Legislative Assembly.

Thursday, 2nd December, 1937.

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

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Road Transport Subsidy Bill.

QUESTION—RAILWAYS, FILLING VACANCIES.

Mr. STYANTS asked the Minister for Railways: 1, Is the same practice adopted of advertising vacancies in the female clerical staff of the Railway Department as that followed when filling vacancies for junior workers, apprentices, engine cleaners, etc.? 2, If not, what practice is adopted?

The MINISTER FOR RAILWAYS replied: 1, No. 2, Appointments to the female clerical staff are so few that they do not justify setting up a special board. In the event of its being necessary to fill a vacancy selection is made from the applicants who from time to time submit their claims to the department.

MOTION—STANDING ORDERS SUSPENSION.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.34]: I move—

That during the remainder of the session the Standing Orders be suspended so far as to enable Bills to be introduced without notice and to be passed through their remaining stages on the same day, and all messages from the Legislative Council to be taken into consideration on the day they are received.

This is the motion usually introduced at the end of the session to facilitate business so that the interchange of Bills and amendments between the Houses may be dealt with expeditiously. It is also usual instead of delaying measures for two or three days, to introduce Bills and pass them through all stages in one sitting. This does not mean that we shall attempt to spring anything on the House and carry it through all stages in one sitting, but during the last 20 years this right has been given towards the close of the session to expedite the transaction of business. I suppose members are anxious to have some intimation as to how long the House is likely to sit, and what is proposed in respect to public business. Judging by the state of the notice paper—if members apply themselves to the business——

Hon. C. G. Latham: We always do that.

The PREMIER: Yes.

Hon. C. G. Latham: Sometimes too much.

The PREMIER: If members apply themselves to the business we might be able to finish in a fortnight. Looking at the notice paper dispassionately and considering the present state of most of the legislation that has been brought forward, I should say that if we sit regularly and perhaps a little late, we should be able to finish in a fortnight's time, though it may be necessary to sit on Friday of the last week. The Legislative Council has taken steps to get up to date with its business, and is sitting on each Friday. I do not propose to ask this House to sit on Friday yet. With the time at our disposal we might be able to finish without sitting on Friday of this week or next week. The Leader of the Opposition and other members will say that our finishing then will depend upon the amount of Government business and the number of Bills that might be brought forward. Most members have an idea of the business that we propose to bring before the House. An Appropriation Bill has to be passed and it may be that members will be

prepared to deal with it to-day. So far as tax assessment Bills are concerned there is a strong probability of the Income Tax Assessment Bill being passed. That measure has been consolidated, and it is the desire of the Government that all assessment Bills shall be consolidated in one measure, so that business people and others having transactions with the Taxation Department may, by reference to one statute, know exactly where they stand in regard to all measures of taxation. The Financial Emergency Tax Assessment Act and the Hospital Fund Act have been amended from time to time. The Consolidating Income Tax Assessment measure has been practically agreed to by both Houses, though there may be some disagreement remaining to be adjusted in regard to one or two principles. However, we should do the job thoroughly and have all our tax assessment measures properly consolidated and placed on a sound foundation. The Government will bring down Bills for that purpose next week. As those Bills will deal only with existing laws I do not anticipate that much time will be needed to pass them. There may be some misapprehension as to what the amending arbitration Bill dealing with the Public Service really means and what the effect of the principles will be. I think the position has been clarified or is on the verge of clarification so that we shall be able next week to ask the House to deal with that measure. As we dealt fully with the subject a session or two ago, the consideration of that Bill should not take long. The Minister for Health has been considering an amendment to the Pharmacy and Poisons Act. Members are aware from the report tabled last evening that the Commission has considered a redistribution of electoral seats, and a Bill will be brought down to give effect to the recommendations. Apart from one or two formal Bills such as those dealing with road closure, reserves and revocations of certain areas under the Forests Act —measures that are always deferred until the last few days of the session—I do not think there will be any other Bills of great importance that will tend to delay the business of the House. This motion will give us an opportunity to deal expeditiously with the business, particularly that involving negotiations between the two Houses in relation to Bills in course of being passed. As it is usual to submit such a motion at this stage of the session, I have no hesitation in asking members to agree to it.

HON. C. G. LATHAM (York) [4.40]: I think the Premier has made a mistake. This is probably the first occasion on which we, on this side of the House, have objected to such a motion.

The Premier: You are not going to object to it?

Hon. C. G. LATHAM: Yes I am, and shall give reasons for my objection. I do not mind the Premier having the right to deal with all legislation at present on the notice paper, and I know that there are two or three ordinary annual measures to be expected later on, but he has mentioned two very important Bills, and I consider that the House has no right to give authority to deal with either of them in one sitting. I refer first to the Bill to give effect to the recommendations of the Commissioners for fixing the boundaries of the electoral districts. That is a most important Bill, and it certainly should not be dealt with under a suspension of the Standing Orders. We should not suspend our Standing Orders until that measure has been dealt with. The second of the two important Bills is that relating to poisons. I know that the Pharmaceutical Society has been asking for legislation of this kind for the last seven or eight years, and so the measure cannot be termed an urgent one. There is no necessity to introduce it this year. I should like the Premier to explain what urgent necessity has impelled him to introduce it. The Bill will need a great amount of discussion, and probably will require a week in which to pass this House. It is unfair to ask the House to deal with such a measure in the dying days of the session. I am not going to oppose the prolonging of the session; that is not my duty, but I point out that the importance of the legislation I have mentioned demands a longer period for its consideration. I ask the Premier in the interests of the State not to suspend the Standing Orders until the Redistribution of Seats Bill has been dealt with. We have no right to rush such a measure through. It will not only affect members of this House, which is probably a less important consideration, but it will affect the franchise of the people. I have perused the report of the Commission, and I feel inclined to say that I do not consider its members made a very good job of it. I suppose they did all that the Act required them to do, but I think the Government acted wrongly in referring the matter to them.

The Premier: That was a duty statutorily cast upon them.

Hon. C. G. LATHAM: Of course!

Mr. SPEAKER: The hon. member had better not discuss that matter on this motion.

Hon. C. G. LATHAM: But the motion proposes to suspend the Standing Orders, and that suspension will affect the Bill. However, if you rule against me, that will not deter me from telling the Premier that I shall refuse to support the suspension of Standing Orders until that Bill has been dealt with. That measure in particular is of far too much importance to be dealt with under a suspension of Standing Orders. The Premier will recall that on the last occasion a Redistribution of Seats Bill was introduced a special session of Parliament was held to deal with it. I say again, if even that is necessary I will not object to it. But the Bill will not with my approval pass through this Chamber under a suspension of the Standing Orders. Members opposite will agree with me that such an important measure should not be dealt with in the manner suggested. Looking at the Orders of the Day in this House and in another place, for the life of me I cannot see how they are to be disposed of between now and Christmas.

The Premier: Oh!

Hon. C. G. LATHAM: I do not think the Premier will charge this side with stonewalling.

The Premier: No.

Hon. C. G. LATHAM: We have fully two months' work ahead of us if no other Bills whatever are introduced. There is a measure dealing with the Industrial Arbitration Act, and also the Factories and Shops Bill, under way already. I know what Ministers are; at the last moment there will be other urgent matters. I raise no objection to Bills which rectify something the House thought it had previously dealt with being disposed of promptly. An instance is the Bill relating to the Public Service. That is an indication of wrong advice by the Crown Law Department. In the circumstances I hope the Premier will withdraw the motion, at least until such time as we have disposed of those two important Bills, the Redistribution of Seats Bill and the measure to deal with the sale of poisons. Then I shall have no objection to offer to suspension of the Standing Orders, provided no new legislation is introduced.

THE PREMIER (Hon. J. C. Willcock—Geraldton—in reply) [4.47]: I do not want to force on the House anything that the House does not wish to accept. Both sides of the Chamber are agreed that the session can be closed well before Christmas. I assure the Leader of the Opposition that I do not want to take any advantage of a suspension of the Standing Orders in regard to the two Bills he has mentioned.

Hon. C. G. Latham: The last Redistribution of Seats Bill took six weeks.

The PREMIER: Another Redistribution of Seats Bill did not take many weeks. I am not seeking to take advantage from any standpoint with regard to the Redistribution of Seats Bill now in contemplation, or for that matter with regard to any other Bill. However, occasionally it takes two or three days to get a Bill through the formal stages, even though everybody is agreed on the Bill. Under suspension of the Standing Orders such a Bill can be dealt with in one day and sent up to the Council, and there dealt with expeditiously. There will be no attempt by the Government to take advantage of the suspension of Standing Orders to do something to which the Opposition is not agreeable. Whenever the Leader of the Opposition has been asked to expedite business in any way, he has always agreed readily; and I appreciate his courtesy in that respect. It would be poor thanks on my part, having succeeded with the motion for the specific purpose of expediting business, to repay the courtesy of the Leader of the Opposition by doing something of which the hon. gentleman will not approve. If the motion is carried, no advantage will be taken of it as regards any Bill which has not the approval of the Leader of the Opposition. The session is within about a fortnight of closing, and it is necessary that matters should be expedited. This course is the one invariably adopted. Otherwise we may come here for a day and do nothing but pass a couple of formal motions and then disperse, and similarly the next day, because of the Standing Orders.

Hon. C. G. Latham: Notice of a motion of want of confidence has been given to-day.

The PREMIER: If the Leader of the Opposition or a member on the front Opposition bench gave notice of such a motion, I would treat it seriously; but viewing the source from which the notice came, I do not take it seriously at all. However, even that

notice of motion can be dealt with expeditiously. The ordinary business of Parliament, for very good reasons, is subject to delay under Standing Orders; but those reasons do not apply when the end of the session approaches. I hope that in view of my assurance to the Leader of the Opposition, the House will carry the motion, as it well may do.

Question put and passed.

MOTION—GOVERNMENT BUSINESS, PRECEDENCE.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.52]: I move—

That on and after Wednseday, the 8th December, Government business shall take precedence of all motions and orders of the day on Wednesday as on all other days.

A motion on these lines is usually moved at this stage. The session is well advanced, and a considerable amount of private business has already been dealt with. We have taken private members' motions beyond the hour of a quarter to eight repeatedly, and on two or three occasions have sat till 11 o'clock in order to deal with them. I give the usual assurance on that aspect: if the motion is carried, it does not mean that private members' business is finished. As opportunity offers, private members' business will be discussed. However, owing to the fact that business comes before two Houses it is essential that Government business going to the other Chamber should be dealt with expeditiously, so that it may receive elsewhere the consideration it deserves. Even within the last two or three days some of the business of private members has been eliminated, having been put well up on the notice paper. I hope that there will be opportunity for discussing private members' business fully, but I trust that there will be no more of that business. Members desirous of introducing Bills should introduce them promptly. A motion can be dealt with straightaway, but a Bill needs more consideration and therefore cannot be disposed of at one sitting. I give an assurance that private members' business will receive the consideration of the House at some stage.

HON. C. G. LATHAM (York) [4.54]: This is a motion usually moved towards the close of the session, and I raise no objection to it. I am glad of the Premier's assurance that members will be afforded opportunities for the discussion of their Bills and motions. Probably for a great many years there has not been so much private members' business as during this session. I can account for that fact only by supposing that hon. members have thought it far better to introduce legislation of public importance themselves, fearing that the Government would not do it. On top of that business, Ministers have come down with the usual supply of Bills, and the House has been kept extremely busy. I hope there will be no more Bills from private members. I object to the Premier giving encouragement in that regard.

