

acceptable, a similar scheme could be adopted by adding an extra amount to the motor vehicle insurance premium so that collections would be made by that means and quarterly payments rendered to the association when the money was received.

I commend this scheme to the Premier and trust that he will give full consideration to it, because the activities of the association have reached a stage where, if we do not do something about it, the organisation will be faced with the grave danger of having to curtail its services, or asking the Government to take over a body which has remained voluntary since its inception. I would not like to see the association taken over by the Government. It must not be forgotten that if that occurred the cost of running it would be four or five times greater than it is now, because the unions would play a part. The employees would have to be members of a recognised union and would not be able to work 72 hours a week, but would have to do three shifts. Instead of there being only a few men employed, three or four times as many would have to be engaged.

Mr. May: They should not have to work 72 hours.

Mr. YATES: They do.

Mr. May: They should not.

Mr. YATES: The reason is that the association has not the finance to employ more.

Mr. May: We shall have to form a union!

Mr. YATES: If that were done, I think the men would be happy about it. I submit to the Premier the scheme I have suggested, and trust that he will give consideration to its adoption, or alternatively will bring forward another scheme that might be of benefit in obtaining the finance necessary to keep the association alive in the metropolitan area.

Progress reported.

House adjourned at 10.46 p.m.

Legislative Council

Tuesday, 6th November, 1951.

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

QUESTIONS.

TIMBER.

As to Kent River Sawmill.

Hon. A. L. LOTON (for Hon. J. Murray) asked the Minister for Transport:

Will he inform the House as to—

(1) the total cost to date of the Kent River sawmill;

(2) the expected further expenditure prior to handing over to the purchaser, or lessee;

(3) whether the mill is being sold or leased, and on what terms?

The MINISTER replied:

(1) £89,232 14s. 2d. to the 31st October, 1951.

(2) Approximately £29,000.

(3) The mill is to be leased with option of purchase, and terms are being negotiated at present.

NORTH-WEST.

As to Slipway Site, Denham.

Hon. H. C. STRICKLAND asked the Minister for the North-West:

(1) Has a site been chosen for the proposed slipway at Denham, Shark Bay?

(2) If so, when is work likely to commence on its construction?

The MINISTER replied:

(1) and (2) A site is under consideration resulting from discussions between Public Works Department engineers and the local fishermen. No decision in the matter can be reached until observations have been made to see whether the proposed site will be satisfactory or not.

BILL—WAR SERVICE LAND SETTLEMENT AGREEMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [4.33] in moving the second reading said: The necessity for this Bill follows upon a decision of the High Court in December, 1949, that the Commonwealth had no power to enter into an agreement involving the purchase of areas for land settlement as the enabling legislation did not provide for just terms of acquisition as required by Section 51 of the Commonwealth Constitution.

As the situation is rather involved, a brief history of the Commonwealth and State legislation under which the soldier settlers' scheme has operated will enable members to be more fully aware of the matters to be adjusted by the Bill. On the 9th November, 1945, the Commonwealth and State agreed upon principles on which land settlement for ex-servicemen should be carried out. This agreement was ratified by Commonwealth legislation and also by the passing of an Act by this Parliament, namely, the War Service Land Settlement Agreement Act, 1945.

The Commonwealth Act authorised the execution of agreements in two forms, firstly, between the Commonwealth and the more developed States of New South Wales, Victoria and Queensland, and, secondly, between the Commonwealth and the States of South Australia, Western Australia and Tasmania. In these latter States, owing to the lesser population and their stage of development, it was considered impossible for them to rehabilitate and settle men on the land without some financial assistance from the Commonwealth.

An important point of difference between these two forms of agreement was that the enabling legislation with the major States placed a limitation upon the value of land to be acquired by the States as that ruling on the 10th February, 1942, while in the case of the States of Western Australia, Tasmania and South Australia, no such limitation was imposed, but it was provided that land acquired by the States should be at a value approved by the Commonwealth.

Members may be aware that in December, 1949, when adjudicating upon the case *P. J. Magennis Pty. Ltd. versus the Commonwealth*, the High Court ruled that the Commonwealth had exceeded its powers

in acquiring land compulsorily at less than its market value. This decision, whilst not directly affecting Western Australia, where all properties had been purchased by negotiation and not by compulsory acquisition did, however, raise doubts as to the effect of the High Court's decision upon the validity of the sections of the Commonwealth Act covering the basis of the agreement with this State. A very serious position had developed, affecting the financial obligations of the State, which were considerable, and also the legal position of men who had been placed on farms, and granted leases, the terms of which were based upon the Commonwealth and State legislation.

The future of the scheme was also involved. It was unthinkable that the organisation which had been built up in this State should not continue to function and increase in tempo. Approximately 700 servicemen have been allotted farms and development has proceeded to such a stage on 536 of these properties that lease conditions have been granted to the allottees. The legal position of these men must not remain in doubt.

The expenditure which has been incurred in the acquisition and development of farms under the existing 1945 agreement is very considerable, involving £6,393,808 to the 31st August, 1951. In addition to this expenditure, considerable sums have been made available to lessees for the purchase of stock and plant and working expenses, approximating £2,118,514. The total expenditure, which represents the settlement of about half of the qualified applicants has been £8,512,322.

To overcome the legal position which had arisen, the Commonwealth view was that it would not be necessary for it to introduce further enabling legislation as it had power under the Re-establishment and Employment Act to enter into agreements with the State and for the appropriation of Commonwealth funds so that land settlement might be put into practice. The Prime Minister, relying upon this power, has suggested that the Commonwealth should enter into an agreement with the State by an exchange of letters between himself and the Premier, whereby the Commonwealth would abide by the principles of the existing agreement, with minor amendments, the necessity for which had become evident from the administration during the last five years, after which the Commonwealth would make available the necessary funds.

While this arrangement may legally bind the Commonwealth, the Government considers it essential that parliamentary approval should be obtained for the appropriation of the funds, as the State is required to meet certain expenses in connection with the scheme, such as cost of administration and 40 per cent. of any write-offs that may be necessary owing

to the cost of development being more than the economic value of the farm. It is necessary to validate, not only things which have been done in the past, including the granting of leases, but also consequential amendments to the Land Act, which were passed as a result of the War Service Land Settlement Agreement. The Bill proposes to repeal existing legislation covering soldier settlement and to provide authority for the State to make arrangements with the Commonwealth for the implementation of Section 103 of the Re-establishment and Employment Act, 1945, which is an enactment of the Commonwealth Parliament, and to validate past action.

An important amendment to the agreement, included in the Bill, is the provision for freeholding of properties to ex-servicemen upon conditions acceptable to both the Commonwealth and the State. There can, of course, be no conditions attached to the freeholding of the property after the freehold has been granted. It is considered that provision should be made so that the conversion of the perpetual lease to freehold would not involve the State in additional loss and that the freehold should be on a basis of the cost of acquiring and developing any property. In the existing lease the ex-serviceman agrees that in the event of his wishing to leave the property for any reason, and after due compensation for any work done, the property shall be reverted in the Minister and become available for allotment to other applicants who may be awaiting farms. This is to prevent farms being traded by allottees during a period of inflation, and perhaps being purchased by men outside the scheme and not even returned soldiers.

The present agreement provides for advances for stock and plant at a comparatively low rate of interest, 3½ per cent. repayable over ten years. Other advances for structures are repayable over 30 years at the same rate of interest. The most difficult period in the establishment of an ex-serviceman who has no capital at all is during the first ten years, when repayment of the short-term loans for stock and plant may bear heavily upon him. Until such time as the ten-year loans are repaid, it would be impossible for an ex-serviceman to even consider the freeholding of his property. For this and other reasons the Bill provides that the privilege of freeholding a property will not be granted until ten years after the commencement of the lease.

The Bill also provides that where properties have been purchased from the Midland Railway Company, in which the original grant included mineral rights, these mineral rights may be retained by the company after the sale of the farming lands to the Crown. A Bill was as-

sent to by Parliament in 1950 granting this protection, but it is invalid as it hinges upon the Commonwealth and State legislation and was not made retrospective to give the protection to those properties for which it was intended, particularly the Tootra estate, purchased from the New Zealand and Australian Land Coy. Ltd. That is all there is in the Bill, and I move—

That the Bill be now read a second time.

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

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

Second Reading.

Debate resumed from the 1st November.

HON. H. K. WATSON (Metropolitan) [4.46]: Under the parent Act, which has been in operation for six years and which it is proposed to continue for another year under the provisions of this Bill, I feel that there has grown up a bureaucratic despotism which offends the first principles of our Australian political system and our Australian way of life. Its tyranny, its incompetent indifference and its general frustration of the building industry is a reproach to this Government and to this Parliament. In exercising the controls given to it by the Act, the power of the Housing Commission is absolute; there is no appeal whatever from its decisions. Its whims and caprices, its preferences and prejudices are final and binding on the people. Circumstances such as those provide a fertile breeding ground for insolence and injustice, graft and corruption.

