

Legislative Council.

Tuesday, 7th October, 1947.

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

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Constitution Acts Amendment (Re-election of Ministers) Bill.

AUDITOR GENERAL'S REPORT.

Section "A," 1947.

The PRESIDENT: I have received from the Auditor General a copy of Section "A" of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1947. This will be laid on the Table of the House.

QUESTION.

RAILWAYS.

As to Yellowdine Rest House.

Hon. G. BENNETTS (on notice) asked the Minister for Mines:

(1) Does he know that nothing has yet been done to the kitchen of the railway rest house which was destroyed by fire at Yellowdine?

(2) Is he aware that serious discontent exists amongst the train crews concerned?

(3) Can he give a definite date as to when the construction of a new kitchen is likely to be commenced?

The MINISTER replied:

(1) Yes.

(2) Yes.

(3) In a fortnight's time.

MOTION—RAILWAY OMNIBUSES, PURCHASE, DELIVERY, ETC.

To Inquire by Select Committee.

HON. H. L. ROCHE (South-East)

[4.36]: I move—

That a Select Committee of five members be appointed to inquire into and report upon all aspects of the negotiations for the purchase and delivery of, and the utilisation of, the vehicles known as the "Landliner" and "Cheetah" omnibuses acquired on behalf of the Western Australian Government Railways.

I would like to explain to the House that the vehicles referred to in my motion are, I understand, of the same design. The "Landliner" bus has been delivered; the "Cheetah" buses are in course of construction. The "Landliner" bus, I am informed, cost £5,000, and it is more particularly with that vehicle that I wish to deal, although, as I have pointed out, I understand the "Cheetah" buses will reproduce some of the unsatisfactory features now apparent in the "Landliner."

The "Landliner" bus, according to information supplied to me, was built purely as an experimental model. It was manufactured in Victoria and has certain special features. It was licensed in that State and ran for some thousands of miles. I believe that for the 12 months before the Western Australian Government Railways purchased the bus, it lay idle in Victoria because the traffic authorities there would not license it. I also understand that on one occasion it was capsized in Victoria. Whether that accident had anything to do with the reluctance of the Victorian authorities to license it, I cannot say at this stage.

From what I have been able to observe, the main features of the "Landliner" bus are the power units in the coach itself and in the steering. The vehicle is powered by two V8 engines, one in front in the orthodox position and the other at the rear. The coach for a passenger vehicle of this size differs from the bigger vehicles in use in this State, inasmuch as the body is embraced in the coach itself; there is no semi-

trailer unit, or no tractor unit, as distinct from the passenger portion of the vehicle. The driver sits with the passengers.

The hydraulic steering, so far as I have been able to gather, is unknown in Western Australia. I have made inquiries in regard to it, one from the biggest distributors of vehicles in this State and another from a big bus company. Neither has heard of such an innovation as hydraulic steering. I am not aware that it is being used anywhere else in Australia; it may be up to date, but I have been unable to ascertain whether that is so. The bus is not of a kind which one would expect the Government to purchase on behalf of our railways for passenger service in this State, especially in view of the fact that it had been lying idle in Victoria for 12 months because the traffic authorities there refused to license it. It has only one door and that, for a bus which purports to seat 54 passengers, to my mind immediately conjures up problems for the bus crew, because of loading and unloading. So far as I could observe, there was no proper emergency door. There is a window arrangement at the rear of the bus which I presume can be opened although I have not seen it open. This vehicle, with only one door and no proper emergency exit, and accommodating anything from 50 to 60 people, is a doubtful proposition. The hydraulic steering is a novelty in Western Australia, and it also is somewhat doubtful.

