or inadvisability of this process, and many examples can be given of how it works. One example is this: A very excellent man might hold an extremely doubtful seat and, although he might be well worthy of inclusion in the Executive, it might be inadvisable to appoint him to office because he might lose his seat after being made a Minister. That seems wrong. Then again, take the recent instance. There was a new Government, and every member of the Ministry automatically lost his seat in Parliament and had to stand again for election. I think the last time a Minister was opposed in these circumstances was about 1904.

Hon. E. M. Davies: No, it was since then.

The MINISTER FOR MINES: Was it in 1906? Anyway, it was long before the parties became as organised as they are now. At that time the two parties in the Assembly were known as the Government and the Opposition; it was more or less a personal following. There were not the deep cleavages that we find now with the political parties. The Premier at that time was defeated on a no-confidence motion and the new Premier went to the poll, with his Ministers, and some of them were defeated, with the result that the first Premier was reinstated. That was long ago and I do not think anything such as that could happen again. I am sure the great majority of people consider it a farce that a person who has been elected to Parliament and who is then promoted to ministerial rank should automatically lose his seat. I understand that there are only two Parliaments in the British Empire where such a position obtains, one being that of Western Australia and the other that of the State of Ontario in Canada. I move—

That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR MINES (Hon. H. S. W. Parker — Metropolitan-Suburban): I move—

That the House at its rising adjourn till Tuesday, the 16th September.

Question put and passed.

House adjourned at 6.3 p.m.

Legislative Assembly.

Wednesday, 10th September, 1947.

	PAGE
Questions: Housing, (a) as to applicants under eviction orders	618
(b) as to Commonwealth and State interest rates	619
State shipping service, (a) as to refitting and slipping of m.v. "Koolinda"	619
(b) as to expediting return of "Koolinda" to North-West trade	619
Gold tax, as to suggested removal and position of prospectors	619
Secondary schools, as to Government subsidy to North-West students	620
Leave of absence	620
Bills: Western Australian Trotting Association Act Amendment, 1R.	620
Rural Relief Fund Act Amendment, 3R.	620
Closer Settlement Act Amendment, 2R., ruled out	633
Goldfields Water Supply Act Amendment, 2R.	633
Public Trustee Act Amendment, 2R.	639
Traffic Act Amendment, 2R., Com.	640
State Housing Act Amendment, 2R.	641
Public Service Act Amendment, 2R., Com.	650
Crown Suits, 2R.	655
Unclaimed Moneys Act Amendment, 1R.	656
Supreme Court Act Amendment, 1R.	656
Motions: Electricity Act, to disallow regulations	620
Hampshire and Sons' cattle and T.B., to inquire by Select Committee	628
Select Committee appointed	630
Metropolitan Market Act, to disallow amendment of opening-time bylaw, passed	630

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

QUESTIONS.

HOUSING.

(a) As to Applicants under Eviction Orders.

Hon. J. B. SLEEMAN (on notice) asked the Premier:

(1) How many applications has the Housing Commission received from persons under court order for eviction?

(2) How long is it likely to be before those persons will be provided with homes?

The PREMIER replied:

(1) Information is not available as to the total number of applications received from persons evicted from their homes under a court order, but the Housing Commission has at present 40 applications from evicted persons whose applications have not yet been satisfied.

(2) Every effort will be made to accommodate these people as soon as possible, but no definite period can be stated.

The CHIEF SECRETARY replied:

(1) I am unable to advise what subsequent action would be taken by the Commonwealth Government in the event of its removing the gold tax.

(2) In view of the narrowing margin between costs and the price of gold, representations were made by the Premier at the Premiers' Conference that the price of gold should be increased, or that other means should be found to assist the goldmining industry in securing a greater net return. Details of how this should be accomplished were not discussed.

SECONDARY SCHOOLS.

As to Government Subsidy to North-West Students.

Mr. HEGNEY (on notice) asked the Minister for Education:

In view of the fact that a number of colleges have increased their fees since the Government first introduced the payment of a subsidy of £30 per annum to parents residing in the North-West, who are obliged to send their children to such colleges, will the Government give consideration to the matter of increasing the subsidy to £50 per annum, or at least by an amount equal to the increase in such fees

The MINISTER replied:

Yes.

LEAVE OF ABSENCE.

On motion by Mr. Rodoreda, leave of absence for two weeks granted to Hon. W. D. Johnson (Guildford-Midland) on the ground of urgent public business.

BILL—WESTERN AUSTRALIAN TROTTING ASSOCIATION ACT AMENDMENT.

Introduced by the Chief Secretary and read a first time.

BILL—RURAL RELIEF FUND ACT AMENDMENT.

Read a third time and transmitted to the Council.

MOTION—ELECTRICITY ACT.

To Disallow Licensing and General Regulations.

MR. MARSHALL (Murchison) [4.39]: I move—

> That Regulations Nos. 157, 161, 166, 180, 183, 184, 193, 196, 197, 203, 208, 274 and 278, made under the Electricity Act, 1945, published in the "Government Gazette" of the 27th June, 1947, and laid upon the Table of the House on the 5th August, 1947, be and are hereby disallowed.

As this Parliament is constituted, it includes a fair number of new members and consequently it may be advisable for me to sound a note of warning. I want to assure those who are new to parliamentary work in this Chamber that it does not matter on which side of the House they may be sitting for the time being, they will find that regulations and bylaws continue to reach Parliament almost daily during the course of the session, right until its conclusion. Probably the most dangerous form of legislation is that which is introduced by medium of a regulation or a bylaw. In the case of an ordinary statute or Bill, but more particularly in the case of a statute, if its application be found to be objectionable in certain spheres, it is the simplest procedure in the world for a private member to secure redress by introducing a Bill to amend the legislation in such a way as to make it apply equitably and justly.

Again, before any measure can be placed on the statute-book of the State, it must pass three readings and the Committee stage, so that every member has an opportunity to know exactly what is contained in the Bill and is in a position to judge the effect it might have on the electors whom for the time being he has the honour to represent. But with regulations and bylaws such is not the case; and when one realises that if a bylaw or regulation is laid on the Table of the House and rests there for 14 sitting days and no step is taken for its disallowance, it becomes a part of the Act under which jurisdiction was taken to introduce it and is as effective as any section of the statute, one can appreciate the difference between passing a statute and a regulation or bylaw. The latter are introduced silently into the Chamber and quietly passed. As I said, we have hundreds of them. The particular regulations with which I am now dealing number no fewer than 318. Imagine

(*b*) *As to Commonwealth and State Interest Rates.*

Mr. NEEDHAM (on notice) asked the Treasurer:

(1) Is he aware that recently interest rates on mortgages were considerably reduced?

(2) Is he aware that the Commonwealth Bank is advertising housing loans at an interest rate of 3⅞ per cent?

(3) Is he aware that the State Housing Commission is still charging 6 per cent. interest reducible to 5½ per cent. for prompt payment on pre-war homes built by the Workers' Homes Board?

(4) As a large proportion of the purchasers of workers' homes are in the lower income groups, will he take immediate steps to reduce the interest charges to bring them into line with the current Commonwealth Bank rates?

The TREASURER replied:

(1) Yes.

(2) Yes.

(3) Yes.

(4) The present purchasers of workers' homes are enjoying the benefit of the lower capital costs of building which obtained prior to the outbreak of war. Since 1939 there has been a substantial increase in the basic wage but the instalments of interest and principal payable by purchasers of workers' homes remain the same as they were in 1939.

Building of homes for sale by the Workers' Homes Board was discontinued early in the war. The Government proposes to recommence the scheme and the interest rate on new money loaned for the erection of homes for sale will be 4¼ per cent. net. Despite this interest rate the instalments of interest and principal on these new loans will be higher—due to the increased cost of building, than the instalments payable by workers' homes purchasers who were fortunate enough to commence purchasing their homes prior to the war.

STATE SHIPPING SERVICE.

(*a*) *As to Refitting and Slipping of m.v. "Koolinda."*

Hon. J. B. SLEEMAN (on notice) asked the Premier:

(1) Is he aware that the "Koolinda" is to be sent East to be refitted?

(2) Is he aware that most of this work was previously done in this State?

(3) Is he aware that there is also a possibility of putting the "Koolinda" on the slip at Fremantle; if so, will he see that all the work possible to be done in this State will be carried out here?

The PREMIER replied:

(1) and (2) The "Koolinda" is to be sent East for dry docking, work not previously done in this State.

(3) The vessel cannot be slipped at Fremantle, and all possible work is done within this State.

(*b*) *As to Expediting Return of "Koolinda" to North-West Trade.*

Hon. F. J. S. WISE (without notice) asked the Premier:

Following upon the reply to the member for Fremantle regarding the docking of m.v. "Koolinda," is the Premier aware that the shortage of shipping on the North-West coast is causing serious disabilities and will he endeavour to see that the "Koolinda" returns to her usual run as quickly as possible?

The PREMIER replied:

I am aware of the serious shortage of shipping on the North-West coast and everything possible is being done to overcome the difficulty. I can assure the Leader of the Opposition that efforts will be made to get the "Koolinda" back to the North-West trade as soon as possible after she has been docked.

GOLD TAX.

As to Suggested Removal and Position of Prospectors.

Mr. TRIAT (on notice) asked the Minister representing the Minister for Mines:

In the event of the gold tax being removed—

(1) Would he be able to advise if prospectors would be brought under the Federal Income Tax Act?

(2) Would not the effect have been greater if the Commonwealth Government had been asked to lift the tax from 50 per cent. over £9 per ounce to 50 per cent. over £10 per ounce?

a Bill being introduced with 318 clauses in it and members not knowing anything about the contents of the Bill!

If these bylaws are allowed to pass as they stand, no private member can amend them. Once they become law, they are permanently fixed as such until the Executive Council desires a change in the wording, the phraseology or the effect of them. Not even a Minister himself, as such, can interfere with them, although as a member of Cabinet, of course, he can. Members will therefore realise the danger of regulations and bylaws. I do not desire to argue that it would be a practical proposition for any Parliament to pass Acts which are so watertight and effective as to give general satisfaction in their operation without making regulations under some of them at least. That would be an impossibility. Certain Acts, in order to become effective and operative, require regulations or bylaws to make them work efficiently. Without doubt, we have to tolerate the practice, but it behoves every member to be most watchful, because here we have a case in point.

I say quite frankly that the Minister who laid these regulations on the Table could not possibly be expected to go through them and understand exactly the effect they would have on each and every part of the State. I repeat, that would be impossible, and so it behoves members to take a very keen interest in bylaws and regulations which are laid almost daily upon the Table of the House. I do not know whether it is the practice of the present Ministers, but while I was a Minister—for a very short period—I made it a point that no regulation or bylaw was to go to the Executive Council until I had closely scrutinised it. I feel Ministers would be well advised to follow that practice. Without wishing to be offensive, I may say that of recent years there seems to be a keen desire on the part of many people to get power, to control, to secure power to push other sections of the community around, to direct the lives of others—

The Minister for Works: When did you first notice that?

Mr. MARSHALL: —to regiment them, index them, coerce them, tax them and ration them.

Hon. F. J. S. Wise: Card index them!

Mr. MARSHALL: Unfortunately, the Civil Service is not entirely free from such individuals. There are certain officers of the service, as well as individuals outside it, who have a keen lust for power. Some use that power to the point of abuse, while others are more humane, more considerate, and use it with a degree of fairness and justice. I respectfully suggest that there are not many civil servants who seek, by the medium of bylaws and regulations, to confer upon themselves unlimited power with the intention of so coercing the community as to make their lot in life almost intolerable; but I would suggest that there are a number of officers who, unfortunately owing to ignorance, are under an obligation to draw up bylaws and regulations and who do so in such a way as to provide that, should the bylaw or regulation become law, the lives of sections of the community throughout the expansive area of Western Australia will be almost intolerable.

Hon. J. B. Sleeman: How did you get on with it?

Mr. MARSHALL: I have used the word "ignorance," and I think I should define it. I mean that I am doubtful whether a number of our civil servants have had experience on the east side of the Darling Range, from the point of view of having dwelt in any remote or isolated part of the State. In consequence, when they are called on to assist in the framing of regulations or bylaws they do so with the very best of intentions, but the premises upon which they construct them have city application only. These people do not seem to realise that what might be a very good piece of legislation, bylaw or regulation for the city would, when applied to the more remote parts of the State, almost verge on persecution. That comes about probably because these officers are ignorant of the conditions under which people live in the outback areas.

I do not know of anything that upsets the equilibrium of people in the isolated parts more than to find that whenever they wish to do something for themselves and to be left alone, there is some law which hinders them. Some of these regulations may be quite practical in the city, but in my electorate they become an impossible proposition. They be-

come costly, and the costs imposed under the regulations which I now propose to deal with must ultimately be borne by the consumer. We find constantly in the remote parts that for all facilities given by the Government we pay the maximum. That applies to water, transport and even to taxation. So I take strong exception to the constant piling up of costs on the people in some of the small communities where the burden becomes greater because of their smallness.

My first reaction to these regulations was to move that they all be disallowed and to argue that they should go back but be framed in such a way as to make them fewer, less bureaucratic and more practicable when applied to the outback parts of the State. But I felt afterwards that there might be some possibility of getting at least some alterations to them, or getting them so framed as to be more suitable to the isolated portions of the State, by segregating those which I felt would have the greatest effect. That is, apart from some which are definitely bureaucratic and where unlimited power is desired by a few individuals who dwell in this city. They appear to want to control the lives of people residing hundreds of miles away, and living under conditions unknown to them, as the regulations show. They are under the impression that we have an East Perth power plant in every town on the Murchison, and thousands of consumers supplied with electricity.

The Minister for Works: What gives that impression?

Mr. MARSHALL: One can gain no other impression from reading the regulations, which I hope the Minister has done. They are framed upon those premises. There is not one regulation that is not based on city conditions. These regulations were surely never meant to apply to the small plants such as we have on the Goldfields, but they will, if they are not disallowed. Let me deal with some of the regulations that I have moved to disallow. I will not delay the House for long, but will endeavour to get through as quickly as possible.

Hon. A. H. Panton: You have all night.

Mr. MARSHALL: The member for Leederville is all right.

Hon. A. H. Panton: I pioneered the place for you that you are grizzling about.

Mr. MARSHALL: Yes, but we have improved it a lot since then.

Hon. A. H. Panton: I doubt that very much.

Mr. SPEAKER: Order!

Mr. MARSHALL: We are still endeavouring to improve it, but, as I say, laws are made and regulations and bylaws framed so that our endeavours to live in some degree of comfort are constantly frustrated. The people do not ask for much—mainly to be left alone, but seemingly even that is far too great. The first regulation I move to disallow is No. 157 (a) which is as follows:—

> A person who is licensed as an Electrical Contractor shall be entitled to carry out and to contract for the carrying out of the class of electrical work for which he is licensed.

The Minister for Lands: That is fair enough.

Mr. MARSHALL: I point out that there are four or five different forms of license. If, for instance, a man is licensed as an electrical contractor for the purposes of installation work, he is not permitted to do anything in the way of electrical mechanical work; and if he is licensed for either one or the other of these particular spheres in the electrical world, he must not do anything in the way of armature winding. There are other restrictions which mean, in effect, that if one of the small plants in the more isolated centres requires the services of a licensed contractor or a licensed worker, and he journeys from Perth to carry out the work, and finds that other work outside the category for which he is licensed, is required, he is not allowed to do it.

The Minister for Works: Is not that in keeping with trade union principles?

Mr. MARSHALL: It is not in keeping with trade unionism at all.

The Minister for Railways: I would like you to prove it.

Mr. MARSHALL: One can easily see from these regulations that that is the position, and I will be able to emphasise that point before proceeding very much further. If, for instance, there were three or four different types of electrical work to be done on a job at Meekatharra, men holding that number of different licenses would have to

be called in to do the respective jobs. That is the effect of these regulations. Paragraph (b) states—

> No person who holds a license as an electrical worker and is registered with the Board as the employee of an electrical contractor shall be licensed as an electrical contractor and if he has been licensed as an electrical contractor before he has been registered with the Board as an employee, he shall cease to be licensed as an electrical contractor on being so registered as an employee.

