If I had done so, the work would have constituted an office of profit under the Crown, no matter who paid. So I have had grave doubts whether an Honorary Minister might not perhaps be prejudicing himself as a member of Parliament by accepting such an appointment. However, I am pleased to say no-one has tested the point and I trust nobody will.

I hope that we will not have any more Honorary Ministers, but that all those holding portfolios will be full-time Ministers and that they will be able to carry out completely the duties allotted to them instead of some of them having to refer so many things to nominal Ministers. We have, for instance, a Minister controlling the Agricultural Department; but he is not the Minister for Agriculture. Yet, under the Act, it is necessary for the Minister for Agriculture to sign various documents; with the result that we have the anomaly of the Minister for Lands in another place being nominally the Minister for Agriculture and Hon. G. B. Wood in this House actually being the Minister controlling the department. It is very wise for the Government to put an end to that state of affairs. I trust that members will give full support to the Bill.

It is said that South Australia is able to get along with six Ministers. It may be that they are quite happy about it, but Ministers there certainly have not the great distances to travel which confront Ministers in this State. Again, on account of the conditions existing between the Commonwealth and the States, Ministers have to travel to the East a good deal. All that those in South Australia have to do is to jump on a train in the evening, do their work the next morning, and return the following day. They can go backwards and forwards to Melbourne, Sydney or Canberra with the greatest ease. That cannot be done in Western Australia, although there are aeroplanes.

We cannot expect a Minister to leave here at night, travel to Melbourne by aeroplane, do his work the next day and catch the plane back to Perth. No man's physique could stand up to that. He would be run down and in ill-health in a short time. In South Australia it is a different proposition. A Minister can get some rest in the train. That is not possible travelling in an aeroplane at night. It is a wise step the Government has taken to provide for 10 full-time Ministers, and I support the Bill.

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

BILL—SUPPLY (No. 2), £7,000,000.

Received from the Assembly and read a first time.

House adjourned at 5.27 p.m.

Legislative Assembly.

Thursday, 12th October, 1950.

CONTENTS.

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

QUESTIONS.

RAILWAYS.

(a) As to Increase in Freights and Fares.

Hon. E. NULSEN asked the Minister representing the Minister for Railways:

(1) What percentage increase generally on railway freights has been made since 1947?

(2) How much has railway freight increased on superphosphate, per ton, per mile, and what is the percentage increase since 1947?

(3) What is the increased freight on wheat per ton, per mile, and per centum?

(4) What is the percentage increase on railway fares, first class and second class respectively, since 1947?

The MINISTER FOR EDUCATION replied:

(1) 29 per cent.

(2) .65 pence per ton mile—143 per cent. increase.

(3) .78 pence per ton mile—71 per cent. increase.

(4) Suburban 1st and 2nd, 25 per cent. Country 1st and 2nd—32 per cent.

Note.—The answers to Questions (2) and (3) are based on average distance hauled.

(b) As to Freight on Pyrites and Coal.

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

(1) How many tons of pyrites were hauled on the railways from Norseman to the metropolitan area during the 12 months ended the 30th June, 1950?

(2) What is the freight rate per ton mile on this commodity?

(3) What is the freight rate per ton mile on coal hauled from Collie to Kalgoorlie for the use of mining companies and/or power stations?

(4) What is the freight rate per ton mile on coal hauled for private consumers from Collie to the metropolitan area?

The MINISTER FOR EDUCATION replied:

(1) 33,928 tons.

(2) .79 pence.

(3) 1.08 pence.

(4) 1.71 pence.

(c) As to Departmental Report.

Mr. STYANTS (without notice) asked the Minister representing the Minister for Railways:

In view of the fact that the General Estimates are before the House, can he give members some indication of when the report of the Commissioner of Railways for the year 1949-50 will be available?

The MINISTER FOR EDUCATION replied:

At the moment, no, but I will make it my business to obtain the information and inform the hon. member.

EDUCATION.

As to Teachers and Class Numbers.

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

(1) How many teachers in primary schools in Western Australia, excluding schools of Classes VI and VII, are in charge of classes of—

(a) under 30 children;

(b) under 40 children?

(2) How many teachers in secondary schools in this State are in charge of classes of under 30 children?

The MINISTER replied:

(1) (a) 222;

(b) 489, including (a).

(2) It is impossible to answer this question, as secondary schools are mainly organised on subject teaching and not class enrolments.

Following the general practice of subject teaching, teachers may have classes for individual subjects that are below 30, some below 20 and many even below 10.

HARBOUR DREDGING.

As to Acquisition of Dredge, "Sir James Mitchell."

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

(1) Was the suction cutter hopper dredge "Sir James Mitchell" constructed for the Western Australian Government?

(2) Was the vessel acquired for special work? If so, what particular project?

(3) What was the cost of the vessel?

(4) Is the dredge entirely suitable for the work for which it is required?

(5) If the dredge requires alteration what is the nature of such alteration and what is the estimated cost of same?

The MINISTER replied:

(1) Yes.

(2) The dredge is a general purpose vessel. It will be first operated at Albany.

(3) The contract price was £A264,805, not including duty.

(4) Yes.

(5) The manufacture of the reclamation floating line is being done locally and to suit the design of this line minor alteration to the discharge of the dredge, at an estimated cost of £700, is necessary. This alteration was anticipated.

GAS SUPPLY.

(a) As to Extension to Bassendean-Midland Districts.

Mr. BRADY asked the Minister for Works:

Is he able to say when gas from East Perth will be laid through to Bassendean, Guildford, and Midland districts?

The MINISTER replied:

No. The shortage of pipes makes consideration of such extensions impracticable at the present time.

(b) As to Supplies of Pipes.

Mr. BRADY (without notice) asked the Minister for Works:

Arising out of the Minister's reply, will he inquire from where the Fremantle Gas and Coke Company is getting the pipes for the extension of its mains, with a view to ascertaining whether the Government can obtain supplies from the same source?

The MINISTER replied:

The Government has taken advantage of every ounce of steel that has been made available to it from oversea at prices that are reasonable from those quarters. I will make the suggested inquiry.

BREAD.

As to Hygienic Methods of Handling.

Mr. GRAYDEN asked the Minister for Health:

Will the Government take action to ensure that modern hygienic methods are used in the handling and delivery of bread?

The MINISTER replied:

This is a matter which presents many difficulties and is under active consideration of the Public Health Department.

SUPERPHOSPHATE.

As to Quantity Despatched and Haulage.

Mr. NALDER asked the Minister for Lands:

(1) How much super. was dispatched from all works for the month of September?

(2) How much was hauled—
(a) by rail;
(b) by road transport?

The MINISTER replied:

(1) 18,354 tons.

(2) (a) 14,042 tons;
(b) 4,312 tons.

MILK, POWDERED.

As to Shortage of Supplies.

Mr. SHEARN (without notice) asked the Minister for Supply and Shipping:

Relative to the Minister's figures on milk supply in this State and her statement that powdered milk would be necessary for school children in outback areas, and knowing the scarcity of this commodity in Western Australia—

(1) How much powdered milk is exported from Australia?

(2) What is the value of the exports in Australian currency?

(3) Knowing the shortage of powdered milk in this State, has the Minister taken any steps to have the export of this commodity limited until the needs of Western Australia are met?

The MINISTER replied:

(1) 1948-49—14,149,451lb.; 1949-50—23,865,008 lb.

(2) 1948-49—£A1,220,512; 1949-50—£A1,955,665.

(3) I have suggested to the following Federal Ministers—

Minister for Health,

Minister for National Development,

Minister for Trade and Customs, and

Minister for Commerce and Agriculture

that the export of powdered milk be limited or restricted until the needs of Western Australia are met. My request has been acknowledged and an intimation given that the matter will be investigated by the Minister for Commerce and Agriculture, and that I shall be advised of the result.

HOUSING.

As to Building Costs and Increased Basic Wage.

Mr. NIMMO (without notice) asked the Honorary Minister for Housing:

As the Federal basic wage has increased by £1, could he tell the House what extra cost will be involved in the building of a home?

The HONORARY MINISTER replied:

I understand that for every 1s. increase in the basic wage, the cost of housing goes up £6. On that basis, an additional cost of £120 will be involved.

BILL—SUPPLY (No. 2), £7,000,000.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Standing Orders Suspension.

On motion by the Premier, resolved:

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and of Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

In Committee of Supply.

The House resolved into Committee of Supply, Mr. Hill in the Chair.

THE PREMIER (Hon. D. R. McLarty—Murray) [4.43]: I move—

That there be granted to His Majesty on account of the services of the year ending the 30th June, 1951, a sum not exceeding £7,000,000.

Supply granted by Supply Act No. 1 is exhausted and additional Supply is required until the Estimates are passed by Parliament. Supply Bill (No. 1) provided from Consolidated Revenue Fund, £4,000,000; from General Loan Fund, £1,500,000, and Advance to Treasurer, £500,000, making a total of £6,000,000. Expenditure from Consolidated Revenue Fund for the three months ended the 30th September, 1950, was: Special Acts, £1,390,144; Governmental, £2,400,288; and Public Utilities, £2,611,706, making a total of £6,402,138. Interest and Sinking Fund included under Special Acts amounted to £1,143,176. Revenue for the three months was £5,846,693 and the deficit was £555,445.

The estimated amount of Supply now required is £7,000,000 made up as follows: Consolidated Revene, £4,500,000 and General Loan Fund, £2,500,000. As I have said, the additional Supply is required until the Estimates are passed by Parliament. The existing high cost of materials and services has greatly increased the cost of administration, maintenance, developmental works and services.

The revenue collected during the three months ended the 30th September, 1950, was made up as follows: Taxation, £1,483,318; Territorial, £154,342; Law Courts, £32,556; Departmental, £516,343; Royal Mint, £19,661; Commonwealth Grants, £1,337,912; Public Utilities, £2,299,828 and Trading Concerns, £2,733, making a total of £5,846,693. Expenditure from the General Loan Fund for the three months ended the 30th September, 1950, was as follows: Departmental Salaries and Incidentals, £33,577; Railways and Tramways, £315,916; Electricity Supply, £1,002,755; Harbours and Rivers, £126,478; Water Supply and Sewerage, £444,730; Development of Goldfields, £96,413; Development of Agriculture, £65,528; Public Buildings, £209,043; Other, £12,294; Charcoal Iron Production, £45,000, and Purchase and Plant Suspense, £100,000, making a total on the expenditure side of £2,451,734.

Hon. F. J. S. Wise: Are your figures for the first three months consistent with your anticipation of the Estimates of Revenue and Expenditure?

The PREMIER: No. As the hon. member knows, there has been a considerable increase. These figures are part of the general budgetary position and, if members wish to obtain any further information with regard to them, they will find it in the Budget figures.

HON. F. J. S. WISE (Gascoyne) [4.49]: I am quite prepared to agree that this Supply Bill should be treated formally. I have no desire to embarrass the Premier in the passing of a Supply Bill to carry him through until the Appropriation Bill is presented to the Chamber later in the session. One comment that I feel should be made is that not only is the trend in public finance clearly shown in the volume required within a Supply Bill in these days but also I was particularly interested in the Premier's answer to my question, which shows that unless the greatest care is exercised he will be, from the figures for the first three months of this financial year, as I read them, a long way out by the 30th June in his anticipations of revenue and expenditure. I hope the Government does take some notice of what I have said on the former Supply Bill both as to the Budget from a governmental point of view, and as to the dangerous spending of public finance.

Question put and passed.

Resolution reported and the report adopted.

In Committee of Ways and Means.

The House resolved into Committee of of Ways and Means, Mr. Hill in the Chair.

THE PREMIER (Hon. D. R. McLarty —Murray) [4.51]: I move—

> That towards making good the supply granted to His Majesty for the services of the year ending the 30th June, 1951, a sum not exceeding £4,500,000 be granted from the Consolidated Revenue Fund, and £2,500,000 from the General Loan Fund.

Question put and passed.

Resolution reported and the report adopted.

All Stages.

In accordance with the foregoing resolutions, Bill introduced, passed through all stages without debate and transmitted to the Council.

BILL—ELECTORAL ACT AMENDMENT.

Report adopted.

BILLS (2)—RETURNED.

1, Western Australian Government Tramways and Ferries Act Amendment.

2, Water Supply, Sewerage and Drainage Act Amendment.

Without amendment.

BILL—MINING ACT AMENDMENT.

Received from the Council and read a first time.

BILL—HEALTH ACT AMENDMENT.

Second Reading.

Debate resumed from the 28th September.

MR. NEEDHAM (North Perth) [4.58]: Because I think this is another step towards combating the subtle and dread disease of tuberculosis, I intend to support the second reading of the Bill. Its passage will assist the Public Health Department of this State and foster the extremely fine work it is doing to eliminate T.B. from our midst. The chest clinic established in Murray-street has had an excellent record since its inception. On the 17th August I asked certain questions of the Minister for Health as to the number of people, both male and female, who have been examined by the chest clinic. The questions were as follows:—

> (1) How many people have been examined at the Chest Clinic in Murray-street since it was opened—
>
> (a) Males;
>
> (b) Females?

(2) How many of those examined have shown signs of pulmonary tuberculosis—

(a) Males;

(b) Females?