When the vehicle was first received here, over two months ago, the steering was defective. I understand there is no mechanic in this State who knows anything about adjustments or repairs to that type of steering. Such an innovation, on a passenger vehicle of this size, appears to me to be somewhat risky. Inquiry is called for to ensure that the people who may use the omnibus are protected. The vehicle, after its arrival in the State, did an experimental trip from Perth to Cranbrook, a run which was serviced by the Railway Department with a semi-trailer bus prior to the obtaining of this vehicle. The vendors' representatives, who had brought the machine overland, went on that run with the crew which ordinarily drives the semi-trailer. On that occasion the steering was not as satisfactory as it should have been. Unless it had attention every morning there was the danger that it would operate in only one

direction. I understand also that there was a pretty heavy strain on the man who was driving.

On its return from that trip, the bus was taken into the Midland Junction Workshops for painting. Apparently, although it was a secondhand machine, it was not considered necessary to overhaul the power units. After the completion of the painting it was put on the Perth-Kojonup run, and on its initial trip it broke down at the 107-mile peg. It was not possible for it to proceed further, and another bus had to be sent from Perth to take the passengers on to Kojonup. I do not know just how the big vehicle was returned to Perth. I understand that considerable concern was displayed and active steps taken to get it repaired and put in use again.

It was back on the road last week, but it was not on the Perth-Kojonup trip yesterday. I was given to understand that it had been taken off again for further repairs or adjustments to the hydraulic steering. In addition to what I have said, this bus has no proper provision for the amount of luggage which it is necessary to carry on long trips such as those between Perth and Kojonup, and Perth and Cranbrook. I think, in all the circumstances, an inquiry is called for to ascertain why a bus of this type, and in such a condition, should have been purchased at the price stated for the Government Railway Department, and I feel certain that in the interests of the safety of those members of the public who have to use the vehicle, this House is justified in agreeing to the appointment of a Select Committee to look into all aspects of the matter.

On motion by the Minister for Mines, debate adjourned.

BILLS (5)—FIRST READING.

- 1, State Housing Act Amendment.
- 2, Law Reform (Contributory Negligence and Tortfeasors' Contribution).
- 3, Milk Act Amendment. (Hon. E. H. Gray in charge).
- 4, War Relief Funds Act Amendment (Hon. E. H. Gray in charge).
- 5, Main Roads Act (Funds Appropriation).

Received from the Assembly.

MOTION—ELECTRICITY ACT.*To Disallow Cinematograph Operators' Regulations.*

Debate resumed from the 1st October on the following motion by Hon. A. L. Loton:—

That Regulations Nos. 71, 78, 80, 82, 86, 89, 103, 104 and 162 made under the Electricity Act, 1945, as published in the "Government Gazette" of the 27th June, 1947, and laid on the Table of the House on the 5th August, 1947, be and are hereby disallowed.

HON. C. G. LATHAM (East) [4.52]: I support the motion. I have had an opportunity to look through the regulations. It appears to me that in these days we set out to place a measure on the statute-book and then create an outside body, with responsibility to the Minister concerned, to draw up a set of regulations that in many instances are very difficult to follow. When we pass legislation to create an authority to control certain activities, that authority should be responsible for determining upon any examination that may be held under regulations that are framed.

If one peruses the regulations and gives consideration to the position of cinematograph operators, one will see that, in the light of the examination papers that have been tabled, those operators are required not only to have mechanical knowledge but to be first-class electricians. I am doubtful whether the law would permit them to apply the knowledge they need before they can pass the examinations that are set. I have always been opposed to legislation by regulation. In this instance, under the Electricity Act we have a mass of over 300 regulations. It would be much more simple and give members an opportunity to appreciate the responsibilities of those operating under the regulations if these provisions were clearly set out in the Act.

In earlier days when a measure was passed, it was framed so as to state what it meant, and in those circumstances the public was able to understand the law that had to be observed. Now, however, a system of drafting legislation has been adopted that makes it difficult for those concerned to understand just what is required of them. Under that system we have an abundance of regulations with which very few people come into contact, and yet we require them to carry out the laws of the country. Not always do we deal with completely trained

people when we pass legislation that has to be observed by the public. For all these reasons I am prepared for the regulations to be sent back to those responsible for drawing them up. I am doubtful if the Minister whose signature is attached, ever read them; if he did, I doubt whether he understood them. If he did not and yet signed them, he must accept the responsibility for the position created if either House should disallow the regulations. If I were the Minister in charge when regulations such as those under discussion came before me, I would require somebody in a position of authority to explain their purport to me.