The salaries of the staff of the Housing Commission, according to an answer furnished by the Minister for Transport to Mr. Murray recently, have risen from £64,000 in 1948 to £181,000 in 1951. The answer also showed that the number of the staff has increased from 191 in 1948 to 327 in 1951. If this country is to prosper, if there is to be a lowering of the cost of building and an increase in the extent of building, and if people are to be permitted to achieve their legitimate desires, one thing is certain—it is high time that these 300 public servants, as they are called, were taken off the backs of the people of Western Australia. I submit that it is high time for us to abolish a state of affairs where every other citizen is a potential lawbreaker because he wants to do a bit of building, to put a room on to his house, a back verandah on to his house, a garage in his yard, or to repair a factory.

I submit it is high time that the Housing Commission was restricted to its original and legitimate function of providing workers homes. I notice that the

Minister for Housing and the secretary of the Housing Commission are at present on a visit to Canberra to discuss finance with the Prime Minister, Mr. Menzies, presumably to try to arrange for the provision of advances for rental homes following on the recent decision by the Loan Council to cut all Australian loan moneys by 25 per cent. I trust that Mr. Menzies will stand firm and will not grant any additional assistance to the Housing Commission because it seems to me that by the Commonwealth withholding funds from the Commission it will at least curb the activities of that organisation so far as rental homes are concerned.

Hon. G. Fraser: How many rental homes are being built privately?

Hon. H. K. WATSON: I feel that so long as the money is there, so long will the Housing Commission proceed with its extraordinary ideas in the provision of rental homes. It seems to me that inasmuch as the State Housing Commission is charged with the dual function of controlling building materials and building operations, its approach to the question of controls is not altogether unbiased, but is very largely coloured by its desire to extend its own activities as far as possible. Under the present system of controls—which has been in existence since 1945—the position is that both building operations and building materials are controlled. First of all, one has to get a permit to build. Having obtained that permit, one has to obtain a permit to get the necessary materials for the building.

The first control—the necessity to obtain a permit to build—places people in the vice-like grip of the State Housing Commission, so far as I can see; the second control—that is, the control over building materials—serves no useful purpose at all, but simply doubles the amount of red tape, doubles the staff of the Housing Commission and enables a lot of untrained and incompetent men to throw their weight around in matters of which they have not, and in the nature of things cannot have any real knowledge; matters in respect of which their lack of knowledge is immeasurable.

I submit that if there is one thing more than another that has gummed up the building industry and its allied industries, has involved thousands of wasted man hours and driven builders almost to distraction, it is this second and unnecessary control exercised by the Housing Commission over building materials. For those reasons I intend to vote against the second reading of the Bill. But from the speeches of members who have preceded me it would appear that it will pass the second reading. Several speakers have voiced their opinions against control but have indicated that they intend to vote for the Bill. For myself, I find it difficult to appreciate such an attitude. Apparently those members lack either the inclination or energy to try to remove the

ills about which they have complained, and I would respectfully remind them that he who sleeps at his post betrays his country and his cause no less than he who goes across to the enemy.

Since the Bill looks like passing the second reading I would, at this late stage, urge the Government, before the measure is considered in Committee, to give consideration to the following proposals, which I submitted to the House two years ago. I think they were pretty valid proposals then and, in the light of two years of experience and from exhaustive inquiries I have made, I am convinced they are even more valid today. My proposals are that all control over all materials be abolished, and, so far as building permits are concerned, the control of building operations be confined to non-residential building operations costing over £5,000.

It may be that some members feel the control of building operations should be confined to all buildings other than residential buildings over 15 squares—that is to say, exempt all residential buildings up to 15 squares and control everything over that. I feel that the other proposition I advance is one that could reasonably be accepted by the House and by the Government at this stage, six years after this Act came into operation. I would also suggest that the controlling authority—that is the authority which would control the issue of permits—should be some body or committee other than the Housing Commission.

By these proposals I feel that a lot of red tape would be removed, that much frustration could be avoided, and that we would achieve our great desire, that of building houses and of seeing more homes erected throughout Western Australia at a minimum of cost and at a minimum of unnecessary worry. I would ask members to bear in mind the distinction between those double controls; I would ask them to bear in mind that in urging the release of building materials from control—that does not involve in any way at all the release of building operations from control as that would require separate action—the position would be that every person who wanted to carry out a building operation would still have to get a permit from the State Housing Commission.

But even if that were to continue—and I feel it should not continue—it would certainly be much preferable to the present position where we have the Housing Commission interfering with manufacturers, merchants and the distributors of building materials. When in 1948—he was then an Honorary Minister—the Minister introduced the continuance Bill relating to this particular Act, he explained to the House that the only locally produced articles then controlled under the Building Operations and Building Materials Control Act were the two items of timber

and asbestos products. Bricks, cement, piping and other items were not controlled. Members may recall that shortly afterwards there was a threatened strike and the then Minister for Housing panicked and brought bricks and cement under control, and they have remained under control ever since.

Hon. G. Fraser: There was good reason for it, too.

Hon. H. K. WATSON: On the other hand timber, which was then controlled, has since been decontrolled. One reason advanced by the Minister, when moving the second reading of the Bill for continuing control over material, was that it would ensure the erection of many more houses in the country. I fail entirely to follow the logic behind that reasoning, even though several members who have preceded me seem to have adopted that particular argument. Mr. Logan is supporting the Bill because, as he said, he believes it will ensure the building of more houses in the country. Yet, in the next breath, he gave reasons which, in my opinion, support my case for the abolition of materials control.

We were told by Mr. Logan that, until a couple of years ago, very few, if any houses were being built in the country. That was in the days when timber was controlled. Since then timber has been decontrolled, and we know that many more houses are now being built in the country. The control of timber had to be taken over by the merchants to make it work at all. Nobody in this House can convince me that any officer of the Housing Commission can run a merchant's business better than he himself can run it.

Hon. G. Bennetts: There are more timber mills now.

Hon. H. K. WATSON: Not many more. I ask members to bear in mind that although timber, tiles and plasterboard have been decontrolled, they are not available in unlimited supplies. Those items, like bricks and cement, are in short supply, but they are being efficiently, fairly and equitably distributed without interference by the Housing Commission. They are being fairly and equitably distributed by the merchants. As with timber, tiles and plasterboard, so it would be with the few remaining items that are controlled; namely, bricks, piping, asbestos and cement. Even baths and sinks are still controlled. Yet one has only to go to the hardware stores to find that they are adequately stocked with those items.

Hon. E. M. Davies: And if you tried to buy one, you would be told to wait 18 months.

Hon. H. K. WATSON: Timber, as I have said, has been decontrolled, and the Housing Commission has arranged for Bunning Bros. to provide pre-cut houses for the country. Would any member reasonably suggest that Bunnings,

who are doing their pre-cutting work for the country at Manjimup, are going to cease that particular work if we abolish control over all material? The principal product, timber, is not controlled today, and they would continue to supply. In order to provide houses in the country or in the metropolitan area, it is not necessary that the Housing Commission should exercise control over building material.

Hon. G. Fraser: Who should exercise it, the merchants?

Hon. H. K. WATSON: It should be treated the same as timber and tiles—left to the merchants.

Hon. G. Fraser: Let somebody try to buy it and see how he gets on.

Hon. H. K. WATSON: The merchant has his travellers to call upon clients and knows which particular ones are in urgent need. Let us carry our minds back to the years 1924, 1925 and 1928; there was a shortage of bricks in those days, a very severe shortage, but the position was looked after ably and efficiently by one man. George Jenkinson bought the whole of the output of all the brickyards in the State and kept all the builders supplied. True, he made a good profit out of it, but what matters it if a man makes a profit so long as he delivers the goods? He was assisting the building of houses, and he could not retain much of the profit. By the time he paid his income tax, there was not much left for him. I feel strongly that we shall get nowhere by having a horde of civil servants interfering in trading.

Now I pass to the next question dealt with in the Bill, namely, the proposal to increase the penalties for breaches of the Act. The suggestion is that anyone committing an offence may be fined up to £500 and imprisoned for two years and, in addition, be called upon to pay an amount equal to the value of the building erected. The whole object of that proposal is to make the powers of the Housing Commission more absolute and fearsome than they are today. In most countries, with the exception of Russia, the quickest way for any Government to cut its own throat and for any Parliament to rouse the people to open hostility and bring its laws into disrepute is to pass savage laws and impose vicious penalties and put them into operation.

If the measure becomes law in its present form, future historians will record that, while in 1851 men and women in Britain suffered transportation for poaching a fish or a rabbit, or trying to form a trade union, in this unenlightened year of 1951, men and women in Western Australia were liable to be imprisoned for two years for trying to build a home, a garage or some other small structure without a permit from the star chamber called the Housing Commission.

Hon. H. C. Strickland: They are entitled to build up to 15 squares.