The Minister replied as follows:—

(1) Up to December, 1949, 47,310; from the 1st January, 1950, to date 25,505.

(2) Up to December, 1949—Tuberculosis and suspect tuberculosis, 821; probable number of active cases, 358.

Figures relating to incidence during 1950 are not available yet.

Division between male and female is not available.

Those figures are encouraging, and as further proof of the beneficial results and the progress made in connection with the Health Department's efforts to combat this dread disease, I shall quote the following figures which I found in the "Daily News" of the 25th September last. Under the heading "T.B. Deathrate in W.A. is Lowest on Record," there appeared the following statement:—

The tuberculosis deathrate in Western Australia has steadily declined in recent years. Since 1900 the deathrate has moved from 69.6 per 100,000 to a peak of 89.6 in 1919, down to 22.2 in 1949, the lowest since W.A. records have been kept.

Last year's figures were 499 cases (93.6 per 100,000) and 123 deaths (22.2 per 100,000) in a population of 533,000.

Discussing the position today, State Director of Tuberculosis Control, Dr. Alan King said that the 1949 figure was good on world standards. It compared favourably with that of any other country, including Scandinavia, where the incidence of tuberculosis was noticeably low.

I find those figures very encouraging, too.

Mr. Marshall: That was under a voluntary scheme.

Mr. NEEDHAM: Yes. I point out, however, that there is great danger in future of comparable figures being somewhat misleading because of the not too strict examination of people coming to our shores from oversea and taking up their residence in this State. I understand that the assisted migrants who come from the Old Country to Australia undergo a very strict examination before they leave Great Britain. That precaution is most essential. In that respect I believe the Commonwealth and State Health Departments are doing everything possible to safeguard our interests, but we must not forget the number of people arriving here from other countries.

It is questionable whether those people have undergone any medical examination at all to ascertain whether they are suffering from, or are predisposed to suffer from tuberculosis. I suggest to the Minister for Health that inquiries might perhaps be made regarding that phase and some arrangement arrived at to ensure that people arriving here of their own volition with the object of settling in the Commonwealth, and particularly in Western Australia, are subjected to some strict examination as a safeguard against the introduction of this disease. The Bill will certainly help the Health Department in its campaign seeing that certain powers are to be vested in the Commissioner of Public Health to enable him to require persons to submit themselves for examination. I realise that that means the Commissioner is to be armed with compulsory powers. I have always been very hesitant to agree to any proposal of such a nature.

When amending legislation was before us in 1948, one of its provisions sought to provide the Commissioner of Public Health with compulsory powers in dealing with certain classes of people. I was most reluctant to agree to any such proposal and, in fact, did not do so. The reason for my attitude on that occasion was that the allowance provided for people suffering from this disease was in no way sufficient to enable the patient to maintain his dependants in reasonable comfort during the time he was undergoing treatment. Apart from that, I did not feel inclined to support anything in the nature of compulsion in connection with such matters. However, since then there has been an alteration in the allowances made available by the Commonwealth Government and these, although not to my mind as much as I would like, represent a considerable advance upon the provision made two years ago. That being so, I intend to support the second reading of the Bill now before us, even with the compulsory clause included in it.

In addition to the document supplied to members by the Minister for Health in which are set out the new payments, I have the particulars in a more concise form which I will read to members. They are as follows:—

Commonwealth Government has decided on new and more generous payments for T.B. sufferers and their dependants.

New weekly payments will be:

Sufferer with dependant wife, £6 10s. (now £4 11s. 6d.); sufferer whose only dependant is a child or children £4 1s. 6d. (now £3 6s. 6d.); sufferer without dependants when not in an institution, £3 12s. 6d., when maintained in an institution £2 12s. 6d.

There will be a further payment of 9s. a week for each dependant child under 16. This is in addition to child endowment.

If there is only one dependant child the £4 1s. 6d. will not be increased as it already includes 9s. for that child.

Means test will apply only to income, not property.

Subject to reservations in certain cases, the T.B. sufferer receiving the married person rate of £6 10s. per week and his wife may have other income of £4 weekly between them before the T.B. allowance is reduced.

A sufferer receiving the single person rate of £3 12s. 6d. or £2 12s. 6d. per week may have other income of £2 per week before there is any reduction in the allowance.

To obtain the payments, the sufferer must refrain from working and undergo institutional or domiciliary treatment where it is stipulated by the health authorities.

I have already remarked that I do not think even the allowances indicated in those details are as high as I would like, but there is disclosed a considerable advance on the rates applying in the past. I appreciate the fact that any person suffering from this dread disease is a danger to the community. He is a danger in the first place to members of his own family and, secondly, to his workmates. In fact, he is a danger to all with whom he may come in contact. While I have never been an advocate of compulsion, I realise that there are certain occasions and times when compulsion is necessary. I think the present is one of them.

In view of the fact that £6 10s. per week is now allowed, and that amount is still less than the basic wage—I note that it has been increased by another £1 as from today—I realise that such an allowance will be a considerable help to any individual suffering from tuberculosis. A little sacrifice on that person's part will enable him in the long run to benefit to the fullest extent from the treatment he will undergo and will save him from the scourge of TB. In addition to that, the effect will be to safeguard the interests of his children and, in general, to afford a measure of protection to the community as a whole. I support the second reading of the Bill.

MR. MARSHALL (Murchison) [5.11]: I do not intend to oppose the passage of this measure because I consider it would be futile for me to do so. Obviously, a majority of members are favourably disposed towards it. I propose to review only one portion of the Bill—that relating to compulsory examination. While I feel, on the one hand, that ultimately the effect may be beneficial to society as a whole, I am somewhat sceptical as to whether it will not in the end do more harm than good. I am not one of those who think this dread malady, cruel and all as it is, is so easily spread among the community. My conclusions in that respect are drawn from the experience I have had over many years, commencing from my childhood days and continuing until my advent to Parliament.

There was a time when we did not know much about what was commonly referred to in earlier days as "miners' complaint." Not only did we not understand it; we knew nothing about it at all. We accepted it as being tuberculosis. Now we know differently. For years, in my own home as well as in most of my relatives' homes, there were sufferers from this malady. Yet not one child in any of those families —there were eight in our family—contracted the disease. My father died from it, but not one of us contracted the disease. No care was exercised to prevent its spread, yet we did not suffer from it.

The Attorney General: I think you were very lucky.

Mr. MARSHALL: It could be so. That applies not only to my family but also to many of my relatives. There was no doubt that my father died from this malady, because, when a post-mortem examination was held, it was not a silicotic lung that was found, but the absence of both lungs with the exception of one small part, so he had been suffering very acutely from the disease. I have three or four uncles buried in the Kalgoorlie cemetery who passed over the Great Divide from the effects of this malady. They had families and not one of them contracted the malady. As the Attorney General indicated, perhaps we were fortunate, but the fact remains that we did escape infection.

Then I think of those who are constantly in attendance on sufferers from this disease. I do know of one who contracted the disease, but I should like to be informed of the proportion of affected attendants to patients in the Wooroloo Sanatorium, where a great number of sufferers from this complaint dwell until they pass on.

Hon. A. H. Panton: Some of the nurses have contracted the disease.

Mr. MARSHALL: Quite so, but, in some cases, I believe that was due to the arduous nature of their tasks and to the fact that they had become run-down in health. It would be interesting to know the number of attendants at Wooroloo who have contracted the disease through their employment at the institution or association with the patients. If I am wrong in my belief, and if it be a simple matter for one person to contract the disease from another, I am still fearful of the effect that compulsory examination and treatment would have on many people. I had an excellent article on the subject, which unfortunately I have mislaid, but it supported my views to the last degree.

In 1921, miner's phthisis legislation was first introduced here, but the Act did not become operative until it was proclaimed, I believe, in 1924, and in the year following, the first examinations were made of the miners in the goldfield areas. Until that

time no examinations had taken place, although we were well aware that a large number of the men employed in the mining industry were suffering acutely from what we then believed was miners' complaint. That they were suffering was obvious from their general appearance, apart from the fact that they were short-winded. The Miner's Phthisis Act provided that any worker found, after examination by the Kalgoorlie Laboratory, to be suffering from tuberculosis would be prohibited from working in the industry. That was the right procedure to adopt.

Up to that point, a large number of old and experienced miners were known to be suffering from some complaint or other, and experience had caused tuberculosis to be suspected. Many of those men knew that there was something seriously wrong with them, but notwithstanding the handicap that their sufferings imposed upon them physically, they were still able to work well and, in their own way, were contented and happy. However, once they received a certificate from the Minister for Mines prohibiting them from engaging in further work in the mines, they knew they were sufferers from tuberculosis, and it is astounding what a change came over them.

Prior to the examination, one might well have formed the opinion that some of those men would be able to continue in the occupation for years, but they died within a few months of being examined. I assume that they inwardly suffered from the knowledge that they were definitely afflicted with tuberculosis, and I believe this knowledge speeded up the death of many of them. I knew many of them personally. A few of those who were prohibited from further working in the mines lived for a good many years—one for 18 years and another for the best part of 20 years—and one of these men placed under prohibition in 1925-26 lived at Wiluna until his death occurred quite recently. Those, however, were exceptions.

The article to which I referred was written by a scientist, who held the view that the voluntary system was the wiser of the two. He feared that under a system of compulsory examination, a high percentage of those found to be suffering would not be able to withstand the shock of learning of their affliction. He believed that this knowledge of their condition would hasten their end, and I must say that his theory was borne out by my own experience after the examination of miners was instituted here.

I can visualise the effect on a mother who was taken from her children. This can be done legally, because we sanctioned a provision for compulsory treatment some time ago. It would need a fairly stout heart to carry on under those conditions, as she would be worrying and fretting about the family. Thus I contend it might easily happen that the value of the compulsory examination and treatment, while perhaps resulting in the saving of many lives, could also cause the premature death of a greater number of sufferers.

After weighing the question carefully, and in spite of the experience I have related, I think it might be advisable to try the system of compulsory examination and treatment to see what the results will be. But I want the Minister for Health to insist upon a red line being drawn across the record book at the laboratory in Murray-street from the moment compulsory examinations are instituted. Then we shall be in a position to check up on the number of people whose lives have been saved as against the number whose deaths have been hastened by the knowledge that they were suffering from tuberculosis.

I consider that the medical fraternity claims a lot that is not within the realms of possibility. Only time and experience, and the facts and statistics thus gleaned, will reveal whether medical science in this matter is as far advanced as we have been led to believe. In 1932, when the Mine Workers' Relief Fund Bill was about to be presented to Parliament for consideration, the then Minister for Mines and Railways, John Scaddan, called a conference of Goldfields members. We met in the Minister's office and amongst those present were two doctors having the same surname —Dr. Robert Mitchell of the Wooroloo Sanatorium and Dr. Hall Mitchell, an employee of the Commonwealth Department of Health.

During the conference, one of the doctors stated that 95 per cent. of the people in the world suffered from tuberculosis in some form or other. When that statement was made I did not interrupt but, after the doctor had finished speaking, I checked up on the statement and he replied that it was correct. He stated that a large percentage of those people might live normal lives because, though the germ was present, it might not become active. Again they suggested that a person could have what they referred to as closed T.B., but if he developed a severe cold when he was physically weak, he would not be able to resist the tubercular germ which would become active. If the person was of a determined type and sought to regain his health and strength, without knowing from what he was suffering, the disease would cease. So, the doctor went on to explain the actions of this particular complaint from many angles.

I am fearful of what might happen in many instances. Take my own case. Both my lungs have been opened. They were draining for nine months. Obviously there are scars on both lungs, but I have known since I was a child that they have been there. I have been active in sport by playing football and taking part in foot racing and bicycle riding, so my lungs must be fairly good notwithstanding what I have said. But it could easily be, if I

were compulsorily examined and were fearful of such a malady, that it could have unpleasant repercussions for me. I am confident that there would be hundreds of people who, if left alone and not examined, so remaining unaware of what was wrong with their lungs, would live to a ripe old age without the complaint becoming active.

There would probably be thousands of such cases. It may be that some of these people would not have a stout heart, and would not endeavour to fight the malady if they knew they had it, so that it would ultimately become active and threaten their lives. That is the view I take. I wish to ensure that the Minister for Health will see that a statistical record is kept, so that the position can be closely watched to see the effect on people who learn for the first time that they suffer from this disease, and how they respond to treatment and develop resistance in order to become cured, which I say is practically impossible.

Hon. A. H. Panton: It can be arrested, though.

Mr. MARSHALL: Yes, I believe that to be true. To tell people that they can be cured is to deceive them.

Hon. A. H. Panton: I do not think any medical men say that.

Mr. MARSHALL: The people who would benefit by examination would be those who have not closed or inactive tuberculosis, but active tuberculosis, because, after all, it would not be very long before they would be stricken down and their ailment discovered by virtue of medical attention, anyhow. If I happen to remain a member of this House I shall be very watchful of the future position. I hope the Minister for Health will accede to the request I have made. I really think the doctors will see, for their own benefit, that what I have asked for is done. I want to have this information because I have a feeling that these examinations might not be as beneficial as is anticipated. In conclusion I wish to say that although this is a contagious disease, which can be transmitted from one individual to another, I do not feel that what is suggested here is the simple method that many believe it to be. I support the second reading.

