

sought and accepted. It was not until the actual assessing was commenced that this anomaly was revealed.

There is a second anomaly in regard to the State vermin tax, which at present is required to be paid to the Minister and to be fixed by the Minister, whereas the same section states that the funds received are to be kept at the Treasury and applied under the direction of the protection board. The Bill provides for the tax to be paid to the protection board, and the rate to be fixed by the board. This is subject to the Minister, in accordance with Sections 6 and 8 of the Agriculture Protection Board Act. For the same reasons, it is proposed to substitute "Protection Board" for "Governor" in Section 103, Subsection (3), paragraph (d). I move—

That the Bill be now read a second time.

On motion by Hon. A. L. Loton, debate adjourned.

House adjourned at 9.10 p.m.

Legislative Assembly

Tuesday, 25th September, 1951.

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

QUESTIONS.

SUPERPHOSPHATE.

As to Rail and Road Haulage.

Mr. STYANTS asked the Minister representing the Minister for Railways:

(1) What is the estimated loss to the Railway Department on the haulage of superphosphate for the 12 months ended the 30th June, 1951?

(2) What is the average cost per ton mile haulage on the railways?

(3) What is the freight rate per ton mile charged for superphosphate?

(4) What is the average cost of haulage per ton mile for superphosphate by road transport?

(5) What was the total tonnage of superphosphate hauled by the railways and road transport, respectively, for the above-mentioned period?

The MINISTER FOR EDUCATION replied:

(1) and (2) It is difficult to estimate this loss with any accuracy. It is unreasonable to base an estimate on the average cost of haulage of all commodities in view of the facts, among others, that a large proportion of super now hauled is in train lots whereby handling and other costs are minimised and full truck loads are carried, and the rates of haulage vary with the distance owing to application of "telescopic" rates. But the average cost per ton mile (including overheads and interest) of all commodities carried is calculated at 3.56d.

(3) On average haul of 146 miles—2.35d.

(4) To the 15th April, 1951, 4.25d.; the 30th June, 1951, 4.9d.

(5) 202,115 tons rail; 44,968 tons normal road; 181,070 tons subsidised road. As the railways carried mainly the longer distance hauls taken in terms of ton miles, the ton mileage was substantially greater than is evident from these figures.

BRICKS.

(a) As to State Works, Release and Delivery.

Hon. J. T. TONKIN asked the Minister for Housing:

As the time lag in the delivery of bricks at the State Brick Works was from six to eight months at the 30th June, 1950, why did it take until August, 1951, before bricks were issued against the release dated the 22nd July, 1949, of P. W. and W. Larke?

The MINISTER replied:

The release dated the 22nd July, 1949, was lodged with the State Brick Works on the 18th August, 1949, but the bricks were not applied for by the builder until August, 1951.

(b) As to Government Power over Distribution.

Hon. J. T. TONKIN asked the Minister for Housing:

(1) Has the Government the power to cause the various brickmaking firms to supply bricks on releases only and in strict rotation according to date of lodging of the corresponding orders?

(2) Will the Government exercise this power with a view to ensuring a fair distribution of the bricks available from time to time and eliminating existing practices under which some persons are able to obtain the bricks they require within three weeks of lodging their orders, as has been shown, whilst others have to wait more than two years?

The MINISTER replied:

(1) Yes; under the Building Operations and Building Materials Control Act, the Commission has the power to impose any conditions it thinks fit in relation to the delivery, disposal or use of any building materials.

(2) The policy of the Housing Commission is to progressively lift controls. At the present time a release of bricks enables the holder to place his order where he chooses.

As there are a number of factors to be taken into consideration in the release of bricks, including—

- (a) continuity of work in group construction;
- (b) the continuous employment of bricklaying teams;
- (c) the provision of regular work for apprentices;
- (d) the availability of services on building site;
- (e) the ability of the person ordering to pay;
- (f) reciprocal trading, etc.,

the strict delivery of bricks according to date of release would not be in the best interests of the building trade. Furthermore, it would require an army of inspectors to see that bricks in each instance were delivered to the correct job.

(c) As to Control and Distribution.

Mr. GRAHAM asked the Minister for Housing:

(1) In view of the fact that answers given by him in reply to questions reveal that the Housing Commission is unaware of the brickyard with which orders are lodged, the date on which orders are lodged, the date on which bricks are supplied, or the quantity of bricks that has been supplied to a client, does he consider there is any control over the supply and distribution of bricks?

(2) What does he intend to do about it?

(3) Will he have inquiries made so that he can supply the information sought in the unanswered portions of Question 11 on the notice paper of the 18th instant?

The MINISTER replied:

(1) Yes. The supply of bricks is made only against releases issued by the Commission which restrict the number of bricks that can be supplied and ensure that they are used only in authorised works.

(2) See reply to No. (1).

(3) All information available from records kept by the Commission has been supplied. The Commission has not the necessary staff available to undertake the collection and recording of information along the lines requested by the hon. member.

BUTTER.

As to Price Overcharging.

Mr. GRAHAM asked the Attorney General:

In view of his statement on the 4th instant that the Prices Branch was investigating and checking complaints of overcharging in the sale of butter and that prosecutions would follow where breaches had been discovered, will he advise—

- (a) how many checks were made;
- (b) the number of cases of overcharging that were discovered;
- (c) how many prosecutions have been launched;
- (d) what is the total amount of money involved in the overcharging as revealed by investigations made to date?

The ATTORNEY GENERAL replied:

(a) Forty-eight traders.

(b) and (c) Some overcharges were discovered and the question of prosecution in connection with these cases is being considered by the Prices Control Commissioner. His reports, when received, will be dealt with in the usual manner.

(d) It is not possible to state the amount of money involved, having regard to the fact that the greater portion of the sales consisted of cash-over-the-counter transactions.

NORTH-WEST.

(a) As to Commission Homes, Cost and Rentals.

Mr. RODOREDA asked the Minister for Housing:

(1) What is the cost of two houses erected in Port Hedland by the State Housing Commission?

(2) What is the estimated completed cost of two houses being erected in Roebourne?

(3) What is the estimated completed cost of two identical houses being erected in Onslow?

(4) Will rentals be based on these costs in each individual case?

The MINISTER replied:

(1) Estimated cost of two houses at Port Hedland, £5,000. Final costs cannot yet be assessed, as work is not complete.

(2) Estimated cost of two houses at Roebourne, £4,000 if completed by present contractor.

(3) Estimated cost of two houses at Onslow, £5,000.

(4) Yes. The Commonwealth and State Housing Agreement Act provides for an "economic rent" on dwellings built under this agreement calculated on capital costs determined in the manner prescribed under the Act.

The agreement also provides for a scheme of rental rebates related to the income of each family renting a Commonwealth-State dwelling. The formula provides that a family whose income equals the basic wage shall pay not more than one-fifth of that income in rent, the difference between the economic rent and one-fifth of the family income being rebated. The Commonwealth pays three-fifths of that rebate and the State two-fifths. When the family income exceeds the basic wage, the rebate is decreased by one-third of the difference between the family income and the basic wage.

(b) *As to Port Hedland-Marble Bar Railway.*

Mr. RODOREDA asked the Minister representing the Minister for Transport:

(1) What is the longest period during which a train has been unable to reach Marble Bar on account of washaways caused by floods?

(2) On how many occasions has this period exceeded two weeks?

(3) What freight rates were charged about 1930-35?

The MINISTER FOR EDUCATION replied:

(1) Approximately seven weeks.

(2) Ten.

(3) I will hand the hon. member a list prepared by the Railway Department.

CEMENT WORKS.

As to Ash Nuisance.

Mr. GRAHAM asked the Minister for Labour:

(1) Is he aware that, depending upon the direction of prevailing winds, people in the areas of East Perth, Rivervale and Victoria Park suffer from ash which emanates from the cement works at Rivervale?

(2) Are there any electro-static precipitators or other devices installed in the smoke-stacks to minimise the nuisance?

(3) If so, is he satisfied these appliances are operating satisfactorily?

(4) If not, will he have action taken at an early date to have the present state of affairs rectified?

The MINISTER replied:

(1) Yes, on certain occasions.

(2) Yes.

(3) Yes. The appliances are operating satisfactorily in collecting and taking the dust away from workers employed in and about the cement works.

(4) The Minister's power under the Factories and Shops Act is confined to premises contained within the curtilage of the factory.

BILL—PETROLEUM ACT AMENDMENT.

Received from the Council and read a first time.

BILL—PIG INDUSTRY COMPENSATION ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

In Committee.

Resumed from the 20th September. Mr. Perkins in the Chair; the Minister for Housing in charge of the Bill.

Clause 5—Section 32, repealed and re-enacted (partly considered):

Hon. J. B. SLEEMAN: I ask leave to withdraw the amendment I moved last Thursday.

Amendment, by leave, withdrawn.

The MINISTER FOR HOUSING: When the Committee discussed this clause last week, some difficulty arose as to the interpretation of the amendment that was intended to be inserted by the Government in lieu of the amendment moved by the member for Fremantle. As a result, the Crown Law Department has been further consulted; and, although we have not had an opportunity to place other amendments on the notice paper, I have given copies to the Leader of the Opposition and other members. These amendments I hope to move subject to the Committee's agreeing to pass the remaining clauses of the Bill and allowing me to recommit the measure later with a view to the further discussion of Clauses 4 and 5.

Hon. J. B. SLEEMAN: I have no objection to the clauses being passed if the Bill is to be recommitted. I congratulate the Minister on the proposed amendments, which will make the measure a much better one.

Clause put and passed.

Clause 6, Title—agreed to.

Bill reported with an amendment.

BILL—METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th September.

HON. A. R. G. HAWKE (Northam) [4.47]: This Bill proposes to increase certain maximum and minimum charges in the existing legislation for water, sewerage and storm-water drainage facilities as provided in the metropolitan area. It is quite understandable that the department should find costs of construction increasing in the provision of all those facilities. It is also understandable that the department, in face of those increasing costs of construction, as well as the increasing costs of maintenance and servicing of these works, would not have been able to balance its accounts over the last few years.

In connection with this problem, as applies to so many similar problems these days, the step usually taken to deal with the matter on a temporary basis is to raise charges to those benefiting from the existing facilities. On the surface it does appear just that those who benefit from this service should pay for it and should meet, from time to time, any higher cost that is incurred in providing the service. In my opinion, however, that is tackling the proposition only on a temporary basis. Undoubtedly there is a limit to the extent to which we can continue dealing with the question in this way. I do not know whether the Government has tried to view the matter from any angle other than that dealing with the immediate present or the near future. Judging from its approach to other problems of like character, I do not think it has attempted to approach this question from a long-range point of view.

All these charges come back in the first instance on the persons responsible for paying the rates and other charges, although some of the additional charges, as well as some of the existing ones, doubtless find their way into the cost of living, because a large proportion of the rates and charges collected by the department in the metropolitan area will be levied on business people for services provided for business premises. As far as I am aware, the Government, during its 4½ years of office, has increased rates and charges generally in connection with most of the services provided by it, with the exception that I do not think it has, during that period, made any increase in the price of water supplied to users in irrigation areas.

It is about time the Government made a decision in that regard because the water used in irrigation areas is utilised for the purpose of bringing in revenue to the users. It is the means by which users make for themselves additional profits and it therefore seems to me that there would be more justification for increasing the price of water used for irrigation purposes than for

increasing the charge to domestic users. The Government of this State practically gives away the water made available for irrigation purposes. The charge per thousand and gallons for irrigation water is so slight as to be practically nil, and in view of that fact it does not seem fair for the Government to impose additional charges on other sections of the community that use water for purposes not associated with the making of profits.

I am anxious that the Minister, when replying to the debate, should give the House some information as to the policy of the Government in relation to the price being charged for water supplied for irrigation purposes at present, and the price likely to be charged in future if any change is contemplated. The passing of this Bill will not automatically increase charges for water, sewerage services or storm water drainage facilities in the metropolitan area, but will give the Government legal power to impose rates and charges above the existing maxima for the various services I have mentioned.

Mr. Marshall: The minimum charges will be increased.

HON. A. R. G. HAWKE: That is so. There will be no automatic increase due to the changes to be made by this Bill to the maximum rates as set out at present in the Act, and the responsibility for raising the existing maximum charges—if they are raised—will undoubtedly be that of the Government. I hope the Government will not rush in and raise the rate to the proposed new maximum in each case if the Bill becomes law, but will carefully consider whether in all the circumstances and at the present time the charges should be raised to the figures allowable under the legislation.

We are still in the inflationary period but there might easily be a break away from inflation during the next nine or 12 months. I do not think the change is very far away because under Australia's present national policy decisions have been made and action taken—further action is contemplated along the same lines—which, in my opinion, will inflict upon Australia a set of economic conditions that will be the opposite of inflationary and, consequently, I do not think there need necessarily be any justification for the Government, in the event of the Bill becoming law, imposing the maximum charges that it will permit in each instance.

