accepting contributions to a superannuation fund and then denying the benefits to the contributor.

Hon. C. F. Baxter: It is legalised robbery.

Hon. G. B. WOOD: That is how I have already described it. Many farmers go out of wheatgrowing. Some of those who were farming in 1945-46 have retired from the industry. Their land may have been taken for ex-Servicemen or the farmers may have died. In those cases there would be no equity. I make these points to show members what a bad scheme the Australian one is and to contrast the advantages to be derived from a local scheme. I have not entered into great detail of the proposed State scheme because I had no wish to weary members at this late hour.

The HONORARY MINISTER: It is too late for Mr. Wood to put up his scheme. The wheatgrowers of Australia and the Governments have worked out the Federal scheme.

Hon. H. L. Roche: Which wheatgrowers?

The HONORARY MINISTER: That point has been argued for weeks. The Federal organisation of the wheatgrowers, in collaboration with the Commonwealth and State authorities, decided upon this scheme, and I consider it does not show good principle on the part of those who are now advocating a local pool. The representatives of the farmers and the several Governments have accepted the basis of this scheme, and I consider it shows bad principle to back out.

Hon. A. Thomson: You ought to talk of principle!

The HONORARY MINISTER: Last year, New South Wales had a good crop, but this year practically nothing. The Governments, by agreement, decided on this scheme and legislation has been introduced in each State. All that remains is for the farmers of Western Australia to carry on with the Federal scheme, and I consider it will be a bad day for them if they fail to do so. The Government cannot accept the amendment.

Hon. G. B. WOOD: I take strong exception to the statement of the Honorary Minister that it showed bad principle for me to suggest this proposed scheme. He said the wheatgrowers had come to an agreement.

The Honorary Minister: Their representatives, members of the Wheatgrowers' Association.

Hon. A. Thomson: He will not believe you, so why bother?

Hon. G. B. WOOD: In this State, there is only one wheatgrower's organisation and representatives have been here asking that the Bill be defeated on the second reading.

Hon. A. Thomson: That is correct.

Hon. G. B. WOOD: I take strong exception to the Honorary Minister's statement. We have not gone back on anything.

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

Ayes	..	..	..	17
Noes	..	..	..	5
Majority for				12

AYES.

Hon. C. F. Baxter	Hon. A. L. Loton
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. L. Roche
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. R. M. Forrest	Hon. F. R. Welsh
Hon. F. E. Gibson	Hon. G. B. Wood
Hon. E. H. H. Hall	Hon. W. J. Mann
Hon. J. G. Hislop	(Teller.)

NOES.

Hon. E. H. Gray	Hon. W. H. Kitson
Hon. W. R. Hall	Hon. G. Bennetts.
Hon. E. M. Heenan	(Teller.)

PAIRS.

AYES.	NOES.
Hon. H. Tuckey	Hon. C. B. Williams
Hon. C. H. Simpson	Hon. J. M. Drew

Amendment thus passed.

Hon. G. B. WOOD: I move an amendment—

That all the words after the word "and" in line 4 of Subclause (2) be struck out and the words "an absolute majority of wheatgrowers entitled to vote at such ballot as hereinafter provided shall have validly voted at the ballot" inserted in lieu.

This relates to the provisions of the poll.

The HONORARY MINISTER: The Government cannot accept this amendment. It is not a practical or fair proposition. If a farmer does not take sufficient interest to vote he should not be considered.

Hon. H. L. ROCHE: If we leave the Bill as it is and 50 growers voted, then 50 per cent. of them plus one would carry the poll.

Hon. G. B. WOOD: Whenever we deal with the Constitution of this Chamber we require an absolute majority of the House. I say it is only right for the wheatgrowers

to have an absolute majority to alter their status quo.

Amendment put and passed.

Hon. G. B. WOOD: I move an amendment—

That a new subclause be inserted as follows:—

“(7) The ballot paper to be used for taking the ballot on the question referred to in Subsection (2) of this section shall be in accordance with Form “A” in the Schedule to this Act.”

The Government did not include in the schedule the form the ballot paper should take.

The HONORARY MINISTER: I have no objection to the amendment, except to the reference to a cross. I feel that that would lead to informal votes.

Hon. G. B. Wood: That comes in the next amendment.

Amendment put and passed.

Hon. G. B. WOOD: As the Minister has suggested it, I will in this case leave out any reference to a cross. I move an amendment—

That a new subclause be inserted as follows:—

“(8) Every person voting shall mark his vote on the ballot paper by placing the numeral 1 opposite his answer to the question thereon.”

Amendment put and passed.

Hon. G. B. WOOD: I move an amendment—

That a new subclause be inserted as follows:—

“(9) The Primary Producers Association of Western Australia (Inc.) and the Wheat and Woolgrowers Union of Western Australia (Inc.) shall each be entitled to appoint one person to act as scrutineer at each place where the scrutiny of votes is conducted. Notice of the times and places where the scrutiny of votes is to be conducted shall be given to each of such Associations before the scrutiny of the votes is commenced.”

