

Legislative Assembly

Wednesday, the 1st July, 1959.

CONTENTS

	Page
CHAIRMAN OF COMMITTEES :	
Appointment	26
DEPUTY CHAIRMEN OF COMMITTEES :	
Appointment	26
QUESTIONS ON NOTICE :	
Milk, treatment licenses	26
Griffin Coal Company, permit to open-cut Wyvern mine	27
Sewage treatment plant, effect on bathing beaches	27
Public Works Department, duties of executive engineer, etc.	27
Electoral Districts Act, instructions to electoral commissioners	27
Crosswalks, endorsement of regulation, and withdrawal	27
State Saw Mills, date established, etc.	28
Robb's Jetty Works, date established, etc.	28
Wyndham Meat Works, date established, etc.	28
State Engineering Works, date established, etc.	28
State Brick Works, date established, etc.	28
Midland Junction Abattoir, date established, etc.	29
State Electricity Commission, date established, etc.	29
Wundowie Industries, date established, etc.	29
State Housing Commission, drafting and architectural work	29
Olympic village, competition for design	29
QUESTIONS WITHOUT NOTICE :	
Gold passes, use on M.T.T. buses	30
Mr. John Alver—	
Letter of goodwill	30
Tabling of letter	30
Members for Mt. Lawley and South Perth, attitude to Government	30
Russell's Transport & Agencies Ltd., action against directors by Crown Law Department	30
Metropolitan Passenger Transport Trust, pensioner concessions between Perth and Swanbourne	31
Government Public Relations Officer, contract of employment	31
Parliamentary salaries, increase	31
Department of Labour, replacement by Employers' Federation	31
State Housing Commission, number of outstanding applications	31
Unemployment, abolition of single persons' benefit	32
SITTING DAYS AND HOURS	32
GOVERNMENT BUSINESS :	
Precedence	32
COMMITTEES FOR THE SESSION :	
Appointment	32
PARLIAMENTARY SUPERANNUATION FUND :	
Appointment of Trustees	33

CONTENTS—continued.

Page

BILL :	
Electoral Districts (Cancellation of Proclamation) :	
Standing Orders suspension	33
Leave to introduce	37
1r.	37
2r.	37
Com.	57
Report	58
3r.	58

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

CHAIRMAN OF COMMITTEES.

Appointment.

MR. BRAND (Greenough—Premier): I move—

That the member for Bunbury (Mr. G. F. Roberts) be appointed Chairman of Committees.

Question put and passed.

MR. ROBERTS (Bunbury): I would like to take this opportunity of expressing to the Premier my sincere thanks for having nominated me for this responsible position. I also desire to express to the members of this Chamber, thanks for having elected me to the position. I can assure the Premier and his colleagues; the Leader of the Opposition and his colleagues; the member for South Perth; and the member for Mt. Lawley that it will be my aim to carry out my responsibilities with fairness and impartiality whilst I hold the position.

DEPUTY CHAIRMEN OF COMMITTEES.

Appointment.

THE SPEAKER: I desire to announce that I have appointed Mr. Crommelin (Claremont), Mr. W. A. Manning (Narrogin) and Mr. Heal (West Perth) to be Deputy Chairmen of Committees for the session.

QUESTIONS ON NOTICE.

MILK.

Treatment Licenses.

1. MR. TONKIN asked the Minister for Agriculture:

(1) How many treatment licenses issued by the Milk Board in the exercise of its powers under the Milk Act are at present current?

(2) Who are the licensees and how many treatment licenses are held by each respectively?

MR. NALDER replied:

(1) All licenses under the Milk Act expired on the 30th June; on that date 12 had been issued.

Licensees.	Number of Licenses.
Birkbeck's Model Dairy	1
Brownes Dairy Ltd.	2
F. A. Brewer	1
A. J. Fletcher	1
Glencairn Pty. Ltd.	1
Kielmans Dairy Pty. Ltd.	1
Masters Dairy Ltd.	2
Peters Creameries (W.A.) Pty. Ltd.	1
Sunny West Co-operative Dairies Ltd.	1
Sunny West Milk Pty. Ltd.	1

GRIFFIN COAL COMPANY.

Permit to Open-cut Wyvern Mine.

2. MR. TONKIN asked the Premier:

In view of his declaration in *The West Australian* of the 9th March that his party's policy was to obtain more coal from open cuts, why did his Government refuse the Griffin Coal Co. permission to open-cut the Wyvern?

MR. BRAND replied:

The Government did not refuse the Griffin Coal Mining Co. permission to open-cut the Wyvern.

SEWAGE TREATMENT PLANT.

Effect on Bathing Beaches.

3. MR. TONKIN asked the Premier:

(1) Which Minister or departmental officer supplied Mr. John Alver, beach inspector, Cottesloe, with a letter of goodwill from the State Government, as reported in *The Sunday Times* of the 26th April this year?

(2) Was this letter a reward from the Liberal and Country Parties for help given those parties during the election by supplying the Press with opinions about the origin of "brown stains" in the water in the vicinity of bathing beaches, and attributing such pollution to a break in the outfall from the sewage treatment plant?

(3) Is it intended to repair this year the break in the sewer outfall so that "brown stains" originating therefrom will be prevented and *The Week-End Mail* will not have cause to print further articles like "The Scandal of our Sewered Surf" which appeared during the election campaign?

(4) In what way does the Government propose to depart from the plans of the Hawke Government for improved sewage treatment works and better disposal of effluent?

MR. BRAND replied:

(1) and (2) Mr. Alver was supplied with a formal letter of introduction to the secretary of the Agent-General's Office.

(3) The sewer outlet is corroded beyond repair, and plans are being prepared for a new outlet.

(4) Work is proceeding as planned. The matter is being kept under review, and as yet no deviation has been proposed.

PUBLIC WORKS DEPARTMENT.

Duties of Executive Engineer, etc.

4. MR. TONKIN asked the Minister for Works:

(1) What are the duties of the position of Executive Engineer, P.W.D., to which Mr. Temby, ex-Director of Industrial Development, has been relegated by the Government?

(2) To which officer in the P.W.D. is Mr. Temby directly responsible?

(3) If the position of Executive Engineer is a new position, why were not applications called for the purpose of filling it?

MR. WILD replied:

(1) Generally to assist the Director of Works in an executive capacity in the Engineering Division, Public Works Department.

(2) The Director of Works.

(3) Applications were not called for the reason that the disposition of staff required only a transfer from one department to another on equal salary, under section 10 of the Public Service Act.

ELECTORAL DISTRICTS ACT.

Instructions to Electoral Commissioners.

5. MR. TONKIN asked the Premier:

(1) What instructions or requests have been issued by the Government to the Electoral Commissioners appointed by Proclamation issued in the *Government Gazette* of the 1st April, concerning their duties under the Act?

(2) If instructions were issued requesting that the Commissioners not proceed to carry out the duties imposed on them, who issued such instructions, and from what source was the power derived to over-ride the authority of Parliament?

MR. BRAND replied:

(1) None, either verbal or written.

(2) Answered by No. (1).

CROSSWALKS.

Endorsement of Regulation, and Withdrawal.

6. MR. BRADY asked the Minister for Police:

(1) Did the recent decision regarding traffic regulations and motorists' obligations in regard to crosswalks receive the endorsement of—

(a) the State Cabinet;

(b) the National Safety Council?

(2) Will he take early steps to withdraw the new regulation in favour of the previous regulation which gave the pedestrian greater protection?

MR. PERKINS replied:

(1) Traffic Regulation 231 has been recommended by the Police Traffic Branch and the Main Roads Department traffic engineering section and approved by the previous Minister for Traffic.

(2) No.

7. *This question was postponed.*

STATE SAW MILLS.

Date Established, etc.

8. **MR. HAWKE asked the Premier:**

(1) When was the State Timber Mills first established.

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) July, 1913. State Saw Mills was amalgamated with State Brick Works on the 1st July, 1957, under the title of "State Building Supplies."

(2) Treasury funds employed by State Saw Mills at date of amalgamation were £1,665,562. Treasury funds employed by State Building Supplies at the 30th June, 1959, are £2,803,483.

(3) Total earnings by State Saw Mills for the year ended the 30th June, 1957, were £2,288,379. Total earnings by State Building Supplies for the year ended the 30th June, 1958, were £3,069,065.

(4) The total number of employees of State Saw Mills at the 30th June, 1957, was 1,141. The total number of employees of State Building Supplies at the 19th June, 1959, was 1,428.

ROBB'S JETTY WORKS.

Date Established, etc.

9. **MR. HAWKE asked the Premier:**

(1) When was the Robb's Jetty Works first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) Incorporated as a limited company 1919. Commenced operations 1922. Taken over by Treasury 1942.

(2) Book value £601,000 net.

(3) Revenue 1957-1958, £715,938; 1958-1959 (estimated), £955,000.

(4) Works: Present, 294. Export season, over 500. Other organisations established at works: Present, 96.

WYNDHAM MEAT WORKS.

Date Established, etc.

10. **MR. HAWKE asked the Premier:**

(1) When was the Wyndham Meat Works first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) Commenced operations 1919.

(2) £1,232,717.

(3) Gross sales of products and other income for year ended the 31st January, 1959—£1,694,801.

(4) 337. This number reduces when killing season terminates.

STATE ENGINEERING WORKS.

Date Established, etc.

11. **MR. HAWKE asked the Premier:**

(1) When was the State Engineering Works first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) 1912.

(2) £528,772 as at the 30th June, 1958, which are the latest figures available. (This includes the value of machinery provided by the Commonwealth Government.)

(3) Production for 11 months to the 31st May, 1959—£901,010.

(4) 447.

STATE BRICK WORKS.

Date Established, etc.

12. **MR. HAWKE asked the Premier:**

(1) When was the State Brick Works first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) April, 1915. State Brick Works was amalgamated with State Saw Mills on the 1st July, 1957, under the title of State Building Supplies.

(2) Treasury Funds employed by State Brick Works at date of amalgamation were £893,303. Treasury Funds employed by State Building Supplies at the 30th June, 1959, are £2,803,483.

(3) Total earnings by State Brick Works for the year ended 30th June, 1957, were £463,020. Total earnings by State Building Supplies for the year ended the 30th June, 1958, were £3,069,065.

(4) The total number of employees of State Brick Works at the 30th June, 1957, was 196. The total number of employees of State Building Supplies at the 19th June, 1959, was 1,428.

MIDLAND JUNCTION ABATTOIR.

Date Established, etc.

13. MR. HAWKE asked the Premier:

(1) When was the Midland Junction Abattoir first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) 1914.

(2) Book value, £1,210,998.

(3) Revenue, 1957-58, £567,405; 1958-59, £714,050 (estimated).

(4) Present—434.

STATE ELECTRICITY COMMISSION.

Date Established, etc.

14. MR. HAWKE asked the Premier:

(1) When was the State Electricity Commission first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) 1946.

(2) £35,900,000.

(3) £7,915,000.

(4) 2,313.

WUNDOWIE INDUSTRIES.

Date Established, etc.

15. MR. HAWKE asked the Premier:

(1) When was the Wundowie Wood Distillation, Charcoal-Iron and Steel Industry first established?

(2) What is the capital value of the concern today?

(3) What was the total value of this concern's production during the last financial year?

(4) How many people are employed in the concern at the present time?

MR. BRAND replied:

(1) Building commenced September, 1943. Production commenced January, 1948.

(2) Fixed assets £1,750,000 approximately, including cost of plant expansion not in production until April, 1959.

(3) £750,000.

(4) 426—including contractors.

STATE HOUSING COMMISSION.

Drafting and Architectural Work.

16. MR. GRAHAM asked the Premier:

Is there any likelihood of the Government handing over to some of its political friends, the drafting and architectural work of the State Housing Commission?

MR. BRAND replied:

I call the attention of the hon. member to a reply given on his behalf last year, when he was Minister for Transport, that he felt he was under no obligation to answer questions couched in intemperate terms.

EMPIRE GAMES VILLAGE.

Competition for Design.

17. MR. CROMMELIN asked the Minister representing the Minister for Housing:

(1) Has he given consideration to having the design of the Empire Games village conducted on a competition basis among architects?

(2) If so, will he supply details?

MR. ROSS HUTCHINSON replied:

(1) Consideration has been given to the Empire Games village being designed on a competition basis among architects, which will include the Architectural Division of the State Housing Commission.

(2) Details of the competition have not yet been finalised.

QUESTIONS WITHOUT NOTICE.**GOLD PASSES.***Use on M.T.T. Buses.*

1. **MR. EVANS** asked the Minister for Transport:

(1) Is it correct as was indicated in at least one newspaper—the *Kalgoorlie Miner* of the 20th June—that with the take-over of the Metropolitan Transport Trust later this year, parliamentary gold passes will not be recognised on M.T.T. buses?

(2) If the answer to No. (1) is "yes," is it the Minister's opinion that private members who at present have cause to use Government services in the course of their parliamentary duties should be deprived of this privilege? I refer, of course, to visits to the Social Services Department, the Housing Commission, and other far-flung Government departments, which are at present on Government bus routes?

MR. PERKINS replied

(1) Yes.

(2) It is thought that the amount it will cost members in fares on M.T.T. buses will not be so considerable as to seriously embarrass them; it will amount to a very small portion of the total expenses they incur as members. I think most members have cars, and it is thought that some example should be set by members of Parliament to the rest of the community, if we are to ask the M.T.T. not to bear so many of the concessions which the Government transport services in the past have been asked to carry.

MR. JOHN ALVER.

Letter of Goodwill.

2. **MR. TONKIN** asked the Premier:

In question No. (3) on today's notice paper I asked the Premier which Minister, or departmental officer, supplied Mr. John Alver with a letter of goodwill. The Premier did not answer that question. I submit that I am entitled to get a question like that answered; I am entitled to the information. I now ask the Premier—even though he says a formal letter was given—which Minister or departmental officer supplied the formal letter.

MR. BRAND replied:

I understand it was supplied by the Premier's Department on the advice of the Chief Secretary's Department, and that the letter was purely a formal one introducing this gentleman, who was going home to a temporary job with the possibility of returning to Western Australia.

Tabling of Letter.

3. **MR. TONKIN** asked the Premier:

I thank the Premier for the answer he just gave me. I now ask whether he will either table a copy of the letter or let me see a copy privately.

MR. BRAND replied:

I will let the hon. member see a copy privately.

MEMBERS FOR MT. LAWLEY AND SOUTH PERTH.*Attitude to Government.*

4. **MR. JAMIESON** asked the Premier:

(1) Has the Premier any assurance, documentary or verbal, that either or both the members for Mt. Lawley and South Perth will support the Government on the floor of this House?

(2) If not, on what assumption did he, without having a clear mandate on such matters—

(a) assume the responsibility of forming a coalition government;

(b) deem he has the endorsement of the people of Western Australia to embark on a scandalous policy of selling State instrumentalities and curtailing with a view to eliminating the P.W.D. day labour scheme?

MR. BRAND replied:

(1) The members for Mt. Lawley and South Perth were both elected as Independent Liberals.

(2) (a) If the hon. member has any doubts as to whether the Government enjoys the confidence of this House the obvious and constitutional course is open to him to test the position.