I am not very keen on the measure but, in view of the financial position of the department and the fact that it has lost a considerable sum of money in providing these services in the metropolitan area in recent years, I feel that it should be provided with higher maximum figures so that portions of those increased charges might be imposed if the Government, in possession of all the facts and figures at a particular time, considers there is justification and necessity for some upward revision of these rates and charges.

MR. MARSHALL (Murchison) [4.58]: Before voting for this measure I wish to get some information from the Minister and to remind him that, where the Government makes a charge for a service that it renders, it should set an example rather than sit pat on an inefficient service while passing legislation, that demands from private suppliers service of a high and efficient character. We are told that inflation is caused by people squandering or spending foolishly their incomes. Of course, that is not altogether true. Is the Government so inspired as to consider that these higher charges for services rendered, as mentioned in the Bill, are necessary because people have been foolish enough to squander their money in purchasing water or are desirous of squandering it to obtain the services under the three headings of the measure with which we are now dealing?

I agree with my Leader that most of the increased charges that will take place if the Bill becomes law will have an inflationary effect. It is only fair that industry will naturally pass on the effect that these increased charges will have to the cost of their goods or merchandise which it produces, thus forcing up the price and creating an inflationary atmosphere. This Government seems to have a tendency to increase charges. There is not one service rendered by the State Government which has not shown an increase in its charges. Since it took office, it has increased the charges of all services.

The Premier: The Leader of the Opposition mentioned one where an increase had not taken place.

Mr. MARSHALL: Further, I would point out to the Premier that two increases have taken place in rail freights and fares. This all tends to create an inflationary atmosphere, and it is positively wrong for a Government constantly to increase the charges for the services it renders and then say, "We will maintain price control on private enterprises, we will stop them increasing their charges, but we want an increase, under this legislation, in the charges for the services we render."

The Premier: That is not so; not any fee they wish.

Mr. MARSHALL: Yes, up to the maximum that we will permit under this Bill. But the Government does not give a private producer the same right. It keeps his charges right down to the minimum. Hence it discourages production and hence the shortage of supplies in many essential commodities today. I say to the Minister that if he increases these charges the people in the metropolitan area are entitled to better quality water. Muddy water is not altogether acceptable to any housewife. I can speak very feelingly on

this matter because I live in a place where a large quantity of water is used by many tenants. This water has been particularly dirty for some time. There is also a lack of pressure. As a matter of fact, in the home in which I live if two taps are turned on at once only one will produce water. That is the service the Minister renders!

The Minister for Works: Has it been reported?

Mr. MARSHALL: No. Does the Minister suggest that the department would effect a remedy if it were reported? The same thing applies to the gas supply. There is neither quality nor pressure. Nevertheless, we pass laws to compel other producers of gas to give a high quality.

Mr. May: There is no reason why we should not get the quality.

Mr. MARSHALL: No, but the point is that the Government is apathetic about the services it renders and considers there is no need to worry at all, but the private producer is obliged to comply with the standards that we set under an Act of Parliament. The reticulation of the metropolitan water supply system, insofar as the area in which I live is concerned, is a positive disgrace. Yet we go serenely on with an inefficient service, charging the maximum price and increasing it whenever it suits us.

I subscribe to the Leader of the Opposition's view on this matter. It is sheer hypocrisy for us to be talking about inflation and its dreadful effects on everyday life, and yet agreeing to increasing the charges on the services that we render and thus aggravating the position. All we seem to be concerned about are the charges for services rendered by people in private enterprises. We can even take charge of their property and demand that they do certain things with it, but not so with the Government. I tell the Minister quite frankly that if the service is efficient, and if the standard and quality are of class, one does not mind paying a reasonable fee for it, but when one gets a standard of service which is positively inefficient and well below that required by the ordinary housewife, such as good, clean water to serve her home daily, one can enter only an emphatic protest about it.

Both the departments concerned are selling to the community a commodity much below a decent and reasonable standard and it is about time the Minister awakened to the fact. I do not know where he lives, but it is remarkable that in the neighbourhood in the vicinity of this Parliament the people are suffering acutely because they are obtaining water that is muddy to look at and it is expected that the housewife will use it daily, and now it is expected that she should agree to an increase in the price of it. If the department would set about obtaining a good supply of reasonably clean and pure water

for use in metropolitan homes, it would be giving a service that would be of benefit to the consumers.

Mr. Yates: Is it the water itself or the old pipes that are causing the discolouration?

Mr. MARSHALL: I am not concerned whether the water dirties itself or whether the pipes dirty the water. All I am complaining about is that it is dirty water. I do not know whether it is sub-artesian or artesian bore water; whether it is that the pipes are old or rusty; or whether it is because workmen are performing some daily function along the reticulation system. However, it is a deplorable state of affairs, that when one turns on two half inch taps water comes from one only. What I am concerned about is that if a gas or electric water heater is on and someone turns on a tap elsewhere in the premises such heater will be burnt out because it will run dry. So this problem is particularly acute. I agree that, say in mid-summer, when there is a terrific pull on the mains, one expects to find the pressure falling, but that should not be so in a period such as winter or spring. Today there is not sufficient water to supply two half inch taps, because if one is at a higher level to serve a shower and another at a lower level is turned on one cannot get water. That is no service at all.

Mr. J. Hegney: Is that general throughout the district?

Mr. MARSHALL: So I enter my protest against the quality of water we are now receiving. I remember a year or two ago, when I lived in Malcolm-st., a few hundred yards from Parliament House, that the same experience was encountered and in summertime it was difficult to obtain water at all. That should not be the case. Whatever is responsible for the situation I do not know and it is not my job to know.

Mr. J. Hegney: Did you bring this to the notice of the member for the district?

Mr. MARSHALL: No, I have not even given that a thought. What I have noticed and watched closely is that when I have come to live in the city this state of affairs has been prevalent for a number of years. Therefore, I thought the opportunity presented itself under this Bill to mention these things. The Government has no right whatever to increase the charges and bring about inflation to the extent that the increases will bring that about, and then squeal about it and call on other people to make sacrifices while it enjoys practically unlimited freedom in its own actions.

I want to know from the Minister whether he is increasing the charges because the people are so foolish as to consume or drink more water in order to increase inflation. You know, Mr. Speaker, and so do I that that is not the case, but

the Government makes such statements as a basis for its argument. I want the Minister to ascertain why it is that a better service cannot be given in an area in close proximity to the department, higher quality water supplied and a higher standard of efficiency attained. I want information not only in regard to water, but also as to the gas supply about which I will have something to say on the Estimates.

MR. J. HEGNEY (Middle Swan) [5.14]: This Bill seeks to impose charges on the metropolitan consumers who have to obtain water for domestic purposes and also water for sewerage requirements. There is no doubt that the increase in the charge to 3s. will be a fair impost on the metropolitan consumers, but if the department increases it to the maximum then no doubt there will be many complaints from them. Apart from the fact that there have been considerable increases in the administrative costs in respect of salaries and suchlike, I do not think the Minister can argue that the charges have been increased in connection with the investment of loan moneys in the development of the metropolitan water supply and sewerage schemes. Interest rates have been lowered and charges have not been increased for many years. Therefore there would be no justification on those grounds for an increase.

The reason for the increase can only be the higher salaries of officers and workers engaged in the department. As a metropolitan member I have had a great deal of contact with the Water Supply Department and I speak from experience. My experience has been that I have always found the department anxious to give a first-rate service. The member for Murchison complained of insufficient pressure. This has occurred over the years. In different places it depends upon where the pressure is coming from. It may be that the half-inch pipes are 25 or 30 years old and are finished, with the result that the pressure is very small. I received complaints like that, and I must say that the department has been very prompt in sending out men to see that the pipes are clear.

Of all the metropolitan members, I suppose I have had the closest connection with the Metropolitan Water Supply and Sewerage Department. No matter what Government was in power—and a Labour Government was in power preceding the war years—a great deal of work was done by the department to try to give a pure and adequate water supply. Large dams such as the Canning reservoir and others have been built and there has been a continued policy of cleaning pipes, and every endeavour has been made to eliminate the difficulty which the member for Murchison has enunciated tonight. The department has tried to put in standard mains and to see that they are reconditioned, and I do not think there are many severe complaints now.

I have had one or two instances where people have complained about the pressure, as the member for Murchison has done tonight, but I have always found that, if the pressure fails, the department has always given attention to the matter and has sent out officers to find out where the difficulty lay. Generally there was some other reason for the complaint. At Mount Eliza there is a reservoir supplying water and, generally, at the change of season there is a disturbance in the water. But if there is mud coming through the complaint is a genuine one, and I feel that if the matter is taken up with the department or referred to the member for the district it will be attended to without delay. I support the second reading as I think the impost referred to in this Bill is necessary.

THE MINISTER FOR WORKS (Hon. D. Brand—Greenough—in reply) [5.20]: Like the Leader of the Opposition, I am not too keen on this Bill either. It occurred to me that it was necessary to raise the maximum rating allowable under the Act in order that there may be some margin to meet a possible increase in future costs. The member for Murchison demanded an explanation concerning the reasons for putting up these costs. The reasons are to be found in the hard and cold fact that there has been a substantial increase in the cost of labour and material—a very substantial increase—and, unless the department or the Government itself is prepared to face up to those charges and meet them by an increase in the cost of the service, the position will get out of hand and the Treasurer will find himself in a very unsatisfactory position.

Mr. May: Have you taken any notice of the increased cost because of the increased taxation value?

The MINISTER FOR WORKS: These maximum amounts are such that they may never be reached. As pointed out by the Under Secretary for Metropolitan Water Supply, the maximum of 2s. to be struck for sewerage is such that it will not be reached for many years, "if ever" to use his own words.

The present rating of 1s. 6d. in respect to water is such that a very small surplus will be shown, and it is not anticipated that there will be a need for a number of years to increase the rating on water, and the same applies to storm water drainage. As I pointed out when introducing the Bill, there is a very small surplus shown, but because of the expanding metropolitan area we see ahead the need to drain vast areas, and drainage is very expensive work. In arranging for the introduction of this Bill, the department therefore felt that a maximum might be necessary in this regard. The position is, however, that it will remain as it is for some considerable time to come.

The Leader of the Opposition raised the question of the cost of water supply for irrigation. Some investigation has been made and as a result there is on the notice paper a Bill to amend the Rights in Water and Irrigation Act, the main amendment being to enable the water to be measured through a meter system. I feel that we should give consideration to the monetary return from irrigation—as the Leader of the Opposition has said, it means a livelihood for those using that water—and that a reasonable charge should be imposed.

Some complaint has been made regarding the service and the quality of the water. I think it was rightly said by the member for Middle Swan that during the whole life of this service there have been complaints about muddy water and low pressure. An investigation can only be made when the complaint is specified and the department is given opportunity of at least investigating the position. I live in a modest area at Como and I find the water pressure is such that it is impossible to keep the hoses on the connections. I do not know whether you will permit the mention of gas, Mr. Speaker, but there is a reasonable pressure of gas there, too.

Mr. Marshall: Do not you ever get discoloured water there?

The MINISTER FOR WORKS: No, I do not, and I have never had complaints in the area. The Attorney General who lives in the vicinity referred to by the hon. member also states that the service there is quite good and that the water is clear. If the hon. member is referring to his own service or to any specific one, I wish he would place his complaint before the department. I know he lives in one of the older and better established areas. It is quite possible that the internal service might be corroded and that the half-inch pipes might now be quarter-inch pipes and, if this is so, they will not permit of a full pressure. Wherever this has occurred, immediate action has been taken.

Because of the need to supply water under any pressure or in any quantity to some of the areas now being established, we have found piping for replacement very difficult to come by. It is not as easy as one would imagine. The problem for the department is to find some plan whereby it can equitably distribute the piping and tubing it has between the services already established and the new services. In conclusion I want to thank members for the comments they have made. I did not desire to introduce this Bill, but I felt it was necessary to enable the department and the Treasury to balance the ledger. I assure the House that, so long as I am able to prevent it, no unnecessary increase will be made in respect of this essential service.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Minister for Works in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 94 amended:

Mr. MARSHALL: I think I should make the situation a little clearer. It is only of recent years that I have lived in the metropolitan area and, as I enunciated a moment or two ago, I lived in Malcolm-st. for some years. Strange as it may seem, the same thing happened there as is happening where I reside at the moment. We will go for one, two or three months and have the water quite clear with a fair pressure, then suddenly it changes. Obviously there is something wrong somewhere. I am now talking about normal periods. It is true that during the summer months the pressure generally goes down and we expect that. In mid-winter we find, however, that everything will go along all right for a while and then suddenly there will be a change, leaving us with the water badly discoloured, the pressure down to a minimum and only one or two taps giving any water at all. I believe that there must be some interference with the reticulation system and, if this is so, the department ought to notify residents in the areas affected.

The Minister for Works: I understand that that system is observed.

Mr. MARSHALL: It is not.

The Minister for Works: The other morning I was advised at my home of the intention to cut the water off.

