

Legislative Council

Tuesday, 9th October, 1951.

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

MOTION—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT AND CONTINUANCE BILL.

To Rescind "Six Months" Resolution.

THE MINISTER FOR TRANSPORT
(Hon. C. H. Simpson—Midland) [4.37]:
I move—

That the resolution passed by this House on Tuesday, the 25th September, 1951, as follows—

"That the second reading of the Increase of Rent (War Restrictions) Act Amendment and Continuance Bill be read this day six months"

be rescinded.

In moving that the resolution passed by this House on Tuesday, the 25th September, be rescinded, I wish to point out that if the principal Act lapses after the 31st December next, the result must be chaos, confusion and distress. I feel perfectly certain that the members of this House had no intention of creating such a position. What they really desired was that a new Bill should be brought down couched in clear and simple terms, which could be easily understood by laymen, and readily interpreted by the judiciary.

The bringing down of a new measure, however, is not a simple matter for reasons which I will explain later. Under Standing Order No. 120, another Bill dealing with the same subject matter could

not be introduced during the present session of Parliament, so that it would be necessary, therefore, in order to prevent the lapsing of the principal Act after the 31st December, to terminate the present session of Parliament, to prorogue Parliament and convene a fresh session.

Expert advice is strongly of the opinion that there would not be sufficient time completely to overhaul rent control legislation before the end of this year. Members will recall that when the Act was presented for amendment and continuance last year this House submitted many amendments which were not accepted in another place so that finally the points of difference between the two Houses were thrashed out in conference, and the present Bill which the Government seeks to amend was the product of both Houses of Parliament, and was passed in that form.

In spite of the criticism which has been directed against the Bill as it stands, it may be pointed out that the actual drafting was done by the Solicitor General and if difficulties of interpretation arise it is obvious that in the limited time allowed, even to so competent a draftsman as the Solicitor General, there was not sufficient time to consider all the possible implications which the terms of the Bill might involve. Very careful consideration and revision are necessary before a Bill can be drafted to the satisfaction of the draftsman concerned.

It will be obvious to members that the Bill as a whole is an attempt to cover a transition stage from control and protection to complete abolition of controls and a return to the principles of common law. However, it will be equally obvious to members that while this might be possible in normal times, the present period is emphatically not normal. The increase in population over the past few years has been the greatest in our history, and it is this increase in population, creating the tremendous demand for housing, which has given rise to the present position, and demands some measure of control if those in need of homes are to be adequately served. The increase in population in this State last year was nearly 29,000, representing a rate of increase of 5.2 per cent. This is 50 per cent. above the Australian average of 3.8 per cent.

Had our rate of population increase remained the same as it was prewar, then it could be said without hesitation that our present housing difficulties would not have arisen, and the need for continued controls, except perhaps in regard to the wives of serving soldiers, would have disappeared. An appreciable proportion of this additional population consists of new Australians, and while we are willing and anxious to absorb these newcomers into our economy, we feel that the Australian-born citizen is entitled to some measure of preference. In order to retain that preference it is necessary that the present

provisions of the Act should be preserved. The shortage of housing was also caused by the cessation of building activities during the war and it has been this lag in housing requirements, and the extra pressure caused by additional population, that has rendered the housing problem so difficult.

If the principal Act lapses after the end of this year the lid will be lifted for a general increase in rents, with the inevitable consequence of further increases in the basic wage and a more marked tendency towards inflation, which is a matter of serious national concern. There are many good landlords and many conscientious tenants, but there are scores of unscrupulous people who are quick to seize a chance of exploitation, whether they be landlords or tenants. These are the people who would grasp every advantage provided by lack of supervision and control of their undesirable and anti-social activities.

Since the amending Act of last session was passed, a number of cases of exorbitant rentals have come under the notice of the Chief Secretary's Department. It is not uncommon to find that £3 per week is charged to share a room with one or more other persons. Many of these tenants are new Australians who have obtained the accommodation since the 31st December, 1950, and thus are not protected by the eviction provisions of the Act. Mr. Watson states that the Bill would make every lodging-house keeper a landlord under the Act. This is what is intended in order to try to protect tenants against rapacious lodging-house keepers, about whom many verbal complaints are laid, but people are too scared to make written complaints for fear of eviction.

Members who doubt this statement may obtain corroboration from the rent office. That is why the Bill asks that a rent inspector may fix a fair rent on receiving a verbal complaint. This rent would be for all rooms in the lodging premises and the landlord would not know from whom the complaint emanated. Mr. Watson's contention that the complainant would be evicted in any case does not necessarily apply. It has been argued that people need not pay excessive rents. This can only be argued from the plane of one's own comfortable living accommodation, and indicates a lack of knowledge and sympathy with more unfortunate people's problems and troubles in finding somewhere to live.

Another important fact to be kept in mind if this Bill is lost is the measure of protection which the Act gives to certain classes of servicemen, ex-servicemen and their dependants, when those servicemen are risking their lives for their country's protection. Those protected by the Act are—

- (a) a person receiving a pension pursuant to the Australian Soldiers' Repatriation Act for total and permanent incapacity;
- (b) a widow of a person whose death occurred during or as a result of his war service;
- (c) a person engaged on war service within any prescribed area outside the Commonwealth.

It would, I suggest, be most undesirable if we were to say that these classes of persons should be left without any protection whatever, and the leading ex-servicemen's organisation has publicly announced its concern in this regard. Would any member suggest that the dependants of a man engaged on war service in Korea should be left without the protection which this Act provides to them? There would be little consolation for the serviceman in Korea with the knowledge that his wife and family were denied some measure of consideration.

I am quite certain that members had no wish that such a state of affairs should be allowed to arise and were mainly concerned with the necessity, as they saw it, for bringing down a new Bill which, in the words of Mr. Watson, would be a brief, orderly and precise piece of legislation. The hon. member then went on to enumerate the terms of his proposal, the basic features of which would be as follows:—

1. No landlord shall, without permission of the court, charge a rent in excess of the standard rent.

2. The "standard rent" shall mean—

In the case of business premises, the rent at which the premises were let on the 1st September, 1951, or the last date of tenancy before the 1st September, 1951.

In the case of residential premises, the rent at which the premises were let on the 1st September, 1951, or the last date of tenancy before the 1st September, 1951, plus 15 per cent. thereof.

In the case of any premises first let after the 1st September, 1951, the rent as mutually agreed on between the landlord and the tenant at the time of the letting.

3. Subject to any conditions in any lease, any landlord or any tenant may, from time to time, and at any time (at periods of not less than six months), apply to the court for a fair rent and the court at its discretion may fix a fair rent which is higher or lower than the standard rent.

4. In respect to termination of tenancies and evictions, it shall not be competent for a landlord to exercise his rights under the common law

until after the expiration of a warning notice of 12 months, or until after the earlier expiration of any notice to quit duly given pursuant to Section 15A of the Increase of Rent (War Restrictions) Act, 1939-50 and current prior to the commencement of the new Act.

This limitation shall not apply—

- (a) in respect to premises the rent whereof is in arrears or in respect to which an eviction order has been granted by the court prior to the commencement of the new Act;
- (b) in respect to premises a lease whereof has been granted after the 31st December, 1950;
- (c) in respect to any shared accommodation, a portion of which is occupied by the landlord.

5. In respect to the rent of shared accommodation (other than flats the rent of which is in excess of £1 per week) the powers of the Court may be exercised by the rent inspector.

6. The new Act shall be confined to tenancies and shall not apply to boarders and lodgers.

7. The new Act to commence on the 31st December, 1951, and to expire on the 31st December, 1953.

The simplicity of Mr. Watson's proposal has much to commend it, but unfortunately to put these terms into simple legal language is no brief or easy task. The main omission from Mr. Watson's set of principles is that of providing some protection for service personnel and their dependants. I do not think for one moment that Parliament would accept any proposals which did not include provision for such protection and, in any case, I am quite sure that the Government would not endorse proposals which did not contain such provisions. The Crown law officers are of the opinion that legislation such as is proposed requires the utmost care in preparation so that the terms and definitions are set out so clearly, and definitely as to allow a minimum of misunderstanding or misinterpretation.

The Government is of the opinion that a new Bill should be brought down next year in which, amongst other things, the Title could be altered but, in the meantime, it suggests that the present Act, which, as previously stated, is the product of the two Houses of Parliament, should be continued with such amendments as experience suggests are desirable. If the present motion is accepted by this House and the Bill is restored to the notice paper and passed by this

House, either with or without amendments, it could operate until the new Bill is brought down. As the Act was applied and defects or anomalies became apparent, amendments to deal with those phases could be included in the new legislation.

In none of the other States has there been any suggestion that rent control legislation should be dropped. Amendments are being introduced and controls are being eased, but, in view of the housing position and the general demand for homes, each State has considered it necessary that rent control by legislation should continue. South Australia considered rent legislation so important that senior officers were sent this year to the other States to obtain particulars of their enactments. One of these officers was a legal man of high repute. Such a procedure need not be followed in this State, but it might be considered advisable to secure from other States details of their legislation and administration in order that a complete and unhurried review may be made of our own legislation.

The sudden death method adopted in defeating the Bill was, to say the least of it, hardly democratic. It deprived other members of the opportunity of fully putting their views on this most important subject before Parliament. As an instance of the difficulties which have presented themselves when houses are at such a premium, the following case might be cited: A certain land agent for the past two months effected twelve sales of houses. Of these, nine were sold to migrants and three to local residents.

Hon. N. E. Baxter: How many did he have to sell?

The MINISTER FOR TRANSPORT: I do not know, but 12 were sold.