THE MINISTER FOR HEALTH (Hon. A. F. G. Cardell-Oliver—Subiaco—in reply) [5.35]: I thank members for the way they have received the Bill, and their remarks. I tried to make a note, as members spoke, of the points I thought it was desirable I should answer. The member for Eyre wanted to know whether natives were included in the terms of the Bill. They are. Recently a great many natives in the Kimberleys were examined and it was extraordinary to find how free from tubercular trouble they were. The member for Leederville made a comprehensive and fair speech on the Bill.

Hon. A. H. Panton: I thought it was a good one; not a fair one.

The MINISTER FOR HEALTH: He gave me a little warning that I was sure to get some opposition to the measure, especially from the Christian Scientists. Well, they interviewed me, as they did him on two or three occasions. I do not think it is the x-ray examination, or the segregation that will worry them so much as the fact that they might have their own healers giving treatment. I want to apologise to the member for North Perth for not being able to hear him. Where I sit is, I think, the worst place in the Assembly to hear anything. It is almost impossible to hear anybody speaking from the vicinity of the member for North Perth except, perhaps, the member for Murchison, who has an exceptionally large voice.

The member for North Perth did say that the figures were encouraging. That encouragement is because certain remedies have been adopted with the result that many people who contracted the disease and have been treated are quite ready now to come back into the world. I want to deal—and this also answers a point put forward by the member for Murchison—with the number of attendants who contract the disease. The reason why so few nurses and other attendants, who contact T.B. patients, suffer from this trouble is that any of them who are negative Mantoux reactors are treated with a preventive vaccine. It is administered to such nurses of the Royal Perth Hospital, Fremantle Hospital, Princess Margaret Hospital for Children, St. John of God Hospital, Mount Hospital, and Government hospital trainees. Some 2,500 vaccinations have been performed to date on attendants and others working in these particular institutions. It can be seen, therefore, that the old idea of contracting the disease by contact need not now prevail because of the vaccine.

Mr. Marshall: No, but you could get the figures of years ago from the Wooroloo Sanatorium. I do not want them right up to date.

The MINISTER FOR HEALTH: I can do that.

Mr. Marshall: I was talking of when the present-day technique was not known. You could go back a few years when the miners were there and see how many contracted it annually.

The MINISTER FOR HEALTH: I can do that. The member for Murchison mentioned something about children being taken from their parents.

Mr. Marshall: The parting of the parents from the children.

The MINISTER FOR HEALTH: We have purchased a home in Claremont for use as a preventorium which will be opened in a few weeks. It will be known as "Moriston" and, when it starts operating, it is expected to play a valuable part in preventing the spread of tuberculosis. It will be used for the care of babes and

children of mothers who, of necessity, have been admitted to hospital because of tuberculosis. It will also be used for the isolation of children from tubercular relatives during the B.C.G. vaccine treatment. We expect great results from that home. The member for Murchison seems to be particularly anxious to have a red line drawn from the day this Bill becomes an Act, if it does, to find out the number of people who contract the disease in the future.

Mr. Marshall: The reason I mentioned a red line was because there is so much talk about red these days. You can make it a blue line, if you like.

The MINISTER FOR HEALTH: I do not mind its being red, so long as it is only a red line on paper. I think the hon. member is a little fearful in thinking that because examinations are compulsory it will help to develop the disease. If the Bill becomes an Act, it will not necessarily mean compulsory examinations for all people. The examinations will be taken in groups of those people who are dealing with, say, food, or something of that nature. Some people may never be examined and others might be. However, we shall have power in the Act, if it is necessary to use it.

The reason why people were so fearful of examination in the past was because of the financial difficulties. Today, of course, that worry need not be experienced. I can quote the case of a man now at Wooroloo, who had active tuberculosis. The doctors wished him to enter Wooroloo for treatment, but he would not do so because he had a wife and seven children. The wife was expecting a further child, and the doctors wanted the man to enter Wooroloo before the child was born, but he would not do so. As it happens, twins were born and, instead of seven children, he had nine. Then he found out that he would be receiving considerably more than £11 a week if he went to Wooroloo, so he went with good heart, and there he is today, with his wife and family well provided for and perhaps more money than they had in the past. He is as happy as he can be in the circumstances; not with a feeling of depression, but with a feeling that he may eventually be cured and be able to return to his family. As well as this increased monetary gain, there is also a rehabilitation scheme, of which members are probably aware. When these people come away from Wooroloo, but are not fit to return to hard work, they can join a factory in Wellington-street which caters for their rehabilitation. They can go through that course and be kept there, under Commonwealth commitments, until they are absolutely freed of the disease. They are not isolated from the world. I again wish to thank members for the way they have received the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 5—agreed to.

Clause 6—Section 293A added:

Mr. MARSHALL: The Minister is a little too enthusiastic for my liking, and I do not want her to swallow holus bolus something that has yet to be tried. Has the Minister any statistics from any other country where compulsory examinations take place? If she has such figures, will she be generous enough to give them to the Committee? It is not right to say that these people get treated—and some of them have gone in under the voluntary scheme—and are cured. They are not cured. The complaint is arrested and evidently sealed up for the time being, but it can easily break out again. These victims must be very careful. They cannot work hard; otherwise their resistance will be weakened and under no circumstances must they become wet with rain or water and then remain in damp clothes.

I have had the pleasure of being with doctors when travelling round the Murchison examining miners. There is a good deal of difference in doctors and in their diagnosis of cases after the x-rays have been taken. One doctor, if a scar is discovered on the lung, may become doubtful and will set it aside so that it can be looked at in 12 months' time. Another doctor will look at the x-ray and say there is no doubt about the case—the disease is active and the man must be treated. Still another doctor will say, "No, it is not active at all; it is inactive." It is possible to get three different opinions, or maybe more, on the one case. Doctors are much like lawyers in that respect. The Minister should not take all for granted because she has been told something by somebody.

Hon. J. B. Sleeman: It all depends who tells her.

Mr. MARSHALL: It does not matter who tells her. The idea is first to obtain the facts of the case. I have seen two doctors wrangling for a long time about a scar on a man's lung.

Mr. Fox: Were they radiologists?

Mr. MARSHALL: Yes. The Minister should look sceptically at the position until she has facts and figures to support these contentions rather than swallow what she has been told holus bolus, only to find that she will be sadly disillusioned.

The MINISTER FOR HEALTH: I do not know how to answer the hon. member's statement because I am not really enthusiastic about these matters. As members probably know I am the widow of a medical man and have lived among members of the medical profession for most of my life and have heard doctors wrangling as much as anyone could have

heard them. I know they disagree; they all do. The hon. member asked if I had any figures to support my introduction of this Bill. The reason why this Bill is necessary is that control throughout the Commonwealth must be uniform and implemented.

At a meeting of Premiers and Ministers for Health held in Canberra in 1948, it was decided that the inclusion of compulsory powers to x-ray all persons over the age of 14 years was an integral and necessary part of the agreement between the Commonwealth and the various State Governments. Tasmania has passed this legislation and it is being considered by other States. The amount of money being paid to T.B. patients was granted almost conditionally upon the States passing this legislation so that it would enable people to be examined and thus the Health Department would not need to contact those who are definitely suffering from T.B.

Mr. BRADY: I would like the Minister to look into the question of new Australians entering this State suffering from T.B. because it is no use tightening up control in this State if that position is to continue. The Minister has said that one-fifth of the patients at Wooroloo are new Australians. That is a shocking state of affairs. I therefore hope the Minister will keep that point in mind because it is only an added burden on the State and the Commonwealth.

The MINISTER FOR HEALTH: That is quite true, I did say that one-fifth of the inmates of Wooroloo were new Australians; some of them recent admissions. However, migrants from Great Britain are examined, with the exception of those who pay their own fares.

Mr. Brady: These were Southern Europeans.

The MINISTER FOR HEALTH: The Commonwealth Government is endeavouring to prevent such people coming into the country, and there is a doctor now in Europe endeavouring to ensure that a more rigid examination is made of migrants who are likely to enter this country. I do not know whether it is true but it has been reported that we are to have a tremendous number coming here from Northern Italy over a period of some years. It is therefore necessary for us to take every precaution to ensure that these people do not enter this State suffering from the disease. I assure the hon. member that everything that can be done is being attended to.

Mr. MARSHALL: The Minister may now readily see that the argument I advance is ever so correct. I believe that all migrants are examined in their homeland before they depart, and that they must have a certificate stating that they are not suffering from any contagious disease. This complaint cannot be diagnosed as easily as medical men would lead us to believe. What I wished to know was whether the Minister had any statistics from any country or State where compulsory examination is made to diagnose tuberculosis and, if so, what has been the result. However, I am satisfied by the shake of her head that the Minister has not the figures.

Clause put and passed.

Clause 7—Section 314 amended:

Mr. READ: I wish to move an amendment—

Mr. Marshall: You are not allowed to.

The CHAIRMAN: What is the hon. member's amendment?

Mr. READ: I move an amendment—

> That in line 4 of proposed new Subsection (2) the words, "may, if he thinks fit" be struck out and the word "shall" inserted in lieu.

I believe that many of the busy medical men might be diffident about taking such action as is proposed here.

Hon. A. H. Panton: That gives the Commissioner for Public Health power.

Mr. READ: Yes. If we give the Commissioner authority to approach the parents, or those representing the parents, to take such action, that is his clear authority for doing so. If this clause is allowed to stand as it is it means nothing. The Commissioner for Public Health has the authority but it is not mandatory.

Hon. A. H. PANTON: I do not want to cut the grass from under the Minister's feet but I hope she does not agree to this amendment. The power is in the hands of the Commissioner of Public Health and no other medical officer. All sorts of circumstances surround these cases when they come up and this refers only to a suspected case. We can imagine a case being brought before the Commissioner of Public Health by some busybody alleging that some young man has contracted venereal disease. The Commissioner should have some discretion as to what he is going to do. If the word "shall" is inserted it means that he has to go to the parents of this suspected case which, as I have said, may have been brought up by some busybody. This clause deals with suspected cases of under 16 years of age and I hope we will not find many under that age. I am not prepared to agree that the Commissioner of Public Health should be forced to do something which, after he has made inquiries, he thinks should be done in some other way.

Mr. READ: This clause is not necessary at all because every member of the B.M.A. has his obligations. Every medical man, if he thought fit, would notify the parents.

Hon. A. H. Panton: He is going to notify suspected cases, is he?

Mr. READ: Yes, of course, the suspected cases of which he is sure. This clause is not necessary at all unless it is made mandatory.

The ATTORNEY GENERAL: I do not rise to defend the principle, but I would refer the member for Victoria Park to the section of the Act with which this deals, and this amendment is to be read in conjunction with that section. Section 314 reads as follows:—

> "Every person employed in the administration in this part of the Act shall preserve secrecy with regard to matters that may come to his knowledge in the course of his employment."

So the Commissioner of Public Health must not disclose anything that comes to his knowledge. He is not a medical man in the ordinary sense of the word. The penalty for such disclosure is £100. The reason for this subsection is that it is thought there should be an exception to the general principle that he must not disclose anything at all. It gives him the discretion in the case of a suspected child suffering from venereal disease to disclose it to the parents. Personally, I agree with the member for Leederville.

Mr. McCULLOCH: I agree with the member for Victoria Park. The proposed new subsection refers to a child under the age of 16.

The Attorney General: Would it not be advisable to have the boy examined to ascertain whether he had the disease before telling his parents?

Mr. McCULLOCH: Some children under 16 would endeavour to hide their condition.

The Attorney General: But would not you have him examined by a doctor first of all?

Mr. McCULLOCH: If the Commissioner suspects a child of having the disease, it should be mandatory for him to advise the parents.

The ATTORNEY GENERAL: The member for Hannans appears to have missed the point. A girl might allege that she had contracted the disease from a boy under the age of 16 and the Commissioner would necessarily suspect the boy. Should he say to the parent, "The boy has been going out with a girl who has venereal disease and I think he has it?" Or should he go to the boy and tell him, "Certain suggestions have been made and I should like to have you examined?" Suppose the boy were not suffering from the disease—the girl might have been lying—he would be able to go home with an easy conscience. If the Commissioner approached the parents in the first place and the boy were found to be all right, there would possibly be great trouble in the home on account of his having kept company with the girl. If the boy would not consent to be examined, the Commissioner would have the right to go to his parents and explain the matter. That is the logical way to proceed.

Amendment put and negatived.

Clause put and passed.

Clauses 8 to 10, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—PRICES CONTROL ACT AMENDMENT (CONTINUANCE).

Second Reading.

Debate resumed from the 21st September.

HON F. J. S. WISE (Gascoyne) [6.12]: I support the second reading. Although I believe there is ample room for considerable criticism of the administration of prices, no debate on this measure will cure that state of affairs because, in my view, a continuance of this legislation is absolutely necessary. However, I hope that the Minister in charge will not think that the general debate on the Estimates will pass without a very clear case being made out against him regarding the manner in which the Prices Branch is handling the control of prices. I think it is necessary to give an indication to the public as early as possible that there is need for the existing Act to be continued.