Mr. MARSHALL: That may be so, but something must be done to cause the water to become discoloured. This sort of thing is very discouraging for the housewife wishing to do the weekly washing and finding the water so badly discoloured that the job has to be postponed, or rags have to be tied over the taps.

The Minister for Works: Have you ever given the department an opportunity to explain?

Mr. MARSHALL: This has been going on for years. People complain among themselves, but I am not aware that anybody has made a report to the department. If the Minister wishes me to lodge a report, I shall do so.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—REAL PROPERTY (FOREIGN GOVERNMENTS).

Second Reading.

Debate resumed from the 18th September.

HON. E. NULSEN (Eyre) [5.35]: This is a very small Bill but a very important one, especially to foreign countries. I have read the measure carefully and made inquiries, and I consider that it is not only necessary but also commendable. The object is to enable the Governments of foreign States to own and dispose of land in Western Australia and for purposes incidental thereto. As there is no provision for a foreign Government to be registered as a proprietor of land under the Transfer of Land Act, the Bill is necessary.

At present, a foreign Government, that of the United States of America, does own land in this State, but the Commonwealth Government is acting as trustee for it. The Vice-Consul has approached the Government to have legislation passed in order that the land might be registered in the name of his Government. I believe that the State Government ascertained from the Commonwealth that there is no objection to this course being adopted. The Bill is similar to the South Australian Act, No. 8 of 1950. If a foreign Government can own land in the State by appointing a trustee to hold it, I consider it preferable to have the business within our own jurisdiction. The Bill has been scrutinised by the Crown Law Department and by the Commissioner of Titles and, so far as I can learn, we need have no fear of any foreign Government indulging in exploitation of our land. Therefore, I give the Bill my blessing.

MR. GRAHAM (East Perth) [5.38]: There are several observations I should like to make on the Bill, which is initiating an important step in this State, though I believe there will be general agreement on the principle of the measure. At the same time, as I indicated by way of interjection, I should like to see included in the measure some restriction on the area of land that may be acquired by a foreign Government or a foreign State. I appreciate that any land transaction encompassed by the Bill when it becomes law could take place only with the sanction of a Minister of the State Government but, in an important matter like this, I consider that Parliament should insist upon some limit being inserted in the measure. Whether that should be five acres or ten acres, or some nominal area, I have an open mind, but it could happen that a Government might go berserk or take action contrary to the definite opinion of Parliament, and perhaps even outrage the feelings of the people. It should not be left to the whim and fancy of the Minister to decide whether permission should be granted or not.

Several queries suggest themselves, and I should like the Attorney General to take notice of them in order that he might give the House some assurance on these points. I should like to know whether the land acquired by a foreign State would

be subject to taxation; that is to say, land tax, both Federal and State. Would local government rates be payable upon any such property? Would the bylaws of a local authority have application and be enforceable? I have in mind particularly matters relating to health. Would it be possible for a foreign State owning a building to let portion of it or lease the entire premises? If the answer is in the affirmative, would such property be subject to legislation like the Increase of Rents (War Restrictions) Act, in the matters of rentals charged, evictions and so on? Would it be possible for behaviour that might be offensive and against the best interests of the public to be indulged in with immunity from intervention by the police and security officers?

There might be some validity in these queries. I wish to be satisfied on them and I believe other members also desire some assurance. As regards the general principle of a foreign State being permitted to own property in this State, there can be no objection provided that Parliament itself should determine the maximum area to be so held. It is my assumption that the intention is that every facility shall be provided for foreign governments to have their headquarters established in this State, and not that foreign governments or other State Governments, for that matter, shall become landlords or property owners for the purpose of holding large areas of land or of trading in land, which would then be an investment rather than a convenience, to enable them to transact their affairs. Accordingly, it is my intention to support the second reading, but I appeal to the Attorney General to satisfy me on the queries I have raised.

MR. MARSHALL (Murchison) [5.45]: I frankly confess the Bill puzzles me. I know of no hindrance to a foreign person owning land in this State or anywhere in Australia.

Hon. A. R. G. Hawke: This applies to a foreign State or Government.

Mr. MARSHALL: Yes, it refers to foreign Ministers. The only purpose of the Bill that I can imagine is that the Western Australian Government has no desire to go to the expense of providing accommodation for foreign diplomats, ambassadors or other such representatives. The measure is evidently designed to allow a foreign government to acquire land and erect on it buildings in which to house its ambassadors or diplomats. That is the only essential purpose I can see in it. It contains provision by which no instrument may be granted, disposed of or in any way interfered with without the sanction of a Minister within the State of Western Australia.

The Attorney General should give us fuller information as to why the government of a foreign country cannot ac-

quire real estate in Western Australia, while an ordinary individual foreigner—and I disagree with this, too, I might say—can come into the State, or as far as I know into any other part of Australia, and become possessed of the freehold tenure of any area that he is capable of paying for. No foreign country gives us this privilege. Most of them force us to qualify for citizenship before we can obtain the freehold of any land. But, as I have said, foreigners can walk into Western Australia tomorrow and acquire any property they desire if they have the wherewithal to do so.

While I agree with the member for East Perth to this extent, I had in mind a move made a few years ago to establish a colony of foreigners in some part of the North-West—the Kimberleys, for preference. If we had a Minister, not so wise as the present one, who was desirous of fostering a proposal of that sort, he could give away the whole of the Kimberleys because, under the measure, he does not have to come to Parliament for endorsement of his action. So, if some particular Government desired to establish a colony of foreigners in Western Australia it could, by this medium, get possession of a fair area of land for the purpose. That is, provided, of course, the Attorney General of the day was weak enough to agree.

Where I see a weakness in the measure is that Parliament has no further right of sanction once the Bill is passed. The matter is then left entirely to the Minister which, I agree, is some protection, but only a limited protection. I have no doubt that the Attorney General, or the Minister concerned, whoever he might be, would be most cautious as to the instruments he would issue under the law. I would like to see some such provision in the measure as we have in the legislation dealing with Class A reserves, whereby Parliament has to give its sanction when it is proposed to alter the conditions appertaining to the reserves. That is fair and reasonable. I do not distrust the present Attorney General, or his predecessors, or, for that matter, any of those who may follow him, but there is always the possibility of something being done along the lines I have indicated. There would be little use then in saying, "I told you so."

You will know, Mr. Speaker, how often we pass legislation, believing it to be quite safe and immune from abuse, only to find that in the course of years it becomes abused; that a loophole has been found by which some person or other has got away with something that Parliament never thought possible. Then we say, "What fools we were that we did not see that possibility. Why did not we make it more binding?" Here we are dealing with a similar type of measure. I do not think any foreign country should

be free from the laws of the land by having non-ratable, non-taxable property, etc. If foreign countries wish to have their diplomats in this State, any land they acquire should be subject to the laws governing privately-owned property.

Hon. J. B. Sleeman: I think the Minister probably wants to give Russia a bit of land.

Mr. MARSHALL: I do not know. If the Minister's colleague, sitting on his left, has any say, Russia will not get even a smell of Western Australian atmosphere.

Hon. J. B. Sleeman: She will have no say.

Mr. MARSHALL: I have not much fear of that. I feel we should be a little more exacting in regard to this legislation. I am a little fearful of it, although I do not wish to do anything which would make Western Australia appear objectionable in the eyes of foreign countries or diplomats. We want to be friendly with them all but, at the same time, in providing the facilities they require we should be just as exacting and careful with them as they are with us. I have been to many foreign countries, and I say that we cannot go to those places and purchase freehold land, even if we have the wherewithal to do so.

Mr. Hoar: Are you opposing the Bill?

Mr. MARSHALL: I am not particularly keen about it. I have in the past refrained from expressing my opinion on certain legislation, although feeling a little suspicious of it, only to lament its passing in the course of time. So, I am trying to warn the Minister to give further consideration to the Bill and to tighten it up a little more. He, like myself and others, would not like to pass a measure which would ultimately be detrimental to the welfare of the people of Western Australia.

MR. BRADY (Guildford-Midland) [5.55]: I might be out of step with all other members, but at this stage I am going to oppose the Bill because I think it can have a dangerous aftermath by causing a lot of trouble in 30 or 40 years' time, that we do not today think possible. I can remember what occurred at a place called Danzig at the top end of Poland; and I recall the "Daily News" expressing alarm, within the last 24 hours, because a few Indonesians have settled on an island off our coast; and I remember the proposition to settle certain people in the North-West being turned down, but it looks as though in a period of five minutes tonight members are going to forget all these things.

The Attorney General: They have no application at all.

The Premier: The interpretation of the measure surely does not mean that they can have as much land as they like.

Mr. BRADY: There do not seem to be any restrictions in it. In any case, I am not prepared to grant foreign governments anything more than a lease—and a conditional lease at that—so that Parliament, the Government, or some other authority, will have the right to see that the conditions of the lease are carried out.

The Premier: That does not apply to us in foreign countries.

Mr. BRADY: There might at the moment be a number of foreign countries favourably disposed to Australia, but there are some who are not, and they might take advantage of a measure like this to get land here and, as a result, cause us considerable trouble in the event of war. I know during the last war, because certain countries owned land in other countries, they could spoil the radio programmes, and they did. We have other things besides radio programmes likely to go on the air next time. We will have atomic warfare, and such things. What could be done by a foreign country in Western Australia, if it owned land here, is hard to say. I would not even like to contemplate what might happen. I am not well up in the technical side of these things, but there is a possibility of almost anything happening, so we cannot treat a Bill of this kind too lightly.

The Premier: Diplomatic representatives leave a country in the event of war.

Mr. BRADY: Yes, but they might leave something behind, and it might take six or 12 months to come to the surface. I am not in a position to speak technically, but I feel the House should exercise the greatest caution in regard to the measure. If any country wishes to invest here, let it do so on the basis of a lease containing provisions with which it has to comply. A country like America, with enormous wealth, could cause considerable embarrassment to a State Government if it so desired. I mention America because at the moment she is sympathetic to us, but other countries could be substituted. Many of them have great wealth, and they could set up an establishment in part of the State and bring about conditions there which could cause embarrassment to our own Government.

All these things must be considered. We already have, without other countries owning land here, small sections of foreigners forming themselves into units in important parts of the State. They are beginning to worry the local inhabitants, even though their own country does not own land. Some of these nationals are getting together in their fifties and hundreds, and doing what they like on their own land. What could be done if they owned thousands of acres?

Hon. J. B. Sleeman: And they are telling the Britishers to get out!

Mr. BRADY: I think the whole matter has been treated too lightly.

Mr. Graham: Too darkly!

Mr. BRADY: Yes. I trust the Minister will give further consideration to the measure; or that members will oppose it in favour of something in the nature of a conditional leasehold.

Hon. J. B. SLEEMAN: I move—

That the debate be adjourned.

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

Ayes	....	....	....	....	12
Noes	....	....	....	....	16
Majority against					4

Ayes.

Mr. Brady	Mr. Marshall
Mr. Coverley	Mr. Moir
Mr. Graham	Mr. Sewell
Mr. Guthrie	Mr. Sleeman
Mr. Hoar	Mr. Tonkin
Mr. Lawrence	Mr. J. Hegney

(Teller.)

Noes.

Mr. Abbott	Mr. Nimmo
Mr. Brand	Mr. Nulsen
Dame F. Cardell-Oliver	Mr. Owen
Mr. Doney	Mr. Perkins
Mr. Griffith	Mr. Thorn
Mr. Hill	Mr. Watts
Mr. Manning	Mr. Wild
Mr. McLarty	Mr. Cornell

(Teller.)

Motion thus negatived.

Sitting suspended from 6.5 to 7.30 p.m.

HON. J. B. SLEEMAN (Fremantle) [7.30]: I enter an emphatic protest against an adjournment being refused in regard to this Bill. Anyone would think it was important. If it was important and the Government was trying to get it through in the dark it could have at least granted an adjournment of the debate unless it sought to use the big stick. If it had set out to use its brutal majority, it would be the cause of a lot of trouble for itself, because it cannot get away with it as easily as all that. The Bill provides—

3. (1) Subject to the provisions of this Act, the Government of a foreign State or a Minister or member of any such Government shall be capable of owning and being registered as the owner of land in Western Australia, and of conveying, transferring, mortgagings, demising, and being a party to any other disposition of such land.

(2) In any instrument which relates to land in Western Australia—

(a) The Government of a foreign State shall be described by the words “.....”

We are told that irrespective of the provisions of the Bill, foreigners can own land. It is not so long ago that I participated in effecting transfers of land, and at that time the transferee had to sign a state-

ment that he was not an alien. That is what had to be done at that time, but if it were only a wartime provision it may have been altered since. It is now proposed by this Bill to allow aliens to hold land. It seems to me that the Government has more interest in foreigners than it has in tenants residing in this State. No pity was shown the poor tenants by another place this evening, but under this Bill the Government desires to permit a foreigner from another country to own land. I suppose the Government wants to provide the foreigners with cocktails, too, in much the same way as the member for Moore did. It seeks to allow Uncle Joe to own a block in this State in order that he may entertain members of the Government with cocktail parties.