If the employee is licensed as an electrical installation worker and contracts to do a small job, he has first to notify the board that he is going to contract for the work. He is then de-registered as an employee and registered as a contractor. If, when that job is finished, he finds there are no other contracts available, and wishes to return to his former work, he must be de-registered as a contractor and re-registered as an employee. There is a great difference between the fees to be paid by the electrical worker and those paid by the contractor. I believe the effect of the regulations will be that no-one will be able to contract for work in a small way. All the work will eventually go to the big firms.

Why should there be these various degrees of licenses permanently fixed for the individual? If a man on the Goldfields wishes to become an engine-driver he starts off as a boiler attendant, and renders service in that capacity for a given period under a competent man. When he is qualified he makes application and receives a third-class driver's certificate, which entitles him to look after a certain type of engine. Again, after a given qualifying period, he can apply for a second-class certificate, which he receives on passing the prescribed examination. If he is ambitious he may by serving an apprenticeship in the second degree, as it were, reach the highest position and obtain a first-class engine-driver's certificate. When he has obtained that certificate, he is entitled to do any class of engine-driving. That principle does not apply under these regulations, where men must apply every year for renewal of their licenses. On change of address they must notify the board.

A contractor called from Perth to do a job at Leonora must immediately notify the board of the change of address, and must fill in various forms. It is hard to imagine anything so stupid. Why cannot these men be treated as are the engine-drivers on the Goldfields, so that, when they reach the most skilled position in that walk of life, they may be permitted to do any work in that sphere? Under these regulations the armature winder is not allowed to instal the simplest type of electrical machinery, as he has not the necessary license. To obtain the license he must pass an examination and pay 10s., and then pay the prescribed fees, after filling in various forms. Regulation 161 states—

> Every license, or renewal of license, in respect of which renewal is not applied for as aforesaid, shall be surrendered by the holder to the board not later than the 31st day of July next following the date of expiry thereof.

If a man is qualified to do a certain job and holds the necessary license, why should he have to renew it every year? The fees involved in the change of licenses might easily involve a man in the expenditure of many pounds in the course of a year. I will deal next with some of the fees charged, and I might mention that those charged to contractors are much greater than those charged to employees. In the case of small plants in country towns, such charges will no doubt be passed on to the consumer. People on the Goldfields are already paying the maximum for water and apparently are now to be charged the maximum for electricity. In one town in my electorate the charge is already 1s. 5d. per unit for electricity—for both power and light. I suppose that is mainly because the number of consumers is small and in order to get the concession the higher rate is charged. However, I presume the overhead charges are the same for 200 consumers as for 500. I will now give the charges referred to under Regulation 161. Upon application for any license or permit—and there are four or five—the fee is 2s. 6d. Upon the issue of the license there is a fee of 5s. The fee is 2s. 6d. for a "C" class license, 7s. 6d. for the "B" class and 10s. for the "A" class.

For the renewal of the license before the 1st January next ensuing after the date of expiry the fee is 5s. for the restricted license, plus 2s. 6d. on application, though this is not stated in the regulation. The charge is 2s. for the "C" class license, 5s. for the "B" class and 7s. 6d. for the "A" class. For renewals of licenses made after

the 31st January there is an additional payment of 1s. for every month or part of a month after the 31st day of January. If the person concerned went on a holiday and on return applied for a renewal of his license, he might easily have to pay the 1s., over and above the charge mentioned, for each month or part of a month that he was away.

The Minister for Works: Is that laid down in the regulations?

Mr. MARSHALL: Yes. There are also other charges, but they involve only small sums. I think the fees chargeable are exorbitant, and I might mention that I am dealing with only some of the regulations that I think are objectionable. Paragraph (a), Subparagraph (1) of Regulation 166 states —

> At all times carry on his business of electrical contracting at and from an address which is registered with the board as his business address.

And paragraph (b) states—

> From time to time without delay notify the board of any change of his registered business address.

What is the value of that? What purpose can be served by such a restriction? A man licensed with the board, on changing his address from Leederville to South Perth, must immediately notify the board and fill in various forms. A contractor has already to keep all sorts of records, and it seems to me that we have gone mad in our desire to have forms filled in and registrations made. I will deal next with the fees payable by contractors. Any ambitious man licensed as an electrical installer might contract to instal electricity in a small home. It might pay him to do it. If he does so, he has to change over from being an employee, notwithstanding that he is licensed, to becoming a contractor. In that event the fees payable are £1 on application and £4 on issue of the license. So, if he goes no further, the cost of becoming a contractor would be £5.

Mr. Styants: All his profits would be gone.

Mr. MARSHALL: Yes, especally if it was a small job. If he employs one man to assist him he has to pay 15s., and for every additional man 10s. This is to be an annual charge and it could quite easily prove to be a half-yearly charge because, if he is licensed as an employee to do electrical fitting and desires to become a contractor for electrical fitting, he woul have paid his fee as an employee and the on top of that, probably within a fe months, would have to pay the amoun I have mentioned.

The next regulations are Nos, 183 an 184, which should be read in conjunctio in order to understand their purport. The read—

> 183. No electrical installation shall be co nected to any public electricity supply syste unless carried out by a person licensed t carry out such work and in accordance wit the S.A.A. Wiring Rules.

That in itself is all right; the Act provide for it, but the next regulation is mor drastic. It reads—

> 184. Where existing installations do no comply with these regulations or with th S.A.A. Wiring Rules (as existing at the tim when the installation was carried out), th Supply Authority may serve a notice on th consumer—

This should be of interest to city members—

> —stating how such installation does no comply with the regulations or S.A.A. Wirin Rules, and shall give the consumer a reason able time to have the installation brought int conformity with the regulations or the S.A.A Wiring Rules.

There are homes in this State and particu larly in the city where the wiring was in stalled 25 or 30 years ago and who woul know the S.A.A. Wiring Rules at that time What individual interested in electricity to day could say what the rules were as fa back as that? But if an inspector come along and finds that the existing installatio is not up to the S.A.A. rules as existin at the time the installation was carried out— goodness knows who can say when it wa carried out, though perhaps the inspecto would know—

Mr. Styants: He should know.

Mr. MARSHALL: He might know or h might not. The point is how could th consumer prove the contrary of what th inspector said; and I am interested in th consumer. If the inspector said that th installation was put in 30 years ago and did not comply with the S.A.A. Wiring Rules, how could I, as the occupier of the house, swear that he was wrong? In the first place, I would not be conversant with the rules and, in the second place, I would have no knowledge of when the house was wired.

Why should the consumer be made responsible? Is not this an obligation that should rest on the owner of the premises? Since when have we departed from that principle? Occupiers are not altogether responsible for the installation of electrical apparatus in the homes. Yet the inspector could direct the consumer, within reasonable time, to have the place re-wired because it did not comply with the S.A.A. Wiring Rules existing 25 or 30 years ago. The consumer would have to pay the whole cost of the wiring directed to be done by the inspector. Let me give an illustration. I have a home at Mt. Lawley purchased approximately 20 years ago, and on three different occasions—the last of them only a few months ago—I was called upon to pay a further premium.

The Minister for Works: How long ago were the first two?

Mr. MARSHALL: The first was about 18 years ago and the second about 10 or 12 years ago.

The Minister for Works: But these requirements must have been current for many years.

Hon. F. J. S. Wise: Alternating current?

Mr. MARSHALL: This is not a modern home and the housing for the meter and switches is not let into the wall as it is in modern homes. The box housing the meter and switches was off the end of the building and did not affect the general appearance of the front, but one of the factors that agitated the mind of this great inspector was that it was isolated and he required it to be brought near to the front door, where one would be sure to bump one's head against it in the dark. That is one illustration. I have another to show what happens, though not so glaring as my own experience. During the war period, a friend could not get a qualified mechanic to instal electricity in his garage. A man who had worked extensively on electrical installations volunteered to do it. An inspector recently examined the work and could find no fault with it, but because it had been done by an unauthorised person, out it had to go.

The Minister for Education: When did that occur?

Mr. MARSHALL: Only recently.

The Minister for Works: How long ago?

Mr. MARSHALL: I am prepared to give the Minister the name of the party concerned.

The Minister for Works: I want to know the date.

Mr. MARSHALL: About six weeks ago.

Mr. SPEAKER: Order!

Mr. MARSHALL: There seems to be a desire on the part of these inspectors to be constantly pushing people around. Under these regulations we shall have three or four inspectors all racing around, doubtless trying to justify their existence.

The Minister for Works: Was it ever otherwise?

Mr. MARSHALL: I shall answer the Minister presently when I deal with one of them. So we have these various departments with authority to push people around and presently we shall have more doing likewise, thus multiplying the number and incidentally increasing the burden on the people. The extent to which bureaucrats are running around telling people to do this and threatening to cut off the supply if it is not done, even though it be impossible to get a man to do the work, is becoming almost intolerable. Regulation No. 196 begins—

Any general inspector—

I think provision is made for a general inspector, a supply authority inspector and a licensing inspector—an inspector to see that everyone is licensed.

Mr. Rodoreda: Anyone to inspect the inspectors?

Mr. Styants: Does he carry a supply of discs with him, too?

Mr. MARSHALL: I suppose he ought to have numbered discs to hang around the necks of the electricians so that he will know they are all right. May I refer to the practice on the Goldfields where men do just as important work as do these tradesmen. I refer to the engine-drivers on the mines. When they receive their certificates as qualified men, there is no inspector running around to examine those certificates. The obligation is on the party that employs the engine-driver to ensure that the certificate is in order. Here, however, it is proposed to license electricians first and then have an inspector running around to see that they are all right. It is about

time a protest was entered against this constant interference with the peaceful avocations and lives of the people. Regulation 196 reads—

Any general inspector or inspector after having made an inspection may, by notice in writing in accordance with Form No. S.E.C. 32, forbid the use of any installation, apparatus or fittings or prohibit any person or persons from exposing for sale or from selling—

I do not mind the latter part. Let some of the city members take that up.

—or from selling any apparatus, appliance or fitting or part thereof which in his opinion is dangerous or likely to become dangerous or is not in accordance with the S.A.A. Wiring Rules or regulations made under the Act.

I emphasise the opening portion of that regulation. Surely it goes beyond what is reasonable! Many homes are old and the installations were made many years ago. They have probably served well over the years, but simply because they do not suit an inspector and are not up to the mark, out they have to go. If I read these regulations aright, the consumer once more will pay, not the owner. If it be an old type of electric iron and the inspector considers it obsblete or dangerous, he may forbid its use, and the unfortunate worker occupying the home would have to buy a modern iron. If this sort of thing is permitted, I do not know where we shall land.

The Attorney General: That is Regulation No. 160 of the 1939 regulations.

Mr. MARSHALL: Regulation 197 reads—

The cost of inspections, made by an inspector at the request of a supply authority, or where inspections are considered necessary under these regulations, of any generating station, transmission or distribution works, the supply authority shall pay such inspection fees to the Commission as are set out in the schedule under Regulation No. 279.

I would not object to this regulation so far as the supply authority asking for an inspection is concerned because that would be for the benefit of the supply authority itself. But here are the words to which I take strong exception: "Or where inspections are considered necessary under these regulations." That means that an inspector will make an inspection and if he feels that something should be done, that some changes should be made in the installations in any home—quite apart from the local authority or the supply authority having called for his services—if he feels that something should be done—and he has to justify his existence, and will therefore want to see that everything is right up-to-date—all he will do is simply tell the individual—most likely the consumer—that an installation does not comply with these regulations and that installation will have to receive immediate attention, at the expense of the consumer.

The Attorney General: You will be taking the Old Testament next!

Hon. F. J. S. Wise: There are some people who would like to bring the laws of God here and change them!

Mr. MARSHALL: All these charges will come back to the consumer ultimately. Regulation 203 is as follows—

No person or consumer shall permit any wires, cables, fittings, apparatus, appliances or accessories, which are in an unsafe condition to be connected or remain connected to an installation.

What average person would know when an electric installation was unsafe? How many would know?

The Minister for Lands: That is what the inspector is for.

Mr. MARSHALL: But there would be a penalty imposed under the regulation. It says that no person shall allow these things. How do we expect an ordinary man to know when such apparatus is safe or otherwise? The inspector would make him know when he arrived, in no uncertain fashion! Regulation 208 reads—

The occupier of any premises shall cause to be completely dismantled from the supply mains all disused portions of an installation thereon, and shall cause such disused portions of an installation to be entirely dismantled or sufficiently so to make it clear on casual examination that they no longer form part of the installation.

Why should an occupier have to do that? The premises do not belong to him. Why should not the landlord have to do it? If there is anything wrong with an installation, the landlord would know more about it than the tenant. I might go into a building tomorrow and an inspector might say, of an installation, "That is disused. It does not belong to the main system. You get a qualified man to detach it. I cannot do so." In those circumstances I would have

to do that. In places as far removed as Meekatharra and Big Bell no electrical engineer is available. But these regulations apply throughout the State. Why should I as tenant of a house for only 24 hours be told to do this kind of work, while the landlord, who has probably received thousands of pounds in rent, over a period of years, sits idly by and forces me into the invidious position of increasing the value of his property at my expense? Regulation 274—and this is a real good one—reads as follows—

> The consumer shall be liable for loss by fire, damage, or theft of the meters or other apparatus hired from or loaned by the Supply Authority on the consumer's premises, or which may be on the consumer's premises in connection with the supply of current to the consumer.

If a tradesman happens to be on the premises with a kit bag of tools and a fire takes place and they are damaged, the cost becomes a charge against the occupier. Evidently everything that belongs to the supply authority has to be insured by the occupier of premises. Otherwise, should a fire occur and these things become destroyed, the occupier—again, not the landlord; nobody is liable but the consumer all the time—has to pay. No-one could say what valuable property might be on premises, particularly if a tradesman happened to be working there when a fire broke out. In the more isolated places, the supply authority would provide the electrician and the electrician himself would have his own equipment. If that were destroyed the supply authority could claim on the occupier for the total value. Then we come to Regulation 278 which reads—

> Every Supply Authority shall pay to the Commission with the return of the registration form, on or before the 31st day of August each year a sum at the rate of 1s. for each individual consumer connected to the mains of the said Supply Authority on the 1st day of July preceding the said 31st day of August. The minimum charge to be paid by any Supply Authority shall be £5 in respect of any one year, and the maximum charge shall be £1,000 in respect of any one year. The sum collected under this regulation is to be used by the Commission in enforcing all regulations under the Electricity Act concerning the safety of employees of supply authorities, the members of the public generally and property together with part of the administration costs incurred by the Commission in administering these regulations.

My God! They will have plenty of money to do it with! In some parts of this State, the total number of consumers would not exceed 300. Because of the small number of consumers, the cost of electricity is particularly high compared with that in the metropolitan area, where there are many consumers. Yet they would have to pay—I think the minimum is 200—1s. for each one connected to the plant. If there were less they would have to pay £5. That is the minimum amount payable; the maximum is £1,000. So a big concern like the Electricity Commission, if it had full control of the city as supply authority, would pay no more than £1,000; while small struggling concerns in isolated portions of the State would have to pay the maximum. Again in some of those places, a small plant installed by one individual supplies two or three others by way of convenience. People say, "You have power. Will you give us electricity?" So the concern will supply up to five other consumers and that man will have to pay £5; while in the city of Perth the maximum payable is £1,000 for any number of consumers.

The Minister for Works: You know what I told you in regard to that, or have you forgotten? I told you that I did not agree with that and would see it was withdrawn.

Mr. MARSHALL: I would draw attention to the charges to be made in the event of an inspection being undertaken. Where there is a big concern, these charges, spread over a great number of consumers, would be almost infinitesimal; but in my electorate the plants are all small. The consumers in each town are few in number, hence the colossal charge made for electricity now. If all these charges are going to be added to the present cost, the supply authority will naturally pass them on and again it will be the unfortunate worker who will ultimately be saddled with the responsibility for paying the lot, apart from being forced into the position of having to provide out of his own pocket for the reconditioning of installations in a home that does not belong to him but to a landlord. I am sure the Minister does not subscribe to that.