MR. W. HEGNEY (Mt. Hawthorn) [6.13]: I support the second reading. I should like to draw the attention of the Attorney General to a statement in this morning's newspaper to the effect that a conference of Ministers for Prices would be held in Hobart next week and that they would agree to an increase of 3½d. per lb. on beef and mutton and an increase of 2d. on small packets of cigarettes. I desire to know whether, under the administration of price-fixing by the States, the chairman, Mr. Finnan, of New South Wales, has been instructed, or whether each Minister has expressed his opinion on the question of these increases before the assembling of the conference. Will the Minister state what procedure is adopted in connection with any increase of prices and give any other information in his possession bearing on the statement in the newspapers?

Sitting suspended from 6.15 to 7.30 p.m.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley—in reply) [7.30]: I have some information on the points raised by the member for Mt. Hawthorn. I did read the paragraph referred to, and the position is this: When the devaluation of the dollar took place, tobacco manufacturers in Australia held very large stocks. Some applications for price increases were made by them, but the Prices Ministers refused to grant any until they were satisfied that the stocks in hand had been consumed. So far, the companies have not been able to satisfy the Ministers that that is so.

The Press is composed of very clever and astute gentlemen who have been watching this position for two or three conferences. They know, and the Prices Ministers, know, that as a result of the devaluation of the dollar—and it is from dollar areas that a large quantity of our tobacco comes—sooner or later some increases will have to be made I have not the least knowledge, nor has any information been given to the Prices Branch in Perth as to whether the day has arrived when these companies will be able to convince the Prices Ministers that their old stocks have been exhausted. When they are exhausted, some compensation will have to be given for the very much higher price in Australian pounds that is being paid to America for tobacco today.

As to meat, everyone knows that since the price of the commodity was fixed, there has been a material increase in the price of wool. As a result, large numbers of sheep that ordinarily would go into the meat market are being held for the production of wool. It may be that some increase will have to be given to bring those sheep into the meat market once more. That matter will be considered at the next conference; it is on the agenda. But I have no information, nor has the Prices Branch, as to the attitude that will be taken up.

Hon. F. J. S. Wise: Do you think that ultimately you will have to ask the Commonwealth to take action?

The ATTORNEY GENERAL: We have already done that with regard to meat. The Leader of the Opposition is quite correct. The price of meat is, to some extent, dependent upon export parity and the amount of meat exported. With Australia's increasing population, the Commonwealth Government will sooner or later have to consider what meat it will take off the Australian market and at what price. I think that most members have noticed the reference in the paper to the fact that an experimental shipment of lamb was sent to the United States and realised something like 4s. 6d. per lb.

Mr. Styants: It was 4s. 4d.

The ATTORNEY GENERAL: I was not very much out, then. So it can be seen what a tremendous demand there is in the world both for wool and for Australian lamb. Neither of the subjects raised by the member for Mt. Hawthorn—and they are most important ones—has been considered by me or by the Commissioner, but they will be given consideration within the next few days because there is to be a meeting of Ministers in Hobart on the 20th inst.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from the 19th September.

MR. MARSHALL (Murchison) [7.38]: This Bill is like the curate's egg—good in parts; but I am doubtful whether the good portions of it outweigh those which I consider to be fairly dangerous. The measure proposes to amend the Traffic Act in about seven different directions. I sharply disagree with the viewpoint enunciated by the Minister when he introduced the Bill. The first amendment is to vary the penalties provided in the parent Act. I want the member for Fremantle to be clear on this point: These penalties do not apply to any breach of the Act except the causing or permitting to be used or the using of any unregistered car or motor vehicle on the road; that is to say, causing or permitting it to be used, or using it, on the road while it is unlicensed. That is what the penalty is imposed for, and not for any other offence. But the provisions of the parent Act are that where the license fee is £1 a year, an offender will be fined £1. But where the license fee is more than £1, the offender will be penalised to the extent of £1, or half the annual license fee, whichever is the greater, with a maximum penalty of £20. The Minister contended that this was considered by the Government to be leniency for a first offender.

A man might be a first offender under this provision of the Traffic Act, but it could easily be that he was not a first offender, by any means, under other parts of the Traffic Act or any other law. He could have quite a long record of offences, and for the first time that he was found with an unlicensed vehicle on the road, and the annual license fee was more than £1, he would, under the parent Act, be subject to a penalty of one-half of the annual license fee. But under this proposal he will be subject to no greater penalty than those who pay an annual license fee of no more than £1. In other words, all offenders are brought back to the one penalty. There may be some reasonable justification for asking that the annual license fee should not be considered when the penalty is imposed. Simply because the license fee is no more than £1, and a man breaches the Act, is it logical to say that if the license fee was £30 the offender should not be subjected to any greater penalty? The parent Act does discriminate but this provision in the Bill eliminates that discrimination.

The Minister said that motorists generally would be pleased about the proposed amendment. I cannot see how the great majority of owners of motor vehicles will feel in any way concerned about the amendment. They all know the law, and that if a motor vehicle is not registered within the time allowed—I think some period of grace is permitted after the

license has expired—they are committing an offence against the Traffic Act and are subject to a penalty. Most people who are honest and know the law—and they are all supposed to know it—would not be interested because they register their vehicles prior to the date on which the registration is due. In my humble judgment, what the amendment may do is to encourage those who prefer to break the law rather than adhere to it because, after all, a person who is inclined to ignore the law may take a risk and say, "Well, I will try it. I might get away with it, but if I am discovered I shall be fined only £1."

I admit there is a maximum penalty of £20, but when we amend the Act in this way it is an indication to the court, if the Minister's contention is correct, that leniency should be extended to a first offender and that he should suffer a penalty of only £1. So I am not altogether in accord with the viewpoint of the Minister on this matter. I feel that the type of individual who would use an unregistered car on the road is the type who is not particularly concerned about the law, and would endeavour to evade or flout it. I consider that the proposed amendment would be an encouragement to such people. There is no owner of a motor vehicle, no matter what its description, who is not aware that it has to be licensed each year before it is permitted to be used on the road.

I do not agree with the Minister that there should be any interference with this penalty. This would apply to a man who was the greatest criminal in the State; and he is the type of individual who would take the risk, under the Bill, of using an unregistered car on the road. No person who respects the law would endeavour to evade it, but only the man, probably, who has a record of offences. The Minister tried to impress upon the Chamber that he was treating leniently first offenders, but only first offenders under this particular provision of the Traffic Act. A man could have broken every other section of the Traffic Act, but still be a first offender under this part of it. So I do not agree with the Minister that the people will receive this amendment with open arms and consider it a great blessing.

The second proposed amendment is one to which we can all subscribe. Where a motor vehicle is registered in the district of a particular local authority, and is used substantially on the roads of another local authority, then the local authority whose roads it substantially uses, but where it is not registered, is entitled to a proportion of the license fee. Evidently there has been abuse of this provision inasmuch as some local authorities have been claiming a proportion of the license fees because vehicles travel on roads which run through their districts, but which are made and maintained by the Main Roads Department, and upon which the local authorities have spent no money. They are not entitled to claim part of the license fee of a vehicle which has used, mainly or substantially, roads constructed by the Main Roads Department. In consequence, I whole-heartedly support that provision. What is proposed under the amending Bill is to deduct that mileage and make it impossible for a local authority to claim a proportion of the license fee when the vehicle has been used substantially upon roads made and maintained by the Main Roads Department.

The next provision gives the Commissioner power to suspend or cancel a license but the Minister did not explain this particular amendment too well. Under the parent Act the Commissioner of Police now has power to suspend or cancel the license of a driver of an omnibus or passenger vehicle. The Commissioner can do that now, but the Minister did not explain that this amendment will bring the owners or drivers of every other privately-owned vehicle—apart altogether from omnibus or passenger vehicles—under the same provision. That means that he can suspend or cancel the license of any particular driver for a misdemeanour or offence. I do not suppose the Commissioner of Police would be inclined to interfere with the license of a person who is behaving properly and conducting himself in such a way as to handle his vehicle without running the risk of accident or injury to others. That is what this provision will do and it is just as well that members should understand it thoroughly.

The Commissioner will have authority to do something which he has not had the power to do before. Personally, I do not think there is any great objection to it. I believe that the Commissioner of Police is justified in asking for power to suspend or cancel the license of any person who is handling a vehicle on a main road in such a way as to be a positive danger to himself and probably other travellers. I subscribe to that particular theory believing that, whoever may be Commissioner of Police, the provision will be exercised with discretion and every degree of fair play and justice.

Hon. E. Nulsen: Will those people have any redress or right of appeal to a higher authority?

Mr. MARSHALL: Yes, there is an appeal in every case, without exception. That right is contained in the parent Act and is not touched. The next provision provides that if in the opinion of the Commissioner a person suffering from mental or physical disability should have his license refused, the Commissioner may do so. He already has power to suspend or cancel a license in such a case, but this Bill will give him power to refuse to issue a license to such a person. In giving the matter serious consideration I think the House would be justified in that authorisation of power. If it is found that a person is mentally or physically deficient to such

an extent that he is incapable of properly handling a motor vehicle, then it is not only a danger to himself but also a danger to everybody else. Therefore, I agree with this amendment because I believe that the Commissioner of Police will be very judicious. I think I could repose confidence in all our Commissioners, both past and future, to exercise discretion in such a way as to treat every case on its merits. The refusal on the part of the Commissioner of Police to issue a license in such a case also permits of a right of appeal. If the Commissioner of Police, because of these deficiencies in the physical make-up of an individual, refuses to issue a license that person can appeal to a magistrate.

Hon. E. Nulsen: I thought he already had that power under the parent Act.

Mr. MARSHALL: He has power to suspend or cancel but not to refuse to issue a license. The case given by the Minister was correct. An individual was up before the court and his license cancelled. Before the expiration of the period of cancellation took place the license itself expired. In evidence a doctor certified that this individual was either mentally or physically incapable to such an extent that he was not justified in holding a license. But, when the period of cancellation had expired, this person applied for a renewal of his license and the department could not refuse it. The Commissioner then had to take action to suspend or cancel it. Therefore, in view of those circumstances I do not feel averse to sanctioning that authority. Although in all cases there is provision for appeal to a magistrate we have to consider that these appeals will involve the expenditure of money. But I do not think any such refusals will be issued until the Commissioner is very definite and very sure that his action is positively justified.

The next proposal in the Bill is to amend the Act by deleting the word "motor" from its position in Section 32 of the Act, where it immediately preceeds the word "vehicle." Under Section 4 a push bicycle is defined as a vehicle, but under Section 32 any person driving a motor vehicle while under the influence of liquor is subject to a penalty. Members will notice that there the push bicycle cannot be brought into the category of motor vehicle. So, this provision removes the word "motor" and then it will apply to any person using any vehicle, no matter what type it may be. I take it that even an invalid chair can be brought within the definition because it is a vehicle.

Hon. A. H. Panton: Some of them have motors on them now.

Mr. MARSHALL: If it is discovered that a person is using a vehicle—such as a push bike or any of these particular vehicles—on a public highway, while under the influence of liquor, he will be brought under that provision and punished accordingly. We reach the point where one might doubt the probity of the Government, or a Minister of it, in seeking such an amendment to the Act. I know it will be wholeheartedly supported by everybody because a drunken driver, or person under the influence of liquor using a vehicle, is a potential killer either of himself or somebody else and we all agree that provision should be made for punishment for such an offence.

Hon. F. J. S. Wise: What is the use of that if the Attorney General waives the crime?

Mr. MARSHALL: That is the point I am coming to. What use is it for Parliament to sanction this proposed amendment, and make it an offence if, when an offender is apprehended and his license cancelled—

Hon. F. J. S. Wise: For life!

Mr. MARSHALL: —some Minister ignores entirely the penalty imposed by the court and gives the offender a free pardon?

The Attorney General: On how many occasions has that been done in the last four years?

Mr. MARSHALL: There is one that ought to be stamped indelibly on the Minister's mind particularly.

The Attorney General: How many times?

Mr. MARSHALL: I will agree with the Minister that it has not occurred on numerous occasions.

Hon. F. J. S. Wise: It is invoking the King's pardon.

Mr. MARSHALL: It is apparently the worst case on record. This woman had been before the Court on three occasions and on the last one was tried before the Supreme Court for killing someone, found guilty, sentenced to imprisonment and her license cancelled for life. That was the penalty.

Hon. F. J. S. Wise: Before a Judge.

Mr. MARSHALL: For drunken driving.

The Attorney General: That is not correct.

Mr. MARSHALL: How many convictions had this woman recorded against her before her last visit to the Court?

Hon. F. J. S. Wise: She smelled of liquor but was not charged with drunken driving.

Mr. MARSHALL: I know of the case and this lady was undoubtedly under the influence of liquor.

The Attorney General: Be fair to the woman; that is not correct.

Mr. MARSHALL: It is quite true, but as the Leader of the Opposition has said, she was not examined for drunkenness.

Hon. F. J. S. Wise: It was stated that it was because of the injury to her head, but she smelled strongly of drink.

Mr. MARSHALL: That is the way the file reads.

The Attorney General: The doctor gave evidence that she was all right.

Mr. MARSHALL: It had been proved that this woman was before the Court three times previously for the same offence and was found guilty not merely of this one isolated case.

Hon. F. J. S. Wise: In which suburb did did she live?

Mr. MARSHALL: I should say one of the elite suburbs, otherwise the influence could not have been brought to bear.

Mr. Hoar: What do you mean? Mount-street?