Mr. Griffith: You should be proud of yourself saying that in the House.

Hon. J. B. SLEEMAN: The hon. member should be ashamed of himself for being a party to refusing an adjournment of the debate on a Bill such as this. Anyone would think the Government did not have a lot of important business on the notice paper, because this Bill is No. 16 on the list and there are only 22 items to be dealt with. What with concerning myself with railways, harbours and houses, which the Government is not providing, I have not been able to give the attention to this Bill that should have been given to it and now I am refused an adjournment. The Government has shown more interest in the foreigner than in the tenant. If it had shown more concern for the tenant, instead of for a foreigner, it would be more to the point. I am sure the Premier cannot be very proud of refusing an adjournment of the debate. However, we will see what can be done in Committee to ensure that when Uncle Joe desires a block in this State he will not get too much. I hope that in Committee we will amend the Bill to ensure that foreign envoys will not own too much land. I want the Minister to tell me what happened in regard to the provision that a document had to be signed to ensure that a block could not be owned by a foreigner. I trust the Bill will not go through the Committee in its present form.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley—in reply) [7.35]: As I have already pointed out the Bill was introduced at the request of the Consul for the United States of America. Naturally, when the American Ambassador requests a favour, one wishes to pay courtesy to him and grant it. The real object of the measure is to overcome a technical difficulty. Under British law, to own land there must be a corporate body, unless such land is owned by an individual. Corporate bodies can only be created by statute or under the authority of certain statutes. For instance, we have the Companies Act which enables a corporate existence to be granted to a num-

ber of bodies for certain purposes. There is the Associations Incorporation Act which grants a corporate existence to a number of persons. An alien can own land in Australia. The member for Fremantle is correct in saying that some time ago, during the war, enemy aliens were not allowed to own or deal in land, but there was no restriction on friendly aliens to the ownership of land or to the transferring of it, nor is there any such restriction today.

Hon. E. Nulsen: He could hold as much land as he paid for.

The ATTORNEY GENERAL: Yes. So if the President of the United States wished to acquire land, he could acquire all the land in Western Australia today.

Mr. Graham: As an individual?

The ATTORNEY GENERAL: Yes, in his name, I agree. The President of the United States is not a corporation recognised under Australian law, hence the introduction of this Bill.

Mr. Graham: I think it would have to be in the name of Harry S. Truman.

The ATTORNEY GENERAL: Yes, because the President of the United States is not a corporate body as recognised under Australian law. There were some queries raised about rates and taxes. The only persons who are privileged as to that are ambassadors or Ministers of a foreign country. For instance, a Consul is not a Minister. It is only those of a higher status who have direct responsibilities and direct ministerial representation from their own countries who have diplomatic immunity. That would be only natural and it comes down to us from the common law of England. I do not propose to go into the technicalities, but if any member so desires he can read the provision for himself in Halsbury's "Laws of England," Volume 6, page 428.

In this case, the corporate body that is artificially created is created by a Western Australian statute and has nothing to do with the common law of England, or the privileges that go to a person who is a representative of a foreign power. All these privileges arise from the fact that a foreign ambassador is immune from judicial proceedings. He is representing his country and, naturally, it would not be suitable for him to be subject to arrest or civil proceedings in the country in which he was stationed. The reason for this Bill is to enable the ownership of a small quantity of land—

Mr. Hoar: Where does it say "a small quantity?"

The ATTORNEY GENERAL: It does not say it. I said that that was the reason for the Bill. If members feel that it is of any advantage to have the area limited to enable suitable premises to be acquired for a Consul representative of a foreign

country in Western Australia, I would have no objection. Probably, a residence would be necessary and perhaps some office accommodation.

The Premier: Is the whole of the Bill taken from the South Australian Act?

The ATTORNEY GENERAL: Yes.

Hon. J. B. Sleeman: That makes no difference.

The ATTORNEY GENERAL: No. I would suggest that if this Bill were dealing with a foreign country as such, then this Parliament would have no authority because foreign affairs and rights of Ambassadors and foreign Ministers come entirely within Commonwealth jurisdiction. All relationships with a foreign country come under the control of the Commonwealth Parliament.

Mr. Hoar: What is the difference between a foreign country and the Government of a foreign country as mentioned in the Bill?

The ATTORNEY GENERAL: The Government of a foreign country represents those persons who control the nation for the time being under the constitution of that country.

Mr. Hoar: I would say that this would be a Commonwealth matter.

The ATTORNEY GENERAL: I think it would be a Commonwealth matter if it had relation to diplomatic privileges and immunities. If this country wanted to waive diplomatic immunity then it would have to be done under Commonwealth authority. I hope members will agree to the second reading and will pass the Bill. I know the American Consul has been anxious to finalise a transaction which has been under consideration, and for that reason I would not like any undue delay to take place.

Mr. Yates: Are the same privileges extended to our representatives in other countries?

The ATTORNEY GENERAL: Yes, they could be.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Attorney General in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Power of foreign Governments to hold land:

Mr. GRAHAM: As other members may desire to move amendments, I will indicate at this stage that after the word "Australia" in line 8, I propose to insert an amendment, the effect of which will be that land held by foreign Governments shall not exceed in area five acres in the aggregate, without the approval of Parliament.

Mr. MARSHALL: I had thought of moving an amendment in line 7 to provide that ownership should be restricted to leasehold land so as to avoid the question of freehold. With a limitation of five acres, I do not think there could be any valid objection even if the property were freehold, because the land could not be disposed of without the sanction of the Attorney General. If any other member thinks it necessary to move an amendment to provide that the tenure shall be leasehold, he can do so.

Mr. GRAHAM: I move an amendment—

That in line 2 of Subclause (2) after the word "Australia" the words "such land not to exceed an area of five acres in the aggregate without the approval of Parliament" be inserted.

In my opinion five acres is reasonable, because one can envisage a foreign country desiring to have an area in the city for office purposes and a quarter of an acre would be ample for that. In addition, a reasonable area would be required for adequate accommodation, possibly in one of the outer suburbs, and we would not like anyone holding such a responsible position to be limited to a small backyard. The total holding required would not represent more than five acres. It would not be advisable to go further for if we agreed to, say, 10 or 25 acres it would be possible, with the consent of the Minister, for a foreign Government to acquire the whole of the central portion of the city of Perth. The safeguarding words "without the approval of Parliament" is an escape provision, and if a greater area than five acres were necessary, the Minister could submit the matter to Parliament, which could sanction the owning of larger property.

The ATTORNEY GENERAL: I would like to make two suggestions. I do not think if the area allowed were increased to 10 acres it would be too much. The other suggestion is that it would be done by resolution of both Houses and that would do away with the necessary formality of passing an Act.

Mr. Graham: I do not think the trouble is likely to arise.

The ATTORNEY GENERAL: No. I am prepared to accept the amendment if the hon. member will agree to 10 acres, and he can bear in mind that it has to be done with the Minister's consent.

Mr. Graham: I would like parliamentary approval provided for.

The ATTORNEY GENERAL: That would be necessary if a greater area than 10 acres were required.

Hon. J. B. SLEEMAN: I do not see the necessity for providing for 10 acres. The Minister has referred to America, but it might be Uncle Joe who wanted to get hold of some land here.

Mr. Marshall: Look, Joe, you should not talk!

Hon. J. B. SLEEMAN: In my opinion, a total area of five acres is ample for anyone who is coming here to represent a foreign country. I do not know why the Minister should ask for an increase to 10 acres. If the member for East Perth had provided for two acres, the Minister would have asked for five acres.

The Attorney General: No.

Hon. J. B. SLEEMAN: The Minister should be satisfied with five acres.

Mr. BRADY: I would like the Attorney General to clear up one point for me. During the second reading debate I said I was opposed to foreign countries having the right to own freehold land here. The Premier interjected that that did not apply in foreign countries. Does the Premier or the Attorney General know of any foreign country where Australia holds any land?

The Premier: Yes. In foreign countries where Australia has embassies, the Commonwealth Government owns land.

Mr. Marshall: And it also owns a small piece of sacred land in France.

The Premier: Yes.

Mr. BRADY: I can imagine that if a foreign power were to purchase five acres at ports such as Albany, Geraldton, Bunbury or even Fremantle, it might be rather embarrassing.

The Attorney General: That could be done now.

Mr. BRADY: Then why introduce the Bill at all?

The Attorney General: A foreign power could hold land in someone's name.

Mr. BRADY: A few years ago land could not be transferred unless a declaration was submitted that it was not being purchased for a foreign power or would not be transferred to a foreigner.

The Attorney General: That was during the war.

Mr. BRADY: I do not want to wait until war breaks out before taking precautionary measures, and I think provision for five acres is ample.

Hon. E. NULSEN: I cannot understand the controversy, because any foreign person can hold land in Western Australia under the provisions of the Land Act. Here we have responsible Government represented in our midst, and are we to restrict ownership of some land here to only five acres? We cannot think very much of foreign Governments. Why should we endeavour to restrict ownership to an area in which they will hardly be able to turn round.

Mr. Brady: Why not lease the land?

The Attorney General: You cannot lease land once it is freehold.

Hon. E. NULSEN: I regard the objections as very trivial. Why should we suggest that a foreign Government desires to come

here to exploit us? If Stalin wanted land here and there was no war, under the existing Land Act he could procure it.

Hon. J. B. Sleeman: Our friends tell us that there is to be a war.

Hon. E. NULSEN: There is no war at present, and none between Australia and Russia or anyone else.

Hon. J. B. Sleeman: There would be if they got their way.

Hon. E. NULSEN: An embassy should be entitled to hold 10 acres. Surely it is not suggested that a foreign country would send representatives here to exploit the country from a monetary point of view. Those likely to do that are merely big financiers and, of course, we know that at one time 640 acres in the heart of London was owned by one man. Nothing of that sort is likely to happen in Australia. This discussion is belittling, and I cannot understand it. If an individual could not hold land under the Land Act, I would take a different view. Because the United States desires to be friendly and help us, why should members adopt this attitude and in effect say, "We don't want you. We do not want to allow you to have any land here, and we do not want your assistance." That is what it really means.

The Premier: What about leaving the Bill as it is?

Hon. E. NULSEN: I feel it would be far better to do that. The South Australian Government has given this fair consideration. Have members read the South Australian measure?

Hon. J. B. Sleeman: Does the fact that South Australia did it make it any better?

Hon. E. NULSEN: No, but it does not make it any worse. I know that quite a number of people are always looking for precedents. I do not do so. I am not traditional or orthodox, but I like to be just and big enough to help those who will probably be helping us in the future. The United States has appealed to this Government to allow it to own a bit of land here. If we do not propose to give that country all it asks for, and if we think it is going to exploit us, at least let us give it a reasonable amount.

Mr. MARSHALL: The hon. member has painted a very good picture of a normal situation. An ordinary foreigner coming to this country and selecting or purchasing land does so from the economic point of view, for the purpose of living thereon. He uses the land and complies with the laws concerning its use. That is entirely different from the situation that arises when a Government wants to own land. Such a Government would not want it for the purpose of producing from it, and we do not know for what purpose some Governments might want to use it.

If America had been mentioned in the Bill, there would probably have been no argument. But I wonder whether members

recall what took place in the heart of London in connection with a communist organisation, when the Imperial Government was obliged to raid the premises of that body and unearth a nest of conspirators and traitors. If those conspirators had owned the property, I am doubtful whether the Government could have raided it. But it was held on leasehold tenure, having been rented from some landlord or businessman, and the Government was able to raid the property and turn that organisation out. Such action taken on freehold property could end in war.

Mr. Griffith: Is there not power for any place to be raided if the Police Department thinks a raid justified?

Mr. MARSHALL: To raid a property owned by a foreign embassy could mean war. It would be an unfriendly, undiplomatic act, which would be considered sufficient provocation for war. In this Bill, we are dealing with Governments and not individuals, and that makes all the difference. I do not like the way the Bill is worded, and even the amendment is not expressive enough, since it merely limits the grant to a 5-acre block. It does not specify whether the property shall be urban or rural. Consequently it could be held in the heart of the city where a complete block or two could be occupied.

The Attorney General: With the consent of the Attorney General.

Mr. MARSHALL: I do not like the Bill, and the amendment does not satisfy me, but I cannot suggest the phraseology that would suit me.

Mr. GRAHAM: I think members are tending to drag in all sorts of arguments which draw the bow a little too long. The purpose of the Bill is not to enable foreign governments to become landowners, but to provide them with reasonable opportunities of acquiring property for the purpose of transacting their legitimate business. This Bill is for a specific purpose.

Mr. Brady: It does not say so.

Mr. GRAHAM: I presume it is necessary to have some regard for the statement of the Minister who introduced the Bill. I do not think anybody has any doubt of its intention and purpose. I consider five acres is ample land to provide facilities for the business to be transacted, and accommodation for the principal officers of the foreign representatives in this State. The reason for the limitation is that there is every difference in the world between a private individual's owning property and a foreign government's doing so. There would be no discrimination whatsoever between Truman of the United States and Graham of Western Australia; but there would be every difference in the world between the Government of the United States and Graham of Western Australia.

