govern the State accordingly. They should be in a position to give effect to their policy without it being restricted, mutilated or rejected by one section of the Legislature not fully representative of the people as a whole. Reform in that direction is long overdue. A revolution in that respect took place in England where years ago the Reform Bill was passed, the effect of which was to take away from the House of Lords its power to reject Bills completely. If that system operated here, it would be more democratic.

For the members of the Legislative Council to accept the responsibility of rejecting measures that have been submitted to the people for their consideration and have been endorsed through the ballot-box, is truly reactionary. Certainly it is not democratic. We know that at present both the British and American Governments refuse recognition to the governments of certain European countries because those in authority are not fully representative of the people. The time will come when the Legislative Council will have to recognise the will of the people and submit to their expressed desires. The members of that Chamber will either have to reform themselves, or an appeal will have to be made elsewhere to effect an alteration in the conditions that now exist. I certainly hope the Government will devote serious consideration to these matters and, during the current session, submit the proposals I have mentioned to Parliament for endorsement. Should that action be taken, I hope the legislation will receive full support.

Question put and passed; the Address adopted.

BILLS (11)—FIRST READING.

1, Soil Conservation.
Introduced by the Minister for Lands (for the Premier).

2, Closer Settlement Act Amendment.
Introduced by the Minister for Lands.

3, Mine Workers' Relief (War Service) Act Amendment.

4, Mines Regulation Act Amendment.
Introduced by the Minister for Mines.

5, Electoral Act Amendment.

6, Constitution Acts Amendment (No. 1).

7, Constitution Acts Amendment (No. 2).
Introduced by the Premier (for the Minister for Justice).

8, National Fitness.
Introduced by the Minister for Lands (for the Minister for Education).

9, Government Employees (Promotions Appeal Board).

10, Motor Vehicle (Third Party Insurance) Act Amendment.

11, Rights in Water and Irrigation Act Amendment.
Introduced by the Premier (for the Minister for Works).

House adjourned at 9.32 p.m.

Legislative Assembly.

Tuesday, 4th September, 1945.

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

QUESTIONS.

TOBACCO.

(a) As to Price for Local Leaf.

Mr. McDONALD asked the Minister for Agriculture:

1, Is he aware that at a meeting of Manjimup tobacco growers last Friday week it was decided by 98 per cent. of the growers at the meeting that they would not grow tobacco any further unless guaranteed a price of 3s. per pound?

2, Is he aware that in 1942 at a conference attended by the Federal Minister for Agriculture, Mr. Scully, the Federal Prices Commissioner and representatives of the

growers and manufacturers it was decided to fix the price of local leaf at 3s. per pound?

3, As there are 160 growers at Manjimup and the cessation of production would mean a loss to the State and to tobacco stocks available for consumption by the people, will he state what steps he has taken to secure a reasonable price for the growers?

The MINISTER replied:

1, I am aware of Press notice of the meeting of tobacco growers held at Manjimup on the 24th August, at which it was decided not to grow more tobacco unless guaranteed a price of 3s. per pound. Our officer has subsequently discussed the question with various growers who are at present in Perth, and feels certain that due to the feeling of insecurity of returns and general dissatisfaction with returns received over the past two years, the majority of growers will not plant tobacco unless some guarantee of security is given.

2, At the conference in 1942 attended by the Federal Minister for Agriculture, Mr. Scully, the Federal Prices Commissioner and representatives of growers and manufacturers, a stabilised price of 3s. per pound was proposed. However, the final decision was that on account of the extreme quality variation in tobacco a price of 3s. per pound for an average crop should be arrived at by a percentage addition to the buying schedule.

3, Frequent requests have been submitted to Commonwealth authorities for an increased price to be paid growers for tobacco. This matter was placed by the Premier on the agenda for discussion at the meeting of the Agricultural Council held last week. As a result the following announcement was made by the Deputy Prime Minister (Mr. F. M. Forde):

(a) That approval had been given for a retrospective 10 per cent. increase to be paid on the 1943-44 crop.

(b) This increased price will apply also to the 1944-45 crop.

(c) That the price for the 1945-46 crop is being reviewed but would not be effectively less than that being paid for the 1944-45 crop.

(d) That the Appraisal Schedule is being examined with a view to correcting any anomalies.

(e) That other recommendations of the Australian Tobacco Leaf Investigation Committee will be placed before Cabinet at the next meeting.

(b) As to Drop in Production, Costs, etc.

Mr. HOAR asked the Minister for Agriculture:

1, Is the Government aware that the important tobacco industry of Western Australia faces extinction?

2, That the production of leaf has dropped from over 1,000,000 lbs. in 1943 to 460,000 lbs. in 1945?

3, That the growers cannot earn the basic wage under present prices and have resolved to cease growing tobacco unless a stabilised price of 3s. per lb. is guaranteed?

4, Has the State Government ever made an inquiry into labour conditions and costs which determine the standard of living of tobacco growers?

5, If not, will the Government cause such an inquiry to be made immediately with Parliamentary representation and advise the Commonwealth Government of its findings?

The MINISTER replied:

1, I am aware that most tobacco growers have been very dissatisfied with returns from tobacco over the past two years, and that the majority of growers have stated that they do not intend to plant this year unless assured of more stabilised returns.

2, I am aware that there was a serious reduction in acreage planted for tobacco last year. This followed the worst season the industry has experienced in this State. Drought reduced yield to approximately 500 lbs. saleable leaf per acre compared with the usual average crop of 700 to 800 lbs. per acre. Because of drought the leaf from this crop was of very poor quality, and the average return to growers was considerably below that obtained during the previous three years. This return was below the cost of production. A number of growers were unable to finance another crop even with the assistance offered by the State Government of short term loans of up to £30 per acre.

3, It is considered that growers require an average price approaching 3s. per lb., in order to earn the basic wage under pre-

sent conditions. However, if growers can produce crops equivalent to the average Western Australian yield, they would realise 3s. per lb. for such leaf on the basis of the present buying schedule prices and percentage increases that have been granted. During the past two years, however, seasonal conditions have prevented the harvesting of an average crop.

4 and 5, Whilst the State Government has not made an inquiry into labour conditions and costs which determine the standard of living of tobacco growers, the Department of Agriculture did collaborate with the Commonwealth Government in the investigations carried out towards the end of last year by the Australian Tobacco Production Investigation Committee. A grower from Western Australia was included on the investigation committee and a sub-committee visited Manjimup with a view to obtaining evidence from growers. The department also arranged for the officer in charge, tobacco industry, to submit evidence upon various aspects.

COMMONWEALTH EMPLOYMENT SERVICE.

As to Legality of Proposed Office.

Mr. DONEY asked the Premier:

1, Has he seen a report by the Deputy Director General of Manpower in "The West Australian" of the 23rd August, intimating that it is the intention of the Commonwealth Government to continue some of the operations of the Manpower Directorate as a "Commonwealth Employment Service," and, further on in the same report, a specific statement that a change is to be made to that title?

2, Whence came the instruction or the request to change the title?

3, On what ground does he justify compliance with the Commonwealth Government's intention to assume this obligation when such is *ultra vires* the Commonwealth Constitution?

The PREMIER replied:

1, Yes.

2, The decision to change the name to the Commonwealth Employment Service was made by the Commonwealth.

3, The obligation is not, in the opinion of the State Government, *ultra vires* the Commonwealth Constitution.

FRUIT AND VEGETABLES.

As to Committee's Report on Marketing.

Mr. HOLMAN asked the Minister for Agriculture:

1, Has he received the report of the findings of the committee appointed to inquire into matters affecting the marketing of fruit and vegetables?

2, If so, when will such findings be made available?

3, If not, when does he anticipate that such findings will be made available?

The MINISTER replied:

1, The report has been received and is being examined.

2 and 3, The Committee, to investigate certain aspects of the marketing of fruit and vegetables was appointed to supply information required by the Minister for Agriculture. Consideration is being given as to whether details of this report will be made available.

WATER SUPPLY.

As to Provision at Donnybrook.

Mr. HOLMAN asked the Minister for Water Supplies:

1, What progress has been made in connection with the survey for the proposed Donnybrook town water supply?

2, If the survey has been completed, when does he anticipate the work will commence?

3, Has the survey disclosed any source that will provide sufficient water for the town, including supplies for the Donnybrook factories and the Railway Department?

The MINISTER replied:

1, 2, and 3, Several sites for reservoirs have already been examined. The survey of two additional sites is proceeding.

WHEAT AND WOOL.

As to Oversea Disposal of Production.

Mr. McDONALD asked the Minister for Agriculture:

1, Is the State Government being consulted by the Commonwealth Government with reference to the future disposal oversea of the State's wheat and wool production?