The Electricity Act is difficult to understand and has been scientifically drafted. I know the Minister concerned fairly well, and I appreciate that he is an extremely busy man. It would be necessary for him to sit up for two or three nights going through the regulations if he were to get even an elementary knowledge of their contents. I hope the House will agree to the disallowance of the regulations as an instruction to the officers responsible for them that these provisions should be re-drafted as simply as possible and that the examination papers, which will be placed in future before applicants for licenses, will be as simple as possible while yet complying with the requirements of the applicable legislation.

HON. A. L. LOTON (South-East—in reply) [4.56]: I shall not delay the House for long in replying to the debate, more particularly as members understand the position and have made up their minds how to vote on the motion. The debate itself has extended over about three weeks. By arrangement with the Minister for Works (Hon. V. Doney), I had a long discussion with the secretary of the Electricity Commission (Mr. Orr) and placed before him the points I mentioned when I moved for the disallowance of these particular regulations. I am pleased to say that Mr. Orr is prepared to make the necessary alterations in most instances and that the regulations will be re-presented in amended form. I understand it is not within the power of the Minister to give me any assurance that the regulations will be amended, and in the circumstances I have no option but to persist with the motion for disallowance.

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

Ayes	11
Noes	12
Majority against ..	1

AYES.

Hon. C. F. Baxter	Hon. H. L. Roche
Hon. Sir Hal Colebatch	Hon. C. H. Simpson
Hon. H. A. C. Daffin	Hon. A. Thomson
Hon. O. G. Latham	Hon. H. Tuckey
Hon. L. A. Logan	Hon. J. A. Dimmitt
Hon. A. L. Loton	(Teller.)

NOES.

Hon. G. Bennetts	Hon. J. G. Hialop
Hon. R. J. Boylen	Hon. G. W. Miles
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. F. E. Gibson	Hon. F. B. Welsh
Hon. E. H. Gray	Hon. G. B. Wood
Hon. W. R. Hall	Hon. G. Fraser
	(Teller.)

PAIR.

AYE.	NO.
Hon. R. M. Forrest	Hon. E. M. Heenan

Question thus negatived; the motion defeated.

BILL—PUBLIC TRUSTEE ACT AMENDMENT.

Third Reading.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.2]: I move—

That the Bill be now read a third time.

HON. G. FRASER (West) [5.3]: Some further explanation regarding costs in probate cases should, I think, be given by the Minister. A suggestion was made during the debate that the scale be altered. I raised the question myself when I was asking for the raising to £1,000 of the sum of £500 in connection with the personal application. I suggested that the costs were in the vicinity of £20 to £25. In his second reading speech the Minister stated that legal costs in such instances would amount only to between five and seven guineas. There is a great discrepancy in the figures. The Minister ought to explain, if the legal costs are only from five to seven guineas, why he brought down a Bill giving the Public Trustee the right to charge on small estates $2\frac{1}{2}$ per cent. which, in the case of an estate worth £1,000 would amount to £25.

Hon. G. W. Miles: Is the hon. member in order? Is he not making a second reading speech?

The **PRESIDENT**: The question before the House is that the Bill be read a third time.

Hon. G. FRASER: There is a big discrepancy between the costs mentioned by the Minister and those set out in the Bill, which verifies what I have said. I should also like the Minister to explain why he refuses to exempt small estates under £50 in value from the £5 minimum charge, when, according to his statement, a solicitor would charge only £5 on a £1,000 estate.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [5.5]: I do not follow Mr. Fraser. This is a Bill to provide that the Public Trustee shall be able to pay his way, because he is forced to administer so many estates of a value less than £200. At present a £200 estate would give him a remuneration of £5 at $2\frac{1}{2}$ per cent. This Bill will allow him to charge £5 on any estate that he administers under a value of £200. The Public Trustee charges no legal expenses. He carries out the administration, or he may apply for an order to administer. This will make the procedure easier and more simple. It is his book-keeping and office work for which he charges the £5. That has nothing to do with the raising of the amount to £1,000 in the case of the personal application. That is a matter which is dealt with under the Administration Act, and has nothing to do with this Bill.

