

Legislative Assembly.

Tuesday, 19th October, 1948.

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

MOTION—OBITUARY.

The Late Hon. P. Collier, M.L.A.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [4.32]: I move—

That this House records its sincere regret at the death of the Honourable Philip Collier, a Member of this House and a former Premier of this State, places on record its appreciation of his meritorious public service, and tenders its deep sympathy to his widow and members of his family in their bereavement. The terms of this resolution to be conveyed to the widow and family of the deceased gentleman by Mr. Speaker.

This is a very small Bill the purpose of which is to substitute the word "three" for the word "one," and the word "meetings" for the word "meeting." I hope the House will agree that country people—it is in their interest that this Bill has been introduced—should have opportunity to introduce this sport into their district. The people of Katanning, Wagin, Kununoppin, or Wyalkatchem, for instance, have little opportunity to come to Perth regularly to attend sporting fixtures. There is not sufficient money in trotting nowadays to enable them both to build proper courses and provide attractive prize money. That does not include Kalgoorlie, of course, which I think has a special arrangement with the W.A.T.A. I believe that the association meets its deficiencies and shares in its profits, if any, but perhaps, as there is no reference to Kalgoorlie in the W.A.T.A. balance sheet, the Kalgoorlie club is run on its own. I hope members will give this measure due consideration and see that it is passed through this House. I move—

That the Bill be now read a second time.

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

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban): I move—

That the House at its rising adjourn till Tuesday, the 26th October.

Question put and passed.

House adjourned at 9.33 p.m.

We all agree that a great parliamentarian has passed on and a distinguished career has been brought to a close. The late Mr. Collier was a man of outstanding ability and he had qualities of leadership, sound judgment and a broad and sympathetic outlook. I feel that his ability was such that he would have made his mark in any Parliament in the Empire. He was a good speaker, a very able debater and also a self-taught man. We could regard him as an authority on Australian political history and he was a great reader of Australian books. He had a good knowledge of literature, and all his reading was done with a view to gaining greater knowledge and passing that knowledge on in the interests of his country.

The late Mr. Collier was not only an outstanding Western Australian, but his name was known and honoured also throughout the Commonwealth. Whilst he was a man of strong Party convictions, he had a great many friends outside his own followers and that was brought about because of his fairness and because of the fact that his abilities were recognised by all. I have heard many of the late Mr. Collier's old colleagues—and there are not many of them left in the House now—pay great tributes to him. I have often heard them say how they looked up to him as a leader and what weight they could attach to the advice he gave. The late hon. member represented Boulder for 43 years, was Premier for nine years, a Minister for five years and Leader of the Opposition for ten years. That is an indication of what a distinguished and useful career he had.

When the news reached me that Mr. Collier had passed away I had conveyed to Mrs. Collier the wish of the State Government to accord to her late husband a State funeral. This was done so that we could show a last mark of appreciation for his great service to this State. I am pleased to be able to state that Mrs. Collier has agreed to that request. It is also my intention at the end of tonight's sitting, to ask members to agree to an adjournment of the House tomorrow as a mark of respect and to enable members to pay their own personal tributes to his memory. It is with regret that I move the motion.

HON. A. R. G. HAWKE (Northam) [4.37]: I second the motion. The late Mr. Collier was well and very favourably known not only throughout Western Australia, but also in many parts of Australia, for the great and distinguished service which he rendered to the public life of this State. In addition to the service which he gave to Western Australia, he rendered outstanding service to the various Councils of the nation where he served at different periods. His advice and views at Loan Council meetings, at Premiers' Conferences, and at other similar gatherings, were always of the highest order and won for him the great respect of the biggest men in the public life of the Commonwealth.

When I spoke in the House a few weeks ago I referred to the great influence exercised by the late Mr. Collier when he represented Western Australia at Loan Council gatherings and meetings of the Premiers of the different States in 1933, 1934, 1935 and 1936. The influence he carried then was in the direction of trying to bring about a reversal of the monetary policy which Australia had followed, in common with most other countries of the world, during the severe years of the trade depression. The late Mr. Collier was a man who had a very great passion for reform and he had considerable courage in connection with principles in which he believed and so strongly advocated. On one occasion, he went to prison rather than sacrifice those principles. He passed through some very stirring and difficult days in the public life of Western Australia in consequence of his strong allegiance to principles in which he so ardently believed.

He was not always popular; he was not always well-respected. There were periods in his life when he was fighting powerfully for what he believed to be right, as the result of which he incurred the opposition and deep hostility of a great number of people in this State. Subsequently, he was able so to impress the majority of the people as to win for himself the Premiership of Western Australia, a position he held continuously from 1924 to 1930 and again from 1933 to, I believe, 1937. He, together with those who were his colleagues, especially during the years from 1924 to 1930, demonstrated beyond all question his ability to govern, and to govern well. Much of the work which he and his colleagues were responsible for

achieving, will live on to the permanent benefit of Western Australia.

I am sure, future citizens will learn to respect very deeply the memory of the late Mr. Collier in gratitude for the great services he rendered to the State during the many years he played so distinguished a part in our political life. The example which he set of devoted service to the State and to the people is one which, I am sure, each one of us is striving to follow, one that will inspire others in years to come to give of their best in order that Western Australia shall advance and its people benefit. I join with the Premier in the motion conveying our deep sympathy to Mrs Collier and other members of the family, in the severe loss they have sustained at this time.

THE MINISTER FOR EDUCATION

(Hon. A. F. Watts—Katanning) [4.42]: I should very much like to associate myself and those who for many years have sat with me in this House and whom I still have the honour to lead, with the observations that have been made by the Premier and the Acting Leader of the Opposition. I well remember the day I first entered this House—the 10th September, 1935—and the smile of welcome and cordial handshake given to me by the then Premier of the State, Hon. P. Collier, as I passed to my seat after being sworn in. I had, prior to that time, though at a distance, considerable respect for the hon. gentleman and, although differing from him on party political matters to a very great degree, that respect lasted throughout the years. Today we mourn the loss of a man who served Western Australia extremely well. I therefore desire to associate myself and those who sit with me, with the motion of condolence to Mrs. Collier and her family.

MR. SHEARN (Maylands) [4.45]: It would be presumptuous to speak at any length after the eloquent utterances from the Premier, the Acting Leader of the Opposition and the Minister for Education. I will, therefore, merely say, on behalf of the member for Victoria Park and myself, that we associate ourselves fully with the statements that have been made by the previous speakers, and to express the hope that the good work accomplished by the late Hon. P. Collier will be carried forward

and that the whole of those actions that were best for the community, will continue to serve as a guide to us and an inspiration for future generations.

Question put and passed: members standing.

AUDITOR GENERAL'S REPORT.

Section "A." 1948.

MR. SPEAKER: I have received from the Auditor General a copy of Section "A" of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1948. It will be laid on the Table of the House.

PRIVILEGE.

As to Member for Canning and Court Subpoena.

MR. YATES (Canning) [4.47]: On a question of privilege, I desire to bring a matter before the House. Last Saturday, when I arrived home, I received a summons to appear before the Local Court, the summons having been signed by the Clerk of Petty Sessions. It set out that I was to appear and produce, at the time and place mentioned, a statement signed by Sydney Arthur Smith and delivered to me on the 4th day of June, 1947. That particular statement was one I read in this House in relation to the motion I moved in connection with the Police Force. I approached my lawyer to gain legal advice from him, with the result that, in turn, a letter was forwarded to you, Mr. Speaker, in your capacity as Speaker of this House, which letter you handed to me to read to members. With your permission, I shall do so now. It reads as follows:—

re George H. Yates, a member of the Legislative Assembly of Western Australia and in re William James Halliday and the matter of privilege of Parliament.

We have been consulted by George H. Yates, M.L.A., of 65 Cargill-street, Victoria Park, in the State of Western Australia, who informs us as follows:—

(1) That he is a member of the present Legislative Assembly of the State of Western Australia for Canning.

(2) In the course of and for the performance of his duties as the aforesaid member of the Legislative Assembly he has been in receipt of certain information connected with

the administration of a public department of the State of Western Australia, namely the Police Force.

(3) About the end of May, 1948, one William James Halliday called upon the aforesaid George H. Yates, M.L.A., at Parliament House and purported to be the secretary of the industrial union covering police officers throughout the State. The said William James Halliday made certain statements to the aforesaid G. H. Yates, M.L.A., the propriety and/or legality of which may be open to serious consideration.

(4) On the 8th of September, 1948, the aforesaid G. H. Yates, M.L.A., delivered an address in the Legislative Assembly of Western Australia in support of a motion relating to the administration of the police force of Western Australia and matters incidental thereto.

(5) During the aforesaid address the aforesaid G. H. Yates, M.L.A., produced and quoted from a document purported to have been signed by one Smith.

(6) Subsequent to the aforesaid speech, the aforesaid William James Halliday again called upon the aforesaid G. H. Yates, M.L.A., and again made certain statements to him.

(7) On Saturday the 16th of October, 1948, the aforesaid Yates received a summons issued under the provisions of the Justices Act, 1902, calling upon him to attend at the Police Court, Perth, on the 20th day of October, 1948, and requiring him inter alia to bring with him and produce at the time and place aforesaid, "the statement signed by Sidney Arthur Smith and delivered to you on or about the 4th day of June, 1947."

(8) As the aforesaid G. H. Yates, M.L.A., has no other document or statement signed or purporting to be signed by any person named Smith other than the one hereinbefore referred to he verily believes that he is being called upon to produce the document dealt with in his address to the Legislative Assembly on the 8th day of September, 1948.

Then the letter quotes the summons, which I will not read. It proceeds—

We are of opinion—

(a) That the aforesaid document read to the Legislative Assembly by the aforesaid G. H. Yates, M.L.A., on the 8th of September, 1948, is privileged from production in the Court of Petty Sessions at Perth or elsewhere by virtue of the ancient privilege of freedom of speech acquired by the House of Commons as early as the reign of Henry the 4th confirmed after the Restoration in 1667 by a resolution carried in the House of Commons declaring that the Statute 1512 4 Henry the 8th c.8, was a general law extending to all members of both Houses of Parliament and that it was a declaratory law of the ancient and necessary rights and privileges of Parliament as is shown in the Journals of the House of Commons, 1667, Volume 9, page 19 and by the

Bill of Rights 1688 (1 William & Mary Sess. 2, c.2) Section 9, a statutory guarantee was given that the debates and proceedings in Parliament should not be questioned in any court or place outside Parliament.

(b) That the privilege does not attach to the member personally but belongs to the Parliament, i.e., in the present instance to the Legislative Assembly and in consequence it is not for the member concerned to decide whether he will raise the question of privilege but to report to the House of which he is a member seeking directions and giving obedience thereto.

(c) That the action of the aforesaid William James Halliday in causing the aforesaid summons to be issued out of the Court of Petty Sessions, Perth, and served upon the aforesaid G. H. Yates, M.L.A., is a breach of Parliamentary privilege and a contempt of the Legislative Assembly of Western Australia.

Then follows a quotation from Halsbury, 2nd Edition, Vol. 24, page 349—

Each House will treat as a breach of its privileges if legal proceedings are commenced or other action is taken against any person upon account of anything which he may have said or evidence which he may have given in the course of any proceedings in the House itself or before one of its committees.

I feel this is a matter which I, as a member, should bring before the House, as I should not make a decision on it. The quotation I read from Halsbury shows that that is the privilege of the House. The matter is, therefore, brought before the House for it to decide whether the document should be produced. It is my intention to bring this and other documents in my possession before a Royal Commission and I had no intention of producing it in any court before a Royal Commission was constituted. However, if the House decides that this document is to be produced before the Court of Petty Sessions for the purpose of assisting in the case of Halliday v. Smith, I shall be prepared to produce it.

MR. WILD (Swan) [4.55]: In view of what the member for Canning has told the House, I move—

That this House directs that the member for Canning is not required to produce at the Police Court, Perth, the statement made by Det.-Sergt. S. A. Smith, and read to the House by him on 8th September, 1948, as such is a privileged document.

Mr. NIMMO (Mt. Hawthorn): I second the motion.

The ATTORNEY GENERAL: I move—
That the debate be adjourned.

Mr. Yates: I object.

Members: No!

Motion (adjournment) put and negatived.

Question put and passed; the motion agreed to.

QUESTIONS.

COALMINING.

(a) *As to Tenure of Black Diamond Leases.*

Mr. MARSHALL asked the Minister representing the Minister for Mines:

Will he give the House an assurance that leases known as the Black Diamond Leases 256 and 304 being re-issued to the Amalgamated Collieries of Western Australia Limited will be issued only for the unexpired portion of the leases in existence when such leases were acquired by the State Electricity Commission?

The MINISTER FOR HOUSING replied:

The intention is that the leases will be re-instated to operate for a term equal to that which was unexpired when the leases were resumed.

(b) *As to Amalgamated Collieries' Compliance with Covenants.*

Mr. MARSHALL asked the Minister representing the Minister for Mines:

In view of the fact that the land now being mined by the Amalgamated Collieries of Western Australia Limited is held in fee simple and that the said Company had ample time before commencing operations, as well as since operations commenced, to comply with the covenants of the Mining Act in order to be within the law, is this House to understand that the Government condones these actions by the Amalgamated Collieries of Western Australia Limited?

The MINISTER FOR HOUSING replied:

The hon. member is referred to the answer given to him on the 14th October in reply to his then question, and he is again informed that the operations are being conducted by arrangement with the Government. The Mining Act is not being infringed.

HEALTH.

As to Swan River Pollution.

Mr. BRADY asked the Minister for Health:

1, Is he aware that last summer children swimming in the Swan River, north of the Guildford Bridge, were infected as a consequence of an alleged pollution of the river?

2, Is the Health Department anticipating any action to obviate similar trouble this summer?

The MINISTER replied:

1 and 2, I am not aware of what alleged pollution of the river is referred to. If the hon. member is referring to the alleged pollution of the Swan River by the abattoir effluent, it is considered that the corrective measures taken will obviate any recurrence.

EDUCATION.

As to Bunbury High School Playing Field.

Mr. MURRAY asked the Minister for Works:

In view of the fact that the contract between Municipality of Bunbury and the Government in relation to Bunbury High School playing field is still incomplete, will he inform the House:—

1, Whether the original contract between the above parties has been returned to the departmental file?

2, If the answer to No. (1) is "No," will he take steps to ensure that no opportunity for removal of important documents from departmental files is permitted in the future?

3, What steps does he propose to take to ensure completion of this contract?

4, In what year was the contract made?

The MINISTER replied:

1, Not yet returned to filing cabinet.

2, The method of filing will not permit of other than authorised removals from safe-keeping.

3, This matter is now the subject of negotiation between the Public Works Department and the Commissioner acting temporarily for the municipal council.

4, 1946.

CHILD WELFARE ACT.

As to Street-Trading Prosecutions.

Mr. BRADY (without notice) asked the Minister for Education:

(1) Is he aware that 11 boys, ages ranging from 10 to 15, were fined in the Midland Junction Children's Court this morning for selling papers without a license?

(2) Does he approve of the action of the Child Welfare Department in launching such prosecutions, and does he consider convicting these schoolchildren will assist their welfare?