2, If so, what is the present position with reference to these matters?

The MINISTER replied:

1, and 2, The Government is aware of general principles upon which the Commonwealth Government is endeavouring to arrange an international agreement for the marketing of wheat. Australia was represented at such international discussions as have taken place, and details will not be available until satisfactory agreement has been formulated. The efforts of the Commonwealth Government with the collaboration of the Wool Board and Producers' Organisation to arrange a scheme for the future marketing of wool were known by the Government. Details of the agreement, however, which was reached between Great Britain, Australia, New Zealand and South Africa were announced by the Acting Minister for Commerce and appeared in the Press yesterday and need not be again elaborated.

TRACTORS.

As to Shortage.

Mr. SEWARD asked the Minister for Works:

1, Is he aware (a) that a great shortage (to the extent of over 1,100) of tractors exists in this State; and (b) that owing to the number of new orders being received exceeding the releases such shortages are increasing?

2, Is it a fact that such shortages are occasioned through the deficiency in shipping space to bring the tractors from the Eastern States?

3, What steps, if any, have been taken to obtain more shipping in an effort to overtake the huge lag in supplies?

4, Is it a fact that the Army or the Allied Works Council still have prior claim to all tractors coming to this State?

5, If so, will he take steps to prove that such a claim is still justified, and if it is not, to make the required representations to have it removed?

6, Is the inability to procure wheel centres (from the Eastern States) one of the reasons that are delaying delivery of tractors in this State?

7, If so, and in view of the fact that wheel centres for Fordson tractors are being made in this State, will he endeavour to have wheel centres for other makes of tractors made in this State?

8, If not, why not?

The MINISTER replied:

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

2, Yes, deficiency in shipping is considered to be the principal reason.

3, Representations have been made to various authorities including the Controller of Agricultural Machinery.

4, and 5, No. Tractors allocated for agriculture are under the control of the Controller of Agriculture, while those allocated for industry are still under the control of the Allied Works Council.

6, Yes, so far as one leading machinery firm is concerned wheel centres are a big difficulty, but the position is gradually improving.

7, and 8, Yes, if the distributors of the equipment are prepared to place orders for same within the State.

EGG POWDER.

As to Waste by Services.

Mr. SEWARD asked the Minister for Agriculture:

1, Is he aware that Service personnel returning on leave state that egg powder is not relished by such personnel and as a result it is thrown out and not used?

2, If not, will he institute inquiries to ascertain if such statement is true, and if so, take up the matter with the Commonwealth authorities with a view to stopping such waste, and thereby enable our export of eggs to Great Britain to be increased?

The MINISTER replied:

1, and 2, The palatability of egg powder depends upon care in cooking. The quantity of Western Australian powder sold to Australian Services is only 10 per cent. of that manufactured. Labour in each State is the limiting factor in determining the quantity of eggs exported to Great Britain, and it will be necessary to continue drying in order to dispose of the greatly increased production of eggs during the present season.

RAILWAYS.

As to Boiler Repairs, Oil Fuel and Mileage Costs.

Mr. STYANTS asked the Minister for Railways:

1, What are the average comparative costs for boiler and tube repairs to PR and S class locomotives respectively for the first two years of service?

2, Are "all steel" boilers, tubes and tube plates considered to be a success in locomotives?

3, What is the estimated cost per locomotive of converting a firebox to burn oil instead of coal fuel?

4, Has oil fuel shown any greater tendency to damage tubes, tube plates and boilers than has coal fuel?

5, What is the average mileage cost per 100 tons of tractive effort for the three classes of suburban passenger engines Dm, Ds and N respectively?

6, What is the average mileage cost per 100 tons of tractive effort for P and PR class locomotives?

The MINISTER replied:

1, Boiler and tube repairs are not costed separately. Classified repairs to PR boilers for first two years averaged £99 each. No classified repairs have been done to S class boilers to date.

2, Yes.

3, No conversion of fireboxes is necessary. The estimated cost for manufacture and installation of special equipment is £150 per engine.

4, No.

5, DM 7.63 pence, DS 7.74 pence, N 15.37 pence.

6, P and PR classes are not recorded separately. Average cost for these classes is 6.83 pence.

SOUTH PERTH SCHOOLS.

Proposed Additional Buildings.

Mr. CROSS (without notice) asked the Minister for Education: In view of the requests and inspections made in connection with the provision of school facilities for the Campbell-street, Mabel-street and Hobbs-avenue area of South Perth, what action, if any, has the department or the Minister taken to provide a new school?

The MINISTER replied: The Government has approved of the acquisition of an area of land bounded by Throssel-street, Hobbs-avenue, Murray-street and Monash-street. It is anticipated that in the post-war period there will be a considerable expansion and development in this area which will necessitate additional school buildings. The block chosen has been selected because it is regarded as being ideally situated for the purpose.

BILLS (4)—FIRST READING.

1, Mining Act Amendment.
Introduced by the Minister for Mines.

2, Inspection of Scaffolding Act Amendment.
Introduced by the Minister for Works.

3, Builders' Registration Act Amendment.
Introduced by Mr. Watts.

4, Supreme Court Act Amendment.
Introduced by Mr. McDonald.

BILL—MINE WORKERS' RELIEF (WAR SERVICE) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison) [4.47] in moving the second reading said: This is a particularly small measure and applies only to those mine workers who have found themselves in an invidious position on account of wartime controls, especially in regard to the situation that prevailed in the mining industry contingent upon a respectable war effort by Western Australia. My predecessor introduced a measure to protect ex-miners who either found themselves called up, or voluntarily served or enlisted. The measure later covered those individuals who were drawn into the C.C.C. or the Allied Works Council, or who took up occupation in some munitions or other factory providing requisites of war. It was essential that that should be done on account of the law as it stood at the moment. When the Mine Workers' Relief Act came into existence in 1932, the provisions of the measure made it compulsory upon all individuals seeking admission to the industry to undergo a medical examination in order to ascertain whether or not they were suffering from any industrial disease for which compensation was payable. These industrial diseases will be found in the Third Schedule of the Workers' Compensation Act.

I want especially to mention that simple T.B. was not at the time, and still is not, accepted as an industrial disease. Therefore provision was made in that Act so that a sufferer from simple T.B. would not be denied compensation because of the fact that it was not an industrial disease. Provision was made for such a person to be

compensated from the funds of the Mine Workers' Relief Board. We extended protection to those who found themselves taken from the mining industry, and yet were not actively engaged in the fighting units of the nation. It was found necessary to do so because, according to our law, any miner who absents himself from the industry for a period of two years or longer must, if he seeks re-admission to the industry, pass an examination to prove that he is physically fit, notwithstanding that he had previously worked in the industry. Members, therefore, will readily see that many men who did not find opportunities to go into the fighting units, or who were not taken into them but who were compelled, in some instances and who volunteered in others, to give their services in the various constructional and other works carried on in the war effort, have been out of the industry beyond the period allowed by the Act.

My predecessor covered these people by virtue of an amendment to the Mine Workers' Relief Act, which is known as the Mine Workers' Relief (War Service) Act. But that measure made no provision for these ex-miners to have the right to compensation in the event of their contracting an industrial disease and one recognised as a compensable disease in strict adherence to the Third Schedule of the Workers' Compensation Act. We would be doing an injustice to a large section of ex-miners, therefore, if we did not make some provision for them in this regard, just as we protected their rights for re-admission to the industry by making their last certificate legal and acceptable, under the Act, for the whole period during which they were out of the industry. Many of these men could easily find themselves in the invidious position of having contracted one of the diseases mentioned in the Third Schedule since they were last examined by the legal unit for such purpose, known as the Kalgoorlie Laboratory and situated at Kalgoorlie.

Men who were interned will qualify if this Bill becomes law; they will not be denied their compensation. There was also a small section of ex-miners who were of no use, as fighting men, to the Army, but were valuable when it came to constructional and other types of work directed towards an eager war effort. These miners found themselves adrift, so to speak. But along with many other miners they had worked for lengthy periods in the goldmining industry. Unless this Bill becomes law none of these men will qualify for the benefits under the Act, notwithstanding that they have probably served a very lengthy period in the goldmining industry. The provisions of the Bill have no other purposes than those I have enumerated. I propose to put an amendment on the notice paper in regard to the Bill. I want to impress on members that we can be positively sure that when many of these miners seek re-admission it will be found that they are affected to such an extent as to qualify them for compensation. In that case, if this measure becomes law, they will be able, legally, to claim all that is lawful under the various Acts controlling compensation for miners, just as if they had never absented themselves from the industry.