As I have already pointed out, if an estate is under £200 in value and the Public Trustee is asked to look after it, this means that there is no other close relative; in other words, there is no next-of-kin able or willing to make the necessary application to the court, either in person or through a friend, or by means of a legal practitioner, or in any other way. If the Public Trustee is to be asked to do this work, it is only right he should receive a minimum fee to cover his expenses, the cost of clerical assistance, stationery, etc. Nearly all these estates of small amounts have been those of deceased persons who either had no near relatives or had relatives overseas and in many instances the relatives were foreigners who caused a considerable amount of trouble in ascertaining who was entitled to the few pounds remaining. That is the reason the Public

Trustee is asking for a minimum charge to make his office pay.

Question put and passed.

Bill read a third time and *passed*.

BILL—TRAFFIC ACT AMENDMENT.

Report of Committee adopted.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.10] in moving the second reading said: This is a Bill to amend the Municipal Corporations Act. There are many minor amendments which members will no doubt note. The first provides that the ratepayers' meeting, which now has to be held in November of each year before the general election of councillors, may be held within three months of the 31st October, whether it be before or after the election. The reason is that it has been found difficult to get the accounts passed and audited before November. I understand this amendment is put in at the request of municipal councils. The next amendment is to provide that municipalities may make by-laws in connection with swimming-pools, such as that at Kalgoorlie. The Perth City Council also had difficulty in providing proper regulations for swimming-pools. It has been advised that the Act does not permit of regulations being made on this subject, although power is given to make by-laws concerning baths. There is also an amendment to include swimming-pools in the powers given to municipal bodies.

Municipalities will be permitted to make regulations regarding petrol pumps on the streets and in highways. At present there is no power enabling that to be done. It is desired that the same power should be placed in the Municipal Corporations Act as already exists in the Road Districts Act. Some little time ago power was given for the framing of regulations dealing with the removal of verandah posts within a period of ten years, which is soon to expire. It has been found that under present conditions that is rather impracticable. An amendment is therefore brought down to provide that the authorities cannot force the re-

moval of verandah posts until February, 1952. In the Road Districts Act, road boards are given power to purchase land and erect houses either for letting or for sale. The Bill proposes to give that power also to municipalities. Another amendment is as regards the sale of land for non-payment of rates. The moneys received are distributed in certain ways under a priority. When the priority was arranged it was overlooked that certain municipalities advanced money for sewerage, etc. Power is now to be given to accord the re-payment of that money a fifth priority.

Under the present Act when a loan is to be raised by a municipality a notice has to be given and any person may within four weeks demand a poll. It is proposed to extend that period to six weeks, it being found that four weeks is too short a time for ratepayers to decide whether or not they require a poll. In the past, 20 persons have been able to demand a poll, and members will realise that it would not be difficult for a person to persuade 19 others to join him in demanding such a poll. Twenty people out of, say, 20,000 are considered to be too few to be permitted to put a municipality to the expense of conducting a poll; so the Bill proposes that not fewer than 50, or one-tenth of the ratepayers, whichever is the lesser number, shall be permitted to demand such a poll. That will prevent any frivolous requests, such as are sometimes made, leading to the ratepayers being involved in considerable expense.

Hon. G. Bennetts: What will that poll be for? A referendum on borrowing money?

The MINISTER FOR MINES: Yes.

Hon. G. Fraser: The Bill refers to "owners." You said "ratepayers."

The MINISTER FOR MINES: I think it is "owners." I thank the hon. member for the correction.

Hon. H. Tuckey: Should it not be "resident owners"?