The Premier: I did not.

Hon. C. G. LATHAM: The hon. gentleman said to private members that they could come along with Bills. Undoubtedly every member introducing motions or Bills does so with the best intentions, and is entitled to have them fully discussed and considered. If there is a private Bill of great public importance to be proposed, it must be introduced and discussed; but I think members will do well to defer their Bills until next session. In view of the congestion likely to occur, the Premier might agree to sit on Fridays, as another place has done.

The Premier: That could be done next week.

Hon. C. G. LATHAM: I prefer Friday sittings to very late sittings. I am aware that an idea is held by the public that members of Parliament have only certain hours of work, and that those are the hours they sit in this Chamber. Ministers have their departmental work to attend to, and have to check over Bills; and I want to remind them that the Leader of the Opposition has to study all the Bills introduced. Therefore, I have a full-time job, which I could not carry out but for the assistance of hon. members associated with me. I have to consider Bills from early morning until half-past four in the afternoon, and must take an intelligent view of other discussions in this Chamber. Therefore, I repeat, mine is a full-time job. I shall not oppose the motion.

MR. SAMPSON (Swan) [4.57]: Through you, Mr. Speaker, I wish to ask the Premier whether he is prepared to allow the suspension of the Standing Orders to apply to private members' Bills as regards being passed through all stages on the same day.

Hon. C. G. Latham: The suspension applies to private Bills also.

MR. SAMPSON: It will be greatly appreciated if it is possible to dispose of private members' items. I have had one item on the Notice Paper for several weeks—No. 25. I am glad that it will be possible for the item, if it should be reached, to be disposed of at one sitting.

Question put and passed.

BILLS (2)—THIRD READING.

1, Loan, £1,227,000.

2, Land Tax and Income Tax.

Transmitted to the Council.

ANNUAL ESTIMATES, 1937-38.

Report of Committee of Supply adopted.

Committee of Ways and Means.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [5.1]: I move—

That towards making good the supply granted to His Majesty for the service of the year ending the 30th June, 1938, a sum not exceeding £6,622,245 be granted from Consolidated Revenue Fund.

Question put and passed.

Resolution reported, and the report adopted.

BILL—APPROPRIATION.

Message.

Message from the Lieut.-Governor received and read recommending Appropriation for the purpose of the Bill.

First Reading.

Bill introduced by the Premier and read a first time.

Second Reading.

On motion by the Premier, Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Premier in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Approval of expenditure under Section 41 of the Forests Act, 1918-1931:

Hon. C. G. LATHAM: This provides for "an expenditure of £60,000 as provided for in the scheme of expenditure laid on the Table of the House." I am wondering whether the statement has been laid on the Table of the House.

The Premier: Yes, a good while ago.

Hon. C. G. LATHAM: I have not been able to find it, but am prepared to accept the Premier's word.

Clause put and passed.

Schedules A to F—agreed to.

Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

Third Reading.

Bill read a third time, and transmitted to the Council.

STATE TRADING CONCERNS ESTIMATES, 1937-38.

Report of Committee adopted.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT (No. 2).

Discharge of Order.

On motion by Mr. Sleeman, Order of the Day for the second reading of the Bill discharged.

BILL—MONEY LENDERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th November.

MR. NORTH (Claremont) [5.8]: I desire to support the measure. It covers most of the recommendations of the recent Royal Commission, and has commendable features. It does not include all the suggestions of the Commission, but it does at least make the position so clear that in future, persons who intend to borrow in this way will have an opportunity of knowing what they are signing. There are valuable clauses in the Bill, with which I am in agreement.

Question put and passed.

Bill read a second time.

BILL—HOUSING TRUST ACT AMENDMENT.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [5.10] in moving the second reading said: As hon. members are aware, the Housing Trust Act was introduced for the purpose of providing homes for aged indigent people, and those permanently incapacitated, such as blind people and others in unfortunate circumstances, who could not afford to provide a home for themselves, or to pay a reasonable rental. The Housing Trust commenced its operations in 1930, when the depression was beginning to be seriously felt in this State, the original capital being an amount of £5,000 donated by Sir Charles McNess. This capital has been supplemented from time to time from various sources, including an additional gift by Sir Charles McNess of £2,000, and at the present time totals £27,449 19s. 6d., made up as follows:—

	£	s.	d.
Gifts from Sir Charles McNess	7,000	0	0
Appropriated by Parliament from Unemployment Grant given by Federal Government	15,000	0	0
Grants from Lotteries Commission up to 30th June, 1937 ..	5,400	0	0
Donation collected by citizens of Capel	49	19	6
	£27,449	19	6

The Leader of the Opposition will remember that his Government received a grant from the Federal Government for unemployment relief, and thought it would not only provide employment but would perform an estimable service for these unfortunate people if £15,000 were appropriated to put into this fund. The Lotteries Commission made a couple of grants amounting to over £5,000. In the district of Capel, represented by the member for Bunbury (Mr. Withers), a particularly unfortunate case was reported. The residents of the district had no house available to provide for the family concerned, and the Trust had no funds. If I remember rightly, a house was transferred eventually from Boyup Brook to Capel to provide accommodation for this unfortunate family. There was no money in the Trust at the time and it looked as though they could not be catered for. The people of Capel, however, subscribed the amount of £49 19s. 6d. to transfer the building.

Hon. C. G. Latham: It was a group settlement house that was transferred.

The PREMIER: Yes. It was occupied at one time by a railwayman at Boyup Brook. Under the Act cottages can be occupied under either of two sections, namely, free life tenure or fee simple tenure. Under the free life tenure approved applicants occupy homes under an agreement which gives them the right to reside in the dwelling-house without payment, subject to certain minor conditions regarding proper conduct, etc. Under this section municipalities or roads boards cannot strike rates on the property and the only expenditure for which the occupants are liable is that necessary for water and light supply.

Hon. C. G. Latham: And insurance, which is not very much.

The PREMIER: That amounts to a shilling or two shillings a week. Under the fee simple tenure section the approved applicant purchases the property at its capital cost and executes a contract of sale to repay such capital cost at the rate of 5s. per week free of interest. From these repayments all rates and taxes are paid by the Housing Trust and the balance remaining after such outgoings are paid is credited in reduction of the capital cost. The type of home provided under both sections of the Act is a four-roomed weatherboard cottage with iron roof and back and front verandahs, something after the style of the group settlement homes. The cottages are not completely lined and ceiled, and on the back verandah a combined bathroom and laundry is enclosed. The average cost of this type of cottage is £340. The operations under the Housing Trust Act are State-wide. Fifty-one cottages have been completed in 29 country towns ranging from Northampton to Albany throughout the South-West portion of the State, and 52 cottages have been erected in 15 suburbs in the metropolitan area, making a total of 103 cottages providing housing accommodation for 509 persons. Of the 103 cottages, 24 were allotted under the free life tenure conditions, the balance being under the repayment scheme. Experience has shown that some alterations are necessary to the Housing Trust Act in order that the trust may function more satisfactorily. Opportunity has been taken by the Government to provide by the amending Bill to pay tribute to the generosity of Sir Charles McNess, whose original donation of £5,000

was responsible for the creation of the trust. The trust is commonly known as the McNess Housing Trust, and it is proposed under the Bill to give it that official title. By this means it is intended to perpetuate the name of one whose gifts to Western Australian charity in recent years have been outstanding. This particular gift was a highly laudable form of philanthropy and was responsible for the alleviation of great suffering. It has enabled many indigent and deserving people to be relieved of the anxiety of providing themselves with housing accommodation. Other necessities of life can be obtained in other ways, but the provision of housing accommodation has been of incalculable benefit in improving the lot of some unfortunate people and making them as happy and contented as possible in their circumstances. I am only sorry that more could not have been done for this fund as, for instance, by the State Government advancing something towards it. I hope the example set by Sir Charles McNess will perhaps be followed by other people, because I do not know of a more worthy way in which the poor and injured, the blind, the maimed and the halt, could be assisted. The first amendment in the Bill is to Section 14(c) which makes it incumbent on the Housing Trust to refund to any purchaser who desires to retire from his agreement after a period of five years, the whole of the principal moneys paid by him less any amount due for the maintenance of the cottage. The trust does not consider that this obligation should be placed on it. A case is under attention where the applicant received assistance in 1931. He was at that time unemployed through the depression. He is now a partner in a contracting firm in Katanning and appears to be doing well, having built homes for the board, as well as doing private work. He has left the house and he requires a refund of his principal. He has advised that he will use this as a deposit on the purchase of a home privately. The Housing Trust has great difficulty in obtaining funds, and has a large number of deserving applicants on its waiting list for whom homes cannot be provided. The trust does not consider that it was ever intended that where applicants' financial circumstances improved, as in the above case, it should enable them to purchase private homes while the funds could be used to much better purpose, in accordance with the intention of the Act, to help others in need of assistance and to make more comfortable the original unlined homes. There are about 80 purchasers under contracts to pay 5s. per week. No interest is charged on the purchase price of the cottage. All rates and taxes are paid by the trust from the 5s. per week received and the balance is credited direct to the purchase price of the property. The trust considers it inequitable that it should have to pay out a refund to an applicant who has had the benefit of a home for his wife, his children and himself free of interest for a rental of 5s. per week. This legislation is introduced, amending Section 14(c), to give discretion to the trust in this matter. With this discretionary power the trust would still consider making a refund to any deserving person forced to give up the home through no fault of his or her own. Also an amendment is desired to Section 17 of the Housing Trust Act. At the present time a purchaser occupies a Housing Trust cottage on the payment of 5s. per week, from which all rates and taxes are paid by the Housing Trust, after which the balance is credited direct to the principal account. During the course of years some of the applicants, who were eligible when their applications were lodged, have improved their financial circumstances and gained a position in which they can acquire a home privately. In such cases the Housing Trust at present has no power to do anything, and in view of the large waiting list of deserving cases, the trust desires the power to demand payment of the whole of the purchase money, or if it is not paid, to terminate the agreement and reallot the cottage to another deserving applicant. A case is under notice at present of a widow with a family, who was originally allotted a home on the repayment basis of 5s. per week. After occupation of the home for a few years she has now remarried. Her husband is in regular employment, earning a good wage, and he also owns a freehold home. But he has let the freehold home to a tenant and collects the rental, while he himself has gone to live with his wife in the Housing Trust cottage, which they occupy on the payment of 5s. weekly. Under the existing Act the Housing Trust cannot take any action provided the 5s. per week is regularly paid under the ex-widow's contract. The trust considers that such a person should not be

allowed to continue in possession, and that the house should be re-allotted to one of the deserving applicants on the waiting list. The same position can arise with an applicant who subsequently obtains lucrative employment or acquires money by a legacy or other means, such perhaps as a lottery ticket. The amendment put forward would give the Housing Trust power to cancel a contract in justifiable cases and re-allot the cottage, and would also vest in the Housing Trust a discretionary right to grant a refund to the previous purchaser. The Housing Trust considers that when applicants have received help for the period during which they require it, they should subsequently be dispossessed of the home and another more deserving case assisted.

Mr. Marshall: Has the Bill anything retrospective in it?

The PREMIER: No.

Mr. Marshall: Well, these cases you have referred to cannot be dealt with under it.

The PREMIER: If the Bill be passed, and if this person be still in the trust cottage, the trust can say "We are not justified in allowing people in your circumstances to remain in the cottage, so we require you to vacate it in order that we may pass it over to someone else whose need is greater than is yours."

Mr. Marshall: But you cannot break a contract.