The greatest difficulty in this measure has been in the case of a disease such as simple T.B. and I shall be putting my amendment on the notice paper to overcome it. Simple T.B. is not recognised as an industrial disease, and therefore does not appear as a compensable disease in the Third Schedule of the Workers' Compensation Act. Any ex-miner, therefore, who has been out of the industry for more than the allotted span of two years, and who has failed to be medically examined within the specified time, will be debarred entirely from any benefits. Tuberculosis, unfortunately, can be picked up almost anywhere; hence it is that it is not accepted as an industrial disease. No provision is made in this measure to ensure that an ex-miner who is discovered, on examination for re-admission, to be suffering from simple T.B., is relieved of the onus of proving that he had contracted the complaint while engaged as a mine worker within the meaning of the Act. Now, that would be particularly drastic and I want members to understand that I shall be bringing my amendment forward to overcome that difficulty.

My amendment will provide that it will only be necessary for any particular ex-miner, who finds himself suffering from simple T.B.—and I hope none do—to secure a medical certificate to say that when he left the industry he was suffering from

the disease, which would debar him from re-admission and from compensation. Those are the contents of the measure. All it purports to do is to provide these men, who have been obliged to leave the industry through factors over which they have no control, with the right to compensation in the ordinary way, to which any miner or ex-miner would have been entitled had he remained in the industry. There is nothing more in the measure and I do not think members will have any justification for complaining of what we are doing in this regard. I move—

That the Bill be now read a second time.

On motion by Hon. N. Keenan, debate adjourned.

BILL—MINES REGULATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison) [5.2] in moving the second reading said: This Bill on its face value, appears to be very unimportant. It is for the purpose of giving authority to the Minister for Mines, when he thinks fit and proper, by regulation to compel goldmining companies to instal what is now known as aluminium therapy. This is a form of treatment for the prevention of that disease, particularly dreaded by goldminers, known as silicosis. It is a comparatively new treatment, though a great deal of research work and experiment have been carried on, particularly in Canada, and in America. It is strange to relate that, although silicosis was well known to medical science, not much interest was taken in an endeavour to prevent it, until compensation was introduced into Canada, having for its purpose the compensating of miners who suffered from silicosis. Seemingly the burden was becoming great upon industry, and the goldmining industry of Canada immediately became vitally interested in this complaint. A move was then made, being started by a goldmining company known as the Porcupine Gold Mines of Canada, the general manager of which was named McIntyre. Mr. McIntyre organised the goldmining industry of Canada with a view to creating a fund for the purpose of having this complaint scientifically investigated, to ascertain whether anything could be done to cure, relieve or prevent it.

Much preliminary work was done, and the work has been carried on from about 1926 or 1927. Before dealing further with that aspect of this Bill, I wish to state that this treatment has been patented. The discoverers of the treatment think so much of it as a positive preventative of silicosis that they have patented the use of it and, what is more, they have gone so far as making it a condition—if we propose to use it—that they shall, to a degree, have control over its use. In Australia there is no trouble whatever regarding the mechanisation which is essential for the use of this treatment. It is a very simple process indeed and I am given to understand, by experts in Australia, that the aluminium dust which plays a prominent part in this treatment is in Australia in abundance, and of a quality pure enough to qualify under the conditions set down by this firm, which calls itself McIntyre Research, Limited, and which has the patent rights for the installation of this treatment. So far as that is concerned, we have no obstructions in Australia, and can get over the difficulties quite easily.

As the theory and treatment are practically new, other than to Goldfields members who take an interest in the matter and who, like myself, are personally concerned in a proposition such as appears to be possible with the application of this treatment, it might be as well that I tell the House what it all means. This theory has revolutionised my idea of the action of silica dust on the human lung. I held an entirely different view of the effects of silica on the lung. I believed it was an excess of silica dust on the lung which irritated it and brought about the disease known as silicosis. Briefly, the position is that these scientists made some important discoveries relating to silica dust, not only in its action on the human lung, but as it affects animal life, and it was on that basis that the scientists first commenced to operate. The scientists concerned in this research were Drs. Denny, Robson and Irwin. It was Dr. Irwin who discovered that, when an excess of silica reached the lungs —even in animal life—the silica particles dissolved and set up a form of poisoning. From those premises these scientists worked and, fortunately for humanity, their perserverance resulted in the discovery of how to control this form of poisoning, or how to prevent silica particles from dissolving within the body, either animal or human.

That is the problem which they now emphatically declare they have solved. I frankly admit that the scientists do not say that this is a cure for silicosis, but from information in my possession I can say definitely that it is a preventative and that in the future no man need fear working in silica dust if he is willing to undergo this treatment. In order to give members a clear conception of the effect of silica, it can be described in this way: The lung is understood by all of us in a rough or crude manner and is described by medical scientists as being like a tree upside down, which, too, is well known to us. They show that there are air tubes leading from the nostrils and the mouth to air sacs in the lung. There are little cells all around and through them, which are covered with fur-like matter, which constantly moves upwards, forcing all material objectionable to the lung up to the mouth, where it is either expectorated or swallowed. This method applies to silica dust which is constantly working back as the miner swallows it. Unfortunately, some of our mines are altogether too dusty, and this first line of defence for the lungs fails to accomplish the object for which nature has provided it.

What actually happens is that these particles of silica that succeed in passing the first line of defence and enter the air sac within the lungs, are there dissolved and set up a form of liquid poisoning. Preceding that stage, inside the air sac of the lung itself there are little cells constantly at work grabbing all impurities that pass the first line of defence—the throat—and working them back into the air tubes where most of the fur-like matter keeps working them back to the mouth. Unfortunately for the miner, when these particles of silica get into the air sac they dissolve too quickly, with the result that the little cells are killed. In order to overcome that difficulty, nature provides other little cells in the air sacs with a view to assisting the injured cells, but finally they all become injured. Nature has been endeavouring to get over this difficulty by covering over all injured cells with what is known to medical scientists as "tissue scars." As the miner keeps inhaling dust, groups upon groups of injured cells are scarred over and sealed off as it were.

Ultimately we reach the stage where the doctor has to declare the victim to be suffering from silicosis, early or advanced, according to the particular state of the lung. This form of poisoning, besides killing the cells, builds up an impervious wall all around the air sac within the lung and this prevents the oxygen that the miner breathes from going through the wall of the air sacs into the blood vessels, and from them through the whole of the human body. This has the effect of preventing the blood vessels from distributing the oxygen through the multiplicity of cells that go towards making up the human anatomy. It is at that stage that the miner finds it difficult to breathe or, as he says, "difficult to get his wind." As time goes on and more and more of the cells are destroyed so that the miner is, as he says, "short of wind," which is due to the fact that the oxygen cannot percolate through the system, he becomes a physical wreck. In arriving at their discoveries scientists first tried out the process on large bovine stock. They found that an ordinary bullock inhales silica in certain countries, with the result that the animal's health is affected and his physical structure is ruined.

The Minister for Lands: That is what they refer to as "shifting dirt underneath the bullock," is it not?

The MINISTER FOR MINES: Yes. The scientists discovered that aluminium dust, if inhaled in sufficient quantities and if the particles are no greater in size than the silica particles the miner has already swallowed, gave remarkable results. As a matter of fact, the aluminium dust particles must not be more than five microns in diameter, which means that the particles are not visible to the naked eye and can be seen only with the aid of a microscope. It was discovered that if sufficient purified aluminium dust were inhaled by an animal—they tried it out on bullocks, on rabbits, and on many other animals; they continued their research processes by experimenting on animals prior to trying it out on human beings—it had the effect of coating over the silica that had previously been inhaled and thus prevented it from dissolving, with the result that the poisonous effects of the dissolved silica were not apparent. The most important effect is that the little cells operating in the lung itself can take hold of the particles and push them through into the air tubes in the ordinary way so that they can rise to the mouth and be spat out or swallowed.

Having briefly outlined what these scientists claim to have established as facts, I will give the House details of some of the results of their experiments. Before they accepted the responsibility of trying out their theories on miners or human beings generally, knowing that aluminium dust would perform the functions they had been for so long endeavouring to carry out, they went into factories where aluminium dust was prevalent in large quantities. They took a certain number of the workers from those factories, and continued their research with them in order to establish, and be positively sure, that it did not matter what quantity of aluminium dust was swallowed, the effect would not be injurious. The scientists, having continued along these lines of research for some years and satisfied themselves that the quantity of aluminium dust inhaled would in no way cause injury, started to apply their discovery to men who had been working in industry where they were exposed to silica dust. The figures submitted, I am pleased to say, are a revelation. I repeat that this treatment is not offered as a definite cure.