The MINISTER replied:

I understand that certain children, whose ages range from 9½ to above that age, were prosecuted in the Midland Junction Court for street-trading without a license. To say that I approve would, I think, be understating the case, because not only do I approve, but I think it can be said that the unanimous opinion of this House was that street-trading by children under the age prescribed by the Act—and these children, I am informed, are under that age in a great number of cases—should be distinctly frowned upon. In consequence, I have no doubt that the department was justified in commencing the prosecutions. I understand the penalties inflicted were extremely small. I think that both the parents and the children should have some indication made to them that the law must be reasonably observed.

BILL—SUPPLY (No. 2), £3,700,000.*Message.*

Message from the Lieutenant-Governor received and read recommending appropriation for the purposes of the Bill.

Standing Orders Suspension.

On motion by the Premier, resolved:

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and of Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

In Committee of Supply.

The House resolved into Committee of Supply, Mr. Perkins in the Chair.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [5.2]: I move—

That there be granted to His Majesty on account of the services of the year ending the 30th June, 1949, a sum not exceeding £3,700,000.

The authority that was granted earlier in the session, by the Supply Bill which I then introduced, has now been exhausted. In accordance with the customary practice, it is necessary for a second Supply Bill to be passed to carry on the business of the State until the Estimates have been agreed to by Parliament. The No. 1 Supply Bill provided—

	£
For Consolidated Revenue ..	3,000,000
For Loan Fund ..	500,000
For Advance to Treasurer ..	300,000
Total	£3,800,000

The amount of the Supply now required, as stated in this Bill, is £3,700,000 made up as follows:—

	£
For Consolidated Revenue ..	3,000,000
For Loan Fund ..	700,000

I intend to introduce the Budget later in the evening, when I shall give a full explanation of the financial position of the State.

Question put and passed.

Resolution reported and the report adopted.

In Committee of Ways and Means.

The House resolved into Committee of Ways and Means, Mr. Perkins in the Chair.

The PREMIER: I move—

That towards making good the supply granted to His Majesty for the services of the year ending the 30th June, 1949, a sum not exceeding £3,000,000 be granted from the Consolidated Revenue Fund, and £700,000 from the General Loan Fund.

Question put and passed.

Resolution reported and the report adopted.

All Stages.

In accordance with the foregoing resolutions, Bill introduced, passed through all stages without debate and transmitted to the Council.

BILL—BUSH FIRES ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LOCAL GOVERNMENT (Hon. A. F. Watts—Kataning) [5.13] in moving the second reading said: It gives me considerable pleasure to introduce this amendment to our third party insurance law, because I am convinced it will go a great way towards simplifying the procedure and methods that have been used in regard to this compulsory form of insurance, and will probably have the effect of reducing the cost of such insurance, or at least keeping it static and preventing further increases. In short, the intention of the measure is that when a license is issued by the Police Traffic Branch or a local authority empowered to issue motor vehicle licenses under the Traffic Act, the license shall have endorsed upon it the terms of a policy of insurance covering third party risks, as prescribed, and shall act both as a license and as a policy of insurance; and the local authority will collect both the license fee and the insurance premium. Obviously that will necessitate the setting up of a pool of insurers—with which I will deal later—and a committee of management, referred to in the Bill as “the Trust.”

While the origin of this measure may be said to have been in recent representations made by a great number of local authorities, the principles involved in it had an airing much earlier than that. Confining myself for the moment to more recent days, I believe it was the Gnowangerup Road Board that circularised the bulk, if not all of the other local authorities in the State, asking that legislation of this type should be supported by them and that the Government should be asked to introduce it. In consequence a substantial proportion of the total number of local authorities in the State—I believe approximately 50 per cent.—supported the view expressed by the Gnowangerup Road Board, and it then became a question of determining whether it was a practical proposition to accept the prin-

ciples that were thus put up for consideration.

Discussions accordingly took place at my request between the manager of the State Insurance Office and representatives of the Underwriters' Association. Finally, after a not very considerable delay, I was informed that the parties to that conference were of the opinion that such a scheme was practicable and could and should be put into operation in Western Australia. Consequently it was decided that there was no reason why such a forward move should not be made during this session, and the decision was reached that a Bill to that end should be presented to Parliament.

While the proposal of the local authorities may be said to have been the origin of this particular measure, it is a considerable time since a proposal of this nature was first submitted to Parliament. Hon. A. Thomson, who is still a member of another place, proposed in 1940 that a Select Committee be appointed to consider ways and means of amending the Traffic Act to provide at a minimum cost for the third party personal risk arising out of the use of motor vehicles, the findings of such a Select Committee to be a recommendation to the Government. In the course of his speech on that occasion Mr. Thomson said—

As the taking out of a motor license is compulsory, so can third party insurance be made compulsory with the issuing of the license to the vehicle. I wish members to appreciate the simplicity of the method by which third party insurance can be effected. As I have indicated, the police in the metropolitan area collect all motor licenses and municipalities and road boards collect them outside the metropolitan area. The premiums could be collected by those authorities when issuing the licenses and no cost would be involved. The premiums collected could be sent forward either through the Commonwealth or any of the private banks to the duly appointed manager or trustee charged with the task of administering the fund. That duty could be entrusted to the officer at present controlling the local authorities.

That was the main portion of Mr. Thomson's speech in support of his motion, and it will be found that the net result of it is substantially on all fours with the provisions of this Bill, although this measure contains considerable machinery and administrative provisions that go some way beyond what was contemplated at that time. In its

report that Select Committee recommended as follows:—

1. We, therefore, recommend that legislation be brought in immediately to provide for a Compulsory Co-operative Pool to be administered by an advisory body of three persons, one to be appointed by the Government, who shall act as chairman; one representing the motorists; one representing the public and experienced as an insurance underwriter.

2. The premiums to be collected by the Traffic Department and local authorities on the issue of licenses and transmitted to the Licensing Trust Fund established for that purpose.

It will be seen that although this measure seems to have been in some ways of comparatively recent origin, actually seven years ago its basis was recommended by that Select Committee, though no progress was made in implementing its recommendations. It is quite clear that the only way in which the proposal can be operated is by the formation of a fund into which all premiums collected by local authorities will be paid, and from which all claims and administrative costs will be disbursed. There are a number of advantages to be derived from that. The first such advantage should be a considerable reduction in administrative costs. The issue of separate policies, expiry and renewal notices and the recording of transfers of motor vehicles to new owners will no longer be necessary and that must effect a substantial saving in the cost of stationery, postage and the time of the officers concerned in preparing the necessary forms for despatch.

The second advantage will be that the public will be saved considerable inconvenience by being able to insure their vehicles at the same time as they renew registration, without the necessity of obtaining documentary evidence of the existence of adequate insurance before applying for the renewal of their licenses. That will be particularly valuable to people who live away from the metropolitan area, because they will not have to get their certificates of renewal by post and pay their premiums at the head offices of the companies in Perth—as today is frequently necessary—but will transact the whole of the business with the local authority. The third advantage will be that litigation costs will be reduced considerably, because where two motorists are involved and either party is negligent, the question of which party is negligent will

not arise, as the claim will be paid from the fund.

The only occasions on which it will be necessary to have the question of negligence determined by the court will be in those few cases where a pedestrian is injured through his own negligence and the negligence of the driver of the vehicle is denied. Only one return will have to be lodged with the premiums committee, instead of approximately 70 returns which now have to be correlated by that body before any variation in premium rates can be considered. Lastly, substantial sums now sent overseas for re-insurance purposes will remain in the State. So far as can be seen the fund will be self-contained and re-insurance will not be necessary. The Bill provides that all approved insurers, as at the 30th June, 1948, may apply to become participating insurers under the new scheme.

The interest of each participating insurer in the fund will be the same proportion as his income under the Act, for the year ended the 30th June, 1948, bears to the total premium income, and the interest will be certified to by the chairman of the premiums committee, with whom returns for that financial year have already been lodged. It is proposed that a trust will administer the fund. That trust will be comprised of three representatives of the Underwriters' Association: one representative of the non-tariff offices and the manager of the State Government Insurance Office. It will not be practicable for new insurance offices to come into the scheme. Those entitled to participate will be those that participated in the premium income for the current year. Offices will not be able to come in if they were not in the business prior to that time.

No provision is made for a charge upon Consolidated Revenue at any stage. The sum required to meet the preliminary expenses of the trust in setting up its office accommodation, payment of salaries, etc., will be obtained by a call on each participating insurer. That call will be on the basis of each participating insurer's interest in the fund.

Mr. Marshall. What constitutes the premiums committee?

The MINISTER FOR LOCAL GOVERNMENT: It exists already under the third party insurance law.

Mr. Marshall: But how is it to be composed under this Bill?

The MINISTER FOR LOCAL GOVERNMENT: The Bill provides for a trust to administer the fund. The premiums committee will remain, as it has been in the past, with the Auditor General at its head. If in any one year the claims and administration costs exceed the amount standing to the credit of the fund the participating insurers will meet the deficiency by contributions in proportion to their respective interests. Should there be a surplus after all claims have been met it will be distributed to participating insurers in like proportions. The Bill has been prepared in two parts, the first of which deals with the setting up and jurisdiction of the proposed trust. The second part deals with the method by which insurance will be effected after that part comes into operation.

It is proposed that the first part shall be proclaimed immediately the measure is passed, to enable the trust to carry out all of its preliminary work before the new method of insuring motor vehicles comes into operation. If the Bill becomes law it is expected that the new system will operate as from the 1st July, 1949. It should be clearly understood that there is no intention of not having the legislation fully in operation by the 30th of June next, in time for the opening of the new financial and licensing year. It is intended to have everything in readiness prior to that date to enable the parties concerned to take up their respective functions in the scheme. No difficulty is foreseen in that regard in view of the arrangements made prior to the introduction of this measure and the strong support received for the proposal from the great bulk of the local authorities. It is proposed that the first part shall be proclaimed immediately the Act is passed—as I have said—to enable the trust to carry out all of its preliminary work before the new method of insuring motor vehicles comes into operation. That will set up the trust and enable it to commence its administrative and co-ordinating activities. It will enable the second part to be proclaimed subsequently when the preliminary work is done, so that the new method of insuring motor vehicles may come into operation.

The trust will be charged with the duty of keeping proper books of account which

must be regularly audited, and all such books must be open to the inspection of the Minister and the Auditor General at any time. A true copy of the accounts must be tabled in both Houses of Parliament each year. The trust will be a body corporate with perpetual succession which can sue and be sued, and it will be no longer necessary for anybody who is the victim of a hit-and-run motorist to have to sue a nominal defendant. So that provision in the Motor Vehicle (Third Party Insurance) Act for the suing, in those circumstances, of a nominal defendant will be deleted by the provisions of the Bill. Any such action will in future be taken against the trust. The matter has been the subject of very careful study and I wish at this stage to pay a compliment to the manager of the State Insurance Office for the excellent work he has done in the matter.

So far as we can see, there are no disadvantages associated with this scheme. As I said earlier, it is believed it will definitely simplify the acquisition of third party insurance cover and will go far to ensure that the provisions of the Act are properly carried out. It may not reduce the premiums but it will certainly not increase them. It will simplify the circumstances in regard to litigation; it will make it easier for the public to insure their vehicles against third party risks, and will impose practically no extra duty upon the local authorities because it is anticipated that the only thing they will have to do will be to acknowledge receipt of the two fees, one the license fee of, say, £4, and the other the insurance fee of, say, £1 2s. 6d. on the license and at the end of the month transmit to the trust the total of insurance fees collected.

Had there been no pool, it is obvious that that could not have been done: a considerable burden would have been placed on local authorities and the scheme without such provision, in my opinion, would have been impracticable because without a pool or trust of this nature every person who came to license his vehicle would have had to declare the company with which he wished to insure. The local authority would then have had to record that on the document and dissect the total amount of collections in the case of the 65 insurance companies and send each a separate cheque. Obviously, the whole thing would have been impossible; but under the provisions of the Bill in the setting up

of the trust which, as I say, has been the subject of a great measure of agreement and indeed co-operation by the underwriters, and upon which trust it is intended to give representation to the State Insurance Office and non-tariff companies as well, I have no doubt that this scheme, if it becomes law, will work efficiently and satisfactorily and go a long way to simplifying the procedure in regard to third party insurance. I move—

That the Bill be now read a second time.

On motion by Mr. Rodoreda, debate adjourned.

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth) [5.34] in moving the second reading said: This Bill is for the purpose of clearing up some matters of procedure in connection with appeals under the Justices Act from a Court of Circuit. Section 183 provides, inter alia, that when any person is summarily convicted or an order is made against any person by justices or imprisonment is adjudged without option of a fine and such person did not plead guilty or admit the truth of the complaint, he may appeal, subject to the following provisions—

(1) if the decision appealed from was given in a Circuit District, the appeal shall be made to a judge of the Supreme Court in such district;

(2) if the decision appealed from was not given in a Circuit District, the appeal shall be made to a judge of the Supreme Court in Perth.

A circuit court is required to be presided over by a Judge of the Supreme Court or a commissioner specially appointed for that purpose. Usually the commissioner is a stipendiary magistrate or a resident magistrate, but once a year it is usual for a Judge of the Supreme Court to preside at Kalgoorlie. It will be seen from the provisions of the Justices Act that any appeal from the decision of a stipendiary magistrate or justices sitting in a court of summary jurisdiction in a circuit district must be made to a Judge of the Supreme Court in such district. As an example, if a man is convicted summarily in the court of petty sessions at Kalgoorlie and sentenced to imprisonment without the option of a fine, then, owing to Kalgoorlie being a circuit

district, any appeal from such conviction must be to a Judge or the Supreme Court at Kalgoorlie.

A stipendiary magistrate may not preside over such a court of appeal. This has resulted in persons who have been convicted of serious offences such as gold stealing, on appealing from conviction entailing sentence of imprisonment, being out on bail for months awaiting the hearing by a Judge of the appeal made by him. As I pointed out before, the Judge only sits in circuit at Kalgoorlie once a year. This delay is not only a miscarriage of justice, but also encourages appeals for the purpose of avoiding service of sentence immediately. The Bill amends the section by deleting paragraphs (1) and (2), which provided for the appeals to be heard by a Judge sitting in the circuit district, and inserting in lieu thereof that appeals shall be to a Judge at Perth. In addition, it provides that on the application of the party to an appeal, an order may be made that the appeal shall be heard by a Judge in a circuit district. If the Bill becomes an Act, in the case of an appeal being made from the circuit district, the appeal may be ordered to be held in Perth instead of being held in the circuit district. I might add that at the present moment there is only one circuit district, that of Kalgoorlie, and so it is only in the Kalgoorlie circuit that these inconveniences have arisen.

Section 187 of the Justices Act provides that an appellant, after giving notice of an appeal, shall enter into a recognisance before justices in such sum as the justices think fit, and with or without sureties as they may direct, conditioned to appeal before the court to which the appeal is made; or the appellant may, if the justices before whom the appellant appears to enter into the recognisance think expedient give security by deposit of money. If the latter procedure is adopted, there is no obligation imposed upon the accused to appear at the time of the hearing of the appeal. If he does not appear and the sentence is confirmed, it is necessary for the police to locate him and arrest him.