Hon. H. K. WATSON: But they have to obtain a permit. I was amazed to hear Mr. Craig so sententiously approve of these proposals. I felt that I had been translated back to the days of Queen Anne. He spoke about punishing people, sending them to gaol and keeping them out of one's club and house. I suppose people are not talking of entering his club or any other club, or his home or any other home, but they are concerned about getting into their own homes, and about adding an extra room or a back verandah to their homes or building a garage on their property. I suggest that they are fully entitled to do that. By all means let our laws be obeyed, but let them be sensible and just laws.

When speaking on the 21st September, 1948, Mr. Fraser gave an illustration of the injustice suffered by a man who had committed an offence against the Act and the hon. member appealed to the Minister to ensure that the Housing Commission would adopt a more reasonable and a more understanding attitude when prosecuting for offences under the Act. I regret that the hon. member's suggestion has not borne fruit. In considering the manner in which these proposals, if they become law, are likely to be operated by the Housing Commission, the record of performances by the Commission provides the best guide to what we may expect in future.

On Friday last, a man was fined £40 for building without a permit a double brick garage and lean-to of about five squares. For doing about the same amount of work costing £724, a contractor, Arthur Doran, was fined £350 and sentenced on one month's imprisonment. I regard Doran's case as a great miscarriage of justice. I explained to the House the other night that Doran had done a considerable amount of work for various Government departments and had assisted greatly the housing programme of the State.

The Minister for Agriculture: You do not blame the Housing Commission for that inconsistency, do you?

Hon. H. K. WATSON: I blame the Housing Commission for refusing him a permit and for prosecuting as it did.

The Minister for Agriculture: Was it not the magistrate who was inconsistent in the penalties imposed?

Hon. H. K. WATSON: The magistrate may have been inconsistent; on the other hand the Housing Commission may have pressed that particular case much more vigorously than the other case.

Hon. L. Craig: With good reason.

Hon. H. K. WATSON: I shall endeavour to show that there was not good reason. I have the file here and will run through

it, for the information of members, to show the reasoning by which the Housing Commission refuses applications for permits and launches prosecutions against anyone who dares to defy its edict. As I have said, Doran has done a lot to help solve the housing problem in this State.

The Minister for Agriculture: He has been well paid for it.

Hon. H. K. WATSON: Perhaps he has. He built 75 temporary quarters, 186 four-roomed cottages and 100 machinery sheds for the soldier settlement scheme. In 1949 he conceived the idea of converting his prefab factory into an even larger one in order to produce 1,000 prefab houses per year. Had we started producing that number of prefabs per year in 1949 we would have helped materially to overcome the housing shortage.

Hon. H. S. W. Parker: Could we have got them in 1949?

Hon. H. K. WATSON: He could have started producing them. He put the proposition up to the Housing Commission. I have here a letter written by Doran to Mr. Brownlie, after discussion with Mr. Brownlie and after the Housing Commission officers had been out to Doran's factory for several weeks learning the art of prefabrication and getting all the information possible about his factory. This letter was written by Doran to Mr. Brownlie virtually at Mr. Brownlie's own suggestion and dictation. It is dated the 23rd August, 1949, and reads—

Confirming recent discussions with officers of your Department, I have equipment and experience to pre-cut and assemble timber housing in sections to designs supplied, in almost unlimited quantities, given a certain amount of assistance, in the following directions:—

(1) As I am not a sawmiller and must depend on various mills for supply it will be necessary to store a vast quantity and variety of sawn timbers, to ensure continuous (and economical) working, which in turn will necessitate some financial assistance, in the following suggested forms:—

Hon. L. A. Logan: He would be taking it from someone else.

Hon. H. K. WATSON: The hon. member will realise that in the case of these prefabs, just as with those now coming into the country, the main factor in keeping up production and keeping down costs is continuity of supplies. Doran's letter continues—

When designs and quantities are submitted I will promptly supply an estimate of costs, and agree to confer with your officers with a view to arriving at a mutually acceptable figure.

That letter was accompanied by another of even date, addressed to the chairman of the State Housing Commission, reading as follows:—

Further to my letter of even date I would stress the fact that I have certain commitments to War Service Land Settlement Board and W.A. Government Railways Department which must be given full consideration, but which would not preclude a very considerable contribution to the State's housing programme.

I feel certain that these departments could only handle a rather small proportion of my potential output, and would suggest that a conference with them could evolve a smooth working arrangement and ensure full and economical operation.

That is the letter of a reasonable man—one interested in assisting to solve the State's housing problem. He was given certain specifications by the Housing Commission in response to that letter and was telephoned by the Housing Commission and asked for his price, which he gave.

The next thing—according to him and I have no reason to disbelieve him, in addition to which I understand his statement can be corroborated by witnesses—was that the chairman of the Housing Commission visited his factory and told Doran he was prepared to give him a contract for 500 houses.

Hon. E. H. Gray: What was the price?

Hon. H. K. WATSON: The price indicated there for the precutting was £392 for the prefab cottages and £325 for a three-roomed expensible cottage. All the items are listed in these specifications.

Hon. Sir Charles Latham: Excluding the cost of erection, of course!

Hon. H. K. WATSON: The chairman of the Housing Commission went out to see Doran and said he wanted him to carry on with the contract for 500 houses. Doran, not unnaturally—as would any business man—inquired, "Is my price right? Will that be the price?" And the reply given to him was, "Never mind about the price. We will fix that later. I want you to go ahead with 500 houses." Being a business man, Doran said, "I do not do business on those lines. Give me a price and I am prepared to sign a contract. Let me know what the price is. If you do not approve of my price, we will see what can be done." Nothing further happened and when Doran rang up a week or two later, inquiring as to when he would get a written reply to his letter—

Hon. H. S. W. Parker: Did this prevent him getting building materials?

Hon. H. K. WATSON: It has reference to the Housing Commission's shortcomings in implementing its function of facilitating the erection of houses wherever possible and in the largest number possible. It also

serves to show the extraordinary manner in which the Housing Commission conducts its business, because the chairman of the Housing Commission, who virtually dictated that letter which I read out, today denies ever having received it even though Doran, as I have said, was waiting for a reply to it. Naturally Doran expressed himself freely and told the Housing Commission just what he thought of it for the manner in which he had been treated on that occasion. It was in those circumstances that, when he applied for a permit to make comparatively small renovations to a condemned house in West Perth, his application was refused.

Hon. A. R. Jones: Do you suggest victimisation?

Hon. H. K. WATSON: The circumstances in which the application was refused are enlightening in the circumstances, as disclosed by the file. I ask members to bear in mind that the work which was the subject of the application made by Doran involved about 9½ squares and, as one member said earlier by interjection, anyone can build up to 15 squares on what amounts to an automatic permit. This man was asking for a permit for only 9½ squares, the result of which would have been to provide six self-contained flats, but the application was refused. The whole of the investigation into his application was conducted in a cursory manner. A man named White was sent to the premises, not to look at them and see what sort of proposition it was, but to interview the tenants and see what they had to say about it.

In the report furnished by one of the inspectors he said that Doran had given the tenants notice and that they were greatly upset. The fact is that Doran was simply the owner of the premises and had one tenant who was running an apartment house there. That tenant had been instructed by the Perth City Council to cease carrying on a business of that nature. His license had been withdrawn because the premises had been condemned, and so the story goes, right through the file. I will not burden members with all the details, but there is one further report here which I shall read and which, to my mind, shows what an extraordinary thing it was that the application was refused.

After Doran had made repeated applications and had been refused each time—after it was reported that he was in fact doing the work without a permit—a report was submitted by Inspector Grant to Mr. Randall of the Housing Commission, in the following terms:—

Work carried out to date has been mainly the demolition of certain condemned sections of the ground floor, the erection of a denaro block wash house on the ground floor and the partly completed bathroom and conveniences on the rear section of the first floor in denaro blocks.

My inspection of the premises revealed that the building had been allowed to become filthy by the tenants, approximately 30 persons at one stage, the maintenance badly neglected and in consequence the place was becoming a menace to the public. Accumulation of filth between certain parts of the woodwork and bricks was alive with maggots.

In the Commission's rejection of this application for structural alterations, I consider that insufficient evidence from both owner and tenant had been put forward in the previous reports.

The clear indication there is that the chairman should have had another look at it and should have considered the case on its merits, in which case I believe he would have granted the application, particularly as the Perth City Council had issued a condemnation order against the premises and was going to prosecute the owner if the necessary work was not performed within 21 days.

But in all those circumstances and when that report had been submitted, no further consideration was given to the merits of the case. All the Housing Commission was concerned about was upholding its own dignity and impressing on the public that it must be obeyed, whether right or wrong. The Commission went ahead with the prosecution and the file, incidentally, discloses that the Commission acted unlawfully, because the first notice which it issued to Doran was itself unlawful, and those proceedings had to be discontinued. If there is a body which acts in such a manner, I feel that it should not be trusted with the institution of proceedings for offences against this Act.

The other night the Minister suggested that the reason why Doran was fined £350 and gaoled for a month for completing this work costing £700, was that he was impudent to the magistrate. There is no record whatsoever that he was impudent to the magistrate, and I refuse to believe it. I refuse to believe, too, that if he had been so impudent, the magistrate would have imposed a fine of that nature; he might have committed him for contempt of court and fined him accordingly.