Hon. J. B. Sleeman: The judge is generally hard with other cases.

Mr. MARSHALL: He was extremely lenient on this occasion and it is of little use Parliament passing legislation of this nature, to which we all subscribe, if the penalty imposed by a Court of Justice is not to stand. This same person, although the Minister will try to impress the Chamber with the view that she was not under the influence of liquor when the accident occurred and as a result of which a person lost her life, had her license returned to her through the Minister giving her a free pardon.

Hon. F. J. S. Wise: He cancelled the sentence imposed by a judge of the Supreme Court.

Mr. MARSHALL: The penalty laid down that she was to be deprived of her license for life but the Minister said, "No, I will give her a free pardon," following which she was driving for only a few months when she was involved in another fatal accident.

Hon. F. J. S. Wise: And in a previous one to that which was also fatal.

Mr. MARSHALL: In that particular case there was no evidence that she was driving, but nevertheless she was still involved in the accident, and I think the Minister can make his own deductions as to who was driving and as to what condition this woman was in. The Minister should wholeheartedly subscribe to the provisions which are put into the Traffic Act, and it becomes the responsibility of members supporting the Government to ensure that when an institution such as the Supreme Court of Western Australia imposes such a drastic penalty as it did in this particular case, no Minister should interfere with it.

Mr. Styants: He may give back the license to a pushbike rider.

Mr. MARSHALL: This lady will not ride a pushbike because she is always under the influence of liquor. The only skill she has is that of pushing schooners. That seems to be her principal pastime, and she is a danger and menace on the road because her record proves that and she should never have been permitted to drive another vehicle. So it is of no use Parliament subscribing to these provisions if the Minister is to override a decision of the Supreme Court of Western Australia as he did in this particular case. If it had been her first offence one might see the reason for it.

Hon. F. J. S. Wise: After this free pardon being granted, she was treated as a first offender.

The Attorney General: There was no pardon.

Mr. MARSHALL: Of course she was treated as a first offender; she could not be dealt with otherwise because she had a clear record after the pardon was granted.

The Attorney General: There was no pardon granted.

Hon. F. J. S. Wise: Do not tell me that! There was absolutely a pardon granted.

The Attorney General: No, not a pardon!

Mr. MARSHALL: I would not mind very much how the Minister may term it or what language he may use in which to frame it. I would be well satisfied if I got the license back and then, when appearing before the Court on my last occasion after several convictions had been recorded against me, being treated as a first offender. If that is not a free pardon, I do not know what is. Surely the Minister knows the record of his own department?

The Attorney General: There was no pardon at all.

Hon. F. J. S. Wise: You waived that sentence. No matter what words you may use, it smells just as badly.

Mr. MARSHALL: The most remarkable part of it is that the Minister defends her as a woman of sober habits, but she is a habitual drunkard.

The Attorney General: I do not think you should say that.

Mr. MARSHALL: I do say it because the records show that it is correct and that is the only evidence. It is her fourth conviction for drunken driving. If a person takes charge of a motor vehicle and drives it along a main highway on four occasions under the influence of liquor, there would not be too many occasions when such a person would be sober when not driving a motor vehicle and off the road. He would tend to be more reckless when not driving a vehicle along a main highway. The point is that it is no use our enacting laws of this sort if Governments and Ministers are going to take action similar to that which has been taken by the Attorney General.

Hon. F. J. S. Wise: The decision went through Executive Council almost overnight.

Mr. Hoar: I can hardly believe that of a Minister of the Crown.

Mr. Styants: Even Ned Kelly would blush.

Mr. MARSHALL: I consider the next amendment in the Bill particularly dangerous. I asked questions as to this matter and the Minister entirely evaded them. The answer I did receive had no relation whatever to the substance of the question. The Bill proposes to legalise vehicles with a width of 8ft. When the Minister introduced the Bill I interjected by saying that if the Government had given authority, either directly or by delegating its power under Section 49 to any local authority, to extend the width beyond 7ft. 6in., that was ultra vires and contrary to the provisions of the Act and that is what it is. Evidently there is a provision in the parent Act limiting the width of such vehicles to 7ft. 6ins.

Section 49 gives the Governor-in-Council certain powers. The position that exists now has been handed down to the present Government owing to omissions on the part of the legal advisers or the Parliamentary Draftsman, but I cannot understand why any Government should wish to extend the width of vehicles from 7ft. 6ins. to 8ft. However, an Order-in-Council was drafted and authority was delegated to local governing bodies to license vehicles of up to 8ft. in width. That was done in spite of the limitation to 7ft. 6ins. contained in the Act. The relevant section of the Act was not amended and therefore the local authorities that licensed vehicles of a width of 8ft. acted contrary to the law. Unfortunately this has been going on for years, and it appears that now someone has suddenly wakened up and found that both this delegated power and the Order-in-Council are ultra vires. I think this extension in width is extremely dangerous.

Mr. Sleeman: Especially on narrow roads.

Mr. MARSHALL: I have made inquiries from the traffic authorities in this regard and, while the Chief Traffic Inspector is not hostile to vehicles being of a width greater than 7ft. 6ins. I feel that, having regard to circumstances prevailing in this State, the extension of width is unwise. I have been looking for a way to frame an amendment that would validate what has been done, while prohibiting the licensing in the future of vehicles of a width greater than 7ft. 6ins. With the rapid increase in motor traffic in Western Australia and the road congestion that already exists, particularly in the metropolitan area, members will appreciate the danger caused by an increase of 6ins. in the width of vehicles.

Almost every day one can see in the streets of Perth three lines of stationary traffic. One sees a car or other vehicle parked against the kerb and then a delivery van and carrier's truck parallel with it, forming a third line of traffic and leaving very little space for moving vehicles to pass through. The danger is accentuated by the fact that carriers must take their vehicles into all sorts of alleys and byways in order to deliver goods. I need hardly remind members that many of our roads are ribbon roads, of about 12ft. in width. When a vehicle 8ft. in width is travelling on a ribbon road it is impossible for even a small car to pass it without running off the road surface into the sand. The driver of a car will not, of course, try conclusions with a far heavier vehicle, and unfortunately these heavy vehicles will persist in hugging the middle of the road. When the light vehicle runs into the sand on the side of the road it often becomes bogged. It is then necessary to jack it up and put down a corduroy track in order to get it out again.

Many of the accidents on country roads nowadays are due to the enormous width of wheat trucks, in particular, and those vehicles have figured in a great number of smashes. If we had wider and better roads such as exist in some of the other States, together with the more loamy surface alongside the road, the position would not be so dangerous. From inquiries I have made I understand that there are a large number of omnibuses in this city that are 8ft. wide. They are all licensed, in defiance of the Act, and it is actually not lawful for them to be on the road.

The Minister for Education: Under what section do you think it is contrary to the Act?

Mr. MARSHALL: Under Section 47.

The Minister for Education: I think you are on the wrong track, but we can deal with that later.

Mr. MARSHALL: The Order-in-Council was made under Section 49.

The Minister for Education: That was only with regard to local authorities outside the metropolitan area.

Mr. MARSHALL: No. When the Act was passed the limit of 7ft. 6ins. was laid down for the whole State and there was no discrimination made between the country and the city. Power for the local authorities to license vehicles of the increased width was given by Order-in-Council.

The Minister for Education: I am aware of that, but it applied only to local authorities outside of the metropolitan area where the Commissioner of Police is in charge.

Mr. MARSHALL: There is no discrimination under Section 47.

The Minister for Education: I am speaking of Section 49.

Mr. MARSHALL: Power to do certain things was delegated under Section 49, but surely power could not be given to act in defiance of the Statute. Does the Minister now argue that the Government is more powerful than Parliament?

The Minister for Education: No.

Mr. MARSHALL: Parliament laid down that 7ft. 6in. should be the limit.

The Minister for Education: I now understand your point clearly and can deal with it later on.

Mr. MARSHALL: I am given to understand that in the Eastern States, where most of our omnibus and passenger vehicle bodies are manufactured, the standard width for such vehicles is 8 ft. and the factories producing bodies for vehicles of that kind have standardised their dies and presses for the manufacture of bodies 8ft. wide. It would be somewhat difficult to obtain a supply sufficient to cope with the demand that Western Australia is experiencing at the moment, if they were all made 7 ft. 6 in. in this State. If we did get them all made 7 ft. 6 in. we would have to face the problem of 8 ft. buses being on the road. I have given serious consideration to validating what has happened in the restricting of future licenses for buses of only 7 ft. 6 in. within the provisions of the Act. If we did that now I fear we would limit the number of buses we could get on the road.

I know there is a great shortage of bodies required to catch up with the demand for transport by State-owned systems, because we are changing over a good deal from tramways to road transport, or substituting motor transport for tramways and trolley-buses. The Government would therefore be handicapped very seriously. I am very fearful about it all, though I was consoled to a great extent by the Chief Inspector of Traffic. He influenced me a good deal. Nevertheless I do not like this provision at all.

Hon. E. Nulsen: What are the widths of the trams and trolley-buses?

Mr. MARSHALL: I do not think trams are 8 ft.; in fact, I am positive they are not. When this Traffic Act became law the trolley-buses and the trams did not come under the Traffic Act, or the Transport Act, and it could be that they exceeded the 7 ft. 6 in. width provided in the Act. I am of the opinion that those who advised the Minister when this Traffic Act was framed, would be guided by the width of the tram and I should say it would not exceed 7 ft. 6 in. The only other provision is that the Government is rightly validating what local authorities have done.

I think the preceding Government was responsible for the Order-in-Council to license buses in excess of 7 ft. 6 in., but it never amended the parent Act. That was the trouble. Therefore, whatever penalties have been imposed and whatever buses have been licensed in excess of 7 ft. 6 in., have been done unlawfully, and the last provision in this Bill is to validate all that has been done, and at the same time to extend the Act by deleting the words 7 ft. 6 in. and inserting in lieu 8 ft. The Government now wishes to correct the position that has been in existence for a good while, and to allow a number of buses and trucks to go on the road with an excess of the permissible width allowed by the Act. While I am very sceptical about some of the provisions, I have no alternative but to support the second reading.

Mr. BRADY: I move—

That the debate be adjourned.

Motion put and negatived.

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling—for the Minister for Local Government—in reply) [8.25]: I have listened with great interest to the member for Murchison and, in the absence of my colleague the Minister for Local Government, who is unfortunately indisposed, I propose to address my remarks to the two points in the Bill raised by the hon. member. The first one deals with the proposed amendment to the penalty for using an unlicensed vehicle on the road. The hon. member apparently objected to a first offender being treated more leniently for a first offence than for a second or subsequent offence from the same person. This is rather an unreasonable attitude, I think. This type of offence stands by itself. It is totally unrelated to crimes such as stealing and burglary referred to by the member for Murchison. This matter has no connection with that at all.

Mr. Marshall: A man can commit an offence under other sections of the Act.

The MINISTER FOR EDUCATION: He could also be dealt with under other sections of the Act, such as for drunken driving, negligent driving and the like.

Mr. Marshall: The Minister implied that this was to be a first offender, but he did not specifically set it out under this particular provision.

The MINISTER FOR EDUCATION: I was about to say that I do not think this amendment can be taken in any other way than meaning a first offender against this section, which says that where an annual license fee is greater than £1, the minimum penalty shall be, for a first offence, £7 and, for a second and subsequent offence, one-half of the license fee. Therefore, the first offence relates only to the non-payment of the annual license fee. It is common knowledge that license fees are payable and it may be due to a lack of responsibility that they are not paid in the prescribed time, but there may be instances where that lack of responsibility does not actually exist.

As in all other cases, I think it is reasonable to say to a man, "This is the first time you have done it and the penalty will be less than for any subsequent time you do the same thing." Some of the license

fees are now very heavy. So large are the vehicles in action, and so great are their power load weights that I think a penalty at the present time of a minimum of half a license fee for what is actually a first offence can be very heavy, particularly when we take into account that the penalty would be £20 on a substantial vehicle which is used by many men working very hard for a living for long hours. It may be legitimately a first offence. That is the point of view advanced to me when I was Minister for Local Government in regard to having an amendment made in this Act for first offenders. I think it is a legitimate proposition that the penalty for a first offence should be small, and that for any subsequent offence the full force of the penalty be applied. After the first offence a man should know the law, even though it might be argued that there was a misunderstanding in the first instance. Therefore I cannot agree that the amendment is undesirable.

I turn now to the amendment which the hon. member dealt with concerning the width of motor vehicles. I can in a measure subscribe to his view that in many instances a vehicle with a width of 8ft. is too wide for our roads. I can, moreover, subscribe to his point of view that over a period of years a number of such vehicles have been allowed upon the roads, and it is now a very difficult proposition to say that that type of vehicle should be prevented from operating on our thoroughfares in the future, particularly when the tendency with motor vehicles is that they shall be bigger and longer than we were accustomed to in pre-war days. Some of the vehicles that are expressly made for certain purposes cannot be acquired at a width of less than 8ft. I refer to such plant as road-sweepers and the like.