Briefly, the position is that if there is an appeal made from a sentence, the accused may be allowed out by the justices on appeal upon his depositing a sum of money by way of security. On doing this there is no obli-

gation upon him to appear at the hearing of the appeal. If his appeal be dismissed and he does not appear, and his term of imprisonment has to be served, he has to be located and although his sentence has already commenced this may take a little time. It is not proper that a man under sentence should be roaming the country, and thus this provision will entail that he enter into a recognisance to appear at the hearing of the appeal and, if he loses, then he can be immediately taken into custody.

Under Section 197, on an order to review, which is an optional method of appeal, where a person has been convicted and sentenced to imprisonment without option, the Chief Justice considers it is doubtful whether the court, on the hearing of the order nisi to review, has jurisdiction to vary a sentence although in the opinion of the court it was either excessive or inadequate. The amendment is to give the court jurisdiction for this purpose. Section 200 of the principal Act provides that a sum not exceeding £20 may be required by the justices to be found by way of security for the appellant to prosecute his appeal. It is considered that this is insufficient, and the amendment proposes to make it £25. This amendment is really to cover the depreciation in the value of money that has taken place since the original amount was provided.

Section 201 stipulates that upon a recognisance being entered into, the appellant, if in custody, shall be liberated upon the recognisance being further conditioned for his appearance before justices within a reasonable time, not less than ten days after judgment has been given on the order to review, to abide by such judgment unless the decision appealed against is reversed. This is a confusing procedure and the Registrar of the court considers that it should be simplified and the amendment proposes to do this. Section 205 stipulates the powers of the Full Court or Judge on the return of the order to review. There is some doubt as to whether a sentence can be reduced or increased on an appeal by way of order to review, and it is thought desirable that this jurisdiction should be given.

Section 219 provides that no order for costs may be made against justices or police officers. The result is that no costs can be awarded against the Crown in the event of

the Crown's taking an appeal and being unsuccessful. It is thought that this is not reasonable, and so the Bill provides that when an appeal is made by a police officer and the decision appealed against is confirmed or, if not confirmed, has, in the opinion of the court hearing the appeal, involved a point of law of exceptional public importance, costs may be allowed to the respondent. In the event of costs being awarded, they will be paid by the Crown. As members are aware, many prosecutions are launched by police officers and, should a decision of the justices be appealed against by the Crown acting for the police and be unsuccessful, there is no power to award costs against the Crown. This is considered to be hardly reasonable.

Hon. E. Nulsen: How do you account for the High Court of Australia giving costs against the Crown in the appeal the Crown v. the Grand Lodge of the Royal Antediluvian Order of Buffaloes, which appeal was won by that order?

The ATTORNEY GENERAL: The High Court has power to award such costs, and the proposed amendment seeks to give our court similar power. The amendments are purely matters of procedure, and have received the approval of the Chief Justice. I move—

That the Bill be now read a second time.

On motion by Hon. E. Nulsen, debate adjourned.

ANNUAL ESTIMATES, 1948-49.

Message.

Message from the Lieut.-Governor received and read transmitting the Annual Estimates of Revenue and Expenditure for the financial year 1948-49 and recommending appropriation.

FINANCIAL STATEMENT, 1948-49.

In Committee of Supply.

The House resolved into Committee of Supply to consider the Estimates of Revenue and Estimates for the year ending the 30th June, 1949, Mr. Perkins in the Chair.

THE PREMIER AND TREASURER
(Hon. D. R. McLarty—Murray-Wellington)
[5.49]: It is my privilege to introduce my

second Budget and, in doing so, I shall endeavour to make it as interesting as possible while at the same time providing members with the fullest information regarding our financial position. The past year has not been an easy one from my point of view as Treasurer, and the present year gives every indication of being equally, if not more, difficult. Since 1945, Australia, in common with the rest of the world, has felt the effects of an upsurge in the price level, resulting, so far as Governments are concerned, in an increase in the cost of providing ordinary governmental services and in the conduct of public utilities.

Inflationary Spiral.

I am afraid there is no indication that the inflationary spiral has ceased or even eased, and, despite the control of prices which will now be exercised by the States, we must anticipate a further rise in costs during 1948-49. State control of prices will, I am confident, be as effective as that exercised by the Commonwealth Government, and it will be administered with more regard to the needs of the community and certainly with more consideration for those engaged in trade and commerce. The withdrawal by the Commonwealth Government of the subsidies paid on certain commodities, however, must increase the cost of those commodities, and it is inevitable that the basic wage will rise, thus increasing costs generally.

Lag under Uniform Tax Scheme.

While the States' revenues will benefit to some degree from these rising prices, they will not benefit to anything like the extent to which costs to the Government will increase. If the States still had control of their income taxation, they would get some immediate gain from the taxation collected on higher levels of income, but, under the uniform tax scheme, the State will always lag behind and will not enjoy the increased taxation revenue until a year after the incomes have risen.

Hon. J. T. Tonkin: Do you want taxation rights to be returned to you?

The PREMIER: I have told the hon. member that I do not want taxation rights returned unless the respective fields of taxation are clearly defined. I do not want the Commonwealth to have the first say and to leave us what it thinks fit. Later on I shall

explain in more detail the operation of the amended formula for the distribution of uniform tax compensation.

Effect of Commonwealth Grants on Deficit.

Because of the supplementary grant of £1,000,000 received on the recommendation of the Grants Commission, the net Budget result for 1947-48 was £330,000 better than the estimated deficit of £682,000. The actual deficit of £352,000, however, was £304,000 more than that incurred in 1946-47. Bearing in mind that receipts from the Commonwealth by way of special grants and income tax compensation exceeded those of 1946-47 by £1,527,000, it will be seen that there was a net deterioration of £1,831,000. At £18,062,000, total expenditure was £3,034,000 more than the figure of £15,028,000 for 1946-47, and exceeded by £7,136,000 the amount of revenue collected from sources other than special grants and tax compensation. Totalling £17,710,000, revenue collections were a record and comprised amounts received through the Commonwealth totalling £7,257,000 and other receipts totalling £10,453,000.

Revenue Increases.

Compared with the estimate of £15,743,000, revenue for last year increased by £1,968,000, of which amount £1,000,000 was accounted for by the special supplementary grant made available by the Commonwealth towards the end of the year. Taxation collections yielded £146,000 more than the amount estimated. Larger attendances at race meetings and increased real estate transactions and general business activity were responsible for the improvements in totalisator duty and stamp duty respectively. The assessment for probate of several large estates also swelled probate duty beyond the anticipated yield. The amount of increase in each of the three fields of taxation mentioned was about the same, the respective variations being—totalisator duty £49,000, stamp duty £47,000 and probate duty £49,000. Rather more liquor and other license fees were collected than had been provided for in the Estimates, but land tax collections yielded almost £4,000 less than we expected.

Territorial and Departmental Collections.

Buoyant conditions in the rural industries were reflected last year in increased sales of Crown land and in rent collections, result-

ing in a substantial increase in territorial revenue. We had expected to collect £250,000 as territorial revenue from land, but collections actually amounted to £322,000. This increase more than offset decreases in mining and timber revenue, which fell short of the estimates by £1,000 and £8,000 respectively. Reduced revenue from sandalwood accounted for the last-mentioned variation. Revenue from the law courts and from department services showed increases on the estimates. A few departments failed to collect the budgeted amount, but there were many with substantially better collections than those provided for in the estimates.

In total, departmental revenue had been expected to yield £1,480,000. This amount was £307,000 less than the sum of £1,787,000 actually collected. The main variation was in Treasury revenue which, at £942,000, exceeded the estimate by £215,000. A large proportion of the increase represented departmental recoups for exchange paid on materials and equipment purchased overseas, while additional interest collections from the Rural and Industries Bank constituted another important element of the increase.

Business Undertakings.

It was estimated that the operations of trading concerns during 1947-48 would permit of the transfer to revenue of £102,000, and the actual receipts of £114,000 were slightly better than the estimate. Revenue from public utilities exceeded the estimate, the collections being £6,621,000 against an estimate of £6,203,000. To this improvement of £418,000, the largest contribution came from the railways, which bettered by £295,000 its estimated earnings of £4,250,000. Increased revenue from goods traffic was mainly responsible for the improvement in railway earnings, but coaching receipts were also better than was anticipated. Of the other utilities, the Fremantle Harbour Trust showed the largest increase on the estimate, yielding £263,000 or £63,000 more than the expected return.

Hon. J. B. Sleeman: Why did you want to increase their revenue?

The PREMIER: I heard only yesterday that our returns, in comparison with those of the Eastern States, were very high.

Hon. J. B. Sleeman: Why do you want to increase their revenue if you are getting all that?

The PREMIER: As I proceed with the Budget Speech I think I may be able clearly to indicate why there was need to increase these revenues and others as well. New ratings and increased reimbursements for work carried out on behalf of other authorities were responsible for the improvement in earnings of the Metropolitan Water Supply which, at £649,000, showed an increase of £24,000 on the estimate. The Goldfields Water Supply and Other Hydraulic Undertakings showed increases of £21,000 and £10,000 respectively.

Total Expenditure.

Total expenditure for 1947-48 was estimated at £16,424,000, but the amount actually incurred was £1,638,000 greater than the estimate. While the figure of £18,062,000 for last year's total expenditure is almost £3,000,000 in excess of the expenditure for 1946-47, its size is not abnormal, having regard to the changes in costs which have occurred in the Australian economy since the end of the war. The major factor responsible for the increase on the estimated expenditure was the additional cost of operating public utilities.

In the Estimates the provision for Public Utilities was £5,956,000, excluding portion of the sum of £250,000 which was provided under Treasury Miscellaneous Expenditure to meet the overall cost of the 40-hour week. Actual expenditure, including the cost of the 40-hour week, was £6,998,000 or an amount of £1,042,000 more than the estimate. To some extent such increased expenditure represented additional outlays to earn additional revenue, but in the main it represented increased costs of labour and materials.

Increased Railways and Tramways Expenditure.

The Railway Department expenditure for the year—viz., £5,672,000—was greater than the estimate by £952,000, the principal items responsible being basic wage increases, increased margins and penalty rates under industrial awards, reduced working hours, higher prices of materials, and increased train mileage to handle additional business. To similar factors was due the increase in

tramways expenditure which was £43,000 above the estimate of £529,000.

Other Public Utilities.

Variations in the other public utilities were of less significance, the more important being in the Goldfields Water Supply, which showed an increase of £16,000 on the estimate of £213,000; Metropolitan Water Supply, an increase of £12,000 on £206,000; and Other Hydraulic Undertakings, an increase of £16,000 on £102,000.

Under Special Acts we incurred expenditure of £1,826,000 or £66,000 more than the estimate, the main charges comprising increased Parliamentary allowances and increased Government contributions for pensions and superannuation payments.

Departmental expenditure, at £6,213,000, exceeded the estimate by £527,000.

Miscellaneous Services.

In "Treasury Miscellaneous" important increases were represented by the State Shipping loss which rose by £117,000 from an estimate of £50,000; an additional grant to the Hospital Trust Fund of £47,000; an additional grant to the University of £33,000; and a subsidy for superphosphate transport of £79,000.

Education Department Increase.

The expenditure on the Education Department amounted to £1,649,000, or £237,000 more than the estimate, the increase being attributable to the reclassification of salaries and normal basic wage adjustments, as well as to additional appointments, new bus contracts, boarding allowances, and other measures designed to raise the standard of our educational services.

Police Department Increase.

Another notable increase was in the Police Department. Estimated expenditure was £391,000, but the actual amount incurred was greater by £28,000 as a result of a new award, grade increases, overtime payments, the purchase of motor vehicles, and the appointment of additional staff.

Decreases in Expenditure.

The only decreases of note were in the Department of Agriculture, the Department of Lands and the Forests Department. Ex-

penditure by the Agriculture Department was £190,000, or £7,000 less than the estimate, the reduction being largely due to our inability to secure additional technical and professional staff.

Forests expenditure, at £77,000, showed a reduction of £7,000 on the estimate as a result of reduced activity on firewood getting.

Industry Prosperous.

In the year just ended, industry generally enjoyed a period of prosperity. More people were engaged in production than in any previous period. There was no unemployment problem; producers had assured markets for their output at profitable prices; and the season developed no major difficulties for the primary industries. In the result, our community income, measuring the money value of the productive effort of the people of the State, rose to a new peak of the order of £87,000,000, an amount which compares with £52,000,000 in 1938-39.

Budget Problems Intensified.

Unfortunately the conditions which accompanied prosperity in the economy intensified rather than eased our Budget problems; for while the increase in prices and wages was reflected in mounting expenditure, there was no commensurate increase in revenue from State sources. In this respect our position last year was similar to that of the other States and essentially the same as in the previous year. But compared with 1946-47 our circumstances showed a change for the worse.

In 1946-47 prices and wages began to rise significantly only in the latter part of the year, whereas the movement was continuous and progressive throughout 1947-48. Moreover, the introduction of the 40-hour week, and other reductions in hours in 1947-48, were factors increasing labour costs for which there was no corresponding expense in the previous year.

An Additional Commonwealth Grant.

In the first six months of the year the trend of costs had become sufficiently definite to show that well over £1,000,000 additional revenue would be required to avoid a deficit. Believing that the State had a case for additional financial assistance from the Commonwealth Government, I applied

to the Prime Minister for a further payment over and above the amount which had been recommended by the Grants Commission after its examination of our likely needs earlier in the year.

That the Government's confidence was justified was borne out by the special report in which the Commission recommended the payment to the State of an additional grant of £1,000,000 for 1947-48. While not enough to cover our requirements in their entirety, the additional payment enabled us to complete the year with a deficit reduced to £352,082.

Hon. J. B. Sleeman: It is good to have a Labour Prime Minister!

Charges for State Services.

The PREMIER: Based on provisional figures, including Estimates of the results of our financial transactions for May and June, the recommendation was made at a time when the Commission was not in a position to measure our needs by the yardstick of the experience of the non-claimant States. Under these circumstances, it would have appraised our indispensable needs with caution. That it actually recommended a payment amounting to roughly 75 per cent. of the deficit projected at the time of its report indicates recognition of the fact that our difficulties last year were due to factors largely outside our control.

The Commission made it quite clear in its Fourteenth Report, however, that in assessing grants an attempt should be made to measure the relative severity of charges for the services provided by State business undertakings, because investigations might show that some States were making a greater effort than others in this direction.

At recent hearings, the Commission has given considerable attention to this question and it has indicated that although it is not the function of the Commission to influence Government policy in any way, it must take count of the factors which affect the requirements of the States for financial assistance.

Last year, in recommending assistance for this State amounting to £2,977,000 the Commission refrained from making any adjustment to our grants on account of our business undertaking charges. A consideration which probably influenced its decision in the

matter was the fact that following the release of the States from their agreement with the Commonwealth to maintain pegged prices for services which operated only from February of 1947, there had been insufficient time for the adjustment of charges.

A further consideration probably taken into account in connection with our supplementary grant was the peculiarly difficult position in which we would have been placed last year had we then attempted to increase railway freights and fares while a Royal Commission was investigating the position of the railways. Neither of these considerations has any force in relation to the current year.

Sitting suspended from 6.15 to 7.30 p.m.