Hon. N. E. Baxter: About 150, I should think.

The MINISTER FOR TRANSPORT: It must be pointed out that if the present legislation lapses, we might easily be faced with the position of new Australians buying homes to the exclusion of local residents, who would naturally be resentful. It is felt, too, that it is very necessary to have some definition of "shared accommodation" and to provide against cases such as have occurred where tenants are evicted. Flats which had been let at a rental of £3 10s. per week might easily rise to a rental of £7 or £8 a week, if there were no controls.

There are also cases where the landlords of premises containing a number of rooms have given every tenant notice to quit, and the number of these could easily be substantial. Whether the landlords propose to convert these lodgings to office use or whether the eviction of the present tenants is for the purpose

of installing new tenants at increased rentals we do not know, but that position could easily arise, and the Government desires, in the interests of those homes having living space, to prevent such a position from arising.

Another point is that a new Bill, no matter how carefully drafted, and no matter how simply its terms might be submitted, would of necessity have to run the gauntlet of debate and could quite easily be drastically amended. In fact, in a Bill dealing with a matter of such concern to the people and in regard to which there is unavoidably much conflict of viewpoint and in relation to which widely differing interests are affected, it is hardly conceivable that substantial alterations would not occur. That is one of the reasons why the Government is anxious that the present legislation, which is substantially preserved in the present Bill, should have a fair trial. Later on, when conditions became more stabilised, redrafting would then be simpler and easier.

Summarised, therefore, it may be stated that the Government's intention is—

- (a) to continue the present Act with amendments until next year;
- (b) to reprint the present Act with amendments which it may do under the powers it possesses under the Amendments Incorporation Act; and
- (c) to bring down a new Act next year devised to correct defects which may become apparent during the experience gained in the administration of the present Act.

The reasons why a new Act this year would present difficulties are—

- (a) Under Standing Orders it would not be possible to introduce a new Bill without calling a fresh session of Parliament.
- (b) No matter how simple the principles of such a Bill might be, their actual application would present great difficulties which would have to be very carefully thought out after due consideration of what had been done in other States.
- (c) Very careful draftsmanship would be necessary to define the application of the Act so that anomalies could be avoided and difficulties of interpretation eliminated. This is so important that it would be inadvisable for it to be done hurriedly.

I therefore sincerely trust that the House will reinstate the original motion and permit the debate to continue, leaving members to decide the issue after having had the fullest possible opportunity of considering all the points which may be presented for and against the provisions of the Bill.

HON. E. H. GRAY (West) [4.57]: I desire to support the motion because I realise the very dangerous step this House has taken by its action in carrying the resolution and throwing the Bill out. I think this conservative atmosphere has been exceeded. We are known as a House of review, and I feel it is a very dangerous experiment to try to take from the Government its administrative power. The matter is so important that, in my opinion, it is above all party political considerations; it affects so many thousands of families.

As the Minister pointed out, if this legislation is scrapped, thousands of our people will suffer intensely. I sincerely hope, therefore, that those who voted for the defeat of this measure will reconsider their action and give some heed to their duties as members of a House of review. We should do everything possible to mete out assistance to the large number of people who are homeless and to those who are paying rent throughout Western Australia. There is no doubt that if the legislation were scrapped, at least 500 eviction notices would be served.

Hon. N. E. Baxter: How do you know that?

Hon. E. H. GRAY: The hon. member has only to go round the metropolitan area to find that out. We know very well that the people will be subject to the actions of unscrupulous landlords. I received a letter from a married man last week who was paying £4 10s. a week for an empty house. The Minister has clearly pointed out the large amount of rent being charged in apartment houses where new Australians are being exploited. He also pointed out that if this legislation were scrapped there would be considerable danger to our own people as it would enable new Australians to purchase houses over their heads. We want to be just to everybody. I realise that this legislation is bristling with problems. It is quite a simple matter for judges and magistrates to criticise legislation, but where an Act is difficult to administer, judges, magistrates and officers are confronted with great responsibility.

Hon. Sir Charles Latham: They only interpret the Act; they do not administer it.

Hon. E. H. GRAY: They have to interpret it and make decisions. This legislation casts a great responsibility upon judges, magistrates, the rent control officer and the Government. When so many people on both sides are affected, whatever legislation is passed will present tremendous difficulty in the effort to do justice to all.

Therefore I hope that the good case the Minister has presented this afternoon will be appreciated by members and that they will realise the very grave responsibility that rests upon them. They should make

up their minds to do justice, not only to the servicemen, whom we cannot throw to the wolves, but also to the hundreds of families, including a very large number of children, who will be placed at a very grave disadvantage and caused great suffering if this legislation is dropped. Therefore, I most heartily support the motion.

HON. J. A. DIMMITT (Suburban) [5.2]: I shall occupy only a few minutes in order to give a brief review of how I saw the situation when the motion now under review was carried and how I view the position today. I saw quite a lot of merit in Mr. Watson's suggestion that the existing Act should be repealed, that the amending Bill then before the House should be scrapped and that an entirely new measure under the title of Landlord and Tenant Bill should be introduced couched in a simple and easily understandable form. Because of that, I supported Mr. Watson's amendment.

I still see much merit in Mr. Watson's proposal, but I also see some difficulties. Since the night in question, I have examined "May" on the subject of the rescission of resolutions and his attitude to the reintroduction of legislation previously defeated in the same session. To my way of thinking, "May" is quite clear on the point. He distinctly states that, under our Standing Order 120, it is not competent to introduce a Bill with the same objective as a measure that has been previously rejected in the same session.

Hon. E. M. Heenan: Did not you know that before you voted the other night?

Hon. J. A. DIMMITT: The suggestion was that it would be a simple matter to introduce a Bill differing in substance from the measure that was rejected, but "May" holds that if the new measure has the same objective, although it is different in substance, it is in conflict with Standing Order 120. That is the point I wish to make.

Quite apart from that, there is another aspect that I should like to mention. I believe that I was wrong in supporting the motion for the defeat of the Bill at that stage of the second reading. I consider that the action we took then caused this House to fall in its function as a House of review. It cannot be contended for a moment that the Bill was given sufficient consideration or that it was amply reviewed by this House, seeing that we had only a speech by the Minister for Transport when moving the second reading, a speech in support of the Bill by Mr. Gray and a speech against the Bill by Mr. Watson.

I consider that it was wrong of me to assist in defeating the Bill out of hand without giving the other 26 members in this House an opportunity to make their contributions to the debate or listen to the contributions of other members. I

believe that if a Bill having the same objective were introduced in this session, it would be open to challenge and that that challenge might easily be sustained. The result would be that the measure would be thrown out and the Government would find itself in the same invidious position as that which exists today. Quite apart from the merits or demerits of the Act and the proposed amendments and the merits of Mr. Watson's suggestion—and I give him full credit for the merits—I believe it is right that the Bill should be reinstated on the notice paper.

Hon. E. M. Heenan: You now believe!

Hon. J. A. DIMMITT: I do believe that it should be reinstated, because there was no question of reinstating it at the previous sitting of the House. I am of opinion that the Bill should be reinstated in order to give an opportunity to the 26 members, who were denied that opportunity, a chance to consider this proposed legislation. Therefore, I support the motion that will have the effect of restoring the Bill to the notice paper.

HON. H. K. WATSON (Metropolitan) [5.7]: I suggest to the Minister that the Government has only itself to thank for the position in which it finds the Bill now under discussion. Had the measure simply consisted of one clause like the prices control Bill, having for its object the continuance of the Act for another year, it is more than probable that it would have been passed.

Hon. G. Fraser: But the Government wanted more than that.

Hon. H. K. WATSON: However, we find that the Government, on top of the complicated Act of 1939-49 and the amending Act of 1950, proposed to place another batch of unintelligible and very complicated sections in the statute.

The Minister for Transport: You yourself added to them.

Hon. E. H. Gray: Very considerably.

Hon. H. K. WATSON: I have no recollection of having added anything to the Bill under discussion.

Hon. Sir Charles Latham: Were you consulted when the Bill was drafted?

Hon. H. K. WATSON: I was not. I had made suggestions in various quarters some six months before that attention should be given to the question of bringing down a new measure and, during the Address-in-reply debate, I threw out a suggestion that if the Government were going to do anything with this legislation, it should introduce a completely new measure; otherwise, it should simply bring down a Bill to continue the operation of the Act for another 12 months.

In speaking this afternoon, the Minister adopted the view that, unless the motion before the House were carried and the Bill restored to the notice paper, the whole

of the control over rents and evictions would go by the board on the 31st December next. Nothing could be further from the truth. The Minister conceded that, when the House voted as it did a fortnight ago, it was not with the intention of abandoning control over rents or evictions; it voted in that way as an indication to the Government to bring down a Bill that this House, the courts, the solicitors and the people could understand. In spite of that, the Bill which was brought down contained an extraordinary provision. After 12 years operation of the Act, in which boarders and lodgers were not included, they were to be brought under the provisions of this legislation, notwithstanding that for so many years they had been under the control of the Prices Office.

When I found that the Bill was designed to cover boarders and lodgers, I thought the reference had crept in by mistake. The Minister, when moving the second reading, did not mention that boarders and lodgers were to be brought in, and I was astonished this afternoon to learn from him that boarders and lodgers were to be brought under the control of the rent inspector and not left where they had been for the last 12 years under the control of the Prices Office.

Hon. E. H. Gray: The Minister gave effective reasons why he wanted them brought in.