Nations have certain rights and immunities, and because of that I feel very emphatically that there is need for a safeguard. To my mind, five acres is ample; and, if there is a case where it proves to be insufficient, all that is required is that the Minister shall satisfy Parliament there is need for a greater area, and presumably Parliament will willingly concede the additional land.

Mr. BRADY: I hope the Minister will agree to the amendment. If it were a question of America only, I might be prepared to let that country have 10 acres; but I consider it advisable to stick to the five acres for everybody, because there is nothing in the Bill which has reference to the American Embassy or to any other embassy. The reference is merely to foreign countries. I went through Canberra in January last year, and I do not think any embassy there had more than one and a half to two acres at the most. If that is the case at Canberra, it is not likely that more than five acres would be required here.

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

Clauses 4 to 6, Title—agreed to.

Bill reported with an amendment.

BILL—HOSPITALS ACT AMENDMENT.

Second Reading.

Debate resumed from the 13th September.

MR. HOAR (Warren) [8.15]: Unlike a good many Bills, this is a simple one, and the Minister has made her intention and desires with regard to it quite clear. It appears that over the years since 1927, or even earlier, there has been quite a change in the control and administration of hospitals generally in this State and, as a result of that, the Minister now feels that the Government should have greater control—control extending even to the power of veto—with regard to the appointment of senior officials. I am not sure, however, that that power is necessary or desirable. I cannot find anywhere a demand for such a move as this, in spite of the fact that over the years the power of hospital boards has tended to diminish because of the fact that today they do not produce from their own areas anything like the amount of revenue they previously produced. The Minister said, when introducing the Bill, that the hospital boards today do not provide even two per cent. of the revenue necessary.

When the Minister replies to the debate, I would like her to explain just what is involved in that two per cent. of revenue which the hospital boards throughout the State do provide. I am not fully acquainted with the activities of such boards, but it might be a matter of general interest to members to know just what

the Government contributes and what is the extent of the efforts made by the people concerned locally to satisfy the requirements of their districts with regard to hospital administration and attention generally. I believe that the tendency of legislation towards control over hospitals lies in the direction of centralisation and that, in my opinion, is satisfactory because many people—and certainly I—have been for a long time of the opinion that it should not be the individual responsibility of every citizen but rather a national responsibility to cater for periods of ill-health.

Down the years there has been shown a tendency on the part of Governments—through social services, both Commonwealth and State—to centralise hospital administration, and we have now reached the position where the Government provides nearly all the finance necessary for hospital maintenance and expansion. Nevertheless, we are still attempting to placate those hospital-minded people in country areas who are prepared still to continue their work on behalf of their hospitals. In other words, we find in the Act provision that the hospital boards shall be responsible for the control, management and maintenance of the public hospital or hospitals for which it is or has been appointed, and in the Bill there is no suggestion that the Government intends to amend that provision. It is, in fact, still prepared to allow hospital boards to carry out their responsible tasks but, if this measure becomes law, it will deny the boards the right to select for themselves senior officers or staff for the hospitals under their administration. I do not think that is a democratic way of going about the business.

There is no one today more keen than are country people who are willing to give up their time, often at some expense to themselves, to see that the hospitals in their areas are run satisfactorily. If their power is to be whittled down to the extent proposed in the Bill, and they are no longer given power to appoint a doctor, matron, secretary or any other senior officer, hospital boards might just as well go out of business and the Minister might just as well attempt to effect an amendment of Section 18 of the Act in connection with the powers of hospital boards. It is not fair to deny boards the right to continue exercising their proper powers of selecting the officers with whom they and not the Minister have to work.

Members know that if the Minister used the power sought in the Bill, a situation might arise where a hospital board wished to select a certain officer yet, for some reason entirely unknown to the board, the Minister might veto the appointment. The board would then be placed in the position of having to work with an appointee put forward by the Minister—an appointee who would have the protection of the Minister—and that could cause considerable embarrassment to all con-

cerned. The power of veto on the part of the Minister would lay itself open to political appointments—not necessarily by this but any other Government—and, so long as the Minister had the power of veto and appointment without disclosing the reasons for the action taken, there would be no incentive for hospital boards to continue functioning at all.

Hon. E. Nulsen: Would it affect all the staff?

Mr. HOAR: No, the senior positions only. It is those people who are responsible for the control of a hospital under the direction of the board and the board, the members of which have to work with such officials, must retain the right to make their own selections. A situation might arise, however, in which the Minister would have knowledge not possessed by the board with regard to some candidate for appointment, and in that case the Minister or the Government should be given the right—it is not contained in the Act today—to consult the board and place the facts before it prior to an appointment being made. That power could be provided by an amendment to the Bill, and it is to that end that I have placed an amendment on the notice paper. I have not had much opportunity, since the Bill was introduced, to get into touch with hospital boards, but I have discussed the matter with one or two board members that I know personally and they are not at all pleased with the suggestion that the power of appointment should be taken from them.

If the Minister will agree to the amendment I propose to move, I feel that all parties concerned will be satisfied. If that course is followed, the boards will have the right to listen to any objections the Minister might have in the case of a particular appointment and, if the Minister can prove that the appointment is not desirable, I am sure the board concerned will select some other candidate. In that way it would be possible for the board to have the final say as to who should be appointed.

Mr. Hutchinson: What is the Minister's principal reason for seeking this amendment to the Bill?

Mr. HOAR: The Minister might tell the reason for seeking an amendment of the Act, but I can tell the hon. member only the reason for seeking to amend the Bill.

Mr. Hutchinson: I meant the amendment to the Act.

Mr. HOAR: The Minister will probably explain that when replying, but is it my interpretation that the member wants?

Mr. Hutchinson: Yes.

Mr. HOAR: My interpretation is that over the last few years the Minister may have gained knowledge about the character of some individual who was about to be appointed by a hospital board and

may have known that the board was not aware of the facts. Yet, under the Act, the Minister had no power to intervene. The purpose of my amendment is to give the Minister power of setting the position clearly before a hospital board, the board then having the right to make or not make the appointment in the light of the facts.

HON. E. NULSEN (Eyre) [8.27]: Although I have not had much opportunity of studying the Bill, I have had a lot to do with hospitals and have been chairman of various boards for years. If we are to take from hospital boards their power of appointment, we will find it difficult to get boards to carry on. As chairman of a hospital board, I have had at times to take action in the case of doctors who would not carry out our requests. I will give one instance, without mentioning the names of those concerned.

I cautioned a certain doctor on several occasions because he did not let the board know where he was going from time to time. We wanted to know where he was going only so that we could get in touch with him in the case of an accident. He refused to co-operate in that regard and, after I had cautioned him twice, I said to him, "You have been away and fortunately there has not been an accident but, if there had been, we would have been placed in a difficult position as we did not know where you were." He replied, "That is my business," and I said, "As an executive officer of the Norseman Hospital Board, I suspend you, because the responsibility is too great. We might have had a bad accident in the mine and would not have known where to find you." The board later confirmed my action and the doctor was suspended. Had the board not had that authority, we would have had to refer the matter to the department and the decision would then have depended on the departmental attitude.

It would be wrong to take this control out of the hands of the boards, and I am sure that many hospital boards in Western Australia would go out of existence if that course were followed. Serious consideration should be given to this question because the hospital boards in this State are doing a fine job without remuneration for it. They are going to their meetings probably once or twice a month; they have to put up with the abuse of subscribers and have to battle very hard for finance. They run various functions and are treated well by the mines because there they can make direct contact. I am afraid we would lose all that enthusiasm and a lot of the support we get today if we had all control vested in the department. I have not had very much time to study the Bill, as I have been travelling around the

country, but I think the member for Warren has put up a very good case and I agree with him entirely.

I have no objection to the department's collaborating with the board in regard to the appointment or dismissal of an official, whether high or low, but I do think the board should have the last say. In the long experience I have had in hospital work I have found that if we take their authority away and merely use them as an instrument to carry out the instructions of the department, we will find the general help we are now getting from the boards and the people throughout the State will diminish.

MR. MARSHALL (Murchison) [8.32]: Before the Minister replies I would like to get a more accurate digest of the contents of this measure. It mentions a medical board. From my point of view that would be a board created for the purpose of controlling public hospitals and having no jurisdiction over those committee-run hospitals such as we have on the Goldfields. I want to know from the Minister whether my convictions on this point are correct or not. If this provision in the Bill will give the medical board created under the Act power to dictate to committee-run hospitals in the outer Goldfields areas, and would restrict their right to appoint secretaries, matrons and medical practitioners, then I would immediately jump on this measure because of the arguments advanced by the member for Eyre, who is similarly circumstanced to myself.

The Minister did not say what the purpose of the Bill actually was, apart from the fact that the medical board wanted power to have some jurisdiction over the appointment of these particular officials. It never dawned on me that it was going beyond the powers that have been instituted for the purpose of controlling what we call public hospitals, of which there are very few in Western Australia. I do not know where they are located. The position is very difficult and this has been a thorn in our side for many years. We who live in the isolated and remote parts of the State do very much by way of voluntary effort to contribute to our hospitals. The public hospitals are financed and maintained solely by the Government.

The Minister for Health: Board hospitals are, too.

MR. MARSHALL: I know that those hospitals of which I speak get subsidies from the Government but we do not get the same enthusiasm, the same voluntary effort or interest in the hospitals in the centres that are entirely controlled and maintained by the Government as we do on the Goldfields and in the outer areas. All the responsibility is placed on a local committee that receives nothing by way of financial reward for the effort and time devoted to the maintenance of its hospitals.

MR. HUTCHINSON: Nor do board hospitals here in the metropolitan area.

MR. MARSHALL: I cannot quite catch the interjection.

The Premier: He is shouting it out.

MR. MARSHALL: I have had a look at the definition of "board" in both the consolidated Act and the amending Bill. The reference is merely to a medical board to be created or nominated, to be especially constituted of six medical practitioners and one civil servant. If that is so, it implies that that board is to control those hospitals that are wholly maintained by the Government. If that is the limit of the powers under this Bill then I have no further argument. The Minister knows the trouble I have been having with her department, and I have received a minute from her today which is very discouraging indeed. If in the face of that the Minister is going to say that the provisions of this Bill are to apply to those committee-run hospitals then I would appeal to the House to defeat the Bill on the second reading. I have known the hospitals in the more thriving centres of the outer Goldfields to raise hundreds and hundreds of pounds by voluntary effort.

Hon. E. Nulsen: Thousands of pounds.

MR. MARSHALL: That is over a period of time. I have known them to hold bazaars and run shooting galleries from which they have obtained £500, which has all gone to the hospitals. This relieves the Government to that extent. Does the Minister for Health, or any other Minister, say that the health of the district is the responsibility of the local community? It is nothing of the kind. It is a wretched state of affairs to think that in a wealthy State like Western Australia many of its hospitals have to depend upon these local efforts and cold charity for their maintenance. I want to know from the Minister if this particular provision in the Bill will indicate to committees in these areas, "If you want to appoint a doctor, or a secretary or a matron, or any other official, you may do so only with the sanction of the bureaucratic board in Perth." If that is the case, I say no, distinctly and definitely, no. I am sick of this building up in the city of a bureaucratic state of affairs and it is time that we who live hundreds of miles away threw off the yoke.

MR. GRAHAM: What about the Commissioner for Railways?

MR. MARSHALL: There were no committees in control of any section of the railways. Here we have an institution which, apart from a small annual subsidy by the Government, is entirely dependent on the local efforts of the people and, if we are going to give this particular board in Perth dictatorial authority to tell these people whom they may or may not appoint, I will vote against the measure. I have just awakened to the fact, and I believe the Bill itself will not control the committee-run hospitals.

The Premier: No, it will not.

Mr. MARSHALL: I think it is merely giving the medical board created under the consolidated measure power and scope to do certain things in regard to public hospitals and not to committee-run hospitals.

MR. MAY (Collie) [8.40]: It is quite evident that this amendment we are now discussing to the Hospitals Act of 1927 is designed to give the Minister authority over the appointment of senior medical and non-medical executives of hospitals. It is obvious that at the present time she has no say in those appointments. In following the discussion it would seem to me that it has apparently become necessary for the Minister to have some say in the making of these executive appointments, although when introducing the measure she admitted that the appointments made by the boards to date had been satisfactory. But she also said in her remarks that she anticipated that some of the appointments in the future may not be so satisfactory—in fact the Minister went on to say that some of the appointments made by the board had been regarded by the department as most unsatisfactory.

I find it difficult to believe that any board in control of hospitals would make unsatisfactory appointments. I suppose they make mistakes just as we all do, but I do not think they make unsatisfactory appointments. I feel that the boards would go to no end of trouble to investigate the qualifications of applicants before the appointments are made, I just cannot follow the Minister's line of reasoning when she says that she wants the authority to make those appointments, particularly as she says that to date the appointments have been more or less satisfactory. As the Government of the day is responsible for the financial maintenance of hospitals—with the exception of those in the out-back centres—I think it should be entitled, through the Minister, to have some say as to the senior executive appointments.