(b) The Government is giving effect to the policy on which it was elected. It is a reflection on the electors to call such a policy scandalous.

RUSSELL'S TRANSPORT & AGENCIES LTD.*Action Against Directors by Crown Law Department.*

5. **MR. CORNELL** asked the Attorney-General:

(1) In view of the adverse nature of the report of the accountant investigating the affairs of Russell's Transport & Agencies Ltd., reference to which is made in the *Daily News*, will he inform the House if any action against the directors of this company has been considered by the Crown Law Department?

(2) Will he refer the matter to the Solicitor-General for advice as to whether action against the directors could or should be taken?

MR. WATTS replied:

(1) So far as I know, no action has yet been contemplated.

(2) I will be glad to have the matter referred to the law officers.

METROPOLITAN PASSENGER TRANSPORT TRUST.

Pensioner Concessions Between Perth and Swanbourne.

6. **MR. GRAHAM** asked the Minister for Transport:

I understand from Press announcements that the Government services operating between Perth and Swanbourne are being replaced by services conducted by the Metropolitan Passenger Transport Trust on Sundays. Does this mean that pensioners and others who enjoy fare concessions will, between the date of commencement of the operation of that scheme and the modified system of concessions to be granted—I understand from the 1st September next—be required to pay full fares in the interim period?

MR. PERKINS replied:

A general reply to that question is that some deadline has to be set for the new policy to operate, and I am afraid that the people to whom the hon. member refers will be in the same position as the people living in other areas served by the M.T.T.

Mr. Graham: They will lose the concession they have been enjoying.

GOVERNMENT PUBLIC RELATIONS OFFICER.

Contract of Employment, etc.

7. **MR. JAMIESON** asked the Premier:

(1) What is the duration of contract of employment given to W. W. Mitchell, the former political feature writer of *The West Australian* newspaper and now the Government Public Relations Officer?

(2) Were applications called for this appointment?

(3) If so, when; and how many applications were received?

(4) Was this position offered to Mitchell as an incentive to bias his feature articles during the currency of the election campaign?

(5) Does the Premier consider a salary of £2,500 per annum a sufficient reward for such loyal and devoted service to the Liberal Party in time of great need?

MR. BRAND replied:

(1) Mr. Mitchell's employment is terminable on eight weeks' notice by either side.

(2) No.

Mr. Hawke: I should think he would be giving notice soon.

Mr. BRAND: No, he won't! The Leader of the Opposition is indulging in wishful thinking.

(3) Answered by No. (2).

(4) No.

(5) This is the question about devoted service. I trust that the natural disappointment associated with the defeat of his party is not going to lead the hon. member into a campaign of vilification of honourable people.

PARLIAMENTARY SALARIES.

Increase.

8. **MR. OLDFIELD** asked the Premier:

In view of the fact that the Government is going to pay an annual salary of £2,500 to a journalist, is that the Government's opinion as to the worth of a journalist compared with a member of Parliament, or are we to expect an increase in members' salaries?

MR. BRAND replied:

I would simply say that I considered the salary to be quite a fair one.

Mr. Graham: It is out of all proportion.

Mr. BRAND: If it were the member for East Perth, it would be far less. I am sorry if the member for Mt. Lawley is disappointed at there not being any increase in members' salaries, but he who expecteth nothing is never disappointed.

DEPARTMENT OF LABOUR.

Replacement by Employers' Federation.

9. **MR. W. HEGNEY** asked the Minister for Labour:

In view of the reports being circulated to the effect that the Government proposes to abolish the Department of Labour and engage the Employers' Federation to carry out the functions of that department, will he give an undertaking that no such action is contemplated?

MR. PERKINS replied:

I would say that the report mentioned by the hon. member is entirely unfounded.

STATE HOUSING COMMISSION.

Number of Outstanding Applications.

10. **MR. GRAHAM** asked the Premier:

(1) Is he aware that in the Press within the last fortnight there was a Government statement to the effect that there were 9,600 applications still to be dealt with by the State Housing Commission; that yesterday, in the Governor's Speech, it was stated that there were 6,100 outstanding applications; and that in the Press of the same day the number was said to be 4,600 applications?

(2) When can we expect the next guess by the Government?

(3) Will he inform the House when it can accept as accurate and reliable, statements made by the Government?

MR. BRAND replied:

I am not aware of nor am I able to check the first question in regard to the statement re 9,600 applications. I was informed by the Minister for Housing, as the result of a question as to what were the outstandings in respect to housing applications, that there were 6,100; but a review is being made in order to have a definite check. I did that so the impression put abroad by the ex-Minister for Housing that the housing position in Western Australia was solved was not misunderstood by the people at the present time, and so they would know that we were left with a legacy from the previous Government.

However, as a result of that investigation, I understand that a further statement was made giving the exact number of housing applications. As the member for East Perth well knows, he should have done it himself while there. The further figure given was some 4,000 odd.

Mr. Graham: Three figures in a fortnight!

Mr. Hawke: Any figure will do.

Mr. Bovell: The figures were in such a bad state when we took over that it has been hard to ascertain the exact number.

UNEMPLOYMENT.*Abolition of Single Persons' Benefit.***11. MR. HEAL asked the Premier:**

When his Government took office, one of the first major jobs it undertook was to abolish the 17s. 6d. unemployment benefit for single persons, with the proviso that anyone under extreme hardship could apply to the Minister for Child Welfare to have that money paid to him. Does the Premier believe that persons receiving £2 12s. would not be under extreme hardship?

MR. BRAND replied:

All that I have to say is that with a total cost to Western Australia of some £48,000 annually, we could hardly be justified in paying 17s. 6d. a week to single unemployed persons. Single unemployed persons in the other States do not get an extra benefit of 17s. 6d. We must not lose sight of the fact that we are a claimant State as against the standard States and that we are penalised now for the heavy social services payments that are made by Western Australia.

MR. HEAL: The Premier did not answer the main part of my question. I did not ask whether we were a claimant State or not, or whether we were penalised by the Grants Commission in regard to that payment. I asked what his own personal opinion was in relation to single persons. Yes or no?

MR. BRAND: Cases of hardship as published can be referred to the Minister.

Mr. Graham: Which Minister?

MR. BRAND: The Minister for Child Welfare.

Mr. Graham: He is as hard as nails.

SITTING DAYS AND HOURS.

On motion by Mr. Brand (Greenough—Premier), ordered:

That the House, unless otherwise ordered, shall meet for the despatch of business on Tuesdays and Wednesdays at 4.30 p.m., and on Thursdays at 2.15 p.m., and shall sit until 6.15 p.m., if necessary, and, if requisite, from 7.30 p.m. onwards.

GOVERNMENT BUSINESS.*Precedence.*

On motion by Mr. Brand (Greenough—Premier), ordered:

That on Tuesdays and Thursdays, Government business shall take precedence of all Motions and Orders of the Day.

COMMITTEES FOR THE SESSION.*Appointment.*

MR. BRAND (Greenough—Premier) [5.14]: I move—

That for the present session—

- (1) the Library Committee shall consist of Mr. Speaker, Mr. Tonkin and Mr. Crommelin;
- (2) the Standing Orders Committee shall consist of Mr. Speaker, the Chairman of Committees, Mr. J. Hegney, Mr. Owen and Mr. Guthrie;
- (3) the House Committee shall consist of Mr. Speaker, Mr. May, Mr. Jamieson, Mr. Roberts and Mr. W. A. Manning;
- (4) the Printing Committee shall consist of Mr. Speaker, Mr. I. W. Manning and Mr. Andrew.

MR. OLDFIELD (Mt. Lawley) [5.15]: From time immemorial, I should say, this motion has probably gone through without any debate. However, I have checked through the Standing Orders and found that nothing is laid down as to the form in which the motion shall be moved or how the members shall be appointed to the various committees. The way the Premier has done this is the way it has been done ever since I have been a member. No doubt it has been so since 1907 when Standing Orders were first adopted.

However, I feel that it is time we had another look at this method. The House is asked to appoint members to represent it on various committees, but the House does not appoint them. The House just

concurs in a motion moved by the Premier when he proposes the appointment of certain members whose names have been submitted to him. I think that if we are going to elect representatives on the Committee, the House should make nominations and the House should make appointments.

Mr. Cornell: What job do you want?

Mr. OLDFIELD: I do not want any. I want to make this protest also: On the odd occasions at the annual meeting of the House Committee when certain members have had reason to criticise what has not been done by that committee they have been stifled. After their spending most of the afternoon patting each other on the back for the wonderful job they have done, it is stated that there is no time for any business because afternoon tea is ready—a free afternoon tea.

I remember on one occasion the member for Beeloo and I tried to rise, and we were told to sit down very smartly because afternoon tea was ready. It is a form of dictatorship that I imagine Russia adopts. I am very pleased to note that the member for Beeloo is going on the House Committee.

However, I am making my little complaint as I do not think these are House appointments. They are appointments by party leaders and are political. There is an unwritten law, or a gentleman's agreement, that there shall be two representatives from the Labour Party, one from the Liberal Party, and one from the Country Party, irrespective of the parties' strength in the House. Members are denied the opportunity to elect representatives or of even having a say.

THE SPEAKER: Does the Premier wish to reply?

Mr. Brand: Yes.

MR. BRAND (Greenough—Premier—in reply) [5.18]: If the hon. member for Mt. Lawley had raised this matter before I moved this motion and drawn my attention to the fact that he was dissatisfied, no doubt I would have been quite happy to confer with him with a view to doing something about it. Presumably, it has been satisfactory to all members and all parties over all these years, and that is the reason I assumed it would be satisfactory on this occasion.

Question put and passed.

PARLIAMENTARY SUPERANNUATION FUND.

Appointment of Trustees.

On motion by Mr. Brand (Greenough—Premier), resolved:

That pursuant to the provisions of the Parliamentary Superannuation Act, 1948, the Legislative Assembly

hereby appoints the member for Boulder (Mr. Moir) and the member for Canning (Mr. O'Neil) to be Trustees of the Parliamentary Superannuation Fund as from this day.

ELECTORAL DISTRICTS (CANCELLATION OF PROCLAMATION) BILL.

Standing Orders Suspension.

MR. BRAND (Greenough—Premier) [5.20]: I move—

That so much of the Standing Orders be suspended as is necessary to enable a Bill for "An Act to cancel a Proclamation promulgated pursuant to the power conferred by the Electoral Districts Act, 1947, to cancel the appointment of certain Electoral Commissioners made under that Act and for other purposes," to be introduced without notice, and, if necessary, passed through all its stages in one day; and the aforesaid business to be entered upon and dealt with before the Address-in-reply is adopted.

The purpose of this motion is to enable this House to consider a Bill to revoke a proclamation issued under the Electoral Districts Act. I would say that the urgency of this matter is entirely due to legal advice from Crown Law Department officers who consider that Parliament should deal with this question early this month.

As is well known—and as, indeed, was stated in His Excellency's Speech yesterday—Parliament was called together earlier than usual this year to deal with the matter and thus comply with the advice which I have mentioned. However, Standing Orders require that the debate on the Address-in-reply shall take precedence over all other business unless the House otherwise orders. The motion seeks only to allow the House to consider the Bill before the debate on the Address-in-reply is proceeded with. I do not intend to debate the question at great length, for the simple reason that the arguments in favour of it will be put forward during the debate on the second reading of the measure.

It is sufficient for me to say that we were amazed that the previous Government took upon itself to take the action it did after it had been defeated at the polls on the 21st March—in fact, in its last day of office. That action was such as I think could be termed a major decision affecting the electoral boundaries of the State, and one for which the then Government had no mandate whatsoever. It had been defeated at the polls and had no right to take this action—

Mr. Tonkin: Read the Electoral Districts Act.

Mr. BRAND: It had no right to take that action; and it should be considered—I am sure it is considered by all—that the move was quite unethical and that for the time during which the previous Government remained in office it should have acted as a caretaker Government, as is the procedure in State Legislatures all over Australia, and in the Federal sphere as well. I therefore leave this matter to the decision of the House.

MR. HAWKE (Northam) [5.23] We have just heard an extraordinary performance by the Premier. This is a motion to suspend Standing Orders—

Mr. Brand: One that you moved very often.

Mr. HAWKE: —to enable consideration to be given to a Bill which the Government proposes to introduce into this House. One would have thought that the Premier would put forward some reasons for the motion, and in support of it; yet he did not put forward a single reason as to why members should surrender the established right of participation in the debate on the Address-in-reply.

Mr. Brand: A very good reason—a time limit.

Mr. Bovell: It was because of the snide practices of your Government.

Mr. HAWKE: I suggest to the Minister for Lands that he cease being offensive, if he is capable of ceasing. The Premier talks about a time limit. What time limit is he talking about? He does not know. He just says the first thing that comes into his mind. There is no time limit. He just says anything that comes into his mind, in the hope that he will be able to float along on it; but that is not good enough.

The debate on the Address-in-reply is well established; and I say—quite frankly and strongly—that there are many matters which members have to bring before this House, and which they will have opportunity of so bringing per medium of the debate on the Address-in-reply, which are far more urgent and important than this matter. By way of several questions this afternoon—I hope the Chairman of Committees is not trying to influence you, Mr. Speaker, on how you should manage this debate, by rudely going up to you and indulging in some sort of whispering—I obtained for myself, for other members, and for the general public a considerable amount of information regarding, among other things, the substantial number of men employed in various State-owned concerns.

Now we know that the employment and economic security of all these men is threatened by the policy of the Liberal Party members of this Government, and members—on this side of the House at least—are anxious urgently to consider and debate that issue; and I submit, without

dwelling on the point too long, that that subject is far more urgent than is any proposal contained in this motion and for which the Premier desires to have Standing Orders suspended at this stage.

After all is said and done, the Electoral Districts Act is not a matter of urgency, because there is no particular warrant for thinking that unless Parliament breaks away from the normal course and urgently considers whatever proposals the Government has up its sleeve, some ill will befall the State or some injury will come upon some people.

Clearly, it would not matter one scrap, in my opinion, if the introduction of the Bill did not take place for three weeks from now. What possible difficulty could arise? What possible injury could develop for anyone? It is too silly for words to think that there is all this rush and bustle and urgency about this proposal. After all, the proclamation was issued in March of this year, and several weeks have come and gone since then.

Mr. Brand: What about the rush and bustle in issuing the proclamation?

Mr. HAWKE: I will deal with that in a moment, to the considerable discomfort of the Premier and some of his colleagues. The Minister for Lands is so well informed on this issue that he says, I think, that it was in April that the proclamation was issued—

Mr. Bovell: The 1st of April.

Mr. HAWKE: That is not a day. That is a dead day, and especially to men of the intellectual standing of the Hon. Attorney-General and myself, if I might single us out to the disadvantage of other members of the House.

It does not matter whether it was issued on the last day of March or the first day of April. Several weeks and a number of days have come and gone since then. I refuse to accept the proposition so smoothly put forward by the Premier that there is great urgency surrounding this matter; that we must push everything aside to deal with it. I ask the Premier: What would happen if we did not deal with it until three weeks from now? His silence is eloquent beyond any words he might utter.