The PREMIER: Yes, the Bill gives the trust power to break any contract made in those circumstances. The amendment is to enable the trust to do a just thing and so, in justifiable circumstances, it will allow the trust to cancel a contract. The trust thinks that when people have had the consideration extended to them of this very favoured treatment, when their circumstances alter for the better, it should have discretionary power to repossess the house for the benefit of others whose circumstances have not improved. That is the purpose of the Bill, and I commend it to the House. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it insisted on its amendments, Nos. 1, 2, 3 and 5, to which the Assembly had disagreed, now considered.

In Committee.

Mr. Hegney in the Chair; the Premier in charge of the Bill.

Nos. 1, 2, 3, and 5:

The PREMIER: We have considered these amendments on two or three occasions. I do not wish to waste time. In my belief the Committee will continue to disagree with all these amendments insisted on by the Legislative Council. I move—

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

Question put and passed.

Resolution reported, and the report adopted.

Request for Conference.

The PREMIER: I move—

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

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

BILL—FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT.

In Committee.

Resumed from the 18th November. Mr. Sleeman in the Chair, the Minister for Works in charge of the Bill.

Clause 2—Amendment of Section 3:

Mr. McDONALD: By the parent Act the company is authorised to supply gas, and by a later amendment to supply electricity, within a radius of five miles of the Fremantle Town Hall. By the Bill the company may be authorised by proclamation of the Governor to extend its operations in an area beyond the five-mile radius. Under the Act power is given for the municipality of Fremantle to take over the company's enterprise and all its assets within the area at a valuation. Meanwhile the company has authority to continue its operations until such time as Parliament repeals the Act, unless the Fremantle municipality gives notice of its intention to buy out the company. If the company extends its operations beyond the five-mile radius it would have to spend a good deal of money in pipes, etc. Appa-

rently under the Bill a proclamation can be made at any time whereby the company would be prevented from operating in the new area. I should like to know if the Minister has considered that aspect, and whether the Bill could afford some security of tenure to the company in view of the expense to which it would be put in extending its operations outside the five-mile radius.

Mr. NORTH: In another Bill the Minister has not made provision for this type of proclamation. He has not stated that the proclamation can be revoked. I do not know why it should be stressed in this Bill when no mention is made of it in the Perth Gas Company's Act Amendment Bill.

The MINISTER FOR WORKS: I have discussed this matter with the Solicitor-General. The Bill gives power for the revocation of the proclamation. The ruling of the Solicitor-General is that if a proclamation is issued, unless power is taken specifically to revoke it, it cannot be revoked. A proclamation has the force of law. There is a difference between a local authority and a private company. It was not considered necessary to take the same precautions with respect to the Perth City Council as in connection with the company. There may come a time when the Fremantle municipality may take over the company's undertaking. When the additional area came to be considered, a difficulty might arise. Power was therefore taken to revoke the concession over the additional area. I have also discussed this matter with the representatives of the company. It is not the Government that makes the agreement with the company, but the local governing authority. I presume that the territory would be entered under an agreement suitable to both parties. I cannot conceive that the proclamation would be revoked unless the municipality in years to come desires to take over the undertaking, but it is necessary to have the power. I fail to see any danger in this provision, nor do I think the company would be afraid to enter the additional territory. It was suggested that a definite area might be proclaimed. That is practically impossible. Already the magic circle within the five mile radius of Fremantle, and the Perth area overlap to a certain extent, but there is still an area that is no man's land. The company desires an extension of its operations only into one small area. There is a good deal of vacant country which will not be served by the City of Perth for many years or by the Fremantle company. This would be the appropriate way in which to take in the additional territory both for the Fremantle company and the Perth City Council. The present territory can be subject to the Perth municipality and the Fremantle company taking it over. I assume that under the existing law proper arrangements would have to be made. The matter would be subject to arbitration and so forth. There is nothing to prevent the Fremantle Gas Company arriving at a definite arrangement with any municipality or road board to whose territory their authority is extended. The same question arose when the price to be charged was discussed. That was not a matter for Parliament or of law. The parties had to arrive at a satisfactory arrangement. Under the existing law relating to the Fremantle Gas Company, a limit is placed on the price to be charged at 20s. per thousand foot of gas. The price charged by the company has never been above 10s. 10d. and is now under 8s. per thousand foot. That is the only limitation, and no difficulty has been experienced under that arrangement by the Fremantle municipality or others concerned within the five-mile radius over which the company can operate, nor is it anticipated that there will be any difficulty in the future. It is all a matter of mutual arrangement. Under the existing Act the price charged must be uniform, just as is the position with regard to electricity supplied within the area over which the Perth City Council operates.

Mr. Hegney: Then the price charged must be the same in any new area as in the old area?

The MINISTER FOR WORKS: Yes. The safeguard for the municipality is that it makes the agreement, and the company has the same safeguard.

The Minister for Railways: Does the municipality have a say in the price?

The MINISTER FOR WORKS: Only in respect of the limit.

The Minister for Railways: That provides a very big margin.

The MINISTER FOR WORKS: Yes. But that provision has operated for 40 years and prices were high when that limit was fixed. Of course the price varies now with the cost of coal. That factor practically governs the price of gas. As to the appearance of the clause referred to by the member for West Perth, it will be recog-

nised that we must take a different point of view with regard to a private company as compared with a local authority. We have not so much control over the former as we have over the latter. Hence the differentiation between the form in which the two Bills appear. According to the Solicitor General, it would be unsafe to pass the Bill without the power of revocation where a private company is concerned. I do not think the company is much concerned about it.

Clause put and passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILLS (2)—RETURNED.

1, Hire Purchase Agreements Act Amendment.
With amendments.

2, Timber Industry Regulation Act Amendment.
Without amendment.

BILL—PERTH GAS COMPANY'S ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th November.

MR. NORTH (Claremont) [5.56]: I support the Bill, which is the counterpart of that which we have just disposed of. There is no need to say much about it at this stage. The local authorities require extensions of gas mains. The representatives of the Perth City Council and the Fremantle Gas Company charted the territory in such a way that extensions that are to be permitted will not clash. The next questions dealt with are how authority shall be given for extensions and who shall authorise them. It has been decided that first the permission of the municipality or road board involved shall be secured for the extension desired, after which the authorisations for the work will have to be given by the Governor-in-Council. So we have two checks upon any work that may be undertaken. In these circumstances, I cannot see that there is any possible objection to the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and transmitted to the Council.

BILL—INCOME TAX ASSESSMENT.

Council's Amendments.

Schedule of 10 amendments made by the Council now considered.

In Committee.

Mr. Sleeman in the Chair; the Premier in charge of the Bill.

No. 1. Clause 1:—Add at the end of the clause the following words:—"and shall come into operation on a day to be fixed by proclamation."

The PREMIER: The amendment will give effect to the desire that the Bill shall come into operation on a day to be fixed by proclamation. It can hardly be otherwise, because the Bill will repeal certain Acts and that cannot be done without submitting legislation in lieu. We must proclaim the day on which the Act shall come into operation. In those circumstances I move—

That the amendment be agreed to.

Question put and passed; the Council's Amendment agreed to.

No. 2. Clause 5:—Insert after the definition of "special tax Act," on page 8, a further definition, as follows:—" 'spouse' means the husband or wife of the taxpayer."

The PREMIER: There is no definition of "spouse" in the Bill and one seems to be desirable. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. Clause 79:—Add to paragraph (b) of the clause, a further proviso, as follows:—

Provided further, that where there is no Government school within the meaning of the Education Act, 1928, nearer than ten miles from the taxpayer's place of abode, and no means of free transport for children between the nearest Government school aforesaid and the taxpayer's abode is provided by the Government or the Education Department, and the taxpayer maintains his child or children elsewhere than in his place of abode in Western Australia for the purpose of providing for the education of such child or children, a deduction of one hundred pounds, in lieu of a deduction of sixty-two pounds as aforesaid, shall be allowed under this paragraph in respect of each child so maintained while such child is one to which this paragraph applies.

The PREMIER: If agreed to, the amendment will extend the deduction for children from £62 to £100 in those instances where parents send their children. away from home to be educated.

Mr. Rodoreda: Hear, hear!

The PREMIER: I am sorry to hear that interjection, because I cannot agree to the amendment. Of course, we would be glad not to impose taxation at all if we could do without it. The deduction of £62 allowed in this State is more than is permitted in most of the other States of the Commonwealth. The Government cannot see its way clear to increase that amount to £100. Moreover, the Council's amendment would operate inequitably in that it would mean that the greater deduction would be enjoyed more by taxpayers in receipt of the higher incomes instead of by those in receipt of smaller incomes who are struggling to educate their children. Naturally there is merit in all such proposals that seek to ameliorate the conditions of the people. Unfortunately, not very many people who live in outback parts of the State can afford to send their children to colleges or elsewhere, but they take advantage of the correspondence classes and other facilities provided by the State. If an individual's circumstances are such that he can send his children to college, then he will be entitled to the ordinary exemption of £62, which is a more liberal deduction than is permitted elsewhere in Australia. The Government would be unduly generous at a time when it cannot afford the loss of revenue, if it agreed to the increased deduction proposed and for that reason I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 4. Clause 79:—In subparagraph (ii) of paragraph (e), insert the word "provident" after the word "to" in line 12.

The PREMIER: The amendment proposes to include "provident" among those funds, payments to which may be allowed as deductions. There is no objection to this amendment, as the law would be so interpreted whether the word were in or not. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 5. Clause 81:—In paragraph (a) of Subclause (1) add after the word "husband" in line 26 the following words:—"Or a widow or widower with children or dependants."

The PREMIER: The amendment proposes to extend the statutory exemption to a widow or widower with children or dependants. It is my intention to move an amendment on this amendment and I propose to strike out the word "or" after "children" with a view to inserting the words "who are." The amendment will then read, "or a widow or widower with children who are dependants." This will have the effect of placing a widow or widower in the same position as anybody else with regard to dependants other than children. A man may be a widower and he may have two children, and again he may be wealthy; yet under the strict interpretation he may be entitled to the exemption of £100. That was never intended. It is right and just, of course, that this should apply to children who are dependent on widowed parents. I move—

That the amendment be agreed to subject to the striking out of the word "or" and substituting "who are."

Question put and passed; the Council's amendment as amended agreed to.

No. 6. Clause 102:—Add at the end of the clause a proviso as follows:—"Provided that this section shall not apply if the estate of the taxpayer is liable to death duties under the Death Duties Act, 1934."

The PREMIER: The purpose of Section 102 is to tax the trustee upon amounts received after the death of a person if those amounts would have been income to him had he lived to receive them. The proviso in the amendment says that this shall not be done if the estate is liable to death duties. In effect, this renders the whole clause inoperative for all practical purposes, for the minimum amount for the purposes of death duties is only £200. The only case where tax will now be payable under the section will be where a person leaves an estate of £200 or less. The result will be, therefore, that if beneficiaries are left with little or nothing, income tax will have to be paid on amounts subsequently coming into the estate, while if there is a substantial estate left to them, income tax will not be payable. Perhaps a doctor may have sent out an account to a patient, and that account is being paid in instalments. While those payments are being made the doctor dies. Had he lived, the amount received by him would have been regarded as income, but after his death the payments coming in form part of the estate and are valued for probate purposes. Then probate duty would be paid.

Hon. C. G. Latham: Would probate duty be collected on the whole amount?

The PREMIER: Perhaps and perhaps not. It is an involved proceeding.

Hon. C. G. Latham: The value of the estate is sworn after death.