I know from personal experience and inquiries, at the time when we were endeavouring in Western Australia to obtain vehicles of under a certain width, what the situation was. If my memory serves me aright, the width I contemplated at the time was 7ft. 6in., which I always thought should have been maintained as the maximum. However, that has not been maintained, and we are now in difficulties in consequence. I do not subscribe to the point of view of the hon. member that the use of vehicles of a width of 8ft. was granted illegally. I submit to him and to the House that, under the section of the principal Act which he quoted, there is power for the Governor to make regulations to regulate traffic and the use of vehicles, and for that purpose may, in the terms of subparagraph (zb) of paragraph (i) of Section 47—

> prohibit the driving on any road of a vehicle exceeding seven feet six inches in width or containing a load exceeding such width.

My understanding of the position is that if the Governor did not make a regulation under that section, there would be no restriction upon the width of vehicles that could be used on the roads. Therefore it is essential that a regulation under that provision should be made. What I see wrong with the proposition in the Bill, having considered it in the light of the views expressed by the member for Murchison, is that it might be more desirable to draft the section altogether differently, making a width of 8ft. the absolute maximum, without there being any possibility of that width being increased. I am indebted to the hon. member for drawing attention to the matter.

I had not closely studied the Bill before, and members will probably have realised that I was doing so during the latter portion of the hon. member's remarks. I think I can agree with him to this extent, that the amendment embodied in the Bill is not one that is likely to meet the circumstances of the case and ensure for all time, which I think is very desirable, that 8ft. shall be the maximum width of vehicles for use on public highways in the country districts or in the metropolitan area. I suggest that the House agree to the second reading of the Bill and take the measure into Committee. If the necessity does not arise to report progress at an earlier stage, I propose we should do so on the clause that precedes the one dealt with by the member for Murchison and thereby enable me to suggest to the department that the matter be reconsidered altogether.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Hill in the Chair; the Minister for Education (for the Minister for Local Government) in charge of the Bill.

Clauses 1 to 6—agreed to.

Progress reported.

BILL—AGRICULTURE PROTECTION BOARD.

Message.

Message from the Government received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [8.37] in moving the second reading said: Members will recall that in September, 1944, Parliament passed a resolution for the appointment of a Select Committee to consider amendments to the Vermin Act and to see if ways and means could be found to establish a capital fund to provide expenditure for combating all kinds of vermin and diseases in the form of scourges, insect pests and plant diseases, including rabbits, emus, dogs and foxes.

The inquiries that were being carried out by the Select Committee were considered so important that it was converted into a Royal Commission, and this appointment was made on the 2nd May, 1945. In 1945 the Commission presented its report, which contained many desirable suggestions. The Government has given careful consideration to the recommendations of the Royal Commission and, in order to give effect to many of them, three complementary Bills are to be introduced. The first will deal with the setting up of an agriculture protection board and will have to be considered before the other two measures. Those two measures are the Noxious Weeds Bill, which will repeal the the Noxious Weeds Act, 1924-1939, and a Bill to amend the Vermin Act, 1918-1946. While the Royal Commission recommended the setting up of an agriculture protection board, its proposals are departed from in the Bill that is now being submitted for the consideration of members.

The commission recommended a board of 12 members but, as we consider that number to be rather unwieldly, it has been reduced to eight. Instead of the Minister for Agriculture being the chairman, as recommended in the report, the Bill provides for this position to be filled by the Chief Vermin Inspector, with the Chief Weeds Officer as deputy chairman. The Government Entomologist is given power to act as chairman in the absence of both the chairman and vice-chairman. The remaining Government appointee to the board will be a Treasury official. The other four members will be nominated by the Minister and appointed by the Governor. One shall represent the pastoral industry, one the agricultural industry, and two the local authorities.

The commission recommended two nominees of the pastoralists and five of the Road Boards Association. However, it is considered that the rural representation should be equally divided, as vermin and weeds are prevalent throughout both areas and two representatives of local authorities will be sufficient. The services of the Government Entomologist are obviously desirable in view of the increase in insect pests. As the Bill provides for the protection board to be subject to the Minister, it was not considered necessary for the Minister to occupy the position of chairman. Each member of the board will have one vote, excluding the chairman, who is to be given a casting vote in the event of the votes being equal. The protection board will be a body corporate, and five members will constitute a quorum.

The object of appointing this board is not to create a central authority at the expense of the local vermin boards, but to assist them to eradicate vermin and noxious weeds. The commission recommended the use of mobile units in various parts of the State to assist in the destruction of vermin on Crown and other vacant lands. While the formation of these mobile units seems most desirable, no specific reference to them has been made in the Bill. I think that if a sufficient number were in operation, the State would soon be cleared of vermin. However, owing to cost, and particularly the extreme shortage of labour at the present time, they do not seem to be practicable just yet.

The board is given power to investigate and formulate schemes for co-ordinating the control and prevention of noxious weeds and vermin, and should it be possible at some future time to incorporate the use of these mobile units, the way is left open for the board to take the necessary action.

Hon. J. T. Tonkin: Do you think it will?

The MINISTER FOR LANDS: We hope it will, but, as the hon. member is aware, there are many difficulties attending the getting of such units into operation.

Hon. J. T. Tonkin: Did not those difficulties exist four years ago?

The MINISTER FOR LANDS: Yes.

Hon. J. T. Tonkin: And you pressed very hard for the mobile units then.

The MINISTER FOR LANDS: That was a recommendation of the Royal Commission, and I think it was a very good one. I believe we shall reach the stage where they will be brought into operation.

Hon. J. T. Tonkin: I do not.

The MINISTER FOR LANDS: I do. Finance is being provided for the setting up of the board.

Hon. J. T. Tonkin: Later on, will you explain how?

The MINISTER FOR LANDS: Yes. As well as being given power to authorise expenditure from the protection fund to carry out any schemes considered necessary, the board will be expected to advise local authorities on action to be taken, even if the expenditure is being met from the funds of the local authority. The board may prohibit the trapping of rabbits on any holding by any person other than the owner of the holding, particularly while poisoning is in progress and may also compel him to control, prevent and eradicate vermin in a prescribed manner.

It will be a responsibility of the board to maintain and improve good rabbit fences and water supplies on Crown land. In accordance with the commission's recommendation, the board, has been given power to investigate the various types of appliances that are available, in order to prevent unsuitable types from being sold. As some appliances are not successful, it is hoped that this provision will ensure that money is spent only on equipment which is known to be efficient. The board will be able to purchase equipment and

materials, and these can be resold to local authorities at cost price, plus administration charges.

The borrowing powers of the board must not exceed £100,000, either to deal with an emergency, or to purchase wire netting as provided for in Section 89 of the Vermin Act. Advances can be made to local vermin boards, where, in the opinion of the protection board, because of the area and incidence of pests, extra activity in the area will result in a lessening of vermin. Advances may also be made for the control, prevention and eradication of noxious weeds. The Bill sets out the maximum rates which shall be paid in respect of vermin. These rates in respect of each type of vermin will be uniform in any one vermin district, but may differ from those in other vermin districts.

The protection board will obtain its finance in the following manner, the fund being in two sections, one for noxious weeds, and one for vermin:—

> For the control, prevention and eradiction of noxious weeds, the Railways Commission will contribute £500 each year.
>
> For vermin, the commission will be required to provide £2,500 each year.

The Royal Commission considered that the activities of the Railway Department, apart from its actual permanent way and embankments, have been limited to those portions of the railway reserves which are adjacent to farms where measures for the control of vermin has been taken. Where railway reserves adjoin Crown lands, abandoned properties, or properties that have been somewhat neglected by the occupiers, there has been little activity by the department. This contribution by the Railways Department will not relieve it of any responsibility for normal vermin and weed control work on its permanent ways and reserves. The Government and local authorities are carrying on and supervising vermin and noxious weed control out of funds obtained from rates and taxes. No contribution has been made in the past by the Commissioner of Railways, and it was therefore considered by the Royal Commission to be obligatory on the part of the railways to make these contributions to the fund.

A sum of £7,000 will be paid each year from revenue in the case of noxious weeds, and £44,000 each year for vermin, excluding insects. An amount of £30,000 will be provided from revenue for grasshoppers, and £12,000 for the general expenses and administration of the protection board. These amounts, to be provided from revenue, represent a minimum figure.

A maximum sum of £12,000 will be provided from revenue for the specified area north of the 26th parallel and the specified outer districts as a special measure to assist the outer areas, which are bearing the brunt of the attacks of vermin, such as wild dogs. Although the outer areas are sparsely populated, they are protecting the inner areas and require special assistance.

The total amount to be found from revenue for both vermin and noxious weeds is, therefore, £105,000. This amount incorporates the present departmental expenditure. The Estimates for 1950-51 provide for a total of £72,500 for vermin and grasshoppers. The expenditure for rabbit and other vermin eradication and upkeep of the rabbit-proof fence is estimated to be £38,500, while an estimate of £34,000 is made for the destruction of grasshoppers.

Mr. Nalder: Does that mean Nos. 1 and 2 fences?

The MINISTER FOR LANDS: I take it that refers to the whole of the fences.

Hon. J. T. Tonkin: I see that you have very wisely scrapped the idea of a special tax, such as you tried to urge upon me.

The MINISTER FOR LANDS: Yes; I suppose Governments change their policy as time goes along. An additional £32,500 will be required from revenue to bring the estimated expenditure up to the amount required by this Bill. The Royal Commission recommended that a substantial portion of the funds of the board should come from a special tax on urban lands throughout the State. However, the Government did not consider it desirable to adopt that recommendation.

Hon. J. T. Tonkin: What brought about the change of opinion?

The MINISTER FOR LANDS: I suppose conditions and such like. Since the commission made its report in 1945, local authority rates have greatly increased, as well as land tax and all other costs. It was obviously the intention of the commission that all sections of the State should contribute, and this can be achieved by the appropriations from revenue provided for in the Bill. The Vermin Act Trust Fund is to be retained for its present purpose. It is used for the payment of bonuses to dog trappers. The only thing the Bill does is to place the fund under the control of the agriculture protection board instead of the Minister. On the 30th September, the balance of the Vermin Trust Fund stood at £10,346 17s. 10d. In Victoria, an annual allocation of approximately £1,000,000 from revenue is made for the control of vermin and weeds.

In considering the emu and grasshopper menace, the commission felt that these pests would be more expertly dealt with if an advisory committee to the agriculture protection board were appointed. The Government desires to give effect to that recommendation, and provision is accordingly made in the Bill. The advisory committee is to deal with emus and grasshoppers and will comprise five members. The chairman will be an officer of the Rural and Industries Bank, and the other four

members will represent those parts of the State where emus and grasshoppers are prevalent. The purpose of the committee will be to formulate schemes for the destruction of emus and grasshoppers and advise the board of any necessary action to be taken. It may also act under delegated powers from the board.

The protection board will be empowered to make contracts. These provisions resemble those in the Acts governing contracts by local authorities. The board will be required to keep proper books of account which will be audited by the Auditor General. It will prepare annual estimates, and each year its annual report will be tabled in both Houses of Parliament. As the setting up of the agriculture protection board is most important, I commend the measure to the House. I move:

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—VERMIN ACT AMENDMENT.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [8.55] in moving the second reading said: Having introduced a Bill to carry out the recommendations of the Royal Commission on the Vermin Act—

Hon. J. T. Tonkin: Some of them!

The MINISTER FOR LANDS: —to make provision for the setting up of an agriculture protection board, it is now necessary to provide for amendments to the Vermin Act in order to dovetail it into the Bill governing the protection board. Several amendments and additions to the definitions of the parent Act are necessary for this purpose. "Appointed Day" is added to provide for the time when the agriculture protection board Act is proclaimed. Because the Chief Vermin Control Officer will be the chairman of the agriculture protection board, it has been necessary to change the references in the Vermin Act from "Inspector" to "Chief Vermin Control Officer."

Hon. E. Nulsen: This is really a consequential measure.

The MINISTER FOR LANDS: The first Bill was a machinery Bill and this one amends the Vermin Act. For similar reasons, references to the Governor or Minister have been deleted and replaced by references to the "Protection Board" or the "Chief Vermin Control Officer." With regard to the approval of rabbit-proof fences, the board or the Chief Vermin Control Officer will take the place of the Minister. The power of the Governor to declare vermin under the definition of vermin in Section 4 of the present Act is to be exercised by the agriculture protection board. Provision has been made to give the protection board power throughout the State. At present, the parent Act gives this power only to the Minister.

Whereas the parent Act provides for the Governor by Order-in-Council to do certain things in relation to defining portions of the State as vermin districts, an amendment is sought to give the same powers to the agriculture protection board by means of declarations in the "Government Gazette." The protection board will also act as the board of a district which has been suspended or abolished. In the event of a vermin board ceasing to function, provision is made for the protection board to appoint a commissioner.

A most important portion of the Bill deals with a new basis for the striking of local vermin rates on pastoral leases and other holdings. This action is being taken as a result of a recommendation of the Royal Commission. An anomaly often exists under the parent Act when there are pastoral and farm holdings within the one district. As the rate per acre on pastoral holdings is tied to the rate per pound on the unimproved capital value of the farm holding, contributions to the local rates may be completely disproportionate in regard to the relative areas or unimproved capital values of the respective holdings.