However, no mention was made of that and the fine that he did receive was imposed simply because, without a permit, this man set about to convert a condemned building into one which would house six families in comfort. So far as I see it, the object of Parliament is to act as a check not on the people, but for the people, and for that reason I am going to vote against the second reading of the Bill.

On motion by Hon. R. M. Forrest, debate adjourned.

BILLS (4)—FIRST READING.

- 1, Constitution Acts Amendment (Hon. E. H. Gray in charge).
 - 2, Prices Control Act Amendment (No. 2) (Hon. E. H. Gray in charge).
 - 3, Co-opted Medical and Dental Services for the Northern Portion of the State.
 - 4, Lotteries (Control) Act Amendment.
- Received from the Assembly.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 31st October.

HON. G. FRASER (West) [5.36]: I have had a look through the Bill and, in the main, I favour it. I particularly approve of those provisions which deal with the appointment of a State Coal Mining Engineer because I think the value of coal is such, particularly in these days, that it is necessary to have that engineer engaged entirely on the inspection of coalmines. At present the State Mining Engineer administers both the Coal Mines Regulation Act and the Mines Regulation Act, the latter of which governs the goldmining industry.

There are one or two phases, however, upon which I would like a little more enlightenment, particularly respecting the provision dealing with persons unable to speak the English language. I quite agree with the clause as it stands with the exception of the part reading—

... but in cases of hardship the departmental inspector may grant an exemption from the provisions of this subsection.

That is leaving the clause rather wide open and I would like to know from the Minister to what type of cases exemption would apply.

Under that wording, it would be possible to defeat the whole object of the clause because an inspector could, if he so desired, declare a case one of hardship as it would mean the blocking of a person from working in any portion of the mine because he could not speak the English language. That, of itself, would definitely be a hardship because such a person would lose his employment. I therefore want to know how it is intended to apply that part of the clause which deals with hardship. I do not desire something read into the measure which would render it valueless.

I am rather concerned about another portion of the Bill which appears towards the latter end of it and which seems to be a sort of "sting in the tail." Some years ago we passed the State Electricity Commission Act making the Commission all powerful in dealing with electricity. However, I notice that the Bill proposes

to exempt coalmines from the provisions of that Act. I am rather perturbed as to that. I do not know of any other industry, using electricity, that is similarly affected, and I would like the Minister to enlighten me on that point.

The Minister for Mines: This follows the practice in New South Wales where it is found that electricity regulations are better administered by the mines officers.

Hon. G. FRASER: I do not know whether the Eastern States always set a good example.

The Minister for Mines: This is one of the good ones.

Hon. G. FRASER: It may be; it all depends on how one looks at it. From my point of view, if there is anything in this world that I am afraid of, it is electricity. I know nothing about it and will take no risks with it. I do not want anybody else to be subject to such risk.

Hon. L. Craig: These men will be highly trained.

Hon. G. FRASER: They may be, but that does not prevent me from mentioning that it is highly dangerous.

The Minister for Mines: The State Electricity Commission has agreed to it.

Hon. G. FRASER: I know the Minister said so; I am coming to that later. I do not know of any other industry which has been exempted from the provisions of the State Electricity Commission Act. There is another point. Is machinery in the coalmines exempted from the provisions of the Inspection of Machinery Act?

The Minister for Mines: That is administered by the Mines Department.

Hon. G. FRASER: That may be, but this Bill contains no provisions over-riding those of the Inspection of Machinery Act. Once we start to tinker with legislation in this way, we do not know where it is going to end. I notice, also, that the Bill intends to repeal Subsection (3) of Section 49 which refers to the general rules, of which there are quite a number. That subsection reads as follows:—

All such general rules shall be published in the "Government Gazette" and shall take effect from a date to be named therein, and after such date shall have the force of law, and a copy thereof shall be laid before both Houses of Parliament within fourteen days from the making thereof if Parliament shall be then in session and if not, then within fourteen days after the commencement of the next session thereof.

Hon. L. Craig: They are the same as regulations.

Hon. G. FRASER: That may be so, but the Bill proposes to delete that subsection from the Act and, so far as I can gather,

once the Bill is passed, it will be possible to make regulations under Section 49 and the usual provisions will not apply.

Hon. Sir Charles Latham: Yes, they will, because the Interpretation Act tells us so.

Hon. G. FRASER: Sir Charles may be right; I hope he is, but we are not told that in the Bill and I want to know why.

The Minister for Mines: I think they are carefully reviewed by an advisory board comprising representatives of the unions, the department and the owners.

Hon. G. FRASER: Many other regulations have proper safeguards, but they still have to run the gauntlet of Parliament. If the Bill strikes out the safeguards they will not apply in this instance.

The Minister for Mines: I will look into that point.

Hon. G. FRASER: The main point, which I mentioned earlier, is the exempting of the coalmines from the provisions of the State Electricity Commission Act. The Minister, when reading from his notes the other day, mentioned that the State Electricity Commission had agreed to this amendment and that such provision would be better embodied in the Coal Mines Regulation Act. He surprised me so much that I asked him to read that portion again in order that I might be sure. Since then I have made some inquiries, and I am given to understand that the Minister's statement is not entirely correct. I do not think the State Electricity Commission ever considered the matter.

The Minister for Mines: I can assure you that it has.

Hon. G. FRASER: My information is to the contrary. It may be that some individual officer of the State Electricity Commission made those comments, but I have been informed that the subject had not been considered at all by the Commission. I hope the Minister will check his statement and, if the position is as I have stated it, that he will make the whole position clear. When I heard the Minister's statement, I was amazed to think that the State Electricity Commission would give away its powers under the Act, particularly in connection with electricity, along the lines indicated in the amendments embodied in the Bill.

It is proposed to give full powers, in some respects, to those associated with the coalmines, and I regard the change as being rather drastic. Electricity is a dangerous commodity. Already, enough dangers are associated with mining operations and I think the safeguards set out in the State Electricity Commission Act should be retained. The Minister recognised that fact when he pointed out in his speech that electricians were employed in mines. That may be so, but electricians are employed by many firms and their work is

supervised and passed by officials of the Electricity Commission. Then again, there are electricians—and electricians, and men need supervising.

The Minister for Mines: This practice is operative in New South Wales.

Hon. G. FRASER: I do not take New South Wales for my pattern in these matters.

Hon. L. Craig: A New South Wales horse won the Melbourne Cup today!

Hon. G. FRASER: I would not know that! Although electricians are employed on mines, it must be remembered that they are employed, and there should be electrical inspectors to supervise and pass their work. I want the electricians on the mines to be in the same position relatively as are electricians employed in various industries in the city.

Hon. J. A. Dimmitt: A qualified electrical engineer is employed on every mine.

Hon. G. FRASER: That may be so, but the men I refer to are electricians.

Hon. Sir Charles Latham: They are subject to supervision.

Hon. G. FRASER: Electrical wiring has to be carried out in accordance with rules drawn up by competent experts. I want all necessary safeguards maintained. I have been down some coalmines and the conditions there are bad enough without having to worry about faulty electrical gear. I do not say that such gear in mines here is faulty, but I want the Minister to consider whether it is worth while breaking away from the old Act and allowing those associated with the coalmining industry to operate in the way suggested.

On motion by the Minister for Mines, debate adjourned.

BILL—OPTOMETRISTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 31st October.

HON. J. A. DIMMITT (Suburban) [5.51]: It is often found that, after a few years of administration under an Act of Parliament, weaknesses reveal themselves, weaknesses that were not apparent when the legislation was first before the House. This is a case in point.

Under Section 17 of the Optometrists Act, authority is given to the board to make rules dealing with a number of matters, amongst these being authority to prescribe the course of study and training, prescribe the examinations to be passed, regulate the holding of examinations and the appointment of examiners, and prescribe what certificates or evidence of qualification will be recognised. Unfortunately, no provision is made for the issuance of diplomas to those who are successful in passing the qualifying examination.

It seems to me that a diploma hanging in the consulting-room of an optometrist is the only safeguard a patient can have that he, or she, is being examined by a qualified optician. It is quite right that the necessary safeguards should be provided by way of amendments to the Act. The only other amendment embodied in the Bill is a purely domestic one that will enable the Optometrists Board to increase the fees payable from £3 3s. to £6 6s. I understand that that increase has been agreed to by all qualified optometrists operating under the provisions of the Act. I hope the Bill will meet with the approval of members.

HON. J. G. HISLOP (Metropolitan) [5.53]: I agree that with a course of study such as that dealt with under this legislation the individual successful in passing the qualifying examination should be granted a diploma. Unless that course were adopted, there could be no reciprocity with the other States. There is one safeguard I would like the Minister to consider.

Hon. L. Craig: Is it compulsory upon the board to grant a diploma to a man who passes the qualifying examination?