The MINISTER FOR MINES: I think it says "owners." When we reach the Committee stage the details of the Bill will have to be considered more fully, and any errors I may make can be rectified then. Another amendment proposes to give the municipalities power to enter into an agreement with the Housing Commission whereby that body will provide

money for putting down necessary streets in districts where it is operating. That money is to be paid back by the municipalities through a sinking fund and interest charges will also have to be met. Power is also reserved for the necessary number of ratepayers to demand a poll, if that is considered desirable.

Another Bill, dealing with housing, will be introduced, which is ancillary to this one, together with a Road Districts Act Amendment Bill, provision being made in all three measures for these agreements to be made. I am afraid I have been very brief in outlining the details of this Bill, but if members will read it I think they will find I have covered all the matters referred to: except that I notice there is at present no power for municipalities to make regulations with regard to lavatories, urinals and privies. That was probably omitted from the Act in error. There are a few odd matters of that sort which really amount to essential alterations—not of great importance in principle but of importance so far as wording is concerned. I commend the Bill to members and shall be very pleased to receive any constructive criticism they can offer and any help they can give in bringing the measure up to date. I move—

That the Bill be now read a second time.

On motion by Hon. E. M. Davies, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.20] in moving the second reading said: Very important amendments to the law are proposed in this Bill. They have been made necessary through allegations of improper practices at elections. The principal proposal is that returning officers, assistant returning officers and scrutineers shall make declarations as to their duties. It is also provided that a returning officer shall faithfully perform his duties, and if he does not do so shall be liable to a penalty. There are many minor amendments, again of no importance in principle but very important from the point of view of putting the Act into proper order.

There is one amendment which will permit road boards to provide a fund out of their annual appropriations of revenue, for replacements of plant. This will be called a replacements reserve investments fund. The money constituting the fund is to be invested in a manner authorised by the Minister from time to time. That is very important, because at present a road board can invest a large sum of money in machinery without putting anything aside to replace it when the plant is worn out.

Hon. A. Thomson: It is a pity the railways have not done that.

THE MINISTER FOR MINES: Yes, exactly. Another important amendment has to do with the question of rateable freehold land upon which rates have not been paid for seven years. It is provided that in certain circumstances such land may re-vest in the Crown. That avoids the trouble of having the land put up for sale and constitutes an important departure from the present practice.

Hon. A. Thomson: It is long overdue.

THE MINISTER FOR MINES: Yes, because the land, in many instances, is not worth the expense involved in a sale. The road boards are also given power under this Bill to purchase land and build houses upon it for sale or for letting, but that is to be subject to ministerial approval. The same provision appears in the Municipal Corporations Act. The final amendment proposed in the Bill provides for an agreement with the Housing Commission, such as that to which I referred when discussing the Municipal Corporations Act Amendment Bill. Again, I ask members to study the Bill closely and assist in bringing this extremely important Act up to date. I move—

That the Bill be now read a second time.

On motion by Hon. W. R. Hall, debate adjourned.

BILL—STIPENDIARY MAGISTRATES ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.24] in moving the second reading said: This is a short Bill but one of great importance. Under the existing law, only stipendiary magistrates may act in pro-

claimed districts. It has been found necessary in certain places for the stipendiary magistrate to have an assistant. Kalgoorlie is an instance of a centre where it is essential that there shall be such an assistant. Unfortunately, whoever that person may be, he can sit on the bench only as a justice of the peace, and therefore must have another justice of the peace with him. This Bill is to provide for an assistant for the stipendiary magistrate, who is himself a police magistrate or a local court magistrate, sitting as such police or local court magistrate, without the necessity of his having a justice of the peace with him.

The Bill deals also with the appointment of coroners. The relevant clause—Clause 3—provides for substituting for the proviso to Section 9 another setting out that the section shall not—

(b) apply to a magistrate of a local court or a police or resident magistrate or a coroner (which expression shall not include a deputy coroner) assisting a stipendiary magistrate to act for or in any local court, court of sessions or magisterial district for the time being assigned to him under Section 5, Subsection (3), of this Act.