The PREMIER: I was making reference to last year's grant from the Disabilities Commission and I stated that probably the peculiar position in which we were placed in regard to a rise in railway freights and fares would be taken into consideration by the Commission, as at that time we had a Royal Commission investigating the position of our railways. I also pointed out that neither of these considerations has any force at present for the current year.

Moreover, in view of the Prime Minister's statement at the recent Premiers' Conference when dealing with the question of revenue assistance to the States, it is evident that the Commonwealth would not be prepared to consider any recommendation which disregarded the scale of service charges in the claimant States. The Prime Minister was emphatic that the States must make a real effort to increase charges, and indicated beyond doubt that the Commonwealth would not finance the loss of undertakings which were used by people not prepared to make a fair contribution to their working expenses.

Charges for Railway and Tramway Services.

With rising costs threatening further deterioration in the net earnings of its business undertakings, the Government has thus been obliged to effect an adjustment of the charges for its railway and tramway services. While it believes that an increase in freights and fares is justified the Government would have preferred to await desired improvements in the service supplied before taking action to pass on some of the

increased cost to users. As any further delay would have prejudiced our case for special assistance for the current year, there was no practicable alternative to the adjustment.

Advice that the Commonwealth, on the recommendation of the Commission, has agreed to pay the State a special grant of £3,600,000 this year, is evidence that a sympathetic view has been taken of our endeavour to use self-help. As copies of the Commission's report have not yet come to hand, I am not able to comment on the basis of its recommendations. The sum recommended for payment this year includes a substantial advance payment in addition to the actual "assessed grant" based on Budget results for the year of assessment, namely, 1946-47, which amounted to £2,686,000.

Dependence on Grants Commission.

Whilst appreciating the help which the State has received as a claimant for special Commonwealth assistance under Section 96 of the Constitution, I must continue to deplore a financial arrangement which makes it necessary for us to depend to such a large extent upon the adjudication of the Grants Commission. When the body was originally constituted it had been expected that the grants required by the claimant States would be of a marginal nature only. Certainly it was not contemplated that a stage would be reached where the Commission's investigations would show the need for special grants of the size of those required of recent years. Those requirements have clearly indicated that the resources and responsibilities of the claimant States are seriously out of balance. The other States however are now in a position of dependency on the Commonwealth which differs only in degree from that of the claimant States. Last year all States incurred deficits, and this year, as indicated at the recent Premiers' Conference, there will be an increased disparity between State expenditures and the amount that will be raised from sources other than the Commonwealth. Practically all the States have now made, or are proposing to make, adjustments to the charges of their business undertakings in the face of mounting costs of these services, but there are limits to what can be accomplished in this direction, particularly if the changes have the effect of inducing

users of the undertakings to seek alternative services.

Inferior Financial Position of the States.

The deterioration in the financial position of the States is only partly due to their exclusion from the field of income taxation. While it is true that the uniform tax scheme has seriously affected the capacity of the States to deal with such a deterioration, nevertheless a review of the financial relationships of the Commonwealth and the States since Federation shows that the drift ante-dates the introduction of that scheme. It was apparent before the 1939-45 war when all the States were labouring under deficits, and even earlier as is shown in State Budget results.

Endeavours to better the existing financial relations between the Commonwealth and the States have so far been unsuccessful. Fundamentally the problem is how to adjust the resources available to the seven Governments of Australia so that each Government may have sufficient revenue as of right to meet its obligations. At the Conference of Premiers held last year I moved for the establishment of a convention to consider this problem. All the Premiers agreed to the proposal, but the resolution was not accepted by the Prime Minister.

Premiers' Conference on Financial Relations and other Urgent Problems.

Later I communicated with the Prime Minister and the Premiers of the other States asking for their co-operation to secure the convention, and when it became apparent that the Prime Minister did not propose to call a conference I suggested that the Premiers themselves should meet notwithstanding the absence of the Prime Minister or any Commonwealth representative, and requested the Premier of New South Wales to convene the meeting. I felt that such a conference would provide the opportunity for the States to exchange views on the problems involved in the recovery of their financial sovereignties and to work out a plan of reform in the light of their common interest. Unfortunately, New South Wales, Queensland and Tasmania were unable to accept the invitation, thus depriving the other States of the benefit of their views and precluding the formulation of a common policy. Despite the absence of the

three Premiers, the conference proved of considerable value—

Mr. May: How?

Hon. J. T. Tonkin: A howling success.

The PREMIER:—enabling as it did the discussion of a number of other urgent problems in addition to the question of financial relations. Its success suggested that arrangements should be made for all Premiers to meet at least once a year in a State capital city where they would see something of each other's problems at first hand. The conference discussed the financial problem both in its immediate and longer-range aspects.

Recommendation for Appointment of Royal Commission.

Members will recall that the conference recommended the appointment by the Commonwealth Government of a Royal Commission comprising a nominee of the Chief Justice of the High Court as chairman and nominees of the Commonwealth and States "to examine the financial relationships of the Commonwealth and the States and to recommend what action should be taken in order to ensure to the States the finance necessary to carry out their constitutional functions."

Pending the report of such a commission the conference recommended that the Commonwealth should raise income tax on behalf of the States as a whole, the amount to be equivalent to the per capita collections in Queensland in 1939-40 varied for subsequent changes in the national income, and its distribution to be made on the final basis provided for in the current scheme of income tax reimbursement. If this proposal had been adopted the total sum available to the States this year would have been £81,000,000 instead of £53,680,000, and Western Australia's share on the basis proposed would have been £6,059,000 instead of £4,489,000.

Income Tax Reimbursement.

This year the States, in asking for increased compensation for the loss of their taxing rights, have been committed to further dependency on Commonwealth bounty. At the Premiers' Conference the Prime Minister was advised that the States would be unable to carry on with the compensa-

tion fixed on the basis of the formula that applied in 1947-48. In that year the States received an amount of £45,000,000 and under the formula the amount of the reimbursement payable during the current year would have remained at the same figure. Following strong representations by the Premiers the Prime Minister ultimately agreed to increase the compensation by £8,680,000. From the total amount of £53,680,000, we will receive £4,489,000 or £682,000 more than in 1947-48.

The distribution of the total amount of compensation among the States is determined by the formula set out in the States Grants (Tax Reimbursement) Act, and members will recall that it is somewhat complicated. It aims at increasing the amount available to the States as population and national income increase.

Effect of Uniform Tax Legislation.

The Commonwealth uniform tax legislation had provided for an amount of £40,000,000 to be divided amongst the States, and this is the sum which was to be increased when the population and national income grew. Last year the Prime Minister agreed—somewhat reluctantly—to add £5,000,000 to the base amount, but this sum was to be treated in the nature of an advance. Until by the operation of the formula, the £40,000,000 had grown to a sum exceeding £45,000,000, no additional compensation was to be paid to the States.

Compensation Formula Altered.

The formula had also provided that for two years after the 30th June, 1946, the base figure of £40,000,000 was not to be increased and that added population and increased national income would not affect the amount of the compensation until the financial year 1948-49. In addition, the States were entitled to only 50 per cent. of the increase in taxation compensation due to a rise in the national income.

Prior to the Conference last August, the Prime Minister had asked to be supplied with statements of the States' revenue and expenditure figures for the two years ended the 30th June last. At the Conference, all Premiers urged the need for greater financial assistance this year, and after much discussion the Prime Minister agreed

to alter the formula on the following lines:—

(a) The base period was taken back from 1946-47 to 1945-46, thus giving the States the benefit of the increased national income for an additional year.

(b) The base amount was raised from £40,000,000 to £45,000,000.

(c) The whole of the percentage increase in the national income to be applied to the amount of the compensation in lieu of the present 50 per cent.

Effect of New System.

The effect of these changes may be summarised as follows:—

	Aggregate Grant for 1948-49.	
	Under the Previous Agreement.	Under New Agreement.
	£000.	£000.
Basic amount	40,000	45,000
Population adjustment: (1.52 per cent.) ..	608	684
Wages adjustment:		
(a) Previous agreement, (6.29 per cent.)	2,552	—
(b) New agreement, (17.52 per cent.)	—	7,996
Additional grant ..	1,840	—
	<hr/> 45,000	<hr/> 53,680

On the basis of present trends in population and average wages, it is expected that the total amount of compensation for 1949-50 will be approximately £60,000,000, of which our share will amount to approximately £4,890,000, or £400,000 more than this year.

Mr. Graham: That takes into account the birthday present of £1,000,000.

Rural Production.

The PREMIER: Dealing now with rural production, although the season opened late, agricultural crops have responded well to satisfactory growing conditions. On account of the light run-off to the catchments, the water supply position is unsatisfactory in some areas, notably in the Great Southern districts, but the stock feed position is improving. Mindful of the importance to the State of reliable and adequate water supplies, the Government is pressing ahead with plans for necessary hydraulic works.

Water Supply Schemes.

The comprehensive Water Supply Scheme has been given a high priority, and tenders

have already been called for the manufacture and delivery of pipes to connect Wellington Dam and Narrogin, and for the supply of pipes required in the Bruce Rock area. During the current year we are also including in the works programme, provision for the improvement of water supplies in the Lake Grace district, which is outside the boundaries of the comprehensive scheme, and for a town water supply at Port Hedland. The progress made with these developments will depend largely on the availability of materials in short supply, but the Government will use every endeavour to press them to completion as quickly as possible.

Seasonal Prospects Favourable.

Despite its somewhat unpromising beginning, the season has developed favourably for most branches of rural production. The indications at present are that the wheat harvest will probably be a little greater than last year when the total yield was just under 35,000,000 bushels.

Woolgrowers are not expecting the clip to be quite as good as last year when the yield was some 89,000,000 lb. weight, but even allowing for an anticipated decline of 5,000,000 lb. weight, the prospective clip is still satisfactory.

Farmers in the dairying districts have been encouraged by good pasture growth and the satisfactory conditions in these districts have more than offset the effect on production of reduced butter-fat output in the mixed farming districts of the wheatbelt. In 1947 our butter production at 15,237,000 lb. was a record, but this year production is likely to be even greater.

Position of Rural Industries.

For our rural industries generally, the outlook continues to be distinctly favourable whether we view the next few years or the less immediate future, and in this respect the position differs from that following the 1914-18 war.

During the first World War, production of primary products in countries outside Europe was increased to such an extent that fairly soon after the end of hostilities, supply caught up with demand; and eventually prices turned against producers.

A repetition of these events is unlikely, because during the second World War, pri-

mary production in a large part of the globe—particularly in the important agricultural regions of Eastern Europe and Asia—suffered a severe setback. In the aftermath of war, countries such as India and Indonesia have had troubles, which have further affected world agricultural production.

The restoration of world agricultural production will not be accomplished quickly and meanwhile world population and demand continue to grow at a rate which has led to doubts as to the capacity of production to meet expanding requirements. Through the operation of the Marshall Plan the demand for primary commodities can become more effective, and this is likely to maintain prices at high levels for some years to come.

As world production recovers its normal shape, there is likely to be some recession in the prices of our primary products relative to those of other goods; but even so, they should continue to reflect the pressures of expanding demands.

Rural Development.

As the occupiers of an area which is only partially developed, we have a responsibility to use the great opportunities offering in the northern and southern parts of the State for the production of food and other requirements needed by an impoverished world. Unfortunately an alarming fact disclosed by the Census held last year is that rural population in this State so far from increasing, has actually shrunk since its period of expansion in the "twenties."

Need for Rural Amenities.

Of the many factors responsible for this drift, not the least important has been the want of country amenities; and it is evident that to attract to, and retain on, the land, the population necessary for the expansion of our primary industries, we must be prepared to provide in our rural areas, amenities and opportunities comparable with those of the city.

Mr. Bovell: Hear, hear!

Mr. May: That is so.

Mr. Hoar: Not before time.

[Mr. Brand took the Chair.]

The PREMIER: Progress in development must also depend in part on our ability to overcome technical and financial problems.

New Problems of Land Utilisation

In a State having our range of soil types and climates, new phases of development will mean new problems of land utilisation. Moreover, large scale developments will almost inevitably involve capital expenditure beyond the financial capacity of the State. These problems are very well illustrated in the Kimberleys and North-West which despite their great potential wealth have remained in a state of arrested development for many decades.

The main requirements for development in those areas comprise better amenities for the people, fuller knowledge of the resources of the areas and of the methods required for their most profitable utilisation, and a great deal of capital expenditure. The Government is determined to use every means within its power to push on with development in this and the southern area of the State.

Facilities for the North.

As regards the North, particular attention is being given to the betterment of water supplies and communication and to housing, medical and educational requirements, while we are pushing on with experimental work in the Kimberleys.

The recent visit of the British Food Mission has emphasised the great potential importance of the Kimberleys as a source of meat for Britain which can provide an assured market for an expanded pastoral industry.

Developments in the South.

Projected developments in the southern part of the State include the opening up of a considerable tract of country in the Albany hinterland as part of a scheme aimed to raise the productive capacity of the zone. The South-West power scheme and haulage developments at Bunbury will assist in the further development of the South-West.

The committee which was appointed last year by the Government to prepare a plan of zone development has concluded that a very large proportion of the virgin land of the zone is suitable for subdivision and settlement for mixed farming purposes and has submitted specific recommendations on the matter.

Two types of settlement are envisaged, viz., a soldier settlement project under which the properties would be part cleared and

established before allotment, and another type of project under which portion of the holding would be cleared, water supplies provided and a ring fence erected.

In the area west of the Hay River, which has been recommended for soldier settlement, two blocks each of 200 acres are being tested so that consideration can be given to the project by the Commonwealth Government. Soil and other investigations are also proceeding in the area east of Narrikup in country which the committee recommended should be utilised under the non-service settlement scheme.

Expansion of Pasture Areas.

Expansion of the area under pasture on existing holdings has been recommended by the committee as providing the most rapidly reproductive type of development in the zone. Concentration on this work has already resulted in the clearing of more than 10,000 acres of virgin timbered land, which is being progressively developed as pasture. For these and other developments in the good rainfall areas we require an adequate supply of bulldozers and heavy tractor equipment.

The Government has a very considerable programme of land clearing, even on the properties already purchased under the War Service Land Settlement Scheme, and in addition there are the requirements of established settlers and of the projects for the development of Crown lands. The Government has been pressing the Commonwealth for an increased allocation for this equipment and I made further representations in the matter to the Prime Minister when attending the Premiers' Conference.

Recent advice is that our allotment of American crawler type tractors has been increased to 179 for the current year, which is greater than the quota of any other State with the exception of New South Wales.

Promising progress is being made with dam sinking on the war service settlement properties in the wheat and sheep areas. However, a factor which makes development difficult is the shortage of fencing wire and wire netting. Inquiries into imports of wire and wire netting from overseas are being made through the Agent General and it may be possible to increase our supplies through that channel.

Industrial Development.

The consolidation and expansion of our wartime gains in secondary industries were reflected last year in the progressive growth of factory employment. Our secondary industries now find employment for some 36,300 people, or 1,300 more than at the end of last year and 13,100 more than in 1938-39. Eastern States and oversea manufacturers continue to indicate their interest in the possibility of extending activities to this State, and the Government, through the Department of Industrial Development, is facilitating and encouraging inquiries on their behalf. Factors which at present limit the possibilities for further expansion are shortages of imported raw materials, electrical power and labour. The paramount claims of housing on building materials and labour also limit industrial development.