Hon. J. G. HISLOP: Perhaps Mr. Craig will allow me to deal with that point. I was about to ask the Minister to consider the situation that will arise after the granting of a diploma has been adopted in this State before reciprocity is secured with the Eastern States. We shall be in a serious position regarding the individual who holds our diploma if there is no such reciprocity.

I hope the board will make inquiries in the Eastern States from similar authorities to ascertain whether our diplomas will be accepted. After that I would say it should be mandatory upon the board to grant diplomas to those successful in passing the qualifying examination. To alter the law to enable diplomas to be granted and then to make subsequent inquiries about reciprocity would be most unwise. Other propositions have been before us with regard to other professions in respect of which various qualifications were required, and those individuals have been restricted to practise in this State alone because the course of training prescribed did not meet with the requirements of other States.

If we are to grant diplomas in this profession, it should surely be on the basis of the individual regarded as qualified to practise in this State as being similarly qualified to practise his profession in any other State. I would like consideration to be given to an alteration in the measure to ensure that the board shall make those inquiries regarding reciprocity first.

The Minister for Transport: The board is doing so now.

Hon. J. G. HISLOP: It should be assured regarding reciprocity.

The Minister for Transport: Are you satisfied that the other States have reciprocity between themselves?

Hon. J. G. HISLOP: I do not know. From my reading of the measure as we passed it previously, I would say that those who come from the Eastern States are not always acceptable to the board for practising their profession here.

The Minister for Transport: I referred to reciprocity as between themselves in the East.

Hon. J. G. HISLOP: I think we should arrive at some basis of reciprocity if we are to grant diplomas in this State.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [5.56]: As Mr. Dimmitt remarked, this is a simple measure and in the course of my second reading speech I made it clear that the board was inquiring regarding reciprocity with the other States, obviously with a view to bringing our qualifications into line. I cannot say more than that the board has that phase in mind and is just as anxious to attend to it as is Dr. Hislop. I can give him my assurance that I will take the matter up with the board. Beyond that I cannot give the House any more information.

Question put and passed.

Bill read a second time.

In Committee.

Hon. H. S. W. Parker in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 17 amended:

Hon. J. G. HISLOP: It would be a simple matter for the Minister to realise that the Bill need not be proclaimed, or even assented to, until the Government and the board are satisfied that the curriculum and the method of examination are acceptable to the Eastern States authorities and that reciprocity with them can be secured. To grant diplomas in the absence of any such reciprocity would be useless. I would like the whole matter inquired into to secure a satisfactory basis.

The MINISTER FOR TRANSPORT: I have made a note to take up that question with the board, and will acquaint the hon. member with the position.

Clause put and passed.

Clause 4, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—LIBRARY BOARD OF WESTERN AUSTRALIA.

Second Reading.

Debate resumed from the 30th October.

HON. E. M. DAVIES (West) [6.2]: I support the Bill and express appreciation at the Government's having introduced it with a view to making provision for the creation of a board to control free libraries throughout the State, which will be carried on by those bodies which desire to take an interest in the project. This move will lead to cultural advancement of the people. It will encourage them to utilise libraries and engage in reading.

Everyone associated with the introduction of this measure realises to the full, I feel sure, what a great benefit it will be to the people generally. In the first instance, those who are encouraged to visit such free libraries may read what might be termed light literature, but the presence of books of an educational nature will perhaps encourage them to make a study of works of that kind. The Bill provides for the creation of a board of 11 members. Four of these will be the Under Treasurer, the Director of Education, the Director of Adult Education and the chairman of trustees of the Public Library, Museum and Art Gallery. That is a very good basis for the creation of such a board.

Of the other seven members, it is provided that one shall be a person selected by the Minister from a panel of not more than three persons whose names will be submitted by the Perth City Council; a person selected by the Minister from a panel of not more than three persons whose names are to be submitted by the Road Board Association of Western Australia; a person selected by the Minister from a panel of not more than three, whose names will be submitted by the Country Municipal Association of Western Australia; a person selected by the Minister from a panel of not more than three persons, whose names will be submitted by the Local Government Association of Western Australia; and three persons selected by the Minister from a panel of six whose names will be submitted by a body known as the Library Association of Australia, Western Australian Branch.

I am aware that there is a body known as the Library Association of Australia but I have not been able to find out what are its functions. It is proposed to have representation from the Perth City Council and also from the Road Board Association, the Country Municipal Association and the Local Government Association. I appreciate that those bodies would be ideally fitted for carrying out the functions provided in the Bill; but I regret there is to be no nominee from the Fremantle City Council, which was the first and only local authority in Western Australia to undertake the provision of a free lending library, in which its ratepayers have taken a great deal of interest. I feel that the only local authority which has had experience in doing this kind of library work should be represented on the proposed board.

It would be of advantage to the board if it had associated with it a representative of a local authority which had already taken upon itself the task of establishing a free lending library. Accordingly I have placed an amendment on the notice paper which I trust will receive the support of members and which, if accepted, will provide an opportunity for a representative of the Fremantle City Council to sit on the board. I do not suggest that the number of members should be increased; but in order to provide representation of the Fremantle council, I am suggesting another amendment to reduce the representation of the Library Association from three to two.

Hon. A. R. Jones: Are you sure the Fremantle City Council is the only local authority that runs a free lending library?

Hon. E. M. DAVIES: Yes, I am fairly certain that the Fremantle City Council is the first and only local authority in Western Australia which has established a free lending library. Another contentious part of the Bill concerns the chairmanship of the board but the Minister has placed on the notice paper an amendment to deal with that phase.

The Bill also provides that where a representative of an organisation is elected for a period of three years but retires from that organisation, he still has the right to represent the organisation on the board till the period of his appointment expires. I consider that once a person who has been chosen to represent a particular body on the board ceases to be a member of that body, he should automatically cease to represent it on the board, and I have placed an amendment on the notice paper to that effect.

To provide finance for the board, the Government intends to appropriate £5,000 from Consolidated Revenue, which will be disbursed on a £ for £ basis as a subsidy to those bodies which elect to come under the scheme. No compulsion is involved. If a local authority does not desire to participate in the scheme, it will not be compelled to do so.

The free lending library at Fremantle has been established only during the past two years. In that period, there has been an exchange of 113,250 odd books. For the month of September last, the exchange of fiction was 5,852 books, and of general literature, 868. The number of books in the library at present is 9,180 odd. No fewer than 1,326 members have joined the library and, during the period of its existence, 115 have withdrawn because they ceased to be ratepayers of the district.

Hon. N. E. Baxter: What does it cost the ratepayers?

Hon. E. M. DAVIES: It costs slightly over 2s. per head of population.

Hon. N. E. Baxter: A bit heavy, is it not?

Hon. E. M. DAVIES: No. In library circles throughout the British Empire, and particularly in the United Kingdom, it is considered that 2s. per head is the minimum for which a good library can be conducted.

Hon. N. E. Baxter: What would the ratepayers pay per head? You referred to the figure per head of population.

Hon. E. M. DAVIES: As far as Fremantle is concerned, the cost to the ratepayers is equivalent to 2s. per head of population. There is a population of 20,000 in Fremantle and an amount of about £2,000 per year is spent in running the library. From what I can understand, everybody is quite satisfied and there have been no complaints. Each year there is an annual meeting and the ratepayers, or what are termed "borrowers" under the Act, attend that meeting. All that we have received from ratepayers has been suggestions as to how the library could be improved for their benefit.

Hon. E. M. Heenan: What do you think of the provision for rating on the unimproved capital value?

Hon. E. M. DAVIES: I am not prepared to make any comment on that. I understand there is provision in the Bill for a rating of one farthing in the £ on the unimproved value, and 2d. in the £ on the annual rental value. To my way of thinking, that is fair and equitable. It is for the local authorities to decide whether they are prepared to establish a library under the scheme. If they do not desire to do so, it is not compulsory. I believe that this proposal by the Government will be for the benefit of the public generally and I commend the Bill to the House.

Hon. G. Fraser: Is it a costly proposition?

Hon. E. M. DAVIES: As far as Fremantle is concerned, it was necessary to have a special Act of Parliament to enable the council to take over the assets and liabilities of what was then the Literary Institute of Fremantle. That body operated on a subscription basis, but because there were only a few subscribers, the organisation was not able to spend the amount of money on books that was necessary. Since the Fremantle council has had control and a sum of £1,000 has been spent each year on books, in accordance with the Act, great interest has been evinced by the people.

Hon. J. G. Hislop: What is the rate levied for the library?

Hon. E. M. DAVIES: We have not a special rate. It costs the ratepayers just over £2,000 per year.

Hon. J. G. Hislop: Would it exceed the rate allowed in this Bill?

Hon. E. M. DAVIES: At present it is costing just over 2s. per head of the population.

Hon. N. E. Baxter: That does not give any indication of what the ratepayers pay.

Hon. E. M. DAVIES: The hon. member can work out what it would cost the various local authorities. I am telling him what it costs the ratepayers of Fremantle.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. E. M. DAVIES: I was endeavouring to answer a question dealing with the amount each ratepayer would pay on the basis of a farthing in the £ on the unimproved value and 2d. in the £ on the annual rental value. I have no means of being able to enlighten my questioners in this regard because the amount will depend on the unimproved value or the annual rental value of the respective properties.