Hon. H. K. WATSON: The Minister has expressed himself in substantial agreement with the principle which, a fortnight ago, I suggested might well form the general basis for a new Bill. Mention has been made that those particular suggestions—and they were by no means intended to be all-embracing—did not include protection for men serving in Korea. Such men could well be included, if necessary, but I still maintain that while servicemen in Korea and their dependants are definitely entitled to consideration, it is the job of the State Housing Commission and not the responsibility of private individuals to provide accommodation for them.

If the present position continues, according to the Minister, it will be not only difficult but also practically impossible to bring down a new Bill between now and the 31st December. He has suggested that such a measure could not be introduced unless Parliament were prorogued and a new session commenced. I desire with great respect to express my disagreement with that view, and I question whether a Bill for a Landlord and Tenant Act would be the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or the negative. On this point, I should like to offer a couple of suggestions and observations.

In his remarks, Mr. Dimmitt has dealt with this question. He mentioned as one of the reasons for his intention to loop-

the-loop and record a vote directly opposed to that which he gave on the last occasion, the fact that he had seen "May." I am glad to have that assurance, because I was under the impression that his reason for intending to reverse his vote was that somebody had seen him. I submit that it is not necessary to terminate this session in order to bring down a Bill for a Landlord and Tenant Act, of either the nature I have indicated or any other nature. Let us bear in mind that such a measure would be a Bill dealing with all the relevant matters, whereas the Bill that this House rejected dealt merely with one or two incidental aspects of the relationship between landlord and tenant.

Hon. H. S. W. Parker: Including leave or license.

Hon. H. K. WATSON: Yes. For example, by providing that "persons requiring their own homes" could now include the person who required his home for his father or mother, and so on.

Hon. L. A. Logan: And the provision with regard to "reasonably needs."

Hon. H. K. WATSON: Yes, and it dealt with one or two other matters, but not with the main points in the 40 or 50 sections and subsections of the parent Act. I therefore suggest that by no stretch of the imagination could it be argued that objection could be raised to the introduction during the present session of a Bill including anything contained in the parent Act. It may be that if such a Bill included provision to bring lodgers under the proposed Landlord and Tenant Act, such a provision might be vulnerable, but I confess that I regard that as a virtue rather than a vice, and it leaves me quite unmoved. Mr. Dimmitt said that on his reading of "May" it would not be possible to bring down during this session a Bill containing the substance of something that the House had already voted on, but I would point out that at page 492 of "May's Parliamentary Practice," 14th Edition—

Hon. E. M. Heenan: Is that the volume that Mr. Dimmitt referred to?

Hon. H. K. WATSON: I do not know. Mr. Dimmitt took the precaution of not producing his volume in the House, but I have mine here. It is there pointed out that when the later Bill contained only a portion of the substance of the earlier rejected Bill—in this case it was the Local Government Provisional Order (No. 3) Bill, 1914—it was allowed to proceed. That course was followed although it contained one of the orders embodied in the Local Government Provisional Order (No. 21) Bill, suspended in 1913, which had been rejected in the session of 1914, the ruling there being not that the whole of the new Bill was prohibited from being introduced, but only that one particular

clause in it, which had been dealt with earlier in the year, was precluded from being considered.

Hon. G. Fraser: You are simply showing that one can prove anything with "May."

Hon. H. K. WATSON: I am merely pointing out the practice of Parliaments as recorded by what I think is generally agreed to be the highest authority on parliamentary practice.

Hon. G. Fraser: If the President took Mr. Dimmitt's ruling, he would rule in favour of the motion and, if he took your ruling, he would rule against it.

Hon. H. K. WATSON: A fortnight ago, during the debate on the Increase of Rent (War Restrictions) Act Amendment and Continuance Bill, I dealt at length with my reasons for moving the amendment that I did. I have no intention of repeating now what I said on that occasion, but desire to turn to matters, which though they have nothing to do with that Bill, as such, are problems more general and profound, and of more importance.

They are questions that are raised by the motion moved by the Minister for Transport. I beg members to consider and weigh them, regardless of the points of view they may hold on the matter of the Bill with which the motion deals. The ostensible purpose of the motion moved by the Minister for Transport is to rescind a vote of this House on the 25th September, 1951, but its real and sole purpose is, of course, to try to revive a Bill that was finally disposed of by this House on the 25th September, 1951, by the vote which it is now sought to override. Standing Order No. 121 reads—

An order, resolution, or other vote of the Council may be rescinded; but no such order, resolution, or other vote may be rescinded during the same session, unless seven days notice be given and an absolute majority of the whole number of members vote in favour of its rescission.

Therefore, if, for example, the House had during last session resolved that, "In the opinion of this House every citizen should be provided with a free home," it would be competent for the House to rescind that resolution during the present session, and to rescind it by a bare majority. If that resolution had been agreed to during the present session, it could be rescinded during the present session, but only after seven days' notice and by an absolute majority of the whole number of members.

Standing Order No. 121 is so wide in its terms that, according to the ordinary rules of interpretation, it must not be read too literally. Clearly there are cases where the broad terms of the Standing Order must be cut down if they are to be applied logically, intelligently, effectively and without absurdity. In such instances the

Standing Order must be read in the light of precedent and, as explained in "May's Parliamentary Practice," 14th Edition, at page 375, care must be taken to appreciate the distinction between resolutions and Bills. For example, the minutes of the proceedings of this House on the 16th November last show that the House affirmatively resolved the question that the Bill relating to noxious weeds "be now read a second time."

Although Standing Order No. 121 says that an order, resolution, or other vote of the Council may be rescinded, it is obvious that the vote on the question I have mentioned cannot now be rescinded or, if it were, that such rescission would have no effect, because that Bill is now an Act. I have pointed that out and to give a further illustration, the vote on the question that the Supply Bill "be now read a third time," which was resolved in the affirmative on the 9th August last, could not be affected by anything in Standing Order No. 121 or by any motion purporting to be moved pursuant to that Standing Order.

I submit that that is the position and that I have given the proper and only interpretation of Standing Order No. 121, even though it says that an order, resolution or other vote of the Council may be rescinded. As I have already indicated, those words must not be taken too literally, but must be cut down in certain cases. They are applicable only in certain instances. By logical reasoning and on the authority of "May's Parliamentary Practice" I submit that neither Standing Order No. 121 nor any motion purporting to be moved pursuant to the Standing Order, can authorise, with any practical effect, the rescission of a vote of this House on the 25th September last which is referred to in the motion by the Minister for Transport.

Nowhere do the Standing Orders expressly state what is the effect on a Bill when the question "That this Bill be now read a second time" is resolved in the negative. Commonsense, however, suggests the obvious answer. At page 391 of "May's Parliamentary Practice," 14th Edition, we find on the question of rescissions, the following:—

With regard to the whole matter it may be stated generally that the reason why motions for open rescission are so rare and why the rules of procedure carefully guard against the indirect rescission of votes, is that both Houses instinctively realise, as a precedent referred to above shows, that parliamentary government requires the majority to abide by a decision regularly come to, however unexpected, and that it is unfair to resort to methods, whether direct or indirect, to reverse such a decision.

Hon. G. Fraser: What is all this for? Are you going to ask for another ruling?

Hon. H. K. WATSON: To turn now from the general to the particular, I draw attention to the fact that the question for the second reading of the Increase of Rent (War Restrictions) Act Amendment and Continuance Bill was not merely resolved in the negative. It is important to remember that what actually happened in respect of that Bill was that on the question "That this Bill be now read a second time," this House voted affirmatively on an amendment the purpose of which was to strike out the word "now" and to add the words "this day six months." Standing Order No. 183, in dealing with the question "That this Bill be now read a second time" reads as follows:—

Amendment may be moved to such question by leaving out the word "now" and by adding the words "this day six months"; or the previous question may be moved. In either case a vote in the affirmative shall finally dispose of the Bill.

[Resolved: That motions be continued.]

Hon. H. K. WATSON: Standing Order No. 183 expressly states that in the special circumstances therein specified, the Bill is finally disposed of. That Standing Order comes after and in the event of any conflict, must prevail over the previous Standing Order No. 121. Also, Standing Order No. 183 does not say the Bill is disposed of subject to any right of restoration or otherwise under Standing Order No. 121. Standing Order No. 183 simply states that in the circumstances therein specified, the Bill is finally disposed of.

The word "finally" is defined in the Oxford Dictionary as, "putting an end to doubt; conclusive; definite; unalterable." I would like to point out that votes on Bills are not susceptible to the same review as votes on resolutions or other matters. It should also be noted that Chapter XIX of the Standing Orders sets down a special and complete code for dealing with public Bills. Standing Order No. 183 is to be found within that chapter, but Standing Order No. 121 is not.

In my submission, in respect to Bills, the position is that once a Bill has been finally disposed of, whether it be by way of becoming an Act of Parliament or by way of action pursuant to Standing Order No. 183, further consideration by the House of that particular Bill is not permissible. The Bill, I submit, cannot be recalled or revived, as the case may be, by the device of a motion to rescind any vote of the House in respect of that Bill or by any other method.

I submit that the correct and only procedure to follow in order to vary, modify or overrule any vote or decision of the House in respect of that Bill is to bring down a new Bill for the desired purpose. If that view be correct, it fol-

lows that the Increase of Rent (War Restrictions) Act Amendment and Continuance Bill was finally disposed of by this House on the 25th September, 1951, and the motion now before the Chair is out of order as being quite ineffectual to achieve the real objective behind it. As is pointed out by "May" at page 389 of the 14th Edition, there are a number of instances—

Point of Order.