Looking back over the years it is difficult for me not to appreciate that the boards of hospitals are not safeguarding the interests and the financial set up of the Government. That is what it amounts to, now that we have this Bill before us asking us to give the Minister authority to confirm and investigate all senior medical and non-medical appointments to hospitals. If this power is given to the Minister, it should be exercised with great discretion, because we should bear in mind that throughout the State members of hospital boards devote much time to the work and have done a wonderfully good job. Although they are not responsible for the financial aspect, nevertheless they are responsible for the administrative work.

The Minister declined to answer an interjection as to whether the hospital boards had asked for the amendment. This leads me to believe that the boards have not requested this change. Although I cannot see any urgent need for the amendment, in the absence of any counter proposal, I see no reason to oppose the second reading. I repeat that, if the Bill becomes law, I hope the Minister will exercise this authority with great discretion and will bear in mind the good work done by the hospital boards. Even when she has this power, I suggest that the boards should be allowed to co-operate with her in the making of major appointments.

THE MINISTER FOR HEALTH (Hon. Dame Florence Cardell-Oliver—Sublaco—in reply) [8.47]: I feel that my remarks when moving the second reading have been very much misunderstood. It has been suggested that I am against the hospital boards. That is not so. In the past these boards have done a most wonderful work and many of them are doing a wonderful work now, but, as I explained, members of some of the boards have approached me, asking whether it was possible for the Government to take them over. They were located too far out and the members were not interested in the particular board with which they were associated.

Hon. E. Nulsen: You have that right now.

The MINISTER FOR HEALTH: Yes. One point not appreciated is that there is no intention of interfering with the boards. We are merely asking that the Minister should have the right of confirming the appointment of the medical officer, matron or secretary. That would not amount to interference. If I so desired, I could give information that would horrify members, but I shall not do so because I appreciate the work that is being done by the boards.

There are about 55 hospital boards throughout the State, 39 of them controlling Government hospitals. I should like the member for Warren not to persist with his amendment because it would entirely destroy the purpose of the Bill. The measure is intended to ensure that senior appointments made by boards are as satisfactory as conditions will permit. I point out to the hon. member that the department knows very much more about applicants for these positions, with the possible exception of applicants for secretaryships, than do members of boards or members of Parliament. We know intimately the records of some of the people who are appointed by boards.

Hon. E. Nulsen: You do not know the psychology of the people in the various parts of the State.

The MINISTER FOR HEALTH: The hon. member has occupied the position of Minister and he is aware that, if one continues in that position long enough, one becomes not only a psychologist but also a psychiatrist. The Bill is designed to avoid unfortunate appointments such as have been made in some cases in the past and are being made today. Such appointments would not have been made had members of the board been in possession of the facts regarding the applicants.

Mr. May: Does this arise out of the recent appointment at the Royal Perth Hospital?

The MINISTER FOR HEALTH: Yes. It was found, as I said in my opening remarks, that the Minister had no jurisdiction whatever and could do nothing about that appointment.

Mr. May: But it is satisfactory.

The MINISTER FOR HEALTH: It is very satisfactory. However, that does not apply to every board throughout the State. In the 55 hospitals, there are quite a number where the appointments have not been satisfactory.

Mr. Hutchinson: Would not you gain your point by accepting the proposed amendment of the member for Warren?

The MINISTER FOR HEALTH: No. It would defeat the object of the Bill because consultation or collaboration, as suggested, would not be sufficient. Consultation simply implies that those concerned have a nice little talk. I have told a board that a person proposed to be appointed was not the right type, and yet the board has deliberately made the appointment and, after a few months or a year, something has happened and that person has been dismissed.

Mr. Hoar: Where did that occur?

The MINISTER FOR HEALTH: If the hon. member comes to my office, I can give him much more information.

The Minister for Lands: You have the history of most applicants for major appointments.

The MINISTER FOR HEALTH: Yes; I have the history of most of the doctors and matrons in the State, though I have not the history of all who would be willing to accept office as secretary. Often when we have supplied the history of an applicant, the board has deliberately appointed a person who, we consider should not be appointed. I could say to a board that a certain doctor or matron might not be desirable, but I could not go much further because it might be libellous. In fact, some of the information in the department is of a very secret nature.

Approval by the Minister should be regarded as a safeguard and a protection for the board and the people. It should

not be regarded as reducing the authority of the board. Another point I made when moving the second reading will bear emphasising at this stage. Boards nowadays, unlike those of 20 or more years ago which raised considerable sums of money, are really a spending agency for the Government. The board hospitals raise approximately 2 per cent. of the total amount of money spent. Let me give the member for Warren an example. There are three hospitals in his district, and although they are doing admirable work, in 1950-51 they raised £320 by donations.

Mr. Ackland: What do the people of Perth raise for the Royal Perth Hospital?

The MINISTER FOR HEALTH: I cannot tell the hon. member offhand. During the same period the total revenue of those three hospitals was £21,000.

Mr. Hoar: That is not questioned. It has nothing to do with the case.

The MINISTER FOR HEALTH: Yes, it has. The doctor, matron and secretary are the people who tell the board what is necessary in the hospital.

Mr. Hoar: Are you satisfied with the appointments made in those three hospitals?

The MINISTER FOR HEALTH: I have not heard anything against them. When a little more than one per cent. is raised by the local people and £21,000 is contributed by the Government, surely the Minister should have some say as to who should be appointed to the major positions! I consider that the boards would be very wise to accept this proposal and, as I have stated, the Minister should at least be able to approve of the appointment of those who will be the chief instruments for the expenditure of the money. I repeat that I hope the hon. member will not persist with his amendment. It would destroy the purpose of the Bill and I cannot possibly accept it. Further, I consider we should be doing a great disservice to the hospitals throughout the State if we did not give the Minister some control in the matter of appointments to these senior positions.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 and 2 agreed to.

Clause 3—Section 19 amended:

Mr. HOAR: I listened to the Minister's reply, but she has not convinced me that my amendment is unnecessary. There is some contradiction inasmuch as when the Minister introduced the Bill she said she was entirely satisfied with the hospital boards as she knew them, and they were doing a splendid job, yet in the next breath

she told us that quite a lot of them, in spite of the fact that she herself has advised them, have gone against her wishes and made unfortunate appointments. We cannot have it both ways. We have not been told clearly just what is in the Minister's mind in this connection. It is no good the Minister's saying the hospital boards are doing a good job when she then tells us that she has evidence to show that a large proportion are making unfortunate appointments.

The Minister for Lands: She did not say a large proportion.

Hon. A. R. G. Hawke: The Minister said the Bill would not provide for ministerial interference with hospital boards.

Mr. HOAR: The Bill will provide a dictatorship in regard to appointment. People who have in the past done all the work in connection with hospitals, and will in the future, will not be able to select the officers with whom they will have to work.

The Premier: Does not this principle apply to local governments? You cannot dismiss, or, I think, appoint a secretary without the approval of a Minister. What trouble ensues from that power?

Mr. HOAR: It is working satisfactorily in most cases.

The Premier: So will this.

Mr. HOAR: The difference between local authority work and hospital work is that those interested in local government affairs are not only prepared to spend a good deal of their time on the work but they feel they have a public duty to perform which they should express in that way. There has never been an occasion where similar appointments to those contemplated here were made without some approval being obtained by the local authority. But in the case of hospital boards we not only must have public spirited men and women, but people who are prepared to go to great lengths to obtain assistance.

The Premier: I agree there.

Mr. HOAR: That is not seen in local government work.

The Premier: Local authorities spend mostly their own money, raised by way of rates, whereas now the hospital boards are spending nearly all Government money.

Mr. HOAR: Yes. I accept that as a normal trend today. The Minister said that three hospitals in my electorate have subscribed only £300, and the Government £21,000. That is not nearly enough, because there is plenty of work yet to be done there. I do not consider it is the responsibility of the individual to pay for hospitals, but that it is the Government's responsibility to look after the health of the people. If the Government wants co-operation in the administration of these institutions we must have local people who

are hospital-minded. We will not get their co-operation if we insult them, as the Bill does.

The Premier: No, it co-operates with them.

Mr. HOAR: The board might recommend John Smith to be secretary, but if I am the Minister and prefer someone else, I shall not permit John Smith to be appointed. All I seek by my amendment is that the Minister shall have the opportunity of saying to the board that there is something wrong with John Smith.

The Minister for Lands: Is this John Smith the ex-member for Nelson?

Mr. HOAR: I can see the Minister's point of view. The hospital board will have the full responsibility for the maintenance and work to be done, so why should it not have the same power regarding these appointments? The Minister contradicts herself so I do not know whether the hospital boards are good or bad.

The Premier: The Medical Department knows the good boards and the bad ones. It also knows the officials connected with the boards. If the Bill becomes an Act, the department will be able to advise the hospital boards.

Mr. HOAR: If it is thought that the amendment would place the Minister in a position where she would not be able to consult effectively with the boards—in other words disclose her information—then I say it is worse than ever because some unfortunate individual, seeking appointment to a hospital, might be condemned by the Minister, and refused appointment without explanation. What would his position be?

The Premier: You know there would be a good reason.

Mr. HOAR: According to the Minister a number of unfortunate appointments have been made. If the Bill had become law earlier, would she have just wiped them off without explanation or appeal?

The Minister for Health: You have it all wrong.

Mr. HOAR: It savours too much of dictatorship, which I do not like. I propose to compromise so as to give the Minister the opportunity to do the things she wishes to do while at the same time the boards will still retain their powers. I move an amendment—

That in lines 2 and 3 of proposed new Subsection (5) the words "obtained the approval in writing of" be struck out and the word "consulted" inserted in lieu.

Hon. E. NULSEN: I support the amendment. I know the difficulties of the department, but I feel that the people in the country have suffered centralisation

long enough. The Bill means more centralisation because a board will have to come to the Minister and ask whether it can appoint so and so as secretary. Generally speaking the hospital boards are doing all they can and now we are asked to make things more difficult for them. The Norseman Hospital Board, for instance, has done a great job and the people of that area have in the past contributed liberally, their contributions remaining reasonably high even now. This legislation leans towards bureaucracy and might end in hospital boards having no power at all, and being forced to go cap-in-hand to the department.

The Minister for Health: They have to come to the department now for money.

Hon. E. NULSEN: Why does not the Minister, then, put all the hospitals on the same basis as the Royal Perth?

The Minister for Health: That hospital is run by a board.

Hon. E. NULSEN: Yes, but it makes no contribution towards financing the hospital. It does not run fetes or go begging for funds with which to carry on. Instead, it goes to the Government or to the Lotteries Commission, so that the whole State contributes. The Lotteries Commission has always been generous to the Norseman hospital and to many other needy institutions in the country.

Mr. Marshall: And the Government takes the credit.

Hon. E. NULSEN: If we are to take away the power of these boards, why not eliminate them altogether and let the State take over all the hospitals? We preach decentralisation, but this measure tends towards still further centralisation.

The Premier: You think those who supply most of the finance should have no say in the running of the hospitals. Hospitalisation has altered since the hon. member controlled the department.

Hon. E. NULSEN: Yes, but if the Premier takes that attitude, why does he not do away with the boards and take over the hospitals?

The Premier: We want the boards to continue and we will encourage them.

Hon. E. NULSEN: This Bill will not encourage them. If this measure becomes law I think any board might be excused for saying "Let the Government take the hospital over."

The Minister for Education: I would be quite happy about it if I were chairman of a hospital board.

Hon. E. NULSEN: That is a poor outlook. Although these boards are never very financial they are always doing something to help the hospitals.

The Premier: The Government knows that.

Hon. E. NULSEN: I know the department sometimes gives reasonable consideration to matters such as this but I feel compelled, knowing what the boards have done, to oppose the Bill as it stands. I will vote for the amendment, which will allow the Minister to put before a hospital board any knowledge she may have of a particular candidate for appointment, but why did not she include the secretary—

The Minister for Health: They would want a good secretary.

The CHAIRMAN: The member for Eyre will have to move another amendment if he wishes to discuss the secretary.

Hon. E. NULSEN: The medical superintendent is probably an important person but the psychology of each district must be taken into consideration. A doctor who is a success in one area might fail in another if he did not suit the people. If the Minister gives the matter full consideration she may reach a different conclusion and agree that the boards should retain their power of appointment of executive officers, with the proviso that the Minister shall be able to consult them in certain circumstances.

