

The MINISTER FOR WORKS: I move—

That the Assembly continues to disagree to the amendments made by the Council.

Question put and passed.

Resolution reported and the report adopted.

Assembly's request for Conference.

The MINISTER FOR WORKS: I move—

That the Council be requested to grant a conference on the amendments insisted on by the Council, and that the managers for the Assembly be Mr. Berry, Mr. Fox and the mover.

Question put and passed, and a message accordingly returned to the Council.

ADJOURNMENT—SPECIAL.

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

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

Question put and passed.

House adjourned at 11.25 p.m.

Legislative Council.

Thursday, 13th December, 1945.

| | PAGE |
|--|------|
| Questions: Kojonup bus service, as to finance, vehicles, etc. | 2772 |
| Railways, as to Diesel for Kalgoorlie-Leonora-Laverton section | 2773 |
| Mining, as to assistance to prospectors | 2773 |
| Assent to Bills | 2783 |
| Motion: Workers' Homes Board, as to resumption of land, defeated | 2773 |
| Bills: Industrial Development (Resumption of Land), Assembly's request for conference | 2782 |
| Conference managers' report | 2783 |
| Assembly's further message | 2786 |
| Building Operations and Building Materials Control, Assembly's request for conference | 2783 |
| Conference managers' report | 2783 |
| Assembly's further message | 2786 |
| Supreme Court Act Amendment (No. 2), Conference managers' report | 2783 |
| Assembly's further message | 2786 |
| Municipal Corporations Act Amendment, 3a. | 2783 |
| Mining Act Amendment, 1a. | 2783 |
| 2a., remaining stages, passed | 2784 |
| State Electricity Commission, Assembly's message | 2786 |
| Road Closure, all stages | 2793 |
| Reserve, all stages | 2794 |
| Workers' Homes Act Amendment, Com., remaining stages, | 2796 |
| Assembly's message | 2796 |
| Commonwealth Powers, Assembly's message | 2796 |
| Assembly's request for conference | 2815 |
| Government Employees (Promotions Appeal Board), Assembly's request for conference | 2799 |
| Constitution Acts Amendment Act Amendment (No. 4), 2a., remaining stages | 2799 |
| Bush Fires Act Amendment, all stages | 2800 |
| Hospital Benefits Agreement, 2a., remaining stages | 2802 |
| Industrial Arbitration Act Amendment, Com., progress arrested | 2809 |
| Marketing of Eggs Act Amendment, Com. | 2810 |
| City of Perth Sanitation, 2a., remaining stages | 2813 |
| Resolution: Gaol site and modern prison requirements, to inquire by Joint Committee, Assembly's amendment | 2802 |
| Council members appointed | 2802 |
| Members of Parliament Fund, Auditor General's report | 2786 |
| Adjournment, special | 2815 |

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

QUESTIONS.

KOJONUP BUS SERVICE.

As to Finance, Vehicles, etc.

Hon. H. L. ROCHE asked the Chief Secretary:

1, What was the net profit on the operation of the Kojonup bus service for the year ended the 30th June, 1945?

2, What was the cost of repairs and replacements for that year?

3, What cost per diem was debited to this service for the hire of a vehicle from the tramways branch, vide page 6 of the report of the Commissioner of Railways, for the year ended the 30th June, 1945?

4, For how many days was this hire paid?
 5, Is any hire being charged to this service for tramways buses at present being used?

6, If so, what is the rate per diem, and for how long has it been paid?

The CHIEF SECRETARY replied:

1, £3,614.

2, £879.

3, Where hire is for a full week, charge is on a weekly basis, viz.:—£20 per week for small bus; £25 per week for Diesel bus. In addition buses hired for less than a week charged at 6d. per mile.

4, 239 days plus 5,613 miles at 6d. per mile.

5, Yes.

6, £25 per week. Hire has been continuous since 1st June, 1945.

RAILWAYS.

As to Diesel for Kalgoorlie-Leonora-Laverton Section.

Hon. W. R. HALL asked the Chief Secretary: In view of the rapid development in the North Coolgardie Goldfields, will the Minister consider the advisability of putting a Diesel electric car on the Kalgoorlie-Leonora-Laverton section?

The CHIEF SECRETARY replied:

A Diesel electric car is not available for this area, but as soon as the additional units on order are received, consideration will be given to its claims in conjunction with those of other areas not at present so served.

MINING.

As to Assistance to Prospectors.

Hon. W. R. HALL asked the Chief Secretary: In view of the number of men returning to the Goldfields, will the Minister state what assistance will be made available to those who intend to go prospecting?

The CHIEF SECRETARY replied:

Approved applicants for prospecting assistance can be provided with sustenance, loan of tools, explosives and rail passes to the particular district selected. Once they become available, and provided the prospector's mining tenement warrants, application can also be made for assistance to obtain plant such as compressors, jack-hammers, etc.

MOTION—WORKERS' HOMES BOARD.

As to Resumption of Land.—Defeated.

HON. H. SEDDON (North-East)

[11.35]: I move—

That this House views with serious concern and protests against the action of the Workers' Homes Board in resuming residential lots in the metropolitan area, as advertised in the "Government Gazette" of the 16th November, 1945, without first consulting the owners and allowing them to retain their land if they so desired.

I draw attention to the development that has taken place in the activities of the Workers' Homes Board. I was interested to hear the Chief Secretary's replies to my questions. He indicated that the board had operated for something like 30 years or more, and that now the building of homes under the Workers' Homes Board has been declared a public work. Apparently this point of view was arrived at by a convenient decision of the Crown Law authorities. By declaring the building of workers' homes a public work the Government is able to exercise certain powers under the Public Works Act. Consequently we had the notification in the "Government Gazette" that the Government intends to resume some 400 residential lots in the metropolitan area.

It may be asked why I am introducing a question that concerns the metropolitan area. My reason for doing so is that certain of my constituents are affected by this notice, and they have drawn my attention to it. At one stage I placed this matter before the Premier who promised to investigate it and let me have a reply, but many Goldfields residents are affected. Section 8 of the Workers' Homes Act gives power to the board to acquire Crown lands and to purchase land for the purposes of the board. Section 48A, passed in 1943, gives power to acquire land for the purpose of providing homes. The board has adopted a policy of resuming land compulsorily and acquiring private residential lots from their owners for its own purposes. I was informed the other day that the position is that there are some 10,000 residential lots scattered throughout the metropolitan area, the owners of which cannot be traced. If the Workers' Homes Board is anxious to acquire sites one would think that it would acquire these lots on which the owners have not paid the rates and taxes. It could do that with-

out inflicting much injustice. In fact, it would have a considerable amount of justification for doing so. But when the board is prepared to take my land and that of other members, which we have acquired by legal purchase, with the intention of using it ourselves, and gives it to someone else, it is transgressing far beyond the conditions of equitable dealing.

There is no justice about that; it is, in my opinion, an unwarranted and arbitrary abuse of a power given to it for certain purposes! The "Government Gazette" of the 16th November contains notification of the intention of the board to resume some 400 lots, all of which are residential sites, in the metropolitan area. Some of the owners concerned reside in various parts of the State and have kept up their rates and taxes. Many of these people bought the land to establish their own homes. Some of them reside on the Goldfields and acquired the land with the idea of establishing a home in the metropolitan area when they reached retiring age. Of course, when they bought the land they knew nothing of the regulations that exist to-day, whereby tenants can deprive the owners of an opportunity to live in their own homes. They knew nothing of the confiscatory legislation introduced by the Government. They bought in good faith, believing in the integrity of the authorities, and they bought at a period when men could rely on a public sense of fair dealing and respect for the individual rights of the citizens. These are not grabbing capitalists; they are ordinary citizens, and they are subjected to the acts of a Government that is abusing the rights of citizens.

The Government has adopted the idea that the State is the owner of everything—a man's possessions, his right to work. Those rights are being more and more brought under the control of the party of which the Government today is representative. The land I refer to was resumed under the provisions of the Public Works Act relating to land resumption, and I draw the attention of the House to the fact that the National Security Regulations also enter into the question. Those regulations fixed the prices as they were in 1942 and consequently any land sales that have taken place since cannot be accepted as reflecting the values of vacant land. I agree that excessive prices

may be asked, and I also agree that the Government would not be justified in paying excessive prices. On the other hand, I say that the right of the owner of land to refuse to sell his property should be retained. These people should not be compelled to sell land for the purposes of the Workers' Homes Board. I referred yesterday to the position that existed in connection with the Commonwealth housing scheme, and I indicated in connection with it that portion of the rent for houses that are being built under that scheme will be paid by the general community.

There is another aspect. The Government might well say to the owner of the land, "Well, if you bought land for the purpose of building a home, provided you carry out that intention we are prepared to meet you." The Government, however, is in the position, owing to the shortage of materials, of being able to refuse to make available the requirements of the prospective home-builder, on the ground that the materials so required were to be used in the building of workers' homes, and consequently it could stop the building operations. Then, because the person owning the property was not able to build, the Government could say that because the land was not being used, it would be resumed. The worst feature of the lot—I am relying in this respect on information given to me by my Goldfields friends—is that they received no advice of the action to be taken by the Government. The only way by which they gained information that the Government was resuming their land was through a friend, who had seen the notification in the "Government Gazette," advising them that they were interested in the resumption of the land. The "Government Gazette" is not a very widely circulated newspaper and is available only to certain persons. As a matter of fact, for a number of years I received the "Gazette" regularly, and then I was notified that, in the interests of economy, it had been decided not to distribute the publication any longer to members of Parliament. Thus the opportunity of seeing notices in the "Government Gazette" is restricted to very few persons, most of whom are engaged in Government departments.

I consider that the least the Government could have done in this case was to advise the people concerned of its intention to re-

sume their land, and it should have given them an opportunity of saying that they were not prepared to sell it as they required it for their own purposes. I am very concerned about the trend that has taken place, especially in recent years, in a direction that I regard as totalitarian, and the adoption of totalitarian practices. The instance to which I have referred furnishes a pretty good illustration of what I mean. I hope that today this House will register its protest in an endeavour to protect the rights of the individual, by supporting the motion which I now move.

HON. SIR HAL COLEBATCH (Metropolitan) [11.45]: I desire to second the motion. It is not necessary to repeat the arguments used by Mr. Seddon, but I do protest against the abuse of the intentions and desires of Parliament. Any land resumed for the purposes of the Workers' Homes Board should be resumed under the provisions of the Workers' Homes Act. If that measure as it stands today does not provide the power that is desired, it should be amended. Compulsorily to resume blocks for the purposes of the Workers' Homes Board for the erection of homes, under the provisions of the Public Works Act is something that Parliament never contemplated when the Public Works Act was passed. When power was given for the compulsory resumption of land it was undoubtedly thought that the power was obtained for purposes in connection with public works. To use that power for the purpose of resuming quarter-acre blocks for the erection of workers' homes is not for the purposes of what are generally regarded as public works. I do not care what the legal aspect may be; I am concerned about what were the intentions of Parliament. I am sure it was never intended that the Public Works Act should be used for the purpose indicated. Consequently, I support the motion moved by Mr. Seddon.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [11.48]: I am advised the position is not as stated by Mr. Seddon and Sir Hal Colebatch. The areas referred to in the motion are situated in Bayswater and South Perth and the desire of the housing authority in this State is to resume fairly large holdings in those districts to meet the

very acute housing shortage which now exists. I am told that every effort is made to contact owners of such land and where it is not possible to contact them or where the owners desire higher prices than the housing authorities consider reasonable, then steps are taken to resume the land. In many cases it is not possible to contact the owners and, notwithstanding efforts that have been made in that direction, sometimes over fairly lengthy periods, obviously no progress could be made. In such instances, notice of resumption is published in the "Government Gazette".

The procedure, I understand, is that the notice is inserted in the "Government Gazette" by the Public Works Department and immediately after that the owners are notified of the fact and are advised that they have 90 days within which to object. In many instances the owners have appealed and where they have been able to show that any hardship would be entailed or that they desired to retain portion of the land to be resumed, arrangements have been made in order that they may have such particular portions of the blocks as they desire. So it is not correct to say, as Mr. Seddon said, that the housing authority in this State is taking action in a way detrimental to the individual. I am told that when objections are received by the Public Works Department, they are sent to the Workers' Homes Board, which gets into touch with the owner or owners, as the case may be. Every consideration is given to representations made by the owners.

I understand also that in some cases, because of National Security Regulations, where the price asked is considerably above the 1942 value the Commonwealth Sub-Treasury—which, of course, comes into the matter—has endeavoured to meet the owners. It must be remembered that the housing authority in this State, which is the Workers' Homes Board, has authority and is called upon under the Housing Agreement between the Commonwealth and the State to resume land for the purpose of building houses. Unless the Workers' Homes Board resumes land wherever it is possible in reasonably large areas, the cost of building will be much higher. If Mr. Seddon would supply me with information of a particular case, in order that I might prosecute in-

quiries with respect to it, I shall be pleased to do so.

Hon. H. Seddon: I have already given the Premier particulars of one case.

The CHIEF SECRETARY: I am simply giving the House the information that has been supplied to me. It seems to me that the procedure taken by the Public Works Department and the Workers' Homes Board is quite fair. If it is not possible to contact the owner of a particular piece of land, surely there should be some means by which action can be taken. In some instances the owners perhaps have forgotten that they own these small parcels of land; in other cases probably the owners would be grateful to have the land taken over from them. Some of them have paid rates for many years, it is true; it is also true that some landowners have been hanging on to their land with the idea of reaping the benefit of increased prices in years to come. That sort of thing cannot be allowed to stand in the way of a housing scheme. If the position is as I have stated—and I have no reason at all to doubt the information supplied to me—I do not think we have anything to complain of. The procedure laid down has been carried out.

Hon. H. Seddon: No.

The CHIEF SECRETARY: Well, that is my advice. The Under Treasurer, who is the Chairman of the Workers' Homes Board, states—

Many purchases in both districts have been made at the valuations approved by the Commonwealth Sub-Treasury. Where it is not possible to contact the owners, or where the price asked is deemed to be excessive and the land is required because it is in an area which the board proposes to re-subdivide, resumption proceedings are taken by the Public Works Department under the provisions of the Public Works Act.

After the "Gazette" notice showing the resumption has been published, the Public Works Department communicates with each owner advising him of the resumption and giving him 90 days in which to lodge an objection. The objections received are forwarded to the Workers' Homes Board and where it is felt that a hardship would be imposed if the resumption were continued, arrangements are made to release the land from resumption.

That is a very definite statement. The Under Treasurer continues—

Land held by people in the Forces cannot be resumed without the consent of the Federal Treasurer.

Where land is required by the board because it is in an area the board wishes to sub-divide and the owner objects to resumption, endeavours are made to give that owner a block in the resumed area. If the land has to be re-subdivided into larger blocks than those resumed, an adjustment of the price is made as between the original owner and the board. If it is not possible to give the original owner a block in the area resumed, endeavours are made to find a block in some other area suitable to the original owner.

What could be fairer than that, unless we are going to hold up the whole scheme? The Under Treasurer also advises me that it is estimated that the shortage of houses in Western Australia is over 10,000, and the people whose needs have to be met urgently require homes. He says that if land cannot be resumed in large areas, it will be impossible to develop a proper housing scheme or to build at the rate necessary to meet the demand for houses. That is the official advice which has been tendered to me as a result of this motion. I again say I have no reason whatever to doubt the correctness of the advice. It is for that reason that I ask the hon. member to submit a case to me for investigation. In my opinion, the conditions and the method of procedure which I have explained to the House should be considered satisfactory by any reasonable person. Of course, mistakes do happen sometimes; but one cannot imagine a mistake being made where so many pieces of land are involved and the procedure is uniform in each instance.

To sum up: The position is that endeavours are made first of all to contact the owner. If he can be contacted, endeavours are made to purchase the land and if a satisfactory price cannot be agreed on the necessary procedure is taken to resume the land. If the owner cannot be contacted the same procedure is followed. It is to notify in the "Government Gazette" that the housing authority or the Public Works Department as the case may be, has decided to resume the land. Efforts are then immediately made to contact the owners and notify them of the position. The owners are given 90 days in which to appeal; and, in case of hardship, the Workers' Homes Board, according to my advices, releases a particular piece of land from the resumption order. I can see nothing unfair in that procedure, particularly in view of the circumstances in which we are placed. I oppose the motion.

HON. W. R. HALL (North-East) [11.57]
 I cannot agree with the method adopted by the Public Works Department, or the Workers' Homes Board, resuming land at the present time. In my opinion, the Government should have brought down legislation to cope with the housing and the land problems. That legislation could have provided for land to revert to the Crown in the case of non-payment of rates. There are large areas of vacant land in Western Australia that belong to deceased persons' estates; nobody can trace the representatives or find the titles to the land. In Kalgoorlie and other places in Western Australia hundreds of blocks of land have been lying idle for a great many years. If this suggestion were adopted, the Workers' Homes Board would not require to resume land by the present method; it would revert to the Crown. More blocks of land would then be available than are required.

The Chief Secretary: What would the local authorities say to that suggestion?

Hon. W. R. HALL: Local authorities are forced to go through a rigmarole in connection with non-payment of rates. Local authorities cannot resume land unless rates have been unpaid for five years. There is much land of that description on the Eastern Goldfields, and I venture to say there is plenty of it in the metropolitan area. I listened attentively to the Chief Secretary, but I think only one notice is given by the department, and if cognisance is not taken of it, the department gazettes the resumption. The "Government Gazette" is just a means of letting people know and those who do not get that publication would not know. I think it is a poor way of notifying people that their land is to be resumed.

The Chief Secretary: That is only the first step.

Hon. W. R. HALL: I venture to say that not many people who object to the resumption, get their land back. I know of a case where a man attended a land sale and bid a certain price for some land. I think he held it in order to make a profit out of it, but the war came along. The Commonwealth Government said it wanted to resume the land, and asked him to put a price on it, which he did. Finally the Commonwealth Government took the land and he did his block in.

Hon. H. L. Roche: Which block did he do?