Hon. E. M. Heenan: Mr. President, I rise to a point of order. I would direct your attention to Standing Order No. 395, which reads as follows:—

No member shall digress from the subject matter of any question under discussion; nor anticipate the discussion of any subject which appears on the notice paper.

I submit that Mr. Watson is digressing from the subject under discussion, which is that the resolution passed by this House on Tuesday, the 25th September, 1951, be rescinded.

The President: I think the hon. member is following the argument as to why that motion should not be rescinded.

Debate Resumed.

Hon. H. K. WATSON: As I was saying, at page 389, "May" points out that there are a number of instances where the status quo ante cannot be restored merely by rescinding the resolution, and it seems to me that is the position in the case now before this House. I can only express regret that Mr. Heenan could not have been following me very closely if he takes the view that my remarks are not pertinent to the particular motion before the House.

Further guidance from high authorities on the view I have just expressed is to be found at page 389 of "May's Parliamentary Practice," under the heading of, "Restrictions on power of rescission". Therein we are informed that—

the power of rescission has only been exercised in the case of a resolution resulting from a substantive motion and even in such a case, sparingly. It cannot be exercised merely to override a vote of the House, such as a negative vote.

I suggest that this motion seeks to do precisely what we are told, on the highest authority, ought not to be done. I have already quoted from "May" as to the reluctance and inadvisability of making rescissions. Therefore, I would sum up the following points.

In the first place, I suggest that the motion before the Chair is out of order inasmuch as the purported resolution, as stated in the motion, was never carried by this House. No substantive motion was carried. The House simply voted in the

affirmative on an amendment of a specific nature. Standing Order No. 183 thereupon operated automatically without the necessity for any substantive motion. In the second place, I submit that in any event this motion or any other motion of a like intent is out of order as being contrary to precedent and ineffectual in restoring the status quo ante or to achieve the real objective behind the motion. Therefore, Mr. President, I ask for your ruling as to whether, having regard to the precise terms of Standing Order No. 183, this motion is out of order.

The PRESIDENT: Mr. Watson has given his opinion that Standing Order No. 121 is overridden by Standing Order No. 183, and for the guidance of members I will again read those two Standing Orders before I give my decision. Standing Order No. 121 is as follows:—

An order, resolution or other vote of the Council may be rescinded; but no such order, resolution, or other vote may be rescinded during the same Session, unless seven days' notice be given and an absolute majority of the whole number of Members vote in favour of its rescission.

Standing Order No. 183, which comes under the heading of "Public Bills", reads as follows:—

Amendment may be moved to such Question by leaving out the word "now" and by adding the words "this day six months"; or the previous Question may be moved. In either case a vote in the affirmative shall finally dispose of the Bill.

I would like to refer to the 14th Edition of "May" at page 498 dealing with this very question. Under the heading "Amendments to Question for Second Reading" the following appears:—

"Six (or three) months" Amendment.—The ordinary practice, in opposing the second reading of a bill, is to move an amendment to the question, by leaving out the word "now" and adding the words "upon this day six (or three) months." The amendment "upon this day three months" is usually employed in a normal session after Whitsuntide. The question proposed upon such an amendment is, that the word "now" stand part of the question. The postponement of a bill, in this manner, is regarded as the most courteous method of dismissing the bill from further consideration, as the House has already ordered that the bill shall be read a second time; and the amendment, instead of reversing that order, merely appoints a more distant day for the second reading. The acceptance by the House of such an amendment being tantamount to the rejection of the bill, if the session extends beyond the period of postponement, a bill which has been ordered

to be read a second time upon that day "six (or three) months" is not replaced upon the notice paper of the House.

I rule that Standing Order No. 183 decides the question—that the Bill has been finally disposed of.

Dissent from President's Ruling.

Hon. H. S. W. Parker: I move—

That the ruling of the President, that the motion now under discussion is out of order, be disagreed with.

I put forward this motion, Sir, because I think you have been misled by a very ingenious argument submitted by Mr. Watson. He quoted from page 389 of "May's Parliamentary Practice," 14th Edition, but I am afraid he has followed the principle which has recently become a practice of quoting only a part. I now quote further from the same page—

That a question, being once made and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the House. Also by a rule formerly in force, a second bill, at variance with the provisions of a bill passed during the same session, could not be introduced; and rescission is opposed, certainly, to the spirit of the existing rule that no question shall be offered which is substantially the same as one on which judgment has been expressed during the current session. But—

and this is important—

the practical inconvenience of a rigid rule of consistency, especially where the House as a whole wishes to change its opinion, has proved too great for a body confronted with the ever-changing problems of government; and the rule prohibiting reconsideration of a decided question has come to be interpreted strictly according to the letter so as not to prevent open rescission when it is decided that it is desirable.

So "May" says distinctly that the House can rescind anything; and what do our Standing Orders say? They go further than those of the House of Commons because the Standing Order of that House which you, Sir, have quoted from the 14th Edition of "May" at page 498 includes the following:—

... and the amendment, instead of reversing that order, merely appoints a more distant day for the second reading. The acceptance by the House of such an amendment being tantamount to the rejection of the Bill, . .

Our Standing Order No. 183 says in part—

In either case a vote in the affirmative shall finally dispose of the Bill.

Of course it does! No one for one moment suggests that it does not.

Hon. Sir Charles Latham: What is the meaning of the word "finally?"

Hon. H. S. W. Parker: Of course it disposes of it finally! We cannot go into Committee and cannot do anything more until, and unless, the vote is rescinded.

The Minister for Agriculture: That is the point.

Hon. H. S. W. Parker: Let members have regard to our own Standing Orders about the matter of rescission of questions. Let them consider Standing Order No. 121.

Hon. G. Fraser: That is very definite.

Hon. H. S. W. Parker: There is no question about that. It says—

Any order, resolution, or other vote of the Council may be rescinded. . . .

What is meant by "other vote of the Council?"

The Minister for Agriculture: That covers everything.

Hon. H. S. W. Parker: That does not refer to an order or a resolution but to a question. What we desire to rescind is the decision that the Bill be read this day six months. The position is perfectly clear and is set out in the simplest, plainest language.

Point of Order.

Hon. H. K. Watson: On a point of order, Mr. President. I draw your attention to Standing Order No. 405 which reads as follows:—

If any objection be taken to the ruling or decision of the President, such objection shall be taken at once, and in writing, and Motion made, which, if seconded, shall be proposed to the Council, and Debate thereon forthwith adjourned to the next sitting day, unless the matter requires immediate determination.

Hon. G. Fraser: It says "unless the matter requires immediate determination."

The President: I take it Mr. Parker intends to set out his motion in writing.

Hon. H. S. W. Parker: Yes, and I ask you, Sir, whether this question requires immediate determination?

Hon. G. Fraser: Of course it does.

Dissent Resumed.

Hon. H. S. W. Parker: If it is regarded as necessary, the debate can be adjourned till the next sitting of the House.

The President: Standing Order No. 405 definitely lays down the procedure to be adopted when the President's ruling is disagreed with.

Hon. H. S. W. Parker: I will send up in writing my motion to disagree with your ruling. The grounds are that I object to the ruling by the President, namely, that the motion now under discussion is out of order.

The President: I draw attention to the wording of Standing Order No. 405. Mr. Parker has taken objection to my ruling in the following terms—

I object to the ruling by the President, namely, that the motion now under discussion is out of order.

Is there any seconder to Mr. Parker's motion of dissent?

The Minister for Transport: I second the motion and, if necessary, I will move the adjournment of the debate to the next sitting of the House.

The President: The question is—

That the debate be adjourned until the next sitting of the House.

Motion put and passed; debate adjourned.

BILL—PARLIAMENT HOUSE SITE PERMANENT RESERVE (A1162).

Second Reading.

Debate resumed from the 26th September.

THE MINISTER FOR TRANSPORT

(Hon. C. H. Simpson—Midland—in reply) [5.50]: During the course of the debate on this Bill it has been suggested that the members of the Joint House Committee took too serious a view of their responsibilities as custodians of the rights and privileges of Parliament House. As a former member of that committee, I want to make it clear that I have very great respect for that body and its members, and think that members of both Houses share my view that this committee is the most active and efficient that Parliament has yet had. It acted strictly within its rights in registering a protest when it considered that parliamentary rights and privileges were being violated.

I can assure the House that any such violation was unintentional and it was never intended that the proposed temporary building would remain as a permanent structure. Having registered their protest, I suggest that members of the committee who are in this Chamber and members generally accept the explanation given by the Minister for Works and allow the building to proceed on the firm assurance that it will be only of a temporary character and that no further buildings will be considered unless parliamentary sanction has first been sought and obtained. Members must realise that failure to pass this Bill will not only embarrass the Government but, I submit, will also embarrass Parliament itself.

There is, as I have already explained, a real and urgent necessity to provide additional accommodation for the several branches of the Public Works Department, and, contrary to what some members may think, the building will not only mask certain unsightly buildings at the rear of the old Barracks, but the building, when

the earth fill has been completed, will not in any way be unduly noticeable or unsightly. It has been suggested that accommodation for these officers could be provided elsewhere. This was given careful consideration but, as I have previously explained, this would not be an economic proposition. Sir Charles Latham's suggestion that it would be preferable to place a temporary building near the Riverside Drive frontage of the site adjacent to Government House appears, on the face of it, a reasonable suggestion. This was considered but was found not to compare economically with that of the proposals in the Bill.