We have heard some criticism from the Premier—very rudely, and indeed crudely, supported by the Minister for Lands—about the promulgation of this proclamation by the previous Government being all wrong and unethical. I am sure that you, Mr. Speaker, would know much better than that, because you would have studied the legislation carefully and, more importantly, would have understood it, which fact could prove the difference between yourself and the Minister for Lands.

The Electoral Districts Act and its appropriate provision lays down what shall be done in certain circumstances. In the

circumstances that existed at the time, the Act provided that a proclamation should be issued which would set the electoral commission in operation to consider the electoral enrolments in the various electoral districts and, subsequently, for the members of that commission to take action as they thought justified in the circumstances. That is the law.

It is not a law which our Government passed. It is the law which was passed by the Government led with great distinction at that time by the now member for Murray. The Deputy Leader of the Government at that time was the present Attorney-General. They prepared that law—as you would know, Mr. Speaker, with all your knowledge and experience of what goes on in front and behind the scenes—for the purpose of keeping them in office for ever and ever. They loaded the Act deliberately in their own favour in regard to the balance between metropolitan and other districts. In other words, they framed the Act to suit themselves, by and large. However, I am not going to take up time this afternoon to say anything further about that. I simply say that the law under which we issued the proclamation was passed by a previous Liberal-Country Party coalition Government.

Sir Ross McLarty: Or, as you would say, by a previous Parliament.

Mr. HAWKE: The member for Murray is quite right inasmuch as the law which was proposed by himself and his colleagues at the time and loaded in their own favour was subsequently endorsed by a majority of members in each House of Parliament and finally became a law of the State as a result of a decision by Parliament as a whole; and it was under that Act of Parliament that we issued the proclamation.

I would point out that it is not a simple matter to prepare and issue a proclamation on the one day; and therefore, when the Minister for Lands spoke as crudely as he did and as crudely as I ever thought he was capable of speaking, he did not know that the decision made by the Minister in the matter was made many days before the 1st April. After the Minister has had more ministerial experience—if he is lucky enough to have much more—he will realise that the circumlocution of governmental activity is not as fast as he seems to think at present. He will come to learn that when a decision is made and a proclamation is issued to implement that decision, time passes on.

Therefore, it is not correct in real fact to say that the Government issued that proclamation on the last day it was in office. I am sure the Attorney-General would agree with me on what I say in that regard; that is, on the point of time that is involved.

Mr. Watts: When he speaks on the second reading—whenever that might be—he will tell you to what extent he agrees with you.

Mr. HAWKE: Yes; I am sure the Minister will keep his word on the assurance he has given me this afternoon. So the other point I wish to emphasise about this proclamation and the date upon which it was issued is that had the Leader of the Liberal Party and his colleagues been more co-operative with the Leader of the Country Party and his colleagues when negotiations were taking place to form a new Government at that time, our Government would not have had to remain in office as long as it did to carry on the administrative affairs of the State, and to give effect to the laws of the State. I emphasise that aspect of the situation particularly.

However—fortunately or unfortunately—the Leader of the Liberal Party and his colleagues wanted much more of the ministerial pudding than the Country Party leader and his colleagues were prepared to let them have, and so this argument and brawling went on up here in Parliament House—as we all know—hour after hour until such time as the Leader of the Country Party issued an ultimatum to this effect: "This is the minimum of the pudding that we require! Give us this or we will not come in with you!"

Sir Ross McLarty: Wishful thinking!

Mr. HAWKE: Also, Mr. Speaker, as I am sure you would know—I am not asking you to admit it—the Leader of the Liberal Party rang up a certain meatworks in Beaufort-st. and said to the proprietor, "This is the best I can get."

Mr. May: There is always a sausage somewhere!

Mr. HAWKE: Finally, that was the basis upon which the matter was settled; and we, the previous Government, carried on without complaint or protest, because we felt it would be far better for the people of Western Australia as a whole for us to remain in office as long as possible.

I say very strongly, and not in the mood in which I have been for the past two or three minutes, that there is no urgency about this motion whatsoever. Members on both sides of this Chamber—particularly those on this side—have much more urgent matters to bring before the House and the public, and therefore this motion should be defeated. This would mean that this proposed legislation, which the Government has prepared for introduction, could be introduced in the normal way perhaps three weeks from today, and perhaps pass through the House as being acceptable to the majority of members, and through another Chamber if acceptable to a majority there. It would then become the law of the State, and no-one would be the slightest bit inconvenienced and certainly no-one would be injured in any way.

MR. WATTS (Stirling—Attorney-General) [5.40]: Perhaps there is an odd word or two which has been spoken by the Leader of the Opposition that I might try

to tidy up before this motion is submitted to the House. The Premier, when introducing the motion, said that the urgency of the matter is entirely as a result of the legal advice obtained from the Crown Law officers.

Mr. Hawke: What is it?

Mr. WATTS: If the Leader of the Opposition will give me time, I will endeavour to give him some slight understanding of this situation.

Mr. Hawke: The Premier gave us none!

Mr. WATTS: The Premier was entitled to expect the acceptance of the House that the urgency of the matter was intimated entirely because of the legal advice obtained from the law officers of the Crown Law Department; but if the Leader of the Opposition will condescend, in his usual manner, to allow me to proceed, I will get on with the job. The proclamation was issued on the 1st April, 1959, and the law provides that the commissioners are to have a maximum of eight months in which to complete the whole of the business and present their final report.

However, it must not be overlooked that there has to be a lapse of two months during which objections may be registered by persons discontented with the preliminary report; and, therefore, that lapse of two months occurs between the preliminary report and the final report. After that two months has elapsed, there has to be time for the commissioners to review their decisions in the light of the objections that have been made. In consequence, as a period of three months has already elapsed, of the eight months provided under the Act, there are only five months left; and, of those five months, two months will be exhausted by the intermission—supposing the Bill does not pass—between the preliminary report and the final report being considered during the two months the objections made are heard.

In consequence, there are about five months out of the eight that can be said to be either used up or will be prospectively used up in the future. Therefore, the advice of the Crown Law officers was that if the commission was to have a fair opportunity—supposing the Bill did not pass—to proceed with its activities in accordance with the law—as it would then continue to stand—it would be extremely proper and desirable for this measure to be passed by Parliament before the middle of July.

In those circumstances, there was little or no option for this Government—if it is desired that the matter be dealt with by Parliament—than to call this House together at the time it did, having in mind the object of suspending Standing Orders in order that within the time that had been recommended—I had personal discussion with the Solicitor-General on this—Parliament might have the opportunity of accepting or rejecting the proposal that the proclamation should be revoked. That is the position as clearly and as shortly as I can put it.

Mr. W. Hegney: Why do you want to revoke it?

Mr. WATTS: There is no other reason than that I have given, and it is a very good and sound reason why there is urgency in this matter.

Mr. Evans: Why is there any necessity to revoke it at all?

Mr. WATTS: That is a matter to be dealt with on the second reading of the Bill. I do not think I am under any obligation to deal with that point until the opportunity is afforded me during the second reading debate. In regard to one or two other matters the Leader of the Opposition has mentioned, I can assure him that there will be no objection, of course, to his taking the adjournment of the Bill when the second reading is moved. In that case, as I do not propose to make a very long speech on the second reading, there will be ample opportunity for the Leader of the Opposition to address himself to the Address-in-reply before the usual time at which this House rises on a Wednesday evening.

Mr. Tonkin: I thought you would be having a lot to say in view of the advertisements in *The Farmers' Weekly*.

Mr. WATTS: I know of no advertisements in *The Farmers' Weekly*. I am certainly not responsible for them.

Mr. J. Hegney: I have seen plenty of them.

Mr. WATTS: I hope the Leader of the Opposition is quite satisfied on that point, as there is no intention of demanding that he should go on with this Bill immediately the second reading is moved, but rather the contrary, because the usual practice is that an adjournment should be given if the Bill presents any serious problems or is of a lengthy nature, even longer than an adjournment to the next day. In this case the Bill is very short and the problem is very clear.

I would like to make some reference to the ultimatum to which the Leader of the Opposition referred a few moments ago. I do not want to take up too much time, except to say that it is non-existent. If it existed, it existed only in his imagination, because there was no occasion whatever to issue ultimatums, if that is the word.

Mr. May: What do you call it?

Mr. WATTS: I say there was no occasion to issue such a thing. Admittedly the negotiations took a fair time. That would not be the first occasion when negotiations have taken a fair time. The unfortunate part in this instance is that they did not start until late. The Leader of the Opposition is also aware that the Easter holidays intervened in this matter; and if that had not been so the 1st April would not have been reached by the hon. member. However, I only rise to explain the reason why this motion to suspend the Standing

Orders has been moved. I thought the reasons I gave were perfectly clear. They are, if the proclamation is not to be revoked, to enable the commission to carry out its duties in the time prescribed by the Act.

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

Ayes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—3.

Question thus passed.

Leave to Introduce.

MR. WATTS (Stirling—Attorney-General) [5.33]: I move—

That leave be given to introduce a Bill for an Act to cancel a proclamation promulgated pursuant to the power conferred by the Electoral Districts Act, 1947, to cancel the appointment of certain electoral commissioners made under that Act and for other purposes.

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

Ayes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—3.

Question thus passed; leave given.

First Reading.

MR. WATTS (Stirling—Attorney-General) [5.56]: I move—

That the Bill be now read a first time.

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

Ayes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—3.

Question thus passed.

Bill read a first time.

Second Reading.

MR. WATTS (Stirling—Attorney-General) [5.59] ~~in moving the second reading said: I move—~~

~~That the Bill be now read a second time.~~

In doing so I would remind the House that the general election was held on the 21st March, 1959. On the 24th of that month, which was three days after the election, the Chief Electoral Officer wrote to the Minister for Justice advising him of the number of seats which were out of balance in the Legislative Assembly. This was the first such report filed since the last redistribution in the year 1955. But, on the same date, the Chief Electoral Officer sent a memorandum to the Solicitor-General enclosing a copy of his report to the Minister and advising the Solicitor-General that the Minister for Justice had advised him that it was Cabinet's desire to have a proclamation issued under the Electoral Districts Act.

There is nothing in writing to indicate that desire except the memo. from the Chief Electoral Officer. Therefore, presumably, the desire of the Minister was expressed verbally. The report of the Chief Electoral Officer indicated that seven metropolitan seats were over the quota, and two in the agricultural, mining and pastoral areas, and that one district was under quota in the latter areas.

On the 1st April, 1959, the Governor-in-Executive-Council signed the requisite proclamation directing a redistribution, and appointing the three commissioners. I understand that was the only item which was dealt with at that meeting of Executive Council. I do not deny the legality of these proceedings, but in the circumstances which existed at the time I strongly question their propriety.

I have already said that these papers were prepared at the verbal request of the Minister for Justice; and they were actually prepared for presentation to Executive Council by the Solicitor-General. They were submitted to the Minister for Justice by the Solicitor-General on the 26th March. On that date, it was perfectly clear that the parties supporting the then Government would not have a majority of members of the Legislative Assembly.

The Solicitor-General, at that time, also made it perfectly clear to the Minister that under the Electoral Districts Act, the commissioners' final report was not required to be submitted until eight months from the date proclaimed in accordance with the provisions of Section 3 of the Act; and accordingly recommended that the proclamation should state that the date of its issue should be the date from which that period should start. In consequence, as I said earlier, the period started from the 1st April. It will be apparent, from what I have said, that the whole of this business took place between the 24th March and the 1st April—a period of seven days, all of which occurred after the polling had been closed for at least two days.

I would like to contrast this apparent haste with the procedure adopted by the Government—led at the time by my honourable friend, the Leader of the Opposition—in connection with the previous redistribution of electoral boundaries, prior to the 1956 general election; which, I think, can be best exemplified by reference to Hansard of 1953 and 1954. At page 182 of Vol. 1 of Hansard for 1953, the member for Vasse (the present Minister for Lands) asked the then Premier (the member for Northam)—

(1) Has the Chief Electoral Officer reported to the Minister concerned that from the state of the rolls made up for the triennial election held on the 14th February, 1953, not less than five electoral districts will fall short of or exceed by 20 per cent. the quota as ascertained for such districts provided for in the Electoral Districts Act of 1947?

I would remind members that this question was asked in August, 1953. The then Premier replied to that question "Yes". So it is quite clear that on the 19th August, 1953, the date of that question, the Chief Electoral Officer had reported that the circumstances of the Electoral Districts

enrolments were such as to involve the necessity of giving consideration to the issue of a proclamation for the redistribution of electoral boundaries. But the member for Vasse, on the same day, went on to ask this question—

(2) If so, what action has been taken by the Government to comply with the provisions of the Electoral Districts Act?

The then Premier replied—

The matter is receiving consideration.

That was on the 19th of August. There the matter apparently stood until, on the 2nd December, 1953—Hansard of that year, p. 2205—the member for Vasse submitted another question to the Premier, reading as follows:—

With reference to my question on the 19th August, 1953, concerning action by the Chief Electoral Officer and the Government necessary to comply with the provisions of the Electoral Districts Act, 1947, and in view of the replies given by him that the matter was then receiving consideration will he inform the House of what action has been taken by the Government?

To this question the then Premier replied:

The Government has not yet been able to give this matter full consideration.

Time passes until the 14th April, 1954, when in Volume 137 of Hansard at page 201 the member for Vasse asked the then Premier:

With reference to my questions of the 19th August, 1953, and the 2nd December, 1953, concerning action by the Chief Electoral Officer and the Government necessary to comply with the provisions of the Electoral Districts Act, 1947, and in view of the replies given by him that the matter was receiving consideration, will he inform the House what action has been taken by the Government?

The then Premier replied to this question:

No action has been taken up to date.

The member for Vasse then, without notice, asked the then Premier:

In view of that reply will he give the House an assurance that action will be taken soon to comply with the existing law?

The then Premier replied:

I will undertake to have the matter investigated and advise the hon. member by letter.

It may be as well to point out here that between the first and the second question 3½ months had elapsed—between

the second and third question 4½ months had elapsed—a total period of eight months, during which the matter had not received final consideration. Ultimately, however, the necessary proclamation was issued approximately eight months later on the 16th December, 1954.

Analysing this position, it is clear that the necessary consideration resulting in a decision to issue a proclamation occupied a period of approximately 16 months. This can be contrasted with the period concerned in respect of the proclamation it is now sought to revoke, which was a total of seven days subsequent to the election as a result of which it was clear at the time the proclamation was signed that the then Government had lost control of the Legislative Assembly.

I recollect, too, that in the speech delivered by me on behalf of the Country Party during the election campaign I made it clear that, in view of the present and prophesied unbalanced growth of population in the metropolitan area—

Mr. Tonkin: When did you do that?

Mr. WATTS: The 27th February at Mt. Barker, but also on other occasions as well. But that was the first time. I made it clear that consideration must be given to the number of seats to represent the metropolitan area and a division of the balance, after making due provision for the North-West seats, among the agricultural, pastoral and mining areas; and, further, that the possibility of deadlocks should be removed by an increase of at least one in the total number of members of the Legislative Assembly; and that at the same time the provision of an intermediate quota for large provincial towns might receive consideration.