The Minister for Works: No.

Mr. MARSHALL: Of course, I knew he would not! But that is what is in the regulations.

The Minister for Works: I am not too sure of that.

Mr. MARSHALL: It is provided that supply authorities with consumers not exceeding 200 have to pay for "general inspection, report and valuation of generation and distribution, £20." Supply authorities with consumers not exceeding 500 have to pay £30 and those with more than 500 consumers £45. For general inspection and report only of generation and distribution the respective charges are £17 10s., £26 10s. and £39. So again the big suppliers get out of it lightly.

The Minister for Works: What regulation is that you are reading from?

Mr. MARSHALL: It is regulation No. 279. I have not moved to disallow it. I have traversed its effects in dealing with the other regulations. I have quoted it to show the colossal cost imposed on the small suppliers and how generously disposed we are to those that have a big number of consumers. I am moving to disallow these regulations as an emphatic protest against the constant desire on the part of some people to heap up costs on Goldfields consumers in particular and—what is equally drastic and undesirable—the constant desire on the part of a few to control and regulate and regiment and ration and coerce the rest of the community. I want all new members who are sitting behind the Government to realise that the small towns they represent are no better off than those in my electorate, and I want them to give the Government a guide in this matter and to indicate that so far as we are concerned the electors of outback centres—

The Minister for Education: The regulations are no better than those of 1939. That is what you wanted to explain, is it not?

Mr. MARSHALL: I am not concerned whether they are the regulations of 1939, 1940 or 1941.

The Minister for Education: Most of them have been in existence since 1939.

Mr. MARSHALL: I know.

The Minister for Education: Then why did you not move to have them altered before?

Mr. MARSHALL: That does not remove the possibility of a certain organisation suddenly deciding to give effect to a number of these regulatons in the future. I have tried to enter my protest.

The Minister for Works: You could have done that last year.

Mr. MARSHALL: I am not concerned about last year, or the year before, or about 20 years ago. I have an opportunity to enter a protest against them and I am doing so.

The Minister for Works: They have been there for years.

Mr. MARSHALL: The time may come when it will dawn on these fellows that they have these powers, and then we will suffer. Now is the time to enter a protest. Never mind how long this has been the law. Almost every session, as a result of our experience, we find that we have to introduce legislation to alter the effect of measures that have previously been promulgated. That is what I am doing now. I am taking the opportunity to enter a protest in regard to the bureaucratic characteristics of some of these regulations and concerning the attempt to shuffle on to consumers in remote areas the obligation to enhance the properties of landlords.

On motion by the Minister for Works, debate adjourned.

MOTION—HAMPSHIRE & SONS' CATTLE AND T.B.

To Inquire by Select Committee.

Debate resumed from the 3rd September on the following motion by Mr. Hoar—

That a Select Committee be appointed to inquire into and report on the following:—

(1) The incidence of tuberculosis in the 90 registered Guernsey cattle offered for sale by Messrs. P. G. Hampshire and Sons at Yarloop on Tuesday, 12th November, 1946.

(2) How many such cattle have been tested since the sale and have reacted to a T.B. test.

(3) How many such cattle were tested before the sale, and with what result.

(4) Were there any reasonable grounds for Hampshire and Sons to suspect this disease in their cattle before the sale.

(5) Any other relevant matters.

THE MINISTER FOR AGRICULTURE (Hon. L. Thorn—Toodyay) [5.45]: The member for Nelson, when moving his motion, put the case very fairly I know he had a lot of data in his possession. Most of

the correspondence he dealt with from the Farmers' Union I had already received myself, and I thus had an opportunity to peruse it and to some extent form an opinion on the matter. The charge against Hampshire & Sons appears to be a serious one, and could well stand inquiry. I have with me a statement from the veterinary section of the Agricultural Department, which in a sense is implicated in the case because it has been referred to. I will read the statement from the Chief Veterinary officer, as follows:—

SALE OF CATTLE.

P. G. Hampshire & Sons,

Yarloop—November, 1946.

Prior to the dispersal sale in November 1946, the very high incidence of tuberculosis which was subsequently revealed in the Guernsey herd of Messrs. P. G. Hampshire & Sons, Yarloop, was not suspected.

During a period of about 10 years preceding this sale Hampshire & Sons' cattle had been seen by Departmental Officers on many occasions and although no specific examination was made, no clinically recognisable cases of tuberculosis had come before their notice.

On March 3rd, 1941, four head of cattle destined for export to Malaya were tuberculin tested on this property with negative results.

On September 18th, 1945, eight cattle including five intended for export to South Australia and three old cows which had been on the property for some years, were tested with similar negative results.

Early in October, 1946, Mr. P. G. Hampshire reported to this Department that a valuable bull was ailing and requested examination. This bull had been imported from the Eastern States when it was accompanied with a tuberculin test certificate. A veterinary officer visited the property on October the 18th and suspecting tuberculosis subjected this animal to the tuberculin test. A cow which was found to be showing symptoms suspicious of the disease was also included in the test. Both of these animals gave positive reactions and were subsequently slaughtered at Midland Junction Abattoirs, the test results being confirmed by the post mortem examinations. So far as can be ascertained from our records these were the only authenticated cases of tuberculosis which up to that time had occurred on Hampshire's property.

There was no reason to believe that the infection was widespread and the application of the test to the remainder of the cattle, all of which appeared to be in excellent health and condition, was not considered. At that time in the absence of provision for compensation, the wholesale testing of dairy herds had not become the policy of the Department and since it was known that there were a great many other herds, particularly in the metropolitan area which were believed to be in a far worse condition, it would have been invidious to have selected Hampshire & Sons' herd for special attention. Since wholesale tuberculin testing without provision for compensation would have resulted in the ruination of a large number of dairymen throughout the State, such a policy would have been difficult to justify and its general application would certainly have been strongly opposed by a large section of the dairying industry.

P. G. Hampshire & Sons' dispersal sale was held on November 12th, 1946, when nineteen Guernsey cattle were purchased by South Australian buyers. The introduction of these cattle into South Australia was subject to a negative tuberculin test and this test was completed on November 29th. Fourteen (73%) of these nineteen cattle gave a positive reaction and were subsequently slaughtered at Midland Junction. This result was entirely unexpected. While it was anticipated that some reactions might occur since cases of tuberculosis had already been detected in the herd, it was not expected that an incidence of infection of such magnitude would be revealed. It is possible that Hampshire & Sons may have sold cattle which had been passed in at the sale after the above results had become known, but if such was the case we have no definite knowledge of it.

The remainder of the cattle offered were purchased by West Australian buyers and some of these have since been tested for tuberculosis, the incidence of infection being equally high. The results of these tests which were carried out by Mr. R. Harley, Government Veterinary Surgeon, Bunbury, are given hereunder—

Date.	Owner.	No. Tested.	No. Reacted.
15.3.47	Andrew Muir, Manjimup	6	6
	W. Whitfield, Manjimup ..	2	1
28.5.47	A Fry, Manjimup ..	4	4
4.7.47	W. G. Robinson, Cowaramup	8	8

All of these cattle were slaughtered at the conclusion of the test.

In making this information available I make it quite clear that no brief is held for P. G. Hampshire. I merely set out the position from the records available to me. I do not for a moment think that he could have been aware that a high incidence of tuberculosis existed in his dairy herd at the time when the dispersal sale took place.

9/9/47.

Messrs. Hampshire & Sons stated in the Press that they would welcome an inquiry. The Government has also formed the opinion that an inquiry should be held, in fairness to all the parties concerned. Holding these views, as we do, we do not oppose the motion.

MR. HILL (Albany) [5.52]: I support the motion. I have known Mr. Hampshire ever since he has been in the State, and have always regarded him as a most honourable gentleman. I sincerely hope this inquiry will completely exonerate him. I know from experience that cows can be affected with tuberculosis and yet show no indication of the infection. On one occasion, I had a cow that was well on in years. I fattened her up and sent her to the butcher, and she had every appearance of being in perfect health. When the butcher slaughtered her, he exclaimed that it was a lovely piece of beef he was handling, but very soon after the inspector condemned the carcase and called in a medical officer. It turned out that not one piece of the meat was fit for consumption, and the whole of it had to be destroyed.

My next experience was with a cow that showed T.B. symptoms. It may be said that I killed her to save her life, but I did destroy her. Mr. McKenzie Clark said the beast showed symptoms of tuberculosis and advised me to have my milking cows tested. The animal in question was a fine Guernsey beast and it had re-acted to the test. The only sympathy I got from the veterinary officer who made the test was, "I am glad you have had this experience. You are a public man and this will be a lesson to you." When the cow was passed by the inspector, there was no sign of T.B. in her. Mr. Clark told me of another cow that had been slaughtered. When the post-mortem was held, no trace of T.B. could be found. Mr. Clark said, "There is one isolated gland; let us have a look at that." When it was cut out, it was found that this was the only infection. It is possible that several of the cows in the Hampshire herd may have had slight infection. An inquiry into the matter will be of benefit and may prevent similar instances from occurring.

THE ATTORNEY GENERAL (Hon. R. R. McDonald—West Perth) [5.56]: I do not propose to say much on this motion. One cannot form any opinion as to the merits of the case, but it is to be referred to a responsible body which will hear the evidence and report to the House what the real position was at the relevant time. I have sometimes felt in connection with motions for the appointment of Select Committees that allegations are necessarily made, and have to be made, to substantiate the case for an inquiry, and those allegations become current property and at the time there is no answer to be made on behalf of the other side. That, too, is unavoidable because the other side does not know what the charges will be until it gets information about them, either on the following day or some days later. We have to bear in mind that there may be a very complete answer. In the case of this particular inquiry, Messrs. Hampshire & Sons have expressed their desire to have an investigation. Mr. Hampshire himself has held an important post in the Agricultural Department of this State for many years as well as having been prominent in dairying and cattle matters. He has played a not unimportant part in the development of the industry in this State, and I think he is entitled to have the opportunity to put his case before the proposed inquiry.

Question put and passed; the motion agreed to.

Select Committee Appointed.

On motion by Mr. Hoar, Select Committee appointed consisting of Hon. J. T. Tonkin, Mr. Read, Mr. Nimmo, Mr. Ackland and the mover, with power to call for persons and papers, to sit on days over which the House stands adjourned, to move from place to place and to report on the 1st October.

MOTION—METROPOLITAN MARKET ACT.

To Disallow Amendment of Opening-Time Bylaw.

Debate resumed from the 3rd September on the following motion by Mr. Read:—

> That the amendment of Bylaw 14 (1) made under the Metropolitan Market Act, 1926-1941, published in the "Government Gazette" of the 16th May, 1947, and laid upon the Table of the House on the 5th August, 1947, be and is hereby disallowed.

THE MINISTER FOR AGRICULTURE (Hon. L. Thorn—Toodyay) [6.0]: With regard to the proposal advanced by the member for Victoria Park for the disallowance of the amended bylaw, I am just wondering whether that hon. member has a full understanding of its application. The

information I have received is to the effect that the Market Trust asked for the power embodied in the amendment because on special occasions such as Anzac Day and other holidays at Christmas time the necessity was felt to advance the starting time one hour so that the workers could deal with the produce coming to hand and then close down the markets for the rest of the day. It is felt that the business at the markets could be transacted and completed before 11 a.m., so that the rest of the day could be enjoyed as a holiday by those working there. I do not think any member would approve in principle of men, after 18 years in a job, having to start an hour earlier.

Hon. A. H. Panton: That is what they are suggesting.

The MINISTER FOR AGRICULTURE: I am just explaining the position and giving the House particulars of the advice I have received from the secretary of the Market Trust. He informs me that the proposal embodied in the amended bylaw will not affect the workers because many of them are already on the spot at 4 a.m. when the gates are opened. I know, as a producer, that that is correct.

Hon. A. H. Panton: They will start at 3 a.m. if the amended bylaw operates.

The MINISTER FOR AGRICULTURE: If what is proposed applied all the year round, quite a different construction would be placed on it; but my advice is that it merely applies to certain holiday periods. If it were otherwise, I could not myself support such a proposal. Moreover, I am advised by the secretary of the Market Trust that in any case the workers have the protection of the unions in respect of penalty rates and so forth.

Hon. A. H. Panton: The unions did not know anything about this matter until they read that the member for Victoria Park had moved his motion to disallow the bylaw.

The MINISTER FOR AGRICULTURE: Then that is a reflection upon the consumers' representative on the Market Trust, because he is a union secretary. I felt that by means of that contact the workers would be amply protected. I am surprised to hear from the member for Leederville that the unions did not know anything about it.

Hon. A. H. Panton: A consumer does not necessarily represent the unions.

The MINISTER FOR AGRICULTURE: I agree with that, but in this instance the consumers' representative is a union secretary.

Hon. A. H. Panton: I really do not know who he is.

The MINISTER FOR AGRICULTURE: He is Mr. Webb, the secretary of the Locomotive Engine-drivers, Firemen and Cleaners' Union. I am further advised that the amended bylaw does not give the Trust any general power, but the action proposed can be taken only by a resolution of the Trust when necessary. In that case, seeing that a union secretary is a member of the controlling body, the unions will be represented when that decision is reached.

Hon. A. H. Panton: One member!

The MINISTER FOR AGRICULTURE: I do not wish to harp on the point, but the fact remains that a union secretary is a member of the Trust and will look after the interests of the men.

Hon. A. H. Panton: He has only one vote.

Hon. J. T. Tonkin: And the point is: Will he always be there?

The MINISTER FOR AGRICULTURE: Time will tell.

Hon. J. T. Tonkin: Unless he is, there is not much validity in your argument.

The Attorney General: At any rate, he has not been removed.

The Minister for Education: No, he is still there.

The MINISTER FOR AGRICULTURE: I have received a letter from a very prominent businessman who has been connected with the markets all his life. I refer to Mr. Harry Simper.

Hon. A. H. Panton: Does he agree with this?

The MINISTER FOR AGRICULTURE: He seems to have the same idea as that expressed by the member for Victoria Park when he suggested that the proposed alteration would apply all the year round. That is the point I want to clear up. Mr. Simper strongly objects to these workers starting operations at 6 a.m., and he mentions the difficulties regarding transport.

Hon. A. H. Panton: That is the point.

The MINISTER FOR AGRICULTURE: Quite apart from that, such a move would be undesirable. I agree with that point of view, but if the position is as stated to me by the secretary of the Market Trust and the proposed altered starting time applies only to Anzac Day and holidays occurring at Christmas time and the object is to give the men who handle the produce an opportunity to finish earlier and enjoy the rest of the day off duty, then it is an entirely different matter.

Hon. A. H. Panton: Then you withdraw this regulation and bring down another one making it specific, and there will be no objection.

The MINISTER FOR AGRICULTURE: If it is the wish of the House that the bylaw be withdrawn for the time being and another substituted making the position more specific, I shall have no objection.

Hon. A. H. Panton: Then that is all right.

The MINISTER FOR AGRICULTURE: My object in speaking was to clear up the point I have stressed, and naturally one must accept the advice of his executive officer. I have explained the position as he has disclosed it to me, and I leave the matter in the hands of the House.

MR. MARSHALL (Murchison) [6.7]: The merits or demerits of the amended bylaw and whether the employees will have to work an hour earlier, do not interest me for the moment. The point I want to make to the Minister is that if the amended bylaw is to be withdrawn—and I take it he intends to adopt that course—I hope there will be no repetition of an amendment based on the same principle as the one under discussion. The alteration purports to be an amendment of Bylaw No. 14, which reads—

> Subject to the Factories and Shops Act, 1920, the wholesale market shall be opened on every day during the year except Sunday, Christmas Day and Good Friday on week days, Saturdays excepted, between the hours of 7 a.m. and 5 p.m., and on Saturdays between 7 a.m. and 12 noon.

The amendment to be added to the regulation reads—

> and the Trust may, by resolution passed from time to time, approve an earlier opening time on any such day or days.