Hon. N. E. Baxter: We asked for the average.

Hon. E. M. DAVIES: How can I give the average?

Hon. N. E. Baxter: You are a member of the council.

Hon. E. M. DAVIES: The hon. member must surely not imagine I am able, forthwith to say what each ratepayer pays to a local authority that issues about 6,000 assessments! I have nothing further to add other than to remind members that there is nothing compulsory embodied in the provisions of the Bill. If a local authority elects to come within the scheme it is entitled to do so under the terms of the measure which, I hope, will become an Act.

HON. N. E. BAXTER (Central) [7.33]: I have examined the Bill, and find it contains several features that I do not like. In fact, I am not particularly keen on the Bill at all. Today we seem to be endeavouring to have free this and free that. Our services are all free. Apparently the people want everything free. Here they want free books, and next they will want free glasses with which to read them, and then free arm-chairs to sit in.

Hon. E. M. Davies: I thought you asked me what rates they would pay.

Hon. N. E. BAXTER: Yes. During the last two sessions we have had put before us Bill after Bill to increase rates. Before we know where we are, we will be paying 10s. in the £. It is all very well for the hon. member to stand up and say that this is a voluntary scheme and that a local authority can participate if it pleases; but not a great number of ratepayers, as members know, are interested in what takes place in local affairs.

These propositions go through, and the next thing the ratepayer knows is that he is loaded with another rate for something in which he is not specifically interested; nor is he really prepared to pay for it. With the wages, salaries and earnings in general of people today, there is something wrong if a person cannot pay 3d. or 6d. for a book. I intend to oppose the Bill on the second reading. The measure provides for a board to control the free library scheme. Of the 11 members, four will be the Under Treasurer, the Director of Education, the Director of Adult Education and the chairman of trustees of the Public Library, Museum and Art Gallery.

Hon. E. M. Davies: A good selection.

Hon. N. E. BAXTER: Yes. I imagine the Under Treasurer has quite enough work to do without concerning himself with this board; and the same applies to the Director of Education. Surely with education as extensive and varied as it is in this State, the Director has enough to do without messing around with a free library board. The same applies to the other gentlemen to be appointed. It is always the same; we see the same people on the boards—people who should actually be overloaded with work. If they are not, there is something wrong. Either someone else is doing their work, or it is not being done at all.

Hon. R. J. Boylen: Who would you put in their place?

Hon. N. E. BAXTER: I do not suggest we have a free library; therefore we would not want a board. To give an idea of the tendency today, I shall quote a letter which appeared in the "Daily News" of the 30th October last. The writer is T. L. Williams, Perth. I think the letter is a little bit of sarcasm directed against members of the Federal Parliament. It is headed "No £8 Weekly Pension?" and is as follows:—

I would like to see the following privileges granted to every elector in Australia: A gold pass for unlimited railway travel in all States; free air travel to all States; a stamp allowance of about £100 a year; extensive rights for free use of telephone and telegraph services.

Hon. L. A. Logan: A sign of the times.

Hon. N. E. BAXTER: Yes.

Hon. H. S. W. Parker: He ought to be taught to read.

Hon. N. E. BAXTER: Probably he can read.

Hon. E. M. Davies: What about free books?

Hon. N. E. BAXTER: We have a certain degree of free education for people who are interested in educating themselves. People who want to use the type of books suggested would surely be prepared to make

some weekly contribution for the service. They are not so impoverished that they cannot pay some slight fee for the use of a book. I deplore the attitude of Governments in starting these free services, which will cause a stepping up of taxation so that we will never be able to catch up with it. It will be a load on the back of the nation for generations.

Hon. E. M. Davies: I thought you would be interested in the cultural development of people's minds.

Hon. N. E. BAXTER: Certainly everyone is, but there is no reason to develop people's minds on free solialistic standards, which is all that the Bill does. A little further on in the measure we find that the Government is to grant £5,000 annually for the scheme. In my province I can do with £5,000 spent on hospital improvements—something for the good of the people, and let them, the people, pay for any adult education and books which they require. Several hospitals in my province are in a deplorable condition, and even £1,000 to each of them would benefit the people more than the granting of money to a free library.

Hon. J. McI. Thomson: Are you referring there to the hospital equipment?

Hon. N. E. BAXTER: Yes, and to the nurses' quarters, the operating theatre and so on. We should spend money on these things and get free books later.

Hon. E. M. Heenan: It the people start reading, it might take their minds off their troubles.

Hon. N. E. BAXTER: I thought the hon. member was going to suggest that they could read in bed. They do not get much peace in these hospitals. The Bill goes on to provide that the rate, in the case of land assessed on the unimproved capital value, shall not be more than a farthing in the £. This may seem to be a small sum, but it mounts up when it is added year by year to the other rates. In the case of land rated on the annual rental value, the rate is not to exceed 2d. in the £. Where is the ratepayer going to finish? With income tax and rates increasing all the time, very little will be left for the ratepayer, and there will be very little incentive to continue producing.

Hon. R. J. Boylen: He is probably paying library fees now, and he will pay less under the Bill.

Hon. N. E. BAXTER: Not everyone is paying library fees. These rates will apply if a local authority decides to start a free library. The Government will pay a subsidy. I shall oppose the Bill, and I trust that most other members will, too, on the second reading.

HON. J. G. HISLOP (Metropolitan) [7.40]: The Bill must mark a milestone in the culture of the State. I agree with the contention of Mr. Baxter that we need

hospitals, that those already established are badly equipped and so on, but I cannot believe that many members are going to oppose the circulation of knowledge amongst our people.

Hon. N. E. Baxter: Have you any objection to paying 3d. a week for a book?

Hon. J. G. HISLOP: No. The main object of a scheme of this sort is to make knowledge available in a readily assimilable form to the mass of the people. I would like to pay a tribute to the Minister who introduced the Bill because I think it is long overdue and will bring us much more closely into line with the other States of Australia and many other parts of the world. There are, however, quite a number of other provisions in the Bill that deserve consideration by members.

It seems to me that the Minister has based the measure on the ground that he desires as many local governing bodies as possible to be participants in the scheme and so conduct free libraries; and that he has over-stressed his aim in this direction. The Bill could be modified in order to ensure a first-class service, which the participating bodies would have no alternative but to join, and which would be so readily acceptable to the people that they in turn would ask their local governing bodies to become participants.

I think it was that attitude of mind which made the Minister formulate the board suggested in the Bill. The board is a very sound one for what is required, within the limits envisaged, but it does seem to lack an enthusiast who would be necessary to ensure that the scheme would not only commence, but would continue successfully. In such a matter as this there must be a person with driving force who will see that the scheme is spread throughout the length and breadth of the State.

For that reason I would ask the Minister to consider the addition to the board of representatives of John Citizen, because I believe that in the ordinary citizen of this State we might well find the driving force. There must be dozens, and perhaps hundreds of people like myself who pride themselves on their small private libraries and who would take a most active interest in a scheme of this sort.

Among human beings there are certain classes including those who never read at all and to whom reading does not appeal. But among those to whom reading does appeal there are those who like the books themselves more than the matter they contain and that class would rather collect books than read them to gain knowledge. Then there is the type of person who buys a book purely for what it contains and who is not at all influenced by the printing or binding of the book. There is a third class of person who not only enjoys a book because of the pleasure it gives, but also because of the matter it contains. That

latter class of person is the one for whom I would search and would ask to join the membership of this library board.

I, too, wonder, with Mr. Baxter, whether the Under Treasurer is needed on this board. The conditions under which Government money is granted to the board is clearly laid down within the Bill. I do not think that the Under Treasurer would be filling any useful place on the board and by this time he must be completely cluttered up with boards; it will not be very long before the duties of the Under Treasurer will amount to attending board meetings rather than the Treasury. In substitution I suggest that we add at least two, and maybe three, if members desire, public citizens. Mr. Davies has suggested that we reduce the number of members of the Library Association and that, too, can be discussed when we reach the Committee stage.

The Library Association of Australia is, I understand, the body that lays down the standard of training and grants diplomas to librarians throughout Australia. In Western Australia there are about 30 members of the branch. If my suggestion is adopted it will mean that all sections of the public, who are vitally interested in this matter, will be afforded some influence on this library board. But I would suggest to the Minister that it might be wise to give to the board a power that is not contained in the Bill—that is a right to form an executive and to transfer to that executive such functions as the board may think fit. If the board has to conduct library services and, in addition, conduct the training of librarians there will, of necessity, be matters which will be more easily and efficiently dealt with by an executive rather than the full board. The Minister might consider the introduction of executive powers to this board when we reach the Committee stage.

I have several proposed amendments to this Bill and I have endeavoured to frame them in a constructive manner. They have been given to the Clerk of the House and will, in due time, appear on the notice paper so that members may study them. I agree with the idea that when a member of a local governing authority is appointed to the library board he should retire from that appointment when he ceases to be a member of a local governing authority. That particular man is not appointed to the board because of his knowledge of library services, but merely to represent the financial interests of the participating body.