The PREMIER: It is impossible to get uniformity as the Commonwealth, Victoria and South Australia have not a similar provision. We are the second State to deal with this matter, and we are anxious to pass this into law because of our paying taxes under the one system. We should pay in conformity with the Commonwealth. After having given the matter a good deal of consideration, I have decided to accept the Council's suggestion, but to amend it. Whilst the Council wanted to have as much uniformity as possible, I consider it would be more desirable to delete altogether the clause as it appears in the Bill. I think, too, that that would be acceptable to the Legislative Council.

Hon. C. G. Latham: Then you will have some difficulty in suggesting an amendment.

The PREMIER: We can delete the clause altogether.

The CHAIRMAN: We can only deal with what is before us, and that is the amendment made by another place.

Hon. C. G. Latham: It will be necessary first to disagree with the amendment made by the Council.

The PREMIER: Yes, we can do that, and afterwards move to delete the clause.

The CHAIRMAN: I suggest that the Committee disagrees with the Council's amendment, and then the Premier can arrange to have the clause struck out in another place.

The PREMIER: Very well; I will follow that course. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 7. Clause 122, Subclause (2), page 66:—Delete all words after the words "twenty-four" in line 2 down to and including the word "amounts" in line 31.

The PREMIER: This amendment deals with the capital expenditure of mining companies. The object of the proviso to Section 122 is to prevent a mining company obtaining a deduction for depreciation on plant if an amount of profit equal to the paid-up capital used for the acquisition of the plant has been exempted from taxation under the provisions of Section 122 or similar provision of the previous Act, and to prevent a company from obtaining exemption from taxation for profits on account of capital paid up after the 1st July, 1924, to the extent that the company has expended such capital upon development or upon the purchase of leases, and has been allowed a deduction for such expenditure under Sections 121 or 88, or the similar provision under the previous Act in regard to development.

Sitting suspended from 6.15 to 7.30 p.m.

The PREMIER: We have admitted this double exemption for years and at this stage, when the mining industry is under somewhat of a cloud in respect to raising new capital, it might be inadvisable to deprive the companies of remissions they have enjoyed. In 1924 we exempted from taxation the profits derived from new capital until the whole of the capital had been repaid. That provision did not operate much for a few years, but it has started to operate now. Money has been expended on development work and exemption has been granted. If we continue the double exemption, we shall continue to grant

exemption on the original capital. This is a stage in our mining industry when we do not want to do anything that might hamper the raising of capital for new ventures or prejudice the carrying on of companies by means of overdraft or otherwise. I know it is wrong in principle that the companies should receive a double deduction, but it would also be wrong to jeopardise the success of the industry. Even if we grant the extra exemption, I do not think it will affect us for a considerable time, and it might stimulate capital further to develop the industry. From the point of view of equity, the provision in the Bill is reasonable. But is this the time to treat the industry equitably or should we continue the generous exemption of the past 13 or 14 years? I do not feel inclined to take away remissions that the companies have enjoyed for a considerable time, and in all the circumstances it might be advisable to retain the exemption. It would be of no use asking for particulars of the capital if we do not propose to use those particulars when supplied, and consequently if we agree to the Council's amendment, it will be useless to retain the first portion of the first proviso. How can I move, Mr. Chairman, for acceptance of the Council's amendment subject to the first portion of the first proviso being deleted?

The CHAIRMAN: The Premier can deal only with the Council's amendment.

The PREMIER: Then I shall have to take other steps to have the unwanted portion of the proviso deleted. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 8. Clause 140—Delete the words "and is otherwise liable to be assessed under this Act" in lines 30 and 31:

The PREMIER: The words proposed to be deleted are not part of the uniform Bill, but were introduced to make the position clearer. It has been suggested that they might prove a difficulty rather than a benefit, and in the circumstances we can approve of their deletion. I move—

That the amendment be agreed to.

Question put and passed: the Council's amendment agreed to.

No. 9. Clause 167—Delete Subclauses (1) and (2) and substitute the following:—

(1) For the purposes of this Part the Governor may appoint a Board of Review consisting of a chairman and two other members as hereinafter provided.

(2) The State may arrange with the Commonwealth for the holding by the chairman and members of a Board of Review under the Commonwealth Act, known as the "Commonwealth Income Tax Assessment Act, 1936," of the offices of chairman and members respectively of the Board under this Act.

(3) Any agreement relating to any such arrangement may make provision for any other matters necessary or expedient to be provided for carrying out the arrangement.

(4) The Governor may appoint as chairman and members of the Board the chairman and members for the time being of any Board of Review under the said Commonwealth Act, and with the same tenure of office as they held under the said Act; and may remove or suspend the chairman or other member if he is removed or suspended from his office under the said Commonwealth Act.

(5) The Board of Review shall hear and determine appeals from assessments made under this Act, and shall have all the powers and functions of the Commissioner in making assessments, determinations, and decisions under this Act, and such assessments, determinations, and decisions of the Board, and its decisions upon appeals shall for all purposes (except for the purpose of objections thereto and appeals therefrom) be deemed to be assessments, determinations, or decisions of the Commissioner.

(Consequentially, Subclause (3) is amended by substituting the word "Board" for the word "Court" in lines 4 and 5 respectively.)

The CHAIRMAN: In my opinion this amendment is an abuse of the privileges of this House, and it seems to me that another place has exceeded its powers by making an amendment of this kind. I should like to hear the Premier on the point.

The PREMIER: I hardly think that is right, inasmuch as the Bill provided for a magistrate to be a court of review to hear appeals and that would involve the State in cost. Another place, instead of agreeing to a magistrate acting in this capacity, proposes the appointment of a board of review. While the principle is the same and while either would involve the State in some cost, it might prove to be less costly under the

Council's proposal. Even so, the amendment provides that the Governor "may" appoint a board of review, though I understand that under the Interpretation Act "may" and "shall" are synonomous. I cannot see how the Council's amendment can be regarded as involving the State in an additional charge; it would not involve a charge that is not already incurred under the Bill as submitted to the Council. However, I am prepared to accept your ruling.

The CHAIRMAN: In my opinion the Council's amendment is out of order.

Point of Order.

Mr. Marshall: On a point of order, I consider that the Premier is overlooking the vital point of your ruling.

Mr. Chairman: What is the point of order?

Mr. Marshall: I contend that the amendment is out of order. I understood that you ruled to that effect.

The Chairman: I have not yet ruled; I merely directed the attention of the Committee to the point.

Mr. Marshall: I submit that the amendment is completely out of order. The Premier was quite right in saying that the clause in the Bill might involve some expense, but does not the Premier appreciate that it is not the prerogative of a private member, or of another place, to propose such an amendment?

The Premier: Another place is not doing that.

Mr. Marshall: Yes, it is, because it has proposed to create a board of review.

The Chairman: The member for Murchison cannot make a speech on a point of order. He may speak afterwards.

Mr. Marshall: I ask for your ruling.

The Chairman: A ruling having been asked for, I rule that the Council's amendment is out of order.

Mr. Marshall: The Council cannot do what the Premier can do.

The Premier: I do not wish to disagree with your ruling, Mr. Chairman.

The Chairman: I do not mind.

The Premier: I consider it is a moot point.

Committee Resumed.

The CHAIRMAN: Perhaps the Premier would make that a reason for disagreeing with the Council's amendment.

The PREMIER: Yes, I would say that we have disagreed with the amendment because it is not in accordance with the rules of this Chamber. I am not taking any other reason at this stage. That would be a very good reason from the standpoint of the Committee. Would your ruling, Mr. Chairman, apply also to the other portions of the amendment? You have ruled that Subclauses 1 and 2 are out of order.

The CHAIRMAN: I should like to hear the Premier discuss the point before I give my ruling.

The PREMIER: Hon. members will be aware of Press reports published some time ago to the effect that the Commonwealth Government desired to create a court of appellate jurisdiction in regard to income tax and taxation generally, and further desired the co-operation of the States in the matter of the expenditure involved. Some of the States agreed to contribute. This State, however, declared that in view of our experience of the sittings of the High Court in Western Australia, which occurred about once in every 12 months, and in view of the probability that Western Australian appeals would be few, it objected to becoming a party to the agreement for payment of the cost of the proposed appellate court. The court was not created. Then it was proposed to have a judge of the High Court to deal with appeals from both State and Commonwealth taxation. That proposal also has gone. The Commonwealth Board of Review, which has existed for many years, is a body created by the Commonwealth Parliament to review assessments made by Commissioners of Taxation, both Commonwealth and State. The Commonwealth Board of Review does not cost the States anything. The Commonwealth, having constituted its Board of Review, has made provision for its payment. If State matters came before that board, we might have to contribute to the expense.

The CHAIRMAN: If the Premier is satisfied that no expense is involved, I rule that Subclauses 1 and 5 are inadmissible, but that Subclauses 2. 3, and 4 are admissible.

The PREMIER: In that case I move—

That the amendment be agreed to, subject to the striking out of Subclauses 1 and 5.

Mr. McDONALD: I do not quite follow why we should delete proposed Subclause 5.

The Premier: On the same lines as proposed Subclause 1.

Mr. McDONALD: We are abolishing the magistrate to act as a board of review. Then the clause, as amended, will provide that we may arrange with the Commonwealth Board of Review. If we do not arrange with that board, we shall apparently have no board of review. If we arrange with the Commonwealth Board of Review, proposed Subclause 5 merely appears to deal with the powers of the board. Proposed Subclause 5 gives the Commonwealth Board of Review certain powers as regards State questions. Without that proposed subclause, there will be no provision saying what the functions of the board are. The subsection in the Act provides that the functions of the board shall be to hear and determine appeals from assessments. In the absence of that provision we shall have a board of review without its functions and powers being determined.

The CHAIRMAN: Having heard the member for West Perth, I withdraw my ruling that proposed Subclause 5 is out of order. The question now is: That the amendment be agreed to subject to the striking out of Subclause 1.

Hon. C. G. LATHAM: I take it that the question before the Committee is a complete amendment which we can either accept, or reject, or amend. I do not see how we can take the amendment piecemeal, as it would prove inoperative. Rather than do that, I would accept the Chairman's ruling.

The PREMIER: The original proposal was to have a magistrate of the local court. The first part of the Council's amendment cuts out the magistrate, and we agree to that. Then the Council suggests the appointment of a board of review, a purely State tribunal. On the other hand the Council also says that the State may agree that the Commonwealth Board of Review as at present constituted shall be allowed to hear State appeals. Thus there would be a State Board of Review and a Commonwealth Board of Review. The Chairman says we cannot appoint a board of review because that means a charge on revenue.

Hon. C. G. LATHAM: The point is that we are attempting in this Chamber to commit another Government to an agreement concerning which we have not even negotiated. We can go to the Commonwealth Government and say, "Will you allow us to use your Board of Review?" The Commonwealth can reply, "No; our Board of Review is already overworked." What would we do then? If the Commonwealth Government says "No," there will be no court of review at all.

The PREMIER: Previously there has been no court of review and companies desiring, under the Dividend Duties Act, to contest an assessment of the Commissioner, have taken the matter direct to the Supreme Court.

Hon. C. G. Latham: But this applies to all taxpayers.

The PREMIER: That is so. In order to avoid expense involved in litigation in the court, it is suggested that a board of review should be appointed. Even if there were no such board, however, people would still have the right of appeal to the Supreme Court, although it might cost a little more.

Hon. C. G. Latham: I do not know whether they would unless we provided for it under the Act. Of course they might cite a case by refusing to pay.