Despite these difficulties, the increase in factory activity in this State since the end of the war has been relatively greater than that of Australia as a whole, and this gives encouragement to the belief that Western Australia is capable of providing full opportunities for the utilisation of the skill and aptitude of its people in industrial pursuits.

During the year the commencement of pig-iron production at Wundowie marked what may prove a milestone in the State's industrial development.

With the continuing shortage of tractors impeding rural production, additional interest has attached to the Chamberlain project at Welshpool. Although interrupted by industrial trouble in Victoria, tooling operations are now practically complete. Production of tractor parts has now been proceeding for some months and it is anticipated that the assembly of complete tractors will begin before the end of the year.

Amongst other developments which are providing a basis for future industrial expansion has been the establishment of a factory for the manufacture of wool tops at Fremantle and the extension of fish processing.

Canneries are now operating at Geraldton, Fremantle, Albany and Hopetoun and new factories are being erected at Busselton and Esperance. There are already two trawlers working from Albany and the Government is arranging with an English com-

pany to bring two additional trawlers to the coast and these will be manned by English and Polish crews.

Building Materials Supplies.

In view of the key importance of building materials supplies, the Government has established a special division of industrial building materials within the Department of Industrial Development for the purpose of fostering the expansion of output. Considerable gains have been achieved in materials production during the year but output must be further increased to meet deferred and new demands. With the exception of timber and bricks, current output of the main basic materials is in each case markedly in advance of pre-war production.

Timber production has only partially recovered from its wartime decline, but even so the actual quantity retained for use within the State is higher than before the war. Brick production showed sufficient improvement during 1947-48 to enable distribution to be decontrolled as from the beginning of last month, and production has now almost recovered to its pre-war level.

Housing.

The better flow of materials supplies enabled a considerable expansion to be made in building activity in 1947-48. During the year a total of 2,771 houses was completed, or almost 1,000 more than in the previous year, while the number of houses commenced was 3,075, the respective figures taken together giving an effective building rate of 2,920 houses per annum. This compares with the building target of 3,000 houses which I mentioned when submitting the Estimates last year. In future, building labour, rather than building materials, is likely to be the limiting factor to expansion.

While the present labour force is probably capable of increasing output the possibilities in this direction are restricted. The fact is that we have insufficient tradesmen to provide for our requirements of housing and other buildings, and until arrangements can be made for the recruitment of additional labour, no substantial improvement can be expected in the building rate so far as it depends on regular building tradesmen.

Mr. Fox: If that is correct, why control building materials?

The PREMIER: When we come to this item in the Estimates, reasons will be given why a certain amount of control is necessary.

Mr. Fox: I know it is necessary; but if it fits in with your statement it should not be necessary.

The PREMIER: If the member for South Fremantle recognises the necessity for control, we need not argue about it. In view of the circumstances which I mentioned, our building target for 1948-49 has been set at 3,200 houses, but the Housing Commission may be able to improve on this figure by some help to the activities of owner-builders.

Mr. Reynolds: The number should be nearer 6,000.

Gold Production.

The PREMIER: In contrast to the rural industry, goldmining is in a difficult position owing to rising costs and the fixed price of gold, which is only about 23 per cent. more than the average price ruling during the three years before the war. This relatively small change compares with increases of 265 per cent. in export prices other than gold, of 66 per cent. in wholesale prices of basic materials and foodstuffs and of 44 per cent. in retail prices. Production for the current year reflects the difficulties of our industry, the figures for the eight months ended August being 28,000 ozs. less than the output of 473,000 ozs. for the corresponding period of 1947.

The increasing precariousness of an industry which is one of the pillars of our far inland economy has induced the Government to make persistent representations to the Commonwealth for assistance to producers. We have pointed out that the removal of the gold tax will leave only a comparatively few producers, and we have stressed the fact that assistance to the industry would benefit not only the State and the Commonwealth, but would also provide valuable aid for Britain which, as the recipient of our production, would benefit from the maintenance or increase of dollar earnings from gold.

Disappointing Commonwealth Response.

The Commonwealth response to our representations has been disappointing. It

has agreed to grant financial aid to keep alive specified marginal mines, but has indicated that it will not provide the kind of assistance that is necessary to promote a general expansion of production.

Mr. Marshall: I am awaiting a reply to a letter I sent the Commonwealth Treasurer asking him to tell me what law exists to prevent our selling our gold in the open market.

The PREMIER: As a member of the International Monetary Fund, the Commonwealth is admittedly precluded from increasing the price of gold internally through the payment of a subsidy on each ounce produced.

Mr. Marshall: It is strange that an English company can get £21 odd per oz. in India.

The PREMIER: Even so, there are other possibilities for assisting the industry generally which the Government might well explore.

Mr. Smith: What are they?

The PREMIER: I suggest to the hon. member that the Commonwealth might help us to do something with respect to water charges and perhaps transport charges. I am sure there are other directions in which we could usefully spend this money.

Estimates for 1948-49.

Mainly because of rising costs, expenditure for the current year is estimated at £2,429,588 more than the amount actually incurred in 1947-48. Although estimated expenditure is thus £20,491,980, the deficit budgeted for is £164,723, or less than half the amount of the deficit for the last year. Revenue, amounting to £17,710,310 in 1947-48, is expected to rise by £2,616,947 to £20,327,257 during the current year, increased payments by the Commonwealth and the revision of Government charges being responsible for the improvement. As I have already explained, our own effort to increase revenue was a factor taken into account by the Grants Commission in making its recommendation for additional assistance during the current year, so that the relief provided through the revision of charges extends beyond an actual increase in collections.

Revenue.

The current year's Estimates provide for major increases in revenue collections by

way of taxation, Commonwealth grants and departmental and public utility earnings, but it is estimated that profits transferred to revenue from trading concerns will be about the same as last year, and that territorial revenue will show a decrease. Inclusive of income tax reimbursement, taxation revenue is estimated to yield £5,620,100, or £635,909 more than the amount of £4,984,191 collected in 1947-48. While the main element in this improvement is the increase of £682,000 in our income tax reimbursement from the Commonwealth, I have also budgeted for a small increase in land tax collections which last year yielded £111,113.

Land Tax.

As members are aware, land tax is based on the assessed unimproved value of all land chargeable. For unimproved land, the rate has been 2d. in the £1 of unimproved value, and for improved land, 1d. in the £1 of unimproved value. This year, it is proposed to increase by 25 per cent. the rates on holdings of an assessed unimproved value of £251 or more. If the proposal is acceptable to Parliament, the rates on such holdings will be raised to 1¼d. in the £1 of unimproved value of improved land, and 2½d. in the £1 of unimproved value of unimproved land.

[Mr. Perkins resumed the Chair.]

Mr. Marshall: Why should you tax improved land at all?

The PREMIER: As I proceed, I shall show the hon. member what is proposed. Rates on holdings of a value of £250 or less will be left unaltered, and unimproved land held and used for farming and pastoral purposes, and land held by the various classes of pensioners mentioned in the assessment Act, will continue to enjoy exemption from tax. The additional amount expected to be yielded from the revision of land tax rates is £10,887. This increase, however, will be almost balanced by anticipated decreases in liquor licenses and totalisator duty. Probate duty at £275,000 is expected to show a decline of £34,487. Last year was particularly fruitful of probate collections, and I consider it unsafe to anticipate a similar experience this year.

Territorial Collections.

Territorial collections are estimated at £546,000, which is £55,004 below the amount yielded in 1947-48. Under this heading, revenue from land has been set down at £300,000. The decrease of £22,035 on last year's figure allows for the fact that fewer arrears are now available for collection and that current rentals will decline because of heavy alienations, rent concessions to ex-Servicemen and the increase in new leases granted rent free for five years.

Mining Revenue.

No significant change is expected in mining revenue, but reduced sales of sandalwood will affect timber revenue, which is estimated at £32,363 less than last year.

Departmental Fees.

An increase of £270,425 has been budgeted for in departmental fees and collections, which are estimated at £2,057,781. Included in this sum is a recoup of £71,500 from the Commonwealth of the estimated cost of prices and land sales control.

Treasury Miscellaneous.

In Treasury Miscellaneous, recoups in respect of exchange payments made on behalf of departmental purchasers are expected to be a major factor in the estimated net increase of £110,721. Under the same heading, decreases are expected in collections of interest from the agency section of the Rural Bank, and increases in collections from the banking section. Increased returns from the sale of produce have been provided for in the estimates of revenue from the Agricultural Department, the Forests Department and the Department of Industrial Development.

Minor increases are projected in revenue from various departmental charges. Having been fixed on a basis which no longer bears any relation to the value or the cost of the service provided, many of these charges are unjustifiably low, and it is now proposed to effect the necessary adjustments. Details of the proposals which cover a wide range of fees for services, licenses and the like will be submitted when the departmental estimates are under consideration. The increases are expected to yield additional revenue amounting to approximately £23,000 for a full year's collections.

Public Utilities.

Public utilities are expected to earn £7,766,202 this year, compared with £6,621,226 in 1947-48.

Railway Earnings.

Railway earnings, estimated at £5,500,000, represent an increase of £954,624 on last year, and account for most of the increase of £1,144,976 expected in public utility revenue as a whole. Revised freights and fares on the railway system should provide additional revenue amounting to £750,000 during the ten months of their operation in the current year. Increased traffic and earnings from refreshment services account for the balance of the improvement in railway revenue.

Tramways Revenue.

At £677,000, estimated tramways revenue for the current year is £167,697 more than collections for 1947-48. Increased fares operating as from the 1st August are expected to raise earnings by £127,000, while an additional amount of £40,797 may be earned as a result of prospective increases in traffic, due to the opening of new omnibus routes and the reduction of private motoring.

State Abattoirs.

Increased sales of tallow and improved revenue from by-products are estimated to increase revenue from the State Abattoirs to £129,250 for the current year compared with £98,038 for 1947-48.

Other Utilities.

An increase of £15,687 is provided for in the earnings of the Metropolitan Water Supply Department. Other utilities show minor variations only, with the exception of State Batteries which, on account of reduced operations, are expected to earn £10,179 less than in 1947-48.

Mr. Marshall: They are up to a deficit of approximately £27,000 this year.

The PREMIER: Of the total expenditure of £20,491,980 provided for in the Estimates, £7,698,391—or about 37½ per cent.—is accounted for by public utilities which are expected to absorb £700,481 of the total estimated increase of £2,429,588.

Railways Expenditure.

Railways expenditure has been estimated at £6,275,000 and compared with actual expenditure for last year amounting to £5,672,312, shows an increase of £602,688. This year, an amount of £500,000 has been allowed for deferred maintenance and regeneration of rollingstock, or £62,398 more than the actual expenditure incurred on this account in 1947-48.

Representing normal working expenses, the balance of the estimated expenditure, amounting to £5,775,000 is greater by £540,290 than the corresponding expenditure for 1947-48. This substantial rise in operating expenses includes the cost for a full 12 months of the introduction of the 40-hour week, and of basic wage increases and new awards which came into operation at different times during last year. It provides also for necessary staff increases and for rises in the prices of certain materials, notably sleepers and timber generally, steel and fuel.

Mr. Marshall: By how much are the interest payments on the State debt increased annually? You would be in a glorious position if you did not have to pay the £4,000,000 a year!

The PREMIER: I have the figures here, and shall give them to the hon. member. Although no allowance has been made in the railway estimate itself for the cost of prospective basic wage adjustments, an item has been provided under miscellaneous Treasury expenditure which is intended to cover the cost of such adjustments to the revenue fund as a whole. Excluding the prospective cost of basic wage increases or other changes that may affect the cost of operations, normal railway working expenses for 1948-49 are estimated to exceed earnings by £257,000, even after provision has been made for additional revenue of £750,000, when revenue is compared with total expenditure, including the amount to be expended on deferred maintenance and regeneration of rollingstock. A full year's operation of the recent increases in railway charges will mean the collection of £150,000 more revenue than is provided for in the Estimates.

Although these additional earnings would almost suffice to clear the deficit on the normal working expenses budgeted for this year, the position cannot be regarded as

satisfactory. The railways are still unable to meet even portion of the cost of servicing their capital liability, while with further rises in operating expenses in prospect, only temporary relief can be expected from the recent increase in charges.

It has been estimated that since the 1st July, 1938, which was the date of operation of major increases in the basic wage, railway working expenses have increased by approximately 60 per cent. as the result of variations in prices, awards and related costs. Last year the increase was particularly severe, accounting for almost a third of the total change since 1938, and imposing additional costs estimated at over £730,000 per annum. The recent increases in charges, while covering the rise in costs incurred last year, scarcely make a contribution to the costs previously incurred. Most of the other utilities are expected to incur higher expenditure this year on account of increased operating costs. For tramways the estimated increase is £37,867—

Increased Expenditure.

Mr. Marshall: Is that revenue?

The PREMIER: I am speaking of expenditure. There are increases of £27,702, £20,485 and £15,476 for Other Hydraulic Undertakings, State Abattoirs and the Goldfields Water Supply respectively. Reduced operations account for the estimated decline of £14,234 in the expenditure on State Batteries. Expenditure under special Acts is estimated at £4,996,551 and represents an increase of £170,184 on the amount incurred in 1947-48. Interest and sinking fund payments on the Public Debt are expected to cost £35,079 and £56,607 more than last year, thus increasing total expenditure under Loan Acts from £4,044,269 to £4,135,955.

Mr. Marshall: That is a burden we shall never get rid of. Does that include the £1,100,000 on railway capitalisation?

The PREMIER: I think it would include the lot—all our public debt. If that is not so, I will let the hon. member know. Only minor variation is provided for under the Constitution Acts, but payments under other statutes are estimated at £840,286 compared with £762,769 for the year just ended.

Increase in Social Service Payments.

Payments of pensions and retiring allowances under the old legislation are reaching

their zenith and are expected to increase by £11,809. The increase in payments under the superannuation and family benefits legislation will be considerably greater, being estimated at £71,435, and there are increases aggregating £14,500 in parliamentary allowances and mine workers' relief and fire brigade payments.

Reforestation Fund.

Transfers to the Reforestation Fund under the Forests Act are expected to be £21,755 less than last year on account of reduced sales of sandalwood. I have been obliged to budget for increased expenditure in every department.

Rising Departmental Expenditure.

Compared with last year, departmental expenditure at £7,768,908 is estimated to increase by £1,556,328. Factors largely responsible for this substantial rise are basic wage adjustments, new awards and agreements—including the reclassification of the public service—increases in the price of materials and the occurrence this year of an extra pay day, there being 27 fortnightly pay days this year. The 1st of July this year was a pay day and the 30th June next year is also a pay day. The rise also reflects the additional expenditure which will be incurred in providing for normal expansion and improvement of departmental services to meet the needs of a growing population.

Another important element in the increase is the provision of an item to meet prospective increases in the basic wage and other related costs. An amount of £400,000 has been provided for this purpose. Following the procedure adopted in last year's Budget in providing against increases in expenditure likely to arise in connection with the 40-hour week, the amount has not been allocated amongst the departments but appears as a separate item in Treasury miscellaneous expenditure. It is being kept in view that the cost of living and prices generally are likely to show substantial increases during 1948-49 as a result of cost increases and the removal of subsidies.

Miscellaneous Treasury Services.