There is no remedy for a lung that has been injured by inhaling silica dust. Fortunately for humans, however, the lung, like other organs of the body, has a margin of power and the fact that a small portion of a lung is destroyed does not interfere with the longevity of the individual so handicapped. In not one case amongst all the experiments where men were exposed to the dust did silicosis advance from the stage it had reached when treatment was begun. It was discovered that in a percentage of cases men who were suffering acutely from silicosis—what we term silicosis advanced—were built up physically by the treatment. They became less susceptible to colds, improved physically, increased in weight and enjoyed better health than they had done previously.

The scientists of McIntyre Research, Ltd. were not prepared to rest on the results of their investigations, and so they sent details of the treatment to America and England for scientists there to test, and in all the documents at my disposal, I have not found one instance where the treatment was not a huge success. This does not mean that a miner may be exposed with impunity to unlimited quantities of silica dust, but it does mean that in goldmines and other places where silica dust occurs, the dust must be kept down to a minimum by means of ventilation to ensure a pure air supply underground. From my study of the treatment, I am satisfied that no person need fear inhaling aluminium dust; he may inhale any quantity of it and be guaranteed that it will not affect his health. I emphasise that miners must understand that this treatment is a preventive, not a cure. Miners now suffering acutely from silicosis may have the disease arrested and held indefinitely.

Those in charge of the company are very exacting in the terms of the agreement sent out for our perusal. They will not allow the apparatus to be installed haphazardly or in any old-fashioned way that might suit a particular mine. It must be installed in accordance with the conditions laid down by them. They must be assured that everything done is in conformity with the agreement, and I do not blame them for that. If one company did not instal the machine correctly or apply the aluminium dust correctly, though no harm would result to the miner if it did not have the expected effect, great injury might be done to public confidence in the discovery. Consequently, those in charge of the company take precautions, so much so that if they consider it necessary for one of their representatives to come to Australia to supervise the installation, he must come at our expense. They speak large in America. Travelling expenses have to be paid, plus 50 dollars per day while travelling and 100 dollars per day while on the job. That is their price.

The Minister for Works: What is the name of the firm?

The MINISTER FOR MINES: McIntyre Research, Ltd.

Mr. Mann: It should be Isaacson.

The MINISTER FOR MINES: I am not imputing anything; the company might be quite liberal. Those in charge, however, are very cautious, and I do not blame them for it. This Bill merely provides that if the Minister deems it opportune to bring a mine under the measure, he may formulate a regulation to compel the mining company to instal a plant, but there will be no compulsion upon a miner to accept the treatment, though he would be awfully foolish if he refused to do so. The process con-

sists in spraying aluminium dust in the rooms where the men change their clothes before going underground. The change-room, under the conditions laid down, must be kept clean. Thank goodness most of our mining companies attend to that. The dust may be sprayed by the use of compressed air provided it is purified and free from oil or moisture. We can ensure the purity of the compressed air.

The necessary mechanism is very simple. They ask that we spray the aluminium dust in given quantities. I think the proportion is one gramme of aluminium dust to every 1,000 cubic feet of air space under the roof. It is desired that this should be done for ten minutes on each working day. The miners are then asked to breathe deeply whilst they are changing to go underground and then, in order that they shall derive the benefits which the treatment purports to give, they are also advised to breathe while they are in the atmosphere of aluminium dust through the mouth by means of deep breathing, and when underground never to breathe in any other way than through the nostrils which are the natural filters of the body and will retard the inhalation of silica dust in any big quantities. That is the theory. The Bill purports to make it possible for the Minister by regulation to instal the apparatus. We are not going to rush things, but I should like the miners to understand thoroughly what a great opportunity they will be losing if they hesitate to accept this one.

None of those who have had a long experience in goldmining yet understand how costly the industry has been in human life in order to keep our goldmines going. There are no figures to show how many men have lost their lives through this dreaded complaint. The member for Nedlands, who is older than I am and was earlier on the goldfields than I was, will know of numbers of young men who went there, worked there for a few years, left, and died at an early age. They drifted away from the fields and we know not where they went, though it is safe to say that after the dusting they had they died an early death.

Mr. Styants: You should see the tombstones that have been erected in the districts that were opened early.

The MINISTER FOR MINES: Yes. Thousands went away from the goldfields but we had no check upon them and do not know what became of them. I do know of numbers of foreigners who looked healthy enough when they left to return to their own country, but who died in a few years as a result of the disease they contracted in the industry. It is impossible to calculate what the industry has cost in human life. Notwithstanding the confidence I have in this treatment, I propose to make haste slowly. All the Bill does is to give the Minister for Mines power by regulation to instal the apparatus that will give effect to the theory, when and where he thinks the occasion warrants. I cannot give members any more information on that point, or concerning the theory implied in the measure. I hope the Bill will have a safe passage through Parliament, because of the humanitarian aspects which are contained in it. I move—

That the Bill be now read a second time.

On motion by Mr. Mann, debate adjourned.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD).

Second Reading.

THE MINISTER FOR WORKS (Hon. A. R. G. Hawke—Northam) [5.34] in moving the second reading said: The proposals in this Bill are very much the same as those which were contained in a similar measure considered and approved in this House last year. That Bill went to the Legislative Council very late in the session, and consequently did not receive very much consideration. Indeed, it was rejected. In the second reading speech that I made last year in connection with the measure I presented to the House very fully many of the reasons which influenced the Government in deciding to bring the legislation down to Parliament. It seems to me, therefore, that it is not necessary on this occasion fully to present all those reasons and the arguments associated with them. It can be said that almost every organisation which contains members employed by the Government has at some period or other made a request to the Government for the introduction of legislation of this kind. Under existing conditions no section of Government employees has a legal right of appeal which is really effective or actually satisfactory. Some sections have a right of appeal without any appeal being decided in a manner which is

fully effective from the legal point of view. Other sections have a fully legal right of appeal, but the manner in which the appeals are decided leaves much room for criticism.

In some of those cases the appeal is usually from Caesar to Caesar, to use an expression which is frequently employed and widely understood. In connection with most Government employees there is no right of appeal at all against promotions. Over the years a considerable amount of dissatisfaction has developed because of the lack of an effective, legal, and satisfactory right of appeal. Not all of the dissatisfaction has been justified, not every person who thought he should have been promoted when someone else was promoted has been justified in his opinion that he was the better man. But because there was no legally established satisfactory method of hearing an appeal for that person he continued to remain dissatisfied, and as time went on in many instances he became even more dissatisfied. In other cases those who thought they should have been promoted but were passed over had good ground for their dissatisfaction. Thus, there has been an accumulation of dissatisfaction in connection with this matter.

Each one of us knows how dissatisfaction can grow, just what bad results it can have, not only in connection with the person actually dissatisfied, but to some extent with many of those around him, with many of those with whom he comes into contact from time to time. The dissatisfaction has often developed into grievances, and the grievances have been well nursed until they have developed very strongly and the persons concerned have actually become, in the departments or sections of the Government service in which they are employed, more or less a menace to the smooth and easy working of the activities being there carried on. We all have a very good idea of the many factors which might come into play in the making of a promotion under ordinary conditions. We might agree, too, that generally speaking the great majority of promotions are well based and well made. Similarly, we might all agree that some promotions are neither well made nor well based.

There is no need for me to indicate today in detail the influences which can, and to some extent do, operate to the detriment of the man best qualified for promotion or for appointment to a vacant position. Unfortunately, at times influences do operate which should not operate, and when those occasions arise the best man for the position is not always promoted or appointed to it. When such occasions do arise, they provide fuel for the dissatisfaction of employees who feel that they have been unjustly treated. As a result, the dissatisfaction grows, and grievances become multiplied and greater in extent, so that constantly in various sections of the Government service, both among salaried and wages employees, there is a disturbing influence which has a detrimental effect upon the efficiency of the service to the Government and, through the Government, to the public.

Another important factor which sometimes operates to the detriment of some employees and to the benefit of others is that some men, by virtue of their positions, are always under the eye and the attention of the officer who is responsible for recommending an appointment or a promotion. It stands to reason that where men are employed close to the head of a department they have a better opportunity to impress him with their ability, their conscientious service and their all-round suitability for the promotion or for a new post which might be created. Other employees far removed from the head of the department have not that opportunity. So there is established a situation in which it is easily possible for men equally qualified, equally conscientious and equally well suited in a general all-round way, to be overlooked because of the fact that they are employed in positions where they are not seen at all by the head of the department except, perhaps, on odd occasions and for short periods.

The Bill proposes to set up an appeal board to which those who apply for a new position or for promotion will have the right of appeal if their applications are not successful. It is not suggested for a second that the appeal board will give satisfaction to every appellant. The members of the appeal board will be human beings; they might be somewhat above the average in judgment, ability to sift evidence and capacity to study and decide the qualifications of appellants who will appear before them from time to time.