The PREMIER: No, they have to pay, but the courts of the land would be available to the taxpayer who considered he had been wrongly assessed.

Hon. C. G. Latham: I do not agree.

The PREMIER: Clause 170 provides for appeals to the Supreme Court, but that is expensive and the suggestion is that there should be an intermediary court of review. We suggested that a magistrate should be constituted a board of review, but another place does not agree with that and wants to see a special board of review in the State. Then the Council says that if we do not care to set up an official board the opportunity should be given to appeal to the Federal Board of Review, which course I favour. The first of the suggested subclauses provides for the establishment of a State board of review and Subclauses (2) to (5) have reference to the Commonwealth board. The Chairman has ruled the first subclause out of order. It is the big taxpayer paying both Federal and State taxes who is most likely to have recourse to the Federal Board of Review. The man paying a few shillings taxation only, and coming only under the State law, would probably not have occasion or desire to go to a board of review. From the point of view of the State taxpayer, there would probably be no need for a recourse to a board of review. The Commissioner of Taxation who is joint Commissioner for the State and Commonwealth,

in view of a ruling that might be given by the Commonwealth board, in respect to the Federal assessment, would doubtless adopt that assessment in regard to the State tax. The man earning under £300 a year does not pay Federal tax but he pays State tax and although there is not likely to be need for his appealing to a board, he should not be denied the right of such appeal.

Hon. C. G. LATHAM: The Premier has set out the position clearly, but I cannot understand his saying that not much use is likely to be made of the board.

The Premier: Not by State taxpayers.

Hon. C. G. LATHAM: Yet he is prepared to accept the suggestion for a State and a Federal board.

The Premier: The Chairman has ruled the suggestion for a State board out of order.

Hon. C. G. LATHAM: In the Bill provision is made for the appointment of a magistrate. That is going to be left in.

The Premier: No, it is going out. We have agreed to delete that.

Hon. C. G. LATHAM: Unless an arrangement can be made with the Federal Government for the use of the Commonwealth board, the taxpayer will have to go to the court. In the past when an appeal has been made to the board the State assessment has been reduced in accordance with the decision in regard to the Federal assessment, but I do not know whether the Commissioner has been within his rights in doing so.

The Premier: Yes, he has the discretion.

Hon. C. G. LATHAM: Under our Act?

The Premier: Yes, he has the discretion to assess in any way he thinks he should assess.

Hon. C. G. LATHAM: I do not think he could legally take notice of what happens at the board of review. We should leave the power in the Bill for the appointment of a magistrate as a court of review. If arrangements could be made with the Commonwealth, we could provide for use to be made of the Federal board. I should therefore like to disagree with the Council's amendment.

The PREMIER: I do not want to say anything derogatory concerning the capacity of the magistrates in dealing with all sorts of legal points, but it should be borne in mind that a magistrate appointed as a board of review might deal with only one taxation case in 12 months, and he would not make a special study of the subject. We are more likely to get a consistent decision from a board which has been dealing with these matters all the time. I do not think this court of review accounts for much as regards the State taxpayer, who, after all, is the same person under the Commonwealth law, and has the same income.

Hon. C. G. Latham: But not the same tax.

The PREMIER: No. The whole business is the point as to how a man is assessed. The Taxation Commissioners in the various States carefully watch the decisions of the court of review in cases under State law. A case occurs in Queensland, the court of review gives a decision upon it, and the Commonwealth Taxation Commissioner studies that decision and applies that interpretation of the law without anyone in, say, this State, having to take a case at all. Of course, that does not prevent a man from going beyond the court of review to the High Court of Australia. The court of review is an important body dealing with all sorts of conditions under the Assessment Act all over Australia, and now that the law is made uniform the decisions of that court will be applicable to our own cases, and the Commonwealth Commissioner will immediately base his assessments on the decisions of the court of review.

Hon. C. G. Latham: Is this court of review a peripatetic body?

The PREMIER: Yes, but we will not get them over here very often, just as we do not often get the High Court of Australia here. The Commonwealth wanted to appoint a super-court, and circularised the States, but we here would not have it. We said we saw the High Court but seldom and that it would be the same with this court. The decisions of the court of review are generally accepted by all the Taxation Commissioners in the Commonwealth. If we did have a case over here, we might arrange with the court of review to come here and take it, or failing that we could arrange to have the case taken before the court of review in Melbourne.

Hon. C. G. LATHAM: This can only have application to small taxpayers who would be Federal taxpayers.

The Premier: That is so.

Hon. C. G. LATHAM: It seems to me to be wrong in principle to leave no provision there for the small taxpayer, but to say to the Government, "If you can do so, you may make arrangements with the Federal authorities." If we had an assurance from the Commonwealth Government that they would agree to that, I would not mind.

The Premier: They agreed to the State of Victoria doing it.

Hon. C. G. LATHAM: Very well, let us agree to everything in the amendment except Subclause 1. If we accept the whole thing as it is, it is not giving authority to spend money; all that is intended is that the State shall arrange with the Commonwealth for the holding of a board of review.

Mr. McDONALD: In reading the Council's message for the first time I thought the proposition was that the Government should appoint a board of review consisting of a magistrate and two local men, and that alternatively it could be arranged for the Commonwealth court of review to act as a local board of review. But on looking at the message again I think the only method provided is that the Commonwealth court should act instead of the local board.

The Premier: That is what Subclause 2 means.

Mr. McDONALD: It seems to me that authority is given to appoint a Commonwealth board. If so, the ruling of the Chairman of Committees might not be applicable.

Hon. C. G. Latham: Do you, Sir, still adhere to your ruling?

The CHAIRMAN: I have definitely ruled out Subclause 1. The Premier has moved that amendment No. 9 be agreed to, except as to Subclause 1, which I have ruled out.

Question put and passed; the Council's amendment, as amended by striking out Subclause 1, agreed to.

No. 10. Clause 168:—Insert after the word "Act" in line ten the following words:—"or with any assessment or amended assessment under the previous Acts which may be made after the commencement of this Act."

The PREMIER: The amendment provides that objections may be lodged against past assessments as well as future assessments. In the past, under the Dividend Duties Act, companies could not lodge objections, but had to go direct to the court, thus incurring expense. Now that the machinery is established, it is desired to give them the right to use it in connection with any past assessments. I move—

That the amendment be agreed to.

Question put and passed: the Council's amendment agreed to.

The PREMIER: There remain several consequential amendments.

The CHAIRMAN: They will be consequentially dealt with.

Resolutions reported, and the report adopted.

A committee consisting of the Premier, the Minister for Works and the Hon. C. G. Latham was appointed to draw up reasons for not agreeing to certain of the amendments made by the Council.

Reasons adopted and a message accordingly returned to the Council.

BILL—WATER BOARDS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [8.35] in moving the second reading said: This is a short but very necessary Bill. Its purpose is to amend Section 41 of the Water Boards Act, 1904, so that the Governor may exempt reticulation works from the provisions of Sections 41 to 45 of the Act. Under the provisions of that Act, before even the extension of a main to supply water to a block just outside the reach of the existing main can be made, it is necessary for the full procedure laid down in the sections I have mentioned to be carried out. Under Section 41 an advertisement must be published at least twice in the "Government Gazette" and in one or more newspapers circulating in the water area, specifying exactly what work is to be done.

Hon. C. G. Latham: Is this to apply to the metropolitan area or the country?

The MINISTER FOR WORKS: It will apply throughout the State where water boards exist. A period of one month must then be allowed to elapse during which anyone interested may lodge objections. Members will see how complicated the position is. After the expiration of the month, if the Minister is satisfied that the revenue is sufficient, that the work is for the public benefit, and that the objections, if any, are not sufficient to warrant the withholding of the Governor's approval, he may submit the matter for the issue of an order-in-council authorising the construction of the work. All this procedure necessarily takes time. In the case of water areas controlled by me as Minister, this means that from the time a person makes application for a water service to the time when the necessary exten-

sion may be commenced, a period of two or more months must necessarily expire. In the case of a water area controlled by a water board, the period may be even longer because there would be the necessary preliminary correspondence with the central department. For many years water boards have been working under this disability, and there have been occasions when private persons have suffered from this disability. In the metropolitan area we are all right. Section 20 and the three following sections of the Metropolitan Water Supply, Sewerage and Drainage Act of 1909 contain provisions similar to those in the Water Boards Act to which I have referred, with the difference that provision is made for the exemption of reticulation works from the operation of those sections. The proposal in the Bill gives an exactly similar right to that in the Metropolitan Water Supply, Sewerage and Drainage Act. It will readily be understood that when a person asks for a water service to a block that is only two or three blocks removed from one to which a service is given, he cannot see why a delay of two or more months should occur before the service is put in, and it becomes more than exasperating when he has a contractor waiting to lay the water on to a building. We sought advice from the Solicitor General. I suppose the law has, in fact, been evaded. Where there is a country water board, or where the Minister is acting as a water board, and it is desired to lay a main, if an accident occurred—assuming that the necessary procedure had not been followed—even if negligence were not proved, the board or the Government would be liable.

Hon. P. D. Ferguson: Has that ever happened?

The MINISTER FOR WORKS: It can happen. In the metropolitan area we exempt works up to about £800 from all those provisions which cause delay, advertising, etc. All main works are advertised in the manner specified, because the owners have to be notified.

Hon. C. G. Latham: All that can be evaded if this amendment is carried.

The MINISTER FOR WORKS: No. In the metropolitan area there is an exemption for small jobs.

Hon. P. D. Ferguson: You exempt everything in the State under this Bill.

The MINISTER FOR WORKS: No. This will exempt small jobs.

Hon. C. G. Latham: The Bill does not say so. It says "except such reticulation works as the Governor may exempt from the operation of this section and the next four following sections."

The MINISTER FOR WORKS: That now applies in the metropolitan area. This amendment appears in the Metropolitan Water Supply, Sewerage and Drainage Act, but does not appear in the Water Boards Act. The proposal is to insert it in the latter Act so that small works may be exempt. There is no need to give too much notice, or to go through the formalities that occupy two months before carrying out some necessary small extensions. It is true that the law has been evaded.

Hon. C. G. Latham: You need not have a water area or a water board unless you like.

The MINISTER FOR WORKS: Where they are situated it is necessary to have this provision. We have been taking a risk for many years, but I do not think we should place the officials and ourselves in that position. To put ourselves on an equality throughout the State with what obtains in the metropolitan area this amendment is necessary. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

BILL—PUBLIC BUILDINGS.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purpose of the Bill.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [8.45] in moving the second reading said: This Bill has to do with the preliminary steps in connection with the erection of new Government offices. I do not think there can be much opposition to the principle involved. It is desirable to have Government departments concentrated as much as possible upon one site. For some years past the position has been most unsatisfactory. The buildings may be termed antiquated, and many of them have been occupied by several Government departments. Some of the buildings are dilapidated and unsightly and one or two may be said to be unhealthy.

Mr. Sampson: Are you referring to the Perth Hospital?