Hon. W. R. HALL: Not his head; the other one. It is very hard, when people have bought land, to find it resumed, in time to come, through no fault of their own. The land question today is serious and I wish to see the Workers' Homes Board build homes, but not at the expense of the individual who might want his block of land for himself at some future time. Many blocks on the Goldfields are being sold today at exorbitant prices. I hope the Government will throw land open, without the Workers' Homes Board resuming land, so as to give the person who wants to build an opportunity to do so.

HON. H. L. ROCHE (South-East) [12.3]: Whilst supporting Mr. Seddon's motion I confess I have considerable sympathy for the Government housing authority in its desire for power to resume land for home sites within reasonable distance of facilities and centres of population. What I do not like about the present set-up is the arbitrary power to resume land at a level of values that is distinctly unfair to the owners of land. I do not mean that in respect of suitable blocks, because I take it that the Workers' Homes Board is not concerned with isolated blocks, particularly if the owners want them for themselves. I am more concerned with the case of those people who own, not large areas, but possibly a number of blocks which they have purchased, in many cases, at a price higher than they would realise today, and who have paid rates and taxes on those blocks for years.

Under the present proposal those blocks may be arbitrarily resumed by the Workers' Homes Board. The level of values established for those blocks is offset by the Commonwealth Sub-Treasury, operating under the authority of the National Security Regulations, and the prices are pegged as at the 9th February, 1942. It may be correct to say that the State is not bound in that regard by the National Security Regulations, but all private transactions are, and it is the private transactions that establish a fair level of values. If the owner of land resumed by the Workers' Homes Board under the Public Works Act appeals to the court he can only hope

the court will take into account a fair value for the land, and if that value has been established during a restraint of what might be called reasonable competition, it would seem to be grossly unfair to the holder of the land.

We must remember that this Parliament cannot accept a position where, in view of the demand for residential lots, land would reach an extravagant value. I do not think even Mr. Seddon, or anyone supporting him, believes that should be permitted. Dearer land would increase the cost of the programme for building workers' homes, but £10 or £20 on the price of a block would not seriously affect the price of the finished home, at £950, if it increased that price by perhaps £20 to £970 in order to do justice and not adopt what savours somewhat of confiscation by arbitrary methods. The owner of property has not been treated as fairly as has the owner of stocks and shares, under Commonwealth control by means of the National Security Regulations. On the share market there have been 700 listed shares on which was permitted a rise of 10 per cent. on the values pegged in 1942, and the restraint has been taken entirely off the level of values that preference shares may reach but, to the best of my knowledge, there has been no adjustment in property values. Such an adjustment is overdue and I think we are justified in protesting, though I believe we all recognise the need of compulsory power for resumption. Nevertheless we are justified in protesting against the maintenance of the present level of values, in view of the changing circumstances that exist today.

HON. T. MOORE (Central) [12.10]: The motion, brought forward by Mr. Seddon, makes one wonder whether the proper thing was done when land was thrown open for selection in this State. It is strange to compare what happened in the city with what occurred in the country. Those who took up land in the country under conditional purchase conditions had to live up to certain rather stringent requirements. They had to do a certain amount of work each year, otherwise they did not own the land and could never acquire the freehold of it. In pastoral areas there were conditions as to the stocking of the land and if those conditions were not carried out, the Government

could take steps to put somebody else on the land. In the metropolitan area, however, it seems to have been an open go, because there were no conditions. A man can take up land in the metropolitan area and wait for somebody else to build up round his block until he is ready to sell out.

We know that in Perth a lot of land was taken up by land jobbers, held for some years and then cut up and sold, because it was allowed by the Government to be alienated with no conditions. I believe that land in the metropolitan area set aside to be used for building purposes, should have had attached to it the condition that when the land was taken up, buildings should be erected on it within a certain number of years—and that would have got us somewhere. Today in some parts of Perth fairly large blocks are held only for the purpose of getting the unearned increment. In the city the Government has to build tramways and provide other services, which have to be extended further and further out, passing vacant land such as I have mentioned.

There is certainly a rate levied on a block when the water supply is taken past it, but electricity and other services are taken past without charge. All those things have cost the Government and the City of Perth a lot of money. I have not much sympathy with the man who sits back hoping, as all speculators do, that he will be able to get a rake-off on his land. I think that sums up the position in about 80 per cent. of the cases of the land with which we are dealing. There may be a few cases such as Mr. Seddon has mentioned—I think they are very rare—where residents of country districts have bought land in the metropolitan area with the idea of building homes. They are very rare indeed.

Hon. H. Seddon: How do you know?

Hon. T. MOORE: I challenge the hon. member to tell me the number of people he knows from the country who have bought land in the metropolitan area and built on it. I say they have bought land here for other purposes. I admit that country people have bought houses down here but I think those who have bought land with the idea of erecting houses are rare indeed.

Today we are considering land that has been held for many years by speculators, and I have little time for those who sit back

waiting for someone else to do the job, and then reap the benefit. Mr. Harry Boan told in this Chamber years ago what had happened when he built on a property. He pointed out what was offered to him for a certain block. The more he built on his block the more he added to the value of the neighbouring block owned by someone else. I hope that each case will be dealt with on its merits, and I think the Government will agree to do the right thing by those who have small blocks.

HON. J. CORNELL (South) [12.14]: I am sorry I cannot support Mr. Seddon. We are asked to protest against the Workers' Homes Board resuming residential land in the metropolitan area, as advertised in the "Government Gazette" of the 30th November. This is the first appearance of the motion on the notice paper, and yet the action complained of was taken a month ago. Therefore I say that to urge members to protest at this stage is to ask too much. I hope to clear up the misapprehension that exists and adhere to the actual facts. The Workers' Homes Board, in the matter of land for building purposes, has operated as it has done ever since the Act was passed in 1911. The Act does not empower the board to purchase land for freehold purposes and I do not know of its ever having done so.

The board has three methods of acquiring land for leasehold purposes. The first is by dedication; that is to say, the Crown may dedicate to the board, with the consent of Parliament, certain reserves that are not Class A reserves, as was done at West Subiaco, Leederville and East Fremantle. If a Class A reserve is involved, a Bill would have to be passed by Parliament authorising the Government to dedicate part of the reserve to the board. The third method is to resume land under the Public Works Act, and any land so resumed by the board must also be leasehold. Consequently, the matter of freehold is not involved.

Hon. H. Seddon: Yes, the board has the power.

Hon. J. CORNELL: Has the board used it? The hon. member said the board had resumed land.

Hon. H. Seddon: That is buying it.

Hon. J. CORNELL: Is that a hardship?

Hon. H. Seddon: Of course it is.

Hon. J. CORNELL: Why?

Hon. H. Seddon: Why should the board take a man's land if he wants it?

Hon. J. CORNELL: What about land required for the construction of a railway? At Karlgarin a man had half his farm resumed under the Public Works Act for a public purpose, and he had all the machinery of the Act to enable him to get what was considered to be adequate compensation. That is what the Workers' Homes Board is doing; it is having land resumed under the Public Works Act and all the machinery in that Act is available to the owner. Thus the owner is in no different position from what he would be in if the Public Works Department resumed a block of land in Perth for sewerage or any other work. If a man wants freehold under the Workers' Homes Act, he must own the block, and this matter is not subject to control by the Commonwealth Sub-Treasury.

I cannot see why at this late hour I should agree to what is virtually a vote of censure on the board for doing what it has been entitled to do for the last 30 years or more, especially as no exception has been taken to its action until now. I have never heard of any exception being taken to the board's acquiring land, and as it acquires land for leasehold purposes, this is the first occasion on which I have heard any protest. Many areas have been resumed and many areas dedicated to the board. As Mr. Seddon has ventilated the grievance and has heard the remarks of the Minister, and as it is impossible to alter the situation, I hope he will withdraw the motion.

HON. G. B. WOOD (East) [12.20]: Simply because there has been no protest before, it does not follow that there should not be one now. Mr. Moore said there might be a few people who hold blocks in the city for speculative purposes. I can assure the hon. member that there are a great many country people who hold blocks in the city, and while I cannot mention names, I can say that to my knowledge over the years quite a number of city blocks have been held by country people. I know many people who held blocks for years and, when good times came built houses on them. This has occurred in my own family. I once had a block myself, but had to sell it. I will not

have it that because a man holds a block of land in the city, he is a speculator. I support the motion.

HON. E. M. HEENAN (North-East) [12.21]: I consider that the case made out by Mr. Seddon does not warrant the passing of a motion which is a reflection and could be interpreted as a vote of censure on the Workers' Homes Board. In these days, first things must come first, and if there is one pressing and responsible job facing the community, it is the erection of homes for the people. Individual cases of hardship must occur in the best organised communities. I assume that the board has resumed a large number of blocks and apparently this is one of the few complaints that has come to the surface. I know that, wherever possible, individuals are notified of intention to resume, but we are all aware how difficult it is to trace owners of some blocks of land. Sometimes it is an utter impossibility. If there is one body that deserves our encouragement and sympathy, it is the body charged with the duty of erecting homes in these times. I think Mr. Seddon will have fulfilled his duty by airing his grievance. He should be content to accept the assurance of the Chief Secretary that if the individual case is brought under his notice, a proper investigation will be made. To me the motion reads as one of censure on a board that is doing its best to help the community in a most difficult period.

HON. G. FRASER (West) [12.24]: I regret that the debate has taken such a wide scope because the motion itself is quite definite. I do not know that Mr. Seddon has established a case against the board on the incident he mentioned, but I do know from personal experience that the board goes to the greatest trouble to try to contact the owners of blocks. I am inclined to think that in this instance the person concerned was perhaps as much, if not more, to blame than the board because of failure to take notice of the correspondence sent to him. That is a common occurrence when notices are sent out by the Water Supply Department, Workers' Homes Board and other Government departments; people receive the correspondence and ignore it. I have known dozens of cases where people have ignored notices from the Water Supply

Department calling attention to the non-payment of rates and have ignored them up to the point of action being taken to cut off the water.

Hon. W. J. Mann: And some ignore the butcher, too.

Hon. G. FRASER: I am inclined to think that that is what happened in this case; notices were sent and the recipients ignored them. Had the hon. member, instead of bringing the matter to Parliament, contacted the Workers' Homes Board he would have received complete satisfaction. Anyhow, that has been my experience. No matter what complaints I have put forward on behalf of the individuals, I have received entire satisfaction from the board. I think the same thing would have happened had the board been approached on this occasion. I have had a long experience of the board and have handled many hundreds of cases and I have never known of an owner who was desirous of retaining his land having had the block resumed. The matter could easily have been adjusted between the person concerned and the board. I do not consider that Mr. Seddon has substantiated his case. By bringing the matter forward, I suggest that he has attained his objective and that he should now withdraw the motion.

HON. H. SEDDON: (North-East—in reply) [12.26]: I have been interested in following the trend of the debate. The reason for my protesting is contained in the concluding part of my motion. This is, that residential land is taken from the owner and given to somebody else for the purpose of building without the original owner having the right to retain the block. By acting in this way, we are embarking upon a very dangerous course indeed.

Hon. J. Cornell: The same thing applies to resumption for a railway.

Hon. H. SEDDON: That is resumption for a public work; this is an entirely different proposition. In this case a man is prevented from building a house on his own land, but the land is taken and someone else is allowed to build on it. Mr. Cornell spoke about my having waited a month before bringing the matter before the House. I wrote to the Premier a few days ago on the case that had been brought under my notice and, on my return to Kalgoorlie, I was ap-

proached by other persons affected by the notification in the "Government Gazette" which had been brought to their attention. I assure the Minister definitely that, up to the time I left Kalgoorlie, those people had not received any notification from the board. The Minister told us that such notification was not sent out till after the intimation in the "Government Gazette."

The Chief Secretary: That is in accordance with the Act.

Hon. W. J. Mann: Does the board claim that a notice was sent out?

Hon. H. SEDDON: Still that is the position.

The Chief Secretary: May I clarify the position. I understand that the first procedure is to give notice in the "Government Gazette" of intention to resume. This is provided for by the Act. Then the owner, if he can be contacted, is notified of the fact and he has 90 days in which to object. If he objects he has the right to go to arbitration as provided in the Public Works Act. I cannot see that any hardship at all is done.

Hon. H. SEDDON: The remarks of the Minister definitely support what I said. The publication was made in the "Government Gazette," and the people were advised by their friends of the published notification. Up to the time I wrote to the Premier about the case I have quoted and up to the time I left Kalgoorlie, those people had not received any notification.

Hon. G. Fraser: Had they changed their registered addresses?

Hon. H. SEDDON: They have been living there for years. That is the first point.

Hon. W. J. Mann: Does the board claim that it sent a notice to these people?

Hon. H. SEDDON: According to the Minister they have been notified.

Hon. W. J. Mann: They should have a copy.

Hon. H. SEDDON: Obviously there has been delay. Now with regard to the second point! I agree with a lot of what Mr. Moore said about the speculative acquisition of land. That is an evil which has existed for many years. There are definite cases of people who have bought and held land for speculative purposes, and there are definite charges imposed upon such people. If they like to pay these charges they do so for the

purpose of retaining possession of the land. Mr. Fraser referred to correspondence being ignored. I cannot imagine anyone ignoring correspondence that tells that person he is going to have something taken away from him. I know that these particular people would have protested very quickly had they received a notice.

There is a principle at stake in this matter. It is proposed to take away from persons the land which they have acquired. Let me instance the case of a man who has acquired a block of land with the sole purpose of building a home upon it. It is proposed to take that away from him and give it to someone else. That is not right. Mr. Moore brought up the question of people who were holding land but in the meantime were preparing to build a house to which they could retire. I know of large numbers of people on the Goldfields who have adopted that policy and had that object in mind for many years. It has been their objective to build a home to which they could retire. Their idea was to live in the metropolitan area in their declining years and to enjoy some of the comforts of which they had been deprived. In such instances a man should be allowed to retain the right to his own land.

Hon. W. J. Mann: Is there not provision for such people to appeal against action of that sort?

Hon. H. SEDDON: There is provision for an appeal on the question of price, according to the Public Works Act.

Hon. W. J. Mann: But is there not provision for an appeal against the land being acquired?

Hon. H. SEDDON: The owner may protest, but if notice of resumption is given the land can be resumed. A man should have the right to retain his land if he desires to build a house upon it.

Hon. J. Cornell: But will he build upon it?

Hon. H. SEDDON: When he is ready.

Hon. T. Moore: When he is 65, perhaps.

Hon. H. SEDDON: The hon. member himself knows of cases on the Goldfields where men have held blocks for 20 years with the idea of coming down here to live when they retire.

Hon. C. R. Cornish: There are numbers of men who have that objective in view.

Hon. H. SEDDON: I am sorry if it is interpreted that I am censuring the department. All I ask is that due regard shall be paid to the rights of the individual.

The Chief Secretary: Is the hon. member not satisfied with my explanation?

Hon. H. SEDDON: Can the Chief Secretary assure me that a man who has bought and held land upon which to build a home, and definitely states that that is his purpose, will be left in possession of it? If he can give me that assurance I shall be satisfied, but I ask whether his assurance does convey that interpretation.

The Chief Secretary: I cannot answer that question on behalf of the Workers' Homes Board in the way the hon. member would like me to do. Everything would depend upon the circumstances of the case. I can assure members that the Workers' Homes Board does give consideration to the circumstances submitted to it. If there is any hardship the land is withdrawn from resumption.

Hon. H. SEDDON: I appreciate the remarks of the Chief Secretary and sympathise with him in the position in which he is placed. I maintain that this is a right that should be preserved to every citizen, and that is why I have moved this motion.

The Chief Secretary: Suppose the area was five acres in extent!

Hon. H. SEDDON: Is the Chief Secretary speaking of the metropolitan area?

The Chief Secretary: I am speaking of those districts to which the hon. member has referred.

Hon. H. SEDDON: Generally speaking, the blocks in the metropolitan area are a quarter-acre in extent.

The Chief Secretary: Suppose a man had five acres and said, "I want to build on that one day"!

Hon. H. SEDDON: Suppose he had! There are many places around Perth where there is a considerable acreage of ground surrounding the home.

Hon. W. J. Mann: Very foolish on their part.

Hon. H. SEDDON: That may be their idea of a home.

The Chief Secretary: According to the hon. member's idea, all that a man need say is, "I am going to build a home upon that block some day."

Hon. H. SEDDON: That is not the position. I am speaking of the man who has bought a block of land for the purpose of building a home thereon. I am referring to people in the country, not to speculators. If a man is living in the metropolitan area and has no home but continues to pay rent for another man's home, he will have difficulty in establishing his case. The people for whom I am asking consideration are those who live in the country. They should have the right to retain their blocks if it is their intention to build their home upon it.

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

| | | | | | |
|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 11 |
| Noes | .. | .. | .. | .. | 12 |

Majority against 1

| AYES. | |
|------------------------|--------------------|
| Hon. C. F. Baxter | Hon. H. Seddon |
| Hon. Sir Hal Colebatch | Hon. H. Tuckey |
| Hon. J. A. Dimmitt | Hon. F. R. Welsh |
| Hon. V. Hamersley | Hon. G. B. Wood |
| Hon. G. W. Miles | Hon. C. R. Cornish |
| Hon. H. L. Roche | (Teller.) |

| NOES. | |
|-------------------|----------------------|
| Hon. J. Cornell | Hon. W. H. Kitson |
| Hon. J. M. Drew | Hon. A. L. Laton |
| Hon. G. Fraser | Hon. W. J. Mann |
| Hon. E. H. Gray | Hon. H. S. W. Parker |
| Hon. E. M. Heenan | Hon. C. B. Williams |
| Hon. J. G. Hialop | Hon. T. Moore |
| | (Teller.) |

Question thus negatived; the motion defeated.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND).

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. W. J. Mann, Hon. H. Seddon, and the mover, and that the conference be held in the Chief Secretary's room at 1.30 p.m.