Mr. ACKLAND: If it had not been for the interjection of the member for Guildford-Midland, and some misleading interjections both by the Premier and the Minister, I would not have spoken during the Committee stage. I intend to vote with the Minister but I am in entire sympathy with those who support the amendment. There are four hospital committees in my electorate and everyone of them is dissatisfied. The Minister has suggested that in Warren the people had contributed only £300 while the Government had found something like £21,000. That reminds me of a controversy I had with the Premier some time ago when it was made to appear in the Press that the people of Dalwallinu had contributed only a few hundred pounds while the Government had found something between £20,000 and £30,000. On analysis we found that the payment referred to by the Premier on that occasion was almost entirely money collected by taxation through the social services tax. The people themselves had contributed by way of social services tax more than the total amount paid by the Government. I support the Minister because it will be one step further towards making the Government take over the entire responsibility of finding the cash for these hospitals.

Mr. Marshall: And finding the administrators too.

Mr. ACKLAND: The member for Guildford-Midland interjected and said that this money came from the Lotteries Commission. I had a letter from the Health Department today which advised me that the department intended to provide some new equipment for the Moora hospital,

and that the local hospital committee would be compelled or asked to find one-third of the amount required. I do not think that state of affairs applies to any of the Government hospitals in this city, such as the Royal Perth Hospital, the Fremantle Hospital and others. The people in the country districts are fed to the neck with the hospital board being administered from Perth.

The Premier: Did you say that the Government asked the Moora Hospital Committee to find one-third for the building?

Mr. ACKLAND: No, one-third of the cost for some equipment which is being put into the Moora hospital.

The Premier: All hospitals do that.

Mr. ACKLAND: The people are generous to the extreme and about 35 or 40 per cent. of their tax payments are going into social services. Therefore they feel that they are doing just about enough, and if it is good enough for the people in the city to have all this money provided to give them beautiful buildings, then it is good enough for the people in the country.

Mr. MARSHALL: I thought that the Minister would have fully appreciated exactly what she was doing by this Bill. Neither the provisions in the measure, nor the amendment of the member for Warren is entirely satisfactory to me. The Minister knows the situation because I have been obliged to approach her in regard to the appointment of matrons and doctors for hospitals far removed from this city. The Minister knows the difficulty we are having in securing professional officers. The first thing the Minister desires and demands is that the local committee shall advertise for, say, a medical superintendent. Having received a reply to its advertisement—although of recent years we have been advertising for months on end in an endeavour to get professional men—under the provisions of the Bill the local committee has to write to Perth for the Minister to sanction the appointment. That means another month goes by, thus leaving the people in those isolated places without medical service for an extra month.

The Premier: Why a month's delay?

Mr. MARSHALL: Because the Premier has had the same experience as I have had with Government departments.

The Premier: Then it must have been the railways.

Mr. MARSHALL: Everything the Minister wants is in the Act now, under Section 9. If as the Minister said, there have been unfortunate appointments in the past, then the board has power to take action and can dismiss appointees and appoint others in their places. All this Bill will do will be to prevent a local committee from appointing or dismissing a person until it confers with the Minister.

Yet the Minister has all the powers she wants to take any action to prevent wrong appointments under the Act. It is clear, distinct and concise. So it reverts to what I have said, that if the committee does approve of a certain applicant, it dare not appoint him without the approval of the Minister.

Hon. A. R. G. Hawke: After it has conferred with the man or not.

Mr. Hoar: The board does not mean the Minister in the Act. The board means a hospital committee appointed under the Act.

Mr. MARSHALL: This Act is subject to ministerial control. The board administers the technical side of the Act, always subject to intervention by the Minister. I do not think the Minister would bother very much if the Meekatharra Hospital Board appointed, say, Mr. Ernie Hoar, as secretary of the hospital. Having done so, and brought it to the notice of the Minister, the board can remove him. But what this Bill seeks to do is to prevent a hospital board from dismissing an appointee without consulting the Minister.

Hon. A. R. G. Hawke: The Government is trying to do it.

Mr. MARSHALL: Yes. So it further restricts the appointment of officials who are urgently needed and difficult to get. I agree with the remarks of the member for Moore. In years past, these hospital committees, especially in the more isolated mining centres, were very active. The hospitals were practically maintained by local effort. They had a hospital fund and it was compulsory for every mine worker to contribute to that fund; otherwise, he would not be employed. Although the Minister might select a recent year since the population has declined rapidly—and will decline more speedily as time passes because of the treatment meted out by the Government—to illustrate the contributions made, there have been times when the people in these outback areas have liberally contributed to the maintenance of the hospitals, and have taken unto themselves the responsibility of administering them and relieving the Government of much cost and responsibility. But now it intends to step in and give itself further autonomy. The Bill will further hamper the administration of hospitals by committees. I will adopt the same attitude as that taken by the member for Moore, and say that the whole of the State should be treated as a unit and the Government should take over all hospitals. That is what I will recommend to all hospital committees in my electorate and tell them to get right out.

Mr. Hoar: What makes you think that the member for Moore will agree to the Government's taking over all hospitals?

Mr. MARSHALL: It is logical and he cannot be put astray. The Bill will be instrumental in hampering committees in

the northern portions of the State, and it will be found that the members of such committees will all retire and ultimately the Government will be obliged to take over the hospitals and do for the people in those areas what it is doing for the people in Perth.

The PREMIER: I think the fears of some members who have spoken are groundless.

Mr. Marshall: You need not tell us what we think. I know the fears of the people in the North.

The PREMIER: I think the fears of some members are groundless in assuming that the proposal in the Bill is to take from hospital boards power which they are exercising today.

Hon. A. R. G. Hawke: It provides for another control.

The PREMIER: Yes. I thought the Leader of the Opposition would have supported the Bill because one day he may be Treasurer of this State.

Mr. Hoar: He will be, you mean!

The PREMIER: No, may be.

Mr. Hoar: He will be!

The PREMIER: It is then that he will have more worries than he has today, and I think he will find that one that will confront him is the rising cost of hospital administration in this State.

Mr. Ackland: The responsibility should lie with the Commonwealth Government. It is contributing a few shillings, and it is costing about 30s. for every patient.

The PREMIER: We, as a State Government, have a responsibility as well. There is not going to be all the delay of which the member for Murchison speaks.

Mr. Marshall: Oh, no!

The PREMIER: That is fantastic. I do not believe that when a board recommends an applicant to the Health Department, a month is going to elapse before a decision is made. I think a decision will be given immediately.

Hon. A. R. G. Hawke: Two rental homes at Baker's Hill have been lying idle for nine months without anything being done on them.

The PREMIER: We are getting away from the Bill.

Mr. Marshall: We are getting on to facts now.

The PREMIER: We are getting on to a different line now.

Mr. Marshall: You are dealing with theories; we are dealing with facts.

The PREMIER: It may be that without the control of the Minister a man appointed to run a hospital would be most extravagant.

Mr. Marshall: You have power under the Act to get rid of him.

The PREMIER: But one has to get rid of the whole board under the Act. The Medical Department knows every manager of a hospital from one end of the State to the other. It knows their capabilities and I should think that boards would be pleased to consult with the department regarding the making of such appointments. The same applies to matrons. Who would have a better knowledge of the capabilities of a matron, both from the administrative and the professional side, than the officers of the Medical Department?

In these days, when hospitals are reaching much larger proportions, the matrons are assuming much greater responsibility than they had in the past. Therefore I think the Medical Department should have some say in the appointment of officers and matrons. One does not have to stress the importance of the appointment of a medical superintendent. Here again, the Medical Department should surely have some say. It is not going to force upon a board an appointee whom it does not want. This amendment means that the Medical Department will do as the member for Warren has already suggested, namely, help and advise the various hospital boards throughout the State. Surely the Government that is providing hundreds of thousands of pounds for hospitalisation throughout the State should have some say as to how the management shall be carried out.

Mr. Marshall: It has plenty of say.

The PREMIER: What is the hon. member afraid of if the Government has plenty of say? Why does he want to restrict it.

Mr. Marshall: Give it more say.

The PREMIER: If it is giving the Government more say it will be helpful to hospital boards and not a hindrance.

Mr. BRADY: I think there are difficulties on both sides and to my mind there should be a compromise and the clause should read something like this—

A board shall not without first having obtained the approval in writing of a person approved by the board and the Minister appoint a person to or remove a person from the office of manager, secretary, matron or medical superintendent.

In other words both parties should agree and a person can act independently and not be unduly influenced. I know a local governing body that had an officer about whom it was not too happy, but the department would not approve of his being sacked. Subsequently the head of the department changed and strange to relate the officer was out within a few months. The time came for the appoint-

ment of another officer, and that local governing body had to accept again an officer about whom it was not too happy.

What happens is that some of these officers curry favour with the departmental heads. They have very grave weaknesses and these are overlooked because the officers do what the departmental heads want them to. I am on a board that is confronted with the same position; the department tells the board whom it should have, not whom it wants to appoint. I think if both parties agree to the appointment the difficulties will be overcome. Unless we do something like that strings will continue to be pulled.

Mr. MANNING: I oppose the amendment of the member for Warren because in my view it says no more than the Bill introduced by the Minister. The Bill says that the secretary shall be appointed on the approval in writing of the Minister, and the amendment of the member for Warren says, "after consulting the Minister." It means more or less the same thing. I have two hospital boards with secretaries, matrons and medical superintendents who are in agreement with the proposed Bill, and on those grounds I have no hesitation in supporting it.

Hon. A. R. G. HAWKE: If the argument of the hon. member, who has just resumed his seat, is correct the Minister should have no hesitation in accepting the amendment. His argument, however, was not correct. There is a considerable difference between the clause in the Bill which we are now discussing and the amendment. The amendment, if it becomes part of the Bill and subsequently part of the law, would provide for consultation between a hospital board and the Minister in respect of any proposed appointment, but the hospital board would still retain full legal right and power to make the appointment irrespective of what the Minister might have told the board in consultation.

If this paragraph of the clause is carried as it is printed in the Bill then the Minister will be all-powerful. Should there be any dispute between the Minister and the board as to any proposed appointment the Minister will be supreme, and will over-rule completely the wishes of the board and make an appointment which, in her judgment, should be made. In those circumstances the board would have no legal standing or legal power whatsoever. Therefore we have to make a decision on the question as to whether we believe the Minister should have the power to over-rule a board that is appointed, in respect of any appointments to any of the posts listed in this clause. That is a very great power to give to a Minister.

The Premier: You had it for years in regard to appointments to local authorities.

Hon. A. R. G. HAWKE: It is still the law in respect of appointments to local authorities.

The Premier: You were not a dictator then! You did not complain.

Hon. A. R. G. HAWKE: I will accept the Premier's judgment that I was not a dictator. I have not suggested that the Minister for Health, under this clause if it becomes law, will be a dictator. What I am suggesting is that this clause proposes to give the Minister for Health a power to over-rule at any time the wishes of a hospital board or a hospital committee in regard to any appointment covering the office of manager, secretary, matron or medical superintendent of a hospital. The member for Warren considers that is going too far. His amendment proposes to take away from the Bill that portion which would make the Minister supreme in appointments of this character, and at the same time provides that there should be prior consultation between a hospital board and the Minister in respect of any proposed appointment.

Mr. Manning: Who would have the final say?

Hon. A. R. G. HAWKE: The hospital board would have the final say, and the responsibility in connection with any appointment it made.

Hon. E. Nulsen: As it should have.

Hon. A. R. G. HAWKE: I am not able to see that many boards, if any, would go against the advice tendered by the Minister in consultation with respect to proposed appointments, that is if the information which the Minister were to make available to a board in those circumstances was such as to be detrimental to any worthwhile extent to the person whom the board proposed to appoint. We have to look at the practical aspect of the situation. If the Minister could clearly show to a hospital board that a person whom it proposed to appoint was unreliable, or likely to prove unsatisfactory, and the board went ahead and made the appointment then the responsibility would certainly be on the board. If in course of time the appointee proved to be unsatisfactory, the board would undoubtedly remove that person from office.

The Premier: Meanwhile we would have had an expensive experiment.

Hon. A. R. G. HAWKE: Perhaps so, but is it to be presumed that the information of the Minister would always be right? I should be inclined to think that whatever unsatisfactory appointments have been made have been shown to be unsatisfactory only as a result of practical experience, at any rate in the majority of instances. I doubt whether there have been many instances where the officers of the Health Department have known beforehand that the person to be appointed was likely to prove unsatisfactory. We can all be wise after the event.

The Premier: In the past, it has been a case of taking anyone they could get.

Hon. A. R. G. HAWKE: Will not that apply in future? What hospital today has a choice in the appointment of a matron, a medical superintendent or even a manager? Obviously the field of choice is extremely limited. On that basis alone, hospital boards and committees in the country will feel discouraged if this overriding authority is given to the Minister.

The Premier: I do not think they will have any need to feel discouraged.

Hon. A. R. G. HAWKE: Take the hospital committee of Cunderdin, a wide-awake committee that has done a remarkably good job and has gone to great trouble and expense to obtain a good and complete staff. The committee might be satisfied that the one applicant for the position of matron is suitable in all the circumstances, but the Minister might have information to show that perhaps she is not completely satisfactory and refuse to grant approval. What would happen then?

Mr. Marshall: The Premier would then get someone.