The Premier, on two or three occasions during the campaign—notably at Kalgoorlie and Geraldton—stated in the course of his addresses that he had discussed this matter with me and he was of the opinion that legislation would have to be considered to deal with the various aspects to which I have referred, and others to which he himself referred.

Mr. Tonkin: Is that reported anywhere?

Mr. WATTS: In the local papers, I understand; but I have not confirmed that.

Mr. Tonkin: I have not been able to find any reference to it.

Mr. WATTS: I know from my own knowledge that in one case the statement was made. The issue of the proclamation on the 1st April, 1959, in the circumstances I have outlined would obviously effectively prevent any incoming Government from submitting to Parliament any worth-while proposals for amendment of the Electoral Districts Act to give effect to such suggestions, or any other suggestions because the situation

would be that the Electoral Districts Act of 1947 and the commissioners appointed thereunder—were action not taken as proposed by this Bill—would have to proceed with deliberations and activities and arrive at conclusions; and the only way to alter that situation would be, I understand, to take action such as is being taken now.

The revocation of the proclamation, however, as proposed in this Bill, is only to do this: to give the present Government an opportunity of seeking the agreement of Parliament to proposals for the alteration of the law so that if Parliament accepts those alterations, and in the light of those alterations, the necessary proclamation can be issued to enable the commissioners to proceed with adjustments of electoral boundaries in accordance with the amended law to which Parliament would then have agreed.

On the other hand, if Parliament should reject those amended proposals, or any proposal which might be brought forward, then it is quite clear that the present statute will remain and the onus would be placed upon the Government of issuing a fresh proclamation to ensure the law is carried into effect.

Fundamentally, therefore, all that this Bill asks for is the right of this Parliament to give consideration to the proposals which are to emanate from this Government; and I do not think that any hon. member can reasonably deny to Parliament the opportunity to give that consideration to proposals aimed at improvement of the Electoral Districts Act which Parliament, as always, can accept or reject. I do not think any hon. member should balk at giving opportunity to Parliament to consider that.

If the matter is looked at fairly and squarely, bearing in mind all the surrounding circumstances, I do not think that anyone is justified in refusing to deny to the Government and Parliament the opportunity of presenting to Parliament amended proposals for consideration.

Sitting suspended from 6.15 p.m. to 7.30 p.m.

Mr. WATTS: Before tea, I was suggesting that there was no justification for anybody to refuse the Government and Parliament the opportunity of presenting to Parliament amended proposals for consideration. I had already discussed the matter and the method by which this proclamation was issued and the differences that exist between the issuing of this proclamation and one on a previous occasion when there was no doubt whatever as to the right of the Government of the day to deal with the matter in Executive Council.

I propose now briefly to set out what has taken place since the 2nd April, 1959. When the present Government took office on the

2nd April, having ascertained that a proclamation had been issued the day before, it took steps to consult the law officers of the Crown as to action which might be taken to put the desires which I have just expressed into effect; and the law officers advised that as there was no power in the Act for the revocation of the proclamation, or the revocation of the appointment of the commissioners, although the executive had in their opinion a full and unfettered discretion to decide the date on which the final recommendations of the commissioners should be published, it would be competent for Parliament by amending legislation to revoke the proclamation; and that a Bill for such amending legislation would require an absolute majority on the second and third readings, because it is provided in the Electoral Districts Act that the Act itself shall not be amended without an absolute majority in both Houses on the second and third readings.

In the light of that advice, and after further consultation, it was decided to introduce the present measure. As it was undesirable to leave the decision of Parliament in doubt longer than the present month, we decided to call Parliament together earlier for the purpose. I have already explained on another motion the reasons which actuated the advice that Parliament should be called together at an earlier date in order that this matter might be dealt with effectively. It seems to me that no question can properly arise as to the respective obligations of the Government which was in office prior to the 2nd April last and that which is in office now.

I have said I do not question the legality of the proceedings which took place on the 1st April and over the preceding six days. I do, however, repeat that I question greatly the propriety of those proceedings. When one realises that it was clearly going to be the position that the Executive Council which advised the Governor on that occasion was not going to have the opportunity of advising him after that date the previous Government in consequence could reasonably, and I think very properly, have left the matter to the decision of the incoming Government, knowing perfectly well that on such previous occasions that has been done; and, as I said, on the last occasion it took no less a time than 16 months to carry into effect; and so, without saying any more, I think I have explained the position fully and I move:—

That the Bill be now read a second time.

MR. HAWKE (Northam) [7.35]: The contents of this Bill, Mr. Speaker, certainly represent, in a way, an anticlimax to the haste which has been used by the Government to get the measure before the House. Members who care to read the Bill will realise that there is no justification for any

haste at all, and therefore there was no justification whatever for calling Parliament together early.

While dealing with that point, I would like to bring to the minds of members the fact that initially the Attorney-General unexpectedly—to me—put a foot wrong. He gave information to a newspaper reporter—so it would seem at any rate—which was to the effect that he would recommend to the Government that a special meeting of Parliament should be convened to deal with this matter.

Mr. Watts: The word used was "early."

Mr. HAWKE: And the newspaper reporter in question was responsible for having that information published and conveyed to the public. I say again that the word used was "special," and we can have that checked and find out for sure exactly whether it was "early" or "special." My recollection is that the original announcement made through the newspapers to the public was for the calling of a special session of Parliament to deal with the matter.

Where the Attorney-General put a foot wrong was in publishing beforehand a recommendation that he was going to make to Cabinet; because those who have had ministerial experience well know that collective Cabinet responsibility is a very important principle in the British system of parliamentary government. In other words, if an individual Minister publicises the fact that he is going to recommend something, and his Cabinet colleagues later have reason to turn him down, then either they or he could be put into a very invidious position.

I am sure that the Attorney-General would not make a mistake of that kind more than once in six or so years. This Bill proposes to cancel the proclamation which was issued, and to cancel the appointment of the commissioners who were appointed; and no-one can prove that there is any urgent rush to do that, even if it were considered and conceded that it is necessary to do it. I do not concede for a second that it is necessary to do it at all; but even if one conceded that it was necessary to do it, there would not be any necessity to rush to do it. I am afraid that the Attorney-General became wedded to this move many weeks ago, when it was first suggested to him by the Crown Law officers, and became committed to it, and, having put his hand to the plough, felt that he must go on.

I can understand his convincing his inexperienced Cabinet colleagues that this was the only course to be adopted, and so we have the rush and bustle of this early session, as it now is. As you know, Mr. Speaker, the session has had a false start. We were to have met a few days ago. But, all of a sudden, someone decided that that was not suitable. It was not convenient to someone, and so the whole

proceedings were thrown into chaos and hundreds of people were greatly inconvenienced by the opening being postponed. I could say that even His Excellency the Governor of the State was considerably inconvenienced; but I do not wish to bring his name into it.

Mr. Watts: I wonder which day would have inconvenienced him most.

Mr. HAWKE: This Bill, in effect, represents a pig in a poke; and a very slippery pig too.

Mr. Graham: A slimy one.

Mr. HAWKE: I would not go that far; but it is a very slippery pig in a poke. Fancy asking members of a representative assembly, such as we have here, to embrace this thing without our knowing one word about what the Government is going to introduce later on in the session by way of amendments to the parent Act. That is what the Bill is doing. It is asking every member of this Chamber to embrace its proposals—to accept it—without the faintest knowledge of what is to follow it. Any member of this House who swallows that is ever so much sillier than I thought he was.

Mr. Court: He does not commit himself to the new Bill.

Mr. HAWKE: Of course he does not commit himself to the new Bill! But he cancels out the operation of the existing Act; and that is a very vital consideration.

Mr. Court: No he doesn't! The Attorney-General explained why it would not do that.

Mr. Jamieson: I thought you were going to be confined to railways this session.

Mr. Brand: The State President of the Labour Party!

Mr. Tonkin: What compulsion is there for the new Government to issue a proclamation?

Mr. HAWKE: Beyond any question, the amendments which the Government proposes to make to the parent Act will be amendments which are of such a nature as to be dangerous from the angle of the majority of members in this House. If they are not dangerous, then at least they are doubtful, and therefore should be regarded with suspicion. Obviously if they had been acceptable generally, we would have been given some indication of them this evening; but we were not given one word—not one teeny-weeny little hint.

So members, by this Bill, are being asked to cancel the operations of the existing Act in regard to a redistribution of present electoral boundaries. We know the existing Act; we know what it contains; we know the basis upon which the independent commissioners would carry out their investigations; and therefore most of us—certainly I should hope all of us on this side—would have confidence in their investigations; confidence in their assessment of the changes in population which

have occurred in several districts; and confidence in the eventual decision which they would make in regard to the alterations in boundaries which would require to take place.

But who could have any confidence in the proposed legislation which the Government has in the bottom drawer—or up its sleeve, or wherever it is—when we do not know a thing about it? Presumably we are not to be told anything about it before consideration of this Bill is finalised. Therefore, it seems to me that beyond any question we should maintain the existing situation until such time as the Government brings its amending proposals before us. Then we can decide whether those proposals are acceptable; and, should they be acceptable, they would of course become the law; and, should they not be acceptable, the existing situation under which the independent electoral commissioners are set up could continue and they could finally bring in such decisions as they thought fit in the circumstances.

So consideration of this Bill should not be proceeded with any further. It should be held up until such time as the Government is able to bring its new proposals before us. That is the commonsense course to follow; and, most certainly, it is the fair course to follow. I said earlier, when discussing the motion for the suspension of Standing Orders, that there was no urgency for what was being attempted; and I say now that there is no urgency for the passing of this Bill.

The Attorney-General, when speaking on the motion, gave us to understand that the independent electoral commissioners have a limited period of time in which to carry out and complete their investigations, and to make their decision. What he said was quite correct. However, these commissioners are not beginners; they are not fifth-rate clerks; they are not simpletons. Some of them at any rate have had practical experience previously in this sort of thing, and I have no doubt that they have already assembled a great deal of relevant information. In fact, I would be surprised if they did not have prepared, or partly prepared, most of the information which they would require to enable them finally to make decisions.

But let us take the worst view of the situation. Let us say that the eight months which is the total period allowed to them was two weeks short, or a month short. Does the Attorney-General suggest that Parliament could not, if the necessity arose, take action to validate whatever situation might require validation? It would not be the first time that such a thing has been done. However, I am convinced in my own mind, knowing the personnel of the commission, that they would not require any extension of time provided the Government brought forward its new and mysterious legislation reasonably soon.

However, if the worst came to the worst, and the Government took a long time to make up its mind as to what the amending Bill to the parent Act should contain, Parliament could, as I have already said, take appropriate action should that legislation be defeated and the existing proclamation remain in operation. I suppose the Government will take a long time to make up its mind as to what is to be put into the amending legislation to the parent Act, because the members of the Government are not a cohesive whole. They represent two separate political parties which, at times, war with each other. If circumstances were different, I am sure the Speaker could enlighten and even astound us with information in regard to that aspect.

Mr. Cornell: I almost heard him say, "Hear, hear!"

Mr. HAWKE: Yes. I am sitting closer to the Speaker than is the member for Mt. Marshall, and I did not hear the Speaker say anything; but there were certain sound waves moving around, and maybe the member for Mt. Marshall can interpret them more rapidly and correctly than I can. Maybe there is a brotherly mental condition which produces the necessary telepathic contact.

Mr. Cornell: And maybe he has more sense.

Mr. HAWKE: On this side of the House we know, only too well—and the Attorney-General and his Country Party colleagues in the Ministry know also—that, as a political party, the L.C.L. is out either to swallow or destroy the Country Party in the politics of this State.

Mr. Mann: It will get indigestion.

Mr. HAWKE: I am glad to have the support of the founder of the L.C.L. in regard to the claim I have just made, because it makes me more certain of it. Obviously, when there are, within a Government, two factions who, to some extent, war with one another very bitterly—as you, Mr. Speaker, know from personal experience—we can easily imagine the internal struggle which would go on at Cabinet meetings as between Liberal Party Ministers on the one side and the Country Party Ministers on the other. Naturally, the Liberal Party Ministers would want the amendment to the Act to favour them; and, naturally the Country Party Ministers in the Cabinet would want the amendments to the Act to favour the Country Party.

Neither of them would want the amendments to the Act to favour the Labour Party. Quite the opposite! They would try to do with these amendments the same sort of thing that they did with the original Act. They would try their hardest to load or reload the quotas to make it more difficult for us, as a political party, to win seats. However, as I say, it seems

to me that it would be a long time before the warring factions in the Ministry in regard to this legislation would be able to compose their differences and arrive at a stage when they could say, "This is the Bill we will ask Parliament to support and to pass into law." I should think, however, that it could not take longer than, say, until September. I should think the members of the Ministry should be able to reach some kind of unanimous decision by then even if such a conclusion had to be surrounded with many qualifications either by the Liberal Party Ministers or the Country Party Ministers; and, as the Country Party Ministers would be in the minority, I think the qualifications would be held by them rather than by their Liberal Party colleagues.

On the assumption that the amendments to the parent Act would not be here until then, I say that the existing proclamation should stand and the commissioners could proceed with their deliberations. They would not arrive at any conclusions or present them, I should think, by September. But if they were close to making decisions by then, the Government could seek to amend the Act to prolong the period during which the commissioners could make their decisions; and as far as we on this side of the House are concerned, I would say that we would be prepared to grant any requests for the legislation to be extended, provided that if the legislation introduced by the Government passed through both Houses of Parliament and became the law it would, of course, supersede whatever else might have been done in the meantime.

Some may say, "All the work of the commission that had been carried out up to that time would be wasted." But would it? I do not think it would. After all is said and done, the main information gathered by the commission has relationship to the number of electors living in particular localities; and that would be as much required, in the event of any amendment to the law becoming operative, as any information would be required should no amendment to the law be conceded by Parliament. So the principal work of the commission would still be valuable, whether the existing law remained as it is or was amended in the way the Government would require it to be amended.

The only information I have been able to gather about the type of amending legislation the Government would introduce is that there could be an increase in the number of members of Parliament, either by one or three. One argument in favour of that is that at present we have an even number of members in the Legislative Assembly; namely, 50. This could lead to 25 being elected, on a general election, representing, say, the Labour Party; and 25 being elected to represent all the other people, and thereby there would be a deadlock.

I feel sure that anyone who thinks seriously about this situation and who has had any political experience at all, knows that deadlocks are likely to occur irrespective of the total number of members in any House. We have seen that happen in other parts of Australia, and we could see it happen here. So any amendment of the law in that direction would I think, have little to recommend it. Apart from the point I have made, there is the further important aspect that it would add to the cost of parliamentary government in this State; and we know that some electors are a bit touchy now about the cost of Parliament—especially about the cost of individual members of Parliament and Commonwealth members in particular.

I am sure that if the Treasurer were to introduce legislation into this House to increase the salaries of the members of this State Parliament there would be quite an outcry against it, because most electors think that members of Parliament are over-paid, anyhow. I understand, however, that some legislation may be introduced later in the session to deal with salaries. I have read where one newspaper has been advocating an increase in certain salaries; and in order that its proposal might have some justification for getting through Parliament, it stretched things a bit and included me in the proposal. All I want to say upon that point is that—and it is not quite in accordance with what should be said on this Bill—I will not support any proposal to increase anybody's salary until I know the policy of the Government in regard to quarterly adjustments of the basic wage.