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

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The HONORARY MINISTER: I move—

That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. C. F. Baxter, Hon. J. A. Dimmitt and the mover, and that the conference be held in the Council committee-room at 1.30 p.m.

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

BILL—MINING ACT AMENDMENT.

Received from the Assembly and read a first time.

Sitting suspended from 12.52 to 4.30 p.m.

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

- 1, Land and Income Tax Assessment Act Amendment.
- 2, Mine Workers' Relief (War Service) Act Amendment.
- 3, Supreme Court Act Amendment (No. 1).
- 4, Supply (No. 2), £1,800,000.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND).

Conference Managers' Report.

The CHIEF SECRETARY: I have to report that the managers have met in conference on the Bill and have agreed as follows:—

Amendment No. 1.—The alternative amendment made by the Legislative Assembly was agreed to.

Amendments Nos. 3. and 4.—Conference agreed not to insist on amendments Nos. 3 and 4.

Amendment No. 5.—Conference agreed to accept this amendment.

I move—

That the report be adopted.

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

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL.

Conference Managers' Report.

The HONORARY MINISTER: I have to report that the managers have met in conference on the Bill and have agreed as follows:—

Amendment No. 3. Not agreed to. Amount to remain at one hundred pounds.

Amendment No. 4. Amount to be altered to fifty pounds.

Amendment No. 5. Amount to be altered to fifty pounds.

Amendment No. 6. Amount to be altered to fifty pounds.

Amendment No. 7. Amount to remain at one hundred pounds.

I move—

That the report be adopted.

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

BILL—SUPREME COURT ACT AMENDMENT (NO. 2).

Conference Managers' Report.

Hon. H. S. W. PARKER: I have to report that the managers have met in conference on the Bill and have agreed as follows:—

Clause 2, line 15, page 1:—After the word "competent" insert the words "subject to the next succeeding Section."

In line 19, page 1:—Delete the word "ten" and insert the word "five."

Clause 3, line 36, page 2:—Delete the letter "A" and insert the letter "a."

In lines 39 and 40, page 2:—Delete all words after the word "case" in line 31 and insert the words "It shall be competent for the Court to decree dissolution of the marriage as provided by sub-section 6 of the last preceding section."

I move—

That the report be adopted.

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

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

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

BILL—MINING ACT AMENDMENT.*Second Reading.*

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.35] in moving the second reading said: This Bill proposes to amend Section 277 of the Mining Act, 1904, to provide for the reservation of areas up to 100 square miles in extent, solely for prospecting for deep alluvial gold. Deep alluvial gold is defined to mean alluvial gold below a depth of 30 feet from the natural surface of the ground.

One of the larger mining companies operating in Western Australia has certain theories regarding the possibilities of deep alluvial leads in certain areas of the State and is prepared to undertake modern prospecting operations comprising geophysical examinations and diamond drilling, if it is given some protection during its operations. Every provision is made in the Bill to ensure that immediate and genuine operations are carried out subsequent to the granting of a reserve. At least once in every month of the term of the right of an occupancy, the holder thereof will be required to furnish a detailed statement of the progress of the past month's operations. The operations must also be carried out in a manner satisfactory to the Minister.

When, in the opinion of the Minister, payable deep alluvial gold has been found in the reserve, he may direct the reserve holder to mark off and apply for gold mining leases which should be included within the boundaries of the reserve. Any holder of a current miner's right shall have the right to enter, peg out holdings and mine upon any reserve for any mineral or for gold, subject to the reserve holder's operations being in no way impeded or interfered with. The Bill also provides that in the event of a reserve being granted for a fixed period exceeding one year, the terms and conditions relating thereto shall be laid on the Table of each House of Parliament within 14 days of the granting.

As I have mentioned, the Bill is introduced for the purpose of allowing a prominent mining company to carry out certain scientific prospecting operations. It may seem that an area of 100 square miles is large for a reserve, but the Minister for Mines, on

examining some of the scientific apparatus which the company proposes to use, is convinced that such an area is necessary if the machinery is to operate satisfactorily. I trust that members will favourably consider the Bill, as the activities of the company, if successful, may have far-reaching effects upon the gold-mining industry in this State. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [4.39] The whirligig of time brings wonderful changes. Many members of this House have a lively recollection of mining reservations, somewhat similar to the one in this proposal, made years ago and the strongest and most persistent opponent of them was the present Minister for Mines. I was a member of a conference with another place on this question. This Bill proposes to allow 100 square miles of country to be made available for the purpose of prospecting for deep alluvial. That is a large order. The Minister has said that one company is already pledged to prospect in this way. Is it going to stop there? Before long we hope to see a revival in the mining industry. The question was asked as to what extent the Government intends to assist prospectors. I view this reservation business with a certain amount of suspicion. It was first introduced by a former Minister for Mines, Mr. Scaddan, when Mr. Seddon and others opposed it. Miles and miles of country were to be held up by reservations.

Hon. H. Seddon: That was brought in by Mr. Munsie, when he was Minister for Mines.

Hon. J. CORNELL: Yes. He was one of the greatest advocates of this idea. The area comprised about 100 square miles of country, but nothing came of it. Other men were kept off it.

The Honorary Minister: They will not be kept off this. They will be able to work there so long as they do not interfere with the company's operations.

Hon. J. CORNELL: If one man is given the right to prospect for deep alluvial gold, then no other man can prospect for it.

The Honorary Minister: But he can for the other.

Hon. J. CORNELL: Shallow alluvial is just about worked out unless we find another

Larkinvile. How, under this proposal, is a man to get on when he is looking for gold-bearing ore? I feel inclined to vote against the Bill.

HON. H. SEDDON (North-East) [4.42]: When Mr. Scaddan was Minister for Mines, the proposal was that the mining areas of the State should be divided into squares with only one square occupied at a time. This suggestion was put up to the Goldfields members who, almost without exception, turned it down. Later mining reservations were granted over extensive areas of country by the then Minister, Mr. Munsie, but the reservations provided that men could prospect them. There was a proviso in connection with the sale of any goldmines that they found. They were to be first submitted to the owner of the reservation if sold—I think the present Minister for Mines, Hon. W. M. Marshall, was one of the first to protest—and it was then determined that any reservation granted had first of all to come to Parliament for approval and any application for renewal had to be submitted to Parliament. The present Bill provides for a reservation not exceeding 100 square miles and not exceeding 10 miles in length, for the purpose of prospecting for alluvial.

I understand the idea in certain quarters is that the lake beds and old watercourses of the country may contain a lot of alluvial gold, but it is beyond the capacity of the ordinary prospector to deal with them. On the other hand, a company will undertake a series of boring operations to test an area of country such as is described here, and having done so—according to the Bill—it must, as the holder of the right of occupancy, then apply for a goldmining lease in order to work its find. The Bill also provides that any other person who has a miner's right can enter on any portion of the land comprised in this right of occupancy for the purpose of prospecting. But no mining tenement can be applied for by the person prospecting except by, and subject to, such conditions as the Minister, after having received the report and recommendations of the warden sees fit to impose. It appears to me that there are certain safeguards here and, in view of the attitude of the present Minister on the previous occasion, I should say that he has gone into this matter very carefully. I have not

heard of any serious objection being made by the mining people to the proposal. I am inclined to vote for the Bill.

HON. T. MOORE (Central) [4.46]: After all, the proposed reservation that the present Minister for Mines now favours is quite different from that which he opposed years ago. One wonders, after reading the Bill, how much the company will get out of it. It seems as though the company will get nothing out of it at all. Any other prospector can go almost anywhere on the area except where the company is operating. The Minister can be said to be quite consistent as he has put up a very different proposition from those suggested by Mr. Scaddan and Mr. Munsie, which he opposed whenever possible.

Question put and passed.

Bill read a second time.

In Committee.

Hon. V. Hamersley in the Chair; the Honorary Minister in charge of the Bill.

Clauses 1 to 3—agreed to.

New clause:

HON. J. CORNELL: I move—

That a new clause be added as follows: "4. This Act shall continue in force until the 31st day of December, 1948, and no longer."

The Bill, if passed as it is, will be a permanent Act. If it is made a temporary measure, we can renew it, if desirable. I think three years will give a fair trial.

The HONORARY MINISTER: I oppose the amendment. It might have the effect of discouraging the mining company concerned. If anything goes wrong, there will always be an opportunity to amend the Act. We should do everything we can to encourage bona fide and progressive companies to develop our mining resources.

Hon. L. Craig: This particular company will probably use very expensive plant and may require a long term in which to operate.

The HONORARY MINISTER: Yes, O. The attitude should be to encourage rather than discourage any mining company. It would be a mistake to pass the new clause.

Hon. H. SEDDON: The term mentioned in the proposed new clause is quite adequate. The work to be undertaken consists

of a series of bores in soft country with a view to determining the existence of alluvial gold. The idea is to get on to the run of the gold, and the company would then take out an alluvial lease and work it.

Hon. J. CORNELL: The Honorary Minister said this company would be using a lot of expensive machinery. That would be boring machinery only at the outset.

The Honorary Minister: There would be machinery for other things besides

Hon. J. CORNELL: The machinery used in the treatment of ore and other phases of the industry would be altogether different. I understand that when people who have a reservation desire to convert it, they do so under the Mining Act. This Bill is only to give the company in question a reservation to bore for deep alluvial. If nothing is found in three years and the company wishes to continue, I do not think Parliament would object to extending the term. We are proposing to give away certain rights in mining ground on which we should in a sense keep a string.

The HONORARY MINISTER: This company might be successful and another might wish to start on similar work in other parts of the mining area, but might be discouraged because of the short period involved.

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

| | | | | |
|------------------|----|----|----|----|
| Ayes | .. | .. | .. | 10 |
| Noes | .. | .. | .. | 13 |
| | | | | — |
| Majority against | .. | .. | .. | 3 |

AYES.

| | |
|------------------------|----------------------|
| Hon. Sir Hal Colebatch | Hon. H. S. W. Parker |
| Hon. J. Cornell | Hon. H. Seddon |
| Hon. J. A. Dimmitt | Hon. H. Tuckey |
| Hon. J. G. Hislop | Hon. F. R. Welsh |
| Hon. G. W. Miles | Hon. W. J. Mann |

(Teller.)

NOES.

| | |
|-------------------|--------------------|
| Hon. L. Craig | Hon. W. H. Kitson |
| Hon. J. M. Drew | Hon. A. L. Loton |
| Hon. G. Fraser | Hon. T. Moore |
| Hon. F. E. Gibson | Hon. H. L. Roche |
| Hon. E. H. Gray | Hon. G. B. Wood |
| Hon. W. R. Hall | Hon. C. R. Cornish |
| Hon. E. M. Heenan | |

(Teller.)

PAIR.

| | |
|-------------------|---------------------|
| AYE. | No. |
| Hon. C. F. Baxter | Hon. C. B. Williams |

New clause thus negatived.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed*.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND).

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—SUPREME COURT ACT AMENDMENT (NO. 2).

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

MEMBERS OF PARLIAMENT FUND.

Auditor General's Report.

The PRESIDENT: I have received from the Auditor General his first report upon the accounts of the trustees of the Members of Parliament Fund, together with statement of the revenue account of the fund for the year ended the 30th June, 1945, and the balance sheet of the fund as at the 30th June, 1945. I lay these on the Table.

BILL—STATE ELECTRICITY COMMISSION.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendments Nos. 9, 13, 16, and 17, and had disagreed to amendments Nos. 1 to 8, 10 to 12, 14 and 15 now considered.

In Committee.

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

No. 1. Clause 7, Definition of "Undertaking," in paragraph (a) on page 5:—Delete the words "mines, open cuts" in lines 32 and 33.

The CHAIRMAN: The Assembly's reason for disagreeing is—

Nos. 1 and 2. The commission will require to have the right to produce coal, especially for use in connection with electrical power undertaking, therefore it is essential to leave in the definition of the term "undertaking" the words "mines and open cuts."

The CHIEF SECRETARY: The Assembly has given the same reason for opposing this amendment that I gave when the matter was under discussion in Committee. I think it necessary that the commission should have the right to work a coalmine or an open cut in connection with this undertaking. We have spent much time discussing this particular phase, and I feel we should not insist upon the Council's amendment. I move—

That the amendment be not insisted on.

Hon. H. SEDDON: I hope the Committee will insist on the amendment. If it does anything at all it will authorise the commission to acquire mines and open cuts. There would be nothing to prevent the commission from acquiring a number of mines and using the coal for the purpose of its undertaking. The word "undertaking" covers almost every phase of coalmining from the time the coal is mined until it is marketed. I think it would be better if the commission's source of coal supply were not limited to one mine; it should be able to procure coal supplies in the open market. After all, the commission would be entirely at the mercy of the men working in the mine that it would acquire for its own purposes.

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

| | | | | |
|--------------|----|----|----|----|
| Ayes | .. | .. | .. | 15 |
| Noes | .. | .. | .. | 9 |
| Majority for | .. | .. | 6 | |

AYES.

Hon. C. R. Cornish.
Hon. L. Craig
Hon. J. M. Drew.
Hon. G. Fraser.
Hon. F. E. Gibson
Hon. K. H. Gray.
Hon. E. H. H. Hall
Hon. W. R. Hall.

Hon. E. M. Heenan.
Hon. W. H. Kilsou.
Hon. G. W. Miles
Hon. T. Moore
Hon. H. L. Roche
Hon. G. B. Wood
Hon. A. L. Lelon
(Teller.)

NOES.

Hon. Sir Hal Colebatch.
Hon. J. A. Dimmitt
Hon. V. Hamersley
Hon. J. G. Hislop
Hon. W. J. Mann

Hon. H. S. W. Parker.
Hon. H. Seddon
Hon. F. R. Welsh.
Hon. H. Tuckey
(Teller.)

PAIRS.

| | |
|---------------------|-------------------|
| AVE. | No. |
| Hon. C. B. Williams | Hon. C. F. Baxter |

Question thus passed; the Council's amendment not insisted on.

No. 2. Clause 7, Definition of "Undertaking," in paragraph (b) (ii), on page 6:—Delete the words "mines, open cuts" in lines 7 and 8.

The CHAIRMAN: This is a consequential amendment and I have already stated the Assembly's reason for disagreeing.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and passed; the Council's amendment not insisted on.

No. 3. Clause 8, Subclause (3), paragraph (a):—Delete the words "nominated by the Minister" in line 36 on page 6.

No. 4. Clause 8, Subclause (3), paragraph (a):—Delete all words after the word "consumers" in line 37, and substitute the words "one of whom shall be elected by the executive of the local authorities in the metropolitan area, and the other by the executive of the local authorities in the remaining part of the State."

No. 5. Clause 8, Subclause (5), page 7:—Insert after the word "commissioner" in line 14 the words "other than representatives of the consumers."

No. 6. Clause 8, page 7:—Delete the words "the consumers or" in line 17.

No. 7. Clause 8, page 7:—Delete the words and parentheses "(as the case may be)" in line 18.

No. 8. Clause 8, page 7:—Add after the word "Minister" in line 20, a further proviso as follows:—

Provided further that when a vacancy occurs in the office of a commissioner who represents the consumers the person to fill the vacancy shall be elected by the local authorities who elected his predecessor.

The CHAIRMAN: The Assembly's reason for disagreeing is—

Nos. 3 to 8 inclusive.—The commission will be a Government instrumentality and will operate electrical power undertaking on behalf of the State. This will require very large sums of Government money and it is necessary to reserve to the Government the right to appoint all of the commissioners.

The CHIEF SECRETARY: I move—

That the amendments be not insisted on.

I do not wish to waste the time of the Committee in re-stating the argument I have already put before it. I hope the Committee will not insist on these amendments.

Question put and passed; the Council's amendments not insisted on.

No. 10.—Clause 18, Subclause (4), paragraph (a):—Insert after the word "Commission" in line 35, page 10, the following:—Provided that any question which the Chairman certifies in writing to be one dealing with matter which is wholly or mainly of a technical character shall be decided by the votes of or a majority of the votes of the commissioners appointed under section 8, Subsection (3), paragraph (d) present at the meeting and sitting alone.

The CHAIRMAN: The Assembly's reason for disagreeing is—

It would be wrong to give the chairman the right to declare any question to be of a technical character and thereby prevent the other four commissioners from discussing and voting on such question. As the majority of the commissioners could be non-technical men the amendment would disfranchise them and allow a minority to decide the commission's policy on vital matters.

Hon. H. S. W. PARKER: The Assembly's reason for disagreeing, to my mind, is wrong, because the Government is to appoint the chairman, and surely he will be a man who will act honestly. It is intended that the lay members of the commission shall not take part in discussions of a technical nature; otherwise a pig-headed layman might over-ride the scientific and technical men.

The CHIEF SECRETARY: I hope the Committee will not insist on this amendment. I do not know where Mr. Parker gets the idea that it is intended that non-technical members shall not discuss technical matters brought before the board.

Hon. H. S. W. Parker: This amendment?

The CHIEF SECRETARY: Yes, that is what your amendment provides for. Those appointed to this commission will be men of some capacity and ability, and when they have been carrying out their duties for per-

haps a year or so, they will be quite capable of discussing many of the technical matters arising from time to time.

Hon. L. Craig: Some of them may put the technicians right, on occasions.

The CHIEF SECRETARY: They will be men who will be persuaded by the technical members on really technical matters. It would be necessary for us to define what is meant by "technical matters," as otherwise the chairman could certify that everything coming before the board consisted of technical matters. He might even be genuinely of that opinion, and in that event the lay members of the commission could take no part in the discussion. I agree with another place in the reason put forward and I move—

That the amendment be not insisted on.

Question put and passed; the Council's amendment not insisted on.

No. 11.—Clause 29, Subclause (1):—Delete paragraph (f) on page 18.

The CHAIRMAN: The Assembly's reason for disagreeing is—

It will be essential for the commission to have authority to establish and operate workings for the production of coal or mineral oil, briquetting works, and by-product recovery works.