The Premier: The Health Department is always helping to get staff for hospitals.

Hon. A. R. G. HAWKE: I am aware of that, and I also know that the department is not always successful. Last week I read of a conference of hospital representatives to be held at Moora to discuss the extreme difficulty of recruiting staff at Moora, Dalwallinu and one or two other places. We should not go so far as is proposed, especially at this stage. If conditions were normal and plenty of staff were available, there might be some measure of justification for the proposal. The Minister should be satisfied with the amendment. If she had the legal right of consultation with hospital boards and committees, I am satisfied that whatever information and guidance she could make available would in 99 cases out of 100 be acted upon. Her having the legal right of consultation would be almost a complete safeguard, and at the same time it would leave with hospital boards and committees the unfettered right finally to make their own appointments. That appears to be a very good compromise. The Minister would lose little or nothing and members of hospital boards and committees, especially in country districts, would feel happier under such an arrangement than under an arrangement whereby the Minister could over-rule their wishes completely and probably, under existing conditions, compel many country hospitals to go for long periods without a matron or medical superintendent.

The Minister for Health: That is not fair because the department does everything in its power to help hospitals to get staff.

Hon. A. R. G. HAWKE: We concede that; every endeavour is exerted to recruiting staff even from other States and possibly from other countries. But the fact remains that there are still hospitals short of staff. If the Minister declared an applicant for the position of matron to be unsuitable, the committee could not appoint her despite the fact that she was the sole applicant for the position, and the hospital might not be able to obtain another applicant for months.

Mr. Marshall: That has been our experience.

Hon. A. R. G. HAWKE: I appeal to the Minister to accept the amendment, which will meet her objective to the extent of 99 per cent. and still leave boards and committees with the confidence that, although they must consult the Minister, they still have the legal right to make appointments.

Mr. YATES: I am of the opinion that this Bill was introduced in connection with a problem the Government had some months ago in the appointment of a manager for the Royal Perth Hospital. There may have been similar trouble in the past, but I would say that this incident would have brought the position to a head. Members are well aware of the Press publicity given to the appointment of a man from England to take over the management of the hospital. The matter was taken up by the Returned Servicemen's League, because the rights of an ex-Serviceman who had applied for the position were affected. I happen to be a member of the re-establishment committee of the league which dealt with this case. We had many meetings and went into the matter fully before deciding to appoint a deputation to approach the Minister for Education who, at the time, was Acting Premier.

Briefly, the position is that the board called applications for the position. I believe that the advertisement appeared in the Press in England and other parts of the British Empire, and applications came from near and far. In this State we had a man fully qualified and capable of taking over the work. In fact, he was acting in that capacity at the time and doing a reasonable job. He was an ex-Serviceman and, all things being equal, had protection under the Act. The board, in its wisdom, decided to appoint a man from England, whom it had never seen but of whose qualifications it had read in correspondence with the man himself.

That was when the League came into the picture, since it felt that a member of its organisation had been done an injustice, because he had the necessary qualifications for the job. A deputation was arranged to the Acting Premier, who gave the members a sympathetic hearing. He made full inquiries and his reply subsequently was that his hands were tied; that the Government had no power over the board; that the board was all-powerful

and did not have to submit to the Government or any Minister the name of any person it was proposed to appoint.

The board might have overlooked the fact that there were many in this State who had the necessary qualifications, and were ex-Servicemen. Had the League gone on with the case in the courts, it might have won on a technical point; because, all things being equal, the man concerned did have the necessary qualifications and should have got the position. We admit that the man from England, who was not an ex-Serviceman, was in charge of hospitals during the war and might have seen just as much action through bombing as the ex-Serviceman in the Royal Perth Hospital did; but under the Act he has no protection in this country. The League was most disappointed at the Minister's reply and felt that the Government should have more say in such appointments. I fully agree.

Take the case of a country board appointing a medical superintendent! It might be honest in its intention to select the best man possible. Without approaching the Medical Department in Perth, it appoints a man who has applied for the position. He might have been a medical superintendent 700 or 800 miles away, and the board might not be aware that he was unsatisfactory at certain times. For instance, he might be a drinker and might not have taken every care in the conduct of the hospital of which he was in charge. But he puts up such a good case that he is appointed, and then the board finds out that it has made a great mistake.

Mr. Hoar: Would not this amendment provide for that?

Mr. YATES: In a way it would; but it does not give the Minister power that would make boards very careful in the matter of appointments before submitting them to the Minister. Their recommendations, in 99 cases out of 100, would be approved of if the Minister had power. There would only be exceptional cases that would give concern, such as I have mentioned. The department, on receiving from the board a recommendation for an appointment, and knowing a little more about the appointee than the board, could send a representative to the district to discuss the matter with the board and place facts before it that might assist it to change its decision.

Hon. A. R. G. Hawke: That is what the amendment provides.

Mr. YATES: The Health Department controls not only medical superintendents, matrons, hospital secretaries and managers, but also a vast number of health inspectors appointed by local government authorities. All these other appointments have to be approved by the Health Department. I should say there would annually be more appointments of health inspectors than of medical superintendents throughout the State yet, since I have been in Parliament,

I have not heard of any abuse of the particular privilege which the Health Department has. The Minister has every justification for suggesting an amendment to the Act to give her power not, as some have envisaged, to be dictatorial but to see that the various hospital boards throughout the State get only the best officers. Furthermore—and this is most important—if she approves of an appointment, the onus rests on her to see that it is a good one. I have every faith in the present Minister and in future Ministers who will control our Health Department as to the attitude they will take in regard to appointments. I therefore strongly support the Bill.

Mr. GRIFFITH: The member for South Perth has given voice to one or two things that were in my mind. I had intended to ask the Minister her reasons for introducing the Bill. Obviously there must have been some good reasons for the proposed amendments. From what I have heard of the situation, I think the Minister will tell us largely what has been submitted by the member for South Perth. The clause and the amendment give power to the Minister over and above the board. The board may make certain recommendations of which the Minister will approve or disapprove.

If the amendment is carried, the boot will be on the other foot. The Act will then provide that a board shall not, without first having consulted the Minister, appoint a person or remove a person, etc. In other words, a board might consult the Minister about the appointment of a superintendent for, say, the Royal Perth Hospital and the Minister might say, "I do not think this man is suitable for appointment," and the board would be perfectly within its rights in saying to the Minister, "Whatever your views may be, we have consulted you in accordance with the Act and now we appoint Mr. So-and-So."

Mr. Hoar: What a silly thing that would be.

Mr. Hutchinson: Most unlikely.

Mr. GRIFFITH: Is it more unlikely that that would take place, or the reverse position?

Mr. Hoar: The Minister's advice would be accepted ninety-nine times out of a hundred.

Mr. GRIFFITH: The hon. member does not know that emphatically.

Mr. Hoar: It is too silly for words.

Mr. GRIFFITH: I could not subscribe to an idea of that sort. If we adopt such a principle, the hospital board not the Minister, will be administering the Act.

Mr. HUTCHINSON: It appears to me that Section 19 of the Act empowers hospital boards to appoint or remove from

office the managers, secretaries, matrons and medical superintendents. The purpose of the Bill is to take that power from the boards.

The Minister for Health: That is not true.

Mr. HUTCHINSON: It certainly is. Instead of bringing down the Bill we might just as well have deleted from Section 15 the provision which empowers a board to hire or fire its senior officers. This seems to me a sugar-coated pill telling the board it has no value. It would be different if the Government, through the Ministry of Health, were to take over entirely the management of the hospitals, and do the hiring and firing. If we are to have hospital boards, let them have some powers. I am a member of a hospital board, and for some time now I have been considering resigning because I feel that I am only a cipher. The amendment seems quite admirable and will serve practically the same purpose as the Minister desires.

When a board wishes to appoint or remove a senior officer it should consult with the Minister, and if she has some reason or reasons why the board's decision should be altered, the board will pay great regard to what the Minister has to say. I agree with the member for Warren who suggested that in ninety-nine cases out of a hundred a board would, in consultation with the Minister, take the Minister's advice. I do not like the further emasculation of the board's activities. I support the amendment.

Hon. E. NULSEN: I feel that most of the trouble has been caused through two boards, the Royal Perth Hospital Board, and the Fremantle Hospital Board. The rest of the hospital boards should, perhaps, be taken out of the category of those boards, in accordance with what the member for South Perth said. He made it clear that owing to a dispute between the Royal Perth Hospital Board and the department, in regard to an appointment, the Government is going to penalise other hospital committees that have done a good job. I appeal to the Minister to report progress so that she may give the matter due consideration. I agree with what the member for Cottesloe said, although I am not in accord with what was put forward by the other members representing metropolitan electorates.

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

Title—agreed to.

Bill reported with an amendment.

BILL—MAIN ROADS ACT (FUNDS APPROPRIATION).

Second Reading.

Debate resumed from the 11th September.

HON. A. R. G. HAWKE (Northam) [10.20]: This is a Bill similar to that which has been brought down each session for several years past. Its purpose is to enable a transfer to Consolidated Revenue of 22½ per cent. of the net balance of the Metropolitan Traffic Trust Account which, in the ordinary course of events, would be payable to the Commissioner of Main Roads. This move was first made necessary by the attitude of the Commonwealth Grants Commission towards Western Australia in regard to the manner in which the construction and maintenance of roads and bridges was being carried out. Members of the Grants Commission at that time—back in 1940—told the Government of Western Australia that this State would have to be penalised in respect of Commonwealth grants unless the Government brought its road finance practices into line with those of the non-claimant States.

The method contained in this Bill was therefore decided upon as being one which would meet the wishes of the Grants Commission on that point, while at the same time enabling Consolidated Revenue to benefit from the Metropolitan Traffic Trust Account to the extent required. It certainly means, in practice, that there is that much less money available to the Main Roads Department for expenditure in the metropolitan area. However, as the local authorities receive considerable sums from the Metropolitan Traffic Trust Account each year, roads and bridges in the metropolitan area benefit to that extent accordingly. The funds available to the Main Roads Department and the Government for use in connection with roads and bridges in country districts are not affected, as the same amount of money is expended in that direction as would be the case if no such Bill as this were brought down. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LAW REFORM (COMMON EMPLOYMENT).

Second Reading.

Debate resumed from the 4th September.

HON. A. R. G. HAWKE (Northam) [10.26]: I support this Bill which proposes to do justice to employees in certain circumstances. Under the existing law, as I understand it, an employer is safeguarded in respect of any claim for damages by an employee where the damage has arisen because of some action on the part of another employee. The Bill proposes to remove that protection for employers from the legislation and, if it becomes law, will enable

the employee injured by the negligence of or through some action on the part of a fellow employee to sue for damages from the employer, without the employer having the right to plead that he is in no way responsible because the injury or damage to the employee concerned arose through negligence on the part of another employee. For those reasons, I support the measure.

Question put and passed.

Bill read a second time

In Committee.

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

BILL—BUNBURY (ROMAN CATHOLIC OLD CEMETERY) LANDS REVESTMENT.

Second Reading.

Debate resumed from the 6th September.

MR. GUTHRIE (Bunbury) [10.30]: This Bill is designed to permit the Council to take over the old Roman Catholic cemetery at Bunbury. This cemetery is now covered with sand and the council has had a conference with the Roman Catholic Archbishop of Perth and they have come to suitable arrangements regarding it. The old Church of England cemetery has been taken over by the council and such arrangements have proved satisfactory. Therefore I do not think there is any need for me to say anything further because the measure is purely for the purpose of permitting the council to take over the old cemetery and turn it into park lands. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—TRUSTEES ACT AMENDMENT.

Second Reading.

Debate resumed from the 6th September.

HON. E. NULSEN (Eyre) [10.33]: This is a small Bill, but it could be an important one because it gives trustees greater scope over investments. Section 5 of the Trustees Act, 1900, sets out that a trustee may invest trust funds in certain securities or on mortgage of real estate in Western Australia. The amendment increases that scope considerably and will permit a trust office to go outside of Western Australia, if it so desires, for investment purposes. Also, it

will permit a trust office or a trustee to invest in semi-governmental securities in other States and New Zealand. Such investments include municipal council work, shire council work or other public works such as transport trusts or electricity commissions, so long as those works have a Parliamentary guarantee within the British Empire.

The Under Treasurer has the right of reviewing any investing of trust moneys. Therefore, the investment of trust moneys is fairly safe. Tasmania, New South Wales and Queensland have similar legislation. For that reason I feel that this Bill is necessary because it gives a greater scope to trustees, including the Public Trustee. I have spoken to the Public Trustee and he is thoroughly in accord with the provisions contained in the Bill. At present most of the investments of the Public Trustee are within the scope of the Commonwealth Government and he has his security in that regard. On the other hand, if this Bill becomes law it will give him the power to invest trust moneys outside this State so long as those investments carry some Parliamentary guarantee. After giving the matter fair consideration, and after making inquiries as to the stability the amendments will afford to trust officers investing money outside Western Australia, I accord the measure my blessing.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 10.40 p.m.