Further on in the Bill we see that power has been given to the Governor to appoint deputies to the board and, personally, I cannot see the reason for that power, except in one or two instances. I cannot imagine that a board that is going to lay down standards for library services, and standards for the training of librarians can

efficiently function if half the time there are people sitting on the board who are purely deputies of sitting members.

Hon. L. CRAIG: The Under Treasurer would have a deputy most of the time. He could not possibly attend them all.

Hon. J. G. HISLOP: I suggest that he does not attend at all.

Hon. L. CRAIG: I agree, except that he must watch the money side of it.

Hon. J. G. HISLOP: The Bill sets out exactly the amount to which the Government is committed. I believe that the Director of Education should be able to appoint a deputy, as also should the Director of Adult Education. I understand that the Director of Adult Education, at frequent intervals, has to proceed to the Eastern States. Therefore members might give considerable thought to the whole basis of the membership so that the question can be fully discussed during the Committee stage. When introducing the Bill in another place the Minister said that if a good reason could be advanced for the elimination of deputies he would not be at all sorry to agree to the proposals. Therefore, we should give consideration to that aspect.

There is one other factor in regard to this board that interests me and that is the question of a quorum. At present there is provision for 11 members with a quorum of five. As members will realise there will be many times when more than half the members of the board will not be present—that is, the board as it is at present constituted under the Bill. The Bill states that all matters shall be determined by a majority of the votes of the members present which means that the business of the board can be conducted by three members voting in one direction.

That is absurd and is a state of affairs which surely cannot be countenanced by the Library Association of Australia because that association is the body qualified to lay down the standard of training for librarians. If we add to the board representatives of the public in place of, say, the Under Treasurer and possibly one of the representatives of the Library Association, we will have a board of up to 13 members with a quorum of, say, seven. That would mean that at least five members would have to vote in a certain direction before their vote became absolute.

Then we come to the question of the selection of the officers of the board. This is where the policy of obtaining the sanction of the participating bodies rather than first strengthening the scheme becomes so evident. If members will look at page 8 of the Bill they will find that the board may appoint a secretary and such other officers as are required. If this scheme is to be a success the executive officer of this library board must

be a trained librarian. It will only produce considerable discord in a State-wide service of this type if an untrained secretary is appointed and becomes the senior officer. It would be most unfair if an untrained secretary were appointed because the State librarian would then become junior to a person who was not skilled in the work of library services.

It is quite evident that the appointment of a State librarian is not yet contemplated, but in my opinion the scheme will break down at once without that appointment because if members will turn to page 9 they will find that the board cannot make any appointment where the salary exceeds £1,000, except in the case of a secretary, without the sanction of the Governor. I propose to move an amendment to this particular clause to give the board the right to appoint a State librarian and such other officers as are required for the carrying out of the functions of the board.

In order to make myself clear, let me draw members' attention to what really is the function of this board. What is envisaged in all these library services is that the central body shall be the owner of all the books; the rates collected by the local bodies shall be the moneys that are contributed for the maintenance of the premises and the payment of the local staff. If there is money available after that, then that money is devoted to books, but the subsidy given by the Government, through this central organisation, is only for books. Those books do not become the property of the local branch. That means that there is a central core, as it were, through which any library that becomes a participating body can send requests and, if they are available, books can be sent out to these various areas as they are required.

If this scheme is not adopted, look what could happen in some sparsely populated centre of the community where only a small sum of money was raised, say, £50, which was sufficient to purchase 100 books. Once those 100 books had been read, and they were the property of the local body, the library would cease to function unless a further sum of money was spent by the local body to purchase additional books. But with a central body the books could be recalled and restored and a further lot of books sent out to the area concerned. Thus the whole library scheme could remain efficient.

From that members will see how essential it is that the person in charge of an organisation of this sort should be a trained librarian. Therefore, the first person to be appointed by this board should surely be a State librarian and with the additional knowledge behind him he could implement the whole scheme and bring it into operation. I have some amendments which will be placed on the

notice paper to the effect that where the word "secretary" appears in the Bill it shall be altered to read "the State librarian."

I notice that among the functions of the board will be the duty to assist participating bodies and advise the Minister. On page 12 of the Bill, paragraph (d) of Subclause (1) of Clause 16, sets out that the duty of the board shall be to inspect libraries and library services. But no one would expect the board to go around the country inspecting libraries and library services. Therefore, I think that the words "cause to be inspected" should be inserted. Then if we have a State librarian, surely he is the person to advise the board as to the efficiency or otherwise of a library conducted in any part of the State.

Hon. L. Craig: I think "inspect" means "cause to be inspected."

Hon. J. G. HISLOP: As the hon. member who preceded me used to say, "Let's make it abundantly clear." I think we should introduce that system here, so that the board will have power to send its officers round the country on inspectional work. Further down on page 12 of the Bill we find that the board is also given certain powers and that it may provide, control and manage libraries and library services. I have contemplated taking away from the board the right to run libraries. I do not think that is what it is meant to do at all. If during some future discussion on this Bill the Minister decides when some organisation breaks down and does not carry out its commitments, that the board may temporarily run that library until such time as it is reorganised, I will be prepared to give that power. But I am not prepared to give a blank clause to the board to run libraries.

Hon. L. Craig: It owns the books.

Hon. J. G. HISLOP: But it should not run libraries because they will involve it in expense. I contemplate that the board's real job is to run library services. I do not want to see a clash between the central organisation—which is the book-providing section—and the local bodies that will provide the actual accommodation for the library and the library staff. Clause 16 also presents some difficulty because it says in paragraph (b) of Subclause (2)—

may provide for the training of persons to carry out the duties of librarians and library assistants.

It then goes on to give the board authority to issue certificates of competency to those people qualified to carry out the duties of librarians and states that it shall keep a register of certificates of competency.

This would not be worth the paper it is written on because there is only one body in Australia that gives certificates of

competency and that is the Library Association of Australia, of which there is a branch in Western Australia. Therefore the only thing we have to do to make this clause workable is to add the words "that such training is to conform to the requirements of the Library Association of Australia." Those whom we train here and who would be examined by representatives of the Library Association, when they make their various trips to hold those examinations to grant diplomas, would subsequently be able to travel to other parts of Australia and we in turn would be able to receive librarians from the other States. They would also be able to go abroad and gain experience in the handling of libraries.

It would be ridiculous to suggest that in years to come any State could organise and maintain the training of librarians to such an extent as to grant certificates of competency. I have already discussed the question of the board subsidising a free library because, as I have said, the actual subsidy is in the nature of books. There is another problem respecting which, judging from his speech, I will not receive the assistance of Mr. Baxter. I propose to alter Clause 20, Subclause (2), by the changing of one word. The subclause reads—

The free library services rate made on ratable land in a district in any financial year shall not exceed—

I want to delete the word "exceed" and substitute the words "be less than." The reason for doing so is that the amount of money raised, as other members who have been going into this Bill have worked out roughly, would be 2s. per head by way of contribution in the sparsely populated areas in the country; in the closely settled districts of the metropolitan area, the rate would be about 6d. per head.

Hon. R. M. Forrest: I do not know what rate you think we pay in the North, but we pay 6d. in the £ on the unimproved value.

Hon. J. G. HISLOP: If I explain, perhaps members will understand what I am driving at. At this stage, if we contemplate a maximum rate it cannot be very long before this whole library scheme is held up whilst another Act is put through Parliament allowing the rate to be raised. That is almost certain. The library service will be held up pending that being done, and I want to emphasise that this is a purely voluntary scheme which no local body or anyone else is compelled to join. A local governing authority need not participate or it may participate as it so wishes.

If we are to expect this scheme to be a success, we must give it sufficient money to start with. If I am correct—and I think I am—the amount of rate laid down is less, or would return less, to the city of Fremantle than it already contributes to

its library services. In many areas where these library services have grown, the rate has increased beyond what is mentioned and in some parts people have demanded, and obtained, an increase, and the library rate has grown as high as 4d. in the £ rather than 2d. If this is made a low rating to start with, when the people themselves ask their particular participating body to raise the rate to meet demands upon the library, it is quite obvious that it will follow the use by the public of the library. If we start with a maximum we will find that every participating body will be hoping that it can start with a minimum portion of that maximum, and so automatically the scheme might well be destroyed at its inception.

But if we give this scheme a reasonable amount to start with and say to the local bodies, "We do not want to hamper you in any way; it is a purely voluntary scheme and you and your people can decide how much you contribute beyond the minimum towards this library service," it will then be a matter for the local people to decide how much their participating body shall spend. It will mean that this library service will get a start without any hindrance and will be able to continue on its own way and not find itself hamstrung by various points.