Another proposal examined closely was the construction of a prefabricated building of the Bristol type on the Observatory grounds. This suggestion, too, had to be discarded in view of the undoubtedly serious objection which would have been raised by the Perth City Council and local residents to such a building on this site. Other sites and other suggestions were examined closely, but from the points of efficiency and economy none could compare with that of the Malcolm-st. site. It must be remembered that in erecting a temporary building on another site, it would be necessary to provide staff amenities, lavatory accommodation, and a vehicle-parking area, all of which are either available on the present site, or which would require little expansion.

As members are aware, the rapid increase in the population of the State has considerably added to the services required of the Public Works and Water Supply Departments and it has been necessary to augment the staffs of these departments to cope with the additional work. For the past two years the Public Service Commissioner has consistently asked for the provision of a building, similar to the one now proposed, to house the engineering drawing office and other overcrowded technical branches in order to release urgently-needed space for administrative officers.

The Public Service Commissioner submits that although staffs have been built up to cope with the increased responsibilities devolving on the departments, commensurate value is not being obtained from their services because of the conditions under which they are working. He is emphatic that unless suitable accommodation is provided efficiency and value of service cannot be expected. The Public Service Commissioner has asked that the new building be treated as an urgent project.

Then again, the Principal Architect has examined all alternative proposals and has recommended that the quickest and cheapest solution is to build on the present site. He states, and all responsible senior officers of the department agree with him, that the only really efficient alternative would be to erect a new temporary building elsewhere, to accommodate the whole department.

Hon. A. R. Jones: Why a temporary building?

THE MINISTER FOR TRANSPORT: For the reason that necessary materials are in very short supply, as I shall explain later on. Certainly, supplies would not be available for use in a permanent building. As I was pointing out, the Principal Architect reports that this alternative would be a most costly and slow process which would not only have the effect of increasing the extent of temporary accommodation but would further delay the construction of permanent accommodation. Mr. Cunningham suggested that it would be preferable to commence the first floor of the new permanent building in St. George's Terrace, and that this construction would have less impact on the housing programme than the erection of temporary buildings.

This suggestion, which would be meritorious if conditions were more normal, is not practicable at present. The new permanent buildings, which will eventually house all Government departments, will have to be multi-storied, and, as such, will require a steel frame. There is no need for me to remind members of the steel shortage. During the past few years all supplies of structural steel have been required for the South Fremantle power house and the Royal Perth Hospital, and in fact, supplies are so limited that it is delaying construction of the second section of the hospital.

During his speech Mr. Hearn maintained that if this House agreed to the construction of the new building, goodbye could be said to the completion of Parliament House, because the new building would block the main entrance to the House. I trust my hon. friend will forgive me for crossing swords with him on this matter. When I moved the second reading of the Bill, I said that when the completion of Parliament House is commenced the first step will be to remove all the Government buildings on the site, including the old Barracks.

Hon. H. Hearn: That will be 100 years hence.

Hon. Sir Charles Latham: More like two centuries hence.

Hon. A. L. Loton: This year, next year, some time—never.

THE MINISTER FOR TRANSPORT: In referring to the old Barracks, I would like to point out that this was being used by the Public Works Department before the area was reserved for parliamentary purposes. The reserving of the whole area for Parliament House was a long-sighted policy designed eventually to provide a setting fitting to one of the most important edifices in the State. Our rapid increase in population—the greatest in our history—has so added to our housing and general building programme that it will be some time before we can proceed with the completion of Parliament House, unless we

ignore the pressing necessities of those in desperate need of houses to live in. I therefore submit to the House that the erection of the new building should not be objected to on the ground that it would prevent or delay the completion of Parliament House. The Public Works Department's future programme provides for the removal of all buildings on the site when the extensions of Parliament House commence.

In concluding his remarks, Mr. Hearn asked members when voting on the Bill, to remember that they were the custodians for the future of the City of Perth. I agree with the hon. member that we have that responsibility. I think it can fairly be claimed that this view is shared by the Perth City Council, who, however, have agreed to the erection of the new building. In fact, in speaking to the Bill in another place, the Rt. Hon. the Lord Mayor, who is also the parliamentary representative for the district in which the reserve is situated, expressed the hope that Parliament would pass the Bill and that work on the new building could recommence as soon as possible. When it was decided that no alternative proposal was practicable, the views and approval of the Perth City Council were obtained.

This was prior to the matter being finally discussed in Cabinet and I hope will assist members to realise that the Government did not take any arbitrary, overriding action in this matter, and that the failure to submit the matter for parliamentary authority at the right time was unintentional. Furthermore, the Lord Mayor pointed out—I mentioned this when introducing the Bill—that the building, which is of pleasing design, would screen from public view the several buildings of poor appearance in the Public Works Department courtyard. The proposed building would definitely be an improvement to the area, being of simple and orderly aspect and being faced by lawns and flower beds.

As a piece of reasoned and logical thinking, Dr. Hislop's speech impressed me. He pointed out that at first sight he felt the building should not be allowed to proceed, but that on mature consideration, and in view of current building complexities, he intended to vote for the Bill. Mr. Davies pointed out that buildings on the lower section of the reserve have little present effect on Parliament House, a point quoted, too, by Mr. Heenan.

In concluding, I would like briefly to reiterate the salient points in regard to the proposed new building. These are, firstly, the accommodation is most urgently needed; secondly, thorough investigations were made into the possibility of the building's erection elsewhere and these proved abortive; thirdly, it is quite impossible to commence any part of the new permanent buildings in St. George's Terrace owing to the shortage of steel; fourthly, the new building will not in any

way affect the completion of Parliament House; fifthly, it will improve the appearance of the site, a fact with which the Perth City Council agrees; and, sixthly, the reserve is not dedicated to the use of the people.

It is Crown land reserved for the use of the Crown; that is, by Parliament House. In permitting an addition to the Government buildings on the site there would be no breaching of the privileges of the people, nor would it have any effect on the use of the grounds for parliamentary purposes. I sincerely trust, therefore, that members will accept the explanations and assurances given and that they will support the Bill.

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

Ayes	.....	15
Noes	.....	12
Majority for	.....	3

Ayes.

Hon. R. J. Boylen	Hon. J. G. Hislop
Hon. I. Craig	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. J. A. Dimmitt	Hon. J. M. Thomson
Hon. Sir Frank Gibson	Hon. F. R. Welsh
Hon. E. H. Gray	Hon. G. B. Wood
Hon. E. M. Heenan	Hon. G. Fraser
Hon. C. H. Henning	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. G. Bennetts	Hon. A. L. Loton
Hon. W. R. Hall	Hon. J. Murray
Hon. H. Hearr	Hon. H. L. Roche
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. J. Cunningham
	(Teller.)

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Hon. Sir CHARLES LATHAM: I move an amendment—

That in the definition of "departmental buildings" the words "or are in course of erection and intended for use" be struck out.

By the amendment, authority will be given for retention of the existing buildings, but the Government will be prevented from proceeding with the building now under construction. I was impressed by the Minister's statement regarding the lack of accommodation but, in view of some of the legislation already dealt with, there is a possibility of a substantial building in Plain-st. being made available to house a section of the Public Works Department employees.

The Minister for Agriculture: What building do you mean?

Hon. Sir CHARLES LATHAM: I am referring to the State Housing Commission's premises. It seems to me that that organisation will not have so much work to do in the future as in the past, and that building might be available for other uses.

The Minister for Agriculture: The Agricultural Department has its eyes open for any vacant building.

Hon. Sir CHARLES LATHAM: That department already has a big building down there.

The Minister for Agriculture: I would like to take you around and show you the congestion that exists.

Hon. Sir CHARLES LATHAM: The trouble is that we are employing so many officers, whether they are all wanted or not, that it is impossible to find accommodation for them; and, what is more important, we are not providing for the production of essential commodities. I resent the statement attributed to the Principal Architect that it is very necessary to have this new building. About the same time, he was dealing with the Joint House Committee on the question of providing additional accommodation for the staff here, and he knew that if this other building were erected, it would preclude the possibility of completing Parliament House, because that building will not be removed. The tin shanty that is occupied by the staff associated with Parliament House has been in existence for 47 years. The other building will be of a much better type. A start has been made with the brickwork, but I do not know how much of that there will be.

The Minister for Transport: It is for the basement.

Hon. Sir CHARLES LATHAM: Will people be employed in the basement?

The Minister for Transport: The basement will be used for housing records.

Hon. Sir CHARLES LATHAM: I think the Principal Architect might have been fair to the Joint House Committee and told us earlier that it was proposed to erect this building. If it had not been for the keenness of the President, we would not have known that the building had been started. It was not fair of the Principal Architect to treat representatives of this House in the way he did.

The MINISTER FOR TRANSPORT: I hope the Committee will not accept the amendment which, if agreed to, would nullify the Bill. The hon. member has adopted an extraordinary attitude in saying that what was done in the past without reference to the Joint House Committee is to be validated, but that the building which is badly required and for which there is no alternative, for the reasons I have already stated, should not be proceeded with.

Hon. L. CRAIG: This amendment will have exactly the same effect as if we had disagreed to the second reading. I hope the Committee will not accept it. The buildings it is proposed to sanction are uglier than the one being erected. There is a hole on the site as big as this Chamber, and the sand has been removed. What does the hon. member propose shall be done? Is it suggested that the concrete pillars with steel through them shall be pulled down or are they to be left there? If they remain, they will be much uglier than any building that might be erected.

Hon. W. R. HALL: I support the amendment. Two wrongs do not make a right. Mr. Craig referred to the hole that has been dug. It would not require much work to fill that in. A good bulldozer would do the job in half an hour. The House Committee is to be commended for its action in this matter. Mr. Craig said the other night that the committee had acted foolishly and stupidly. After having attended 17 meetings of the committee during the year, I do not think that members of the committee can be accused of folly and stupidity when we find the Government endeavouring to pull the wool over our eyes by erecting a building unlawfully.