We now come back to this Bill. I say there is no justification whatever for any rush in connection with it. There is no justification for its introduction at all at this stage; none whatever. Any member of the House who accepts the Bill at this time without knowing how the Government proposes to amend the parent Act would be foolish indeed.

Accordingly, I think further debate of the measure should be postponed for, say, three or four weeks from today. This would give the Government what I consider to be a reasonable chance of deciding what amendments it wishes to make to the parent Act. If there is any squabble between the Country Party and Liberal Party Ministers as to what should go into the Act, that should be resolved speedily, instead of such an argument being allowed to hold up Parliament.

Whatever legislation the Government has to introduce to amend the parent Act should come here, and we should know exactly what it is. We should know fully what it is, before we make any decision to revoke the existing proclamation, and to cancel the appointments of the existing commissioners of the Electoral Commission.

MR. BRAND (Greenough—Premier) [8.21: Though the Leader of the Opposition made a masterly speech, it was one of evasion. He did not deal with the main point we are discussing in this debate and which is the subject of the Bill. We decided, as a Government, to take this action to revoke the proclamation that was set in motion by the previous Government after it had been defeated at the polls. We decided to take such action on the advice of the Crown Law Department that there was some time limit.

As all members know, and as the Leader of the Opposition knows, the Address-in-reply debate has been known to continue here, not for three weeks, but for six weeks; and as it is our intention, as a Government, to give a reasonable opportunity to all members to speak on the Address-in-reply debate on this occasion, we do not wish to bind ourselves to a limited time.

Mr. Graham: How can you stop the Address-in-reply debate?

Mr. Tonkin: It is your responsibility to carry out the law.

Mr. BRAND: We decided to take this action to revoke the proclamation before the debate on the Address-in-reply in order to get various stages of the Bill through in one sitting. It is an indication of our desire to set the clock back; to regain the position that would have obtained had the proclamation not been set in motion by the previous Government.

The position would have been that we, as a Government, would have decided what steps we should take to amend the electoral laws, and we would do that in due course. We are not in any way called upon to produce to Parliament, at this stage, the details of a Bill to amend the Electoral Act. All we are asking Parliament to do is simply to revoke the proclamation in order that the elected Government of the people might make its decision, bring legislation to this House, and allow Parliament to then make the decision. That simply is the position, and well does the Leader of the Opposition know it!

Mr. Hawke: I know you are trying to sell us a pig in a poke.

Mr. BRAND: The Leader of the Opposition talks about there being a great deal of hurry and bustle. I should say that the finest example of hurry and bustle was set by the Leader of the Opposition and his party after election day in order that they might set this machinery in motion to bring about a redistribution of seats in case there was intervention by us. I do not wish to cover aspects already dealt with by the Attorney-General—

Mr. Evans: You couldn't.

Mr. BRAND: I admit that. I know my shortcomings and my limitations. The Attorney-General very clearly indicated to the House the reasons why the Government

decided, upon the advice of the Crown Law Department, to take the action it has, knowing we require a constitutional majority. We do not ask members to carry on this debate day after day. The Attorney-General offered to adjourn the debate, but the Leader of the Opposition saw fit to go on with it. I want to make it clear, therefore, that we do not intend to delay this matter any further than the offer made by the Attorney-General; namely, an adjournment for one day.

The Leader of the Opposition has made his case; and I urge that we proceed with the legislation, get the Bill through, and let Parliament decide what shall happen. I do not propose in any way to allow this matter to go over the week-end, because we intend to proceed tomorrow if the debate is adjourned.

Mr. Hawke: You are not a dictator yet.

Mr. BRAND: No; and I never will be. I never will be the sort of dictator that the Leader of the Opposition has experienced from time to time on his side of the House.

Mr. Hawke: You are not talking about the Beaufort-st. butcher are you?

Mr. BRAND: I am not talking about any butcher on Beaufort-st. It is interesting to hear the Leader of the Opposition trying to draw the old red herring across the trail. We anticipated that an attempt would be made to drive wedges between the Liberal Party and the Country Party, but we will last as long as any other coalition government has lasted; and in our loyalty to each other, we will carry out our policy. As for internal struggles, the Leader of the Opposition should know a lot about that. Victor Johnson certainly knew about it, and a few other people in his party knew. There are a few others on that side of the House—

Mr. Graham: Do you mean the member for Mt. Lawley and the member for South Perth?

Mr. BRAND: I rather expected that the Independent-Liberals would be brought into it; but they can speak for themselves. At the moment I am telling the Leader of the Labour Party something about internal struggles—a subject about which he should know a great deal. I do not propose to delay this matter any longer. I simply state the Government's intentions in regard to the policy schedule it intends to carry out. I have pleasure in supporting the Bill.

MR. TONKIN (Melville) [8.8]: The proposal before the House is one of the most extraordinary that has come under my notice since I have been a member here.

Mr. I. W. Manning: The action was extraordinary.

Mr. TONKIN: If the hon. member will be patient for a little while we will see if it is an extraordinary action. What

the Government is asking Parliament to do is to permit it to evade the law—a law which the Government itself was responsible for having placed upon the statute book. It is as well that we should know what this law is. In accordance with the usual practice, all members of the Liberal Party and the Country Party—before they were actually in the saddle—were thinking out ways by which they could alter the electoral law to keep them in it, precisely as they had done when they gained Government before. On that occasion this was the Bill which they introduced for the express purpose of enabling them to remain for a long time in government. I shall quote from Section 12 of the Act.

Mr. Brand: What was the intention of the Electoral Districts Act Amendment Bill which your Government introduced?

Mr. TONKIN: It says—

- (1) The State may from time to time be wholly or partially redivided into Electoral Districts and Electoral Provinces by Commissioners appointed under this section in manner hereinafter provided whenever directed by the Governor by Proclamation.

- (2) Such Proclamation shall be issued—

It says “shall be” issued and not “may be”, or please oneself about it. It continues—

- (a) on a resolution being passed by the Legislative Assembly in that behalf; or
- (b) if in the report by the Chief Electoral Officer to the Minister to whom the administration of the Electoral Act, 1907-1940, is for the time being committed, as to the state of the rolls made up for any triennial election it appears that the enrolment in not less than five Electoral Districts falls short of or exceeds by twenty per centum the quota as ascertained for such districts under this Act.

Mr. Watts: How long after the report should you issue the proclamation?

Mr. TONKIN: This was the Act for the framing of which the Minister who has just interjected was partly responsible. It was intended that this should be automatic. As a matter of fact, the Government of the day saw virtue in the fact that it was intended to be automatic.

Mr. Watts: Why did you take 16 months to issue the proclamation in 1954?

Mr. Brand: That was a horse of a different colour.

Mr. TONKIN: The Attorney-General was either simulating very badly when he introduced that Bill, or else he has fallen from grace since that time, because this was what he had to say about that particular Act:

Mr. Watts: I did not introduce it.

Mr. TONKIN: Who said the hon. member did?

Mr. Watts: You referred to the Attorney-General.

Mr. TONKIN: The hon. member was not dumb when the Bill was introduced.

Mr. Watts: Maybe not; but I did not introduce it.

Mr. TONKIN: I did not at any stage say that the present Attorney-General introduced this Bill. Sir Ross McDonald introduced it. Nevertheless this was what the member for Stirling said—

It is desirable to do that which was considered right rather than that which was considered expedient.

So in 1947 it was considered right to put automatic provisions in the Act, according to the present Attorney-General; but it is not right for a Government to put the machinery into motion. Of course, that was what we, as a Government, did; we just put the machinery into motion.

Let us see what the Attorney-General said when he introduced this Bill—and I am referring to Sir Ross McDonald. He said—

The Bill further provides that when so decided by resolution of the Legislative Assembly, or if five or more electoral districts get out of balance as to the number of electors by 20 per cent. or more, the commissioners shall proceed to make a new distribution of Assembly seats, and again that redistribution will automatically operate.

It was intended by the framers of the law that the law should operate automatically. Because the Hawke Government followed the procedure laid down to allow this Act to operate automatically, it was supposed to have done something which was lacking in propriety.

Let us see what the wonderful paper *The West Australian*—the newspaper which was responsible for putting the present Government into office—had to say. Members opposite might laugh, but they know it is right. This was what it had to say then; not what it says now. I shall later on read what it says now. This was what *The West Australian* had to say when the Bill was introduced—and it is well to take in every word—in its leading article of the 28th November, 1947—

It is a good and necessary Bill, a fair and even generous Bill, and it incorporates two eminently desirable principles which are new to this State and which merit the widest public approval. These principles are automatic future redistribution whenever enrolments exceed a permissible margin of error and the definition of new

boundaries by a body out of Parliament itself. It will be encouraging to think that these two principles, at least, will never be altered.

The very people responsible for putting this provision into the Act are those who are now seeking to alter it, and who are kicking up a shine because the Hawke Government dared to put the machinery in motion to allow this principle to operate, a principle which *The West Australian* believed ought never to be altered. This is the automatic provision for a redistribution when more than five electorates are out of balance.

There are 10 electorates out of balance; and the Chief Electoral Officer has so reported after making up the register for the triennial election. So the requirements of the law have been properly and adequately met. All that the Hawke Government did—which the Attorney-General thinks meant a lack of propriety—was to permit this very admirable principle of automatic redistribution to proceed. If there was any honesty in the present Attorney-General when he told this House in connection with that particular Bill that the Government had done that which was right, rather than that which was expedient, how can he complain now, if this very law is permitted to operate?

What does the Government seek to do? It seeks to ask this Parliament to prevent this law of the land—its own law—from operating. That is the action of a pirate or a brigand, not that of a responsible Government. The Ministers who now laugh to keep up their courage have taken an oath of office to uphold the laws of the land.

What is the Government asking us to do? It is asking us to undo something which the law requires to be done, without giving us the slightest indication of the proposed alteration to the law. I say it is incumbent upon the Government to advise the Parliament of the nature of any proposed amendments before asking us to prevent the existing law from operating.

I asked the Attorney-General earlier whether he proposed to say a great deal, because I expected he would, in view of an advertisement I saw in *The Farmers' Weekly*. The Attorney-General, who is Leader of the Country Party, disclaimed all knowledge of this advertisement.

Mr. May: He never even thought of it.

Mr. TONKIN: I do not know who was responsible for it, but it is headed "The Country Party Speaks." So apparently somebody else is speaking for the Attorney-General, or he is speaking in his sleep.

Mr. Graham: Sausages again.

Mr. TONKIN: The heading is, "Amazing Action by the Defeated Government." Amazing action to permit a law, passed

by the Liberal-Country Party Government for this very purpose, to operate! That is an amazing action!

Mr. I. W. Manning: It sure is!

Mr. TONKIN: An amazing action to abide by the law?

Mr. Roberts: They did not contemplate that a defeated Government would take that action.

Mr. TONKIN: Was there anything wrong with anybody who, at the time, was charged with the responsibility of governing the State—and we were, because you were not ready to take over because of wrangling—

Mr. Bovell: Rubbish!

Mr. TONKIN: Is there anything which says it is wrong to carry out the law? That is all we did.

Mr. Bovell: You took long enough. You could have carried it out in 1953 or 1954.

Mr. Roberts: Didn't the Easter holidays intervene?

Mr. TONKIN: They had nothing to do with it at all. Let us get on with the advertisement—"The Country Party Speaks"—of which the Leader of the Country Party knows nothing. It says at the bottom that it is an advertisement. If it had not been an advertisement, I would have replied in the paper; but as it was an advertisement, I let it pass. It says that the action of the caretaker, defeated Hawke Labour Government, in gazetting a proclamation for the distribution of seats under the Electoral Districts Act approximately 24 hours before its resignation was tendered to the Governor, must be strongly criticised. What for? Is one to be criticised for carrying out the law? If there is to be any criticism, it must be of the present Government for trying to prevent its own law from operating. That is the situation.

Attempts have been made to show that we should have known all about some foreshadowed amendments to the Electoral Districts Act. I asked the Attorney-General when he was speaking tonight whether he stated this in his policy speech. He said he did on the 27th February. I had already read a report of his speech in *The West Australian* some weeks or months ago and I had not seen any reference to this. Therefore, to refresh my memory, during the adjournment I read the report again, and there is not a line about it.

Mr. Watts: That is not my fault.

Mr. TONKIN: There is not a line in *The West Australian* of this policy. Unfortunately, I was not able to go to Mt. Barker to hear the Attorney-General speak.

Mr. Bovell: You could have heard him over the air as I did. What he says is correct.

Mr. TONKIN: The Minister would not know.

Mr. Bovell: I do know.

The SPEAKER: Order!

Mr. TONKIN: The point I am trying to make is that the fact that the Minister for Lands says he heard the statement, is no reason why I should be expected to know that it was said. In order to see if there were anything wrong anywhere, I had a look at the issue of *The Farmers' Weekly* which came out immediately following the speech of the Leader of the Country Party. There was no mention of it in that paper, so I thought maybe I would find it in the *Albany Advertiser*; but there was no mention of it in that paper.

Mr. Perkins: Did you have a look at the *Worker*?

Mr. TONKIN: I only looked in the likely places.

Mr. Watts: I will have to introduce you to the *Southern Sentinel*. I can see that.

Mr. TONKIN: I then thought it possible that I might find some reference to it in the speech made by the Premier, but there is not a line mentioned in that speech either. I very much doubt if the Premier referred to it.

Mr. Brand: He did.

Mr. TONKIN: Where and when?

Mr. Brand: Geraldton, Kalgoorlie, and in reply to questions in a number of places.

Mr. TONKIN: As it received so little publicity—as the facts I have stated show—how can we be blamed if we were unaware of the proposal? It must have been a very nebulous one, because at the present moment the Government has no clear idea of what it proposes to do.

Mr. Brand: Go on!

Mr. TONKIN: If it had, it would introduce a Bill now instead of making two bites at the matter. What it wants to do is to evade the law, and then take its own time in coming to agreement on the provisions for an amendment of the Electoral Districts Act. If the House agrees to the Government's proposal, this will be the situation: We will have a law which says that when the Chief Electoral Officer has reported after a triennial election that there are more than five seats out of balance, a proclamation shall be issued. That law will still remain if we pass the Bill that the Government has introduced, and the situation will be that the Government will be in possession of a report from the Chief Electoral Officer saying that 10 seats are out of balance, and we will have a law requiring that a commission shall be set up as a result of a proclamation; that a redistribution shall proceed; and the Government will immediately do precisely nothing about it.

Mr. I. W. Manning: The same as you did.

Mr. TONKIN: That will be the situation if Parliament agrees to this Bill. We will be saying to the Government that

we agree it should not carry out the law—its own law—and we agree that it should completely disregard the report of the Chief Electoral Officer and do nothing about it until it is pleased to take action. The Government may not last three years.

Mr. Roberts: It will.

Mr. TONKIN: The hon. member who said that knows more than any of us. He is able to see into the future. Good luck to him!

Mr. Roberts: He has confidence in the Government.