The PREMIER: No, I am referring to the Agricultural Department in particular. The various departments are scattered throughout the city in such a way as to reduce efficiency. The advantage of having all the departments centred in one large block of buildings must be obvious to almost everyone. Ministers would be in closer touch with one another, and would be readily available for consultation. At present there is much unnecessary running backwards and forwards between the various departments, and that sort of thing must be obviated. We have messengers appointed for no other purpose than to convey papers and correspondence between the various departments that are scattered all over the city. From the point of view of public convenience, there is everything to be said in favour of the Government's proposal. Under existing conditions members know how much time they have to waste in proceeding from one department to another. I can remember my experience when I lived in the country. I would come to the city with a batch of matters concerning which I would desire to interview Ministers and the heads of various departments. It used to take three or four days before I could complete my business, after allowing for the delays that must necessarily occur when waiting to see Ministers or officials. If all the departments were concentrated in one block, then if a delay occurred in seeing those associated with one department, a member could proceed to another department and transact his business there, and thus obviate delays that occur under existing conditions. From every point of view, therefore, it will be a step in the right direction if we make a start in following the example of other States of Australia and other parts of the world by centralising our Government offices. The site chosen by the Government for the commencement of the building is at the eastern end of Government House grounds. I refer to the area between Government House and Christian Brothers' College. The site is central and within three or four minutes of the Town Hall. There will be ample space left for Government House purposes. The only use made of the area in question is for the propagation of plants and seedlings by the State Gardens Board, and a few small buildings, such as store rooms, are erected on it.

Hon. C. G. Latham: Is not that land vested in the Imperial Government?

The PREMIER: That is very doubtful.

Hon. C. G. Latham: I have an idea that it is.

The PREMIER: I had that idea and endeavoured to ascertain the position. When responsible government was granted to the State, all such lands and buildings were vested in the State Government.

Hon. C. G. Latham: Except Government House.

The PREMIER: No, there are no records to that effect. In any event, all that is necessary in that regard will be done, and the Government will not proceed with the project until it has at least notified the Imperial Government of its intention. His Majesty the King has his representative resident here in the person of the Lieutenant-Governor. Apart from the uses to which the land is already put and to which I have referred, there are stables that are not now utilised. Those stables, of course, were necessary in the days when the Governor made use of horses, but nowadays the stables are not availed of for Government House purposes. Care will be taken to see that the building to be erected will be in keeping with the site and it could, without undue expense, be made an ornament to the city, with frontages both to St. George's-terrace and the Swan River. In the first place a start will be made with a building that will provide for the Agricultural Department and the Titles Office. The building will be placed on a site just about where the present lodge at the entrance to Government House grounds is situated. The building when completed will extend eastward for about 150 yards. It will stand well back from St. George's-terrace and from the river foreshore as well. From an architectural standpoint, the building will have an ornate back and front, and will not be like Parliament House where the back is really the front, and that means that there is no real front at all. The building will be of a design that will be a credit to the city, and in years to come—it will, of course, be many years before the whole block will be completed—the structure will be something of which the city may well be proud. The proposals of the Government, to which the Bill is designed to give

effect, are that some of the money in the State Insurance Reserve Fund shall be utilised to allow a commencement to be made with the erection of buildings for the Titles Office and the Department of Agriculture, which are specially urgent. The fund represents about £300,000, but it is not proposed immediately to use all that money, but only a portion of it. Money that is taken from that fund and expended in the erection of the buildings will be subject to interest, which will be fixed by the Treasurer having regard to the ruling rate of interest on Commonwealth loans at the time. The money in the State Insurance Reserve Fund is awaiting investment, but if it were put into Commonwealth bonds it would be classed as domestic raisings of loan money and would be set down as part of our ordinary loan programme. Under the contemplated proposal, the portion of the reserve fund used will not be included as part of our loan programme but will provide employment in addition. In other words, it will not curtail the ordinary loan funds available for the State. This year we are really borrowing about £2,000,000, but, as I explained when presenting the Loan Estimates, the provision for the new State ship, for instance, is entirely apart from ordinary loan borrowings. If we were to take the money required for these buildings out of our ordinary loan raisings of approximately £2,000,000, it would make too much of a hole in the money available for the provision of relief work throughout the State. If we can secure the necessary money as a result of the present proposal of the Government, our loan raisings through the Loan Council or under the Loan Estimates will not be affected. The State Insurance Office will not be in any way in a worse position than if the money were invested in Commonwealth bonds because the Government will pay it interest at a rate to be fixed by the Treasurer having regard to the current loan rate. This proposal will enable the money under the Public Buildings Vote to be employed on other urgent works. If it should not be given effect to, the Vote would have to carry the cost of the buildings for the Titles Office and the Agricultural Department, work in connection with which can no longer be deferred. This year we have provided £62,000 for the Public Buildings Vote. Of that amount, £22,000 is to be spent on the Infectious Diseases Hospital, and the balance will be set aside for schools, police stations and other small buildings in various parts of the State. At any rate, from an architectural standpoint, the proposed building will be quite satisfactory. I do not know how much money will be spent on the building. The plans have not yet been completed. I have already seen a drawing of the proposed building in perspective, and, architecturally, it will be very fine.

Hon. C. G. Latham: What we want is not an architecturally fine building, but one that will be utilitarian.

The PREMIER: First and foremost, the public offices will be utilitarian.

Hon. C. G. Latham: Let us have that first. We do not want anything like that school at East Perth upon which so much money has been spent for the accommodation of such a comparatively few children.

The PREMIER: The building will be utilitarian, and will be comparatively tall. It is proposed that the building shall be six or seven storeys high, replete with lifts, and all other requirements necessary for the various departments. If immediate requirements can be financed in the way proposed, it may be possible, within a few years, for money to be available from the Public Buildings Vote to proceed with extensions to Parliament House.

Mr. North: That is a good idea.

The PREMIER: And also for other buildings.

Hon. C. G. Latham: No one is game to stand up against public opinion and complete Parliament House buildings. The premises constitute an absolute disgrace.

The PREMIER: Yes.

Hon. C. G. Latham: At any rate, I will do the work probably the year after next.

The PREMIER: I suggest that the Leader of the Opposition join with me and someone else as the three men to defend the bridge, as did Horatius in ancient days, against public opinion. Within the next few years, something will have to be done.

Hon. C. G. Latham: Some of the Parliamentary staff work in beastly conditions in summer and winter alike.

The PREMIER: I agree with that statement, but I claim that provision for the Agricultural Department and the Titles Office must be made before we commence upon improvements to Parliament House.

Hon. C. G. Latham: That is so.

The PREMIER: Therefore I say that if we can make use of the money in the manner proposed by the Government, we may be able shortly to provide from the Public Buildings Vote for a commencement upon additions to Parliament House and other buildings that require attention.

Hon. P. D. Ferguson: Which Government buildings do you propose to sell?

The PREMIER: It is proposed to appoint a committee to deal with that phase. If a proposal were made to sell any of the Government buildings, Parliament should have some say in the matter.

Hon. C. G. Latham: You could not sell the Treasury buildings unless you replaced them.

The PREMIER: No. But we can make a commencement with the erection of the proposed block of buildings by utilising some of the money in the State Insurance Reserve Fund, which may amount to between £300,000 and £400,000 within a few years. If that happens, then we will have the right to make use of the money.

Hon. C. G. Latham: I wonder you did not include schools in the Schedule, particularly the Technical College.

The PREMIER: We will have to do something with regard to the Technical College. The Government will have to accept the responsibility for any action that is taken. If it were proposed to sell the Technical College, it must be realised that the site is in one of the most valuable sections of the city. In such an event, the Government would prefer that Parliament be consulted before any deal was entered into in that direction. I think the Leader of the Opposition will agree with me there. The Bill proposes that a committee of five shall be appointed, and that three of the committee shall be the Public Service Commissioner, the Under Treasurer, and the Principal Architect, who will be responsible for tendering advice to the Government regarding the sale of existing Government properties and the erection of new offices. The other two members will probably be the Land Resumption Officer, and another who will be an officer possessing technical and business knowledge. As I have said, to obtain money for the erection of further Government buildings and to repay the moneys borrowed from the State Insurance Reserve Fund, it is proposed to sell certain Government properties in the Perth district, and these are set out in the Schedule. The Bill provides that, pending the sale of any of the land listed in the Schedule, the properties may be leased. The revenue from such leases will have to be paid to a special fund that will be charged with any costs of administration of the Bill as, for example, cost of valuations of property, and with payment of interest to the State Insurance Fund on money borrowed from the Reserve Fund. In so far as this account is insufficient to meet the interest due to the State Insurance Fund, Consolidated Revenue will be charged. The proceeds from the sale of any Government land listed in the schedule will be paid to another account and will be used for the purpose of erecting Government buildings and repaying to the State Insurance Fund the moneys borrowed from it. I commend the Bill to the House as providing a satisfactory means of supplying essential accommodation. The scheme can be added to as time and circumstances permit. This will be the commencement of a scheme of architectural adornment of the city and it will in addition be utilitarian, and provide greater conveniences and also will be economical and hygienic. Speaking generally, it will be a distinct step forward as far as the housing of Government departments is concerned. I move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

BILL—HEALTH ACT AMENDMENT.

Second Reading.

THE MINISTER FOR HEALTH (Hon. S. W. Munsie—Hannans) [9.4] in moving the second reading said: The Bill proposes to amend the Health Act in several different directions. Some of the amendments are small in themselves, but still are important to the various bodies that will be affected. With regard to the first, I have to admit that I do not know how the word in the present Act it is intended to alter ever got there, and I was responsible for the introduction of that particular measure. That may seem strange.

Mr. Marshall: Your enthusiasm and your emphasis are both remarkable.

The MINISTER FOR HEALTH: I know the Leader of the Opposition will remember that during his term of office as Minister for Health he had a Bill prepared, but unfortunately time did not permit of his introducing it. He went out and I came in. I

introduced without any alteration whatever the Bill that had been prepared. I have looked up "Hansard," but I have not been able to find any reason why the word "or" was struck out and the word "and" substituted. That is really what was done and strange to say, the file from which the particulars containing the request for the alteration were obtained has either been eaten by silverfish or has disappeared completely in some other way. There is no trace of it anywhere. The first small amendment therefore is to strike out from the Act the word "and" and insert "or." This affects the control and inspection of boarding or lodging houses, and the object is to give the local authority the right to inspect boarding houses or lodging houses where they cater for six or more people. The present method of building flats, turning small residences into apartments or flats and the letting of rooms to individuals, has brought about the necessity for this amendment. Until recently the Perth City Council has been administering the Act as though the word "or" still remained in it. The City Council was not aware that the amendment had been made until attention was drawn to the fact. Immediately that was done a request came to the Government to have the word "or" reinserted. That is the first amendment. The second amendment deals with a local authority applying under the Health Act for the right to raise a loan for the purpose of doing sewerage work. We are not interfering in any way where it applies to a road board, but where it applies to a municipality. Quite recently an amendment was inserted in the Health Act to bring the municipalities into line with the road board authorities and also to bring the position into conformity with the Municipal Corporations Act where resident owners are concerned. The amendment will give the Minister power to examine certain areas. The Kalgoorlie Municipal Council desires to sewer the main portion of the city of Kalgoorlie. I believe, though I will not say definitely, that of the total number of owners of property in Hannan-street, Kalgoorlie, only 28 would have the right to vote on a poll that might be taken. Under such conditions it is impossible for the municipality to carry on. The request is made that the owners of property within the area to be sewered should have the right either to claim a poll or to vote for or against the raising of a loan irrespective of whether they are resident owners or not. That is only a fair proposition and it is to give that right to the owners of property within the area to be sewered, whether they be resident within that area or not, that the amendment is proposed. The next two amendments have been asked for by the Perth City Council in particular. A little while ago there was a controversy on the subject of slum areas. The question arose as to whether slum areas did or did not exist in the Perth City Council district. The outcome was that the City Council appointed one representative from each ward to make inspections, and from the report made by those councillors several places were stated to be unfit for human habitation. The City Council discovered that under the by-laws there was no power to enforce the landlords to provide bathroom or laundry accommodation without first absolutely condemning the property. The object of the amendment is to give the City Council the right to serve a notice upon the landlord that unless within a period stipulated he provides bathroom or laundry accommodation, if either or both should be required, the local authority will condemn the property. The next amendment deals again with sewerage but from a different aspect. It refers more particularly to those who have already agreed to sewer their premises, but have not actually installed the system. In country districts where there is a sewerage scheme as against the old and insanitary method of the pan system, the ordinary rate is insufficient in some instances to provide a fair return on the money expended on the new scheme. The local authorities desire to have the right to rate as a pedestal charge so much per week. For instance, if a pan removal had been made once a week it was the custom in residential areas for an occupant of the house to pay 52s. a year. Under the scheme it is considered that half that amount will be ample as a pedestal rate instead of striking a rate in the ordinary way. In addition, it would be possible to provide at least a 90 per cent. better service for half the cost. That is only a reasonable request and I am submitting the amendment to permit of the establishment of sewerage schemes under the conditions I have referred to. This has been asked for by some authorities already having the scheme established and others that are about to instal it, Merredin