The commission's report gives the following illustration:—

> (1) Agricultural land.—Unimproved capital value, £460; rate, ¼d. in the pound; amount of assessment, 9s. 7d.
>
> (2) Pastoral lease with annual rent at £23.—The unimproved capital value is therefore set down as £460. The actual lease in the case given was 80,000 acres. The rate struck to comply with the Act on that area, namely 800 times 100 acres, was at 1½d. per 100 acres. The amount of the assessment was therefore £5. For the purpose of this example, the road rate on agricultural land was 2d. in the pound. The vermin rate was ¼d. in the pound.

Because the vermin rate was one-eighth of the road rate, the vermin rate for the pastoral lease had to be one-eighth of the maximum provided for pastoral leases; namely one-eighth of one shilling per 100 acres; which represented a vermin tax of 1½d. for every 100 acres. The rate on a pastoral lease of the same unimproved value was over 10 times that on the agricultural land. It has been considered desirable to strike two separate rates which are unrelated to each other. The maximum rate on a pastoral lease will be one shilling for every hundred or part of one hundred acres, and a minimum of ¼d. is

provided. In the case of other holdings, the maximum rate will be 2d. in the pound or part pound of the unimproved capital value of the holding.

The Bill also provides that half rates only shall be charged on a property with a rabbit-proof fence, which is maintained in good order. The complete exemption of the rabbit-netted property from rates is inequitable, because local vermin funds are used for the destruction of vermin other than rabbits. Conditional purchase leases granted under the Land Act, 1933-1948, whether before or after the passing of this amending Bill, will be exempt for a period of two years from the commencement of such leases. In the case of separate blocks of land in the one ownership around all of which there is a rabbit ring fence, although each is not separately fenced, a claim may be made for a rebate of half the local vermin rate. The minimum vermin rate payable may be 2s. 6d.

As a result of a recommendation of the Royal Commission, provision is made for the first mortgagee of land, in addition to the owner, to be liable to pay the rates if they are unpaid for a period of six months. There is sufficient justification for this owing to the work done in the eradication of vermin being as essential for the protection of the mortgagee's security as anything else, and in fact, probably more so. The amount can be recovered under the mortgage from the mortgagor by adding to the principal. The Rural and Industries Bank as first mortgagee is similarly affected, with the exception of mortgages in respect to wire netting advances. Because of the Distress for Rent Abolition Act, 1936, distress for rates is abolished.

One of the amendments sought will give a local board, with the permission of the protection board, the power to assist in the destruction of vermin in another district. For example, inner boards may contribute towards the funds of outer or buffer vermin boards. A further amendment proposes to exempt from vermin tax, any holding not exceeding 10 acres. This has been included expressly at the request of the Taxation Department. At present, holdings within a townsite or a municipality are exempt from rates, which means that the Taxation Department has to check up on every property to ascertain whether it is within or without any of these areas.

It is considered that an exemption of properties under 10 acres will still free town and municipal properties from rating, and at the same time save the extra work on the part of the Taxation Department. As the Agriculture Protection Board Bill provides for administration by the protection board, subject to the Minister, a large number of amendments appearing in this Bill are for the purpose of linking the powers of the board to the Vermin Act. The changes which this Bill seeks are for the better control, prevention and eradication of vermin, and follow closely the recommendations of the 19945 Royal Commission. I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—NOXIOUS WEEDS.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [9.5] in moving the second reading said: This is a new Bill for the control, prevention and eradication of noxious weeds, and it repeals the Noxious Weeds Act, 1924-1939. It is linked with the Agriculture Protection Board Bill and gives further effect to the method of control as recommended by the Royal Commission. The most important thing for which the measure provides is the division of noxious weeds into two groups. One group is to be known as "primary noxious weeds," and the other as "secondary noxious weeds." Once any plant is proclaimed to be a primary noxious weed, it will be the responsibility of the agriculture protection board to direct ways and means of destroying it.

In certain districts weeds of the "primary" category are already well beyond the control of local authorities. Unless we repeat the experiences which have occurred elsewhere, and finally impose on the State a tremendous obligation to try to eradicate noxious weeds, we must be prepared to spend a few thousand pounds now, under the control of the protection board. To do this may well save a terrific expenditure quite apart from the losses and difficulties associated with the development of these dangerous weeds. Now that weeds will be divided into "primary" and "secondary" types, no obstacles should be placed in the way of allowing the Department of Agriculture to carry out the ideas recommended by the Royal Commission. The less dangerous weed, or the "secondary noxious weed," will be declared as such by the Minister, and will be the responsibility of the local authority of the district in which it is prevalent.

The significance of weeds to agriculture in Western Australia is seldom appreciated. The United States Department of Agriculture estimates the annual loss due to weeds in that country to be 3,000 million dollars per annum, or greater than the total losses due to insect pests and diseases of livestock and plants. Recently, Noogoora burr was recorded for the first time in Western Australia. In 1939 Queensland farmers paid £230,000 for the carbonising

of wool containing that burr. In more recent years the amount would probably approximate a million pounds.

In Western Australia we have some serious weed problems, which, unless tackled immediately, will rapidly become worse. During the last 10 years cape tulip has spread very rapidly and now menaces many districts where until recently it did not occur. The extensive areas of Bathurst burr at Kalgoorlie and Coolgardie are a potential menace to the agricultural and pastoral areas. St. John's wort is proving very troublesome in the lower South-West, and other serious pests such as ragwort, hoary cress and Berkheya thistle, although occurring to a more limited extent, must be given attention.

The lack of success of the Noxious Weeds Act in its present form can be attributed to a number of causes. Weeds do not conform to arbitrary boundaries and thus control often calls for collaboration between Government departments, local authorities and private persons located over a wide area. Any large scale weed control programme therefore requires a coordinating authority with the necessary technical knowledge, powers and finance.

Some members of local authorities have had little experience with weeds and do not become concerned until they have reached considerable proportions. A serious weed may be of no immediate consequence to the district in which it occurs, but it can be a potential menace to many other parts of the State—for example the Bathurst burr at Kalgoorlie.

The Bill provides for the appointment of a Chief Weed Control Officer, who is also vice-chairman of the Agriculture Protection Board. When a local authority is served with a proclamation in the case of primary noxious weeds, the information will have to be published at least once in a newspaper circulating in the particular road district. The Bill empowers the protection board to force local authorities to destroy primary weeds. It is also necessary for a local authority to keep its district free from this type of weed, even though none may be present at the time of proclamation.

The protection board can direct two or more local authorities to act in conjunction in destroying primary weeds in land under their control, and can apportion the expenditure which will be required to be paid by each. In the case of Crown lands, the protection board can direct the particular Government department to destroy all primary noxious weeds upon the land. However, a Government department will be able to enter into a contract with a local authority to carry out the work, and the cost can be charged to the department.

The Bill provides that it will not be the responsibility of a local authority to destroy these weeds on Crown land, and it cannot be directed to do so. It will be the responsibility of the owner, in the case of private land, to take any necessary action to destroy primary weeds, once a proclamation is published. If he fails to do so, he commits an offence against the Bill, and a penalty clause is provided. Provided the owner has done his best to destroy the weeds, he can use this fact in his defence, should he be charged under the Act. The protection board is also given power to serve an owner of private land with a notice requiring him to destroy primary weeds in a manner directed by the board. In such a case, the owner can use for his defence to a charge the fact that he has made every endeavour to carry out the order.

Hon. J. T. Tonkin: Who carries the onus of proof?

The MINISTER FOR LANDS: It is not asked for in this, but we do know that even though a land owner may make every endeavour to comply with the conditions of an Act of Parliament, very often he cannot get the labour or assistance to carry out the work. If evidence is available to show that he has made an endeavour, that will be accepted to some extent as a defence. The board is given power to carry out any necessary work on private land if the owner fails to act in accordance with a notice served on him, and the board will be able to recover the cost of this work. An owner of private land will not be directed to take any action in regard to primary weeds on Crown land.

It is necessary to ensure that animals entering this State do not bring in either primary or secondary weeds by means of their coats. The same applies to coats only, which might be brought into the State. Provision to deal with these eventualities is contained in the Bill. All such animals can be kept in quarantine until a Government inspector feels certain that the coats are free from seeds of primary and secondary noxious weeds. If the coat of an animal is not free from seeds, it can be shorn before being released from quarantine. Any costs incurred in relation to animals are to be paid by the owner to the protection board. It is the responsibility of any person in possession of animals affected by this Bill to have them examined. If their coats are found to contain primary or secondary weed seeds, the owner must notify the protection board or a Government inspector, so that an inspection may be carried out.

The powers conferred by this Bill are sufficient authority for an inspector to enter upon any land in the execution of his duty. He can have as many assistants as he thinks necessary, together with whatever materials or equipment he requires. Action may be taken against the protection board, but proceedings must be commenced within 12 months from when the cause has taken place. The action cannot be commenced until one month after the

board or Minister has received notice in writing, stating the cause and name and address of the person intending to sue.

Proper accounts will be kept and audited each year by the Auditor General. A report will be prepared concerning the activities of the protection board in relation to primary noxious weeds and will be laid on the table of both Houses of Parliament. Secondary noxious weeds are those which are considered to be less dangerous than the primary weeds, and the portion of the Bill dealing with this type will be administered by local authorities. The weeds which are regarded as "secondary" will be declared by the Minister and published in the Government Gazette.

The Bill gives local authorities the power to expend moneys from their revenue to administer the control and destruction of secondary weeds. Provision is also made for local authorities to levy a noxious weed rate in order to raise funds for the work which will be required to be carried out. In the case of pastoral leases, the maximum rate will be one shilling for every 100 acres or part of a hundred acres, while on all other holdings two pence for each pound or part pound of the unimproved capital value will be charged. A local authority will have power to differentiate between land which is inside and that which is outside of the townsite boundary.

Should the necessity arise for unexpected expenditure, the Governor can authorise local authorities to charge a supplementary noxious weeds rate. It will be the responsibility of Government departments to keep Crown lands free from secondary weeds, while the owners of private land will be required to take necessary action on their properties. If a local authority is not satisfied that a private owner is successfully performing the work on his property, it can direct the owner on how the work should be done, and it will be an offence against the Act if these directions are not carried out. However, it will be a defence to a charge, that every effort has been made to comply.

If it becomes necessary for a local authority to carry out the destruction of secondary weeds on private property, costs can be recovered from the owner or occupier. A local government inspector with assistants will be given authority to enter upon land at any time in order to carry out his duties under this Bill. I feel sure that the Bill will result in a much more effective control of noxious weeds, and there is every justification for implementing the recommendations of the Royal Commission. I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—RAILWAYS CLASSIFICATION BOARD ACT AMENDMENT.

Second Reading.

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling) [9.21] in moving the second reading said: This Bill was passed in another place and has been transmitted to this House. Whilst it contains four amendments, there is only one which I feel can be in any way contentious. The first two amendments are occasioned by the fact that the title of the management of the railways has been changed by recent legislation, and the amendment merely proposes to substitute the new name for the old. The third amendment is to remove what I might call a reference to the past, namely, to the expression "Colonial Treasurer" instead of "Treasurer" which is now, of course, the common one. The fourth amendment is one which is rather more involved and deals with certain difficulties which have arisen in regard to the Railways Classification Board which comes under the parent Act, and is known as the body which deals with the classification, working conditions and salaries of a great many of the salaried officers of the Railway Department.

The only officers who do not come within the scope of the classification board are heads and sub-heads of branches and professional officers whose salaries are provided for under a Commonwealth Arbitration Court award. The purpose of the amendment is to give statutory authority to the carrying out of a practice which has been in existence for a great number of years. Prior and subsequent to the inception, in 1920, of the principal Act, it had been the habit in the Railway Department, when a position had been reclassified, to declare that position vacant, advertise it through the usual channels and fill it, either by appointing the officer who held it before the reclassification or by another officer, and this procedure was followed whether the classification of the officer in question was increased or reduced.

As far as I am informed, and I understand it is correct, there has never been any disagreement between the department and the Railway Officers' Union in regard to this matter, both parties subscribing to the view that this was the most equitable way of dealing with it; but the fact that this system had no weight in law became apparent following the issue of a salary award by the classification board in March, 1948. There were 268 appeals by the union claiming higher classifications than those granted under the award, of which 154 were approved by the board while 10 of 14 appeals by the Commissioner for lower classifications were successful. The board's decisions on these appeals

were issued in February, 1949, and were retrospective to March, 1948. The practice to which I have referred was then adopted. All positions that were reclassified under either the award or the appeals were declared vacant and subsequently filled. A number of unsuccessful applicants then exercised the right of appeal.

These appeals were made to the Promotions Appeal Board, which was constituted in 1945 to attend to all appeals by Government employees. However, the Public Service Commissioner, in his capacity as administrator of the Government Employees' (Promotions Appeal Board) Act, would not accept the appeals, on the ground that the positions for which the appeals were made were neither "vacant" nor "new" as defined in the Government Employees' (Promotions Appeal Board) Act, and therefore did not permit of any approach to the Promotions Appeal Board. The matter was then referred to the Crown Law Department, where the legal officers agreed that the Railways Classification Board did not possess power to declare vacant any reclassified position. The officer holding such a position could be removed only under Section 74 of the Constitution Act, 1889, or Section 68 of the Government Railways Act, and neither of these powers had been conferred upon or transferred, they said, to the Railways Classification Board.