Mr. TONKIN: All sorts of things can occur during the life of a Government; and members die. We had that experience when a member in a key seat—a member of the Labour Party—died, and the Government lost its majority. This Government has no true majority in its own right. It is in a minority on the floor of the House. It cannot pass a single motion with certainty unless it gets the vote of at least one Independent member.

Mr. Brand: What about Tasmania?

Mr. TONKIN: The situation is different here. Unless the Government gets the vote of at least one Independent on every motion it introduces it cannot proceed.

Mr. Brand: That is the position in South Australia.

Mr. TONKIN: And on constitutional questions it requires the vote of both.

Mr. Bovell: That happened in the Federal Parliament when John Curtin was Prime Minister.

Mr. TONKIN: And they did not last the three years.

Mr. Hawke: Eighteen months!

Mr. TONKIN: That is the point I am making. Under those circumstances the Government is not entitled to assume—although it may—that it is sufficiently well entrenched to hold power for the complete three years. That being so, there is a responsibility upon it to see that if an early election takes place, it will take place on the proper boundaries. At present there are 10 seats out of balance. Therefore it should not, in anticipation of an amendment of the law, which may never be agreed to, hold up the requirements of the existing law for which it was responsible. I say we would make ourselves the laughing stock of the country if we gave authority to the Government to avoid the law and to leave the law as it stands requiring us to do something which has already been done and which we wiped out.

Mr. Ross Hutchinson: That is ridiculous.

Mr. TONKIN: Ridiculous, is it? Of course the hon. member for Cottesloe would not understand it.

Mr. Watts: Parliament can make laws and unmake laws.

Mr. TONKIN: I can completely ignore the interjection by the member for Cottesloe, because from past experience I have realised that he would not understand.

Several members interjected.

The SPEAKER: Order!

Mr. Crommelin: You were brought up in the same school, anyway.

Mr. TONKIN: In due course, it will percolate through the Minister's mind and he will come to understand what I am talking about. In the meantime, I cannot afford to wait.

Mr. Hawke: I think the Minister for Health should be taken over by certain of his special officers.

Mr. TONKIN: I ask by what right the Government arrogates to itself the power which it proposes to take to undo something which the law requires to be done, without amending that law which still requires it to be done? The Government is responsible for prosecuting people for not obeying the law, and it would be no answer in the court to say that they anticipated the law would be altered in the future. We are expected to obey the law as it stands. As a matter of fact, the Ministers have taken an oath to do that and to uphold the law. Instead of that, the Ministers propose by this Bill in Parliament to undo something which the law required to be done.

Mr. Watts: You deny the right of Parliament to change the law?

Mr. TONKIN: But Parliament is not changing the law.

Mr. Watts: Nobody else will change it.

Mr. TONKIN: This does not change the law. Is the Attorney-General suggesting that it does? The Attorney-General is coming up with the old dodge—the lawyer's dodge.

Mr. Watts: It proposes the alteration of the existing law.

Mr. TONKIN: He suggests this changes the law.

Mr. Watts: I did not.

Mr. TONKIN: Oh yes you did! It does not do anything of the kind. It leaves the law precisely as it is—a law which requires the Government to take steps to see that a proclamation is issued. That will be the law even if we pass this Bill within this coming week. That will be the law of the land. As the Government has received from the Chief Electoral Officer a report indicating that more than five seats are out of balance, a proclamation should be issued. And that will still be the law even if this Bill is passed.

Mr. Hawke: Of course it will!

Mr. TONKIN: And that is the position the Government will be in; and the Attorney-General ought to be the last man to attempt to defend a situation like that, because he is the head of the Crown Law

Department, and he is authorising prosecutions daily against people who do not carry out the law. There is a law which says you have to register your orchard; and if there are people who neglect to do it, the Attorney-General will authorise prosecutions against them. For what? For not carrying out the law. But he is asking this Parliament—

Mr. Rowberry: To interfere with the administration of the law.

Mr. TONKIN: Exactly! So that the automatic provision for which he himself was partly responsible is being ignored. I have never in all my experience in this House met with a similar situation.

Mr. Crommelin: There must always be a first time, you know, from which something can be learnt!

Mr. TONKIN: Yes. We can learn from a group like that all right. Always changing something! The name has been changed over and over again. Positions in the Civil Service are changed.

Mr. Roberts: The Government is changed.

Mr. Graham: No; you didn't do that!

Mr. Court: Would you mind solving a mystery for us before you resume your seat? Why did you have one code of conduct in 1959 and another in 1953-54?

Mr. TONKIN: We did not.

Mr. Court: It took 16 months one time and two days the other.

Mr. TONKIN: Oh, did it?

Several members: Yes!

Mr. TONKIN: The situation is not completely comparable at all.

Mr. Watts: There were more than five seats out of balance.

Mr. TONKIN: As a matter of fact, we knew—and the Government's subsequent actions proved it—that if it were left to them it would never be done. The law would never be carried out.

Mr. Court: You have been telling us it is automatic.

Mr. TONKIN: That was the intention. That was the claptrap put over us in 1947, when the Attorney-General simulated great interest and righteousness, and said that we were here to do what was right rather than that which was expedient.

Mr. Jamieson: The Minister for Railways is supporting a law to prevent the law operating automatically.

Mr. Watts: Not at all!

Mr. TONKIN: What is he doing now? Is he now advocating a course of action which is right, or expedient?

Mr. Hawke: He would not know.

Mr. TONKIN: That is the question I am posing. He either simulated this great honesty of purpose in 1947, or he has fallen badly from grace since, and has a different

outlook on what is right, proper, and expedient. I say there is an obligation on him to do what is right, especially as the Attorney-General; and the right thing to do is to carry out the law. *The West Australian*, which thought this was such a marvellous Act and that it had provisions which could never be altered, has completely changed its mind.

Mr. Hawke: That is not uncommon.

Mr. TONKIN: This wonderful position which should be applauded by the people and should never be altered—this automatic redistribution—is forgotten about; and this is what they think now. The new Government is entitled to upset the move, and the new Government is entitled to prevent this automatic redistribution which it so strongly applauded before. And then, in its most recent leading article, it goes on to say that there is no obligation on the Government to tell the Parliament what it proposes to do with regard to an amendment of the Electoral Act. It can take its own time about that, but what it should do is to proceed quickly and annul this proclamation.

If this newspaper has had any pretensions to being called a great paper, it has now forfeited the lot of them; because one would expect that a newspaper which enjoys the circulation that this one has, would at least tell the Government that its responsibility is to uphold the law—not to see what it can do to upset the law and to break down a principle which it previously applauded.

Before concluding, I propose to read this again, in order that members may have it quite clearly in their minds, and so that we may get a proper appreciation of the perfidy of this paper. This was the article published when this Act, under which we are now supposed to operate, was passed by the Liberal-Country Party Government, of which the present Attorney-General was Deputy Premier—

It is a good and necessary Bill; a fair and even generous Bill and it incorporates two eminently desirable principles which are new to this State and which merit the widest public approval. These principles are automatic future redistributions whenever enrolments exceed a permissible margin of error, and the definition of new boundaries by a body outside Parliamentary control.

And this is the part that I like—

It would be encouraging to think that these two principles at least will never be altered.

And at the first opportunity they are going to go overboard! That is the sorry pass to which we have come. That Act was passed by the Government with the assistance of two Independents.

Mr. Bovell: And with the assistance of the then member for North Perth, Mr. Needham.

Mr. TONKIN: The assistance of two Independents, and as many more supporters as the Government could scrape up.

Mr. Watts: Including your colleague from North Perth.

Mr. TONKIN: That was a principle with which he agreed—

Mr. Watts: Don't get cross about it!

Mr. TONKIN: —but I do not think it likely that if he were here now he would be found voting with the Government on this Bill.

Mr. Bovell: Of course he would. He was a most honest man.

Mr. TONKIN: There is no honesty about this, and the less the hon. member says about honesty in regard to this Bill the better. There is no honesty about a Bill which asks Parliament to permit the Government to evade the law. It would not be so bad if by this Bill it was altering the law which no longer required it to do these things; but the law will still be there requiring that this very thing which it is keen to annul shall be carried out.

I want to see the men who are going to be a party to this procedure, because it is the commencement of anarchy in a country. There is nothing democratic about it. It is the commencement of anarchy when a Government asks Parliament, without amending the law, and still leaving the requirements there, to absolve it from the necessity of carrying out the law. I hope this Parliament will never agree to that.

MR. GRAHAM (East Perth) [8.45]: I move—

That the debate be adjourned for three weeks.

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

Ayes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nuisen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Noes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Majority against—3.

Motion thus negatived.

MR. W. HEGNEY (Mt. Hawthorn) [8.50]: My remarks on this Bill will be comparatively brief.

Mr. Graham: That's a pity.

Mr. W. HEGNEY: But at the outset, Sir, I would like to congratulate you on your appointment as Speaker, and I am sure that you and I will get on well together during this session. I know that you will be impartial and will carry out your duties to the best of your ability.

In 1947 I was a member of the then Opposition, and I opposed the introduction of the existing Act, which is at present under discussion. I have a vivid recollection of the attitude of the Government of the day, and I endorse the principles set out earlier by my Leader and Deputy Leader. It would be quite competent for Parliament, later in the session, to introduce any appropriate amendment in regard to the proclamation or proposed proclamation of the commissioners. I also hold the view enumerated by my Deputy Leader that if this measure is carried it will not alter the law. If it is passed the proclamation which has been issued will be abrogated, but the law will still stand; and there is no guarantee that any amendment will be carried.

If the law is to remain as it is, and the Chief Electoral Officer submits certain information to the Attorney-General, what is the Government going to do? Will it carry out the law, or will it evade the law? Will the Government issue the requested proclamation or will it just forget all about the provisions of the Act?

To my way of thinking the Government has acted like a cat with its first mouse. There is no need for it to carry on like this. There would have been plenty of time to allow the Address-in-reply to proceed, and then any amending Bill could have been introduced by the Government in due course. At this stage I do not say that the Government has no clear majority from the electors, but something has been said about its having a mandate from the people. I believe that the Government has no mandate, although it is constitutionally elected. It has not been elected by a majority decision of the people and, consequently, I think a measure of this nature is well out of order.

During his speech, the Attorney-General said something about the unbalance of the population. He visualises some measure which will Liberalise or Country Party-ise the electors, or the election of representatives from country districts.

Mr. Nalder: Where did you coin that one?

Mr. W. HEGNEY: I do not know whether the Minister for Agriculture was here in 1947; but I have a vivid recollection of what took place then. The Opposition strongly fought the measure because in it there was a provision to eliminate a country district. From time immemorial

there had been four electorates in the North-West—Kimberley, Pilbara, Roebourne and Gascoyne. But by the Bill, introduced by the then Attorney-General, one country district was to be eliminated, despite the isolated nature of those electorates.

Mr. J. Hegney: Why?

Mr. W. HEGNEY: Yet the Attorney-General says this evening that the idea will eventually be to make the representation in certain country areas more generous. As my Deputy Leader has said, if the provisions of the Act give the electoral commissioners authority to draw up electoral boundaries, and give any person the opportunity, within two months, of lodging an appeal or objection to the proposals before finally gazetting the provisions, thus removing the whole business from Parliament, why is there any need to change it? If this system has been satisfactory, logical and ethical in the past, why change it now?

I happened to hear, earlier this evening, the Minister for Lands say, by way of a sneer, or an interjection of some sort, that the attitude of the previous Government was of a snide nature. I am not thin-skinned but I certainly object to the use of the word "snide," when the Government of that time was charged with the responsibility, as my Deputy Leader has said, of carrying out the law. Although the election took place on the 21st March, the Government of that day was still legally the Government and it merely carried out the law. Yet the Minister for Lands says that it was a snide practice.

As a matter of fact, for a few days after the election there was no guarantee that there would be a fusion of the two parties which now constitute the Government. There was more confusion than fusion; and, although it has been said that the Easter holidays intervened, we all know—and members of both those parties, whether private members or ministers, would agree with this if they spoke truthfully about it—that there was bartering, and backing and filling, as well as orders and demands before the various Ministers were elected and duly sworn in.

I think the Government has been most injudicious in bringing down a measure of this nature at this stage. Why does not the Government bring down a Bill to indicate to Parliament what the proposed amendments will be? Does the Government propose to eliminate the function of the commissioners? Does it propose to alter the quota which is now set down in the Act? Does it propose to eliminate another North-West seat, or two North-West seats? Just what does the Government propose to do? Before Parliament agrees to a Bill of this nature we should have an indication from the Government of what amendments it proposes to make to the parent Act.

That is the attitude I adopt, and I appeal to the new members not to be misled. They will find themselves in a position where they have to make up their minds one way or the other. If members of the Liberal and Country parties wish to stand on their own feet, do their own thinking and make a decision in accordance with the argument and evidence adduced in this debate, I have no doubt that the Government on this occasion will fail to achieve its objective. I hope the new members will give serious consideration to the sincere arguments advanced by members on this side of the House, and indicate to the Government that it should withdraw the Bill and introduce amendments to the parent Act in due course.

Point of Order.

Mr. OLDFIELD: Mr. Speaker, may I at this stage ask you for a ruling? Page 243 of the Standing Orders, dealing with the Electoral Districts Act, Section 12, Subsection (2), states—

Such proclamation shall be issued—

- (a) on a resolution being passed by the Legislative Assembly in that behalf.

The ruling I would like is in two parts: Firstly, does such a resolution require a constitutional majority or only a simple majority; and, secondly, would legislation be permitted at a later stage of this session of Parliament in view of the Bill we have before us this evening?

The SPEAKER: The member for Mt. Lawley has asked if the provision in Section 12 of the Act needs to be carried by a simple or a constitutional majority. That is how I view his question. Is that the point?

Mr. OLDFIELD: Yes, that is the point, Sir. I would now like to ask you a further question. Would it be permissible to introduce legislation at a later stage in this session in view of the fact that we have this Bill before the House at the moment?

The SPEAKER: In answer to the first part of the hon. member's question, I rule that a simple majority would be needed. As to the second question, I am not able to indicate what action Parliament will take with this Bill. However, as I understand the position, the normal procedure in regard to this legislation will be followed, unless Parliament in its wisdom decides to amend the Bill in the meantime. I would suggest, however, that whilst the legislation, as printed on the statute book, remains in force, it should be carried out.

Mr. OLDFIELD: Thank you for your ruling, Mr. Speaker. It probably does clarify the position somewhat in regard to the action to be taken at a later stage if any amendment to the Electoral Districts Act were referred to Parliament.

Debate Resumed.

MR. OLDFIELD (Mt. Lawley) [9.3]: At the outset, I would say that the outgoing Government did not commit any wrong. I think it performed a very shrewd tactical move politically. The Government saw the opportunity to perform something in the dying hours of its administration and seized upon it. I feel sure that the Government which went out of office in 1953, and which I supported, would have done exactly the same thing if it had thought of it.