Miscellaneous Treasury Services as a whole are estimated to cost £2,665,203 for the current year, compared with £1,890,819 in 1947-48, the net increase amounting to

£774,384. In addition to the estimated cost of prospective basic wage adjustments, this increase covers provision for several other substantial variations in expenditure. The mounting cost of hospital maintenance has necessitated an increase in the grant to the Hospital Trust Fund, the sum to be provided totalling £740,000, or £155,243 more than in 1947-48.

Other Public Utilities.

Operating costs of the State Shipping Service and State Electricity Commission have shown substantial increases and additional amounts of £128,642 and £115,269 are estimated to be required this year to meet the respective increased losses. The loss on the State Shipping Service is estimated at nearly £300,000. This is a heavy burden to shoulder in attempting to assist the northern parts of the State. If the service could be viewed as a business venture the obvious course would be to increase fares and freights substantially—an increase of about 100 per cent. would be necessary. But the shipping service has not been and cannot be looked on as a business undertaking. It is a service necessary for the development of the North.

I discussed the financial position of the State Shipping Service with the North of Australia Development Committee when it met in August and it was agreed that I should submit a full report of the service to the Prime Minister for his consideration. Some increase in charges is inevitable, but I am anxious that it should not be any more onerous than can be helped.

Mr. Rodoreda: The same increase as you made in the case of the railways?

The PREMIER: I cannot tell the hon. member what the increase will be. I am waiting for a reply from the Prime Minister but, knowing the disabilities under which the people of the North suffer, I am most anxious not to impose too heavy an additional burden on them.

Education Department.

This year, expenditure by the Education Department is expected to show an increase of £79,707, of which £43,166 is accounted for by incidentals largely connected with subsidies, driving contracts and improvements in such amenities as visual education. The increase of £22,094 in the Department

of Social Services is largely accounted for by increased payments for outdoor relief and the maintenance of State wards.

Crown Law Department.

For the Crown Law Department, expenditure shows a rise of £85,854, of which £66,000 represents the estimated cost of price control and will be recouped by the Commonwealth. There is a related increase of £5,500 under Lands and Surveys to cover the cost of land sales control.

Vermin Destruction and Agricultural Research.

Envisaging the employment of additional technical and professional staff, increased expenditure on vermin destruction, and improvements to research stations, the estimates for the Agricultural Department show an increase of £68,719. In view of the shortage of agricultural scientists the planned extensions of staff may not eventuate in their entirety.

Public Works Department.

Under Public Works, the expenditure is estimated at £499,495, or £181,007 more than that incurred last year. Repairs to public buildings, partly financed last year from a special trust fund created for the purpose, will have to be met entirely from revenue now that the fund is exhausted. Partly because of this and partly because of projected increases in activity, it has been necessary to provide for an increase of £102,291 for building maintenance. General increases in costs and increased expenditure on jetty repairs and improvements to town water supplies and stock routes in the North-West are other factors contributing to the rise.

Medical and Health Services.

The Medical and Health Departments are estimated to require £162,287 compared with £383,359 for last year. Provision has been made for a new subsidy of £5,000 to the Red Cross in connection with its blood transfusion service, for increased expenditure on T.B. diagnosis and aftercare, and for increased grants and assistance to infant welfare centres. Also included in the Estimates is provision for the appointment of additional school dental officers, health inspectors and laboratory assistants.

Increased Cost of Police Department.

Police Department expenditure is estimated at £522,224, which is £103,799 more than that of last year. New awards, proposed increases in the strength and the extra pay are mainly responsible for the change.

Provision for Increased Expenditure not Ascertainable.

This completes my review of the Estimates for this year. I consider the Budget is as true a forecast of our revenue and expenditure as it is possible to make, particularly in a time like the present when the price level is so uncertain. I shall be disappointed if the estimated deficit is exceeded but it is inevitable that the final figures of revenue and expenditure will vary from those contained in the Estimates.

I have made provision for increased expenditure not yet ascertainable to the extent of £400,000, and short of any major economic change at present unforeseen occurring during the year I think that sum should be sufficient. Apart from the goldmining industry our economy is in a healthy condition and I think primary producers can anticipate good prices for some years to come. The problem facing Australia now is to see that costs of production do not swallow up all the benefit of these good prices.

Mr. Marshall: What swallows up most of it is taxation; not costs.

The PREMIER: Yes. But the problem can be solved only by work—by each person giving of his best and not demanding an unreasonable share of the return from his work. I am afraid the years of war during which there was not the need to see that all effort was productive of gain have created in the minds of some people the idea that efficiency and profit earning are things of the past. The sooner such an idea is destroyed the sooner all the people of Australia will begin to gain the full fruits of the increased mechanical and technical improvements now available to us. We are all concerned in securing increased welfare and that can be secured only by work and hard work at that.

Mr. May: And controlling profits.

The PREMIER: We are doing something about that.

Mr. May: It is about time too.

The PREMIER: Increased production by all is the only cure for inflation, and anyone who slackens his productive efforts only helps to hasten the day when the full evil of inflation will fall upon us, bringing misery and ruin to many. High profits and high wages are meaningless unless they bring with them a good standard of living, and good living standards are possible only if we provide goods and services in abundance so that purchasing power has real meaning.

Conclusion.

In conclusion, I wish to thank employees in industry for their efforts during the past year. If Australia as a whole had enjoyed a period of industrial peace and activity such as we in this State enjoyed during the year, many of its troubles would be well on the way to solution. We are also indebted to the Civil Service for its co-operation in carrying out the Government's policy. All members of the Service have worked hard during the year, many of them under crowded and uncomfortable conditions.

Mr. May: There is no doubt about that.

The PREMIER: When the building situation becomes easier the Government proposes to proceed with the erection of new Government offices.

Mr. Marshall: You can pull that lot down in Barrack-street for a start.

The PREMIER: I appreciate the attentive hearing that has been given to me by members, and I hope that I have given them the information they desire and a full understanding of the financial position that confronts us.

Mr. Marshall: We will definitely want that before we finish with you.

The PREMIER: I move the first division of the Estimates, namely—

Legislative Council, £3,454.

Progress reported.

[For Budget Tables see pages 1817-1846.]

BILL—POULTRY INDUSTRY (TRUST FUND).

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Brands Act Amendment Bill.

BILLS (3)—RETURNED.

1, Supply (No. 2), £3,700,000.

2, State Housing Act Amendment.
Without amendment.

3, Health Act Amendment.
With amendments.

BILL—MARRIAGE ACT AMENDMENT.

Council's Message.

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

BILL—REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT AMENDMENT.

Council's Message.

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

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth) [8.54] in moving the second reading said: The amendments proposed by the Bill are not of great import. Subsection 7 of Section 11 of the Friendly Societies Act, 1894-1946, sets out which societies may be registered and the objects for which they may be registered under the Act. The subsection provides for a maximum fee of 1s.—

Hon. J. B. Sleeman: That is an important amendment.

The ATTORNEY GENERAL: —to be charged for a copy of the rules. Friendly Societies usually give a free copy of their rules to new members but additional copies obtained by non-members are paid for. They have put forward a request that they should be entitled to charge a larger amount on account of increased printing charges.

Hon. J. B. Sleeman: Do they not give their members a rule book?

The ATTORNEY GENERAL: The alteration is made so that such amount as the Minister may approve can be charged. There is only one other small amendment proposed by this Bill. During 1946 a Bill was introduced which provided—

Mr. Marshall: Did you say the Friendly Societies asked for a measure of this kind?

The ATTORNEY GENERAL: Yes.

Mr. Marshall: A Bill like this might cause a revolution.

The ATTORNEY GENERAL: It was requested by them. After all, it is provided that they shall make available a copy of their rules. It is also provided that the maximum amount by which any member of a society may benefit is the sum of £500. That amendment was passed in 1946, but owing to some misunderstanding a further necessary amendment to Section 36 was neglected. The section also deals with the total amount by which any member may benefit from any society or societies. As the Act stands now it will be seen that no member of a registered friendly society or any branch thereof or any person claiming through a member shall be entitled to receive more than the rate of 60s. a week by way of periodical payment or more than £300 by way of a gross sum from any one or more societies or their branches. It is proposed by the Bill to alter the sum of £300 to £500. This had already been done so far as the former section was concerned and it is now proposed to alter Section 36 in a corresponding manner. I move—

That the Bill be now read a second time.

On motion by Mr. Smith, debate adjourned.

BILL—THE WEST AUSTRALIAN CLUB (PRIVATE).

Second Reading.

Debate resumed from the 12th October.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth) [8.59]: This Bill is a private one and is to enable the company known as the "West Australian Club" to clear up its legal position so that its administration may conform with the Companies Act and in order that it might legally carry on for the purpose of re-forming the organisation under the Associations Incorporation Act. This company must have been one of the first to be registered under the Act of 1893 because it was in that year that it obtained its registration. The Bill has been considered by a Select Committee and the committee has approved of the Bill without amendment. The report of the

Select Committee and the Bill itself have been considered by the Solicitor General, under any instructions, and he has reported that he sees no legal objection to the measure. Further, the Registrar of Companies considers it to be satisfactory from the administration point of view.

With one exception, I have no objection, either. The Bill provides that under certain conditions the property of the company shall be transferred to and vested in a new organisation to be incorporated under the Associations Incorporations Act without the payment of any advalorem duty that would otherwise have been payable on the transfer of assets from one corporate body to another. Under the Companies Act, in the case of reconstruction and sale of one company's assets to a new company, the Treasurer has power to remit the advalorem duty that would be payable and to charge such amount as he considers fit. In Committee I propose to move an amendment to provide that this transaction, while not bearing the full advalorem duty, will not be free of duty as suggested by the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; Mr. Needham in charge of the Bill.

Clause 1 to 3—agreed to.

Clause 4—Vesting of assets:

Mr. NEEDHAM: There is a misprint that I desire to have corrected. I move an amendment—

That in line 21 of Subclause (1) (b) the word "their" be struck out and the word "the" inserted in lieu.

Amendment put and passed.

The ATTORNEY GENERAL: Subclause (2) provides for the payment of such registration fees as would be payable if the application were an instrument of transfer, "but without payment of any stamp duty thereon." I move an amendment—

That in lines 8 and 9 of Subclause (2) the words "but without any stamp duty thereon" be struck out with a view to inserting other words.

If the words are struck out, I propose to move for the insertion of words that will permit of the Treasurer's charging such amount as he considers fit.

Mr. NEEDHAM: While I have no objection to the amendment, I consider there is no need for it. If it were a new company, the circumstances would be different, but this is merely a matter of reconstruction, and that is why the words were inserted.

Mr. MARSHALL: I agree with the member for Perth. If the club were transferring the ownership of land to another body, it should be liable to stamp duty, but here we have an old club without legal right to ownership, and I consider it would be unjust, after it had met its normal obligations, that it should pay an additional fee. Really the club is seeking legal sanction to continue its business.

Mr. LESLIE: I agree that, if there had been any act of omission or commission on the part of the Government, it would be morally bound to waive any claim, but the club, through its own action or inaction, finds itself in difficulties. Any private individual would have to pay fees to remedy the position.

Mr. Marshall: He would not.

Mr. LESLIE: Yes, he would. If an individual desires to correct a name, he has to pay a fee for any correction made on his behalf. If that is the case with a private individual, we have no right to absolve any collective body from the payment of fees.

Amendment (to strike out words) put and passed.

The ATTORNEY GENERAL: I move—

That the words "and payment of such portion (if any) of the advalorem stamp duty as the Treasurer may require" be inserted in lieu of the words struck out.

Amendment (to insert words) put and passed; the clause, as amended, agreed to.

Clause 5, Preamble, Title—agreed to.

Bill reported with amendments.

BILL—WESTERN AUSTRALIAN GOVERNMENT TRAMWAYS AND FERRIES.

Second Reading.

THE MINISTER FOR RAILWAYS
(Hon. H. S. Seward—Pingelly) [9.18] in moving the second reading said: This Bill will be found to differ very slightly from the one brought down last year, which passed the Assembly but was rejected by the Leg-

islative Council. The reason for its rejection was that a Royal Commission was sitting at the time inquiring into the railways; and though there was no mention of the tramways in the terms of reference of that Commission, the Council evidently thought that the Commission might make some recommendations relating to the tramways and therefore refused to accept the Bill.

At the elections in March, 1947, it was the policy of the parties now forming the Government that the control of the railways should be separated from that of the tramways, and this measure is to give effect to that. There is no good reason of which I know why those two departments should not be separated; in fact there is every reason why they should be. The railways apply to the greater part of the State, all but a small area in the North-West; whereas the tramways and ferries apply only to the metropolitan area. The problem facing the railways is to deal, comparatively speaking, with the transport of a small number of people and commodities over a large area; whereas the tramways and ferries have to deal with a large number of people in a small area. As the problems confronting both are different, it is considered that the two departments should be separated and each should have its own management. Hence the Bill provides for the setting up of separate management to control the tramways and ferries.

That authority will not have any jurisdiction over the privately-owned transport services in the city. They are, and will continue to be, under the jurisdiction of the Transport Board. An amending Bill is in course of preparation to clarify any doubts as to the authority of the Transport Board, particularly over Government services, an authority which has not been exercised in the past. Under the Bill to be introduced, the board will be given power to control all transport services. Some Government services have been instituted without the sanction of the Transport Board; and in some instances what has amounted to almost a duplication has occurred, which has meant a waste of fuel and has not been in the best interest of the people generally.

By giving the board the undoubted right to control all these transport activities, much more satisfactory results will be achieved. Such power should not be given to the

Tramway Department, because in that event it would be able to control its competitors, namely omnibuses. Nor should the power be given to the privately-owned systems. The only body logically to exercise such power is the Transport Board. As was indicated when we were considering these Bills last year, it is not intended to increase the size of the board. So we will have the Railway Department controlling the railways; the Tramways Department controlling the tramways and ferries; and the Transport Board co-ordinating and controlling all forms of transport.

If members will consult the present Government Tramways Act, they will find that it is practically the same as this Bill, with the exception of the provision for separate management. So there is no need to say much regarding the Bill, except to make reference to the change of management which is proposed. Introducing the measure last year, I gave particulars regarding the metropolitan passenger services. I do not intend to repeat what I said then. If any member wishes to read what was said, he will find the speech in the pages of "Hansard" of November last. It may be advisable, however, to make some reference to the present state of our tramway system.

It must be admitted that that system has not been kept up-to-date. The trams are old-fashioned and are slow and inconvenient, especially for ladies and elderly people. This inconvenience tends to slow them down in their journeys. Another factor which increases their slow running is the length of single tracks in existence. Altogether there are 18 miles of single track as against 17 miles of double track. I had brought home to me the disadvantage of that situation when talking to a friend recently. He came into the city on a single-track line. For some reason or other the tram on which he travelled had to make a non-stop run, and the trip was accomplished in 12 minutes; whereas it usually takes 25 minutes to half an hour, on account of trams being held up at loops to permit others to pass. If we are to keep up with the times, we must make a major alteration to our tramway system.