The CHIEF SECRETARY: I think this power is essential if the commission is to operate economically and successfully. If we limit its operations by preventing it from maintaining workings for the production of coal or mineral oil or briquetting works or by-products recovery works, we will be allowing it to generate electricity but will be hamstringing it. There is nothing in the measure to say that it will be necessary for the commission to undertake these operations but, as it progresses, with different schemes working in different parts of the State, those undertakings may be necessary for its economic working. I agree with the reason put forward by another place and I trust that we will not insist on our amendment. I move—

That the amendment be not insisted on.

Hon. H. SEDDON: We are asked to consider Bills for the purpose of establishing a State electricity commission to take charge of the generation and distribution of elec-

tricity in Western Australia. This, however, goes a good deal further. This clause provides for the establishing and working of briquetting works and by-products recovery works. In other words, we would be dealing with all by-product processes associated with the distillation of coal. By including this paragraph, we shall be establishing not only an electricity commission but a Government coalmine, a Government briquetting works, a Government ammonia works, a Government dye works, and all other industries associated with the coal industry.

Hon. T. Moore: It is all done in Victoria.

Hon. H. SEDDON: Whether that is so or not, we would, by adopting this, be doing much more than establish an electricity commission.

The CHIEF SECRETARY: There is nothing in the Bill which says that the Government will establish anything.

Hon. H. Seddon: The Bill gives the Government power to do it.

The CHIEF SECRETARY: Yes, if the necessity arises. If this State develops as we hope, the probabilities are that in ten or 15 years' time it will be necessary to do these things. I hope the time is not far distant when the electricity commission will have to do some of them. That will show that it is successful in its operations. We should not prevent the electricity commission from doing whatever may be necessary in order to carry out its work economically and successfully.

Hon. H. SEDDON: Members can rest assured that whatever else the commission does, it will not do these things economically because the whole set-up is wrong for economical working. The setting up of the works envisaged here will not necessarily show that the commission is operating successfully, but it will prove that the policy of establishing Government enterprise is being followed. When the commission has demonstrated that it can produce electricity economically it will be time enough to bring down an amendment giving these powers.

Hon. E. H. H. HALL: These extensive undertakings may not be attractive to private enterprise because of insufficient profit. Because of that, certain of them have to be carried out by the State. What private company could do what the State railways

have done? Private enterprise has a right to expect a return on the money invested by the shareholders, but that is not so necessary when the State undertakes a large public enterprise. It seems to be impossible to get people in this State to go into these national undertakings. The question of setting up butchers' shops or bakers' shops is an entirely different matter.

Hon. W. J. MANN: The Committee has already given authority for the purchase of a coalmine, coalmining leases or land bearing coal or shale, or mineral oil deposits, with a view to working them. If there are any by-products, surely the Government should be entitled to the benefit of them. Quite recently I was informed that an engineer has succeeded in coking Collie coal. It would be a great inconvenience if the commission were prevented from operating in that direction.

Hon. H. SEDDON: Mr. E. H. H. Hall argued that because there was not sufficient inducement for private concerns to embark upon the operations he mentioned, the State was justified in so doing. For many years I have indicated to the people that the losses incurred on loan works represent an amount almost equivalent to the whole of their income tax. If we are to increase those losses in the manner suggested, we must face the fact that coke ovens cannot be installed except with heavy expenditure, that briquetting works will involve the State similarly, and that the by-products treatment plant will involve even still heavier expenditure. Surely, in view of the losses we are already making on loan projects, we should proceed cautiously with a scheme like that under discussion. We are to start with a loss of £30,000 a year, and that figure is based on estimates arrived at before the price of coal increased.

The Chief Secretary: That is hardly correct.

Hon. H. SEDDON: It is. The report was placed on the Table early this year, before the price of coal was increased.

The Chief Secretary: You were speaking about the loss of £30,000 a year, but that refers to the South-West power scheme. It has nothing to do with the rest of the operations of the commission.

Hon. H. SEDDON: That is the initial loss.

The Chief Secretary: But that refers to that one scheme.

Hon. H. SEDDON: Apparently we are to have all sorts of electrical schemes established all over the State, and those schemes will be supplied from the State coalmine, which will be expected to operate with the by-products as well. The Committee should hasten slowly, in view of past experience. We are already committed to enormous losses each year because of the failure of past undertakings, and now we are asked to embark upon other undertakings that will mean increasing those losses. We should confine this measure to the generation and supply of electricity and at least cut out the briquetting and by-products operations.

Hon. H. L. ROCHE: I can sympathise with Mr. Seddon's desire to, in certain circumstances, limit the Governments participation in works such as he has mentioned. It seems to me, however, that the proposals under discussion are purely complementary to the main purpose of the legislation. It would be unfair to insist on this amendment in view of the fact that the people to be served by the commission desire this undertaking to operate as soon as possible and that the advantages to be obtained from the development of by-products of the major activity should result in some benefit to the State as a whole. While we may subscribe to the general principle regarding State trading, at the same time I do not think we should condemn the proposals of the Government in this instance by approaching the matter from the point of view of the advantages or disadvantages of State trading. No-one is willing to take on this work but the Government. The activities are complementary to the major purpose and the commission should have the power sought.

Hon. T. MOORE: I cannot understand Mr. Seddon's attitude. He wants to make out that he is particularly anxious that we should not enter into further State enterprises, but only yesterday he was silent when another matter was under discussion. He is always anxious to boost private enterprise, but yesterday we had before us a Bill the object of which was to rescue a concern in the conduct of which private enterprise had fallen down on its job. I refer to the Albany Freezing Works. We had a similar spectacle regarding works at Fremantle.

When it is a case of the State coming to the rescue of private enterprise and taking over its liabilities, Mr. Seddon is prepared to vote for the project. In other words, he is desirous of getting his friends out of trouble whenever they get into it. He should be consistent. He talked about losing propositions. I hope that in this instance it will not be a losing proposition but that, as the years go by, we shall find that the electricity commission will prove a big factor in developing the South-West and that at Collie we will have one of the great cities of the future. We are now handling a big proposition and we are merely playing with it when we talk about the losses on State enterprises.

Hon. H. SEDDON: It is a pity we cannot discuss a proposition of this type without personalities being introduced. I regret that Mr. Moore has seen fit to indulge in that direction for the purposes of comparison. The point I wish to establish is that we are committing ourselves to an enormous expenditure on a concern that can only be handled by people highly skilled and trained to get the best out of an undertaking from the commercial point of view. In dealing with such a proposition, we are putting in charge people who are concerned only with development from the standpoint of departmental interests, and there is a tremendous difference between the two considerations.

Hon. E. H. H. Hall: I would not say that.

Hon. H. SEDDON: I do not want the State to be committed to a further disaster.

Hon. T. Moore: Why talk about a disaster?

The CHIEF SECRETARY: I am afraid Mr. Seddon is getting more pessimistic as the days go by. I was always under the impression that he was keen in his advocacy of the development of the South-West. I rather fancy I have heard him talk about the potentialities of that part of the State if they could only be developed. Now we are bringing forward legislation to provide for the establishment of an electricity commission, the powers of which will cover the whole State. These powers will be very wide and will cover not only the metropolitan area but the South-West in particular, and will eventually extend to the lower Great Southern.

Although he is prepared to agree that there is a wonderful opportunity for development and that the generation of electricity will be helpful, he says in effect, "I will put a spoke in the wheel; I will not allow the commission to do things that will enable it to operate successfully."

This Bill is merely a framework on which we hope to build. As time goes on, I trust that the operations will be successful not only in the metropolitan area but also in the South-West, and that industries will be established in many parts of the South-West. If that happens, some of the things mentioned in the clause will be necessary. Is it asking too much that the commission should have this authority? The hon. member feared that we might lose hundreds of thousands of pounds. Surely he realises that money will not be provided without proper investigation beforehand! The Government will have to approve of and provide all the money, and surely that should be sufficient safeguard! We should give the commission every opportunity to operate successfully and on the most economical basis possible. No venture will be approved unless the technical experts recommend it as being essential for the proper conduct of the undertaking. I am prepared to take the risk.

Hon. H. SEDDON: The Government took the risk with regard to existing loan works and the people responsible for putting those works into operation acted on the advice of experts and were convinced that they would be successful. Yet the people of the State today have the privilege of losing £2,300,000 a year on loan assets. If members wish to follow the same line, they will retain the paragraph, but will do it with their eyes open.

Question put and passed; the Council's amendment not insisted on.

No. 12. Clause 29, Subclause (2), in paragraph (b)—Delete all words after the word "electricity" in line 25, page 18.

The CHAIRMAN: The Assembly's reason for disagreeing is—

The Commission will require the authority set out in this paragraph to enable it to operate on a proper economic basis and thus be in a position to make electric power available to consumers at reasonable prices.

Having refrained from insisting on the previous amendment, this one consequently should not be insisted on.

The CHIEF SECRETARY: I agree. I move—

That the amendment be not insisted on.

Question put and passed; the Council's amendment not insisted on.

No. 14. Clause 49, page 30.—Delete the words "Consolidated Revenue," line 41, and substitute the word "Sinking."

The CHAIRMAN: The Assembly's reason for disagreeing is—

It is considered this clause is already especially generous to the commission and was only made as generous as it is because of the anxiety of the Hon. the Treasurer to give the commission full opportunity to make provision for all its requirements including the establishment of reserves for the expansion of its undertakings and the establishment of new projects in country areas.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. H. SEDDON: Members should insist on this amendment. I wish to ensure that before a penny of profit goes into Consolidated Revenue, assuming that the enterprise is as successful as the Chief Secretary hopes it will be, any funds provided shall be repaid. That is only reasonable.

The CHIEF SECRETARY: The clause provides that any profit which is available in cash after making full allowance for interest and sinking fund contributions, depreciation, obsolescence and maintenance of plant, and which in the opinion of the commission is not required by it shall, subject to the approval of the Governor, be paid into Consolidated Revenue. If there is any profit after making provision for the requirements I have mentioned, it ought to be returned to the source from which the money came. That would be only fair.

Hon. H. SEDDON: Let me draw an analogy with the Goldfields Water Supply Scheme. During the undertaking losses have been incurred and they were borne by Consolidated Revenue. When the first loan was repaid, those losses were capitalised and are now charged up as part of the capital of the undertaking. If the electrical undertaking involves losses, they, too, will be capitalised. By adopting my amendment those losses will

be paid back, whereas under the Bill as it stands the money will be paid into Consolidated Revenue as a profit and the losses will still form part of the capitalisation of the scheme.

The Chief Secretary: What authority has Mr. Seddon for making the very definite statement that the losses occurred in the initial stages of the undertaking will be capitalised?

Hon. H. SEDDON: I am justified in drawing an analogy between this undertaking and the Goldfields Water Supply Scheme.

The CHAIRMAN: Mr. Seddon is only assuming what will happen.

Hon. L. CRAIG: Originally, I thought Mr. Seddon had some good reason for his contention that the money should not be paid to Consolidated Revenue, but should be held as a reserve for future use by the commission. On studying the Bill, however, one finds that every provision possible is made for the commission to provide for contingencies and reserves. The only money that would be paid to Consolidated Revenue would be profits which, were this undertaking a private concern, would be divided among the shareholders. I do not think the Council's amendment should be insisted on.

Hon. H. Seddon: If we are not going to apply the profits against the capital losses incurred, the undertaking will be over-capitalised.

Question put and passed; the Council's amendment not insisted on.

No. 15.—New clause, Part V:—Insert a new clause to stand as Clause 26 as follows:—26. The several powers by this part of this Act conferred on the Commission shall be exercised only for the purposes of or incidental to the manufacture, generation, transmission, distribution, supply and sale of electricity.

The CHAIRMAN: The Assembly's reason for disagreeing is—

This amendment would be severely restrictive and would make it extremely difficult for the commission to function successfully.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. H. S. W. PARKER: If it is the intention of the Government that the commission shall only acquire coalmines for the purposes of the generation, supply and distribution of electricity then this provision is merely a clarifying one and should be included. As another place has rejected it, however, one is led to believe that the intention of the Bill is not merely to provide that the commission shall undertake the generation, supply and distribution of electricity, but that it shall also run coalmines and deal in coal. The amendment should be insisted on.

The CHIEF SECRETARY: I hope the Committee will agree with me that it would be futile to insist on the amendment, in view of our attitude to the previous amendments. If we insist on this amendment we shall be—

Hon. G. W. Miles: Stultifying ourselves.

The CHIEF SECRETARY: That is a very good word. I feel the Committee is not likely to insist on the amendment.

Hon. H. S. W. PARKER: The argument raised in favour of the other amendments was that it was essential for the commission to have the powers mentioned for the purposes of this measure. Personally, I am not concerned about those amendments. If it is the real intention of the Government that the commission shall be an electricity commission, then there is no harm in the amendment; but if it is the intention of the Government that the commission shall not be an electricity commission, but a commission to run coalmines, then the amendment would have an effect which the Government does not desire. I do not want the Government to run coalmines. Therefore I must ask the Committee to support me, and to include this amendment.

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

| | | | | | |
|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 14 |
| Noes | .. | .. | .. | .. | 8 |

Majority for 6

AYES.

| | |
|--------------------|--------------------|
| Hon. O. R. Cornish | Hon. W. H. Kitchin |
| Hon. L. Craig | Hon. A. L. Loton |
| Hon. J. M. Drew | Hon. W. J. Mann |
| Hon. G. Fraser | Hon. G. W. Miles |
| Hon. E. H. Gray | Hon. T. Moore |
| Hon. E. H. H. Hall | Hon. H. L. Roche |
| Hon. E. M. Heenan | Hon. G. B. Wood |
| | (Teller.) |

NORS.

Hon. Sir Hal Colebatch
Hon. J. A. Dimmitt
Hon. J. G. Hialop
Hon. H. S. W. Parker

Hon. H. Seddon
Hon. H. Tuckey
Hon. F. R. Welsh
Hon. V. Hamersley
(Teller.)

PAIR.

AYR.

Hon. C. B. Williams

No.

Hon. C. F. Baxter

Question thus passed; the Council's amendment not insisted on.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

BILL—ROAD CLOSURE.*First Reading.*

Received from the Assembly and read a first time.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [6.10] in moving the second reading said: This is a routine Bill by which authority is sought for the closure of certain roads and rights-of-way, and also for authority for the disposal of certain rights-of-way. In 1914 an area of 24.2 perches was excluded from the police reserve at Bunbury and the Crown grant issued to the West Australian Fire Brigades Board in trust for a fire station site. At the same time a right-of-way between the two reserves was declared for the purpose of giving access to the rear portion of the site. The Fire Brigades Board desires to erect on this right-of-way a steel tower which cannot be placed elsewhere, but is unable to do so while the right-of-way exists. As the only purpose of the right-of-way is to give access to the fire brigade site itself, there is no reason why the right-of-way should be retained. The local authority supports the proposal to close the right-of-way and no objection is raised by the Police Department, the Surveyor General or the Town Planning Commissioner. The purpose of this clause is, therefore, to close this right-of-way so that it may be incorporated in the fire brigade site and thus enable the board to erect the required steel tower.

Clause 3 deals with an application by Caltex Limited for the closure of that portion of Irene street lying between Ocean Parade and Bracks-street at North Fremantle. The company which desires to purchase the land already owns the whole of the

land on one side of this portion of Irene street and is purchasing from the North Fremantle Council and private owners the land on the other side of the street. Last session the portion of Lancelot-street between Bracks-street and Napier-road was closed to enable the Shell Oil Company which owned land on either side, to purchase it, and some years ago portion of Miriam-street was closed for the same purpose.

All this land between the sea and the railway is considered to be an industrial area. There are only six houses, three of which are now owned by the Shell Oil Company and the other three are included in the recent purchase by Caltex Limited. The proposal is supported by the local authority, the Town Planning Commissioner, and the Surveyor General. The land, when the road is closed, will be Crown land, and approval therefore sought, in addition to the closure of the road, of its sale to Caltex Limited at a price of £60.

The next provision is of a consequential nature. When authority was given by the Road Closure Act, 1925, for the closing of certain rights-of-way at North Fremantle including three rights-of-way on North Fremantle Town Lot 49, no provision was made for the disposal of the land within the closed rights-of-way and the title still remains in the name of the original subdivider of the land. The North Fremantle Council is the owner of the centre portion of North Fremantle Lot 49 adjoining the closed rights-of-way and has sold it, together with the land in the closed rights-of-way to Caltex Limited, which has purchased from other owners the balance of the block. When the council came to transfer the land it found that it had no title to the rights-of-way and now asks that authority be obtained to grant this land to the council for sale to Caltex Limited. The proposal is supported by the Surveyor General and the Town Planning Commissioner.

A proposal to create a greatly extended site for educational purposes, adjoining the present school site reserve at Fremantle dealt with in the next clause. The Reserve Bill deals with portion of the Fremantle Public Park which is being surrendered to the Fremantle Council to be included in the new reserve, as well as Class "A" Reserve

21511 at present a reserve for recreation, but which it is intended to include in this new educational purposes reserve. This clause provides for the closing of Park-street and portion of Skinner-street so that they can also be included in this same reserve. The Fremantle City Council has no objection to the closing of these streets and the whole proposal has the support of the Surveyor General and the Town Planning Commissioner.

Sitting suspended from 6.15 to 7.30 p.m.

The HONORARY MINISTER: At the tea adjournment, I was about to deal with Clause 6, which is concerned with certain lands at Joondanna Heights, North Perth, which have been purchased by the Workers' Home Board. The subdivision of these lands for the purposes of the board has recently been re-designed by the Town Planning Commissioner, and to give effect to this re-subdivision, it is necessary to close portion of two streets—Elanora-street and Millet-street. The closures will not interfere in any way with the rights or convenience of residents or holders of land in the vicinity. Those are the proposals contained in the Bill. Plans of the localities concerned will be laid upon the Table of the House for the scrutiny of members. I can assure members that there is no complication in any of these matters. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—RESERVES.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [7.35] in moving the second reading said: This is the customary Reserves Bill and is submitted for Parliamentary authority to deal with reserves

and other lands. The first proposal concerns a class "A" reserve on the corner of Verdun-street and Smythe-road, Nedlands, and which is adjacent to the Karrakatta Cemetery. This land, which is set apart for a children's playground, is vested in the Nedlands Road Board, which has agreed to make it available for the erection of a veterinary laboratory, where small animals such as rabbits, rats and guinea-pigs may be bred. This site would also be most convenient in the event of a veterinary school becoming attached to the University in the future, as the laboratory would be utilised for the training of students. The reserve, which is of approximately 3 acres, is sufficient in area for any extension to the buildings which are now in course of erection. It has the advantage of being near to the University and to transport and other facilities. This proposal has been approved by the Town Planning Commissioner, the University authorities and Surveyor General.