The amendment is a direct negative of the bylaw. Had the Trust introduced an amendment in the form of a proviso and taken care to alter the opening time in the bylaw, it might have avoided submitting a direct negative. I want the Minister to watch this matter closely because it will be of no use his bringing in another bylaw anything like this one. Parliament has definitely and specifically set down the hours of trading for the market. That law is still operating. Section 13 of the Act empowers the Trust to make bylaws for all or any of the purposes set forth in the section, but in submitting this amendment, the Trust has assumed a power—probably rightly so—under paragraph (7) which states—

> Prescribing how, when, and by whom and under what conditions and restrictions such market, or any part thereof, may be used and occupied.

The bylaw was probably made under that provision.

Hon. F. J. S. Wise: When was the new bylaw made?

Mr. MARSHALL: On the 16th May.

Hon. A. R. G. Hawke: That is the date when it was gazetted.

Hon. F. J. S. Wise: Then it would have been made a week or two before that,

Mr. MARSHALL: A proviso to the section stipulates that such bylaws shall be subject to the approval of and confirmation by the Governor. I do not think the Trust has acted in this way deliberately.

The Minister for Agriculture: No.

Mr. MARSHALL: I incline to the belief that it has acted in ignorance. The addendum to the bylaw submitted by the Trust represents something quite beyond its powers. A resolution of the Trust means nothing when it conflicts with an Act of Parliament. If this view were challenged I think the Attorney General would admit that the challenge would succeed. When we have definitely laid down in an Act of Parliament that certain things shall prevail, we cannot permit an outside organisation, merely by a resolution carried at one of its meetings, to upset those requirements.

Hon. A. R. G. Hawke: That is real Hitlerism!

Mr. MARSHALL: As the Minister is prepared to permit the disallowance of the reso-

lution, I need not elaborate further, though there are other factors that could be cited against the proposal to amend the bylaw. It would be a sad day if we permitted an outside body to say it would take a certain line of action in face of what is definitely laid down by Act of Parliament.

The Minister for Works: You are on sound ground this time.

Mr. MARSHALL: I hope the Minister will give careful consideration to the points I have raised and that we shall not have a repetition of this sort of thing.

Sitting suspended from 6.15 to 7.30 p.m.

MR. READ (Victoria Park—in reply) [7.30]: I have contacted the Secretary of the Market Trust with regard to this bylaw and also the men working in the market, as well as the secretary of the Shop Assistants' Union, of which the market employees are a branch. The Market Trust considers that if an earlier hour of opening was fixed—and it proposed six o'clock—the market would be clear at an earlier period, thus allowing the workers to leave earlier. I am assured by the workers, however, that that is not so. The bulk of the fruit and vegetables from the local market gardens is delivered to the market at 4 o'clock, but there are also deliveries of tomatoes from Geraldton and produce from Gingin and other places continuously up to 11 o'clock. The workers therefore do not consider that they will be able to leave their work any earlier. I am sure that the workers would fall in with the suggestion of the Trust that on certain holidays the market should open at an earlier hour; but they consider this bylaw gives too much power to it. If at a later period the Trust makes a bylaw specifying an earlier opening hour for holidays, I am sure the workers would be agreeable.

Motion put and passed; amendment of bylaw disallowed.

BILL—CLOSER SETTLEMENT ACT AMENDMENT.

Second Reading—Ruled Out.

Order of the Day read for the resumption from the 3rd September of the debate on the second reading.

Mr. SPEAKER: I regret having to interrupt the debate at this stage to give a ruling. I have examined the Bill and find that there are three questions that need to be discussed. These are—

(1) Is the additional member of the board, raised from three to four in this Bill, to receive payment for his services?

(2) Does this Bill authorise an additional appropriation, by reason of its containing provision for the compulsory acquisition of land for closer settlement, to a greater extent than is provided for in the principal Act; and, if so, does it require a greater appropriation of money.

(3) Clause 9 of the Bill provides that claims for disputed compensation may be brought before a judge of the Supreme Court who may award to the claimant payment of all proper costs and expenses. Is this an authority for an additional appropriation?

In answering the first question I find that under Subsection (3) of Section 2 of the principal Act members of the board may receive such fees as are prescribed. The addition of another member to the board will give to the Crown the power to grant fees to this member, thus creating a charge upon the people. Under Section 46 of the Constitution Acts Amendment Act, 1899, such a Bill must be introduced by Message from the Lieut.-Governor. I rule the Bill out of order on this point. As I have ruled the Bill out of order on question No. 1, I will not elaborate on question No. 2. With regard to question No. 3, the power of a judge to award to the claimant payment of costs and expenses constitutes an appropriation. For this reason, as well as my reasons for ruling the Bill out of order on question No. 1, I rule the Bill out of order.

Hon. F. J. S. WISE: Mr. Speaker, I regret very much that you find it necessary so to rule. I find myself in exactly the same position as Leaders of the Opposition have been placed in the past when they have moved at times to disagree with your ruling. While I would be very diffident about taking that course, I can but hope that the Minister for Lands will be inspired to introduce a Bill closely following this one.

Bill ruled out.

BILL—GOLDFIELDS WATER SUPPLY ACT AMENDMENT.

Second Reading.

HON. E. NULSEN (Kanowna) [7.37] in moving the second reading said: This is an

important Bill as far as the back-country people of the State are concerned. They claim they ought not to pay more for water in the back country than is charged for water in the metropolitan area. What I am seeking is the provision of a flat rate or a uniform charge for water drawn from the Goldfields water supply scheme, such rate to be the same as that charged for water in the metropolitan area. My constituents, especially those in Norseman, and those between Coolgardie and Norseman, have requested me to bring in this Bill. I feel sure that the measure will be welcomed by country members, because they realise the effect of high charges for water. As I said a few nights ago, water is one of our most essential commodities; we cannot get very far without it. It is next in importance to air. The local governing bodies along the pipeline between Mundaring and Kalgoorlie, and Coolgardie and Norseman, have met in conference on several occasions and have expressed great concern about charges for water.

The Premier: How long have you been agitating for this?

Hon. E. NULSEN: Since about 1942. So the Premier will understand how earnest these people are in their agitation.

The Premier: Tell us why the previous Government did not take action!

Hon. F. J. S. Wise: I can.

Hon. E. NULSEN: The Premier must remember that although I was a member of the Government there was an esprit de corps in the Cabinet and one had to have regard for the honour of the body to which one belonged.

The Minister for Education: You should have resigned.

Hon. E. NULSEN: The unit must be loyal to the whole and I was loyal in that respect. However, that has never changed my opinion. But the majority always rules and that will prevail so far as the Premier's Cabinet is concerned in many instances. He will be dominated by the body to which he belongs.

The Premier: I only wanted to know what was the attitude of the previous Government. I am satisfied now.

Hon. E. NULSEN: I do not think there is any doubt about that. A deputation was taken to Mr. Millington when he was Minister for Water Supply and he said that he was engaged in negotiations with the Commonwealth in connection with the big £9,000,000 scheme to irrigate 11,000,000 acres of land. That scheme was in its early stages. I will read to the House a paragraph from a letter written by Mr. Keaney, secretary of the Yilgarn Road Board to the Town Clerk of Boulder, on the 27th August, 1943. It is as follows:—

> In his reply Mr. Millington states that representations have been made to the Federal Government in connection with a £9,000,000 scheme of reticulation over 11,000,000 acres, and embracing the enlargement of the Mundaring and Wellington (Collie River) resevoirs; and with this and other projects in view, the Government is of the opinion that no comprehensive realignment of existing country water supply charges should be made until some indication is received as to the extent to which the State Water Supply Undertakings can be nationalised from an Australia-wide point of view.

Hon. F. J. S. Wise: That is very Millingtonian is it not?

Hon. E. NULSEN: That is the letter in essence. Actually there are four or five sheets of foolscap explaining the position. That was characteristic of Mr. Millington. A deputation was also taken to the member for Northam and he did make very considerable concessions for which the people in my electorate are very grateful. I propose to read a letter he wrote to the Hon. W. R. Hall, M.L.C., on the 17th April, 1945. It is as follows:—

> Last year you introduced to me a deputation representing local governing authorities located along the Goldfields Water Supply pipe line between Mundaring and Kalgoorlie. The deputation asked that a flat rate be charged for water drawn from the Goldfields Water Supply Scheme, such rate to be the same as the rate charged for water in the metropolitan area.
>
> A great amount of investigation has since been carried out consistent, of course, with the giving of reasonable attention to the many other important questions and problems requiring consideration.
>
> A comprehensive report covering the deputation's request was considered recently by Cabinet, when the following decisions were made:—
>
> Norseman district.—Existing rebate charge reduced from 10s. to 8s. 6d. per thousand gallons.

That is a reduction of 33⅓ per cent. for which the people of Norseman and those between Larkinville and Norseman are grate-

ful to the member for Northam. The letter continues—

Existing charge for domestic excess water reduced from 7s. to 5s. per thousand gallons for the first 5,000 gallons used if annual rate paid by March 10th in each year, otherwise 6s. per thousand gallons; any balance to be charged for at 3s. per thousand gallons.

That was another considerable reduction contingent on the annual rate being paid within a certain period.

Bullfinch and Marvel Loch.—Existing rebate charge reduced from 7s. 3d. to 6s. 8d. per thousand gallons.

Southern Cross Soldiers' Settlement.—Existing rebate charge reduced from 10s. to 6s. 8d. per thousand gallons.

Marvel Loch Miners' Settlement.—Existing rebate charge reduced from 10s. to 6s. 8d. per thousand gallons.

Existing charge for excess water reduced from 10s. to 7s. 3d. per thousand gallons for trading purposes, including stock raising, and 5s. per thousand gallons for farming and other purposes.

Ora Banda.—Existing domestic excess water charge reduced from 7s. to 5s. per thousand gallons.

Mount Palmer.—Existing rebate charge reduced from 8s. to 6s. 8d. per thousand gallons.

Existing domestic excess water charge reduced from 8s. to 5s. per thousand gallons for the first 5,000 gallons used if annual rate paid by March 10th in each year; otherwise 6s. per thousand gallons; any balance to be charged for at 3s. per thousand gallons.

Goomalling.—Existing charge reduced from 6s. 6d. to 5s. per thousand gallons.

Existing domestic excess water charge reduced from 5s. to 3s. 6d. per thousand gallons for the first 10,000 gallons used if annual rate paid by March 10th in each year, otherwise 4s. per thousand gallons.

These decisions will apply as from the rating year which commenced on January 1st, 1945.

In connection with the general question of a flat rate charge for excess water, Cabinet considered there were many difficulties associated with the question and that in any event no decision either for or against should be made on the basis of only one country water supply scheme. Cabinet therefore decided to appoint a special Committee to survey the question as it affects all water supply schemes throughout the State. The Committee will be appointed almost immediately.

Cabinet further decided this Committee should investigate the question of reducing the maximum water rate on country lands from 6d. to 4d. per acre and also the general question of the quantity of water which should fairly be granted by way of rebate for each £1 of water rates paid. At the present time there are many wide variations in different parts of the State.

That was the letter written by the ex-Minister for Water Supply who, in conjunction with Cabinet, was very sympathetic to the deputation. His predecessor did not show very much sympathy but put them off on the plea that negotiations were taking place between the Commonwealth and himself in regard to the big South-West scheme. The Minister for Mines and Health, Hon. H. S. W. Parker, was in my district not long ago and the people there spoke to him in regard to the price of water. I was told by them that he was very sympathetic and would give consideration to their requests. They said he considered water was at a very high price, and implied that some consideration should be given to a reduction in rates. Now we are asking for a reduction on the basis of the price of water in the metropolitan area. This agitation for a uniform charge has been going on for a long time and has not always come from my district, although the Dundas Road Board was the first to initiate a scheme for a flat rate for water throughout the State. I have no authority for saying that, although I have no objection to a flat rate.

The Minister for Works: In what year was it, approximately, that the Dundas Road Board acted?

Hon. E. NULSEN: As far as I can remember, about 1941. But that is no excuse for the present Government not doing something to assist the people of the State.

The Minister for Works: I did not say that was my outlook.

Hon. E. NULSEN: That was the inference.

The Minister for Works: No.

Hon. E. NULSEN: I have been asked that question on several occasions. The Southern Cross Road Board called a conference, which was held at Kalgoorlie in the municipal chamber, and the Mayor of Kalgoorlie presided. Those present were representatives of the Boulder Municipal Council, Dundas Road Board, Yilgarn Road Board, Kalgoorlie Road Board, Toodyay Road Board, and Westonia Road Board. The conference was supported by the Beverley Road Board, Mundaring Road Board, Meckering District Road Board, Bruce Rock Road Board and the Municipal Council of York. So, it can be seen that there

was good representation at that conference and this matter was dealt with clearly and consideration given to all the points for a flat rate for water throughout the State. But my district has changed that to a flat rate for the Goldfields water scheme, alone. So, I have no authority to speak on behalf of the State, but I have on behalf of Norseman and for a flat rate for the Goldfields water scheme. That conference was also supported by the ex-President of the Legislative Council, Sir John Kirwan, and the late Hon. J. Cornell, and, I think, by nearly all the parliamentary members representing the Eastern Goldfields electorates. There might have been one or two who did not support the conference, but I do not know of them.

As I have said, water is a most important and essential commodity, and a reduced charge for it will help to prolong the life of the Goldfields. It will also give the people who have lived there for so long the amenities they are justly entitled to. Up to date, water has been so dear that only those in affluent positions have been able to afford to have lawns, flower gardens, or even vegetable gardens; and the country there is so prolific that it is only a matter of getting water a little cheaper than at present to make the best use of it. A Bill to provide for a Goldfields water supply scheme was introduced into this House in about the year 1898, and the scheme was put through about 1902. It was opened officially by Lord Forrest, then Sir John Forrest, on the 1st January, 1903. That scheme has paid the State a thousand times over. Even if it does show a small debit on the books, it has, indirectly, played a wonderful part in the development of the State.

The Minister for Education: That argument did not satisfy your Treasurer when you were a Minister, apparently.

Hon. E. NULSEN: I do not know. We have to do the best we can now with the present Treasurer.

Hon. F. J. S. Wise: That is the only answer you have for the millions spent in Murray-Wellington.

Hon. E. NULSEN: No doubt there has been a direct benefit as well as an indirect one, because we know what goldmining has done for Western Australia. It has increased our population more rapidly than has any other industry that has been established in this State. Innumerable people have lived the whole of their lives on the Goldfields, but they have not enjoyed the amenities of the people in the metropolitan area. Surely, one little concession could be made for them. The people in the metropolitan area consume about 80 per cent. of the Government scheme water used in Western Australia. By an increase of about 6d. a thousand gallons on the consumption of water here, we could have a flat rate under the terms of my Bill. As a matter of fact, I think that amount would suffice to give a flat rate throughout the State. I know there is a big capitalisation on our water schemes, but I do not know why the people there should have to pay the whole of it. I think the capital is a little over £17,000,000, with an interest bill of between £650,000 and £660,000 per annum. That is a tremendous bill and, of course, the Goldfields water supply scheme has to carry its proportion of it. I feel that that scheme has been billed with not only what it should have been debited, but for quite a lot that should have been paid for, if not out of revenue or by the taxpayers directly, by the people here where water is so much cheaper.

I see no reason why the people who are consuming water on the Goldfields should have to meet the tremendous bill they are carrying now in connection with all the water schemes throughout the State—not only those in the metropolitan area and on the Goldfields, but those throughout the agricultural areas. They are carrying their proportion of the costs of the big irrigation schemes in this State. The distance that water is pumped from Mundaring to Kalgoorlie, is 346 miles. There are eight pumping stations, and it has to be pumped to an elevation of 1,280 feet. Because of that the cost is greater, but I cannot see any reason why, because it has to be pumped there, the people should be penalised by having to pay an extra amount, when the residents of the metropolitan area, who live on the back country, have their water gravitated to the back door.

The Chief Secretary: I suppose you have a Message for this from His Excellency?