The HONORARY MINISTER: I have no objection to this.

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

Clauses 3 and 4—agreed to.

Clause 5—Powers of Board:

Hon. A. L. LOTON: I move an amendment—

That a new paragraph be added as follows:—

“(f) The Board shall issue to all who deliver wheat a participation certificate for the quantity of wheat delivered.”

In the Canadian stabilisation scheme a similar clause is included so that in the event of participation in a stabilisation fund the grower would have some evidence to show that he had delivered wheat to the pool.

The HONORARY MINISTER: I have no objection.

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

Clauses 6 to 8—agreed to.

Clause 9—Price to be paid for wheat:

Hon. H. L. ROCHE: I move an amendment—

That the following words be added:—
“Subject however to the provisions of Subsection (31) of Section 51 of the Commonwealth of Australia Constitution Act.”

The Minister, in his second reading speech, said that the Bill was designed to close certain gaps in this legislation. Under the scheme that has operated during the war the Commonwealth Government has acquired wheat subject to this section of the Commonwealth Constitution which, while giving power to acquire property, makes it mandatory that it shall be at a fair and just price. In order to protect the people who had their wheat in the 1945-46 acquisition I am moving this amendment.

The HONORARY MINISTER: This would be redundant because the legislation has been framed as the result of discussions and agreements. I would like to hear Mr. Heenan and Mr. Parker on this. I think the amendment is legally impracticable and should be ruled out.

Hon. H. L. ROCHE: The very confusion that the Minister suggests justifies a specific provision such as this. The Commonwealth Constitution, in respect to marketing and acquisition schemes, has become so involved that it is an open question as to whether any of the legal fraternity in Australia can give a watertight opinion on it. In view of the attitude of constitutional lawyers, who apparently can-

not give definite opinions on the subject, doubts have arisen and there is the necessity to safeguard the interests of the farmers.

Hon. G. B. WOOD: Surely there can be no objection to embodying in the Bill a provision that will ensure the producers getting a just price. There can be nothing wrong about that.

The HONORARY MINISTER: If it is not possible to get any assistance from the legal gentlemen in the House, I cannot help members.

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

Clauses 10 to 17—agreed to.

Clause 18—Registration of wheatgrowers:

Hon. H. S. W. PARKER: Does this mean that a person cannot sow wheat and reap it as hay? It seems to me that is the position under this clause.

The HONORARY MINISTER: I cannot give the hon. member information on the point beyond saying that a wheatgrower must have a license.

Hon. H. S. W. PARKER: Even if he wants to cut for hay?

The HONORARY MINISTER: I think so.

Clause put and passed.

Clause 19—agreed to.

Clause 20—Offences:

Hon. H. S. W. PARKER: Under this clause if a person harvests any wheat for grain, he may be subject to imprisonment for six months, unless he gets a license. Is that not a wonderful stage that we have reached?

Hon. A. L. Loton: This freedom!

Hon. H. S. W. PARKER: Yes, and the hon. member voted for the Bill!

Hon. A. L. Loton: Pardon me; I did not!

Hon. H. S. W. PARKER: I asked a question as to whether a farmer could grow for hay. Now we find that if a person not being a wheatgrower harvests any wheat for grain he is likely to go to prison for six months. If he is not a wheatgrower he cannot grow wheat for hay. I move an amendment—

That Subclause (2) be struck out.

The HONORARY MINISTER: If we strike the subclause out, we shall open the door for extensive black marketing in wheat. That would be against the interests of the farmers and it is essential that the provision remain in the clause.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	5

Majority for 12

AYES.	
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. L. Roche
Hon. R. M. Forrest	Hon. A. Thomson
Hon. F. E. Gibson	Hon. F. R. Welsh
Hon. E. H. Hall	Hon. G. B. Wood
Hon. J. G. Hislop	Hon. L. Craig
Hon. A. L. Loton	(Teller.)

NOES.	
Hon. G. Bennetts	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. W. R. Hall
Hon. E. M. Heenan	(Teller.)

PAIRS.	
AYES.	NOES.
Hon. C. H. Simpson	Hon. J. M. Drew
Hon. H. Tuckey	Hon. C. B. Williams

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

Clauses 21 and 22—agreed to.

New clause:

Hon. H. L. ROCHE: I move—

That a new clause be inserted as follows:—

“18. This Act shall have no application to any wheat harvested prior to the 30th day of April, 1947.”

The purpose of the amendment is similar to that in connection with the one I moved earlier. It will resolve any doubt that may exist as to the position of the 1945-46 and 1946-47 crops. I trust the Committee will accept it.

The HONORARY MINISTER: The acceptance of the amendment would ruin the Bill and the farmers as well. I shall not waste any time in discussing it. Mr. Roche knows it cannot be accepted. It shows a very poor sense of sportsmanship on the part of members who support it.