There is a clause which clarifies a point on which some doubt has been raised, namely, as to whether the Act applies to wardens. Paragraph (a) of this proposed new proviso provides that the Act shall not apply to the appointment of wardens or the establishment of wardens' courts under the Mining Act, or to the appointment of coroners under the Coroners Act. I commend the Bill to the House, and move—

That the Bill be now read a second time.

On motion by Hon. R. J. Boylen, debate adjourned.

BILL—COAL MINE WORKERS (PENSIONS) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.26] in moving the second reading said: This Bill has been made necessary through a rise in the Commonwealth pensions. When this measure came into force, the old-age and invalid pensions were much lower than they are now. At that time it was found necessary to make every applicant for a pension apply for an old-

age pension before he became entitled to any payment under our measure. If he were refused a Commonwealth pension, then he received the full amount allowable under the Coal Mine Workers (Pensions) Act; but if he was entitled to an old-age or invalid pension, he could only receive a certain portion of the pension allowable under the State Act.

There was a provision in the Commonwealth Act for an increase to be granted in accordance with a rise in the basic wage. Our measure had reference to that section in the Commonwealth Act; but the Commonwealth section was later repealed, with the result that the coal miner was left somewhat in the air. However, when the old-age pension was increased by 5s. 6d. for a man and a similar amount for his wife—making a total increase of 11s.—the previous Administration of this State decided to continue to allow pensioners to retain this increase without its affecting their pensions under the State Act. Subsequently there was a further increase in the old-age pension and the present Government decided to follow the action of its predecessors by agreeing that there should be no reduction in the Collie miners' pensions.

The Commonwealth repealed Section 24 (1A), thereby causing Section 15 of the State Act to become inoperative and rendering the State powerless to increase the pensions of the Collie miners according to the cost of living. At that time the Commonwealth pension was 27s., and for a man and his wife the Collie miner's pension was £3 5s., so if both were entitled to the Commonwealth payment they would receive £2 14s. from the Commonwealth and 11s. from the Collie scheme, making up the total of £3 5s. On the 1st July, 1945, the Commonwealth pension was increased by 5s. 6d. per week and under the State Act the maximum amount that could be received under the Collie scheme was £3 5s. That increase would have reduced the amount received under the Collie pension scheme to nil, and naturally those pensioners protested, pointing to the increased cost of living. The then Government decided not to enforce the letter of the law but to allow the pensioners to retain the 11s. per week, which made up a total of £3 16s. instead of £3 5s., taking 11s. from the Collie scheme.

On the 1st July last the Commonwealth pension was increased by a further 5s. per

week and the present Government followed the action of its predecessor and agreed that no reduction in the Collie miners' pensions should be made. Instead of receiving £3 5s. weekly, the pensioners concerned now receive £3 15s. from the Commonwealth and 11s. from the Collie scheme, making a total of £4 6s. The position is now complicated, because a preliminary actuarial examination in 1945 disclosed that if the Collie miners' pension fund is to meet all its obligations, it will show a deficiency of £340,000. The statutory triennial actuarial investigation is now in hand and the Government has arranged that, in addition to determining the financial position of the fund, the report shall include recommendations for evolving an actuarially sound scheme. When the recommendations are submitted the mine owners and the workers will be asked for comments and advice, and the final result will be submitted to Parliament for discussion. As the result of its decision to allow the Collie pensioners to retain the Commonwealth pensions increase, the State Government has agreed to augment its contribution to the fund to meet the added cost.

Hon. L. Craig: Still retaining the 11s.?

The MINISTER FOR MINES: Yes. In the meantime the Bill proposes to validate the action taken in respect of those increases and to make provision for the increases under the Invalid and Old-Age Pensions Act and the Child Endowment Act. Clause 6 will make the measure effective until the 31st December, 1948, as by then the Government hopes that the triennial actuarial investigation will be completed, and we will know how we stand. The action taken by the Government has received the support of the miners' union and the other industrial organisations engaged in the industry. The provisions of this Bill were copied from a New South Wales Act and it is interesting to note that, although that Act was framed on the recommendations of a Royal Commission, the fund is showing a heavy deficiency, and in the other States that copied the New South Wales Act, deficiencies are also occurring. I think we have no option but to make the alterations suggested in the Bill. The measure is conservative, as it is to apply only until the end of next year, when it is hoped to place the matter on a better footing.