The next proposal deals with the surrender of Reserve No. 2665 near Donnybrook and its reversion to the Crown so that it may be dealt with as Crown land under the Land Act. This reserve, which is of approximately 57½ acres, was set aside in 1895 for a racecourse and on the 1st January, 1900, was leased for a period of 99 years to the trustees of the Preston Race Club. Two of these trustees have died and the remaining trustee has advised that the club is defunct and that he is agreeable to the surrender of the lease. The Preston Road Board is desirous of having this land vested in the board for the purpose of a "greater sports ground" and the action I have outlined is the most straightforward way of attaining this object.

Clause 4 deals with a block of land of 26 perches which is situated at the corner of Angelo and Anstey-streets, South Perth, the freehold of which is held by the South Perth Road Board. The road board has unanimously agreed to transfer the block, without charge, to the R.S.L. for the purpose of erecting a building for use of league members. The land at present serves no useful municipal purpose and in the past has been used as a pound, as an infant health centre, and later for A.R.P. purposes, for none of which it proved suitable. Neither the Town Planning Commissioner nor the Surveyor

General has any objection to the action which is proposed. The Bill provides that the land shall be surrendered to the Crown so that it may be created a reserve under the Land Act, and the R.S.L. issued with a title. Crown Law authorities have advised that this is the correct procedure to adopt in this instance.

The next proposal concerns class A reserve No. 8313, which is some distance out of Northam. It is not vested in anyone, nor is it used for recreational purposes, and the town clerk of Northam states that it has not been in use for over 40 years. The Commissioner of Native Affairs is desirous of establishing a permanent reserve for natives near Northam and considers this to be the most suitable area available. His request has the approval of the Northam Municipal Council, the Town Planning Commissioner and the Surveyor General. As the area is a class A reserve, Parliamentary approval is required to change the purpose of its use from "recreation" to "natives."

Clause 6 proposes to repeal the Permanent Reserve (Point Walter) Act, 1921. This Act gave authority for the leasing of a section of the Point Walter reserve, not exceeding one acre, for the purpose of establishing a public refreshment room. At this time the reserve was under the control of the Melville Road Board, which asked in 1929 that it be released from this responsibility. As a result the reserve passed into the jurisdiction of the State Gardens Board, which now desires to lease the tearooms for a period of five years. This could be done under the Land Act, 1933, were it not for the existence of the Permanent Reserve (Point Walter) Act, 1921, and therefore the Bill provides for the repeal of the latter Act.

The next clause seeks authority for the sale to the Workers' Homes Board of certain lots at Collie, the Crown grant of which is held by the trustees of the Public Education Endowment, and the total area of which is 28 roods. The trustees, although agreeable to the sale, cannot do so without Parliamentary sanction. Similar approval is sought in Clause 8 in connection with land held by the trustees at Merredin and which they are also desirous of selling to the Workers' Homes Board.

The next provision in the Bill deals with the sale of two Crown land locations to two householders at Bayswater. These two per-

sons' homes are built on blocks which each have a frontage of 33 feet only, and they now desire to increase the size of their lots to permit of extensions to their homes. The Crown fortunately has two other blocks with 33 feet frontages available, which are adjacent to these persons' properties, and it therefore proposes to make these available to the applicants. These blocks are too small for modern-day building requirements and it will serve a useful purpose both to the Government and to the householders if they are disposed of in this manner.

Clauses 10 and 11 deal with land required by the Education Department in connection with the proposed extension of the present school site of just over six acres at the corner of East and Ellen-streets, Fremantle, which was surrendered by the Fremantle Council to the Crown in exchange for other land. This exchange was authorised by the Fremantle Lands Act, 1921. The Education Department is now seeking a very substantial increase of this site so that ultimately an educational centre can be established there to include post primary boys and girls' schools, for science and technical training. The Fremantle Council has agreed to give up an additional area amounting to somewhat over 11½ acres from the Fremantle Park to increase the school site. The Fremantle Council holds the Crown grant of this lot in trust for a public park. It has also agreed to give up the land lying on the south side of Vale-street between the Old Women's Home and East-street for the same purpose, and raises no objection to the closing of Skinner and Park-streets for inclusion in this new educational site.

This last area includes a class "A" reserve which is set apart for recreation and which is vested in the Fremantle Council. It also includes a reserve which is used for municipal purposes and is also vested in the Fremantle Municipal Council. As regards this latter reserve, the transfer can be made without any parliamentary approval, but as the former reserve is a class "A" reserve, parliamentary approval is necessary to change the purpose of the reserve from recreation to education, and to revert the land in the Crown. It is considered that the provision of this site will be a great acquisition to the people of Fremantle and will not interfere with the recreation facilities of the public in this area, which are al-

ready adequately provided for on the balance of the Fremantle Park. The Public Works Department, the Lands Department and the Town Planning Commissioner are all agreed on the suitability of this site for the purpose contemplated. That briefly is an explanation of the Bill which contains nothing contentious. Plans of the areas concerned are available and will be laid on the Table of the House for the information of members. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

**BILL—WORKERS' HOMES ACT
AMENDMENT.**

In Committee.

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

Clause 1—agreed to.

Cause 2—Amendment of Section 4:

Hon. J. CORNELL: I move an amendment—

That after subparagraph (iii) of the proposed new Subsection (2) the following words be inserted:—“(iv) Three members of the board shall form a quorum.”

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

Clauses 3 and 4, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

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

BILL—COMMONWEALTH POWERS.

Assembly's Message.

Message from the Assembly notifying that it had disagreed to amendment No. 2 made by the Council and had agreed to amendment No. 4 subject to a further amendment now considered.

In Committee.

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

No. 2. Clause 3:—Insert the words “and other than real property” after the word “services” in line 33.

The CHAIRMAN: The Assembly's reason for disagreeing is:—Control of real estate values is absolutely essential. The Commonwealth has the organisation, staff and experience. The valuers are Western Australian men experienced only in Western Australian values. The result of any break in continuity would be soaring of values, profiteering, inflation and exploitation of ex-servicemen requiring homes.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. H. S. W. PARKER: I hope members will insist on the amendment. Otherwise, when we hand over powers to the Commonwealth for a limited period, we shall be handing over power to require consent to the transfer or lease of land. At present, if land is bought or sold or is leased for a period of more than three years, the consent of the Commonwealth Sub-Treasury is necessary and the matter has to be referred to Canberra. There are many shocking instances of the way in which transfers are dealt with. I do not blame the local officials, who are hide-bound by regulations from Canberra and are afraid to depart from the absolute letter of their instructions. We as representatives of the people have no say whatever, because it is a Commonwealth matter, and though we have representatives in the Commonwealth Parliament, they are so few that nobody cares two straws about them. The Assembly's reasons for disagreeing to the amendment read—

Control of real estate values is absolutely essential.

Quite so, but not Commonwealth control.

The Commonwealth has the organisation, staff and experience. The valuers are Western Australian men experienced only in Western Australian values.

That is exactly what we want.

The result of any break in continuity would be soaring of values, profiteering, inflation and exploitation of ex-servicemen requiring homes.

That is purely a figment of the imagination. How on earth can there be soaring prices if we ourselves take control? All I am objecting to is the handing over of control to the Commonwealth after the National Security Regulations cease to operate. By all means retain control, but let it be sensible control. Surely we have competent valuers to carry on the business! When price control began, we handed over State officials to the Commonwealth. Why cannot we get them back? Unless we are unificationists, it is essential that we retain control of the values of our land and then we would control the prices. I certainly believe in the prevention of profiteering, but I object to the stupid way in which the Commonwealth steps in and refuses to allow transfers or leases to go through—matters that have nothing to do with profiteering.

The City of Fremantle desired to purchase a piece of land near the town hall. It was prepared to pay £4,000 for the block. Only a few months ago, it had been valued for probate at £3,500 and probate was paid on that amount. The council agreed to pay £3,500 and the vendor was happy, but the Commonwealth Sub-Treasurer said, "No, not £3,500 but £3,380." Fancy a difference of £120 in a £3,500 deal! The transfer cannot go through. If I were the vendor, I would wait until all control had ceased and then be sure of getting the original £4,000 or perhaps £5,000 for it, whereas the citizens of Fremantle had an opportunity to make an extraordinarily good deal. But Canberra says, "No; it is worth only £3,380." Are we going to perpetuate that? I trust the Committee will not hand this control over to the Commonwealth, but will retain some vestige of responsible Government in the State and keep control of the prices of our own real estate.

THE CHIEF SECRETARY: The reasons given by the Assembly are very sound. Mr. Parker does not want to see land values skyrocketing and does not object to control as such, but I understand he wants that control to be Western Australian. The circumstances at present are such that the Commonwealth, with its staff and organisation, is able to deal with these matters without altering its organisation. If this is left to the State to do, we shall have to build up

an organisation. I do not think we have the staff for that purpose. The valuers referred to are Western Australians. They are good men and have had nothing except local experience, but they are Commonwealth officers and are not available as officers of a State organisation. If we are anxious to see that there shall still be control of land values, we have to be prepared to allow the Commonwealth Government to retain its control during the period for which we are prepared to hand it over. The other amendment suggests that we give these powers to the Commonwealth for two years. Is it reasonable to expect that a particularly important organisation should be set up for two years? Not only would valuers be required but a staff as well. There would be great difficulty in doing what Mr. Parker would like the State to do. The amendment ought not to be insisted on.

Hon. H. L. ROCHE: I hope the Committee will insist on its amendment. It seems to me that Western Australia is in a position to exercise the control more satisfactorily to all concerned. We all appreciate the need for some control, but it should be in the hands of the State Government which is readily approachable. The present control is vested in people at Canberra and they are not interested. Many injustices and absurdities occur in connection with this matter. The argument of the Chief Secretary is based almost entirely on the question of expediency, the trouble of getting a staff and an organisation together. It should not be beyond the resources of the Government of this State to exercise sufficient control over the values of real estate to prevent any abuses arising.

Hon. H. S. W. PARKER: The Chief Secretary has, I think, not been well informed. If we take this control from the Commonwealth when the time expires, the officers of the Commonwealth will be available to the State on loan. As things are at present people have to wait weeks or months before a simple transfer can be put through. The Stamp Act says that a document must be stamped within 28 days of its being signed. The Stamp Office finds that impossible, and in practice does not fine people if they bring in a document 28 days after getting the consent of the Treasurer. We already have a probate office which fixes the price of land when probate is applied for. Not every pro

bate regarding land has to be submitted to the Government. It is not necessary to put in a return for a deceased estate unless it is a matter of £2,000 or over, and the probate office has all the power to deal with the valuation of lands for estates under that amount. If a person takes a transfer to the Commissioner of Stamps and declares that it is a gift, he will soon find out what the price of the land is in order to determine the stamp duty. In the State service we have two departments very closely allied. They value all land or are in a position to value all land or to ascertain such values. No doubt those two departments working in conjunction with the Commonwealth Taxation Department, are able to ascertain the price of every block of land in Western Australia. Where the delay occurs is in the necessity for sending in all kinds of unnecessary forms. Those forms cover land at Darwin, Sydney, Melbourne, Kalgoorlie, and any outback place. They are stereotyped for Crown lands and for country lands. The work could be done twice as quickly by local officers.

Hon. G. FRASER: I hope the amendment will not be insisted on. I fail to see how the position can be improved if the amendment in question is embodied in the Bill. Control from Canberra does not enter into the question. The officials concerned are working on values fixed in February, 1942. Whether the control is under the Commonwealth or the State the basis remains the same. Why, therefore, create another department when there is already one that is doing the work? It is not a question of altering the basis of valuation.

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

| | | | | | |
|------------------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 6 |
| Noes | .. | .. | .. | .. | 13 |
| <hr/> | | | | | |
| Majority against | .. | .. | .. | .. | 7 |
| <hr/> | | | | | |

AYES.

| | |
|-----------------|-------------------|
| Hon. G. Fraser | Hon. W. H. Kitson |
| Hon. E. H. Gray | Hon. T. Moore |
| Hon. W. R. Hall | Hon. E. M. Heenan |
| | (Teller.) |

NOES.

| | |
|------------------------|----------------------|
| Hon. Sir Hal Colebatch | Hon. G. W. Miles |
| Hon. L. Craig | Hon. H. S. W. Parker |
| Hon. F. E. Gibson | Hon. H. Seddon |
| Hon. V. Hamersley | Hon. F. R. Welsh |
| Hon. J. G. Hialop | Hon. G. B. Wood |
| Hon. A. L. Laton | Hon. H. L. Roche |
| Hon. W. J. Mann | (Teller.) |

PAIRS.

AYES.

| |
|---------------------|
| Hon. C. B. Williams |
| Hon. J. M. Drew |

NOES.

| |
|--------------------|
| Hon. C. F. Baxter |
| Hon. C. R. Cornish |

Question thus negatived; the Council's amendment insisted on.

No. 4. Clause 6:—Delete all the words after the word "force" in line 26 down to and including the word "operation" in line 28, and substitute the words "until the thirty-first day of December, one thousand nine hundred and forty-seven."

Assembly's further amendment: Delete the word "forty-seven" in the last line and insert in lieu the word "forty-eight."

The CHIEF SECRETARY: I move—

That the Assembly's further amendment be agreed to.

This will mean that the powers will be transferred for three years instead of two years, which is a reasonable proposition.

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

| | | | | | |
|------------------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 8 |
| Noes | .. | .. | .. | .. | 12 |
| <hr/> | | | | | |
| Majority against | .. | .. | .. | .. | 4 |
| <hr/> | | | | | |

AYES.

| |
|-------------------|
| Hon. G. Fraser |
| Hon. F. E. Gibson |
| Hon. E. H. Gray |
| Hon. W. R. Hall |

| |
|-------------------|
| Hon. E. M. Heenan |
| Hon. W. H. Kitson |
| Hon. G. W. Miles |
| Hon. T. Moore |
| (Teller.) |

NOES.

| |
|------------------------|
| Hon. Sir Hal Colebatch |
| Hon. J. A. Dimmilt |
| Hon. V. Hamersley |
| Hon. J. G. Hialop |
| Hon. A. L. Laton |
| Hon. W. J. Mann |

| |
|----------------------|
| Hon. H. S. W. Parker |
| Hon. H. L. Roche |
| Hon. H. Seddon |
| Hon. F. R. Welsh |
| Hon. G. B. Wood |
| Hon. L. Craig |
| (Teller.) |

PAIRS.

AYES.

| |
|---------------------|
| Hon. C. B. Williams |
| Hon. J. M. Drew |

NOES.

| |
|--------------------|
| Hon. C. F. Baxter |
| Hon. C. R. Cornish |

Question thus negatived; the Council's original amendment insisted on.

Resolutions reported and the report adopted.

A committee consisting of Hon. L. Craig, Hon. H. S. W. Parker and the Chief Secretary drew up reasons for disagreeing to the Assembly's amendment to the Council's amendment No. 4.

Reasons adopted, and a message accordingly returned to the Assembly.

BILL—WORKERS' HOMES ACT AMENDMENT.

Assembly's Message.

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

contract entered into between the Government and the member concerned. I do not think many people would take exception to a member doing any of these things but, in view of the fact that legal opinion has been expressed in this way, it is considered desirable to make the position absolutely secure.

Another instance I would like to quote is the case of a member of Parliament who may be in business in a country district. Strictly speaking, according to the law, he would not be able to supply to the Government or to a Government representative any of the commodities in which he trades. He would not, for instance, be able to supply fodder to a gang of public works men who desired it for their horses, without taking the risk of suffering disqualification. Members will agree that these things are quite unreasonable, and we are therefore bringing down this amendment. The second amendment deals with the question of members receiving expenses when acting on Select Committees and Royal Commissions. I think it is true to say that numbers of members have been chary of accepting even their out-of-pocket expenses when acting as members of Select Committees. I know of at least one member who refused to be a member of a Select Committee on that account. He said he would not take the risk of someone complaining that he was receiving expenses and being liable to disqualification. He preferred not to be appointed. This amendment will make it lawful for members of a Select Committee, and others, to receive expenses when appointed to such committees. These points really cover the Bill. I hope that members will agree that these matters should be clarified and the position of members of Parliament safeguarded. I move—

That the Bill be now read a second time.

Question put.

The PRESIDENT: Under Standing Order No. 243 it is mandatory that there shall be a division on this Bill.

Division taken with the following result:—

| | | | | |
|--------------|----|----|----|----|
| Ayes | .. | .. | .. | 23 |
| Noes | .. | .. | .. | 0 |
| Majority for | | | | 23 |
| | | | | — |

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD).

Assembly's Request for Conference.

Message from the Assembly requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers now considered.

The CHIEF SECRETARY: I move—

That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. Sir Hal Colebatch, Hon. H. L. Roche and the mover, and that the conference be held in the Chief Secretary's room at 2.30 p.m. to-morrow.

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

BILL—CONSTITUTION ACTS AMEND- MENT ACT AMENDMENT (NO. 4).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [8.53] in moving the second reading said: I feel sure that every member is conversant with this Bill and the reasons for it. It will require an absolute majority. The Bill contains two amendments, the first of which deals with Section 35 of the Constitution Acts Amendment Act. It is rendered necessary on account of the changes that have taken place since the Constitution Acts Amendment Act was passed. Under Section 32, members of Parliament risk being disqualified from sitting as members if they enter into a contract with the Government. In recent years the Government has in many ways come into the picture in the providing of facilities for the general public, and it is rather strange but legal opinion has been given on more than one occasion that the mere fact of using some of our public utilities can be construed as having entered into a contract with the Government. For instance, if one travels by a State ship or purchases goods from the State Sawmills, or travels by train, it can be construed as a

AYES.