It will be as big an operation, comparatively speaking, as to bring the railway system to that state of efficiency which we desire. We would require to have new beds

laid down and heavier rails and a modern style of tram and so forth. To give members some idea of what that might mean, I would point out that it has been estimated by reliable authorities that to bring the permanent way of the tramway system to a satisfactory condition, an expenditure of £500,000 would be required during the next five years. When I tell members that the capital indebtedness is £1,251,000, they will see that that would be a very heavy expenditure. In addition, the expenditure last year on maintenance was £40,000, and the trams we have could not be replaced by those of a modern type for less than £7,500 each. As a matter of fact, the cost of overhauling one of our trams recently, to bring up-to-date, was £420. So it becomes a question whether we are going to persevere with the present system or institute a more up-to-date, faster and more comfortable means of transport.

Mr. Graham: The sooner the better.

The MINISTER FOR RAILWAYS: I know some people will refer to the Melbourne tramway system, which is a very excellent one; and we could have a similar system here if we could stand the expenditure. Then there are other forms of transport such as trolley-buses and omnibuses; and when giving consideration to the matter of what should be used on the new Causeway, the Government decided not to run trams there but to substitute omnibuses.

Hon. E. Nulsen: The Adelaide tramway system is the best in Australia.

The MINISTER FOR RAILWAYS: There are many fine systems. It is generally conceded by those in a position to speak authoritatively that large crowds can be moved by trams easier than by any other form of transport.

Mr. Marshall: Only for a short distance.

The MINISTER FOR RAILWAYS: Yes. In getting people away from football or cricket matches or race meetings where there are large numbers to shift over a short distance, it is surprising to think that a tram, which is confined to one particular route, can move them quicker than can omnibuses. But the fact remains that we have, relatively speaking, a small population; and on the question of whether we should install a new system of trams or inaugurate an omnibus system, it appears

as though the latter is preferable. Of course, there is this to be borne in mind; that omnibuses run on oil; and I think it would be very inadvisable were we to operate all our transport on the one fuel, because it can be readily realised that if war occurred and our oil supplies were cut off, our transport system would be immobilised. We are hoping in the near future to augment our trolley-bus system, which is capable of using our local fuel and which would be available if war broke out, which we must consider as a possibility, if not a probability. In that event we would not find the whole of our transport system useless for lack of oil. As I indicated, the only difference between this Bill and the Bill of last year, and in fact between this Bill and the Act, is the provision concerning the new management. The Bill proposes to appoint a general manager to control the tramways and ferries instead of their being administered by the Commissioner of Railways.

The Bill of last year provided for the appointment of a board of three, one to be a tramway man, one to be a representative of the passengers, and one to be a representative of the employees. That suggested provision was criticised, and I think with a fair amount of soundness, because it was proposed to have a board of five for the railways, a board of three for the tramways and ferries, and the Transport Board which is already composed of three members. That would mean 11 people to conduct the transport system of the State, which I think is an unduly large number. In view of the soundness of the criticism and the fact that the tramway system is not a very large one, provision is made for a general manager, who should be able to exercise proper control. The general manager will be in control of the tramway system, subject to the Minister. He will be appointed for a period of seven years, and will be a man who has a knowledge of the working, management and control of tramways, and his remuneration will be fixed by the Governor. He may be removed from office for certain reasons which are set out in the Bill, and will retire on attaining the age of 65 years.

Mr. Marshall: Why depart from the policy that you included in the railway Bill that the manager should remain there until he reaches the age of 65 years? It is inconsistent.

The MINISTER FOR RAILWAYS: Perhaps so, but it was considered that a seven-year appointment in this case would be sufficient, although I am not very particular about it.

Mr. Marshall: I would rather appoint a general manager and allow him to remain until he reaches the age of 65 than I would appoint a Commissioner of Railways and allow him to remain until he is 65.

The MINISTER FOR RAILWAYS: In the case of the Commissioner, we are looking for a very experienced man to take charge of our railways, and consequently it was not deemed advisable to limit the appointment to a period of years but rather that he should remain there until he reached the age of 65. However, the general manager of the tramways will be subject to the Minister, and the powers that he exercises will be under the control of the Minister and will come into force on a date to be proclaimed. On that day, the powers now exercised by the Commissioner of Railways, in connection with the tramways, will be passed over to the general manager of the trams and ferries. Of course, by virtue of the Bill, he will be in charge of the ferries as well as the tramways.

The Bill makes the usual provision for the fixing of fares and tolls and provides for the various penalties as laid down under the present Act. The same provision is made in the Bill, as regards the accounts, as is made in the railway Bill, and that is that the accounts will be under the control of the Auditor General, and will be drawn up in statements as laid down by the Minister and certified by the Auditor General, and then presented to Parliament in the usual way.

Mr. Marshall: You have made no provision in the Bill for the control of lights, such as is laid down in the railway Bill.

The MINISTER FOR RAILWAYS: Yes.

Mr. Marshall: I do not think so.

The MINISTER FOR RAILWAYS: The hon. member will find the Bill is practically the same as the Act stands at present with the exception of the change in management.

Mr. Marshall: I am not arguing.

The MINISTER FOR RAILWAYS: It is in the Bill. It also states that there shall be one form of punishment only for employees, and provides also for the appointment of an appeal board. I think members,

when they compare the two, will find that this Bill is practically word for word the same as the other, with the exception I have mentioned. I move—

That the Bill be now read a second time.

On motion by Mr. Marshall, debate adjourned.

BILL—WESTERN AUSTRALIAN MARINE.

In Committee.

Resumed from the 28th September. Mr. Perkins in the Chair; the Minister for Housing in charge of the Bill.

Clause 114—Rating A.B. (partly considered):

Hon. J. B. SLEEMAN: I move an amendment—

That in line 3 of Subclause (1) the word "three" be struck out with a view to inserting the word "two."

My object in moving the amendment is to insert the word "two" in lieu. A man who has served two years before the mast should be entitled to be classed as an A.B., and I do not know why it is desired to make it three years.

The MINISTER FOR HOUSING: I agree with the amendment. The reason why three years as the qualifying period for a seaman was inserted in the Bill was to make it consistent with the Commonwealth Navigation Act. However, in the regulation made under the National Security (Maritime Industry) Regulations by the Maritime Industry Commission, it is laid down, and I understand that is the law applicable at present, that an employee shall not be entitled to the rating of A.B., or able-bodied seaman, unless he has served at sea for at least two years before the mast, or as an apprentice, and is 18 years of age.

Amendment (to strike out word) put and passed.

Hon. J. B. SLEEMAN: I move—

That the word "two" be inserted in lieu of the word struck out.

Amendment (to insert word) put and passed.

Hon. J. B. SLEEMAN: I move an amendment—

That in line 4 of Subclause (1), after the word "mast," the words "or as an apprentice and is 18 years of age, but employment in limited coast-trade ships under 30 tons shall

only count as sea service up to the period of two years of that employment:" be struck out, with a view to inserting the words "plus an examination after that period to be held by a responsible person in the capital port of each State."

I understand that both employer and employee are desirous of this amendment so that a person who has served before the mast for two years but has not proved himself capable cannot be classed as an A.B. unless he sits for the examination and qualifies.

The MINISTER FOR HOUSING: I do not think this is a desirable amendment. I have made inquiries and am informed there is no such examination in practice or provided for anywhere. The amendment would then relate to something which might be the subject of some discussion in maritime circles but in respect of which there is no procedure or organisation existing at all. What I suggest to the Committee is that we should keep in line with the existing law as practised, bearing in mind our situation in this State, for certain very good reasons. One is that the maritime occupation of the seaman, or it may be a fireman, is one which entails his travelling from State to State. A seaman may be employed today in this State in coast-wise shipping and tomorrow on inter-State shipping, and where there is a uniformity of law and qualification it means that someone may transfer from one branch of shipping to another without difficulty and without meeting with obstacles. An amendment is required to Subclause (1) of this clause, namely, the elimination of the last three lines, because in view of the amendment moved by the member for Fremantle and accepted the last three words are now superfluous and in any case they should be taken out. But I would like to ensure that the first four lines of the subclause, after being amended in the way it has been in respect of the period of service, remain as they now appear in the Bill because by so remaining they will, I am advised, be in accordance with the existing law laid down by the Commonwealth Maritime Commission which applies in such a case. Paragraph (4) of the order of the Commission is as follows:—

An employee shall not be entitled to the rating of "able bodied seaman" unless he has served at sea for at least two years before the mast or as an apprentice and is 18 years of age.

The hon. member's amendment would take those words out, that is, "or as an apprentice and is 18 years of age." I think they should be retained because I am advised that they are desirable and conform to the existing law, and because uniformity is desirable in the interests of the seamen themselves. I hope, therefore, that the amendment will not be pressed. If the amendment should be rejected I might be in difficulty in deleting the last three lines of the subclause which, on account of the amendment already agreed to, now become redundant. The words I seek to strike out are in line 29 of Subclause (1) commencing from the word "but" and ending on the word "employment" in line 31. Perhaps the member for Fremantle would be prepared to accept the present wording which is in line with that laid down by the Maritime Commission, and if he did not press his amendment then I would be able to strike out the redundant words.

Hon. J. B. SLEEMAN: I can see there is going to be difficulty and whilst it is not very important so far as I am concerned, if the Committee declares that those lines which will prevent the Minister from striking out the words he seeks to delete shall stand, then I would rather withdraw my amendment. I therefore ask leave to withdraw it.

Amendment, by leave, withdrawn.

The MINISTER FOR HOUSING: I move an amendment—

That in Subclause (1) the following words be struck out:—"But employment in limited coast-trade ships under 30 tons shall only count as sea service up to the period of two years of that employment."

Amendment put and passed.

Hon. J. B. SLEEMAN: I move an amendment—

That in line 4 of Subclause (2) the word "seventeen" be struck out and the word "sixteen" inserted in lieu.

A lad may go to sea at the age of 15 and, after 12 months' service, should be entitled to be classed as an ordinary seaman.

The MINISTER FOR HOUSING: I have given notice of an amendment which, I suggest, will reasonably meet the hon. member's wishes. He desires to give an opportunity to a boy to qualify rather earlier than is provided for in the Bill. I propose to add

to the subclause the words "or with the approval of the Shipping Master if he is 16 years of age." This is in accordance with the order of the Commonwealth Maritime Commission, which provides that an employee shall not be entitled to the rating of an ordinary seaman unless he has served at sea for at least one year before the mast or as an apprentice and is 17 years of age. Up to that point the subclause is in line with the order of the Maritime Commission, but the order goes on to provide, "or with the approval of a Deputy Director of Navigation or a Superintendent of the Mercantile Marine if he is 16 years of age."

The appropriate officer in this State is the Shipping Master and, for the purpose of securing uniformity and facilitating the transfer of seamen from one service to another, we might prudently follow the wording of the Maritime Commission's order. This will afford reasonable opportunity to a lad such as the member for Fremantle desires. Some protection should be afforded to young boys going to sea. The Bill proposes an age of 17 and the hon. member desires to reduce it to 16, but my amendment would be sufficiently elastic to include a boy, in an appropriate case, even if he were only 16. I think my proposal would be more advantageous to a boy than to reduce the age to 16 irrespective of the boy concerned. The order of the Maritime Commission has been operating for five years and presumably has given satisfaction.

Hon. J. B. SLEEMAN: I still think it advisable to make the age 16. A lad is permitted to join the union at 15, and, after 12 months at sea, he should become an ordinary seaman. *

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

Ayes	16
Noes	19
<hr/>	
Majority against	3
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AYES.

Mr. Brady
Mr. Coverley
Mr. Fox
Mr. Graham
Mr. Hawke
Mr. Hoar
Mr. Kelly
Mr. Marshall

Mr. May
Mr. Needham
Mr. Nulsen
Mr. Shearn
Mr. Sleeman
Mr. Smith
Mr. Tonkin
Mr. Rodoreda

(Teller.)

NOMS.

Mr. Abbott	Mr. McLarty
Mr. Ackland	Mr. Murray
Mr. Bovell	Mr. Nalder
Mrs. Cardell-Oliver	Mr. Nimmo
Mr. Doney	Mr. North
Mr. Grayden	Mr. Seward
Mr. Hall	Mr. Watts
Mr. Leslie	Mr. Wild
Mr. Mann	Mr. Brand
Mr. McDonald	

(Teller.)

Amendment thus negatived.

The MINISTER FOR HOUSING: I move an amendment—

That at the end of Subclause (2) the following words be added:—"or with the approval of the Shipping Master is he is 16 years of age."

Hon. J. B. SLEEMAN: The amendment is better than we wanted, but the Minister's reason is hard to understand. A little while ago when we wanted an examination for an able-bodied seaman the Minister refused. Surely, if it is necessary to have an examination for a youth, it is equally necessary to have an examination for a seaman. However, it is no use fighting the amendment.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

That in line 2 of Subclause (3), after the word "fireman," the words "or oil burner" be inserted.

The amendment will make the subclause coincide exactly with the relevant provision in the Order of the Maritime Commission to which I have referred. The words "oil burner" have been included in view of the increasing use of oil-burning ships.

Hon. J. B. SLEEMAN: I understand that a ship propelled by steam will not accept an oil burner as a greaser. I hope the Committee will not agree to the amendment.

The MINISTER FOR HOUSING: The relative provision in the Order of the Commonwealth Maritime Commission is paragraph (4), subparagraph (c)—

An employee shall not be entitled to the rating of greaser unless he has served six months at sea as fireman or oil burner.

That was the authority on which I was proceeding and I do not think we will go far wrong in accepting it. Order No. 43 of the Maritime Commission is the law upon which the Commonwealth authorities act in Fremantle. In fact, I borrowed this copy of the Order from their office. However, I will look into the point raised by the mem-

ber for Fremantle and, if necessary, I will see that it is dealt with in another place.

Hon. J. B. SLEEMAN: On that understanding, I shall not oppose the amendment.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

That at the end of Subclause (4) the following words be added:—"and is 18 years of age."

That qualification has been taken from the Order of the Maritime Commission. It is considered that lads working in the stokeholds of ships should be of a minimum age of 18 years, as the conditions are onerous.

Hon. J. B. SLEEMAN: My information is that a lad cannot work in an engineroom or a stokehold until he is 20 years of age. Men who have been to sea and have had quite a lot of experience, as well as union officials, gave me this information.

The MINISTER FOR HOUSING: I suggest that the Committee agree to the amendment. After all, it is some protection. I will make further inquiries on the point, but my advice is that that is the law under which the Commonwealth authorities are operating today.

Mr. Fox: Does that conflict with the seamen's award?

The MINISTER FOR HOUSING: I believe not. I understand that awards made by the Federal Arbitration Court, which is the case with awards made for the Seamen's Union, are equivalent to laws and override these provisions; and if an award of the Seamen's Union is different from this Act from time to time, that award will be the ruling guide.

Hon. J. B. SLEEMAN: There is no need to have anything that conflicts with the award or the Navigation Act. This is a wartime measure that the Minister has introduced and such provisions may have been made to overcome difficulties of labour in ships at sea during the war. My definite information is that no-one is allowed to work in the stokehold or engine room until he is 20 so there is some conflict somewhere.