The CHAIRMAN: Order! I would remind the hon. member that the question before the Committee is the deletion of certain words. I think it is incorrect of him to make a second reading speech.

Hon. W. R. HALL: I support the amendment. Being a member of the Joint House Committee, and knowing all that has happened, I cannot do anything else.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. G. FRASER: I intend to support the amendment, notwithstanding that I voted for the second reading of the Bill, which I did in order that the measure could be further considered in Committee. If we have any confidence at all in the Joint House Committee we should stand by it in this matter. It will be said that other public buildings were erected in the past. That was because no one at the time had any idea that they were wrongly erected. When we find the House Committee so vigilant as to take the action it has, the least members can do is to support it, particularly when its attitude is correct.

In his remarks, Mr. Craig said that if we carried the amendment we might as well not have agreed to the second reading. That is not so. Had we defeated the measure on the second reading the buildings already erected would still not be authorised. By agreeing to the amendment we will authorise what has been done. I hope that we will authorise them for a period only, and not for all time. We must take a stand

now, otherwise we will not know where these things will finish. If we refuse to allow further construction to proceed on the present building, and then set a time limit on those that have been erected, we will do the right thing.

Hon. J. G. HISLOP: I believe, with Mr. Craig, that this is tantamount to another second reading debate on the Bill. I cannot imagine how anyone who voted for the second reading of the Bill could change his mind and vote for the amendment.

Hon. G. Fraser: I did not change my mind.

Hon. J. G. HISLOP: There was considerable laughter when the Minister said that the commencement of Parliament House would see the demolition of these buildings. If the original plan of Parliament House is adhered to, the other buildings will have to go. As a measure of assurance that there is in the mind of the Government the contemplation to start on the Parliament House building, I suggest that the Minister ask the Government to bring down a measure for the purpose of setting aside £25,000, or whatever amount is thought to be justified, as a sinking fund, for the purpose.

No Ministry in my memory has had the courage to tackle the problem. No attempt was made to do anything of that nature during the depression. If we wait for another depression in order to complete this House, we will be met with the statement that the money is not available. The labour will be there, but not the money. Today we are in the position that we have the money but not the labour. Let us put the money aside, and then when labour is available we can complete the building.

Hon. E. M. HEENAN: I hope the amendment will not be agreed to. Apart from other considerations, I am forced to admit the logic and sincerity of the motives as put forward by the Minister. I cannot agree with the proposition that this building is going to impinge to any great extent on the Parliament House grounds. There is a great need of further accommodation to house staff in the Public Works Department.

Hon. A. R. Jones: Perhaps there are too many officers in the department.

Hon. E. M. HEENAN: If we defeat the Bill—and I submit the amendment will defeat its main purpose—we will not only cause embarrassment to the Government, but possibly inflict hardship on many people working under great difficulties. Apart from that, a good deal of public money has already been spent. There are difficulties in the way of obtaining other suitable sites. After weighing the pros and cons, I believe we would be doing the wrong thing by agreeing to the amendment.

As regards the point raised by Dr. Hislop, I must say that at the present moment I cannot see any justification for an extension of the Parliament House building. It may be that the conditions under which some of the staff are working are inadequate, but I am not competent to speak on that. At this stage, to agitate for or propose some grandiose extension of the parliamentary building, seems entirely unwarranted to me.

Hon. H. HEARN: I support the amendment. I remind Mr. Heenan that the Minister made it perfectly clear that if this building is completed it will impinge upon the completed plans of Parliament House. I believe he said that before Parliament House could be completed, that building would have to be removed.

Hon. E. H. Gray: All the buildings; not only that one.

The MINISTER FOR TRANSPORT: I hope the Committee will reject the amendment. I have given reasons in detail why the building is necessary, and why alternatives are, for the time being, out of the question. Members may recall that when it was first suggested that the building be not proceeded with, there was an indignation meeting of the employees concerned. They work under crowded conditions, and they realise, better than anyone else, that their work cannot proceed unless they have sufficient space. They know, too, that it is impossible to go ahead with permanent buildings at the moment on account of shortage of materials, particularly steel. Other alternative sites have been considered, with a view to erecting temporary buildings, but for good reasons they could not be accepted.

Hon. N. E. Baxter: You did not give us any of the reasons.

The MINISTER FOR TRANSPORT: If the Committee, in order to protect itself, decides to limit the life of these buildings to a term of years, I would be quite agreeable.

Hon. Sir Charles Latham: That would be useless, of course.

The MINISTER FOR TRANSPORT: I promise Dr. Hislop that I shall mention his suggestion to Cabinet. This Chamber cannot deal with it, because we have no power to consider any questions affecting the spending of money. I said that the buildings would have to be pulled down because that is something the designers of Parliament House, in their wisdom, visualised as a long-term plan. The public buildings were there many years before Parliament House was erected here, or possibly thought of. There was no suggestion by the designers that the buildings should be immediately demolished. When the time comes, however, for the approaches to Parliament House to be put in, these buildings will have to go.

I agree with Dr. Hislop that this is essentially work for a time when there are men available but no jobs for them. But that time is not now. If we pledge ourselves to proceed with public buildings at the present time, when houses are wanted, there will be a strong public reaction. On all grounds I suggest that the amendment be rejected. I do not think members who voted for the continuance of the building programme can consistently vote for the amendment.

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

Ayes	....	....	....	13
Noes	....	....	....	13
A tie	....	....	....	0

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. G. Bennetts	Hon. A. L. Lotton
Hon. G. Fraser	Hon. J. Murray
Hon. W. R. Hall	Hon. H. L. Roche
Hon. H. Hearn	Hon. H. K. Watson
Hon. A. R. Jones	Hon. R. J. Boylen
Hon. Sir Chas. Latham	(Teller.)

Noes.

Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. E. M. Davies	Hon. J. M. Thomson
Hon. Sir Frank Gibson	Hon. F. R. Welsh
Hon. E. H. Gray	Hon. G. B. Wood
Hon. E. M. Heenan	Hon. C. H. Henning
Hon. J. G. Hislop	(Teller.)

The CHAIRMAN: The voting being equal, the amendment passes in the negative.

Amendment thus negatived.

Clause put and passed.

Clause 3—Modification of purpose of dedication:

Hon. Sir CHARLES LATHAM: I move an amendment—

That all words after the word "erected" in line 3, down to and including the word "completed" in line 7 be struck out.

The MINISTER FOR TRANSPORT: This is a consequential amendment which, if the other amendment had been carried, would have been necessary to bring the clauses into line. Therefore, I suggest that this amendment is not in order.

Hon. G. FRASER: I hope Sir Charles Latham will not persist in moving this amendment, because if it is passed it will make the whole thing ridiculous.

The CHAIRMAN: I think the Minister's contention is correct and, in view of the previous amendment being defeated, it would be useless to carry on with this one.

Hon. Sir CHARLES LATHAM: I agree. Therefore, I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. H. HEARN: I move an amendment—

That in lines 9 and 10, the words "for a term of twenty-one years commencing on the coming into operation of this Act," be struck out.

If my amendment is agreed to it will be followed by an amendment moved by Mr. Hall to the effect that the Bill shall continue in force until the 31st day of December, 1952, and no longer. This will ensure that the measure is brought before Parliament from time to time.

Hon. Sir CHARLES LATHAM: The intention is to limit the operations of the measure from year to year, and Mr. Hall's amendment cannot be moved unless this one is agreed to. The idea is that the Bill shall be an annual one so that Parliament may have some right to determine whether these temporary buildings shall be left there and so that Parliament will have some say in doing something for the staff of this House. I suggest that Mr. Heenan might come here on a hot summer's day and see what the offices which house "Hansard" and other sections of the staff are like. These people are not here on occasions, but are working in the building day after day. These offices are deplorable during the winter months as well. For that reason the Joint House Committee wants to do something for the staff in this building.

Hon. E. M. HEENAN: So far we have validated the action of the Government and to my mind the term of 21 years seems quite reasonable. It is absurd to say that the building will be pulled down within 21 years.

Hon. Sir Charles Latham: Of course it will not be pulled down within 21 years.

Hon. E. M. HEENAN: I have heard a number of members speak in a derogatory fashion about measures that come up from year to year and it will be absurd if we have to keep on extending the duration of this measure.

Hon. H. Hearn: It keeps the matter before Parliament.

Hon. E. M. HEENAN: As regards the gratuitous advice offered to me by Sir Charles Latham, I would tell him that I have been here during the summertime and I have seen where the various people employed in the building are accommodated. I know as much about that as the hon. member and as he has proffered me some gratuitous advice as to what I should do, I will now offer him some advice. He speaks with such remarkable knowledge of these topics, and implies in his superior way that other members have to gain experience. He should travel to some parts of the Goldfields and see where miners, and other men and women work and live and rear families.

The CHAIRMAN: Order! I think this is extraneous to the amendment under discussion.

Hon. E. M. HEENAN: If it is extraneous, then you, Sir, did not regard the remarks of Sir Charles Latham as extraneous.

The CHAIRMAN: They related to the parliamentary building.

Hon. E. M. HEENAN: He offered me advice about what I should do and where I should go and I am taking this opportunity to advise him where he should go.

Hon. Sir Charles Latham: And it will probably be hotter than here.

Hon. E. M. HEENAN: Sir Charles should go to some parts of the State where he is not known and about which he knows nothing.

Hon. G. FRASER: I am neither happy with the clause as it stands, nor with the proposed amendment. To bring this question up every year will be to make a farce of it.