Hon. A. Thomson: When pensioners receive the £3 5s. from the Commonwealth,

does that mean a deduction is made from the Collie pension?

The MINISTER FOR MINES: They now receive £4 6s. and it is the difference between that sum and the Commonwealth pension that is taken out of the Collie fund. I move—

That the Bill be now read a second time.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—PUBLIC SERVICE ACT AMENDMENT.

Second Reading.

Debate resumed from 24th September.

HON. E. H. GRAY (West) [5.35]: This is an important measure which has been welcomed by the Public Service. It contains three main provisions, the first of which is for statutory long-service leave of three months after seven years' continuous service. Secondly, it introduces a new principle, which is entirely just, in providing for three months' long-service leave for temporary employees after ten years' continuous service. I have never been able to understand why a distinction should be made between temporary and permanent employees in that regard. Hitherto temporary employees have received no long-service leave. It is hard to justify such a differentiation.

The remaining portion of the Bill contains safeguards that are necessary in relation to the tremendous leeway of overdue long-service leave. No-one is to blame for that position, which is entirely due to the war, during which it was impossible for officers to take long-service leave as it became due. It has been said that it will take five years to overcome the leeway. Of course, it is a matter for the Public Service Commissioner, but I think members will agree that it is not right for officers to be allowed to build up six or twelve months' accumulated long-service leave, if it is possible for them to take such leave as it becomes due.

I believe we can depend on the Government and the Public Service Commissioner to see that the right policy is continued and that both temporary and permanent officers are given such leave as soon as possible after it becomes due. It is understood that long-service leave is given to both wages

and salaried officers as a means of recuperation after a long period of strenuous service. If that policy is not rigidly enforced the benefits that it is supposed to give are missed by both the officers and the Government, as those concerned do not obtain relaxation when it is due. It is a matter of regret that we have to maintain such a large body of temporary officers in the State Public Service.

Hon. A. Thomson: Some have for so long been temporary officers that they should long ago have been made permanent.

Hon. E. H. GRAY: Although they are valuable officers in the service of the State, some of them could not pass the necessary examinations. The position is due largely to the necessity of putting on temporary officers during the war to replace others who had enlisted. It is a difficult problem which will give much concern to both the Government and the Public Service Commissioner. I am sorry to say that a large number of our officers are leaving the State service in order to join that of the Commonwealth, but I suppose the explanation is that the Commonwealth service is now better paid and more attractive. The remaining clauses of the Bill, as I have said, contain safeguards and aim at preventing as far as possible, officers—and particularly key officers—piling up long-service leave. I have no hesitation in supporting the second reading.

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

ADJOURNMENT—SPECIAL.

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

That the House at its rising adjourn till Tuesday, the 14th October.

Question put and passed.

House adjourned at 5.42 p.m.

Legislative Assembly.

Tuesday, 7th October, 1947.

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

QUESTION.

WHEAT.

As to Continuance of Acquisition by Commonwealth.

Hon. F. J. S. WISE (on notice) asked the Minister for Agriculture:

(1) Has he communicated with the Commonwealth Government to ascertain—

(a) Whether it is the intention of the Commonwealth Government to extend for a further period that portion of the Defence (Transitional Provisions) Act, 1947, which applies to wheat?

(b) Whether the Commonwealth Government intends to acquire that portion of the 1947-48 crop which will in the ordinary course be delivered to country sidings prior to the terminating date of the Defence (Transitional Provisions) Act, i.e., 31/12/47?

(2) If he has communicated, what are the replies?

(3) If he has not communicated, will he communicate by telegram for an early reply?

The MINISTER replied:

(1) Yes.

(2) Reply not yet received.

(3) Answered by (1).