There is something to be said for a redistribution of seats early in the life of a new Parliament because this enables all members, who are vitally and personally interested, to know what the new boundaries will be at the forthcoming elections. They do not want such information disclosed in the last six months of the Parliament. On the contrary, they want to know well in advance what the new boundaries will be. I think every member of this House will agree with me on that point, especially those country members who have large areas to cover when electioneering. It would apply more particularly to a member whose seat was abolished as a result of the redistribution because he is placed in the invidious position of having to make the necessary overtures for endorsement to contest a new seat that has been created and also to make himself known to the electors of that new electorate.

Earlier this evening it was mentioned that there could be an early election, because deaths among members do occur. Ministers are in the habit of travelling in the company of each other by plane or by motorcar and there is always the possibility that they may meet with a fatal accident. I point out that in 1940 two Ministers of the Commonwealth Parliament were killed in a plane crash; and, as a result, the Commonwealth Parliament of the day went out of office shortly afterwards.

Referring to the policy speech of the Deputy Premier and Leader of the Country Party, it is a fact that in that speech he indicated to the people of Western Australia that, if elected to the Government benches, he would propose an increase in the number of Legislative Assembly seats. He also intimated certain proposals whereby provincial quotas would be created in those country electorates where it was deemed necessary. From what he said, I understood him to mean that members representing electorates such as Kalgoorlie, Boulder, Geraldton and Bunbury did not have the right to represent only the same number of people as those members who occupied the seats of Murchison or Eyre—electorates which have wide, far-flung boundaries.

I consider that, in view of the peculiar position in which Western Australia is placed, in the electoral sense, with the

majority of the State's population living in the metropolitan area and a great portion of the remaining population resident in the South-West Land Division, a small minority is resident in an area which, in acreage, represents 85 per cent. of the State. In view of these facts, I consider that we are unable to adopt the electoral provisions that apply to the Commonwealth Parliament whereby members are elected on the principle of one man one vote. If we followed that practice in Western Australia it would be unfair to the people in outback areas. Nevertheless, it is probably the fairest system on the basis of the taxpayer's right to cast a vote.

In view of our peculiar position, electorally, it would be, therefore, advisable, before any proposals were mooted to amend the Electoral Districts Act, to have an all-party committee constituted, comprising members representing country seats and members representing metropolitan seats, in equal numbers, to inquire into certain proposals and to make recommendations concerning them to the House.

I hope it is not the intention of the Government or the Attorney-General, at any future date, to try to amend the Act with a view to increasing the loading in favour of the country constituencies, because I feel, as a member representing a metropolitan seat, that I would be very loth to support it. I think that a two-to-one loading in favour of the country would be a fair proposition; especially when we take into consideration the fact that the North-West has three members to represent it with a total electoral roll of 5,000 people, whereas the member for Wembley Beaches is representing 16,000 electors and the member for Beeloo represents 13,000 or 14,000.

Mr. Bickerton: They are pretty good people up there.

Mr. OLDFIELD: I agree. They have to be good to live in the North. They are either good or odd. However, I will give the hon. member the benefit of the doubt and say that there may be a few oddities, but the great majority of the people in the North are good citizens who are prepared to venture into the outback to develop this great State of ours. If a tribunal is charged with the responsibility of redistributing electoral boundaries, I do not consider it would be fair to place it in the position of having to do the job all over again following the acceptance of any proposal by the members of this House and those in another place.

Therefore, at this stage, possibly no harm could be done by the House passing the Bill with a view to deferring the proclamation and then, if later in the session

any proposals are introduced that are unacceptable to Parliament, and an all-party committee is not set up to make recommendations, in view of your ruling, Sir, it would appear that the House itself could introduce such a motion to effect a redistribution of seats.

Mr. Graham: Where would the two Independents stand if that were done?

Mr. OLDFIELD: I would be prepared to support such a motion.

Mr. Graham: What about the other half of your party?

Mr. OLDFIELD: I have not discussed it with the Whip as yet. Possibly we have a dictatorship in our party as there is in the other three parties. In view of the fact that it is permissible to move such a motion, and in view of what I have already said, I think we can do it later in this session. Such redistribution would then be known to members not by September, but by the following February or March. We would be only postponing the issue for a period of four or five months. In view of your ruling tonight, Sir, I am prepared to give the measure my support.

MR. ANDREW (Victoria Park) [9.11]: I desire to make a few observations on this measure. Before proceeding to deal with the points on which I wish to touch, I want to say to members of the Government that if they have any complaint to make in regard to the action of the Hawke Government in issuing the proclamation in question they have only themselves to blame. I say they have themselves to blame, because the then Premier (Mr. Hawke) said he was prepared to vacate his office and hand over on a certain day. But, because the Government was not a well-knit body—its members could not agree among themselves—it asked the then Premier to remain a while longer in Government, until the Liberal-Country Party members could reach some agreement. They did not say this in quite so many words, but that is what happened. They did not take over the reins of Government immediately.

The election was held on the 21st March, and we knew the general result late that night. The members of the present Government could have taken over at any time they were prepared to do so. But they did not take over until the 2nd April, which was quite a long delay. Now they are complaining about something that happened then. They squabbled among themselves. We do not, of course, know the real facts of the case, but apparently there was considerable disagreement among them, and they could not reach agreement for some considerable time, and, as a result, they could not take over the reins of Government. This has in fact prompted one of my electors to

send me a letter which, Sir, with your permission I would like to read to the House. It is as follows:—

Once upon a time there were two little bears, one named Brad and the other named Wally. One was a city conservative bear and the other a country bear.

Well, they got together in the city and decided to build a house between them, but they couldn't reach agreement on how to build the house because the conservative bear Brad was too mean and the country bear Wally wanted to have too much to say.

They argued all day and far into the night and it was only the threat of a hawk hovering nearby which eventually caused Brad and Wally to each give in a little in order to reach agreement on the type of foundations to be used.

More trouble is to come because a couple of cousins of Brad's are not entirely in agreement, and as they are very influential cousins they may yet cause the house to topple before the mortar has time to set.

The hawk also remains a constant threat to them because when he is not away destroying the field mice that threaten the crops he and his friends are keenly interested to see that the house is well built. He has doubts that the two little bears do not even know Watt Brand of cement to use.

Mr. Roberts: Are you going to read your reply to that letter?

Mr. ANDREW: The hon. member can give his reply when the time comes. I would say that it is indicative that the Government parties were not capable of taking over for some considerable time after the election. I daresay they have now ironed out their differences and formed a Government. Had they taken over the reins of Government at the appropriate time—say three or four days after being elected—this would not have occurred. But they left themselves open, and they were beaten on the matter.

The Premier has said that the Government is taking this action on the advice of the Crown Law Department. I suggest that the Attorney-General asked the Crown Law Department for the advice. I am sure the Crown Law Department would not give the previous Government advice, and then immediately turn around and give the incoming Government contrary advice. I take it the department was asked what could be done to overcome a certain position; but the Premier has told the House that the Crown Law Department advised such and such an action.

As far as I can see, the Bill introduced tonight seeks to legalise an unlawful act. The previous Government carried out the law as has been explained by the Leader

of the Opposition, the Deputy Leader of the Opposition, and the member for Mt. Hawthorn. The present Government does not want to carry out the law of the country, and it is bringing in a Bill to legalise its evasion of the law: a law which, from the speeches made tonight—and which have not been contradicted—was brought in by members of the Government, and in which the present Attorney-General took part. That is my first point.

My second point is that I consider the Attorney-General, and members of the Government—as previous speakers have said—should have told us what they intend with regard to the electoral Bill. We have a perfect right to know what is going into the Bill. They are stopping the operation of the present Act by a Bill which they introduced tonight, and yet they have not told us what they intend to do when they have wiped it out. Up to date all they have done is to evade the law, and attempt to legalise that evasion, but they have not said what they propose to do in regard to amending the Act. It is quite possible that some members on this side of the House may be in agreement with some of the provisions of the Bill; on the other hand, we may not be in agreement.

Mr. Toms: It will be so loaded that it is unlikely we will be.

Mr. ANDREW: One of my colleagues has said it is not likely we will be in agreement, because the members of the Government are inclined to load these things their way. We still have the right to know. Another aspect is that the Attorney-General made a statement about the time limit. About 3½ months have gone; two months will elapse to permit of objections to be lodged after the commissioners have brought in their findings, and it will not take the Government very long to bring in a Bill to amend the Electoral Act. The amendments would take precedence over the present Act. I cannot understand why the Government has not done that.

I think it has been very wrong in introducing this Bill. It has only itself to blame, and it now wants to legalise its action of breaking the present law. Apart from anything else, the Government has not told us what it proposes to do. In the circumstances every member in this House is justified in opposing the Bill which is now before us.

MR. J. HEGNEY (Middle Swan) [9.21]: First of all I would like to congratulate you, Mr. Speaker, on being elected as the Speaker of this House. I have no doubt that when the end of your term comes you will have given a good account of yourself. It is a long time since I have taken part in any discussions on the floor of the House. I feel I should do so this

evening, because it has been shown that there is no justification for the Bill introduced by the Attorney-General.

It has been shown very clearly that even if this Bill is passed, the obligation will still rest on the Government to issue a proclamation to give effect to the terms of the Electoral Districts Act. For that reason I cannot see why this Parliament should stultify its action by agreeing to the proposition before us, and then see the spectacle of the Government having, at some future date if it is the right thing to do, to issue a fresh proclamation to give effect to the Act.

What is the real purpose of this Bill? I suggest it is to gerrymander the electors to keep Labour out of office. It is nothing more and nothing less than that. Having obtained office, the Liberal-Country Party Government seeks to gerrymander the electors to keep Labour in the wilderness. Let me tell members opposite this: If they look at the political history of this State over a good many years past, they will find that Governments which sought to gerrymander the electors have received short shrift. I remember, in my youth, the Leader of the Nationalist or Liberal Party, led by Frank Wilson, gerrymandering the electors of Western Australia for the purpose of consolidating his party in power. When the subsequent elections took place his Government was swept from office and the Scaddan Labour Government was returned with a substantial majority.

In all the years I have been here Labour has suggested a redistribution Bill in this Parliament, but it was not able to get such a proposition through another place. Frequently Labour could not get an absolute majority on the floor of the House because it did not have the numbers, and it did not receive support from the other side. When Labour did have sufficient numbers it still could not get the redistribution through because of the adverse vote of the Liberal Party in another place. In the past 40 to 50 years members opposite have been able to influence the redistribution of seats in the State.

After I was defeated in 1947 and the Liberal-Country Party came into office, it amended the Electoral Districts Act on the principles enunciated by the Deputy Leader of the Opposition this evening. Those principles were supposed to be fair and equitable to all concerned. On that occasion the Government sought to build up its strength by eliminating a country seat in the far North-West; that is, Pilbara. It eliminated that seat from the provisions of the Act, and by so doing it sought to eliminate a Labour seat and so assist it to remain in office.

Time passed on and that Government remained in office for six years; but when the people had an opportunity of expressing themselves at the polls, they returned Labour to office and Labour remained in office for six years. That was as a result of the legislation affecting redistribution. No matter how the Government may attempt to gerrymander the electors of this State, it will find that the whip it is endeavouring to wield at the present time will recoil against itself.

I, as a representative of the industrial and working class district of Middle Swan, cannot sit here and agree to a proposition which seeks to consolidate the anti-Labour forces in this Parliament so that they can proceed with all types of repressive legislation against the workers. For that reason I propose to vote against the Bill. I do not think it is justifiable. Parliament has been called together earlier than usual this session; but as was pointed out clearly, if this Bill does become law, the obligation will still rest on the Government to give effect to the terms of the Electoral Districts Act. In view of those circumstances I propose to vote against the Bill.

MR. JAMIESON (Beeloo) [9.27]: It is a pity that we have not heard the opinion of the other Independent member in this House. It appears that this debate is at its closing stage and will not last much longer. Having heard the self-styled Leader of the Independents, it seems that the member for South Perth will be adopting the same fence-sitting position as his leader. It might be all right for the member for South Perth, but it is not so good for the member for Mt. Lawley not to avail himself of this double opportunity of seeing what the electoral boundaries will be after the commissioners have given consideration to this matter. The member for South Perth is better off in that the Bill could not alter his position very much; but the other Independent member might find himself well out on the limb. If the treatment which has been accorded to him in the past by the party which is now in office is proceeded with, that limb will become more slender.

Regarding the remarks made by the Attorney-General earlier this evening I would like to correct some of his statements. He enumerated in a certain chronological order the events which took place in regard to the issuing of the proclamation. He finally said that, after seeing him on the 24th March, the Chief Electoral Officer advised the Minister. Evidently the Minister asked for that advice. He left it at that. It could have been telephonic advice. He went on to say that on the 26th March, when the Government was obviously defeated, the Crown Law Department drew up the necessary papers for implementing the issue of the proclamation.

Only yesterday we heard the member for Murchison complaining that he did not know the result of his election until six days after the election, which would have taken it to Good Friday. I suggest that was the earliest anyone could have had a clear idea that there would not be an even balance of power in this Parliament. It was necessary to distribute the papers at Cue and the result was not clear at that juncture.

As the member for Mt. Lawley indicated, the only crime which the outgoing Government committed on this issue was that it thought about the matter; but the previous Government, after its six years of office, did not think about it. That is the only thing that can be held against the Labour Government. On the 24th March when the action was taken, the position was not clear at all.

Mr. Watts: That was the day your leader offered to resign.

Mr. JAMIESON: The position was still not clear.

Mr. Watts: Why did he offer to resign?

Mr. JAMIESON: I do not know. The Attorney-General had better ask him. The position was definitely not clear. There was nothing clear as to who would form the Government. It has been established practice that the man with the strongest team presents himself to the Governor; but at that stage, if the then member for Murchison had remained and there was an even division of members in this House, it would have been reasonable for the Premier of the day to approach the Governor and tell him that in his opinion the Government could carry on until it met the will of the House at a later stage of the year.

Before the Governor would be prepared to accept that condition, I imagine he would want some other assurances; and one would be that a redistribution of seats would be set in train so that people could give a clear decision instead of a fifty-fifty one. The Attorney-General reflected on the integrity of the Chief Justice, the Chief Electoral Officer, and the under secretary, who are in the position of having to draw up these boundaries in case of an election becoming imminent.

It has been pointed out that Providence does have to be taken into account. If one of the Government members happened to fall tomorrow, a difficult position would still exist. I see no reason why this redistribution should not be proceeded with at this juncture simply because of the cost involved. The Attorney-General could then bring down a Bill for the consideration of this House, which I am sure would meet with the support of members, provided it was an acceptable proposition to the constitutional majority that the Government requires to amend the particular Act.

The Government is trying to stop a train of events—a correct train of events under the law of the land, and has brought down this piece-meal measure, which would probably be the only one of its kind in existence, if it became law. It would probably be the only time that an action like this had ever been taken in any British Commonwealth Parliament to revoke an order—a lawful order—made by the Governor under his signature. Therefore, I suggest that the Governor, and everyone else associated with this train of events, should be protected by allowing what has taken place to continue. The distribution of boundaries should be allowed to go forward.

As pointed out earlier by the Leader of the Opposition, the work of the electoral commissioners will not be done in vain; and it has been indicated clearly by the member for Mt. Lawley that he will not stand for the Government not having a distribution brought on before the end of this Parliament. He has indicated clearly that he will get additional support on the matter of a simple majority; and the Government will be placed in an invidious position if it does not proceed with a redistribution under the terms of the present Act. To do what the Government has in mind will leave us with a pig in a poke.