Hon. Sir Hal Colebatch
Hon. J. Cornall
Hon. C. R. Cornish
Hon. L. Craig
Hon. J. A. Dimmitt
Hon. G. Fraser
Hon. F. E. Gibson
Hon. E. H. Gray
Hon. W. R. Hall
Hon. V. Hamersley
Hon. E. M. Heenan

Hon. J. G. Hislop
Hon. W. H. Kitson
Hon. A. L. Loton
Hon. W. J. Mann
Hon. T. Moore
Hon. H. S. W. Parker
Hon. H. L. Roche
Hon. H. Seddon
Hon. F. R. Welsh
Hon. G. B. Wood
Hon. G. W. Miles
(Teller.)

NOES.

NIL.

The **PRESIDENT**: There is more than an absolute majority in favour, and the question, therefore, passes in the affirmative.

Question thus passed.

Bill read a second time.

In Committee.

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

Third Reading.

The **CHIEF SECRETARY** (Hon. W. H. Kitson—West) [9.3]: I move—

That the Bill be now read a third time.

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

| | | | | |
|--------------|----|----|----|----|
| Ayes | .. | .. | .. | 22 |
| Noes | .. | .. | .. | 0 |
| | | | | — |
| Majority for | .. | .. | .. | 22 |
| | | | | — |

AYES.

Hon. Sir Hal Colebatch
Hon. J. Cornall
Hon. C. R. Cornish
Hon. L. Craig
Hon. J. A. Dimmitt
Hon. G. Fraser
Hon. F. E. Gibson
Hon. E. H. Gray
Hon. W. R. Hall
Hon. V. Hamersley
Hon. E. M. Heenan

Hon. J. G. Hislop
Hon. W. H. Kitson
Hon. A. L. Loton
Hon. W. J. Mann
Hon. G. W. Miles
Hon. H. S. W. Parker
Hon. H. L. Roche
Hon. H. Seddon
Hon. F. R. Welsh
Hon. G. B. Wood
Hon. T. Moore
(Teller.)

NOES.

NIL.

The **PRESIDENT**: There is more than an absolute majority in favour, and the question, therefore, passes in the affirmative.

Question thus passed.

Bill read a third time and passed.

BILL—BUSH FIRES ACT AMENDMENT.*First Reading.*

Received from the Assembly and read a first time.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [9.5] in moving the second reading said: This is a bill to give an opportunity to farmers and others near railway lines to work in co-operation with the Railway Department in burning off. Members will be aware that under the Bush Fires Act, 1937-1942, the Governor may by proclamation declare periods during each year when persons are prohibited from setting fire to the bush in districts specified in the proclamation. The Railway Department, however, is authorised by the Act to burn off on any railway reserves during these prohibited periods for a term not exceeding eight weeks in any one year. Under an arrangement with the Rural Fire Prevention Advisory Committee, the Railway Department does not burn subsequent to the 24th December in any year. The department is desirous of co-operating with owners or occupiers of land adjacent to the railway lines to assist in burning breaks on their land while the burning is being carried out on the railway reserves. In some instances, however, the Act as at present constituted will not permit of this action being taken.

The Act provides that burning on privately owned land can only be done during prohibited periods, with the approval of the local authority, up to the 15th December. Should the prohibited period commence on or after that date, burning can be carried out for a further 14 days. In addition, such burning is confined to grass lands. The Bill proposes to amend the Act to allow burning on lands contiguous to railway reserves with the approval of the local authority, at any time provided that the work is done in co-operation with the railway gangs. The burn may have a maximum width of one chain, and a six foot firebreak must be provided.

The necessity for this amendment was first mooted by the Narrogin Road Board, in whose district the prohibited period commences on one side of the railway on the 15th October, and on the other side on the 22nd October. This means that permission can be obtained to burn only up to the 15th December, and advantage could not be taken of the Railway Department's offer between that date and the 24th December, when the railway burning ceases. Other road boards are similarly affected, and the Rural Fires

Prevention Advisory Committee and the Road Board Association are therefore both in favour of this amendment. This Bill has only one object, which I am sure will appeal particularly to farmers' representatives in this House. I move—

That the Bill be now read a second time.

HON. G. B. WOOD (East) [9.13]: I commend the Bill to the House and I am sorry it does not go further and give the occupier of land permission to burn to a width of two chains. From experience I know that fires do start at least two chains from railway reserves. However, this is a step in the right direction and, when people see how desirable it is, the distance may be extended to two chains. There are many advantages in this measure, as farmers often have not many men and it is unsafe for a limited number of hands to do any burning. Advantage can be taken, under this measure, of railway gangs, which generally consist of six or seven men, and the burning can be done in collaboration with the gang burning on railway property, when that is being done. I strongly support the measure.

HON. L. CRAIG (South-West) [9.14]: Burning later, with the Railway Department, means that grass on properties adjoining the railway would be drier than it otherwise would be. Will the Bill exempt property owners from liability if the fire gets away and damages other properties, as it is likely to do when the grass is very dry? I am afraid that property owners will still be liable for damage done in that way, and I think the question of liability should be investigated. The burning season is from the 15th October till the 24th December. After that it is dangerous to light a fire. The period is so fixed because the grass then is not quite dry. If the time were extended another two or three weeks, the grass would be bone dry and the risk would be very much greater. The liability would be the same as if the farmer did his burning in the safe period, but by burning in the safe period, he runs very little risk on account of the grass not being so dry.

Hon. H. L. Roche: It will not burn if it is not dry.

Hon. L. CRAIG: But if he burns later, in co-operation with the employees of the Railway Department, the grass will be very dry. The Railway Department has the right to burn at any time, and the Bill merely provides that a settler adjoining a railway may also burn at that later period. Would not the grass at York burn on the 24th December? One would only need to drop a match in a paddock and it would be gone. I should like to know what liability the settler would incur if a fire got away. I think he would still be liable, just as if a fire got away from him during the specified period for burning.

HON. H. L. ROCHE (South-East) [9.17]: Whichever way we approach the question, problems are presented. If the present practice is continued in many districts, the railway fire breaks will not be adequate. Particularly is this so where there have been no attempts to burn inside the ploughed breaks year after year, because much of the grass will not burn in the early part of the season. If there is a fair growth of winter grass, the best burn is obtained at the latter end of the summer, but the result at present is that the break along railway reserves is inadequate.

The provision in the Bill, in my opinion, is a wise one. It will enable farmers with grass lands adjoining a railway line to obtain the co-operation of railway men when they are trying to make the railway reserve safe. A railway gang, both in manpower and fire fighting material, has more facilities available than has the average farmer, and although admittedly there must be more risk on the 23rd December than on the 23rd October, there would be greater manpower and more fire fighting material available to cope with it, and an adequate break would be obtained, whereas, in much of our country it is impossible to get an adequate break in October. I think we can take our experience of the Act and accept the proposal. It has to be tried out before it can be said to be a failure.

Hon. L. Craig: I have pointed out that there is a risk.

Hon. H. L. Roche: That is so, but there is a risk attached to lighting a fire anywhere in the country. A slight increase in the risk on one side might minimise the danger on

the other side in that more manpower would be available, and I think the major risk will be reduced, that is, the risk of a fire started by the railway gang getting out of control before manpower or appliances could check it.

HON. T. MOORE (Central) [9.20]: I think speakers have been viewing the measure from the wrong angle. In the case of fires started by the railway employees for adjoining settlers, it is not so much the question of the time as the day that is selected.

Hon. H. L. Roche: That has a lot to do with it.

Hon. T. MOORE: It makes all the difference. Whether it be the 24th of one month or the 24th of another month, the risk could be very great if the burning were started on a particular day. This is never done. A good day is selected. Now that we have telephones through the country, arrangements can be made, and that is how operations will be carried out under this measure. A farmer will plough a firebreak inside his paddock, and when there is burning on the railway line, he can co-operate. If this action had been taken in my district this year, two of the worst fires we have known would not have occurred. It is presumed that sparks from a railway fire were carried over the railway bank and caused the outbreaks.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [9.20]: I cannot give authoritative information, but the Act provides that if a farmer burns in the prohibited period, he is liable to a fine of £50. If he burns in the specified period, he is liable for damage if there is carelessness on his part and the fire gets away. Of course the risk is greater when the grass is drier. Mr. Wood has clearly explained the position. I consider that the amendment proposed in the Bill will improve the Act.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

RESOLUTION—GAOL SITE AND MODERN PRISON REQUIREMENTS.

To Inquire by Joint Committee—Assembly's Amendment.

Message from the Assembly now considered notifying its concurrence in the Council's resolution subject to the following amendment:—

(d) In view of the types of prisoners which have recently been kept at Pardelup Prison Farm and the number of escapes therefrom, whether such prison should not be closed and all prisoners kept in the modern gaol to be selected and Pardelup used for some other public purpose.

and further notifying that if the Council agreed to the amendment, the Assembly would be represented by Mr. Fox, Mr. Thorn and Mr. North.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.28]: Another place has proposed an additional paragraph and it seems to me that the subject of that paragraph is not relevant to the matter for which we desire a joint committee to be appointed. It is, of course, connected with gaol administration, but it has nothing whatever to do with the site for a gaol, unless we concede its relevancy to the extent that the committee might recommend whether or not Pardelup should be closed. However, I do not propose to raise any strong objection to the amendment. I have quite an open mind on it, though it will add to the work of the committee a matter which, in my opinion, is not relevant to the inquiry asked for in the first place. I move—

That the amendment be agreed to and that the Council be represented by Hon. Sir Hal Colebatch, Hon. C. F. Baxter and the mover.

Question put and passed; the Assembly's amendment agreed to, and a message accordingly returned to the Assembly.

BILL—HOSPITAL BENEFITS AGREEMENT.

Second Reading.

Debate resumed from the 11th December.

HON. J. G. HISLOP (Metropolitan) [9.33]: Before one voted against any measure designed to improve the social services of the community one would have

to give considered thought to its merits. I have devoted much thought to this Bill, and I must say that after considered reflection, because I know in my other official capacities the influence this would have in the community, I have reached the opinion that it is ill-advised and ill-designed. It is also uncertain whether this measure is sound from the constitutional point of view. Speaking recently in this House, the Chief Secretary pointed out that a suggestion which I made, that it would be wiser for the Commonwealth Government to give us the money toward the supply of hospital beds, was against the Constitution and impossible to bring about. This Bill curiously enough does bring that about. Whilst it states that 6s. per day will be paid to persons in public wards for occupied beds and beds in non-public wards, there will be a sum of money in each State left over after these anticipated expenses have been met. The agreement states that that money must be devoted to hospital construction. It appears to me on the face of it that there is grave doubt about the constitutionality of the Bill.

The second factor is that I consider this proposal is economically unsound. First of all, it is not the contribution towards the cost of hospitalisation that we need as a first measure in the improvement of our hospital services. What should have first priority are beds and better hospitals. It is curious to realise that only 24 hours ago this House passed a Loan Bill concerning which it was estimated that the State would be spending this year £200,000 on the construction and maintenance of hospitals. Under this measure those entering our hospitals will receive £200,000 per annum. We must consider, therefore, whether we as a people can afford to spend £200,000 on hospitals, and then afford another £200,000 taken indirectly from us and returned to us through the Commonwealth Government towards our hospital bill. We heard only yesterday that this State was faced with an expenditure of £380,000 because of unexpected difficulties in connection with the Superannuation Fund.

When speaking to the measure Mr. Craig said that if the truth be known this State could not afford 2s. We have already heard from not a few persons that the finances of the State are not in the happy position we would wish them to be. On the one hand

we are going to allow the Commonwealth Government to take £200,000 of the taxpayers' money and then return it to them in the form of a bonus for their hospital bills, and then make another move for a loan of £200,000 for hospital construction. Is that economically sound? I doubt it! I think the much sounder way would have been for the Commonwealth Government to have given the State a grant to be used for the improvement of hospital standards within Western Australia. I maintain it could have been done through the Grants Commission being made aware of the social requirements of the State.

The second interesting point in regard to hospital construction and the amount that will be available to the State is that this Bill imposes a penalty on us for collecting more than some of the other States did from those using the public wards of our hospitals. It will be noticed on perusal of the Commonwealth "Hansard" that the present income from hospital patients annually in Victoria is 3s. 9½d. per day. This measure is estimated to replace all the income received from patients in the public wards. Because Victoria, which is a rich State, has only asked for 3s. 9½d. per day from its patients, and will receive 6s., it will have a considerable sum of money left over annually towards hospital construction. The amount estimated in the table printed in the Commonwealth "Hansard" is £256,000 per annum for a State which is practically the most up-to-date in Australia so far as hospital conditions are concerned.

We find that we in this State, because of the necessity for asking patients using the public wards and beds in our hospitals to pay as much as possible towards hospital bed maintenance, the amount has been estimated at 5s. 8d., leaving us a surplus of 4d. per day. We therefore receive a sum annually from this excess over expenditure of £11,000. That sum of money will not go anywhere, as every member knows, towards supplying the needs of our institutions. Curiously enough the same thing applies to New South Wales. In that State they receive from patients 5s. 9d. per day. That will leave for that large State, which has twice as many beds as has Victoria, only £42,000 as against Victoria's £256,000. The distribution, therefore, throughout Australia is grossly unequal. The whole measure seems

to have been designed without any real concern for hospital standards.

It is curious, in view of what I have stated in regard to the amount that will come to Western Australia for hospital maintenance and construction—I believe it is all for construction—to read the speech of Mr. Daly, a member of the Social Security Committee. He stated that another important feature of the Bill was the provision that it made for more hospital beds. We know there has been a shortage of hospital beds for a long time. One of the most important causes of that shortage is that hospitals have not been built for civilians during the war because of the necessity for making provision for members of the Services who were sorely in need of them. It is estimated that there is a shortage of 17,000 beds in Australia today. This Bill will not help us in our hospital construction plan, or will do so only to a meagre extent. A much wiser plan, if a plan of this sort could have been devised, constitutionally, would have been to have taken the whole thing on an area basis. Nowhere, except in parts of Queensland, as we only recently learnt, has any State or any hospital authority the problems that we have to meet. The Chief Secretary stated that on an average our country hospitals are 47 miles apart, and the necessity for maintaining small bed hospitals is much greater here than it is in any other State.

It is obvious that in many of our country hospitals we will only receive the 6s. per day for the bed occupied, and we as a State will have to pay for the staffing of the beds that must be kept available in all hospitals. A much sounder plan could have been conceived with due regard for all considerations. There is another point which strikes deep at the foundations of all medical practice in Australia. This measure provides in one clause that there shall be no means test applied to public beds and wards. The result must be a profound change in the medical practice in our major hospitals. Almost since time immemorial senior members of the medical profession have given their services in an honorary capacity for the treatment of the sick in our public wards, and at the same time those services and wards have been used to train and teach other members of the medical profession. It has

been a system which has rendered remarkable service not only to Australia but to most parts of the world.

In one fell swoop we are going to change that system almost overnight. No-one could expect an honorary staff to continue whilst anyone, irrespective of income, can be treated in public hospital beds. It may be said that people will be reluctant to go to public hospital beds. One must remember, however, that within a short time the finest hospital in the State will be the Perth Hospital, equipped with all the modern contrivances and equipment that could possibly be provided in a hospital. It is quite probable, in the circumstances, that there will be people who will desire to take advantage of the service that can be given in such an institution. Therefore it means that the honorary staff must cease. Looking at it from that point of view, what will happen if the honorary staff is replaced by a paid full-time staff or a part-time paid staff? If replaced by a part-time paid staff, what will the economic factor be? The Minister, in replying to the debate on the Bill introduced in the Commonwealth Parliament, said that if the honorary staff decided not to give their services that cost would be met, but that does not appear in the agreement. There is nothing to suggest that the added cost will be met by the Commonwealth. Meetings have been held between the Federal Council of the B.M.A. and representatives of the Commonwealth Government in an attempt to discover a way out.

So far as I know at the moment, the position stands that the honorary staff will continue to give their services until such time as some other method is evolved. We have no guarantee that any of these things will be done. We must take the agreement as it stands, and there is nothing therein that gives us any assurance on that point. If the means test is to be abolished, the honorary medical service will certainly go. I have tried to estimate what the Perth Hospital is likely to receive under this scheme and it looks as though on the present figures it will receive something over £40,000 per year. I have tried to estimate what would be the cost of putting a part-time paid staff in the hospital on the basis of the payments that have been adopted in Queensland. It would seem that it would cost for a part-time paid staff to re-

place the honorary staff at the Perth Hospital not less than £31,000 per annum. Moreover, there will be the cost involved for a similar purpose in connection with the Children's Hospital, the Fremantle Hospital and the King Edward Memorial Hospital for Women.

On top of that there will be the payments to be made to all those medical officers in the country districts who now look after indigent cases in public beds at those institutions. It does not seem to me that there has been any well conceived plan to replace this honorary service. I say here and now that I think the time has come when the honorary staff could be replaced, but I do not desire to see the whole of the medical training system uprooted until some better plan has been conceived and adopted to replace the service that has been rendered for so long in the past. I fear considerably what will happen with the part-time paid service in our hospitals in relation to the teaching of residents. Before effecting any radical change of the type sought to be made, the Commonwealth should have instituted inquiries to ascertain whether the disbandment of the present system of honorary staffs would have any detrimental effect upon the standard of training of medical practitioners throughout Australia. If it would have that effect, then it would be very unsatisfactory indeed to replace that system simply because the Commonwealth Government did not desire the application of the means test in hospitals.