The Minister for Agriculture: Just too silly!

Hon. G. FRASER: But if we leave it at 21 years the period will still be too long. A number of members voted for this Bill not because they liked it, but because of the money that has been already spent on this temporary building. Their attitude would have been different, I think, if the Bill had been one to permit the Government to start work on a temporary building. If we fixed a shorter term, such as 10 years, it would be a definite indication to the Government of the feeling of members in regard to this matter. If the present amendment is agreed to, the building will probably not be completed before the measure has to come up for review.

Hon. H. Hearn: The idea is to strike out these words so that we can insert Mr. Hall's amendment which is already on the notice paper.

Hon. G. FRASER: An amendment has been moved to delete these words and if we defeat that amendment, I cannot move to delete the words "twenty-one years" because the Committee will have already agreed that they shall remain in the Bill. Unless the amendment is withdrawn, nothing can be done along the lines I have suggested.

Hon. H. HEARN: In that case, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. G. FRASER: I move an amendment—

That in line 9 the word "twenty-one" be struck out with a view to inserting another word.

If this amendment is agreed to I will move to insert some other word such as "ten" in lieu of the one struck out.

Hon. H. S. W. PARKER: What would be the position if at the end of that period, whether it be 15 years or 21 years, Parliament said, "Very well, we won't agree to this Bill?"

The Minister for Agriculture: You will have to pull the building down.

Hon. H. S. W. PARKER: I intended to move to strike out all those words and to disagree with the suggested amendment. It is only a farce to provide for a period. As soon as the building is up—

Hon. Sir Charles Latham: It will stay there until it rots away.

Hon. L. Craig: Until Parliament decides it should be taken away.

Hon. H. S. W. PARKER: Parliament cannot get the money; anyhow we cannot get it in this House. I should say it is very close to being out of order to suggest the provision of a term. I am prepared to vote for 100 years if necessary, but I am not prepared to vote for anything less than 25 years.

Amendment (to strike out words) put and a division taken with the following result:—

Ayes	15
Noes	11
Majority for	4

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. G. Bennetts	Hon. A. L. Loton
Hon. E. M. Davies	Hon. J. Murray
Hon. G. Fraser	Hon. H. L. Roche
Hon. W. R. Hall	Hon. J. M. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. R. J. Boylen
Hon. A. R. Jones	(Teller.)

Noes.

Hon. L. Craig	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. E. H. Gray	Hon. F. R. Welsh
Hon. E. M. Heenan	Hon. G. E. Wood
Hon. C. H. Renning	Hon. J. Cunningham
Hon. Sir Chas. Latham	(Teller.)

Amendment thus passed.

Hon. G. FRASER: I now move—

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

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

Title—agreed to.

Bill reported with an amendment.

BILLS (4)—FIRST READING.

- 1, Real Property (Foreign Governments).
- 2, Hospitals Act Amendment.
- 3, Prices Control Act Amendment (Continuance).
- 4, Country Towns Sewerage Act Amendment.

Received from the Assembly.

BILL—AGRICULTURE PROTECTION BOARD ACT AMENDMENT.

Report of Committee adopted.

BILL—VERMIN ACT AMENDMENT.*Second Reading.*

Debate resumed from the 26th September.

HON. L. A. LOGAN (Midland) [8.12]: As the Minister stated, this is quite a small Bill with three main objectives. The first deals with the phraseology of the Act passed last year; the second is to place further expense on the pastoralists and the primary producers and the third is to hand on more powers to the Agriculture Protection Board. Undoubtedly the phraseology of the Act has to be altered, but I would like the Minister to give us some figures of the amount necessary, or what has been spent under the Vermin Act, in regard to the Agriculture Protection Board.

We have been asked to raise the amount of the rate to 2d. on unimproved pastoral areas and from a halfpenny to 1d. in the case of other areas. I think it is only right that when moving the second reading of the Bill the Minister should have given us particulars regarding the amount collected under the old rate, what has been spent and how it has been spent. Had he done that, members would have been able to arrive at a decision on the matter, but to say that the amount will go up to 1d. in one case and 2d. in another without giving us any such information is, I think, wrong.

I hope therefore that before he goes on with this Bill the Minister will give us all the necessary facts. I for one do not feel inclined to vote for something unless I have those particulars. Quite a considerable amount of money may be involved in this matter and I think the information I have indicated should have been given to us in the first place. I do not like the idea of the Minister transferring his powers to the board to dictate what price should be set in future. I think we could have left the Act as it was.

On motion by Hon. A. R. Jones, debate adjourned.

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

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.15] in moving the second reading said: There are seven proposals in the Bill. In the order shown in Clause 3, they are for the purpose of increasing—

- (a) the maximum annual sewerage rate from 1s. 6d. in the £ on the annual ratable value of the land to 2s. in the £;
- (b) the maximum annual sewerage rate of 3d. in the £ on the capital unimproved value of the land to 4d. in the £;
- (c) the maximum annual stormwater rate from 5d. in the £, on the annual ratable value of the land, to 6d. in the £;
- (d) the maximum annual stormwater rate from 5/6ths d. in the £ on the capital unimproved value of the land to 1d. in the £;
- (e) the minimum water rate payable annually from 10s. to £1;
- (f) the minimum annual sewerage rate from 7s. 6d. to £1;
- (g) the minimum annual stormwater rate from 2s. 6d. to 5s.

First I should like to impress on members that the approval by Parliament of this Bill will not mean an immediate increase in rates. The rates for the year ended the 30th June, 1952, have already been determined and stand at 1s. 6d. in the £ for water and sewerage and 5d. in the £ for stormwater drainage. The rates for the following financial year are decided every March on the basis of attempting to balance revenue and expenditure—expenditure including interest, sinking fund, management and operating expenses.

It is of interest to note that each penny in the £ adjustment in rates would be equivalent at present to—water £16,164, sewerage £13,278, stormwater drainage £9,118. As no alteration has been made to the maximum and minimum rates since 1925, I feel I can say, without fear of contradiction, that the considerable change in money values since that date warrants the increases set out in the Bill.

An indication of the manner in which the costs of the department have increased since the immediate prewar year of 1938-39 should substantiate my contention that increases of rates are necessary. Apart from the universally higher costs of labour and materials, it has been found necessary to use a large amount of imported material, thus, of course, adding considerably to construction costs. Since 1938-39, operating costs in connection with metropolitan water supply have increased from £50,975 for the year to £228,442 in 1950-51. This is an expenditure increase of 348 per cent., while the revenue increase amounted to 71 per cent. only.

In 1938-39, the average cost of extending water reticulation mains was £500 per mile for 2in. galvanised iron piping, compared with £1,000 per mile today for local piping and £1,250 per mile when using the imported article. The cost of 3½in. asbestos fibrolite piping was £800 per mile in 1938-39, while now it is £1,500 per mile. Four in. reinforced concrete piping is also used now, this costing £1,800 per mile.

It is not proposed in the Bill to increase the maximum water rate. Although the Act provides for a maximum rate of 2s.

in the £ on annual ratable values, a rate of only 1s. 6d. is being charged for 1951-52, and at this figure a small surplus is being shown. Although further increases in maintenance costs are unavoidable and additional large capital expenditure will be required, it is not anticipated that it will be necessary to increase ratings above the 2s. allowed under the Act. It is proposed, however, to increase the minimum annual water rate payable on any property from 10s. to £1. The high cost of labour and materials, particularly imported piping, has caused the department financial loss on many water main extensions, as the rates payable as a result of those extensions are not sufficient to meet maintenance and annual interest and sinking fund charges.

On many occasions it is necessary to extend a water main to serve a new house, and in the extension to pass several vacant lots, on which the minimum annual charge of 10s. is payable. As this low minimum rate is not sufficient to meet the annual charges on the extension, the owner of the new house, in addition to his water rates, is required to guarantee payment of the annual deficiency. The increase of the minimum annual rate to £1 would make many of these extensions payable, and would obviate the necessity of any guarantee from the house owner. It must also be realised that the provision of a permanent water supply past a block increases the value of the land, and it is only reasonable that the owner of the block should then accept an added responsibility. The increase of the minimum rate to £1 per annum would, of course, only affect properties with an annual ratable value of under £13, these being principally vacant land of a capital value of less than £250.

Turning to sewerage, where it is proposed to increase the maximum rate from 1s. 6d. to 2s. in the £, and the minimum amount payable annually from 7s. 6d. to £1, the operating costs have risen from £27,465 in 1938-39 to £111,388 in 1950-51, an increase of 305 per cent. as compared with a revenue increase for the same period of 77 per cent. The cost of constructing sewerage works is now three times greater than in 1938-39, when the cost per man-week was £6, while now it is £17. An excellent example is afforded in the work being carried out in sewerage the Commonwealth-State rental and war service homes at Manning Park, near Canning Bridge. To date this work has cost £51,776, whereas similar work done in 1938 would have cost £17,722.

An increase in the maximum sewerage rates from 1s. 6d. to 2s. in the £ is justified. For the year 1950-51, when the rate was charged at 1s. 4d. in the £, a loss of £46,147 was made. Although the rate for 1951-52 was increased to 1s. 6d., the maximum allowable under the Act, it is estimated that the loss for the year will be at least £20,000. Had it been possible to increase the 1951-52 rate to 1s. 7½d., a

loss would have been avoided. The accumulated deficit on the sewerage branch to the 30th June, 1952, is estimated to be approximately £322,000.