Mr. Doney: Is the personnel of the board the same as that proposed in the Bill of last year?

The MINISTER FOR WORKS: Yes, but nevertheless the personnel of the appeal board will not, as I suggested a while ago, be able to give complete satisfaction. Every person who goes before the board will, however, have an opportunity to present his case, submit his arguments and advance reasons why he, instead of the person proposed to be promoted, should be the one to be promoted. Having had that opportunity, and having had his appeal decided against him by the board possibly he will not feel the same dissatisfaction as he would have felt had he had no opportunity to appeal, which is his position now and has been during all past years.

Another advantage to be derived from the setting up of an appeal board of this description will be the fact that the recommending authority will be exceptionally careful to make the best appointment possible in the circumstances. In other words, if the person recommending a particular promotion knows that his recommendation is subject to appeal by those not recommended for promotion, he will probably give much more consideration and attention to his duty than he had previously been in the habit of doing. Naturally, he will be anxious that his recommendation will not be upset by the appeal board; because if many unfavourable decisions are made by the board against his recommendations it will be an indication to all concerned that his own judgment in making recommendaitons for appointments has not been sound or well based. It might be said that the establishment of a tribunal of this kind will lead to the lodgment of no end of appeals. I do not think that will be so. It may be the case in the early stages of the board's existence, but after some experience I think it will be found that an appellant must have a solid case in order to win his appeal.

After some practical experience of the working of the board, I think it will be found that only those officers who have a sound case will trouble to prepare and present it, either personally or through an agent, to the appeal board. A system similar to that set out in the Bill has been operating in the State of Queensland for many years. I told the House last year that the Government had written to the Minister for Labour in Queensland and asked him to give us his views of the practice and operation of the system in Queensland. He replied stating that the system there had given general satisfaction and had the approval of all parties concerned, including the Government, the heads of the various departments, the Public Service Commissioner, and the organisations representing the various classes of men and women employed in a permanent capacity by the Government of Queensland.

Mr. Doney: Is that the only Government with comparable legislation?

The MINISTER FOR WORKS: Yes.

Mr. J. Hegney: It is the most advanced Government.

The MINISTER FOR WORKS: This Bill, in common with the Bill brought down last year, provides that the right of appeal shall be given only to men and women employed in a permanent capacity by the Government. I come now to a brief explanation of its main clauses. "Department" is defined in a way that provides that each department or separate branch of a department shall be regarded as a distinct department in itself.

The present practice, as members may be aware, is for all the departments under the one Minister to be grouped together, with the result that employees within those departments have a better right to and a better standing for promotion to any position within those departments than have persons employed in other departments. I think members will immediately see the weakness of a system of that kind, because the grouping of departments under one Minister is more or less accidental. For instance, a few weeks ago the Department of Labour was under my administration. Today, it is under the administration of the Hon. A. H. Panton. So changes that are made in the allocation of departments can have quite an important influence upon the promotion of the employees of the departments. A few weeks ago, the employees in the Department of Labour would have had some priority in regard to promotions within the Public Works Department, because those departments at that time were under my administration. Today, because they are under a different Minister, the employees of the Department of Labour would have no prior right in regard to promotion in connection with positions in the Public

Works Department. It is proposed to overcome that weakness by the definition of "department" contained in this Bill.

The term "employee" is defined to mean any person employed in a permanent capacity and required to give his whole time to the duties he is called upon to carry out. Appeals are prohibited in regard to any officer whose maximum rate of salary is higher than £750 per annum. Provision is made that basic wage allowances, district allowances, and similar allowances are not to be included in the calculation as to the maximum rate of salary which any person is entitled to receive. No employee who has reached the compulsory retiring age of 65 years but who has been continued in the employment of the Government is to have the right of appeal in regard to any position. It might be said that where employees are in receipt of a salary exceeding £750 per annum, the right of appeal would be made available to them if the Governor-in-Council were to declare that such right of appeal should be available in any particular case.

Mr. Leslie: Is there any greater degree of discontent on the part of those in the higher salary group than on the part of those lower down in the scale?

The MINISTER FOR WORKS: I think the degree of discontent is about equal.

Mr. Leslie: I meant numerically.

Mr. Doney: I should think there would be a great deal more in the case of men on higher salaries.

The MINISTER FOR WORKS: The method of procedure covering the calling of applications for vacancies or new offices, the making of a recommendation for appointment by the authority concerned, and the notification of all applicants for the position of the recommendation made, is clearly set down in the Bill. The appeal board is to consist of a stipendiary or police or resident magistrate as chairman, a person appointed by the Governor to act as representative of the authority that recommended the promotion, and an employees' representative. In most cases, the employees' representative will be appointed by the organisation concerned. If, however, for any reason the organisation concerned does not appoint a representative to the Appeal Board, the employee appellant may appoint his own representative. The Civil Service Association is to be represented on the appeal board by the association's representative on the Public Service Appeal Board. This applies also to school teachers. The board is given the right to determine where appeals shall be heard. It is also given the power to appoint a competent person or persons to take evidence on oath in any remote locality to obviate the considerable inconvenience and expense that would otherwise be involved in sending the whole board to some remote part of the State for the purpose of taking evidence.

The board is given authority to grant the payment of reasonable expenses to any appellant considered to have had good grounds for lodging and proceeding with an appeal. The only grounds on which appeals are capable of being lodged with the board are (1) superior efficiency, or (2) equal efficiency and seniority to the employee promoted. Returned soldier applicants for promotion, and returned soldier appellants against promotion are to be credited with the efficiency which it is considered they would have attained but for their absence on war service. The definition of seniority is clearly set out in the Bill, and it is the same as that contained in the Bill introduced last year. Provision is made for the summary dismissal of any appeal that the board may consider to be frivolous, unreasonable, or vexatious. In any such case, the board is given power to inflict a fine upon the appellant of a sum not exceeding £5.

The right is given to any appellant and also to the authority whose decision is being appealed against, to be represented by an agent at the hearing of the appeal. The Bill provides that any such agent shall not be a solicitor. The board's decision in every case is to be final, and there is no other action by way of appeal that can be taken against a decision once it has been made by the board. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—NATIONAL FITNESS.

Message.

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

Second Reading.

THE MINISTER FOR EDUCATION (Hon. J. T. Tonkin—North-East Fremantle) [5.57] in moving the second reading said: Australia followed the admirable lead taken in Great Britain many years ago by passing legislation making it possible to give grants to the States for the purpose of developing national fitness. The National Fitness Act was passed, and under that legislation the Commonwealth regularly made annual grants to the various States to enable them to carry out the development of national fitness work. This work is designed first of all to encourage adolescents to develop bodily and mental fitness. A considerable amount has been done in that direction since the Commonwealth Act was passed. The Act places the responsibility for the organisation and development of national fitness upon the various States. All the Commonwealth does is to make the money available, with the stipulation that it shall be spent in accordance with certain provisions that are laid down. Experience has shown that where a State desires to deviate from the general plan the Commonwealth quite readily agrees, so long as consent is first obtained.

In pursuance of the objects of the Commonwealth Act there was set up in this State the National Fitness Council which was an incorporated body. My colleague, the ex-Minister for Health, was chairman of that body, but beyond having control as chairman he had no authority over what was being done by the council, and quite frequently difficulties arose because of the divergent views of those comprising the council, and the impossibility of getting a decision on main principles. The same difficulty was experienced in other States, and the Commonwealth made it clear that it desired an alteration in the set-up. It requested the State Governments to make a change and to supersede the existing bodies by Government-controlled councils. The Commonwealth suggested that, instead of the members being nominated by various groups or associations, the Governor-in-Council should appoint the members of the National Fitness Council which should be under the control of a responsible Minister.

The Commonwealth desired that, with regard to the money it made available, the accounts should be properly audited and a certificate furnished by the Auditor General as to the way in which the money had been expended, and the correctness of the balance shown. In pursuance of that request, the State Government, early last year, agreed to supersede the existing council by a body along the lines of that suggested by the Commonwealth. The Lieut.-Governor was asked to appoint a number of persons to constitute the National Fitness Council in Western Australia. That council was appointed and has been functioning successfully since then. We desire to have legislation to give the council statutory authority, and to place it on a proper basis because at present, although it has been appointed in the way I have outlined, there is no statutory authority for its having been done.