The MINISTER FOR HOUSING: There is some conflict, but I made inquiries about the suggestions of the hon. member, and the advice given me was that that law still operates, even though it was made by the

Commission in 1943. In general, this Act has followed the Commonwealth Navigation Act for the sake of uniformity of law, but the Commonwealth has not altered its Navigation Act for many years and, in view of the observations of the hon. member that in some respects the law has been changed more recently, I have incorporated in this Bill at all events what the Maritime Commission laid down by way of amendment and have done so because it is a minimum age. The idea of the measure is to provide the minimum standards in respect of seamen's conditions and treatment. If they get more by an award so much the better for them, but they cannot get less than is laid down here. However, I undertake to make inquiries and will see the hon. member about that aspect. In the meantime I think we might accept this amendment and provide a minimum age of 18.

Hon. J. B. SLEEMAN: Only two evenings ago I told the secretary of the Seamen's Union that the Minister had disputed the contention that no-one could serve in the stokehold or engine room before he was 21. The secretary of the Seamen's Union gave me his assurance that that was not correct, and that men must be 20 years of age. It is in the Navigation Act and the award.

The MINISTER FOR HOUSING: If it is in the award, it will override this Act; but I am told that the Deputy Director of Navigation at Fremantle has advised the Department of Harbours and Rivers that 18 years is the age that is applicable. I had that inquiry made expressly to assure myself how the position stood. I do not want our measure to be inconsistent with the law governing the other parts of Australia and governing interstate shipping. This is a law relating to coast-wise shipping, and the Commonwealth has informed the States that it regards uniformity of legislation in maritime matters as most desirable in the interests of seamen as well as of shipping generally. I do not want to have a different standard here from that obtaining in the rest of Australia. I suggest that we cannot do any harm by inserting this provision.

Hon. J. B. SLEEMAN: It seems to me that we are going to be dragged at the heels of the Commonwealth when it suits the Government. I am not prepared to accept that. When I discussed most of this Bill with officials, they told me it was in con-

formity with the Commonwealth provisions. Yet it deliberately provided for 5s. as against 14s. and 3s. as against 7s. 6d. If that is what is meant by conformity with the Commonwealth I say, "To hell with the Commonwealth! Let us get ahead of them and let them follow us." I am not prepared to break down the conditions or wages of people at sea in order to fall in line with some old Act of the Commonwealth. I know Captain Bolton, the Deputy Director of Navigation. He is a fine man, and he should be aware of the facts. But I am also acquainted with the secretary of the Seamen's Union, and he is another man who should know. I think he is correct and that in the information given to the Minister there has been a mistake. If it is a condition that the minimum age shall be 20, we should not insert 18 years of age here.

The MINISTER FOR HOUSING: To meet the hon. member's quite proper solicitude, I undertake that I will not have the Bill removed from this House until I have discussed the matter further with him after I have made inquiries. If necessary we can recommit the measure.

Hon. A. R. G. HAWKE: Quite apart from the point raised by the member for Fremantle, I would like to know from the Minister whether he is happy about the wording of the proposed amendment. I might be wrong, but I am inclined to think that the words he proposes to add will not achieve the purpose he seeks. Subclause (4) contains a double negative, to which the Minister is proposing to attach an affirmative. With the amendment attached, I think the subclause would read that no seaman shall be rated as a fireman who is 18 years of age. I feel it is necessary to add after "sea" the words "and who is not at least 18 years of age."

The MINISTER FOR HOUSING: The Acting Leader of the Opposition is quite right. If he would move an amendment to my amendment, I would be prepared to accept it.

Hon. A. R. G. Hawke: I do not want to do that, because I agree with the member for Fremantle; but I think the amendment should be worded differently.

The Minister for Education: What do you want moved?

The MINISTER FOR HOUSING: I think that after the word "is" in the amend-

ment the words "not less than" should be inserted.

Hon. A. R. G. Hawke: If the Minister withdrew the amendment altogether, the Minister for Education could move another one in lieu.

The MINISTER FOR HOUSING: I ask leave to withdraw the amendment.

The Minister for Education: If the amendment is withdrawn, can an amendment consisting of the same words, together with some additional ones, be moved?

The CHAIRMAN: If the amendment is withdrawn, the Minister can start again.

Amendment, by leave, withdrawn.

The MINISTER FOR HOUSING: I move an amendment—

That at the end of Subclause (4) the following words be added:—"and who is at least 18 years of age."

I shall examine the wording to see whether it can be improved.

Mr. Rodoreda: This is a comic opera way of going about things!

Mr. GRAHAM: The subclause will now read, "No seaman shall be rated as a fireman . . . who is at least 18 years of age."

The Minister for Housing: Would you move to insert the words "not less than?"

Mr. GRAHAM: In order to bring the amendment into conformity with what the Minister desires, I move—

That the amendment be amended by striking out the words "at least" and inserting in lieu the words "less than."

Amendment on amendment put and passed; amendment, as amended, agreed to.

Hon. J. B. SLEEMAN: Subclause (6) is unnecessary. We have already provided that an able seaman has to serve two years and an ordinary seaman 12 months. It would be an insult to any seaman to ask him if he could pull an oar or handle a boat. I move an amendment—

That Subclause (6) be struck out.

The MINISTER FOR HOUSING: This is taken from the Commonwealth Navigation Act. People who go to sea should, in their own interests, be able to handle an oar. If they are shipwrecked, they should be able to play their part. This is not vital to the

Bill, but it is a desirable protection to retain.

Amendment put and negatived.

Clause (as previously amended) put and passed.

Clause 115—Minimum age for employment at sea:

Hon. J. B. SLEEMAN: I hope the Minister will not tell me this clause comes from the Commonwealth Navigation Act, because if he does I shall ask him to tear the damned thing up.

The CHAIRMAN: Order! The hon member must not use unparliamentary language.

Hon. J. B. SLEEMAN: I move an amendment—

That in line 4 of Subclause (1) the word "fourteen" be struck out and the word "fifteen" inserted in lieu.

In this State, we have compulsory education. A lad is not allowed to leave school until he is 14, and he cannot go to sea until he is 15.

The Minister for Housing: I agree to the amendment.

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

Clauses 116 to 123—agreed to.

Clause 124—Running agreements:

The MINISTER FOR HOUSING: I move an amendment—

That in line 6 of paragraph (c) of Subclause (5) the words "of five shillings per day" be struck out and the words "prescribed by the appropriate industrial award" inserted in lieu.

The figure contained in paragraph (c) is that at present to be found in the Commonwealth Navigation Act, but I understand from the member for Fremantle that a larger sum is now fixed under the Federal Award. The terms of the Federal Award would override the provisions of any State measure and I therefore ask the Committee to agree to the amendment.

Hon. J. B. SLEEMAN: I am glad the Minister has agreed to move this amendment, as this is another instance of where he has followed the Commonwealth legislation. Members were told that the Bill would not apply where the conditions of the Seamen's Union operated, but only to outports where small ships were concerned, the crews of which did not belong to the union. In

such circumstances those men would require even more protection, lacking a powerful union to look after them.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

That in lines 3 and 4 of paragraph (d) of Subclause (5) the words "of three shillings per day" be struck out and the words "prescribed by the appropriate industrial award" inserted in lieu.

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

Clauses 125 to 168—agreed to.

Clause 169—Accommodation for seamen and apprentices:

Hon. J. B. SLEEMAN: I move an amendment—

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

I understand that this subparagraph is definitely not in accordance with the standards set by the Seamen's Union and the Australian Ship Building Board. Their standards should be the basis for all arrangements for accommodation. That would be satisfactory not only to the Seamen's Union but also to the owners as well, and would obviate any necessity for alterations after the vessel had been built as is the case on the "River" class vessels, "D" class vessels, "B" class vessels and "E" class vessels built by the A.S.B. and manned by members of the Seamen's Union. We had the spectacle the other day of the s.s. "Coramba," which had only recently left Fremantle, being laid up in dock in the Eastern States for necessary alterations to bring it into accord with the requirements of the Seamen's Union and the Australian Ship Building Board.

The MINISTER FOR HOUSING: The provision in the Bill to which the hon. member has referred is the same as that contained in the Commonwealth Navigation Act as that Act exists today, and it is important to remember that this is a minimum provision. I am advised that the provision is the minimum measurement on which the Commonwealth ship-building surveyors and officers are working. The Australian Shipbuilding Board is not a statutory authority and, in fact, it is not obliged by law to allow more than those measurements in building ships. It may, as any ship building firm may, enlarge those mini-

mum measurements, but as far as the law is concerned that is the minimum standard. The amendment proposed would, I think, be undesirable. Neither the board nor the Seamen's Union has any legal authority to set a standard. If a provision is made in an award by the Federal Arbitration Court affecting seamen, then that award applies whatever the Bill states. The Commonwealth has impressed the desirability of uniformity in the maritime laws of the different States, and that is the reason why there has been a confirmation in the Bill of the Commonwealth law. I therefore oppose the amendment.

Hon. J. B. SLEEMAN: The Minister's reasoning is that the Ship Building Board and the Seamen's Union have no legal force; they have more than legal force. What is the use of building a ship that the men will not man? Does the Minister want a recurrence of what happened with the "Coramba" and vessels of the "River" class? It appears to me that what I stated previously is borne out here, that the Bill is not going to be effective so far as the big interstate ships are concerned but is to be effective on the small boats trading in the outports where the men have no union to protect them and there cannot be an argument. Those are the people that want protection more than the members of the Seamen's Union because on the interstate ships the union will see that the men get a reasonable deal. If the Minister wants trouble then the Bill has only to be passed in its present form. I hope the Committee will agree to my amendment.

The MINISTER FOR HOUSING: The Bill has been brought down to protect the seamen and to safeguard their conditions. If the Bill goes then the hon. member will do them much disservice. His men will be worse off because they will be under the Merchant Shipping Act of England, which is a very old law. The hon. member knows something about the conditions which exist in oversea ships. I understand that there have been complaints regarding accommodation provided in them. For the time being, all I am concerned with today is to follow the Commonwealth regarding its minimum standard, but I do not think the Committee would be wise, without the advice of experts, to start setting up standards of its own. I do not know where we would end.

The Seamen's Union, the Employers' Federation or any other private body, have no authority to lay down the law. When the law is laid down by the Arbitration Court it will even over-ride the terms of this Bill if it becomes an Act, because the Arbitration Court award has the equivalent of the Federal law operating on the same subject-matter. I hope we shall not start this because I think the Bill will be in jeopardy. If we are to raise new standards regardless of other States and other countries we might find we have rendered a deep disservice to the seamen.

Hon. J. B. SLEEMAN: The Minister is very much a funny man tonight when he says the Bill is to protect seamen. It definitely reduces their accommodation and also reduces their rates of pay. I hope the Minister will not do anything that will cause industrial trouble, which is what he is heading for. The seamen are not prepared to accept anything in the way of accommodation except that laid down by the Shipbuilding Board. If the "River" class vessels are built to the standard the Minister is prescribing, they will all have to be laid up and re-fitted. I hope the standard set down by the Shipbuilding Board and the people who work the ships is not broken down.

The MINISTER FOR HOUSING: This provision is to safeguard standards. If any award is made that is applicable it will supersede the provision that sets down the minimum standard. In the meantime, a minimum standard only applies.

Hon. J. B. SLEEMAN: That is like the old tale that the Arbitration Court always sets a minimum standard but it inevitably becomes the maximum award. The Bill sets down a minimum and the people building the ships, especially in the far-flung ports, will say, "We will not go below the minimum," but there is nobody to say that they should get a little bit ahead of the minimum. We are thus going to make it uncomfortable for people who go down to the sea in ships. There was a time when seamen had to live in anything, but that is not the case today. If the Minister fights for this amendment and it is carried, then he is looking for trouble and he will be the cause of it. It will be no good his saying that I did not warn him. The seamen will be the last to allow their standards to be broken down.

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

Ayes	..	..	..	..	15
Noes	...	..	..	..	18

Majority against 3

AYES.

Mr. Coverley	Mr. Needham
Mr. Fox	Mr. Nulsen
Mr. Graham	Mr. Reynolds
Mr. Hawke	Mr. Shearn
Mr. Hoar	Mr. Sleeman
Mr. Kelly	Mr. Tonkin
Mr. Marshall	Mr. Rodoreda
Mr. May	(Teller.)

NOES.

Mr. Abbot	Mr. McLarty
Mr. Ackland	Mr. Murray
Mr. Bovell	Mr. Nalder
Mrs. Cardell-Oliver	Mr. Nimmo
Mr. Doney	Mr. Seward
Mr. Grayden	Mr. Watts
Mr. Leslie	Mr. Wild
Mr. Mann	Mr. Yates
Mr. McDonald	Mr. Brand
	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clauses 170 to 208—agreed to.

Clause 209—Presumption of jurisdiction:

Mr. MARSHALL: The clause provides that, if in any legal proceeding under the Act a question arises whether any ship or person is or is not within the provisions of the Act or some part thereof, the ship or person shall be taken to be within those provisions unless the contrary is proved. This is another instance of putting the onus of proof on the defendant. I do not know whether this appears in the original statute, but I should not be surprised to learn that it does not. This is becoming a most popular provision in modern legislation. I take strong exception to the principle which is rotten in the extreme because it is a direct negation of British justice and fair play.

I wonder how much more of it we are going to get from officials responsible for the drafting of Bills. They should make a study of English history and give better advice. We should take an emphatic stand against the adoption of such a provision. If the tendency is not checked, I do not know where we shall end. Why not provide that a man accused of theft shall prove his innocence instead of placing the onus of proof on the police? Presently we shall be dealing with another measure proposing the same principle. I shall vote against this form of legislation wherever I find it.

The MINISTER FOR HOUSING: If the Committee desires to delete the clause, I shall not feel greatly concerned. A similar provision appears in the Commonwealth Navigation Act.

Mr. Marshall: Do not be guided by the Commonwealth, for heaven's sake!

The MINISTER FOR HOUSING: I think the object is to enable the law to be enforced under conditions where the people on the ship alone would be able to say what had happened. If we delete the provision, it might be that a person who should be punished will go free.

Mr. Graham: Does it matter much whether the clause is included or not?

The MINISTER FOR HOUSING: I am not going to argue the point in view of the not unreasonable dislike of the member for Murchison to this type of clause.

Hon. J. B. SLEEMAN: We have fought against this principle whenever we have found it in our legislation. The former member for West Perth promised me that after the 1933 election he would go through all the Acts and have that provision struck out, but unfortunately for me and many other people, he did not come back.

Clause put and negatived.

Clauses 210 to 221, Schedules, Title—agreed to.

Bill reported with amendments.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington): I move—

That the House at its rising adjourn till Thursday, the 21st October.

Question put and passed.

House adjourned at 11.11 p.m.

Legislative Assembly.

Thursday, 21st October, 1948.

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

BOULDER ELECTORATE.

Seat Declared Vacant.

Mr. SPEAKER: I have received the certificate of the death of a member as follows:—

We, the undersigned, being two members of the Legislative Assembly, do hereby certify that Philip Collier, a member of the said House, serving for the Boulder District, died on the 18th day of October, 1948, and we give you this notice to the intent that you may issue a writ for the election of a member to supply the vacancy caused by the death of the said Philip Collier. Given under our hands this 21st day of October, 1948. (Signed) A. R. G. Hawke, Jas. Murray.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [4.34]: I move—

That the House resolves that owing to the death of the late Hon. Philip Collier, member for Boulder, the Boulder seat be declared vacant.

Question put and passed.