Hon. H. L. ROCHE: It is not a question of sportsmanship but of amending the Bill so that it may be reasonably acceptable to wheatgrowers.

New clause put and a division taken with the following result:—

Ayes	15
Noes	5

Majority for	10
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AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. L. Craig	Hon. A. Thomson
Hon. J. A. Eimmitt	Hon. F. R. Welsh
Hon. R. M. Forrest	Hon. G. B. Wood
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. A. L. Loton	(Teller.)

NOES.

Hon. G. Bennetts	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. E. M. Heenan
Hon. W. R. Hall	

New clause thus passed.

New Schedule:

Hon. G. B. WOOD: I move—

That the following schedule be added to the Bill:—

Schedule.

FORM A.

WESTERN AUSTRALIA.

The Wheat Industry Stabilisation Act, 1946.

Ballot Paper.

Directions to Voter—The Voter should indicate his vote as follows:—

If he is in favour of the question set forth hereunder he should put the numeral 1 in the square opposite the word "Yes."

If he is not in favour of the question set forth hereunder he should put the numeral 1 in the square opposite the word "No."

QUESTION.—Do you approve of the bringing into operation of the Wheat Industry Stabilisation Act, 1946?

☐ NO

☐ YES

New schedule put and passed.

Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—LOAN, £5,050,000.

Second Reading.

Order of the Day read for the resumption from the 10th December of the debate on the second reading.

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—LICENSING ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [11.40] in moving the second reading said: This is a small Bill. I propose to move the second reading to-night so that members will have an opportunity to read it before tomorrow, when the debate can be resumed. The measure has been brought about by the decision to discontinue the practice of leasing the majority of the railway refreshment-rooms and to appoint managers in lieu. Many years ago these premises were under the supervision of managers responsible to the Commissioner of Railways, and it was then not considered necessary for them to come under the jurisdiction of the Licensing Court. Later on the policy of the department was to lease the premises; and, as the lessees were then wholly responsible for the rooms, it was decided in 1922 that they should be controlled by the Licensing Court.

In an endeavour to improve the railway refreshment-room service, the Government for some months has had the services of Mr. Stubbe of the Queensland Railway Refreshment Room Service. He strongly recommends that the refreshment-rooms not conducted by lessees should be removed from the jurisdiction of the Licensing Court. He states that this method has been satisfactorily adopted in Queensland for more than 30 years, and that a similar type of control exists in South Australia, Victoria and New South Wales. The managers of the refreshment-rooms will be officers of the Railway Department and will be under the direct control of the Commissioner, who may appoint or remove them at his discretion.

Certain standards for the conduct of the premises, etc., will be laid down by the Commissioner, who will see that they are maintained. This system has been adopted with success for many years in the other States, and Mr. Stubbe strongly recommends that this State follow suit. In view of the authority that the department will wield,

there is no necessity for dual control by the department and the Licensing Court. A system that requires the Commissioner to obtain a license for his own refreshment-rooms over which he will exert a strict control is unnecessarily cumbersome, inconvenient and restrictive. I hope members will agree to the State falling in line with the more modern methods of the rest of the Commonwealth and exempt the Commissioner from the supervision of the Licensing Court. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West): I move—

That the House at its rising adjourn till 11 a.m. tomorrow.

Question put and passed.

House adjourned at 11.44 p.m.

Legislative Assembly.

Thursday, 12th December, 1946.

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The SPEAKER took the Chair at 11.30 a.m., and read prayers.

QUESTIONS.

POULTRY FEED.

As to Shortage of Bran and Pollard.

Mr. OWEN asked the Minister for Agriculture:

1, Is he aware that a serious shortage of mill offal for poultry feed has developed as a result of the metropolitan flour mills not receiving sufficient wheat to keep the mills working efficiently?

2, Is it a fact that egg production is falling off rapidly owing to the shortage of bran and pollard?

3, Is it a fact that the shortage of wheat for milling in the metropolitan area has been brought about by the inability of the railways to transport sufficient wheat from country areas?

4, What action is the Government taking to ensure that sufficient mill offal will be available for poultry and other such stock feed at a reasonable price?

The MINISTER replied:

1, The shortage of mill offal has been accentuated during the last few weeks owing to a combination of circumstances.

2, The weekly reduction in the receipts of eggs is following the normal trends of previous years, and during the last two weeks there is a tendency for the percentage fall in receipts to be lessened.

3, Unexpected demands by shipping and for the transport of coal has affected the transport of wheat.

4, The Government is considering the transport of wheat by road in the event of railway transport being inadequate.

IRRIGATION COMMISSION.

As to Meetings, Inspections, Etc.

Mr. McLARTY asked the Minister for Water Supplies:

1, When was the present chairman of the Irrigation Commission appointed?

2, On how many occasions since his appointment has he visited the irrigation areas—

(a) On irrigation or drainage appeals?

(b) For routine inspections?

3, How often does the Irrigation Commission meet?

4, Has he given consideration to any proposals for any alteration in the departmental control of irrigation?