Unless higher rates can be struck, this deficit will increase rapidly, as the department is being inundated with requests to extend sewerage facilities to unsewered areas. At the present rate extensions to new areas where group building is taking place do not return 3 per cent. on capital expenditure, while extensions to many old built-up unsewered areas which have been investigated would not return 1 per cent. on capital expenditure. A small increase in the sewerage rate over the whole metropolitan area would enable the department to provide sewerage to the present unpayable areas and to meet annual charges. These increases would not fall heavily on the individual head. A house with a weekly rental value of 30s. would be rated at an annual value of £47. An increase in the rate from 1s. 6d. to 1s. 7½d. in the £ would increase the rate from £3 10s. 6d. to £3 16s. 4d., an increase of only 5s. 10d. Even this increased figure would be less than is paid for pan removals.

No large stormwater drainage works have been carried out for some years, and at the existing rate of 5d. in the £, which is the maximum leviable under the Act, a small surplus over annual charges is made. Operating costs in 1938-39 were £3,164, as against £7,737 in 1950-51. This is an increase of 145 per cent. compared with a revenue increase of 27 per cent. It is anticipated that large capital expenditure will be necessary in the near future to drain low-lying areas such as Midland Junction, Midvale, Victoria Park and Bayswater, where the cost of this work is beyond the capacity of the local authority.

The provision by the department of stormwater drainage facilities in these areas would entail such heavy expenditure that the return under the present rate maximum of 5d. in the £ would result in a very substantial annual loss which would quickly absorb the surplus that is being made at present. It is proposed therefore that this maximum rate should be increased to 6d. in the £, so that, if these further works are carried out, the maximum rate can be charged and sufficient revenue earned to meet the annual expenditure.

Members will have observed that I have not referred to the increases proposed in the Bill to the maximum stormwater and sewerage rates on capital unimproved values, as although such charges are provided for in the Act, it is not the policy of the department to rate on unimproved values. However, it is considered advisable to increase the maxima to the same degree as those of annual ratable values, in the event of ratings on unimproved values ever being adopted.

In conclusion, I should like to reiterate that the proposals in the Bill will not mean an immediate increase in rates, nor will they mean that rates will be charged at the maximum figure. As I have explained, the charges for each financial year are reviewed in the previous March, and a rate figure fixed which is estimated to return sufficient revenue to meet the annual expenditure. I move—

That the Bill be now read a second time.

HON. G. FRASER (West) [8.28]: This Bill, I think, is essentially one for consideration at the Committee stage and possibly it is one to which quite a lot of consideration should be given. One of the clauses sets forth a number of increases to be made in the rates. At a quick glance, some of the increases appear to be quite in order. For instance, the proposal in one instance is to make an increase from five-sixths of a penny to 1d., which might be fully justified, but there are other increases which are more substantial. For instance, there is the increase on vacant land from a minimum of 10s. to a minimum of £1. That is an advance of 100 per cent., and there are quite a lot of suburban blocks that pay the minimum.

Hon. Sir Charles Latham: They are rated to encourage owners to put buildings on them.

HON. G. FRASER: Many of the suburban blocks are useless. The owners were unfortunate enough to buy them in the early days and can neither get rid of them nor make use of them. They could adopt the policy of refusing to pay rates and permitting the land to fall into the hands of the local authorities, but the owners go on paying. This increases those rates by 100 per cent. and then there is the increase in the sewerage rate from 7s. 6d. to £1. I warn the Minister that when the Bill is in the Committee stage I will require the figures relating to each individual item and will want to know the proposed increased revenue to be obtained by means of these increases.

Hon. L. Craig: The Minister said they would budget only for sufficient to cover the expenses of that particular year.

HON. G. FRASER: I want to know more about these figures. The hon. member would not sign a blank cheque in an ordinary business deal, and here we are dealing with business that affects all the people of the State. Unless we are given the full facts, I do not think we should vote in favour of the measure. We must remember that in the last three years people have been paying much higher rates for sewerage services, water and other facilities than they did up to 1946, due to the revaluation of land by the various municipal authorities and the Taxation Department.

In my own district, it is common for the annual value to have been raised from £35 to over £50, which greatly increases the water rates payable by the owners of such land. It is all very well to say that the water rate is to be increased only from 1s. 6d. to 2s., but when we consider what has been done in the last couple of years and the way rates have been raised owing to land revaluations, it is obvious that the householder will soon reach breaking point. I give the Minister fair warning that I will be very inquisitive when the Bill is being dealt with in Committee and will want to know what is the revenue received under the present rating and what is hoped to be received with the increased rating. With those reservations, I support the second reading.

HON. E. M. DAVIES (West) [8.34]: While agreeing that the Government, like any other governing body, must increase its rates, I was surprised to notice in the Bill the extent by which it is proposed to raise certain charges. I agree with the sentiments expressed by Mr. Fraser, particularly with regard to vacant land and the increases that have been made in the charges applicable to vacant lots. Valuations of property, especially in the metropolitan area, have been increased in some instances by over 100 per cent. and, as the department usually takes the local authorities' valuation in such cases, it has naturally received increased rates in recent years.

I notice that the Bill proposes to increase the stormwater rate from 5d. to 6d., which does not seem a large sum in view of increased costs, but I would like the Minister to give members information as to the relative capital cost of the various stormwater schemes in the metropolitan area. I venture to say that the capital cost of the stormwater system in Fremantle has been repaid to the Government years ago. Some years back, negotiations were put under way by the Fremantle City Council in an endeavour to take over the stormwater drainage system of that centre, in the belief that that would be more equitable to the ratepayers of Fremantle than it would be to continue paying a special rate to the department.

It will be agreed generally that only certain parts of any particular area are connected to the stormwater system, and only those people resident on what might be termed the watertable, from which the water drains into the stormwater system, are charged that rate. On the other hand, people in other parts of the area concerned have to contribute, through their rates, to the cost of the stormwater drainage system. The Minister should tell members what is the average capital cost of the various stormwater drainage systems in the metropolitan area. I know there is one such system in Fremantle and another in Subiaco. Possibly there are others in different parts of the metropolitan area.

If we had those figures, we would know whether stormwater drainage was a payable proposition in one district as against another. I will reserve any further comments on the measure until it is being dealt with in Committee.

HON. SIR CHARLES LATHAM (Central) [8.37]: I have taken the opportunity of looking at the report of the department and have not been able to reconcile the figures given by the Minister with those appearing at page 5 of that report. There we see the actual cash collections as £756,123 compared with £704,090 for the previous year. Expenditure amounted to £692,399, being an increase of £37,210 compared with the previous year. It looks as though a fairly substantial profit was made for the year ended the 30th June, 1950.

Hon. A. L. Loton: You will probably be told that those figures are not correct.

Hon. Sir CHARLES LATHAM: On page 7 of the report is shown the revenue account, and the figures there balance with those that I have given. For "water supply" the figure is £452,955, and for "storm-water drainage" it is £44,820, giving a total, together with "sewerage" at £229,292, of £727,068. The operating expenses totalled £186,000 odd for "water supply," £78,000 odd for "sewerage," £6,850 odd for "storm-water drainage," or a total of £271,207. The gross profit for the year transferred to net revenue account is shown at £455,861, so I think we require some further explanation. Members might wonder why I should speak to this debate, but a great portion of the metropolitan area comes within the Central Province, and I am interested in the welfare of the people in that area.

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

BILL—MAIN ROADS ACT (FUNDS APPROPRIATION).

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.40] in moving the second reading said: This Bill is a re-enactment of a measure passed by Parliament last session, and is similar to legislation approved by Parliament on several occasions since 1941. Members will recollect that the necessity for these measures was brought about by the action of the Commonwealth Grants Commission in 1941 and in previous years recommending that the annual grant to Western Australia be reduced, because of this State's failure to apply some of its motor license revenue to payment of servicing charges on loan funds expended on roads. In 1941 the amount deducted from the grant amounted to £65,000.

In order to ensure that these deductions would not continue, statutory authority has been requested, since 1941, for the

annual payment into Consolidated Revenue of 22½ per cent. of the traffic fees collected in the metropolitan area. The payments each financial year have amounted to—

1942	.....	£30,199
1943	.....	£26,861
1944	.....	£28,942
1945	.....	£30,696
1946	.....	£33,643
1947	.....	£37,518
1948	.....	£67,003
1949	.....	£58,494
1950	.....	£67,711
1951	.....	£70,000

The steady increase in the annual collections, particularly from 1947 to 1948, which was caused by the cessation of the 25 per cent. reduction in license fees imposed when petrol was in short supply, made it obvious that there should be some limit to the annual amount appropriated under this legislation. This was discussed with the Treasury on the basis of that department's interest and sinking fund commitments on loan funds expended on roads since the inception in 1926 of the Main Roads Department.

Although there are further loan commitments for roads prior to 1926, claims on funds available to the Main Roads Department would not be justified for any earlier period. The Treasury's annual commitment on the Main Roads Department's loan expenditure on roads since 1926 is approximately £72,290; therefore, it is considered that a maximum annual transfer of £70,000 to Consolidated Revenue would be reasonable, and this maximum is specified in the Bill.

The Act approved by Parliament last year was restricted to a period of 12 months expiring on the 31st December next as, owing to the Federal Aid Roads Agreement Act not having then been passed by the Commonwealth Parliament, the period and conditions under which future road funds would be made available to the States were not known. As the Federal Act covers a period of five years, it is proposed that this Bill should have the same expiry date, namely, the 31st December, 1955. The amount appropriated under the Bill is taken from metropolitan license fees only, and it will not affect in any way the road programme in country districts. I move—

That the Bill be now read a second time.

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

House adjourned at 8.45 p.m.