A vital point in this matter is this: If we can satisfy the Commissioner of Taxation that the money is being expended for the purpose of national fitness activities and is under the control of the Government, then the expenditure can be free of sales tax. If we cannot satisfy the Commissioner of that, then the purchases made by the council will not be free of sales tax, and so there will be an appreciable reduction in the amount of money which can be effectively spent. To put it another way, we will get about 25 per cent. less for our money if we are obliged to pay sales tax than if we are free of sales tax. As we desire to get the greatest benefit possible from the money available it is necessary that we should meet the requirements of the Commissioner of Taxation in this respect. I have submitted to the Commonwealth Treasurer an outline of the Bill I am now introducing, and he indicated that its provisions satisfied him, and that under those provisions the Commonwealth would be quite prepared to permit us to carry on without the necessity of our paying sales tax. That position obtains at present, and we have benefited very appreciably as a result of that concession, which I might say does not apply in the other States, because they are carrying on somewhat differently from the way in which we are here.

The Commonwealth national fitness officer, when he was over here a few months ago, expressed his pleasure at the intention of this State to introduce legislation, because no other State had so far taken that step. He was looking to us to give a lead in this direction. He said that it was

because of the greater development of the work in Western Australia that we had reached the stage when legislation was not only desirable, but necessary. The following is an excerpt of the statement he made when told that it was our intention to introduce legislation:—

> I believe this is the result of the excellent work done in Western Australia over the last few years, and reveals growing State interest in the movement. As such it will be of particular importance insofar as Western Australia will be the first State to legislate. I hope that the Bill will go through this session.

The Solicitor General has also pointed out that this legislation is necessary to give stability to the State council, and to give the State Government the required authority to operate upon the money which has been made available. When the State Government receives the funds from the Commonwealth the money is paid into the Treasury and held to the credit of a trust account, but the Treasury officials take the view that they are responsible for the proper expenditure of that money, which they regard as Government funds. As those funds are regarded as Government funds, the Treasury officials say it is essential that there shall be Government control over the expenditure. There was not Government control over the expenditure under the set-up of the council which previously existed, because a majority of those present on the council could decide what they would do with the money, and it would be spent accordingly, and the Government had no right of veto, but had to accept the position.

If the Government has the power which this Bill will give—to have the members of the council appointed—there will be control over the expenditure, and the Auditor General will be able to furnish the necessary certificate which the Commonwealth Government requires. At first glance it might appear that in nominating a council in place of the one previously elected, steps have been taken effectively to stifle the voice of the voluntary youth organisations which, up to the beginning of last year, had been playing a very important part in the development of national fitness ideas and ideals. That is not so. Provision is made in the Bill for the establishment of a number of committees, and for those committees to be represented on a co-ordinating committee which will, in turn, make recommendations and suggestions to the National Fitness Council, and so we can have such committees as the Associated Youth Committee, the Camp and Hostels Committee, the Advisory Playgrounds Committee, the Medical and Dental Sub-Committee, the Association of National Fitness Leaders, the Community and Youth Centres Advisory Committee, and the Amateur Sporting Committee.

We can have all those committees that we had previously, and they can appoint their representatives on the co-ordinating committee, which can give consideration to the various aspects of this work, and make recommendations to the full National Fitness Council which will, in turn, make the decisions thereon. Those decisions can then be put into operation by the Director of National Fitness and the officers under him, working in collaboration with the various local authorities throughout the State. A number of members will know, of their own experience, that in many country districts national fitness work has had considerable development. Many local committees have entered enthusiastically into this and have communicated with the National Fitness Council, and officers have been sent down, meetings have been addressed and films have been shown. As a result, organisations have been formed, and money has been made available by way of grants from the National Fitness Council, and activities have been commenced and are developing. We propose, by this legislation, in no way to interfere with that but, by giving stability to the National Fitness Council, to put the whole thing on a far better basis than it was on previously under the council which had been superseded. I think members will agree that it is most desirable that that be done.

Returning to the point that it might be argued that the voices of the various youth organisations have been stifled, I would say that the provision in the Bill is that each committee or voluntary organisation will be able to nominate representatives on the co-ordinating committee, and the only stipulation is that one of the representatives to be nominated shall be the chairman of the particular committee, and that the chairman need not necessarily be a member of the National Fitness Council, though one of the

representatives to be elected must be. That provision is to ensure that, in the co-ordinating council, there shall be as a representative of each associated committee, at least one member of the council who knows something about the working of the council, and who will be in a position later on, when decisions have to be made, to advise the council fully on the various aspects of matters under consideration.

There will be perfect freedom on the part of the various committees, apart from that stipulation which I mentioned, to select whom they like to represent them on the co-ordinating committee. They can meet as frequently as possible to discuss any subjects related to national fitness, and their decisions will then be forwarded, by way of report, to the National Fitness Council, which will deliberate thereon and make the decisions that will subsequently be implemented. I know some people will say that such a council is not a completely democratic body, inasmuch as the members will be nominated instead of being elected by the various organisations. I must agree that there is a difference between having a committee, the members of which have all been nominated, and a committee, the members of which have all been elected by those who are to be represented, but I would point out that the other system—the purely elective system—was tried out.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR EDUCATION: National fitness is, in the minds of some people, associated with the idea of physical jerks. I think it is as well that I should give members an indication that it covers a far broader field than mere physical drill. I cannot do better in that regard than quote from the McNair report, which was issued after an investigation into education and relative matters in Great Britain. The report includes the following:—

> No subject in the school curriculum has grown in richness of content more than has physical training. Beginning with stereotyped military drill and dumb-bell, wand and hoop exercises and restricted to not more than two hours a week for 20 weeks in the year, physical training has steadily won recognition. Since 1918, the nation has realised, as never before, the value of health and bodily fitness. Physical education has been given constant encouragement and guidance from the Board of Education through their specialist inspectors through successive issues of syllabuses and, administratively, through new powers granted to local education authorities for provision of holiday and school camps, playing fields, swimming baths and other facilities.

In this State we have developed along those lines. We have opened the Youth Camp at Bickley. It has proved most popular and is availed of freely by youth clubs. Later on the National Fitness Council intends to extend these camps to other places in the State.

My remarks on this Bill would not be complete if I did not make some reference to the excellent work being done by the members of the council. They give their services entirely in a voluntary capacity; they take a vital interest in the various aspects of the work; they freely offer their services on the different committees that have been appointed. During the past 12 months they have, by their ready co-operation, enabled the work of national fitness to continue smoothly in Western Australia. So much is this so that we are advised that no other State of the Commonwealth can show comparable results. It is with a desire to give stability to the council, to set up a proper constitution to which it can work, and to enable us to comply with the requirements of the Commonwealth that this legislation has been introduced. I trust it will be favourably received by the House, and I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Mrs. Cardell-Oliver, debate adjourned.

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

Second Reading.

THE MINISTER FOR WORKS (Hon. A. R. G. Hawke—Northam) [7.36] in moving the second reading said: The Bill has been introduced mainly for the purpose of enabling a reciprocal arrangement to be made with the State of New South Wales in regard to motor vehicle third party insurance. Some time ago the Government tried to make an arrangement of this kind with the Government of New South Wales, but it refused to conclude an agreement with us because of certain wording in paragraph (1) of the proviso to Section 7 of our Act. That particular proviso lays it down that before an injured person can claim judgment

against a motorist who has been at fault, the insurance company concerned must have been provided with prior notice of the intention on the part of the injured party to proceed for damages. That part of Section 7 of our Act is perfectly in order and altogether practicable so far as its operation within the State of Western Australia is concerned but, as regards its application in any other State, it is hardly practicable at all. If, for instance, a motorist from this State is in New South Wales, operating a motor vehicle in that State while visiting there, and he inflicts injury upon a person in that State and that person has against him a claim that is in order under our Act, it would be almost impossible for the person so injured in New South Wales to be able to inform the insurance company in this State of his or her intention to proceed for damages in a court in New South Wales.

Hon. N. Keenan: How would it work in an opposite direction? How would it operate if a New South Wales car that was here did damage to an individual in this State?

The MINISTER FOR WORKS: Under the proposed amendment embodied in the Bill, the legislation will be made satisfactory in regard to the position of a visiting motorist from Western Australia who is in New South Wales, and vice versa. As a matter of fact, the New South Wales legislation on this point is the same as the Government of that State desires us to incorporate in our legislation. Therefore, there need be no doubt or fear as to the position of a person who may be injured in this State at any time by a motorist who is on a visit here from the State of New South Wales. It is extremely important that this amendment should be made to our Act because, with the war over and from now on, it is quite certain that there will be a number of motorists from this State who will visit New South Wales and other States and, while there they will doubtless at times operate motor vehicles and sometimes may operate them negligently and inflict injury upon one or more people in another State. Had it not been for the necessity for this particular amendment to the legislation, no Bill for the purpose of altering the Act would have been brought down this year.