being one. There is another amendment we have been asked to submit by the Perth City Council. It was discovered on that errand to which I have referred that some houses were filthy dirty, and that there was only one means of disposing of the evil, and that was by condemning such houses altogether. There was no power to serve a notice on the landlord to compel him to clean up the premises within a given period. The amendment will give the City Council that right. The next amendment I endeavoured to have inserted in the Nurses' Registration Act which was before this House a little while ago. It will be remembered that I withdrew it for the reason that I contemplated submitting an amendment to the Health Act this session. The amendment is to delete Subsection 3 of Section 284. That provides for free registration for midwifery nurses after they have once paid a fee, and they, like other nurses, will be brought under the annual registration fee of 1s. The most important matter is that dealing with an inquiry into maternal mortality. For a considerable time I have advocated on every conceivable occasion, particularly when I had an opportunity to speak at the opening of maternity wards, the necessity for holding an inquiry into such deaths. I was firmly convinced, after getting all the information possible, that if it was compulsory to hold an inquiry into every maternal death, that alone would go far towards reducing the number of deaths and would lead to greater safety and to greater care being exercised by those people attending maternity cases. I have not succeeded in getting all that I want in that direction. Three or four months ago I received a letter from the executive of the British Medical Association outlining a proposal, to which I did not agree. Since then I have had two conferences with the executive, and I agreed to accept one of the suggestions made, provided the executive agreed to the principle of an inquiry in such cases. The executive agreed. The executive went to a lot of trouble in this matter and put up to me a brief scheme which, in its opinion, was essential if we were going to reduce maternal mortality to any great extent. To a large extent I agreed with the scheme submitted, but at the conference I pointed out that to put it into operation as a whole would be impossible this session, and that personally I was definitely committed to do something this session. After a fairly long discussion, the executive left, and later supplied a typed copy of a scheme. In this scheme the executive agreed that an inquiry should be held. Receding from the position at first insisted upon, the executive agreed that a magistrate should be the chairman of the board of inquiry, and by so doing went a good long way. The executive made a definite request, which is included in the Bill, that where the magistrate is satisfied from the report that the death has been brought about by puerperal sepsis, the inquiry shall be held in camera. I have no objection to that with a magistrate as chairman. The executive asked for an inquiry in camera for that one cause alone, and gave good reasons for it. Apart from that, there was no objection to the proposals submitted by me. I want to get the details of this scheme recorded in "Hansard" because of the educational effect it will have on the people of the State. I have given the British Medical Association my word that, all being well and provided we are in office during the recess——

Hon. C. G. Latham: There is some doubt about that, you know.

The MINISTER FOR HEALTH: I do not think there is much doubt. I have undertaken to confer with the executive during the recess to get the regulations and necessary amendments to the Health Act to put the scheme into operation with a view to trying next session to give effect to the full scheme. If that could be achieved, it would be a feather in the cap of Western Australia. The executive agreed that the provisions in this Bill should be adopted now.

Hon. C. G. Latham: I suppose they are forcing you to introduce it this session.

The MINISTER FOR HEALTH: No, I am forcing myself, because I have promised hundreds of people that it would be done this session. I propose to read the details of the scheme, as follows:—

It has been pointed out already in an earlier communication that the possible factors entering into maternal death are:—

1. The doctor.
2. The nurse.
3. The environment.
4. The patient, her relatives and friends.
5. Miscellaneous factors, such as the abortionist and intercurrent diseases, and others.

In an attempt to formulate a scheme to lower the maternal mortality rate, it is proposed to consider the relationship which each factor bears to the several clinical causes of maternal

deaths. These causes may be classified in the order of their importance as follows:—

1. Puerperal sepsis.
2. Toxaemia of pregnancy (toxins in the blood from infection).
3. Haemorrhage in pregnancy and labour.
4. Other accidents of childbirth, notably difficult labour.
5. Embolism and sudden death (bloodclot breaking off into circulation).
6. Accidents of pregnancy (other than abortion and ectopic gestation).
7. Ectopic gestation.
8. Abortion.
9. Phlegmasia (not returned as septic) (clotting of the veins in the leg).
10. Puerperal insanity.
11. Puerperal disease of the breast.

For the time being only the first four causes will be considered; they account for about 82 per cent. of total deaths. The balance are for the most part unforseeable.

Sepsis.

Dealing first with deaths from puerperal sepsis and their relationship to the doctor, it is an established fact that the commonest mode of infection is by way of the throat and nose. Certain individuals are unwitting carriers of those germs which if transmitted to the parturient woman will cause puerperal infection. These germs reach the patient by way of the minute droplets of moisture which are sprayed out for several feet with every exhaled breath. This knowledge suggests two methods for prevention of infection, namely:—

1. The routine swabbing at regular intervals of the throats of all doctors attending midwifery cases. (By this means carriers can be detected and dealt with.)

2. The routine use of an impermeable mask at every case. Infection may be introduced by way of the doctor's hand who is called upon almost daily to handle highly infective material. His clothing is repeatedly sprayed from infective air passages, and this suggests another mode of prevention.

3. The routine use of boiled rubber gloves and sterile gown. Notices should be posted in all labour wards stating that the use of gowns, gloves and masks is compulsory, and all hospitals should be inspected to see that adequate supplies of these articles are on hand. Neglect or refusal to submit to regular throat inspection to result in temporary suspension from midwifery practice.

4. The practice of midwifery by any doctor suffering from any form of open infection such as discharging ears, infections of the hands, varicose ulcers, etc., etc., to be forbidden.

5. It is incumbent on practitioners to report all cases of puerperal fever so that the D.P.H. may investigate with a view to preventing spread of the infection. Our Commissioner of Public Health is of the opinion that this practice should be more rigidly enforced.

Copies of regulations to be supplied at regular intervals to all doctors practising midwifery. The term "puerperal fever" to be defined.

All deaths due from puerperal sepsis should be reported to a board, the personnel of which shall consist of three members, being a police magistrate, a nominee of the B.M.A., and a nominee of the A.T.N.A. The board shall hold an enquiry in camera into such report, and if they deem that further action is necessary then an enquiry along the lines suggested by the Minister of Public Health should be made.

The relationship of the maternity nurse to sepsis.

What applies to the doctor applies equally to the nurse, but with certain modifications. The puerperal woman is vulnerable to infection for at least fourteen days, and the same precautions as regards the wearing of gloves, masks and gowns should be observed during the entire puerperium. Definite rules regarding sterilisation of bowls, swabs, dressings, and bed-pans should be set out, and regular inspection of all hospitals should be undertaken in order to see that these rules are observed. As in the case of the medical profession copies of rules should be supplied at regular intervals. Routine throat swabbing should apply, of course, and no nurse should be allowed to practise while suffering from any of the infectious conditions already described.

Patient as a factor in puerperal sepsis.

It must be noted that undiscoverable infection can exist within the patient herself (autogenous infection), and that this will always account for some maternal deaths. Sixteen per cent. are caused by ignorance on the part of the patient, her relatives and friends, and steps should be taken to enlighten the expectant mother as to the dangers of sepsis and the means whereby she can minimise them. A means of education may be found in the compulsory notification of pregnancy. It is realised that this may not be practicable. By this means the D.P.H. would be enabled to supply valuable information first hand. This idea emanated from the matron of the K.E.M.H., and is worthy of careful consideration.

Miscellaneous factors and their relationship to sepsis.

The most important of these is the criminal abortionist. They are responsible for many deaths from sepsis. Existing regulations should be more rigidly enforced, and all cases of infection following abortion should be thoroughly investigated with the view to more effectively controlling this evil.

Sepsis and environment.

Midwifery cases are conducted in public hospitals, private hospitals, and the home.

Unsuitable environment is an important contributory cause of a certain number of deaths in that defects or deficiencies are apt to exist in any of them. This applies least to public hospital practice, especially in teaching hospitals, because these are well equipped

by the State and are not conducted primarily for profit. Conditions here are such that fundamental principles can be observed and enforced. Moreover these hospitals are staffed by honorary specialists equipped by training and experience in the early detection and treatment of complications of pregnancy. It is for this reason that the appointment of State obstetricians as consultants is recommended in another part of this report.

The private hospital, on the other hand, is generally under-capitalised at the outset; further, the necessity for the proprietor to show a profit on her operation tends to skimping in very important matters such as architecture, equipment and staff. It is therefore necessary that definite standards be fixed to cover these defects and deficiencies.

Architecture.—This is a matter for an expert, but, in passing, attention might be drawn to the danger of spread of infection by flies and also to the urgent importance of segregating in mixed hospitals surgical cases from obstetrical cases and insisting on separate staff and equipment for each. It has been shown that the maternal mortality rate in mixed hospitals is more than double that existing in hospitals devoted entirely to obstetrics.

Equipment.—Sterilisers for hospital linen, dressings and instruments are an urgent necessity. Failure to provide the means of effective sterilisation is a common cause of infection. There are several hospitals in the metropolitan area not so equipped. Similarly antiseptics, bedpans and enamel-ware be standardised as to quantity. In particular, it should be enforced that there should be a bed-pan with cover for each bed and the pan should be used for the same patient only during her stay in hospital; spread of infection from patient to patient commonly results from under-equipment in this respect.

Hospital Linen.—Standards should be fixed concern—gowns, gloves, sheets, towels, dressings, etc., etc., their quantity and quality. In particular sterile gauze for packing in cases of haemorrhage should be available at all times.

Instruments.—Certain simple instruments cannot be dispensed with in any hospital—these should be defined and their inclusion as standard part of hospital equipment enforced. Special importance should be given to the provision of apparatus for the treatment of the effects of haemorrhage and eclampsis.

Drugs.—Here again these should be defined by experts.

Staff.—This is a matter of urgent importance. Standards must be defined as to how many patients one trained nurse can care for efficiently—the question of "the probationer" requires attention, also night staffing will have to be looked into. There is considerable danger both in overcrowding and understaffing, especially as regards spread of infection. In all these respects definite rules must be formulated and their observance strictly enforced.

The Home.—The whole question of the treatment of maternal cases in the home, being a highly contentious one, will be the subject of further investigation by the Council of this Association. Where midwifery cases are conducted in private homes sterile linen is rarely available. It should be the duty of the nurse to see that adequate stocks are provided by the patient. The nurse should be made to carry standard equipment and drugs (to be determined by experts). This equipment to include the means of treating the effects of haemorrhage. The question of the formation of an extern department at teaching hospitals to receive urgent consideration.