Hon. E. NULSEN: I do not need a Message from His Excellency because the Bill, as it has been introduced, will not affect

the revenue. Water is pumped to Norseman, a matter of 430 miles, and of that distance it is gravitated for 101 miles from Coolgardie. I might state that Norseman, except for that water scheme, which the member for Boulder gave us against the advice of his Ministers and the department, would be a town with only a small population of perhaps 100 or 200 people, whereas today, owing to the far-sightedness of the then Premier and Treasurer, the member for Boulder, Norseman is a prosperous town.

Had the late Lord Forrest, when he put through the larger scheme, listened to the advice tendered to him, there would today have been no Goldfields water scheme, and in fact our Goldfields would never have been developed. We must take a far-sighted view and sometimes do things without all the security we would like to see. No-one should grudge giving the people of the outback an equal share of the necessities and amenities that only water will bring. The only way in which to do that is to put the matter on a national basis. I feel very strongly on this question and will pursue the fight for a flat rate until the rights of the people whom I represent are recognised. We can get excess water in the metropolitan area for 1s. a thousand gallons, and I think it is intolerable that people in towns such as Norseman should have to pay 10s. per thousand gallons for water.

Mr. SPEAKER: There is too much conversation being carried on. Order, please.

Hon. E. NULSEN: Citizens of Norseman pay 10s. per thousand gallons for water, whether for their gardens, their cattle, or other stock, and the mines there have to pay a flat rate of 10s. per thousand gallons. The Goldfields people have a strong case, and if it is pursued I feel sure the time will come when they will have public opinion behind them. When that happens they will receive justice. When I was a young man the Goldfields people advocated "federation or separation", because they believed they were not being treated justly. Their argument was that they were producing the real wealth while those in other parts of the State were merely fabricating it. It would be a fine gesture on the part of the new Government to give my suggestion serious consideration and agree that people in the country are entitled to the same amenities as are the citizens of the metropolitan area. Could not water supply be put on the same basis as our postal system, under which a letter posted to a suburb costs 2½d. just as does also a letter addressed to Darwin? The same principle applies in private industries, in certain cases, and a Singer sewing machine, for example, costs the same in Perth as in Wiluna. I am sure there are no reasons why that could not be done with water.

The Minister for Works: Are you sure there are no such reasons?

Hon. E. NULSEN: Yes. Sugar is sold in all capital cities at the same price and I maintain that there could be a flat rate for water throughout the State. The metropolitan area consumes about 80 per cent. of the water supplied by Government schemes in Western Australia, so the increase in the rate would be very slight, though the provision of such a scheme would make a great difference to the people of the outer areas. I think all members, even those who have lived all their lives in the city, must realise the disabilities brought about by lack of sufficient water and by having to pay too much for water. Under such conditions it is only those with large incomes who can afford all the water that they really need. Though I do not wish to labour the point, I believe that all citizens in this State are entitled to justice and to water—that they are entitled to pay a flat rate for water, whether they reside in the metropolitan area or in the outback. Such a state of affairs could be brought about by applying our knowledge and evolving a scheme to that end. Members can understand the feelings of the people on the Goldfields and those who attended the conference that I mentioned, where representatives of many public bodies met to try to persuade the then Minister to give consideration to a request for either a flat rate or a reduction in the price charged for water. The then Minister was sympathetic and those concerned are grateful for what he did.

Had the previous Government remained in office I feel sure I would have received a recommendation from the Minister for Water Supply, and that the Premier and Treasurer would have given sympathetic consideration to the granting of a flat rate for water to people in those areas. There is no doubt that anomalies and injustices exist

in the discriminatory charges for water supplied from the Mundaring Weir, though those disabilities were to a great extent rectified by the ex-Minister. In the agricultural areas water supplied from the Goldfields scheme to a farm one-quarter of a mile distant from the main is cheaper than that supplied to a farm three or four miles away. It may be said that that is right from a business point of view. Perhaps it was right, under the old capitalistic system, but it is not right now, when we wish to keep our people in the country areas.

We are now finding that most of our people are gravitating to the city where they can enjoy all those amenities that are lacking in other districts. In the metropolitan area they have not to work under adverse conditions such as are experienced by those who produce our real wealth. So we shall have to wake up and give greater consideration to the people who are producing the real wealth of the State. Otherwise, the only recommendation I shall be able to make to my electors will be to move to Perth where they will be able to enjoy all the amenities of life, including swimming and cold beer, and thus spend their leisure time under much more agreeable conditions than are possible in the back country. We should awaken to a sense of our responsibilities and put these people on an equal footing with those in the city.

I believe that every member has sympathy for the people living in the country. Everyone who has lived on the Goldfields and everyone who has engaged in farming appreciates the importance of water. They also realise that the people in the metropolitan area really owe their continued existence to the people in the country, and there is therefore no reason why those in the country should not be placed in a position to enjoy amenities similar to those available in the metropolitan area. That is all they are asking for. An all-round increase of probably 6d. per 1,000 gallons in the price of water in the metropolitan area would be sufficient to build up a fund so that a flat rate could be applied throughout the State.

I should like to give the House details of the prices being paid for water in Norseman. The member for Swan has lived in Norseman and has had actual experience of the disadvantage of not getting as much water as one would like, and probably he would be in a position to put up a more vigorous case for the Bill than I am doing. However, the domestic rate, with the rebate, at Norseman is 6s. 8d. per thousand gallons. Excess water is charged at 5s. per thousand for the first 5,000 gallons and 3s. per thousand for the rest. Dairymen and gardeners are charged 10s. per thousand; mines, a flat rate of 10s. per thousand; for street watering the Dundas Road Board, under a special agreement, pays 7s. per thousand; the Norseman hospital, a semi-Governmental institution, pays 3s. per thousand, and at the standpipe the price is 15s. per thousand gallons.

The Minister for Works: Are those amongst the prices reduced by the previous Government?

Hon. E. NULSEN: Prices were greatly reduced by the previous Government, especially the charge for domestic water, the reduction for which was 33⅓ per cent.

The Chief Secretary: You feel that this Government is more efficient and could go a bit better.

Hon. E. NULSEN: I do not think it is more efficient, but I believe it has a heart.

Hon. F. J. S. Wise: Where do you come from?

Hon. A. H. Panton: How do you make that out?

Hon. E. NULSEN: The Labour Government did show that it had a heart by making a reduction.

Hon. F. J. S. Wise: The Minister for Works is a hard-looking citizen.

Hon. E. NULSEN: But he has a kindly smile. I believe the Government will give sympathetic consideration to my request. This is not something that has emanated from me; it is not something being done by me to ingratiate myself with my electors. It represents a definite request from my electors, who feel they have a just claim to be treated on the same basis as are the people in the metropolitan area. They feel that they have suffered many adversities by reason of living in the back country, that they have done a good job towards developing the country and that consequently the people of the metropolitan area should give consideration to those engaged in an industry producing a very important commodity, one that we cannot do without, one that ranks second amongst the commodities we produce. If a man

were prospecting in the bush and found a mountain of gold, however, it would be of little value to him if his water bag were empty, and so I am asking for greater consideration in the matter of the water supply to the Goldfields.

Hon. A. R. G. Hawke: The people who get water cheapest in this State are those in the Murray-Wellington area.

Hon. E. NULSEN: I commend the measure to the House and move—

That the Bill be now read a second time.

On motion by the Minister for Water Supply, debate adjourned.

BILL—PUBLIC TRUSTEE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. NULSEN (Kanowna) [8.18]: This Bill treats with quite a different subject from the one I have just introduced. The Public Trustee Office, from its inception, has been a great concern of mine. I introduced the original legislation, and have given much consideration to the conduct of the office. The Attorney General, when moving the second reading, gave a fair exposition of the desired amendments. The office was opened on the 1st July, 1942, with a staff that totalled only 11, which number has been increased to 58. The revenue at the inception was £3,000 and has increased to £14,000 a year. Members will appreciate that, after the office has operated for five years, quite a number of weaknesses from an administration point of view have been found in the Act. I considered all these amendments before I left office—they were recommended by the Public Trustee—and found they were necessary to facilitate administration, especially of small estates. It is very important to distribute estates to the beneficiaries as quickly as possible and these amendments will attain that end.

As the Attorney General has explained the Bill to the House in a quite understandable way there is no need for me to go into details. The recommendations made by the Public Trustee to the Attorney General are on lines very similar to those made to myself. I have perused the amendments carefully and am of opinion that all necessary safeguards are provided. The Bill will have the effect of facilitating the work in the office and of reducing the cost of administration. What is more important, its effect will be to quicken the administration of estates; one matter that has caused the officers grave concern being the length of time required to wind up an estate. I am sorry the Attorney General did not include another amendment in the Bill, one dealing with temporary officers. In 1942, as most young men were away at the war, a number of temporary officers were appointed and they had the advantage of receiving training in the Public Trust Office work. Those officers were efficient in every way. In view of that experience, I came to the conclusion that the Public Trustee ought to have greater control of his staff. The staff, of course, comes under the Public Service Commissioner and, when a public servant is to be promoted, if there is an opening in the Public Trust office he is sent there. This practice does not conduce to efficiency by any means.

I maintain that the Public Trust office should be staffed by specialists, otherwise the work will not be done as efficiently as it ought to be. In my opinion, the approach of some of these officers is not what it should be. The staff of the Public Trust office should be appointed in the same way as is the staff of the Rural and Industries Bank. I hope the Minister will give consideration to this point. I do not wish it to be thought that I am speaking in any derogatory terms of the Public Service Commissioner. He has a job to do; but if there are public officers who are entitled to promotion, he is bound to appoint them to the Public Trust office if there is a vacancy there. When I was Minister, I found—although this might not be quite correct—that an officer sent to the Public Trust office on promotion would probably deal with only 45 estate files against 60 or 70 dealt with in the same time by an experienced officer. That makes a considerable difference to the turnover.

The only way in which we can attain efficiency is to train a staff for this work and promote the members within the office itself. I am not depreciating officers who are sent to the Public Trust office to receive promotion; they might be quite able in many ways but might not have specialised in this particular work. Again, an officer may be working in the Public Trust office for some time and be anxious to secure promotion

there, but he may be promoted to some other branch of the service instead. I hope the Attorney General will give consideration, if not during this session then later, to placing the staff of the Public Trust office on the same basis as the staff of the Rural and Industries Bank. The work in the former office is even more specialised than is the work in the latter. I support the Bill.

On motion by Hon. E. H. H. Hall, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

MR. PERKINS (York) [8.27]: There is only one aspect of this Bill to which I wish to refer and it is one that I commend to the consideration of the Minister for Education, who is in charge of the Bill. A question has arisen in certain country districts as to the licensing of school buses. The Education Department has provided certain specifications with which school buses must comply. One of the specifications is that the back door of the bus shall have no handle on the inside; the rear escape door can only be opened from the outside. The reason for this is the danger that kiddies, while playing in the bus, might accidentally open the door and some of them might fall on the roadway with consequent injury to themselves. School buses are licensed as omnibuses under the Traffic Act and certain local authorities have raised the question of what their position would be if a serious accident occurred after they had licensed the buses under the Traffic Act as buses, when in fact they did not comply with the definition of an omnibus under the Act.

The regulations governing omnibuses provide that there must be an escape door at the rear of the bus which can be opened from the inside. At least one secretary of a road board asked me what his position would be if one of these school buses crashed and blocked the front entrance, pinioning or seriously injuring the driver, and the bus then caught fire. If the children were not able to escape from the bus and there was a tragedy and all were burnt to death or seriously injured what finding the coroner might reach in such a case? Obviously such road board secretary would have licensed the bus as complying with the Traffic Act when, in fact, it did not do so. I do not know that the question is ever likely to arise, but it seems to me that some action should be taken to provide for this very special case. I have had some discussions with the Minister for Education who is in charge of this Bill and I understand he thinks the matter can be covered by regulation. I have raised the question—

Mr. Marshall: That does not obviate the danger.

Mr. PERKINS: No. Possibly it is not entirely satisfactory. But I thought it wise to mention the position here so that other members who have school buses running in their electorates will know what the position is and that any action taken to deal with it may be such as to meet with the approval of the House generally. Perhaps I should have said in explanation that the attitude of the Education Department is that if there is an accident the children can break the glass panel in the back door to reach the catch on the outside and so get the door open. I am not entirely satisfied with that reply but I have raised the question in the House so as to make other members aware of the position, and also to ventilate the objection which at least one road board has taken to licensing these buses as omnibuses when, in fact, they do not comply with the definition of omnibus in the Traffic Act. I think it is necessary that some action be taken. I do not propose to make any reference to the other portions of the Bill. In fact, this point is not touched on in the measure, but as the Bill is to amend the Traffic Act I take it that provision could be made to cover the point I have raised.

THE MINISTER FOR LOCAL GOVERNMENT (Hon. A. F. Watts—Katanning—in reply) [8.43]: There are really only two matters which have been raised during the debate to which any reply is required. One was raised by the member for Northam and it is my intention to ask the House to go into Committee and report progress when we reach the clause to which he referred, as I shall have available tomorrow the information he requires and to which I think he is entitled. The other point has just

been raised by the member for York. It does not concern anything which is in the Bill. The hon. member has already discussed the question with me, and I see quite plainly the difficulty facing a local authority in being required or asked to license an omnibus for school purposes which does not at the moment comply with the regulations regarding exits from omnibuses as made under the Traffic Act. But by regulation provision could be made whereby such vehicle could be licensed as a school omnibus. The only question that arises then, as I think the hon. member admitted, is whether the specification as provided by the Education Department in respect of school buses is more desirable than the specification for a rear door exit made under the Traffic Act in respect of other omnibuses and applying, in fact, at present to all omnibuses.

I think there are very strong grounds for the belief that the Education Department has been wise in providing in its contracts and conditions regarding school omnibuses that the rear door should not be opened from the inside. We know the position. There is no conductor of these buses. They are driven by men who are responsible people and who have a wonderful record in the very few accidents that have taken place during the time school buses have been running in ever-increasing numbers. In fact, the buses are increasing considerably even at the present. The department contends that if the door were easily to be opened from the inside in those circumstances, a playful child—and I hope there are many playful children—would be quite likely to open it and fall out, whereas if it could only be opened from the exterior, that danger would not arise. It may be, as the member for York suggested, that in the event of a serious accident taking place to the vehicle, it would be a little difficult for one of the children to break the glass panel and have the door opened from the outside in the absence of some other person to open it; but the record of the school buses does not disclose any appreciable number of accidents—in fact, hardly any at all—and the only alternative I can see to the present departmental conditions in regard to school buses is that there should be no rear door at all, in which case this problem does not arise.

I cannot bring myself to believe that it is desirable to have only one exit toward the front of the vehicle on the side. Nor can I bring myself to believe that to have a handle on the inside door in the circumstances under which school buses have to be conducted is desirable either. So it seems to me that on balance—and goodness knows I am anxious that the best possible measures should be taken in a case of this nature—the best course to pursue would be to provide a regulation enabling a licensing authority to issue a license for a school omnibus on being satisfied that the rear door is of such a nature that there would be no great difficulty in opening it from the outside in the event of trouble, supposing—as one must suppose—that there were at least one or two intelligent children in the bus who could, in that unlikely event, take steps to liberate themselves.

I propose to discuss the question of a regulation. In fact, I have already commenced to do so, with a view to trying to put the matter in order, primarily to relieve licensing authorities from an obligation on which I think they have to insist, that the provisions of the regulations be carried out in regard to the specific vehicle they are licensing. When the regulation comes before the House, as it will, if any fresh evidence has been brought forward, or any better method of dealing with the problem is available, I shall be happy to hear it and will be quite willing to submit a new regulation if it will be for the benefit of the school bus youngsters and those who have to drive the buses in various country districts. Beyond that, I think no great problem has been raised in connection with this measure.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 4—agreed to.

Progress reported.

BILL—STATE HOUSING ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

HON. F. J. S. WISE (Gascoyne) [8.52]: This Bill, which was introduced by the Premier, contains three provisions to amend the State Housing Act introduced last year. They are very interesting amendments. One is obviously designed to give effect to the expressed wish and policy of the Government—although since its introduction a day or two ago the Bill has already received some review—of appointing women to boards of this kind; and, in fact, to boards of all kinds. A most interesting feature about this part of the Bill is that on today's notice paper I find that the Premier has had a sort of afterthought—and I think it must have been an afterthought under much pressure, and that he has been squeezed into the position of adding still further to the Housing Commission—because in addition to his desire to appoint a woman he now wishes to increase the personnel of the board to seven, to include a discharged member of the Forces as defined in Section 4 of the Re-Establishment and Employment Act.