Having considered it necessary to bring down an amending Bill for this purpose, we have taken advantage of the opportunity to include two or three other amendments, which are not considered to be very important but should be made while an amending measure is before Parliament. One of these other amendments has to do with a person who grants a bill of sale in connection with the purchase of a motor vehicle. Under the Act any person granting a bill of sale is legally held to be the owner of the vehicle, and consequently if a strict legal view were taken of the situation, any such person could be held to be legally liable to carry out all the duties imposed by the Act upon the owners of motor vehicles. The Act was never intended to operate in that way. As members are aware, it was intended to impose upon the actual owners and operators of motor vehicles all of the duties with regard to insuring the vehicles under the provisions of the third party insurance Act. This amendment will make it clear beyond question that a person who has granted a bill of sale in connection with the purchase of a motor vehicle will not in fact be legally liable for taking out the necessary insurance for the vehicle.

The other amendment is associated with the period of grace of 15 days immediately following the 30th June in each year. The Act provides for a period of grace to that extent, and that period is given to motor vehicle owners to afford them sufficient time to renew their insurance policies and, if desired, to change from one insurance company to another. During that period the vehicle remains completely covered, even though the actual insurance document runs for a period of only 12 months ending on the 30th June. The amendment seeks to make it clear that when at any time during the period of 15 days a motorist changes his insurance company, the full period of 15 days' grace will not operate, but the new company to which the insurance has been given will be immediately liable from the date on which the new policy is issued. Members will agree it is proper that, when a motorist changes his policy of insurance from one company to another during the 15 days' grace, the new company should be held immediately liable from the date on which the new policy is issued. Those are the amendments contained in the Bill. None of them is controversial in any shape or form. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. A. R. G. Hawke—Northam) [7.45] in moving the second reading said: This Bill contains only three proposals all of which lack controversial elements, and therefore the measure is one which no doubt will receive favourable consideration from all members. Under existing legislation special licenses, which are issued to enable persons to take water from streams in irrigation districts and from proclaimed streams outside of irrigation districts, have to be signed by the Governor. We consider that the number of these special licenses to be issued in future will increase substantially, and therefore it will be necessary on each occasion to send the special license to the Governor for his signature. This is quite a roundabout procedure involving an unnecessary use of time. There is no actual safeguard for anybody in the procedure, because the Governor naturally depends upon the departmental officers and the Minister to make the necessary recommendation for him to act upon. Therefore the amendment proposes that in future the signing of the special licenses will be done by the Minister.

The second amendment has to do with the maximum fine now capable of being imposed upon persons who steal water that otherwise would be available for irrigation purposes. The maximum fine for the offence is only £20, and it is not often that the maximum penalty is imposed upon an offender. There was a case not long ago where an irrigationist had stolen water and the fine imposed by the court was only £2. Seemingly magistrates do not view this offence so seriously as it should be regarded. Such offences in the wintertime and often in the springtime do not matter greatly, but they are not committed during those seasons. Stealing of water by irrigationists is indulged in during the summer months when supplies are so short as to necessitate the rationing of water to each farmer. It will be realised that when water is stolen during such a period, one irrigationist benefits by dishonest action and the other irrigationists are penalised because they are not able to obtain the fair quantity of water which has been worked out as being the maximum that it is possible to make available to them.

The Bill proposes to increase the maximum fine to £100 and to give the court authority to order, as an option to a fine, imprisonment for a period not exceeding 12 months. Undoubtedly, the irrigationist who steals water profits very greatly in the financial sense by his action. The person who stole water last summer was fined, as I have said, £2 and ordered to pay a small amount of costs; yet it has been calculated that the financial benefit accruing to him in respect of the crop on which he used the water was in the vicinity of £100. If a person is dishonest and can make £100 by every act of dishonesty, and is punished when caught only to the extent of £2, he is indeed on a good wicket and no doubt would be quite prepared to continue indulging in his dishonest practices. As a matter of fact, one irrigationist in the South-West has been caught, prosecuted and fined on more than one occasion. As I have said, the maximum fine which may be imposed on such a person is £20; and if he can make a large profit, even when the maximum fine is imposed, by stealing water, he is likely to continue to do so. The fact that he gets away with it to some extent and makes a profit is, in a way, an encouragement to those who so far have played the game to do the same thing, in order that they may get sufficient water for their crops.

We have noticed in the Press of this State during recent weeks that our magistrates and judges have been taking a much severer view of black-marketing in tyres, petrol and such-like commodities than was taken previously after the outbreak of war. I am only sorry that this severer view was not taken at the time when these goods began to be in short supply, because I am satisfied that had that attitude been adopted all over Australia early in the war, black-marketing and similar activities would not have grown to the extent to which they did. So, with respect to water which is made available by the Government for irrigation purposes, our aim in this Bill is to fix maximum penalties which will be severe, first, as an indication to magistrates and others that Parliament regards this offence as being extremely serious and, secondly, to indicate to dishonest farmers in the areas concerned that if they are non-co-operative with their

fellow-irrigationists and dishonest, they must be prepared to suffer the infliction of heavier penalties than those which it has been possible to impose hitherto.

The third and last amendment in the Bill has to do with an exceedingly round-about and involved procedure which is necessary under the present provisions of the parent Act. If it is proposed to carry out irrigation works now, it is necessary to plan them beforehand in complete detail, draw up detailed designs and comprehensive plans in which must be set out every drain, every dam and every other part of the proposed works. Then those details must be published in the "Government Gazette" and in newspapers circulating in the districts concerned. Unless that procedure is strictly carried out, the irrigation works, when constructed, can be held to be illegally constructed; and, in the strict legal sense, the department would have no power to control the works or to enforce conditions necessary to enable the works to be carried on efficiently and thus enable all of the irrigationists concerned to receive their fair share of water and any other benefits which might accrue to them under the legislation.

If members will take their minds back to 1931 and the three or four years following, they will recall that many irrigation works were carried out in the South-West, partly for the purpose of developing that district and partly—and what is more important—for the purpose of providing at that time employment which was so desperately needed by thousands of men in this State. All of the involved procedure which I have mentioned could not possibly be carried out in those years. Many of the works had to be organised quickly. They were put in hand as emergency undertakings and consequently it was impossible to follow strictly the procedure laid down by the Act, and it was not followed. Conceivably, in the years which lie just ahead of us, similar action may be necessary and it again will not be possible to carry out the involved and intricate procedure provided by the Act.

It will be recognised, too, that many of the Government's technical men are away with the Forces. They have not yet been returned to the Government departments concerned. Consequently, without their aid to prepare plans and designs for schemes of this description, it is absolutely impossible to comply with the provisions of the Act relating to such matters. Even were the men at work now, it is doubtful whether the whole of this rigmarole—if I may so describe it—could be adhered to. Therefore, the Bill, in dealing with this part of the Act, proposes to establish a position in which a certificate, issued by the Minister declaring that a particular drain or dam, or whatever it might be, has been included as part of a proposed irrigation works, or as part of an established irrigation works, is to be regarded as sufficient authority for the work in question; and such certificate is to be accepted in court as proof of the fact that all of those things have been done by the department in carrying out that particular work.

Mr. Watts: Will the Minister's certificate be published in the "Government Gazette"?

The MINISTER FOR WORKS: There would be no objection whatever to that being done. Those are the three amendments to the Act, Mr. Speaker, and I move—

That the Bill be now read a second time.

On motion by Mr. McLarty, debate adjourned.

BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna) [8.0] in moving the second reading said: I feel that everybody knows the contents of this Bill because it is identical with the one I introduced last year to amend the Constitution Act of 1889 with a view to coping with deadlocks between this House and another place.

Mr. Watts: You have not even incorporated in it the amendment of this House.

The MINISTER FOR JUSTICE: We may be able to incorporate it later on, if it is suitable.

Mr. Doney: The House determined its suitability last year.

The MINISTER FOR JUSTICE: It depends on the amendment suggested by the hon. member.

Mr. Watts: The amendment I am referring to is the one carried by this House.

Mr. SPEAKER: Order!

The MINISTER FOR JUSTICE: The Bill is identical with that introduced last year; it is only a short measure, and it has four clauses. It is readily understandable,

and it is designed to give this House more control over the Legislative Council; that is to say, to give us more control over the Bills that are sent from this House to another place. A good percentage of Bills originate in the Legislative Assembly and it seems to me that this is the more democratic House of the two. The Legislative Council is not democratically constituted. We can safely say that we represent 80 per cent——

Mr. Holman: Mr. Speaker——

Mr. SPEAKER: Order! The member for Forrest will resume his seat.