The legal officers considered that a reclassification could not and did not purport to affect an abolition of a new position and the creation of a new position. The Crown Law opinion stated that the classification board had no authority to declare vacant the reclassified positions, and the Public Service Commissioner was within his rights in refusing to accept any submissions to the Promotions Appeal Board. That is the position as it stands now. The purpose of the fourth amendment is to make lawful the practice followed in past years to which no exception has ever been taken by either side. That is considered to be perfectly equitable, but the present law, as far as we know it—to which, I understand, all parties are subject—will not permit it to continue.

If this Bill be passed, the old procedure will continue and the right of appeal to the Public Service Commissioner under the present law will be available in such cases. So that appeals referred to the Public Service Commissioner can be heard, the operation of the Bill is to be made retrospective to the 17th February, 1948, the date of the issue of the award. That is the proposition contained in this measure. I move—

> That the Bill be now read a second time.

On motion by Mr. Styants, debate adjourned.

BILL—ROADS AGREEMENTS BETWEEN THE STATE HOUSING COMMISSION AND LOCAL AUTHORITIES.

Second Reading.

Debate resumed from the 28th September.

MR. STYANTS (Kalgoorlie) [9.30]: This Bill proposes to repeal certain sections of the State Housing Act, the Municipal Corporations Act and the Road Districts Act, relating to the making of agreements between the State Housing Commission and local governing authorities for the purpose of building roads through areas resumed by the State Housing Commission in various districts. The provisions of the three Acts that it is proposed should be repealed appear to me to be identical. The Minister stated that the Bill is designed to place on a more satisfactory basis the arrangements that may be made between the State Housing Commission and the various local authorities for this purpose, but he did not say what that basis was going to be.

While the basis is at present definitely laid down in the statute it appears to me, from my reading of the Bill, that the provision contained in this measure would give the State Housing Commission and the local authorities an open cheque in regard to any arrangements that might be made. The conditions of such arrangements at present are set out in the 1947 amendment of the State Housing Act and are contained in Sections 70A, 70B, 70C and 70D. It is proposed in this Bill that those sections should be deleted. I think the House is entitled to know what is intended, in regard to such arrangements, under the provisions contained in the Bill. All that the Bill states in this regard is as follows:—

> (1) Subject to the provisions of this section the Commission and a local authority may from time to time—
>
> (a) enter into agreements;
>
> (b) having entered into an agreement, by supplementary agreement extend, modify or otherwise vary the provisions of the agreement.
>
> (2) A local authority shall not enter into an agreement or a supplementary agreement without first being authorised in writing to do so by the Minister to whom is committed the administration of the Local Government Act pursuant to the provisions of which the local authority is constituted.

All those provisions are contained in the sections that are proposed to be deleted from the present Act, but Section 70C,

which deals with the basis upon which the agreements shall be arrived at, is not mentioned in the Bill. Unless the Minister informs the House of the conditions under which it is proposed that such agreements are in future to be made I do not think it should agree to this provision. Section 70C states—

> An agreement shall include provision that a local authority shall record separately in respect of the agreement an account in which there shall be credited to the Commission the amount of the advance made and debited from time to time to the Commission the amount of the general rate payable on the land in the area until the total of the debits equals the total of the credits when the local authority's liability for repayment under the agreement shall be discharged.

If I read that correctly it means that the State Housing Commission will advance finance to local authorities for the provision of roads, and that to liquidate the advance made by the Commission to the local authority there shall be the amount of the general rate on the area in which roads have been constructed from time to time paid to the Commission in redemption of the debt that the local authority has incurred under the advance made to it by the Commission. I see nothing in the Bill to indicate what are to be the terms of the agreements that the State Housing Commission and local authorities may arrive at.

Apparently the Bill leaves it open for the State Housing Commission to enter into widely differing agreements with various local governing bodies. It might take the view that one local authority is a better financial risk than another that has a less formidable bank balance, and that local authority might therefore receive more favourable terms. I do not think we should give an open cheque in this regard. The Minister said that the present provisions have been found too rigid and I have no objection to their being loosened up, provided we know to what extent we are committing ourselves. I agree that there should be some elasticity in relation to the agreements, but there is nothing in the Bill to indicate how much elasticity is required or to what extent the present conditions have proved to be too rigid. The Minister said there was no provision that while the whole of the general rate was taken from the land concerned in the area through which the roads had been built, the whole of it should be used for the purpose of meeting the financial commitments and the repayment of the money that had been advanced by the State Housing Commission for the construction of the roads. He said that no provision was made, then, in the remainder of the area for parks, water mains, and so on.

I cannot see that the provision of water mains would affect the general rate, because they are provided for, I understand, by means of a separate rate. I do not know who is responsible for the provision of fire hydrants, but I do not think they would be provided out of the general rate of the local authority. I think the provision of water mains would be the function of the Water Supply Department. The Minister inferred that all the general rate collected in the whole district had to be applied to that area, or the portion taken over by the State Housing Commission. I cannot find provision for it anywhere. I think that what could be inferred from the words used by the Minister is that assuming there was a local authority in which there was an unbuilt-on area of 2,000 acres from which the State Housing Commission decided to take over 1,000 acres, the whole of the general rate on the 2,000 acres had to go to meet the indebtedness to the Housing Commission for the roads that had been built in the 1,000 acre portion. I cannot see where provision for that is made in the present legislation. I think the provision is that it would be only the amount of the general rate which would be levied on the portion taken over by the State Housing Commission, and that would be the only portion of the rate levied in that particular local authority's area which would go towards liquidating the debt of the money provided for the making of the roads.

There is a safeguard in the provisions of the Bill—a partial safeguard, at any rate—to the extent that protection would be given to the ratepayers of the local authority in that the local authority would not be permitted to enter into an agreement with the State Housing Commission until such time as it had been approved of by the Minister for Local Government. That provision is also contained in the present legislation so it is nothing new. As I said before, if the State Housing Commission and the local authorities find that the present conditions are too rigid or unworkable, I do not think we would have any objection to making an alteration and giving them some elasticity by providing conditions under which they could operate. But again I cannot see anything in the Bill which would indicate what those conditions are going to be. It merely sets out that agreements may be made subject to the Minister approving of them. It does not say what conditions there are to be, as does the parent Act.

The Minister said that what is required is something less than the full amount of the general rate. If that is all the Minister requires, I think his department has set about it in a very cumbersome way. It is proposed to repeal certain portions of three different Acts to achieve that objective. If that is all the Minister wants, I believe all that would be necessary would be for something less than the full amount

of the general rate—say 75 per cent. of the general rate—to be paid in liquidation of the money that had been expended by the Housing Commission to provide the roads. It would then have been quite a simple matter to have altered that portion of the existing Act—I refer to the State Housing Act. Section 70 C says—

> An agreement shall include provision that a local authority shall record separately in respect of the agreement an account in which there shall be credited to the Commission the amount of the advance made and debited from time to time to the Commission the amount of the general rate payable . . . .

I take it that is the objective of the provision in the Bill, namely, that the whole of the general rate has to be paid, but there is no portion of the rates coming from that land for other amenities which they desire to provide in that particular area. If it were a case of requiring, say, 75 per cent. of the general rate to be paid in liquidation of the debt, and 25 per cent. towards amenities, that could have been achieved by setting it out accordingly. Unless the Minister requires something more in addition, it is simply a matter of altering it from the full amount of the general rate to say, 75 per cent. of the general rate. I think the method adopted by the Minister's department is very cumbersome. What is required could have been done in two or three words or by the deletion of a few words in the Act as it now stands.

If the Minister can show under the provisions of the Bill what is the basis or terms of the agreement which he proposes to allow the State Housing Commission to enter into with local governing bodies, then, if those terms were reasonable, and the House were made conversant with them, I would have no objection to them. I feel it is almost impossible for many of the local governing bodies who are not very wealthy to provide huge sums of money for the purpose of laying out roads, streets and footpaths in the large areas of land which from time to time are taken over by the State Housing Commission. If the Minister can show what he intends should be the basis in these agreements I would have no objection to any reasonable alteration, but I do not think the House should give an open cheque to the State Housing Commission.

THE HONORARY MINISTER FOR HOUSING (Hon. G. P. Wild—Dale—in reply) [9.48]: I do not think the member for Kalgoorlie made a very strong case. As it stands at present the law is too mandatory in regard to agreements between the State Housing Commission and the road boards and municipal corporations. That is the reason for asking Parliament to agree to amend it. At the present moment the road boards or municipal corporations must give the whole of the revenue from the particular ward in which the Housing Commission is building, to be placed in a fund to repay the loan that has been given to them by the State Housing Commission. It has been proved by many road boards and municipal corporations in Western Australia that this is much too severe. Therefore, we are endeavouring to make the position easier for the road boards and municipal corporations. We feel that by having an agreement between the two parties and by having it approved by the Minister for Local Government, that is sufficient protection. No road board or municipal corporation is going to give away its rights without reference to the Minister.

I can give one instance with regard to the Mosman Park Road Board. In that district the State Housing Commission has built a large number of houses, totalling in the vicinity of 400. That board has had great difficulty in providing the necessary services for the houses the Commission has erected there. As a result, as members probably know, the rates payable by the residents of that locality have been increased considerably, mainly because there have been such inroads into the money available from rates that there has been just no finance left to enable the board to carry on. The result has been that the rates had to be increased to enable the board to repay the loan made available by the State Housing Commission.

Mr. Styants: That does not justify the granting of an open cheque.

The HONORARY MINISTER FOR HOUSING: I submit that it is not a matter of granting an open cheque. On the other hand, the Bill represents an endeavour to make the situation easier for road boards. If the rate is 9d. or 1s. in the £, under the Act as it stands at present practically all that money must be paid over to the Housing Commission. The object of the amending legislation is to enable the Commission to enter into an agreement with a road board or municipal council under the terms of which it will be necessary for only 4d., 5d., or 6d., as the case may be, to be paid over to meet the liability in connection with the loan. It must be remembered that any agreement arrived at must be approved by the Minister for Local Government.

I cannot see how there can be any objection to the State Housing Commission being allowed to enter into an agreement with a local authority. There must be two parties to the agreement. It is not as though the Commission will be allowed to adopt the attitude of saying, "There it is. You can take it or leave it." Both sides have to agree, and then the matter has to go to the Minister for Local Government for his approval. The member for Kalgoorlie also mentioned that it should have been possible to deal with the situation by amending the principal Act

instead of dealing with three other Acts. I am advised by the Crown Law Department that were we to make mandatory agreements, we would have to amend all three Acts. Subsequently in a few months' time, if what was done were found to be unsatisfactory, it would be necessary to adopt the same procedure again and amend the three Acts.

In the circumstances, the Bill has been introduced to repeal, among other things, the relevant sections of the three Acts concerned. The member for Kalgoorlie said we were asking the House to agree to giving an open cheque to the Commission, but I submit that all the Bill seeks to do is to provide an easy means of arriving at an agreement with a local authority in a simple manner by means of a simple agreement that has to receive the approval of the Minister.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Hill in the Chair; the Honorary Minister for Housing in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Power to enter into agreements and supplementary agreements:

Mr. STYANTS: I am not at all impressed by the contentions of the Honorary Minister. I thought the Committee was to be allowed to know something of the nature of the agreements to be entered into between the State Housing Commission and a local governing body. The Honorary Minister said that something less than the whole of the rates collected by a local authority would be required and, if that is so, why did he not simply make provision for, say, 75 per cent. of the rates to be used for the purpose set out? When amending legislation was placed before the House in 1947 the terms and conditions under which agreements could be made were set out in the Bill, and that procedure should have been repeated in connection with the Bill now before the Committee.

Local authorities know from experience the difficulties that have arisen under the existing legislation, and I have no objection to endeavours being made to overcome that situation. Experience has taught them just what kind of agreement is necessary and what variations are required. That being so, the Honorary Minister should have been in a position to inform the Committee just what is necessary. We should not grant authority which would allow differing agreements to be entered into. The Committee should not be agreeable to allowing the Commission and local authorities to enter into any kind of agreement they thought fit. Such agreements should be on an identical basis and should not vary in principle or terms.

Progress reported.

House adjourned at 10.1 p.m.

Legislative Council.

Tuesday, 17th October, 1950.

CONTENTS.

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

QUESTION.

RAILWAYS.

As to Educational Standard, Traffic and Loco. Employees.

Hon. R. J. BOYLEN (for Hon. G. Bennetts) asked the Minister for Transport:

Owing to the difficulty in obtaining suitable young men for employment in the traffic and loco. branches of the railway service, will the Government give consideration to accepting applicants with a VI standard qualification instead of the VII as is now required?

The MINISTER replied:

The Railway Department has accepted a number of lads with sixth standard certificates, and other suitable qualifications.

BILL—PUBLIC SERVICE APPEAL BOARD ACT AMENDMENT.

Read a third time and *passed*.

BILL—SUPPLY (No. 2), £7,000,000.

Standing Orders Suspension.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [4.34]: I move—

> That so much of the Standing Orders be suspended as is necessary to enable a Supply Bill to pass through all its stages at the one sitting.

HON. G. FRASER (West) [4.35]: I do not wish to raise any serious objection to the motion, but why the rush to pass this Bill? We have had a lot of this sort of thing in the last few months and it seems to be becoming a habit. While I have no serious objection to the motion if it is