We hear more from the member for Mt. Lawley of possible amendments to this Act than we do from the Attorney-General. Whether he is in the confidence of the Attorney-General or whether he gets his information from a good source, I would not know, but he seems to know what amendments will take place in regard to the Electoral Districts Act. All the Attorney-General said was that the Government wanted to bring down an Act later this year to readjust the whole position.

I suggest it is very wrong that a Parliament, so evenly divided, should take unto itself the right to revoke an order which was lawfully made. When it was lawfully made there was no clear mandate. As to whether there is a clear mandate now remains to be seen. There could be today and not tomorrow. I would say it is stupid on the part of the present Government to go on revoking things like this. With your permission, Mr. Speaker, I would say that it is similar to the renaming of the Narrows Bridge. There was nothing else to it but that the Labor Government had done something which the incoming Government decided to alter, simply because it was done by the Labor Government.

We have to proceed to have a redistribution sooner or later, and we have to obtain facts and figures from certain sources to have the redistribution, which is vital to many people, as indicated by

the member for Mt. Lawley. I would ask the House to be considerate in regard to this matter and reject the proposal at this stage. Later on in the year, when the Government puts forward its proposition, we can have a look at it to see what it has in mind; and if it is fair and reasonable, I am sure it will get fair and reasonable support. I oppose the Bill.

MR. WATTS (Stirling—Attorney-General—in reply) [9.27]: I would like to deal first of all with one of the remarks made by the member for Beeloo, who has just resumed his seat. He took great offence apparently at the fact that I made reference to the Solicitor-General preparing certain documents on the 26th March. At that time, he said, the final result of the election was not clear. I interjected that, prior to that, his Leader had offered to resign and had been dissuaded from doing so by the then Leader of the Opposition.

Mr. Graham: Why?

Mr. WATTS: Because the result of certain seats was then in doubt.

Mr. Evans: The Murchison seat was not decided then.

Mr. WATTS: Exactly. Nor did the Country Party know who was the new member for Toodyay, although it knew it would be a Country Party member. There was also no certainty as to who would be the member for Mt. Lawley.

Mr. Graham: Blackwood was another one.

Mr. WATTS: In consequence, I said he was dissuaded from taking that action; but the 26th March is not the crucial day in this matter. The 1st April is the day.

Mr. Brand: That is it.

Mr. WATTS: That is the date the proclamation was submitted to the Governor-in-Executive-Council.

Mr. Jamieson: Once you set something in train you do not stop it.

Mr. WATTS: Possibly the hon. member does not. So far as I am concerned, it would depend on the circumstances at the time. As I said, the 1st April was the crucial day; and on that day it was known clearly, without any question whatever, what the position was in regard to the result of the election. I think I can leave the member for Beeloo at this point.

Mr. Jamieson: In your speech you said it was on the 26th March.

Mr. WATTS: I said, two or three times, that it was on the 26th March that the Solicitor-General prepared documents. I also said clearly that the proclamation was signed by Executive Council on the 1st April; and, so far as I know, it was the only item dealt with at that meeting of Executive Council. It was the only item recorded in the minutes of that day.

I would like to refer to one or two of the observations made by the Leader of the Opposition and his Deputy. I have heard some excellent speeches from both of these gentlemen, speeches that I have thoroughly enjoyed—although I might disagree with them—because they have been full of sound logic and commonsense; but I have never heard so much rubbish from the lips of any person capable of making such a speech as they can make, as I have heard from the hon. members to whom I have just listened. They have refused to measure up to the issue in this matter. They have refused to realise that they took a step as a defeated Government which, if allowed to go on, would have deprived the present Government of any opportunity of bringing down amendments to the law provided in the Electoral Districts Act, during the session.

Mr. Graham: No.

Mr. WATTS: Yes. That is the situation. It provides that the electoral commissioners are to go on and reach their conclusion and make their preliminary report. Then two months have to elapse for objections to be lodged and then one is in a very cleft stick indeed. Recommendations would be made which would virtually be law subject to gazettal, and the situation would become ridiculous.

Mr. Tonkin: The fact that it is not law does not worry you.

Mr. WATTS: Because I am prepared to submit the law to Parliament for alteration; and I am not going to submit to Parliament a law for alteration while this proclamation stands in full force and effect, so that the electoral commissioners have no option but to proceed under it to complete the job in eight months.

Mr. Tonkin: Is it not a fact that if that is done you need not do anything?

Mr. WATTS: It is a fact and I understand that their decision need not be published or gazetted.

Mr. Tonkin: That is what this Government can be expected to do.

Mr. WATTS: That is what the hon. member for Melville might be expected to do in similar circumstances; but there is no evidence as to what action is proposed.

Mr. Tonkin: You are running true to form. What are you doing now?

Mr. WATTS: Nothing of the kind. You have been busy avoiding the issue, and the issue is that you were responsible for that proclamation at a time when you were a defeated Government.

Mr. Tonkin: To do something that was intended to be automatic.

Mr. WATTS: A bare scintilla of legality left you still on the Executive Council for a period of 24 hours. You had no more right to issue that proclamation on that date than I had; and that is plain to the members of this House, and the people of this country, too.

Mr. Tonkin: It certainly is.

Mr. Brand: Busy little boys.

Mr. WATTS: The Leader of the Opposition made some comment about my suggestion that the number of members in the House should be increased; and that it is a consideration which should not be taken into account when the House is considering amendments to the electoral laws; and he expressed himself to some degree as amazed that such a suggestion should have been made. Why, in a Bill he introduced himself into this House in 1954 he proposed to increase the number of members from 50 to 52. The Bill is here, and I maintain these statements which have been made to this House this evening are evasive and preposterous, for half of them have had no justification and the other half insufficient. The situation is as crystal clear as any situation ever could be.

Mr. Tonkin: It certainly is.

Mr. WATTS: Yes, that the previous Government sought to place this Government in a difficult position. It was going to face this Government with a fait accompli; and were it not for the fact that this legislation can be passed to reverse the position, that fait accompli would stand.

Mr. Tonkin: Did you ever intend that this should be automatic?

Mr. WATTS: Surely the hon. member for Melville is not going back to this question of automaticity. Heavens above! I referred to the fact that it took the Government of which he was a distinguished member no less than 16 months to arrive at a decision on the distribution of seats.

Mr. Tonkin: Your Bill.

Mr. WATTS: It was the law. You have told us repeatedly that if there are more than five seats out of balance there should be a redistribution of seats. Good oh! If it is good for the goose it is good for the gander. If it is good for the member for Stirling it is equally good for the member for Melville; and in August, 1953—in fact long before that time—more than five seats were out of balance. In fact there were 10, just the same as there are today.

Mr. Tonkin: Why not be honest and face up to the question? Was it ever intended that it should be automatic?

Mr. WATTS: The hon. member's Government took no less than 16 months to prepare to bring these automatic provisions into operation.

Mr. Tonkin: What about answering the question—"yes" or "no"?

Mr. WATTS: It was certainly intended that when a certain state of affairs was reached, a proclamation should be issued in reasonable time. I do not think I have ever used the word "automatic," and I do not think that it is a right one to use in view of the other provisions of this Act.

In Section 12 there is provision for a resolution of the Legislative Assembly in the event of the Government failing to issue the proclamation. Therefore, it must have been assumed that if the Government did not, the Assembly could, if it had the requisite majority. So it was not intended absolutely that it should be automatic. As I see it, if a thing is automatic, it does not require the activity of anybody; it operates itself. But the Act provides that there shall be either a proclamation by the Government or a resolution by the Legislative Assembly.

Mr. Graham: But the resolution of the Assembly makes no reference whatever to a certain number of seats out of balance.

Mr. WATTS: That does not concern me. It says that either action by the Government may be taken or a resolution of the Assembly may be passed.

Mr. Graham: Under two different sets of circumstances.

Mr. WATTS: What does that matter? I am not denying that there may be some substance in that; but one of two courses has to be pursued. There has to be either a proclamation by the Government or a resolution of the Legislative Assembly; it is not a resolution by both Houses as it should have been in my humble opinion. But nevertheless the matter is too old to worry about.

As far as I can see, there has not been a reasonably valid argument raised against the passage of this measure. There have been all sorts of suppositious cases put forward. We have been told of the terrible things that the Government is going to do if it gets this Bill through the House. So far as I am concerned, the Government is going to do its best to present to Parliament a proposition that will be reasonable and fair to the electors of Western Australia. We ask that members of Parliament agree to that proposition. If they do not agree, I have already said in my opening speech that it will be obvious that the provisions of the existing Act will continue and must be brought into operation at an appropriate time.

Mr. Graham: You will continue to ignore the provisions.

Mr. WATTS: Another suppositious suggestion. The hon. member for East Perth is saying all sorts of things drawn from a vivid imagination. I am trying to say what I believe to be the facts. As the Leader of the Opposition has returned to his seat, I would like to correct something he said about the Press statement issued on the 6th April, 1959. This is a copy of the Press statement, which I have found in my bag, and I am prepared to read to him the relevant paragraph. It is—

Mr. Watts said that as the Government intends itself to submit to Parliament amendments to the Electoral

Districts Act for consideration as early as possible, it is clear the best course to pursue is for him to recommend to Cabinet that Parliament be called together at an early date to revoke the proclamation so that the position of the commissioners appointed by the previous Government can be clarified.

Mr. Hawke: Was that what you gave to the Press?

Mr. WATTS: That was what I handed to the Press.

Mr. Tonkin: Did you not make two statements to the Press on that occasion?

Mr. WATTS: That was the one to which the Leader of the Opposition referred.

Mr. Tonkin: Didn't you make a statement without referring to Cabinet at all?

Mr. WATTS: I cannot recall it. I do not deny that there may have been one, but this was the major one put into writing by me and it is the one that the hon. member referred to, as it is the one with which he dealt.

Mr. Hawke: You have not the Press cutting there?

Mr. WATTS: No, it was not available to me.

Question (that the Bill be now read a second time) put and a division taken with the following result:—

Ayes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommellin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—3.

THE SPEAKER: I declare the motion carried by an absolute majority.

Question thus passed.

Bill read a second time.

In Committee.

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Attorney-General) in charge of the Bill.

Clause 1—put and passed.

Clause 2—Cancellation of proclamation:

Mr. TONKIN: If the Government should later on introduce a Bill to amend the Electoral Districts Act, and it were not passed by this Parliament, it would then be incumbent on the Government, in accordance with the undertaking given by the Attorney-General, to introduce a Bill or to issue a proclamation setting up a further commission. Would it then be competent for the Government to reappoint the same commissioners, whose appointment it is now annulling, to do the work which it is now preventing those commissioners from doing and for which they were appointed? I would like to have that position explained before the Bill is passed.

Mr. WATTS: I would like to make my position perfectly clear so that I shall not, hereafter, be misinterpreted by the member for Melville. To the best of my knowledge there is no reason why the commissioners now appointed should not, in the circumstances to which he refers, be re-appointed. In fact, if the Electoral Districts Act is not amended, as I understand the position, there is a very distinct limitation upon the persons who may be appointed, because it involves the Chief Justice and the Chief Electoral Officer and, in the case of the proclamation issued on the 1st of April, it involves the Under Secretary for Lands.

Mr. Graham: That is also written into the Act.

Mr. WATTS: But there was also a deputy appointed, if I remember rightly—and I am drawing on my memory—because of the absence of the Under Secretary for Lands at that time. However, I think I can safely say that so far as I am aware, although I have not specifically examined this question, there is no reason why the same commissioners should not be appointed, according to law, and there are some reasons why it would be extremely difficult, unless the Act is altered, to appoint anybody else.

Clause put and passed.

Clause 3—put and passed.

Title put and passed.

Report.

Bill reported without amendment.

THE SPEAKER: The question is—

That the report be adopted.

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

Ayes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—3.

Question thus passed; the report adopted.

Third Reading.

MR. WATTS (Stirling—Attorney-General) [10.41]: I move—

That the Bill be now read a third time.

MR. HAWKE: I move—

That the debate be adjourned until this day three weeks.

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

Ayes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Noes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Majority against—3.

Motion thus negated.

Question (that the Bill be now read a third time) put and a division taken with the following result:—

Ayes—26.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—3.

THE SPEAKER: As there is an absolute majority voting in the affirmative, I declare that the Bill has passed the third reading.

Question thus passed.

Bill read a third time and transmitted to the Council.

House adjourned at 10.30 p.m.

Legislative Council

Thursday, the 2nd July, 1959.

CONTENTS.

	Page
QUESTIONS ON NOTICE :	
Government employees, dismissals	59
Railway rollingstock, construction outside Midland Workshops	59
Crosswalks, revocation of new regulation	59
DEPUTY CHAIRMEN OF COMMITTEES	60
COMMITTEES FOR THE SESSION	60
BILL :	
Electoral Districts (Cancellation of Proclamation) :	
1r., 2r.	60
Com., report, 2r., passed	70
ADDRESS-IN-REPLY, THIRD DAY	70
Speakers on amendment—	
The Hon. A. F. Griffith	70
The Hon. F. R. H. Lavery	76

The **PRESIDENT** took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE.

GOVERNMENT EMPLOYEES.

Dismissals.

1. **THE HON. H. C. STRICKLAND** asked the Minister for Mines:

(1) What is the total number of Government employees dismissed since the Liberal-Country Party coalition government took office?

(2) What is the number of employees dismissed from each department or service involved in the Government's purge?

(3) Does the Government policy relate to labourers only, or are the professional and administrative staffs to suffer similar fates?

THE HON. A. F. GRIFFITH replied:

The hon. member's question involves an approach to all departments and it is hoped to have the information available by Tuesday.

In the meantime, the following is the position in regard to the day labour organisation of the Public Works Department:—

In the change-over from day labour to private contract work—which is in accordance with this Government's policy—the services of 131 men have been dispensed with to date by the Public Works Architectural Division.

Of these men, 58 have been placed in private employment through the efforts of the Architectural Division.

As 68 of the 131 men dismissed have not registered with the Commonwealth Employment Service, it is assumed that these 68 men have themselves obtained employment elsewhere. In the same period, 72 men have left of their own accord to take up work elsewhere.

These figures compare with 217 men who were sacked by the previous Government between October, 1958, and the end of March, 1959, during which time 57 left of their own accord and eight retired.

RAILWAY ROLLINGSTOCK.

Construction Outside Midland Workshops.

2. **THE HON. H. C. STRICKLAND** asked the Minister for Mines:

For what reasons is it the intention of the Government to have new rolling-stock for the W.A.G.R. constructed outside of the Midland Junction Workshops on the cost-plus system as practised by the previous Liberal-Country Party coalition?

THE HON. A. F. GRIFFITH replied:

The reference to cost-plus system is not understood. Tenders for 200 KA wagons were called on a firm price basis and not a cost-plus system.

CROSSWALKS.

Revocation of New Regulation.

3. **THE HON. G. E. JEFFERY** asked the Minister for Mines:

In view of the dangerous situation existing in relation to the safety of pedestrians on crosswalks, will the Government give consideration to the revocation