The MINISTER FOR JUSTICE: I was saying that 80 per cent. of the people of this State are represented by this House, yet any legislation we submit can be vetoed by the other place. Any person desirous of becoming a member of the Legislative Council must not be less than 30 years of age. Further, those who desire to vote for the other place must have a property qualification. They must either pay rent to the extent of £17 a year, or they must have real estate to the value of £50; and they must also make some contribution in regard to leasehold.

Mr. Doney: Do you call paying rent a property qualification?

The MINISTER FOR JUSTICE: What else is it?

Mr. Doney: That is what I am asking the Minister.

The MINISTER FOR JUSTICE: It means that a man must contribute to property. In order to live in a house, he must make some contribution in that direction.

Mr. Doney: That is a rental qualification.

The MINISTER FOR JUSTICE: If it is a rental qualification, it is also a property qualification, to a certain extent.

Mr. Doney: It is not.

The MINISTER FOR JUSTICE: I consider that intelligence or education should be a qualification for the franchise for the Legislative Council. However, it does not matter what are one's qualifications; unless a man has also a property qualification he has not the right to vote for that House. It seems to me, therefore, that the people in another place are protected by their own peers. If that be so, we cannot argue that that Chamber can be regarded as having the same democratic qualifications as are possessed by this House.

Mr. Seward: We should hope not; because this is not a democratic Chamber!

The MINISTER FOR JUSTICE: Can the hon. member refer me to a more democratic House in Australia?

Mr. SPEAKER: The Minister for Justice will address the Chair and never mind the member for Pingelly.

The MINISTER FOR JUSTICE: This House has qualifications in accordance with the law.

Mr. Watts: So has the Legislative Council.

The MINISTER FOR JUSTICE: This House has qualifications in accordance with the Electoral Act, and so has the other place. But, for this House, everyone who is 21 years of age and is not otherwise disqualified has a vote. A man does not need to have any property qualifications; he has a vote on democratic lines. We feel that the time is ripe for us to have an innovation of this description. We want progress, and we think that must come from the voice of the people and not from a selected few. At the last election only 16 per cent. of those who voted for the Legislative Assembly voted for the Legislative Council. Members can therefore see what a small number of electors the other place represents compared with those that members in this House represent. I know that many members favour the bi-cameral system. This Bill recognises that system, as is done in England today. I appreciate, of course, that the House of Lords is probably on a different basis from the Legislative Council so far as elections are concerned. The measure is a simple one. It provides that if a money Bill is sent up to another place a month before the end of a session and is not agreed to by the other place, it shall become law whether the other place agrees to it or not. If I remember rightly, when I introduced a similar measure last year, the Leader of the Opposition favoured that provision. He said he thought it was the right thing to do and that it was a privilege this place should enjoy. The member for Nedlands spoke in a similar strain.

A second clause in the Bill makes provision for the passing of any Bill other than a

money Bill or one to extend the duration of this Parliament. If any such measure is sent up a month before the end of the session for three successive sessions and is still not agreed to by the other place, it shall become law. That is the procedure followed in England. Under the English Parliament Act of 1911, the provisions I am trying to explain to the House have been in operation for 34 years. I feel that we have in the English Parliament Act a very fine precedent to follow. The English Parliament is the creator of our Constitution, and it thinks that it is proper that if a money Bill is sent to the House of Lords a month before the end of the session, except a Bill to prolong Parliament, or if any other Bill is sent to the House of Lords for three successive sessions, and not within two years, such Bill should then become an Act.

There is nothing revolutionary about this measure. As I have just pointed out, we have a fine precedent in the English Parliament Act, which was a concession given to the House of Commons. That House gets its emancipation, as it were, from that measure. As a result, it found that it could bring down more progressive legislation than before. We simply want that emancipation for this House. If we get it, I feel that any progressive legislation we introduce will not be a waste of time, as at present it is in many instances. If the Opposition feels that it is progressive and not as traditional as in the past, then it will have no compunction in passing this Bill. Until we get something similar to this, I cannot see how Western Australia will make the progress that is necessary. I challenge members of the Opposition to demonstrate their bona fides by showing that this Government, or a similar one, has sent legislation to the Legislative Council knowing that there was no possible chance of its being passed, but simply for the kudos and glorification attaching to it. I have heard that said.

Any legislation sent to the other place, since I have been a member, has been forwarded in all earnestness and sincerity. If members opposite want to prove the accuracy of what I have said, they will say that for the future they will see that there are no obstacles placed by the other place in the way of legislation. This Bill provides for plenty of time to review any measures that go forward because it allows two years in which to say whether Bills, other than money Bills, shall become law. It also provides that where a Bill is introduced in the last two years of the life of a Parliament, such Bill shall be carried on to the next Parliament. In the meantime, we will go to the country where we will learn what the electors have to say about it. I suppose members have gone into the statistical returns of the 1944 elections, and have seen that 274,856 electors are on the Legislative Assembly rolls, whereas there are only 79,889, or one-third of that number, on the Legislative Council rolls. At the last Assembly elections, 86.53 per cent. of those enrolled voted, whereas only 49.48 of Legislative Council electors exercised their right to vote.

Mr. Mann: That is because of compulsory voting.

The MINISTER FOR JUSTICE: That is probably so, but that does not make any difference to the present position, as it concerns the other place. Actually, 273,832 persons voted in the Legislative Assembly elections, whereas only 39,529 voted at the Legislative Council elections. The latter figure represents no more than 16 per cent. of the people on the Legislative Council rolls, and that representation can veto any legislation sent forward by this House.

Mr. Seward: Get them on the roll.

The MINISTER FOR JUSTICE: They are not on the roll. I am giving the figures as they are at present, with the existing state of the Houses. I feel, listening to the interjections, that Opposition members do not want progress.

The Minister for Works: They never did!

The MINISTER FOR JUSTICE: I feel, on the other hand, that they want to carry on in the old style. This Bill does not advocate a single Chamber, although Queensland and several of the Provinces of Canada have a unicameral system, and they have made very great progress. Here we are going to allow a second House to remain, and give it two years to review any legislation, other than money Bills, sent up by this House. It has already been acknowledged by the Leader of the Opposition, and also by the member for Nedlands, that this Chamber has its own rights and privileges that it should exercise in regard to money Bills. Those two mem-

bers mentioned that in the speeches they made last session. In doing so they showed that they are progressive. If they can go that far, surely they can give the other place two years in which to consider any legislation, other than a money Bill or one to prolong the duration of the Parliament, that is sent forward.

Mr. Mann: Why two years?

The MINISTER FOR JUSTICE: That is any amount of time, and it is not conducive to hasty legislation. If members there have not thinking power to decide about legislation within two years and in some instances they would have the opportunity to go to the country on a Bill, I do not know that we can do. In any case, we have a precedent —and I consider we could not get a better one—in the English Parliament Act of 1911. The system we are advocating now has been in operation, under that Act, for 34 years in England, which is more prosperous and progressive today than ever.

Mr. Cross: The people there have just shown it.

The MINISTER FOR JUSTICE: That is so. I would like the member for Subiaco to give consideration to her advocacy. She advocates, and quite rightly, the equality of the sexes in voting. I find that the female voters in the Legislative Council represent only one-third of the voting power, whereas in the Legislative Assembly they predominate. At the last elections there were more female voters than male voters. As a result, the females of this country are today more or less really ruling Western Australia, as far as votes are concerned.

Mr. Mann: Do not say that.

The MINISTER FOR JUSTICE: Well, there were more female voters than male voters at the last elections.

Mr. Styants: The hand that rocks the cradle rules the world!

The MINISTER FOR JUSTICE: That is the position according to the statistics. I do not intend to say much more. I feel that, after the debates last year and knowing the time that members have had to consider the position, they will be more favourable to the request of this Government that we should have more power and more control in this House than we have enjoyed in the past. At present, only 16 per cent. of voters are represented in the Legislative Council and they should have no right to veto legislation sent from this place. Members in another place represent a very small coterie; they represent only a few people with property qualifications. It seems, under the present system, that the Western Australian Legislative Assembly is the least democratic House in the whole world, because of the power of the Legislative Council. I commend the Bill and trust that members will give serious consideration to it. If we are to progress and to be allowed to bring down progressive legislation, we should have more control over the Bills we introduce, and not be subject to such power of veto by the Legislative Council. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

House adjourned at 8.22 p.m.

Legislative Assembly.

Wednesday, 5th September, 1945.

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

QUESTIONS.

IRRIGATION AND DRAINAGE.

As to Resumption of Work in South-West.

Mr. HOLMAN asked the Minister for Water Supplies:

1, In consideration of the fact that the war caused the closing down of important drainage and irrigation works in the South-West, causing the district and the State to suffer a heavy economic loss, have any plans