I would think, as I said last year when introducing the Bill, which is now the Act of this State, that a prerequisite of no small importance to a board, which is almost solely administrative in its purpose, is that its members should be men skilled in administration, particularly along the lines of the organisation or authority they represent. The State Housing Commission, the personnel of which is identical with the persons who constituted the Workers' Homes Board, consists of men who have had a long experience, not merely of the work associated with the board and the Commission, but also in administration. At this stage, I am not disposed to give to the proposed addition of a woman to the board the same opposition as I was from the other side of the House, because, as I stated in this Chamber on the occasion of my initial speech from this side, I am anxious in any reasonable way to assist the Government to give effect to its expressed policy; although I do not think that the addition of one woman, or two, will give added strength and ability on the administrative side.

I do not intend to vote against the proposal as expressed in the Bill for the appointment of one woman. But, I repeat, it is rather strange that, some days after introducing the Bill, the Premier desires to delete one of its clauses for the purpose of substituting another, so that instead of the board consisting, as it now does, of five persons, it shall be comprised of seven. Since it is the principle of the Government to appoint a woman, or women, if the board is to be composed of seven, it might well be that the two additions could be women. That is something to which the Premier might give consideration. If he insists on giving effect to his policy to the extent of adding a second person, that second person might also be a woman.

Mr. May: An ex-Service woman?

Hon. F. J. S. WISE: Yes. I am not suggesting he will gain much benefit from such a proposal. Already, attached to the Housing Commission is a woman in the place where her advice and skill in design are most appropriate. The board has a woman architect, and has had for some years. There can be no argument raised that in the future, when the Commission resumes the construction of homes for sale, the advice of a woman on the Commission will be of very much importance, for the reason that such homes will be constructed to designs selected by the persons who are the intending owners. Although there are standard plans submitted by the Commission for the consideration of these people, the woman of the family will, at that stage, modify the plans according to her tastes and desires, in spite of there being a woman architect.

The second amendment proposed in the Bill is also very interesting, and if one were of the mind or in the mood to be facetious about this it would be worth noting that the second Bill introduced into this Chamber by the Premier contains an express provision to make arrangements for the increase in the cost of home-building. We all recall the flamboyant advertisements dealing with this subject, and I mentioned the other evening how amused I was when listening to the stress he placed on the necessity for this provision and how at election time it was said, "Prices rise with Wise!" It was therefore interesting to note now how it must be arranged for prices to rise with McLarty. This clause anticipates a resumption by the Housing Commission of building houses for sale, and though the Premier did not express it in those terms, that can be the

only purpose of the clause, because under the Commonwealth-State Housing Agreement it is not necessary to have the limitation expressed in this statute.

The Premier is amending the existing section to increase the limit of the cost of homes, as now expressed, from £1,250 to £1,500, and that, I take it, is only in anticipation—as soon as appropriate and as soon as it can possibly be done—of a resumption of the construction by the Commission of homes for private ownership. I can find no objection to giving the Premier that authority. It expresses very forcibly the increasing costs of home building in every branch or section of that industry. I doubt if we can get the workers—in spite of the prospective increases in wages—ever to be able to afford, as workers, homes that will now be possible under this provision in the housing legislation of Western Australia.

How can a man on slightly more than the basic wage, by any arrangement other than that provided in the Commonwealth-State Housing Agreement, which makes provision for an economic rent based on family income, ever possess his own home? There is little prospect of such a man, within his average lifetime, ever being able, after paying a small deposit for a home costing £1,500, to own it. Side by side with the activities of the State Housing Commission it will be necessary, it appears to me, to have a continuation of such an agreement as now exists between the Commonwealth and the State, making provision for a specific rent to be paid under the formula provided in the agreement, which allows a person, of great family responsibility and low income, opportunity of living in a home at a reasonable rental, though it may not be possible for him ever to own that home. I anticipate that side by side with the provisions—some of them very generous—introduced and embodied in the State Housing Act of 1946, there will be a continuing necessity for houses to be built for rental, particularly, I hope, with a subsidy and assistance from the Commonwealth Government, such as now obtain under the existing agreement.

Although we have now changed the title of the instrumentality from "The Workers' Homes Board" to "The State Housing Commission," it is more appropriate, now that it is necessary to have values as high as £1,500, that the Workers' Homes Act should not be the title of the statute governing the control of this authority. In spite of the hopes—I would express it in a kindly way—of the present Government in relation to housing, I suppose its prospects as well as its achievements have been one of its greatest worries and disappointments, as it had no knowledge, I submit, of the problem with which it was faced and the magnitude of the undertaking in the matter of home building. Be that as it may, it is an important responsibility of the Government to take every precaution necessary to keep building costs as low as possible.

The Premier: Unfortunately there are many costs that we cannot control.

Hon. F. J. S. WISE: Exactly, but the Premier will know that had it not been for the arrangement of his Government's predecessors with the Master Builders' Association, the Government would today be paying approximately £200 more for each home contracted for under the Commonwealth-State Housing Scheme, if let out to small contractors. The Premier knows that the agreement between the previous Government and the master builders of Western Australia has kept building costs lower than those obtaining in any other State. It is all very well to be glib about housing costs in other parts of Australia, and to make fair or unfair comparisons when the time is appropriate, but the bald fact is that in no other State are housing costs lower than those of Western Australia. The Premier knows how difficult it is for him to get newcomers as tenderers and contractors for buildings.

I know that tenders recently called met with little response. I have heard from a master builder—I am not sure whether he had a full knowledge of the facts—that in the case of tenders recently called for the building of many units of wooden homes, the Housing Commission did not receive a single tender. If that be so, it is a duty of the Government to face up to and meet the responsibility involved in the target that this State has set for house building. I do not wish to be unfair, unkind or brutal in dealing with this matter and I realise, as the Premier knows, the great worry and responsibility attaching

to the housing programme within the limits of labour and material available.

The Premier: The Commonwealth Government target in this State for the period from September of this year to June, 1948, is 3,000 houses of all classes.

Mr. Styants: There are plenty of targets, but not many bulls' eyes.

The Premier: And the target for the Commonwealth, for the same period, is 52,000 houses.

Hon. F. J. S. WISE: They stepped that up from 30,000 in the last 2½ years. I doubt whether the allocation can be realised for Western Australia in the light of the circumstances.

The Premier: We are finishing houses at the rate of 2,600 per year now.

Hon. F. J. S. WISE: I think the Premier will concede that that situation is a legacy kindly left to his Government.

The Premier: But we have done something.

Hon. F. J. S. WISE: That is so, but if the Premier is fair in analysing the figures he will admit the point I made, that by the arrangement with the master builders made by the previous Government he has been placed in a fortunate position regarding costs, through that agreement assuring the builders quantities of homes to build if they are prepared to tender, and through an agreement having been reached on basic prices. Knowing as I do—from the inside as well as the outside—how the plans were laid and the best efforts were given, not only by officers but by Ministers, I am fully appreciative of the problem facing the Premier.

I come now to the third principle embodied in the Bill, which is to provide, if necessary, for an agreement to be made with local authorities in order to assist them in the construction of roads. I can see no objection to that principle. As the Premier knows, I had entered into negotiations with the Local Authorities Association, and the officers that are now his have had many consultations with Mr. Black, who was chairman of the Local Authorities Association, in an effort to find some way out of the difficult position facing local authorities owing to the strictures inflicted by the Road Districts Act and the Municipal Corporations Act. Unless the ratepayers agree to the floating of a loan, no matter how desirable the proposition may be, there is a likelihood of no progress being made in the construction of roads necessary to provide the opportunity for building in very many suburbs. What this proposal means is that, by agreement with the Housing Commission, a local authority can obviate the necessity of asking all its ratepayers to approve of money being raised to construct roads in new areas. Of course there is a responsibility if the roads affected are gazetted roads. The board or council as the case may be has the responsibility at first but, if the area is a new subdivision, then the provision in the Bill must apply.

I hope that the difficulty associated with the floating of loans will be met by the provision contained in the Bill, which is made complementary to the legislation introduced last evening by the Minister for Local Government. There is nothing to compel a local authority or either party to enter into an agreement; it is a matter for mutual arrangement. So I think that, regarding the many areas of land formerly subdivided and land not subdivided but held by the Housing Commission, the provisions of this Bill and of the other two Bills presented to the House last evening must be a step in the direction of assisting to get roads and, having got roads, to cheapen home construction. When the Premier was moving the second reading of the Bill, I asked by way of interjection how he intended to finance these grants to road boards for road construction. I suppose the money will come from the funds of the Commission itself—

The Premier: That is so.

Hon. F. J. S. WISE: —whatever may be their source. There is always the right, if there be the necessity, to increase the funds available to the Commission, but it may be that the earnings from the homes built in a particular region will cover at least the interest charges on the money advanced for the construction of roads. Therefore, in a general way, I support the Bill. I can see that part of it is the result of promises made by the Premier at election time and that the rest of it is based on the necessity with which he will find himself faced in future.

MR WILD (Swan) [9.3]: I support the second reading because, as a private member, I have been and still am very critical of the working of the Housing Commission.

In my maiden speech in the House, I expressed the hope that I would not criticise unless I could be constructive. If I offer a little criticism this evening, I wish at the same time to commend the Premier as Minister for Housing, because I believe he is taking a step in the right direction by doing something.

I well remember when, many years ago, I received my first stripe in the Army. A very old soldier came to me and said, "Now, Wild, you have two responsibilities. Firstly you must remember that you have authority and must use it and, secondly, you must take action and do something. Do not sit and do nothing." I feel at this juncture that it would be wrong for me, having been a member for only five months, to say what I think about the Housing Commission, but to be quite frank, I have not yet made up my mind what is wrong. In common with many other members, however, I am far from satisfied with the present set-up. Whether it be the personnel of the Commission, whether it be the great amount of work it has to do that precludes it giving time to individual applications, or whether it be bad administration, I am not going to express an opinion at this stage, but I hope on some later occasion, when I have been here longer and when I have been able more fully to appreciate the situation, to offer some constructive criticism.

Private members receive many complaints regarding priorities. One has only to look around the city of Perth, particularly in my electorate, to see trotting stables, garages, brick walls, large houses, even mansions accommodating very few people being built. This prompts the thought that there is something wrong with the system of allocating the material. I do not for one moment suggest that the gentlemen of the Housing Commission lend themselves to anything that should not be done, but one cannot blind oneself to what one sees, and it is a fact that this sort of thing is going on. I sometimes think that the members of the Housing Commission have too much to do. The chairman of the Commission is chairman of four or five other boards, in addition to being Under Treasurer, which, I should say, must be more than a full-time job for any man, let alone being chairman of a Commission dealing with one of the greatest economic crises experienced in this State in our time.

If we are building 2,000 houses a year, it is reasonable to assume that, provided the Commission meets weekly, it must be considering 40 applications at each meeting, and if it meets only half-a-day or two half-days a week, it follows that the members of the Commission cannot give very many minutes to each case. I feel that their difficulties are multiplied when people are given priority. A man is told that he has been given priority and that, when his turn comes, he will be given a house. Meanwhile, before that great day arrives, other families have come probably from the country or the Goldfields, and so the man with two children who, at a certain date, seemed likely to get a house in one or two months, suddenly finds that he has slipped back 20 or 30 places, and so it goes on.

I have met very many people who have had priorities for two years, yet every day they are slipping further back. The appointment of a lady to the Commission I feel will at least give a womanly touch to it; but I am afraid I cannot agree with the Leader of the Opposition when he suggested that a woman would be able to discuss the architecture of a house, etc. Quite frankly, I do not think that was the reason for appointing a woman to the Commission; I thought she was appointed to give a womanly touch to it. For instance, if a woman with four children applied for a home, the woman member of the Commission might think she should receive one before another woman with only three children.

Hon. F. J. S. Wise: My statement was that already there was a woman architect employed by the Commission.

Mr. Hegney: And a very good woman, too.

Mr. WILD: I have no doubt. I am not in any way suggesting she is not. The Leader of the Opposition said that he was not very much in favour of the increase in the personnel of the board. From an administrative point of view, I admit that I would prefer one member, because he would get a lot more work done.

Hon. A. H. Panton: Hear, hear! Not a debating society!

Mr. WILD: On the other hand the more members there are on the board the less opportunity is there to get bad recommen-

dations through quickly and unnoticed. By another clause of the Bill it is proposed to raise the amount of the advance for a home to £1,500. Again, I am afraid I cannot agree with the Leader of the Opposition when he referred to "Rise with Wise." Now it is, "Rise with McLarty!" Here I must say that I think these rises are entirely out of our hands.

Hon. F. J. S. Wise: You did not think that way before.

Mr. Triat: No.

Mr. WILD: Before long I think that an advance of £1,500 will be found insufficient. I venture to say it will not be long before we are asked in this Chamber to raise the amount to £1,750.

Hon. F. J. S. Wise: The Commission recommended £1500 to the previous Government.

Mr. WILD: A working man cannot afford to pay £1,500 for a house; it would take him all his life to pay off the amount. Nor, however, can I subscribe to the statement of the Prime Minister of Australia that no working man should own a house, but should rent it.

Hon. F. J. S. Wise: I do not think he ever said that.

Mr. WILD: Although a man may take 25 or 30 years to pay for a home, he has an equity in it; but if he is paying 25s. a week rent he can never own it. I support the Bill.

Hon. J. T. Tonkin: Do you think that 25s. would pay off any home in 25 years?

MR. TRIAT (Mt. Magnet) [9.13]: In common with other speakers I realise the importance of this measure. I also agree with those speakers who have said that the acquisition of a house is one of the first functions of any married couple, who would thus be able to say, "This particular piece of ground and this house are our property. Whether the home is good, bad or indifferent, it is ours and nobody can put us out of it." But, as the member for Swan said, the present high cost of building will definitely prevent people from owning homes. No wage-earner in the metropolitan area can hope to own a home at the present price, and very few people in the middle class station can afford to pay £1,500 for a house. Therefore, it is not a question of buying or owning a house; it is merely a question of renting one to provide shelter from wind and rain. I can remember when houses were built in Western Australia—substantial brick and stone houses—at a maximum cost of £400. They were erected in the metropolitan area and are standing today, and they were built by skilled workmen.

The Chief Secretary: Bricklayers in those days laid 1,000 bricks a day.

Mr. TRIAT: At the present time, the class of house which in those days cost £400 costs £1,250, but the house is not as substantially built, the rooms are not as large, the walls not as thick and the ceilings not as high. Altogether the present-day house is an inferior type, although it involves three times the cost. When the Premier was asked to assign a reason for the increase in building costs, he said the basic wage had a lot to do with it.

The Premier: It was one of the factors.

Mr. TRIAT: But in my opinion only a small factor. It is not a big factor by any means. Many factors enter into the increase in the cost of building today. One big bugbear is the interest rate. A man who deposits a few pounds in a bank can only get about 2½ per cent. interest for his money.

Mr. Marshall: No, 2 per cent.

Mr. TRIAT: I think that is the Savings Bank rate. I have not any money, otherwise I would know what the interest rate is. A person borrowing money to build a home, however, has to pay 5 per cent. interest. The Premier says he hopes the rate will be reduced to 4¼ per cent. That rate is too high. If a man cannot get more than 2 or 2½ per cent. for his money on deposit in the bank, I do not think a person borrowing money to build a home should be charged 4 or 5 per cent.

Mr. Bovell: Interest rates are controlled by the Federal Treasurer.

Mr. TRIAT: I grant that they are to a great extent at present; but before the interest rates were controlled the rate was 7 or 8 per cent. The banks now are certainly a little more reasonable than they were before, but the rate is still too high.

Several members interjected.

Mr. TRIAT: It is astonishing the number of bites one gets when one talks about interest. Everybody is anxious that a working man should get a home; but when one talks of interest there is an uproar on the other side of the House.