It surely would be better to conceive some different method than that suggested, which is one that will destroy the honorary staff system overnight and lower automatically the standard of medical training, a consequence that is certainly not of advantage to the community. I believe the legislation was introduced in the first place because the late Mr. John Curtin had been told some stories of how sick people were questioned in public hospitals, when they were not in a state to be interrogated, as to their financial status. It was one of his determinations to end such a practice. I applaud that desire. I do not think a sick person should be questioned concerning his business on his entering a hospital. Surely that could be got over without the sudden disruption of the honorary medical services and the sys-

tem of medical training throughout the whole of the Commonwealth!

Surely, by means of an investigation that could be rapidly conducted by the Commonwealth Government, a conclusion could be reached as to whether the method suggested now is the best or whether one could be contrived that would render the requisite social service and maintain the standard of training of medical practitioners throughout the Commonwealth, one that would enable the indigent sick to continue to receive attention at our public hospitals! And so I come back to the commencing point, for I consider this scheme to have been ill-conceived. It is ill-timed. I do not think any harm whatever would result if this House failed to pass the Bill. If we adopted that course it would be an indication to the Commonwealth Government that we are not satisfied that this is the only method by which the problem can be dealt with. It would indicate further that we do not believe that the scheme is economically sound for Western Australia. Thirdly, it would indicate that we believe the correct point at which to start is to put our hospitals into order, and, having done that, we would then be able to say to sick patients that we could afford to contribute towards the cost of their stay in hospital.

The whole question of hospital maintenance, not only in this State but throughout the Commonwealth, is in need of searching investigation. I do not know whether members of this House appreciate the fact that when the doors of the new Perth Hospital open to admit patients there will be a charge of at least £2 per head per individual for interest on the construction of the building itself. As it is at present, the costs in that hospital are something like 15s. a day and on the latest estimates procurable we will soon have to face an increased cost of up to £7 or possibly £8 per week per head per indigent patient treated in the metropolitan area. If we add to that the extra cost of the treatment now provided by the honorary staff, we will be treating the sick poor at a cost that no single member of this House would care to pay for his own needs.

The economics of this problem have to be considered. I seriously doubt whether Western Australia can afford at this stage to pay 6s. a day towards the hospital cost of beds,

for the various reasons I have pointed out. It is only human nature to look for something better and if we provide 6s. a day towards the hospital bill of an individual, he will immediately look for something a little more costly than the bed he was formerly using. The man who could previously afford a bed costing him £4 4s. a week will consider he can afford a bed costing £6 6s. a week. It will go on and go on. The agreement contains a clause which sets out that the State shall see that the cost of public hospital beds is not raised. I take it we will, on the present figures, I have to prevent not only that but the cost of beds in private hospitals from rising as well. The moment that goes, we will have this chasing of hospital accommodation costs going on and on and we will reach the stage where the end will be worse than the commencement. I seriously suggest to this House that it should give very careful consideration to the measure because it is one of vital importance to the State, one which, in my opinion, we cannot afford to accept, and one which should be referred back to the Commonwealth for further thought and investigation.

HON. SIR HAL COLEBATCH (Metropolitan) [9.56]: The proposal embodied in the Bill is one that might well be investigated by the Royal Commission that this House has asked the Government to appoint. In the meantime, there are two questions I would like to put to the Minister. First of all, can he enlighten me regarding the definition of "public hospital"? It says that a public hospital is a public hospital—that is about as far as it goes. It says—

"Public hospital" means a hospital which . . . is ordinarily recognised as a public hospital.

That is possibly one of the strangest definitions I have ever come across. Then, in part of paragraph (8) of the agreement it says—

. . . the State shall ensure that no means test is imposed on, and that no fees are charged to or in respect of, qualified persons occupying beds in public wards in public hospitals.

Two points arise in connection with that. What obligation is there on a public hospital to provide beds for all qualified people who want them? In the second place, the amount paid by the Commonwealth ap-

parently is 6s. per day and that in connection with the Perth Hospital would just about pay the interest on the capital cost, leaving apparently the whole cost of treating patients as a burden on the State. I do not mind people who cannot afford to pay being treated free, but a qualified person here is in a different position, and yet there must be no means test. We should have an assurance if the Bill is passed that treatment will be available to everyone who wants to be treated. However, will the passing of this Bill, even if it led to the finalising of the agreement, make one more bed available in the State for the treatment of patients? Will it hasten the matter? I cannot see that it will. If it will not hasten it, I urge the Government to follow the intention of the motion carried in this House, appoint the Royal Commission to go into the matter and put it on a sound footing. I do not think it could be said that the passing of the Bill will make one extra bed available in the city or the country nor will it hasten it by a single day. I cannot see that we will gain anything at all by passing the Bill.

Hon. J. CORNELL (South) [10.0]: Superficially viewed, this idea of a subsidy of 6s. per day for hospital attention has a certain appeal. However, I agree with Dr. Hislop that it will prove to have little or no substance in application. Adequate hospital treatment is something within the reach only of the rich; there can be no argument on that score. I have it on high authority from a person who has had 20 years' experience—subsequently she conducted her own hospital—that the treatment given to patients at the Perth Hospital by the honorary staff is equal to the treatment given at private hospitals. Therefore it can be said that both the poor and the rich enjoy equal treatment. But, as Dr. Hislop put it, will the honorary staff function when the patient is subsidised to the extent of 6s. a day for his hospital expenses? Is it feasible to assume that the honorary staff will give the same free service as it gave when there was no subsidy? It is ridiculous to assume that the honorary staff will, and it is not right to ask that it should. I can speak feelingly on the subject of the subsidy of 6s. per day.

I recently spent eight weeks in hospital, and the cost makes the 6s. per day appear

to be a mere bagatelle. I realise that I would have to meet the major part of any hospital bill I might incur in the future. I would not have anything at all to do with this scheme. The first hurdle to jump is this: Are we in a position to house the sick? We are not. Private hospitals are closing down owing to shortage of domestic staff, not so much of nursing staff. That position is likely to be accentuated. As Dr. Hislop says, there is no means test. If a person enters a private hospital it is only human nature for him to get the best ward possible according to his capacity to pay. It pleases his friends when they visit him. In many cases this subsidy would be something like the baby bonus; the recipients would go one better than they went before. I honestly believe that there is nothing ahead for the medical profession or for hospitalisation but nationalisation. The nation must run the hospitals and provide money to build them as required; and the nation must pay for the services rendered by the medical and nursing professions. I shall not delay the House longer. I feel disposed to vote against the second reading of the Bill.

The CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [10.40]: I listened with much interest to the remarks of Dr. Hislop. I say at once that while I am prepared to refer to him on medical questions I certainly am not prepared to do so on constitutional ones. The first thing we must recognise is that this agreement is a result of Commonwealth policy. It was arrived at after the whole matter had been discussed between representatives of all the States and of the Commonwealth.

Hon. J. Cornell: It is being forced on the States.

The CHIEF SECRETARY: I would not care to use that expression. I prefer to say that all the States and the Commonwealth met and discussed the agreement we are now considering.

Hon. J. Cornell: The Minister will not deny that it is the policy of the present Commonwealth Government.

The CHIEF SECRETARY: I have said that it is the policy of the Commonwealth Government to provide 6s. per day for in-patients in hospitals. That being so, it is common ground that it must apply to all the

States alike. This brings me back to the statement I made when introducing the Bill. I said the scheme was not one to assist hospitals, but people who have to be patients in hospitals. The Commonwealth has agreed to assist them to the extent of 6s. a day. It is true that in this State we have a much better record of collection of fees than is enjoyed by the other States. I do not want to contradict Dr. Hislop, but I think his figures were not quite right as regards the Eastern States.

Hon. J. G. Hislop: I got them from the Commonwealth "Hansard".

Hon. J. Cornell: Dr. Hislop only quoted Victoria.

The CHIEF SECRETARY: No, he quoted New South Wales. It was the figures for that State that I was rather curious about, because they differ so much from the figures supplied to me. It does not matter what the actual figure is; it is lower than the Western Australian figure. Our figure is 5s. 9d.; the doctor says it is 5s. 8d., but we will not quarrel over the penny. But all this goes to prove that fees in this State were collected on a higher scale than in the other States, or, if we like, we can say that our hospital patients have a greater regard for their obligations than have the hospital patients in the Eastern States. It is true that as a result of the agreement the amount of money which will be made available to this State will be lower than that in the Eastern States. As a matter of fact, it will be infinitesimal compared with what Victoria will receive. That money, as pointed out by Dr. Hislop, is to be used, according to this agreement, in the provision of hospital facilities or buildings. That means we will have but a few thousand pounds for that purpose, whereas Victoria will receive close on £250,000.

On the other hand, I would point out that the Commonwealth Government has given us an assurance—although it is not expressed in the agreement—that it will provide additional money to assist us in building hospitals. I believe this is the last State of the Commonwealth to deal with this agreement. I have not heard, and certainly have not read, of any objection being raised against it in any of the other States of the Commonwealth on the grounds put forward by Dr. Hislop, that is, the

grounds relating to the medical profession. The question may have been raised, but I certainly did not hear of it. I understand that the other States have accepted the agreement. If we do not, it simply means that every hospital patient in this State—

Hon. J. Cornell: Is it not feasible to assume that if the patient is to be subsidised something ought to be done for the honorary doctor who treats him?

The CHIEF SECRETARY: I am not dealing with that point at the moment. I am saying that if we do not accept this agreement it will mean that every patient in the hospitals of this State will be denied the right to obtain 6s. for each day he is in hospital.

Hon. J. G. Hislop: There will be no Commonwealth agreement if we do not pass it.

The CHIEF SECRETARY: I think there probably would be. There is nothing to indicate that all the States must accept the agreement. The Commonwealth has promised to treat all States alike. The question of what should be done with respect to the medical profession, or the doctors associated with the hospitals, is another matter altogether. I agree it is one requiring serious consideration.

Hon. J. Cornell: These two matters should go together.

The CHIEF SECRETARY: Perhaps so. It may be that the point should have been settled before the agreement was submitted to the Parliaments of the States, but that has not been done. According to Dr. Hislop, negotiations are proceeding between the Federal Council of the B.M.A. and the Commonwealth Government; and the honorary medical officers attached to the various hospitals have agreed to continue with their duties until such time as an agreement is arrived at. We can take it for granted that whatever the difficulties may be, an endeavour is being made to find a way out of them. I have no doubt that the members of the medical profession and the representatives of the Commonwealth Government are reasonable people and therefore sooner or later they will arrive at an agreement satisfactory to both parties. Sir Hal Colebatch asked whether this agreement would provide another hospital in Western Australia. There is no guarantee that it will, because the provision of beds for hospitals

in this State is the responsibility of the State and not of the Commonwealth. The Commonwealth assistance proffered is to the patient, not to the hospital. We shall make a very big mistake indeed if we do not pass the Bill. We shall lay ourselves open to a charge by a large number of people that we have denied them the opportunity to obtain a subsidy to the extent of 6s. per day, while at the same time patients in hospitals in the other States of the Commonwealth will be receiving it.

Hon. J. Cornell: Assuming this agreement becomes law, would a man with an income of £1,000 a year be allowed to go into the Perth Hospital?

The CHIEF SECRETARY: I think it would probably be hard to get him there at the present time.

Hon. J. Cornell: What about the means test?

The CHIEF SECRETARY: I point out that there are others not receiving such a high salary who would find it difficult to get into private hospitals. It is admitted that there is a shortage of beds. There are many things we would like to do for our hospitals, but we are unable owing to circumstances. We are however, endeavouring to meet those circumstances to the best of our ability. There is only one other matter I would like to refer to now that the question has been raised. It is the abolition of the means test. Here, again, we have the Commonwealth Government's policy of social services; and in this instance it has been decided that the means test shall be abolished. In other words, every citizen of Australia who requires hospital accommodation will be able to obtain it irrespective of what his financial resources might be.

Hon. Sir Hal Colebatch: But will the accommodation be there for him?

The CHIEF SECRETARY: No. If everybody in Western Australia had to go into hospital tomorrow, it is obvious that they could not be accommodated. I take it that the medical profession will have some say in regard to those who shall be admitted into hospitals. We would be making a big mistake in refusing to recognise the agreement by not passing the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

In Committee—Progress Arrested.

Resumed from the previous day. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 2—Amendment of Section 6 (partly considered):

Hon. G. B. WOOD: I move an amendment—

That at the end of the clause the following words be added:—"But does not include a person engaged in any such service as is mentioned in this paragraph unless by reason of the stabilisation of the prices of the major products of the particular branch of rural industry in which he or she is serving, the general economic conditions existing and likely to exist in such branch of rural industry and such as in the opinion of the Court warrant the making of an award and compliance therewith without hardship by the employers engaged in such branch of rural industry."

This is not the amendment I proposed to move last night. There is a somewhat similar provision in the parent Act. This should satisfy most employers in rural industry and I think it will also satisfy the employees.

The CHAIRMAN: I ruled Mr. Wood's previous amendment out of order. If members make a comparison now they will find that this amendment is practically a distinction without a difference. The scope of the Bill is to amend the definition of "worker." Mr. Wood has said that there is provision of a similar nature in the Industrial Arbitration Act. I would like him to tell me where it is.

Hon. G. B. WOOD: My amendment does not include a worker under certain conditions. The Act provides that the term "worker" does not include certain persons.

The CHAIRMAN: The Bill deals with the definition of "worker" and nothing else. I cannot accept the amendment.

Hon. G. B. WOOD: I take it you rule the amendment out of order.

The CHAIRMAN: I say the amendment is not acceptable. The question is that Clause 2 stands as printed.

Clause put and a division called for.

The CHAIRMAN: This clause is the Bill.

The HONORARY MINISTER: Paragraph (a) has already been agreed to by a division.

The CHAIRMAN: The Honorary Minister has raised the query about Mr. Parker's amendment to strike out domestic servants. That was not agreed to so that it remains in the Bill. The question now is to adopt the clause as printed. That is the issue.

Division resulted as follows:—

| | | | | |
|------|----|----|----|----|
| Ayes | .. | .. | .. | 6 |
| Noes | .. | .. | .. | 13 |

Majority against .. 7

AYES.

| | |
|-------------------|-------------------|
| Hon. G. Fraser | Hon. W. H. Kitson |
| Hon. E. H. Gray | Hon. T. Moore |
| Hon. E. M. Heenan | Hon. W. R. Hall |
| | (Teller.) |

NOES.

| | |
|------------------------|----------------------|
| Hon. Sir Hal Colebatch | Hon. H. S. W. Parker |
| Hon. L. Craig | Hon. H. L. Roche |
| Hon. J. A. Dimmitt | Hon. H. Seddon |
| Hon. F. E. Gibson | Hon. F. R. Welsh |
| Hon. V. Hamersley | Hon. G. B. Wood |
| Hon. J. G. Hilslop | Hon. W. J. Mann |
| Hon. A. L. Leton | (Teller.) |

Clause thus negatived.

The CHAIRMAN: I now ask the Committee where it has landed itself.

The HONORARY MINISTER: The Committee, on a division, retained paragraph (a), and, on a vote, defeated paragraph (b). To be consistent it must adopt the clause as amended.

The CHAIRMAN: It was not amended, and if it was, the Committee could reject it on the question, "That the clause stand as amended." Sixteen members voted for the second reading of the Bill, and all the meaning of the Bill was in Clause 2. We are therefore left with the short title, which is absurd. I think the wisest course now is for it to be moved that I do now leave the Chair.

Hon. G. B. Wood: We voted against it—

The CHAIRMAN: The Committee has landed itself in the position of having a Bill with a short title only. If I report this Bill it will go back to the Assembly with the title only.

Hon. E. M. HEENAN: Surely the intention of the Committee is to leave the clause in? I realise what has been done, but I think it is an obvious mistake, and that it was the intention of the majority of members that the domestic servants should remain in the Bill.

The CHAIRMAN: Members have voted, 13 to six, that the lot go out.

Hon. L. CRAIG: I move—

That the Chairman do now leave the Chair.

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

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|------|----|----|----|----|
| Ayes | .. | .. | .. | 10 |
| Noes | .. | .. | .. | 8 |

| | | | |
|--------------|----|----|---|
| Majority for | .. | .. | 2 |
|--------------|----|----|---|

AYES.

| | |
|-----------------------|-----------------------------------|
| Hon. Sir Hal Colbatch | Hon. A. L. Loton |
| Hon. L. Craig | Hon. W. J. Mann |
| Hon. J. A. Dimmlt | Hon. G. W. Miles |
| Hon. V. Hamersley | Hon. F. R. Welsh |
| Hon. J. G. Hishop | Hon. H. S. W. Parker (Teller.) |

NOES.

| | |
|-------------------|--------------------------------|
| Hon. G. Fraser | Hon. T. Moore |
| Hon. E. H. Gray | Hon. H. L. Roche |
| Hon. W. R. Hall | Hon. G. B. Wood |
| Hon. W. H. Kitson | Hon. E. M. Heenan (Teller.) |

Motion thus passed.

The Chairman accordingly left the Chair and the Bill lapsed.

**BILL—MARKETING OF EGGS ACT
AMENDMENT.**

In Committee.

Hon. Sir John Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Interpretation:

Hon. G. B. WOOD: I move an amendment—

That in line 2 of the definition of “commercial producer” in Subclause (1) the words “or controls” be struck out.

The object of this amendment is that the commercial producer shall be a man who owns poultry. The Poultry Farmers' Association has asked me to move this amendment because at present the manager at the Muresk Agricultural College has a great number of poultry under his control and this measure would bring him into the category of commercial producers.

The CHIEF SECRETARY: This is one of the most important definitions in the Bill. On many occasions there has been great difficulty in defining who the owner was. If the owner cannot be found there is difficulty in taking proceedings when a breach of the Act has taken place. If the amendment were carried a person having 500 head of poultry on his property could claim that he owned only 100 of them and that the rest were divided between a number of other persons. This matter has received attention in the Eastern States, where it has caused considerable trouble. There is no reason why Muresk should not come under this legislation and, in fact, that is expected.

Hon. G. B. Wood: The manager does not own the fowls.