Toxaemia.

The Doctor.—A large majority of deaths from pregnancy toxaemia and its complications are due to the fact that the condition is not recognised sufficiently early. It must be pointed out that if the urine of the patient were tested at weekly intervals for the last weeks of pregnancy, toxaemia would become a very uncommon cause of maternal death. No improvement in the mortality rate may be expected until this difficulty has been overcome. In another part of this report compulsory notification of pregnancy is put forward as a possible means of keeping in touch with the patient. The State seems to be capable of controlling treatment of cases of V.D. by this means, and it is suggested that similar organisation can be applied in this matter. At the same time provision by the State of consultants especially equipped by training and experience to handle this and other dangers will provide the practitioner with a ready means of treating cases detected by State organisation.

The Nurse.—Definite regulations as to conduct in cases of toxaemia must be set out for the guidance of the nurse who has undertaken the care of the patient who does not desire the services of the doctor. Here again the formation of an extern department should be provided for. The number of maternal cases she may be permitted to attend at any one time should be carefully considered, and a "retiring age" might well be gone into.

The Patient.—Many deaths from toxaemia result from the unwillingness of the patient to present herself for regular examination. Every possible means of educating the public as to the dangers of pregnancy toxaemia must be used. The Press, the air, the screen, and the pamphlet are all valuable media. This subject to receive further consideration.

Environment.—Patients living in distant isolated places are at a disadvantage, but kidney insufficiency can be detected by examination of specimens transmitted by post, and this method of control is in common use.

Haemorrhage.

The Doctor.—Haemorrhage accounts for nearly 12 per cent. of total maternal deaths. That type, technically known as accidental haemorrhage, is almost always associated

with toxaemia of pregnancy and effective control of the latter along lines already outlined would automatically eliminate the former. The remaining types cannot be foreseen, so that there is no means of prevention. However, death may take place from haemorrhage on account of the expense and difficulties surrounding blood transfusion, a form of treatment that calls for special skill and organisation. It is therefore suggested that "transfusion teams" be formed, and that they be available at all times. Such teams would be invaluable to both the specialist and the general practitioner, and would provide wide scope for saving of life.

The Nurse.—Regulations must be made for the guidance of the nurse in case of haemorrhage occurring in the "no doctor" case.

The Patient.—Education as to the danger of haemorrhage during pregnancy is urgently necessary.

Environment.—Given trained transfusion teams environment matters little and life can be saved by eliminating time lost in transporting the exsanguinated patient from home to hospital.

Difficult Labour.

The Doctor.—He frequently has to undertake difficult and dangerous obstetrical operations which he would prefer to hand to or to perform with the assistance of a specialist —a course of action commonly rendered impossible by the financial instability of his patient. Also for the same reason operations which are made much safer and easier by the employment of an anaesthetist are often carried out under anaesthesia administered by an unskilled nurse requiring constant supervision. These sources of danger are especially prevalent in industrial areas (where the birth rate is highest) and in many country districts served by only one medical practitioner. The organisation of a State obstetrical service would be of inestimable value.

The Nurse.—Difficult or prolonged labour in "no doctor" cases must be appropriately catered for. Nurse should not be permitted to stock, carry, or use chloroform.

The Patient.—As has already been pointed out, the financial status of the patient, often, is such that employment of specialists even though desirable is out of the question. Transportation of patients far advanced in labour to hospital is often impracticable and dangerous.

Environment.—Recasting of regulations governing the conduct and equipment of private hospitals will do much to minimise the dangers attendant upon difficult and prolonged labour—this matter has been dealt with. Further consideration to be given to the provision of a service applicable to country centres.

Magisterial Inquiry.

The foregoing examination of causes of maternal deaths has been set out in such a manner that the formulation of regulations calculated to diminish them becomes a matter of logical sequence. Practical suggestions as to how the State can aid those engaged in the practice of midwifery have been made. It is suggested that all maternal deaths be made the subject of inquiry in camera by an appropriately constituted body. Where death is shown to have been caused by wilful disregard of these laws and the aids provided by the State, further coroner's inquiry should follow, but, in common justice the State should do all in its power to remove the obvious defects and deficiencies which have been shown to exist by this analysis before resorting to a course of action which must be followed inevitably by bitterness and a sense of injustice on the part of the medical and nursing professions and fear on the part of the public.

In conclusion, it must be clearly understood that this short and incomplete report is based not upon theory but upon organised facts. For this reason no method of approach to this world problem other than that herein indicated is available. Causes and effects have been correlated, and the way pointed out to a solution of the difficulties which beset all the bodies concerned. Perfection of the scheme calls for the exhibition of moral courage and not a little money. It calls, too, for faithful co-operation between the State and the medical and nursing professions to the end that the worthy ideal to which we all aspire may be progressively realised.

Perth, 21st November, 1937.

Mr. Warner: Will the country people participate in the benefits of the scheme?

The MINISTER FOR HEALTH: Yes.

Mr. Warner: Only those in townships?

The MINISTER FOR HEALTH: It does not matter where they are. The scheme applies to every maternity case in the State, irrespective of the particular locality. The Bill merely asks for inquiry. At first the British Medical Association was bitterly opposed to an inquiry, especially if the chairman at the inquiry was to be a magistrate; but I am pleased to be able to say that after two conferences the executive of the association is right with me for the Bill as it stands. The members of the executive believe that the scheme will not do everything, but that it will prevent a considerable number of deaths.

Hon. C. G. Latham: The Bill contains no penalty clause.

The MINISTER FOR HEALTH: No. It is not possible to insert such a clause at present. There will be a penalty clause if the scheme is carried into effect; but it is too big a job to introduce a Bill of that character at this stage of the session. The British Medical Association recognises the urgent need for inquiry into deaths.

Hon. C. G. Latham: Do not you think there should be inquiry into all deaths?

The MINISTER FOR HEALTH: Why?

Hon. C. G. Latham: Because deaths might be due to carelessness.

The MINISTER FOR HEALTH: That aspect cannot be dealt with in this Bill.

Hon. C. G. Latham: The Bill deals with the preservation of life.

The MINISTER FOR HEALTH: Yes; and it seeks to prevent the abnormal number of maternity deaths. The mere fact of knowing that there is to be a magistrate associated with that inquiry, even though it is only a case of puerperal fever, will make the professional abortionist to-day more careful.

Hon. P. D. Ferguson: It will have a moral effect.

The MINISTER FOR HEALTH: My word it will! That is why I disagreed with the executive of the British Medical Association when it asked that three medical men should be on the board to conduct the inquiry. I had to tell the executive that in 99 cases out of 100 a medical man was not capable of assessing the value of evidence. On the second occasion the executive met me we were in agreement, and the agreement is expressed in the statement. The executive agreed to the appointment of a board and that one of the members should be a magistrate.

Hon. C. G. Latham: If a patient now dies from abortion there must be a coronial inquiry.

The MINISTER FOR HEALTH: Yes; but a lot die from abortion and there is no coronial inquiry.

Hon. C. G. Latham: You will not know in any case.

The MINISTER FOR HEALTH: Do not worry about that. The first clauses of the Bill are small and insignificant, but for the last portion alone it is worth our doing everything possible to get the Bill on the statute-book. I cannot see why both Houses should not pass the Bill seeing that the British Medical Association has withdrawn its opposition and is with me in my attempt to get this Bill made law with the object of probably improving it next year. I move—

That the Bill be now read a second time.

On motion by Miss Holman, debate adjourned.

BILL—ELECTRICITY.

Second Reading.

Debate resumed from the 25th November.

MR. NORTH (Claremont) [9.47]: The Bill is of great importance but does not need much discussion. It should receive the support of the whole House. I congratulate the Minister on having promised to tackle the subject of radio interference. That will be a popular part of the measure, though only a small part. The Bill provides that the standardisation of current in Western Australia shall be gradually achieved. It is unfortunate, as the member for Yilgarn-Coolgardie (Mr. Lambert) mentioned last night, that our current is not up to the well recognised Australian standard. It is unsuitable for lighting, having the wrong number of cycles. We cannot attempt to alter the general standard all at once and the object of the Bill is to bring into line year by year the various power stations of the State until they have one voltage and set of cycles, and all use alternating current. Although the Bill was introduced quietly and unostentatiously it will be a landmark in the history of this country, because it marks the beginning of an attempt to prepare for a great extension in secondary industries. The farming community has achieved wonderful results, but nobody can contend that for all time this country must be merely a primary producing State. It must gradually build up secondary industries. The Bill will have a great effect, not only upon the metropolitan area and the large towns, but it will bring about a large extension of current in the country areas, and will enable production to be greatly increased. We are one of the last States to move in the direction of extending current. In New Zealand, Canada and in other places primary industries have benefited by the availability of cheap current, and this measure will bring about a desirable improvement in that direction in this State. The Bill proposes to set up a committee to investigate schemes for the development of electricity in the State. Power is to be given to control prices, which is very valuable, and to prevent any new station being commenced without the authority of the Minister. The Bill sets out the powers of the supply authorities and their duties. Those power authorities have

to provide a safe, ample supply at uniform pressure and frequency. That will be their duty, and that is the essence of the Bill. There are many provisions that might be better dealt with in Committee. When the Bill is in Committee I intend to move one or two small amendments. One will be to provide that current, in addition to being conveyed along the shores of water and other places may be taken under water. I shall ask for a provision to be inserted enabling current to be taken under river beds and under the sea if required. There is a practical possibility in that request at the present time, because it has been suggested that sharks could be killed if a current were turned on suddenly in certain areas.

Mr. Seward: What about whales?

Mr. NORTH: It is thus necessary for the right to be given for cables to be taken not merely along the shore but under the sea bed. There is one provision that is causing misgivings on the part of housewives. That is the provision for supply authorities to send officers into houses. Officers will be allowed to go to houses to inspect electrical contrivances and meters. The Bill provides that such an officer shall produce a written order from the responsible authority authorising him to do this work. A lot of housewives in the metropolitan area, and I suppose in the country areas also, are suspicious of people who come to their homes with requests of this kind. It affords opportunity for people with nefarious intentions to use this means of gaining admittance to houses. In Committee I shall move an amendment to provide that in addition to officers having to produce their authority, householders shall be given an opportunity to check their bona fides by telephoning to the authority.

Mr. Marshall: That is all very well for the person with a telephone.

Mr. NORTH: People who desire to use this method of gaining entrance to homes and stealing will be prevented if they know that any authority which they produce has to be checked up at headquarters. The Bill generally is one of great importance. When the advisory committee is appointed there will be a large extension of power stations both in the country and in the towns. One suggestion I have to make is that instead of the committee being here to devise schemes at the request of the Minister and for his perusal, the committee should have the power to initiate schemes. Instead of the Minister waiting until he is pressed to increase supplies, before the committee is consulted, I should like to see the committee advising the Minister to initiate schemes.

On motion by Miss Holman, debate adjourned.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the request for a conference, had appointed the Chief Secretary, Hon. H. Seddon and the Hon. C. F. Baxter as managers, the President's room as place for holding the conference, and the time forthwith.

Sitting suspended from 9.57 p.m. to 1.12 a.m. (Friday.)

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Conference Managers' Report.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [1.12]: I desire to report that the managers representing this House met the managers of another place. We were unable to agree on Clauses 2 and 3, which will now require to be deleted. Clause 4 was agreed to and the Title was amended accordingly.

Report adopted and a message accordingly returned to the Council.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Conference Managers' report.

House adjourned at 1.16 a.m. (Friday).