Mr. Fox: They must have thousands in the bank.

Mr. TRIAT: More than I have! I am sincere in my opinion that the interest rate should be definitely lower. Whether it is possible for the State Government to take steps to lower the rate or not I cannot say. If the bank rate of interest is 2 or 2½ per cent., there is nothing wrong with lending cheap money for the purpose of building homes for the people. That is most important, of course. In 1939, a four-roomed house cost £764; in 1947 the same type of house costs £1,129, an increase of £365. That is a shocking increase, yet the member for Swan pointed out that he was anticipating the advance for a home would have to be increased to £1,750. Quite recently tenders were called for a number of houses, but none was received. Therefore, in addition to the shortage of building material we have a shortage of builders. People are not prepared to take on contracts for building houses. Whether it is because they are not satisfied with the profit they can make out of building homes I am not sure. I am not conversant with the building industry, but surely we have sufficient young men in Western Australia capable of building homes. Not a great amount of skill is needed to build a house.

The Chief Secretary: You know that returned soldiers are not allowed to be trained for this purpose.

Hon. A. H. Panton: We know that returned soldiers will not be employed when they are trained.

Mr. TRIAT: Many men who went to the war were builders and are still prepared to carry on their trade.

The Minister for Education: Are they registered builders?

Mr. TRIAT: That is the class of man who can be put on to building homes. There is no great skill required to build a wooden house. A carpenter can build one without great difficulty.

Hon. A. H. Panton: What about building one of Yates's cement brick houses?

Mr. TRIAT: They would be quite suitable homes.

Hon. A. H. Panton: With a verandah all round.

Mr. Nimmo: The banks will not advance money on it.

Mr. TRIAT: This phase of my speech concerns people in the metropolitan area. I can never understand why there was such a great rush to build all the homes in the metropolitan area and none in the country.

The Premier: None in the country?

Mr. TRIAT: By comparison with the number of homes built in the metropolitan area, practically none is being built in the country.

The Premier: Most of the people live in the metropolitan area, of course.

Mr. TRIAT: The people are being induced to live there. Go to the Goldfields and see how many homes are built! There are none at all.

The Chief Secretary: There is the same number proportionately.

Mr. TRIAT: Not one home has been built in my electorate since the Housing Commission has been in existence, so how can the Minister say a proportionate number has been built? If that were so, then there must have been none built in the city. I find the greatest difficulty in my district in getting building materials for people to erect homes for themselves. Materials are unprocurable there; there is not even the material available to build a shelter shed for a school. I support the idea of building homes and a Housing Commission that will do something in that direction. I also support the suggestion of the Premier that a woman be placed on the Housing Commission. I have always had a lot of time for ladies.

Members: Hear, hear!

The Premier: I promise you we will put a good one on the Housing Commission.

Hon. A. H. Panton: She will not be interesting if she is very good.

Mr. TRIAT: I am not joking about it. I am fond of the ladies; they are entitled to every consideration.

Hon. A. H. Panton: You will get houses on the Murchison now, I bet!

Mr. TRIAT: I hope we do. I think everyone realises that the modern woman is different from the woman of 40 years ago.

Hon. A. H. Panton: I do not know so much about that!

Mr. TRIAT: I may be talking from a different angle from that taken by many other members. I am talking—

Mr. Marshall: From experience!

Mr. TRIAT: I am talking of the position of women today in industry and science and everything else. We find that ladies have taken up work as architects. We have been told that there is a lady architect associated with the Housing Commission. I suppose that 40 years ago we would never have heard of such a person as a qualified lady architect, not for building houses.

Hon. P. Collier: There are few architects of the kitchen amongst them.

Mr. TRIAT: They study modern domestic science and should have a certain knowledge of the kitchen. A lot of ladies, too, are lawyers.

Mr. Rodoreda: Are they better lawyers?

Mr. TRIAT: I do not know.

Mr. Rodoreda: Ask the front bench; they will tell you.

Mr. TRIAT: There are very efficient lady doctors. By and large the female of today has advanced in a great many ways and has taken her place in the ordinary economic and social life of the country. I do not see why there should not be a lady on the Housing Commission. Any ordinary intelligent woman would have no difficulty in filling a position in which she was required to say that Bill Jones was entitled to a home because he had six children and Tom Smith was not entitled to a home because he had only three children. But the lady appointed to this Commission will have to be an Amazon.

Hon. J. B. Sleeman: What is that?

Mr. TRIAT: I think the member for Fremantle would know what Amazons are; he has had a lot to do with them. Fancy a board of seven people with only one lone lady on it!

Hon. A. H. Panton: There is only one lady in this House and see how she has got on.

Mr. TRIAT: She may be an Amazon too. I do not know. I can visualise a Parliament composed entirely of women. Just fancy that! It may occur; we may have a full Parliament of women, with one lone man.

Mr. SPEAKER: Will the hon. member please stick to the Bill?

Mr. TRIAT: I am sticking to the Bill. I am talking about what would occur in such a Parliament. Suppose that Parliament appointed a board consisting of ladies and then some member thoughtfully suggested that a male should be placed on it?

Hon. F. J. S. Wise: The man would be bored!

Mr. TRIAT: I can imagine what sort of a job they would have to get a man on such a board. What chance would he stand of having a say? If there were six other women on the board he would never get a word in!

The Chief Secretary: You do not think the reverse would apply?

Mr. TRIAT: No. I think women are more delicate and sensitive. Most males have not knowledge but they have plenty of bombast and they get away with it.

Member: That is a nice thing to say!

Mr. TRIAT: But a lady is not like that. Unless she is an Amazon she has not the toughness of a man; she is kinder and gentler.

The Chief Secretary: She usually gets a word in!

Mr. TRIAT: Occasionally! I am not joking. I would like to ask the Premier to give consideration to the desirability of appointing two ladies to this Commission. One woman would not have any backing, and with no companions she would lack moral courage; and when a lady is appointed I hope she will not be from the city.

Hon. F. J. S. Wise: The member for Beverley will support this.

Mr. TRIAT: I hope she will represent country interests.

Mr. Fox: One who has reared a big family.

Mr. TRIAT: Yes, she would be more capable of serving on the board because she would have a good deal of knowledge. I suppose there is nobody who does not realise that 95 per cent. of the homes in any civilised country are ruled by women and not

men. The man brings home a few pounds and hands over the money to his wife and she has the responsibility of spending it and running the home. I believe a woman's influence in the home is more important than a man's. She does not join a club. Perhaps she goes to a party occasionally, but her life is mainly spent at home. For that reason it would be a good thing to appoint a second woman to this Commission. One woman would be of no consequence at all. Unless the other members are real gentlemen she will not get a word in. I know what it is to be in an executive position. There is nothing gentlemanly about it, and one feels one is the only pebble on the beach. When the Premier replies to the debate, I hope he will give consideration to my suggestion and will not treat it as a joke.

MR. YATES (Canning) [9.27]: I wish to add my quota to the remarks of previous speakers. I listened attentively to the member for Mt. Magnet. He started off very well indeed. He mentioned that long before the war a good substantial home could be built for £400: that homes were built in those days to last. A number of those homes, after having been up for 30 years will be found to be still very substantial and to have many more years of life. But a home built in the last ten years already shows signs of disrepair. That is evident in a number of buildings that have been erected under the Commonwealth Housing scheme. I have seen some of them with cracks from the foundation to the ceiling. I have seen them with floors lifting and doors jamming and quite a lot of other defects; and these things have been apparent in supposedly new homes. Can we blame the shortage of materials, or the greenness of the timber for these things? Can we blame the tradesmen? Can we blame the speed at which these homes have been built? I think we have to go further than that.

In the days before the war, homes that were built at a small cost were erected leisurely. The necessity for houses to be put up speedily did not then exist. A couple desiring to be married would go along to an architect or arrange for the purchase of a home from an estate agent. They would take their time because they knew that they had a choice of locality and of type of home. In some cases they arranged easy finance, even though it may have been at 7 per cent., which was sneered at a moment ago. But 7 per cent. in those days on a smaller amount turned out to be a much cheaper proposition than a smaller rate of interest on a larger amount today, and those people paid for their homes in ten or fifteen years. The hon. member also mentioned that people will build in the metropolitan area in preference to the country, or that they prefer to come here rather than stay in the country and that, therefore, homes are not being built away from the city.

The Premier: But they are.

Mr. YATES: I am certain that if inducement is offered in the country, not only through home building, but by way of amenities for the men who produce the timber at the mills, and for the miners on the Goldfields—and they have been getting more amenities than people in other industries—people will go, within reason, to any part of the State.

Hon. A. R. G. Hawke: The main difficulty is to get contractors to build in the country.

Mr. YATES: Yes, that is so today. That has been proved by tenders being called for jobs in the country and no tenders, in some instances, being forthcoming. It boils down to this, tat the present dislocation in the house-building industry, the complaints we are receiving from people regarding the composition of the Workers' Homes Board and the civil servants who control the materials section, the rental section and so on, are all part of the aftermath of the war. I am certain that the war has played the biggest part in the tragedy of today.

Mr. Rodoreda: Your leader does not think that.

Mr. YATES: I am not worried about what other people think. I am certain that that is the cause of the present major problems.

Mr. Rodoreda: We are all certain of that, if we are honest with ourselves.

Mr. YATES: That is true. I am sure that our Government is on the right track, and the Leader of the Opposition has been quite generous in saying that he is prepared to give us a go. Therefore, we feel that in placing a woman on the Commission, we will

do some good. I refute the statement that amongst a number of males, one woman would not have much say and that, therefore one lady on the Housing Commission would not have as much say as the men. Yesterday I attended a deputation to the Minister for Transport, that consisted of five men and one woman, and I am quite certain that the Minister will agree with me when I say that the woman was the power and force of the deputation, and she had the most to say.

Mr. Triat: I said there were exceptions.

Mr. YATES: And what she talked about contained a lot of sense. If, on the Housing Commission, we had a woman similar to her, we would get results. I feel that the increased costs borne by the worker today will be further increased by the shorter working week, which I am not against, as I previously stated. I said that the time was not ripe for it, and I am still convinced of that, but I am not the slightest bit put out now that it has come about. It is up to the worker to prove that the 40-hour week will be of benefit to the community. I look forward with interest to the activities of the unionists of this State and of the Commonwealth to show that it will be a benefit to us. If it is, then other benefits will follow, but it will not prevent increased costs of production. Wages are rising and the working week is going down, and the balance will never be struck.

The chances of homes in the future being cheaper for working people are very remote. I think the price of a home for a working couple will be about £1,500 and we might say that they will never possess their own home. But if they pay a deposit on it they will know that they will not be able to be turned out so long as they maintain their regular payments off the capital sum, and the home in which they are interested will eventually pass to their children. Although it may not be paid for in their lifetime, someone in the family circle will eventually benefit by their act. Even if costs do rise, and homes become prohibitive, in accordance with the wage of the average person today, I still believe that people would feel and be much safer, and have better prospects for the future if they owned their home and could say to themselves that every pound they put into it would be a pound set aside for themselves or their children in the years to come.

On motion by Mr. Graham, debate adjourned.

BILL—PUBLIC SERVICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

MR. GRAHAM (East Perth) [9.37]: The most pleasing feature of this Bill, about which I do not propose to say a great deal, is that it proposes to make long service leave statutory, whereas previously, as members are no doubt aware, it has been permissive—although I do not think that at any time there has been any question as to the rights of civil servants to enjoy the privilege. Where I do find a certain measure of disagreement with the Bill is in connection with the proposals to allow almost unlimited accumulation of long service leave. I say that because it is proposed that civil servants shall, under certain conditions, be allowed a period of 28 years' service, at the expiration of which they will be entitled to enjoy 12 months' leave on full pay.

I agree that on account of the circumstances arising out of the war, when many officers were unable to take their long service leave, and some had already qualified for six months, and would, in some cases, now be just about due for a further three months—and yet it may be inconvenient to the department for them to be spared—it is necessary as a temporary expedient to allow such civil servants to accumulate a total of 12 months' long service leave so that they would not be penalised on account of the war-caused circumstances. But that is exceptional, and I am definitely opposed to any proposal to allow even the possibility of civil servants being permanently entitled to accumulate such an extensive period of leave. As was well pointed out by the member for Leederville, the very basis of long service leave is that it should be a period of recuperation when a civil servant can improve his health and generally have a rest in order the better to equip himself for a further period of service.

If we allow that in certain circumstances—and this would apply to the more senior officers of the Public Service—there is no need for them to have a recuperative period for a term of 28 years, then, in fact we have said there is no necessity for long service leave in any case whatsoever. It has been the practice to allow two periods to accumulate, with a maximum of six months' long service leave, and I think it

would be unwise to allow any longer period to accumulate. If a civil servant is not prepared, for personal reasons, to take his leave when it becomes due, I think a further accumulation should be denied him. Any further service, until the leave has been taken, should not be allowed as a qualifying period for a further accumulation, and I do not think that would impose any penalty on servants of the Crown.

I appreciate the intention that only under the most exceptional circumstances will the Governor be prepared to allow a period in excess of six months to accumulate but, having been a civil servant for a period, and knowing something of the service, I think it can be said that in a matter of this kind it would be the departmental heads or senior officers who, to suit their own convenience, would find that it was inconvenient to the department that they be spared at a particular time, in order that they might accumulate this extra period of leave. Earlier in the debate there was an interjection regarding circumstances that arose in relation to the retirement of the ex-Chief Justice of the State. Nothing parallel with that position could occur in the case of long service leave, but if we agree to what is suggested we will be defeating the purpose for which such leave is given. If we allow it in fact to become a retiring allowance, so that a person may be permitted at public expense to have 12 months' holiday on full pay, under a scheme that was designed to restore him to full health so that he might better serve his State in years to come, it will not fulfil its purpose.

From my own knowledge I say that many of the lower paid public servants find such leave irksome to some extent, as they cannot afford more than perhaps three or four weeks' holiday away from their homes. They may go to some holiday resort, but owing to their financial limitations they have to return to their homes. After attending to various domestic duties it is possible that both they and their wives are anxious for the time to come when they must return to work. It is regrettable that, while this concession has been given and honoured by all Governments, a number of public servants —I am speaking of salary earners, though it would apply to wage earners as well— are unable, owing to financial limitations, to enjoy all the leave so freely granted to them, though that position may be rectified through the general leavening of wages and emoluments which seems to be the tendency at present.

I agree wholeheartedly with the remarks of the member for Leederville, who criticised the difference which it is proposed shall operate—I realise there is nothing novel about it—as between permanent and temporary employees of the State. I appreciate that the Attorney General, in introducing the Bill, provided some reason—or should I say some excuse—for the differentiation, but if it has been determined—as apparently it originally was—that after seven years' continuous service it is in the interests of the State, as the employer, that its servants should have a period in which to recuperate, I am at a loss to understand why that principle should be departed from and how it can be suggested that if seven years' service entitles a permanent employee to an extended holiday, a temporary employee must serve a further three years before qualifying for a respite from work.

It is not always a case of the higher-up men, because many temporary employees receive emoluments in excess of those received by permanent officers of the Public Service. I hope the member for Leederville will submit an amendment in order to overcome these injustices. The time is overdue when the wages staff should be placed on exactly the same basis as the salaried servants of the Government. I believe they should all be placed on a uniform basis of seven years' service as an entitlement to three months' long service leave on full pay. I support the second reading.

THE ATTORNEY GENERAL (Hon. R. R. McDonald—West Perth—in reply) [9.48]: I regret, Mr. Speaker, that the member for Perth is absent, owing to illness. He secured the adjournment of the debate and I would have wished to hear him speak on the Bill, but I am afraid he will not be back with us for some time, and I am anxious to comply with the wishes of the Civil Service Association and of the Public Service Commissioner, and to have the Bill passed into law at the earliest possible moment. The first point raised was in regard to the differentiation in the period

of long service leave as between temporary and permanent employees. Hitherto temporary employees in the Public Service have not been entitled by law to any long service leave at all.

Hon. A. H. Panton: They were not entitled to work for more than 18 months.