The CHIEF SECRETARY: If the amendment is carried there will be many ways by which people can avoid their responsibility. I think members would not wish to allow that. I hope the Committee will not agree to the amendment.

Hon. Sir HAL COLEBATCH: What is meant by controlling 150 head of female poultry? A person might own the poultry or control a poultry farm, but it seems a strange expression to talk of a person controlling 150 head of adult female poultry.

The CHIEF SECRETARY: An individual may be in control of a farm while not being the owner.

Hon. H. S. W. Parker: Could we not say he was in possession? He could be in possession while not being the owner.

The CHIEF SECRETARY: If the amendment were carried it would not matter what he was called so long as he was not the owner; we could not hold him responsible. Many difficulties have arisen in other States where similar legislation has been in force. I do not think the poultry farmers would desire an individual to be able to avoid responsibility.

Hon. G. B. Wood: I did not say they did.

The CHIEF SECRETARY: That is what this amendment will mean.

Hon. G. B. WOOD: I have moved this amendment at the request of the Poultry Farmers' Association. I am told that throughout the year hundreds of fowls are sent for egg-laying trials and, though the manager at Muresk is in charge of them, they are not his property. This legislation would

make him a commercial producer. Why should he have a vote? The organised poultry farmers see harm in it and have asked me to move the amendment.

The CHIEF SECRETARY: Mr. Wood is evidently not aware that the eggs become the property of Muresk and are sold by Muresk, which receives the benefit of the money from the sale. The poultry manager would be the legal owner of the eggs for the purposes of the measure.

Hon. G. B. WOOD: The Chief Secretary's statement makes the provision all the more dangerous. Evidently the poultry manager assumes local control of eggs that do not belong to him. The Minister says he is a commercial poultry farmer. I reply that he should not be. By no stretch of imagination can he be brought into the category of a commercial poultry farmer having a vote and eligible to be appointed to the board.

The CHIEF SECRETARY: I should like to ask Mr. Wood whether there is a fear that the officer at Muresk may be elected to the board.

Hon. G. B. WOOD: It was said that he could be.

The CHIEF SECRETARY: Would not he have to be elected by the poultry farmers? I cannot follow the hon. member's reasoning. In the interests of the poultry farmers, any man in control of 500 or 600 hens and the legal owner of the eggs ought to come within the scope of the measure if only for the purpose of assuming the liability under the legislation.

Hon. G. B. WOOD: An employee of the Government who has temporary legal control of eggs should not be classed as a commercial poultry farmer. That is the attitude adopted by the organised producers.

Amendment put and negatived.

Clause put and passed.

Clause 6—agreed to.

[Hon. J. Cornell took the Chair.]

Clause 7—Constitution of board:

Hon. G. B. WOOD: I move an amendment—

That paragraph (a) of Subclause (3) be struck out with a view to inserting the following words:—"One shall be a per-

son nominated by the Minister and who is a commercial producer whose main source of income is derived from poultry farming.

If the amendment be agreed to, several other amendments will be necessary. Under the Bill producers will be in a minority, having only two elected members, whereas the consumers will have three. That is highly undesirable. Why should not the producers who own the property to be controlled have a majority of the representation? They are not a lot of pirates.

The CHIEF SECRETARY: I oppose the amendment. Originally, provision was made for a board of six, but another place reduced the number to five, and Mr. Wood's friends cannot blame us for that. The board will have the responsibility of fixing prices and will control assets worth a considerable sum of money. The amount of money involved in the industry is surprising. I understand that in recent times there has been an overdraft to the Commonwealth Bank running into hundreds of thousands of pounds representing money paid to producers for eggs taken over by the board. That money has to be provided before the board itself receives payment for the eggs. As the Government has to accept responsibility, it is reasonable to assume that it will be particular to see that members of the board are responsible people. It will also see that its interests are safeguarded by its own nominees. What Mr. Wood is asking for is control by the producers. I will be quite candid and say the Government is not prepared to agree to that.

Hon. G. B. WOOD: The board I have proposed is that which was promised by the Minister for Agriculture to commercial poultry-farmer producers. That is why I have put forward this amendment. I have been informed that that was a definite promise made by the Minister, on the understanding that the third producer was nominated by him. The compromise was suggested by Mr. Hoops, after much deliberation on his part. I do not see why the Government should be afraid that the commercial poultry farmers will do anything wrong. They will not desire to antagonise the public by raising the price of eggs to an abnormal figure because there would always be the danger of imports coming from other States. There are many other factors besides price, namely the marketing, handling and transport, and

rangements, concerning which the producers would be the best judges.

Hon. L. CRAIG: Mr. Wood is evidently representing this very important section of industry, and apparently the commercial producers have requested him to put up their case. I do not, however, think that any one section of people who are making or producing things should have it in their power to fix prices. The Bill could well be improved in another direction. In one case I know of, the board consisted of two producers and two consumers, with an independent chairman. This Bill gives the Minister power to appoint the chairman, but the tag in that consists of the words "who is not engaged in the business of producing or selling eggs." If the words used were "shall not be a producer," I think everyone would be satisfied.

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

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|--------------|----|----|----|----|
| Ayes | .. | .. | .. | 11 |
| Noes | .. | .. | .. | 9 |
| | | | | — |
| Majority for | .. | .. | 2 | |
| | | | | — |

| | | | |
|------------------------|----------------------|--|--|
| AYES. | | | |
| Hon. Sir Hal Colebatch | Hon. H. S. W. Parker | | |
| Hon. L. Craig | Hon. H. L. Roche | | |
| Hon. J. A. Dimmitt | Hon. F. R. Welsh | | |
| Hon. J. G. Hislop | Hon. G. B. Wood | | |
| Hon. A. L. Loton | Hon. V. Hamersley | | |
| Hon. W. J. Mann | (Teller.) | | |
| NOES. | | | |
| Hon. G. Fraser | Hon. W. H. Kitson | | |
| Hon. F. E. Gibson | Hon. G. W. Miles | | |
| Hon. E. H. Gray | Hon. T. Moore. | | |
| Hon. W. R. Hall | Hon. H. Seddon | | |
| Hon. E. M. Heenan | (Teller.) | | |

| | | | |
|--------------------|---------------------|-------|--|
| PAIRS. | | | |
| AYES. | | NOES. | |
| Hon. C. F. Baxter | Hon. J. M. Drew | | |
| Hon. C. R. Cornish | Hon. C. B. Williams | | |

Amendment thus passed.

Hon. G. B. WOOD: I move an amendment—

That paragraph (b) be struck out and the following paragraph inserted in lieu:—
Two shall be persons nominated by the Minister to represent the consumers, one of whom at least shall be a person of mercantile and commercial experience in the marketing of eggs.

As the Committee has just accepted the other amendment, I presume it will also accept this one.

The CHIEF SECRETARY: I do not know whether it is desired that all these amendments of which Mr. Wood has given notice shall be agreed to, but I state

definitely that the Government is not prepared to accept them. It is not true to say that these amendments are in accordance with any promise made by the Minister.

The CHAIRMAN: The Chief Secretary should say "it is incorrect." That would be more in keeping with the dignity of the Chamber.

The CHIEF SECRETARY: I stand corrected. Then I will say that Mr. Wood's statement regarding the promise made by the Minister was incorrect.

Hon. G. B. Wood: How do you know?

The CHIEF SECRETARY: The Minister did not say that the producers would be allowed to elect the chairman of the board. I want Mr. Wood to understand clearly that even if his amendment is agreed to, it cannot be accepted. So long as he understands that is the position, I am satisfied.

Hon. G. B. WOOD: I partly accept the Minister's statement but the promise was definitely made to the commercial poultry farmers that there would be three representatives on the board. I possibly made an error when I said the promise had been made that the chairman would be elected by them.

The CHIEF SECRETARY: That brings me to the stage that I can tell Mr. Wood that he has only his colleagues in another place to blame for the fact that there are only two producer representatives on the board. The Bill was drafted to provide for three.

Hon. G. B. Wood: Why was the provision taken out?

The CHIEF SECRETARY: That is for the hon. member to answer. His colleagues amended the Bill in another place and that is what Mr. Wood has now.

Hon. G. B. WOOD: I take exception to that statement and I propose to read the division list.

The CHAIRMAN: The hon. member will not be in order.

Hon. G. B. WOOD: Anyhow, the Committee has started off on the right track and I hope it will continue along those lines in dealing with this amendment.

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

| | | | | |
|--------------|----|----|----|----|
| Ayes | .. | .. | .. | 12 |
| Noes | .. | .. | .. | 8 |
| | | | | — |
| Majority for | .. | .. | 4 | |
| | | | | — |

AYES.

Hon. L. Craig
Hon. J. A. Dimmitt
Hon. V. Hamersley
Hon. J. G. Hilslop
Hon. A. L. Loton
Hon. W. J. Mann

Hon. H. S. W. Parker
Hon. H. L. Roche
Hon. H. Tuckey
Hon. F. R. Welsh
Hon. G. B. Wood
Hon. Sir Hal Colebatch
(Teller.)

NOES.

Hon. G. Fraser
Hon. E. H. Gray
Hon. W. R. Hall
Hon. W. H. Kitson

Hon. G. W. Miles
Hon. T. Moore
Hon. H. Seddon
Hon. F. E. Gibson
(Teller.)

Amendment thus passed.

Hon. G. B. WOOD: I move an amendment—

That the following new paragraph be added:—“(d) The chairman shall be elected by members of the board.”

I do not see why the Minister should necessarily elect the chairman. The board members should be quite capable of doing that.

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

Ayes 4

Noes 16

Majority against 12

AYES.

Hon. V. Hamersley
Hon. A. L. Loton

Hon. G. B. Wood
Hon. H. L. Roche
(Teller.)

NOES.

Hon. Sir Hal Colebatch
Hon. L. Craig
Hon. J. A. Dimmitt
Hon. F. E. Gibson
Hon. E. H. Gray
Hon. W. R. Hall
Hon. J. G. Hilslop
Hon. W. H. Kitson

Hon. W. J. Mann
Hon. G. W. Miles
Hon. T. Moore
Hon. H. S. W. Parker
Hon. H. Seddon
Hon. H. Tuckey
Hon. F. R. Welsh
Hon. G. Fraser
(Teller.)

Amendment thus negatived.

Clause, as previously amended, put and passed.

The CHAIRMAN: I think I should point out to the Committee now that the Bill provided for a chairman. There are various references to the chairman in later clauses, but now the Committee has not provided for a chairman at all.

Progress reported.

BILL—CITY OF PERTH SANITATION.

Second Reading.

HON. J. A. DIMMITT (Metropolitan-Suburban) [11.30] in moving the second reading said: This is a small, but quite important Bill. It is important because it seeks to safeguard the health of the people within

the Perth municipality. The method by which the Bill proposes to achieve that end is to make it compulsory to instal septic tanks for the disposal of sewage in all new buildings to be erected in the City of Perth. It does not propose to deal with those buildings which are already constructed but are not sewered. The Bill further provides that it shall be compulsory in installing the septic system to use fittings which comply with the requirements of the Water Supply, Sewerage and Drainage Department. The effect of the measure will be gradually to put an end to the obsolete, insanitary and unhealthy pan system. Members may be interested in the figures that have been supplied to me with regard to the pans used in the City of Perth. We claim to have a reasonably modern city, yet there are 2,800 premises in the Perth municipality not connected with a septic system or with the deep sewerage system. Of those 2,800 premises no fewer than 2,100 are in the Victoria Park district.

One of the sorry parts of this business is that recent buildings which have been constructed, particularly in Victoria Park and Carlisle, are provided with a pan system. It is time that that old-fashioned and insanitary method was entirely dispensed with, so far as future buildings are concerned. The City of Perth Building Regulations provide that in all new buildings there shall be attached or erected adjacent to the property, brick lavatories with concrete floors. These lavatories, of course, comply with the requirements of the Water Supply, Sewerage and Drainage Department. But this peculiar position arises: The Perth City Council cannot insist on the installation of septic tanks in an unsewered area, although when issuing building permits, the council urges the owners to instal a septic system. Nor can the City Council insist on the use of fittings which comply with the requirements of the Water Supply, Sewerage and Drainage Department. It is highly desirable that these standard fittings should be used, because ultimately the septic system will be discarded when the property comes within a declared sewerage area.

If the standard fittings are used in the first place, the cost of the change-over will be comparatively small. We have a further peculiar position, in that the Water Supply

Sewerage and Drainage Department cannot insist on the use of its standard fittings in any area not declared a sewerage area. The member for Canning, who introduced this Bill in another place, said that the Perth City Council officials had agreed that the legislation was desirable and had urged that its passage be expedited. Their reason for adopting that attitude was the present lack of power to deal adequately with the matter, and they considered that this measure would overcome the difficulty. The Bill was supported in another place by the member for Victoria Park, whose district will be largely affected by it. His strong support of the measure is important, as he is a member of the Perth City Council and a chemist. He therefore is naturally closely associated with and interested in the well-being and health of the community. The measure is desirable from a health point of view. I move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [11.37]: I commend the Bill to the House. It has been introduced, as of course it should have been, by a specialist. The fact that the Bill is necessary is a severe indictment of our present services and I sincerely hope that it will meet with the approval of members. There is no question about the value of sanitation. When I came to Western Australia, my first post was at the Children's Hospital. The whole of one side of Ward 5 was devoted entirely to the treatment of typhoid fever; and the whole of one side of Ward 1 of the Perth Hospital was devoted to the same purpose. Neither of those institutions now provides special beds for typhoid fever cases. After spending a year in the city, I went to the Manchester Royal Infirmary in 1920. During my stay of two years there a case was admitted which baffled the whole of the honorary staff of that institution. It was later found to be a case of typhoid meningitis, and no member of the honorary staff had in his lifetime come across such a case. Surely that speaks for itself.

I am rather sorry the Bill is introduced in its present form. I would prefer to see a Bill which regarded as one of the urgent post-war matters the extension of the deep sewerage system to the whole metropolitan area. Apparently, this is a measure which is essential at the moment. It is certainly a

step in the right direction. I hope it is an indication to the Government, in view of the fact that it is a private measure, that both Houses are desirous of the introduction of legislation dealing with the standardisation of the sanitation of the whole metropolitan area. I have pleasure in supporting the second reading.

HON. F. E. GIBSON (Metropolitan-Suburban) [11.40]: I also add my commendation to the mover of the Bill. The Fremantle City Council some few years ago, realising the impossibility of getting deep drainage throughout certain sections of its area, decided to induce the ratepayers to instal the septic tank system. I am proud to say that at present every tenement in the City of Fremantle is either attached to the deep drainage or has a septic tank installed. We were aware of the shocking conditions then existing under the antiquated and unpleasant pan system, and the impossibility of the people, on account of the expense involved, changing over either to deep sewerage or the septic tank system. As a result the local authority put up the proposition that it should undertake the installation of these conveniences and not charge a greater annual rental than was involved in the pan rate. That scheme has been a great success. It has removed the unsightly vehicle that used to parade the streets at a late hour each night—usually when one was arriving home with ones friends after the theatre! I am hopeful that it will not be long before these vehicles will be entirely removed from the metropolitan area.

HON. J. CORNELL (South) [11.42]: I am not enamoured of the Bill. Some features of it are obscure to me. First of all we must ask ourselves why this state of affairs exists, and why there is no deep drainage to which the houses, envisaged by the measure, can be connected? I think the word "closet" wants to be defined. We can read into the word what it means, but the dictionary meaning of "closet" includes a lot more than the Bill intends. Another portion of the measure that does not appeal to me is Clause 4 which provides—

From and after the commencement of this Act no person shall construct a closet or urinal or work of a sanitary nature unless such

closet or urinal or work of a sanitary nature is so constructed as to communicate with the sewers of the Minister or with a septic tank.

Has the Minister any sewers?

Hon. J. A. DIMMITT: Yes, he controls them.

Hon. J. CORNELL: I think that is a reflection on the Minister. I put up this case, and it is not a hypothetical one: If a builder contracts to erect a house in this area a condition will be that it must have a septic tank. But we all know what happens—while the house is being built the contractor provides a convenience for his workmen. Under this measure he will be liable to prosecution because he has not connected that convenience with a sewer or with a septic tank. The Bill later provides that if the owner or occupier fails to comply with certain directions he shall be liable to a penalty not exceeding £20. For the time being, in the instance I mention, the contractor is the occupier. The Bill goes on to provide—

Any work constructed contrary or not in accordance with the said directions may be removed by the Minister—

I do not know whether Mr. Hawke would go out to do that job himself.

—and the expense of the removal may be recovered by the Minister from the owner or occupier.

If the Bill is agreed to on the second reading then Clause 4 should be amended to provide that from and after the commencement of this Act no person shall, without the consent of the Minister, construct a closet, etc.

Hon. F. E. GIBSON: Or a local authority.

Hon. J. CORNELL: Mr. Gibson sees the point. I regret the need for this Bill. It has arisen because there is no deep drainage system. We have heard a lot about the shortage of houses, material and manpower, even without a closet or a urinal. The passage of this Bill will add to the difficulties of a man building a house in the locality to which the measure is to apply. We are also going to add to the expense because of circumstances which cannot be avoided. Even if we agreed to the construction of deep sewerage tomorrow—and I think the Public Works Department is of opinion that it is necessary—it could not be done. I hope that the era of the pilgrim of the night will soon pass.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; Hon. J. A. Dimmitt in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—No person to construct closets unless communicating with sewers or septic tank:

Hon. J. CORNELL: I move an amendment—

That in line two after the word “shall” the words “without the consent of the Minister” be inserted.

I have already indicated my reasons for inserting this safeguard.

Hon. J. A. DIMMITT: I raise no objection.

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

Clause 5, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

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

BILL—COMMONWEALTH POWERS.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendment insisted on by the Council and notifying that at such conference the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. H. S. W. Parker, Hon. H. L. Craig, and the Honorary Minister, and that the conference be held in the President's room at 2.30 p.m. tomorrow.

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

ADJOURNMENT—SPECIAL.

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

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

Question put and passed.

House adjourned at 11.56 p.m.