The ATTORNEY GENERAL: They have not been entitled to any long service leave, even though they served 10 or 20 years, which has been quite possible under conditions obtaining in late years. I therefore do not think the Bill should be criticised on points such as the period of long-service leave, when it is an attempt, for the first time, to give temporary public servants some such leave, after a long period of service, comparable with that given to permanent officers. In the wages section the qualifying period for long service leave is 10 years. That may be due for reconsideration, but it is not dealt with in the Bill. Owing to the exigencies of war, there has accumulated in the Public Service a large number of temporary employees, something like 700 in number. Because of war conditions, they have been there for a good many years and, for the same reason and other reasons, it may be unavoidable that they shall be there for some years to come. Therefore this Bill attempts in such circumstances to give them some consideration by way of recreational leave comparable with that proposed for permanent officers of the Service.

The member for Leederville said, quite properly and reasonably, that it seemed extraordinary that there should be temporary employees in the Service for as long as 8½ or 10 years in view of Section 36 of the Act, which limits the period for which temporary employees might be engaged. Of course, the engagement under Section 36 can be renewed, and that has been the case in the past. But I am advised that one of the difficulties is that it has been found not easy to obtain young men and women, particularly young men, prepared to enter the Public Service as permanent officers. Before they can enter, they have to pass a qualifying examination, and for various reasons that I need not detail, including the competition of the Commonwealth Public Service—

Hon. A. H. Panton: That is the point.

The ATTORNEY GENERAL: Yes, it has been found difficult to build up our permanent Public Service by new recruits. I was interested in one of my own departments to notice the other day the number of young men who were resigning, and I found that they were resigning to join the Commonwealth Public Service. I am advised that, in consequence of these circumstances—the war, the aftermath of war, the inability to build up the permanent service for the reasons I have mentioned—we are faced with the unavoidable likelihood of having to retain our temporary staff for some years. Therefore it is desired to make some reasonable gesture to them in the way of recreational leave comparable to that enjoyed by permanent officers.

Meanwhile, to meet the difficulty that has arisen, I am informed that the Public Service Commissioner is establishing classes and providing tuition to assist temporary officers who so desire to enter the Public Service. A number of temporary officers, some of them returned Servicemen, cannot enter the Service under existing regulations because they have not passed the qualifying examination or reached the qualifying educational standard. In order to try to draw those men, where desirable, into the Service, the Public Service Commissioner is arranging classes of instruction to assist them to qualify.

With that explanation, I come to the point of differentiation in long-service leave between the permanent officer and the temporary officer. I suggest that it is wise to retain that differentiation, which is comparatively small, because we wish to offer some inducement to the temporary officers now in the Service to qualify and become permanent officers. If they were granted as much long-service leave as permanent officers receive, they might not be inclined to undertake the necessary study to qualify for the permanent service, but if we showed them that there are some advantages in qualifying and working for entry into the permanent service, that inducement may assist us to secure good officers and encourage temporary officers to raise their status and opportunities by qualifying to enter the permanent service. So far as I can see, that is the reason for the differentiation, and it seems to be a reason that has a certain amount of substance.

The other point relates to the accumulation of long-service leave. When the member for Leederville was speaking, I undertook to examine the position. I thought it was fully covered by the Bill, but he raised the matter and I appreciated the reasons he advanced, which reasons were sound. I have examined the position and I think it is quite covered by the Bill. May I refer to the relevant clause. It states—

Every officer shall take the long service leave to which he shall be or become entitled under this section between such dates as the Commissioner, after obtaining a report from the permanent head, may direct or approve—

That is the start. He "shall" take his leave when it becomes due at the time directed by the Commissioner after consulting the permanent head. The provision goes on to say—

—but within seven years next after becoming entitled thereto.

Hon. A. H. Panton: That makes 14 years.

The ATTORNEY GENERAL: Yes; so that if it should be difficult to dispense for three months with the services of a senior officer occupying a key position, he may accumulate leave up to six months. Further, he might wish to accumulate leave up to six months in order to go to England to see his people, for the reason that he could not carry out his wishes in the way of recreational leave unless he could get six months. But first of all he must take his leave when he is directed, and he must take it within six months unless—

Mr. Rodoreda: Who directs the permanent head to take his leave?

The ATTORNEY GENERAL: —unless he applies to be allowed to defer his leave for two periods of seven years; in other words, to defer his leave until there may be nine months or twelve months due to him. He cannot defer his leave beyond six months unless, firstly, the accumulation is recommended by the Commissioner and, secondly, it is approved by Executive Council.

Hon. A. H. Panton: That operates up to six months now.

The ATTORNEY GENERAL: I know it does. The reason why mention has been made in the Bill that leave may accumulate even beyond six months is, I understand, that certain officers, through war conditions, already have six months' leave due to them, but they cannot very well absent themselves at the present moment.

Mr. Rodoreda: Why not?

The ATTORNEY GENERAL: Because there were 200 officers, mostly senior officers, whose leave accumulated during the war years.

Hon. A. H. Panton: That started in 1942.

The ATTORNEY GENERAL: Or slightly before that year. We cannot send 200 officers out of the Service at once or even a much smaller number. The total might be less than 200 now, but about 200 had to accumulate their leave through war causes. We cannot decimate the Public Service by permitting a mass migration of a large number of our senior officers without causing a certain amount of dislocation of the affairs of the State. They themselves would not wish to go if they felt that by going they might be leaving their departments in a position of difficulty. That is the reason why it has been realised that there are officers who may desire or who may need to accumulate beyond six months, only if the Commissioner recommends and the Executive Council approves, and I venture to say that no Commissioner and no Executive Council would desire to see any accumulation beyond six months unless it were practically unavoidable. As the member for East Perth very properly said, the whole object of this Act is to give the public servants, and, as we have it now, temporary public servants, a right to long service leave which they did not have before. It was discretionary. Another object is to make it mandatory that they shall take their long service leave when it becomes due.

Mr. Graham: Hear, hear! But it does not do that.

The ATTORNEY GENERAL: With this reservation, that owing to war conditions we cannot put that in force absolutely at the present time.

Hon. A. H. Panton: You could insert a proviso to clear up that point.

The ATTORNEY GENERAL: We have a discretionary provision that in the case of men who have six months' leave due and cannot go off at once, we can allow them to accumulate that particular six months until such time as they can go. As I explained before, at the present time if they have to keep on serving after their leave has become due, the additional service does not count for the next period of long-service leave and that is very unfair to them.

Therefore, we have made this retrospective, and we are continuing to take care of public servants in that position by ensuring that they shall not lose their long-service leave, or their accruing rights to such leave, if they are delayed in taking long-service leave already due to them. The object of the Act is to arrange for the long-service leave to be taken when it becomes due and at the same time to preserve the reasonable claims of those who cannot go at present. Long-service leave, as the member for East Perth said, is not a retiring allowance.

Hon. A. H. Panton: It could be made so under the Act.

The ATTORNEY GENERAL: I quite agree with the member for East Perth. The intention of the Act is that a lump sum for long-service leave will be given to those who, when they reach the retiring age, have a certain proportion of long-service leave due—it may not be the whole amount. They can take that out in a lump sum payment, or if they have three months or more of long-service leave already accrued which they have not had the opportunity of taking, they can be assisted by the Commissioner, if they want the lump sum payment, to receive a sum of money and go on their leave in due time before they reach the retiring age, when they can take a holiday or a trip or do what they please with the amount of money which they get.

Mr. Graham: Will it be compulsory to exhaust long-service leave prior to the date of retirement?

The ATTORNEY GENERAL: I understand the intention is that long-service leave shall be exhausted by the date of retirement.

Hon. A. H. Panton: Does not the Bill apply to those who retire at the age of 60 years or through ill-health?

The ATTORNEY GENERAL: It will apply to those who retire at 60 as well as to those who retire at 65. I am indebted to the House for the reception of the Bill. I fully appreciate the aspects raised by the member for Leederville and the member for East Perth, but I think they are covered by the Bill. It is not my Bill.

Hon. A. H. Panton: You are responsible for it. You brought it here.

The ATTORNEY GENERAL: I did not concoct the Bill. I am responsible for it and happy to be responsible for it, but it has been prepared in consultation with the Public Service Association. I intend to ask the House to accept the Bill as it has been drawn and as the Public Service Association has approved of it. If any member seeks to reduce the period during which long-service leave can be accumulated down to nine, six or three months, personally I do not care very much, but he may have something to say to the public servants of the State, especially to those whose rights are now being protected.

Hon. A. R. G. Hawke: Would you allow trade unions this same great privilege to draw their own Bills?

The ATTORNEY GENERAL: They do not draw their own Bills, but I think it is not unreasonable, when a Bill is being drawn, to consult the people who are to be affected. I propose to keep on doing that. I think it is entirely reasonable. It is not the Association's Bill, but it is a Bill, I am informed, which has the approval of the Association.

Mr. Rodoreda: What is the difference?

The ATTORNEY GENERAL: That being so, with all diffidence I feel that having had the approval of the Association, which comprises the persons interested, and having had the approval of the Government, I am justified in commending the Bill to the House. I think that covers the points that were raised quite legitimately, but I think the Bill takes care of the dangers that were referred to by the members who have spoken to it. I hope the Bill will now be approved on the second reading.

Hon. A. R. G. Hawke: The Bill legalises the dangers.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Hon. A. H. Panton: You cannot get away with this.

The ATTORNEY GENERAL: If the member for Leederville wants the Committee stage adjourned, I am agreeable.

Progress reported.

BILL—CROWN SUITS.

Second Reading.

Debate resumed from the 3rd September.

HON. E. NULSEN (Kanowna) [10.11]: I listened attentively to the Attorney General's introduction of this Bill and I appreciate his point of view. This is a non-party Bill and consequently everyone can express his personal view and vote in accordance with his conscience. I agree with the principle that the Crown should be on the same plane as an individual.

Hon. J. B. Sleeman: You did not say that in 1944.

Hon. E. NULSEN: I will explain that in a few minutes. I feel that if the Crown does wrong in the same way as an individual, there is no reason why the Crown should be exempt from liability. Of what does the Crown consist? It is made up of people, and they do not come down from Mars. There is nothing outstanding about them just because they represent the Crown. I do not see why any tortfeasor or wrongdoer should be exempt from liability just because he is an employee or servant of theirs. Under the Crown Suits Act if such an individual knocks a person down and that person is injured and loses a limb the victim has no redress against the Crown, and in consequence no compensation. I cannot see the justice or equity of that. I feel that the Crown has no more rights in that connection than has an individual, a firm, a partnership, an association or a company.

If an employee of the Crown does detriment to a person by injuring him or her in some way there is no reason why the Crown should be exempt from responsibility. Yet even a Minister who committed a wrong would be protected under the Act. This Bill makes provision for the Crown to sue and be sued. The same process will be available both to the Crown and to the subject for the determination and enforcement of claims in His Majesty's civil courts. Provision along these lines has been made in England, though I do not think the Act has been proclaimed. For the information of the House I would like to read Section 1 of that measure which was introduced and, I think, passed in the English Parliament.

> Where any person has a claim against the Crown after the commencement of this Act, and, if this Act had not been passed, the claim might have been enforced, subject to the grant of His Majesty's fiat, by petition of right, or might have been enforced by a proceeding provided by any statutory provision repealed by this Act, then, subject to the provisions of this Act, the claim may be enforced as of right, and without the fiat of His Majesty, by proceedings taken against the Crown for that purpose in accordance with the provisions of this Act.

Subsection (1) of Section 2 reads—

> Subject to the provisions of this Act, the Crown shall be subject to all those liabilities in tort to which, if it were a private person of full age and capacity, it would be subject—
>
> (a) in respect of torts committed by its servants or agents;
>
> (b) in respect of any breach of those duties which a person owes to his servants or agents at common law by reason of being their employer; and
>
> (c) in respect of any breach of the duties attaching at common law to the ownership, occupation, possession or control of property.

That is very clear and it really covers the substance of the Bill that has been presented to this House. Section 54 of the English measure reads—

> (1) This Act may be cited as the Crown Proceedings Act, 1947.
>
> (2) This Act shall come into operation on such day, not later than the 1st of January, nineteen hundred and forty-eight, as His Majesty may by Order in Council appoint.

I think that makes the position fairly clear and is an answer to the interjection made the other night when the Attorney General was introducing the Bill, regarding the position in England at present. The British Parliament can trace its history over many years but it has thought fit at this juncture to make provision for the Crown to be liable for torts just the same as any subject. I do not see why there should be any difference. There was in this State an old Ordinance of 1867 which made provision for a Petition of Right, but it was superseded by the Crown Suits Act of 1898 and became obsolete.

That obsolescence was not revealed until Dalgety's case, which was the cause of the revelation. So the Crown Suits Act took away the right of petition to His Majesty. Had that point been taken at the time of the Ravensthorpe case, the position would have been quite different from the Government's point of view, because I think that case would probably have been thrown out of court for the same reason that the Dal-

gety case was thrown out; because it was thought, even by our legal friends, for over 40 years that the Ordinance in regard to the Petition of Right was still in operation or could be used. But owing to the decision of the High Court in Dalgety's case it was found that the right of petition did not exist any longer. I do not know whether there is any valid reason why the Crown should be protected, why the Crown should not be on the same basis as the ordinary citizen. If we were to go back to the time when the King could do no wrong, we would find ourselves in the sixteenth century when King Charles the First was so wrapped up in the divine right of Kings that—

Mr. Bovell: King Charles the what?

Hon. E. NULSEN: King Charles the First.

Mr. Bovell: Oh!

The Premier: You thought he said King Charles the Third?

Mr. Bovell: Yes.

Hon. A. H. Panton: I wish you would keep awake and not wake up so suddenly. You frightened me.

Hon. E. NULSEN: As a matter of fact, I did not think there was any merit in the Dalgety case, and that is one reason why I opposed the motion moved by the member for West Perth. It seemed to me that that motion was a direction to the Government that it should introduce legislation to defeat the decision in that case. Since then, I have given the matter further consideration and, notwithstanding, the decision in that case, I say definitely that the Crown should have no more rights than those possessed by the ordinary citizen. In arriving at that conclusion, I did so in accordance with my conscience. The decision coming so soon afterwards, I was, in consequence, obliged by the dictates of my conscience to oppose the hon. member's motion. It was only as a result of the High Court's decision in the Dalgety case that a new statement of law was made. I think that the member for Fremantle will realise that there is no direction now whereas before the Dalgety case it was thought that the citizen had some rights under the Petition of Right.

Hon. J. B. Sleeman: You changed your mind!

Hon. E. NULSEN: I changed it in accordance with my conscience, considering that the citizen had no rights against the Crown whereas between 1898 and 1934 it was thought that the Petition of Right still prevailed. However, as I mentioned the position was later definitely set out because of the new statement of law that had been made by the High Court. When the member for Fremantle was speaking he asked me whether I knew at the time. I did, but, as I stated previously, the Dalgety case came on soon afterwards, and I did not feel pleased with the position. That was because it had apparently taken 10 or 12 years to find out that there was anything fraudulent going on and the Government had got nothing out of it because the money from the cheques was paid to the credit of the Commonwealth Government on account of war service homes.

After giving due consideration to the matter, I did not feel I could conscientiously oppose the Bill seeing that an ordinary citizen if knocked down by an officer of, say, the Crown Law Department or the Audit Department and badly injured, would have no right to compensation or redress. On the other hand, if the injury was caused by an officer of the Water Supply Department, the Railway Department or the Public Works Department, there would be redress. Then again if such a man were able to secure compensation, he could not get more than £2,000 in damages. When the legislation was passed in 1898 that amount, in terms of present-day currency, would be worth about £4,000 whereas now £2,000 would probably not be worth more than £1,000. I support the Bill because I regard it as a move in the right direction, and I can see no reason why the ordinary citizen, if knocked down and injured by a servant of the Crown should have no redress and no compensation.

On motion by Hon. F. J. S. Wise, debate adjourned.

BILLS (2)—FIRST READING.

1, Unclaimed Moneys Act Amendment.

2, Supreme Court Act Amendment.

Received from the Council.

House adjourned at 10.28 p.m.