I quite agree with Mr. Baxter that it might be wise to visualise the payment of a small fee for the taking of a book. It need not be very large but it certainly would contribute and would mean that not only the ratepayers but the reader himself contributed to the scheme. At the moment it is a perfectly free scheme, but the power has very wisely been given to the board to form regulations to see that the libraries throughout the State are maintained with dignity; that their conduct is carried out in an orderly manner; that they are allowed to charge for wilful damage to books or failure to return books. Those regulations are very wise.

Whether we start this scheme as a free one and then later as we find that as the cost grows we suggest that each individual pay a nominal amount for the use of a book, is something we might well consider. I would draw the attention of Mr. Baxter to this fact: There are a number of people of average income and people of above average income who cannot afford all the reference books they desire to read. These are very expensive and are becoming more expensive each day. If by means such as this we can spread knowledge throughout our country districts, far and wide, we must contribute a tremendous service to the people.

Hon. N. E. Baxter: There could be a small fee.

Hon. J. G. HISLOP: I would not object if the hon. member introduced an amendment accordingly. I do feel, however, that this Bill should be very highly commended. It should be studied by every member be-

cause I am quite certain it will mark a milestone in culture. The Bill which we eventually place on the statute book should be one that will see a library service established and maintained at a very high standard. The Bill is sound in many respects and the amendments I propose to make will, I think, improve the Bill; they are made in a purely constructive sense so that this service will redound to the credit of this House and eventually to the credit of all the citizens of Western Australia. I support the Bill.

HON. E. M. HEENAN (North-East) [8.11]: I would like to add a few words in support of this interesting measure. I also agree it marks somewhat of a milestone. Its function is a very laudable one because in this world we do not live by bread alone, and in a far flung country like Western Australia I think a free lending library can achieve the most good for the people, especially younger people. As Dr. Hislop pointed out, the cost of purchasing books has risen to such an extent that many of them are quite a luxury and beyond the purse of the average young man, in spite of the high wages prevalent today.

Only the other day a nephew of mine turned 21 years of age and I purchased for him a book which I thought every young man of that age should read. It was not a very large book but it cost 19s. 6d. It was a book, of course, that would be read inside a week by the average person, and that is a lot of money to pay for it. A man and woman of that age should read at least one book a month on some topic, cultural or otherwise, and I think the State would benefit by their doing so.

There is nothing to be feared by a community which has accumulated the vast amount of wisdom and knowledge that is provided in good books. Of course, there are a number of books which it would be better had they never been printed. I think it would be a truism to say that one bad book can undo the good done by many worthy books—especially to the minds of young people. Therefore, the board will have a very important function to fulfil, and I for one wish it well.

I understand that the measure has been carefully prepared in the light of the experience of people who have made a special study of the subject, but, of course, it is our duty to improve it in Committee if we can do so. I commend the Government for having introduced the Bill and I hope that it will pass and be put into operation. The measure proposes to provide another service to the community that will be more or less free. I can respect Mr. Baxter's views in this regard; there is no doubt that sometimes free services are abused, but mostly they are appreciated, and if the people are given easy access to good books, they should appreciate the service and the State should benefit.

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

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.17] in moving the second reading said: There are two proposals in this Bill. The first is to provide that the amount of fees to be paid to the commissioners of the Fremantle Harbour Trust shall be prescribed by regulation instead of, as at present, being specified in the Act. The second amendment proposes that in future it shall not be necessary for the cheques of the Commission to be signed by the chairman and another commissioner.

Under Section 10 of the Act, each commissioner receives a fee of £2 2s. for every meeting he attends. Section 11 provides that the chairman's fee for each meeting shall be £4 4s. Should the Government of the day at any time decide that an increase in these fees was warranted, it would be required to submit to Parliament amendments to the Act. It is felt that this is unnecessarily cumbersome and that it would be more efficacious if the fees to be paid and any subsequent alteration were prescribed by regulation. Such regulation, of course, would be subject to the usual procedure of being laid on the Tables of both Houses.

The fees at present allowable under the Act are those which were paid to the Commission on its inauguration on the 1st January, 1903. They remained at that figure until the 15th December, 1950, when Cabinet agreed that, from that date, they should be increased to £3 3s. per meeting for commissioners and £5 5s. for the chairman. I do not think it can be disputed that these increases were warranted in view of the reduction in money values during the past 47 years and the growth in importance of the harbour.

Hon. J. G. Hislop: How long do their meetings last?

The MINISTER FOR TRANSPORT: Possibly two or three hours.

Hon. A. R. Jones: How often do they meet?

The MINISTER FOR TRANSPORT: About once a week. A great deal of business is transacted as the turnover is very large. The other proposal in the Bill is to delete Section 59 of the Act, which provides that all drafts upon the Treasury for expenditure by the Commission shall be by orders signed by two commissioners one of whom shall be the chairman or acting chairman, and countersigned by the secretary. In the light of modern administration, this provision, which has also been in the Act since the inception of the Commission, is outmoded. The Assistant Under Treasurer has advised that, in all

other State trading concerns, cheques are signed by employees specially authorised to carry out that duty, and he agrees that it is unnecessarily onerous on the commissioners to have personally to sign the cheques of the Trust.

I hope that these amendments, which have been requested by the Commission and which will assist in simplifying its procedure, will receive favourable consideration. For the information of members, I might add that Mr. L. L. Bateman is the chairman of the Commission, the other commissioners being the Assistant Under Treasurer, Mr. H. Byfield, and Messrs. F. Mann, H. J. R. Hooper and H. J. Prater. The commissioners meet on an average about 60 times a year. I move—

That the Bill be now read a second time.

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

BILL—COMPANIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th October.

HON. E. M. HEENAN (North-East) [8.22]: I asked for the adjournment of the debate in order to have an opportunity to examine the provisions of the Bill and confer with people who are conversant with the practice of the Act. From my reading of the measure, the amendments appear to be necessary. As the Minister stated when moving the second reading, the Act has been in operation for a few years, and experience has revealed some anomalies and weaknesses that need to be rectified. In almost every case, the amendments will be an improvement to the Act. I have had an opportunity to speak to a couple of lawyers who have given the measure consideration and who daily come into contact with its provisions.

Hon. G. Fraser: They did not all agree?

Hon. E. M. HEENAN: That is the type of interjection frequently made by the hon. member. I would remind him that not many people in this world agree entirely. Not even the engineers designing the plan for the Fremantle harbour agree and I may add that, in addition to lawyers, judges and frequently ministers of religion do not agree. However, there seems to be general acceptance that these amendments are necessary. The measure is one that can be more readily discussed in Committee than on the second reading. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—GAS UNDERTAKINGS ACT AMENDMENT.

Second Reading.

HON. G. FRASER (West) [8.29] in moving the second reading said: This is a very small Bill and it deals with only one portion of the Act, namely, that referring to the sale of shares in the company. Originally, after shares had been offered to employees of the company and to consumers of the gas, the balance had to be sold at auction or by tender. This Bill proposes to delete that provision so that in future the shares will be offered, firstly, to the employees of the company; secondly, to the consumers of gas; thirdly, to members of the public, and, fourthly, to existing shareholders.

Hon. L. Craig: And what about the shareholders?

Hon. G. FRASER: The shareholders have the last say.

Hon. L. Craig: It is pretty tough.

Hon. G. FRASER: The idea underlying the original legislation was that the employees, gas consumers and the public generally were to have priority over existing shareholders in obtaining shares in the company. I will not now go into the reasons for that, because they were given when the original Bill was being dealt with, but the only alteration contained in this measure is the cutting out of the provision for selling by auction or tender. The company has agreed that this will be a much better scheme than the old one.

Hon. L. Craig: But under the original Act the shareholders had the first preference, surely?

Hon. G. FRASER: All shares, after those sold to employees of the company and to gas consumers, had to be disposed of by auction or tender.

Hon. L. Craig: But surely the shareholders had some right to them?

Hon. G. FRASER: They could buy them by auction or tender. They had no special right.

Hon. Sir Charles Latham: If one was a gas consumer he could take up shares.

Hon. G. FRASER: Yes, the employee and the gas consumer had first and second priorities respectively, and that will still obtain. The only difference is that the provision for sale of shares by auction and tender will be deleted. The Bill has been approved of by the company and it is evident that the original legislation did not work too well, with the result that this measure is considered to be an improvement. I move—

That the Bill be now read a second time.

HON. J. A. DIMMITT (Suburban) [8.32]: I support the measure. The original legislation was of such a restrictive nature as to make the selling and transfer of these shares almost impossible. This new plan, while still restrictive and most unusual in company affairs, does make for the freer transference of shares.

Hon. L. Craig: It is still most unfair.

Hon. J. A. DIMMITT: I agree that it is unfair and I think the priorities are lopsided, but the measure meets the wishes of the company and of the Stock Exchange and, as they are the people most interested, I can see no reason why we should do other than give it our support.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; Hon. G. Fraser in charge of the Bill.

Clause 1—agreed to.

Progress reported.

ADJOURNMENT—SPECIAL.

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

That the House at its rising adjourn till 3.30 p.m. tomorrow.

Question put and passed.

House adjourned at 8.35 p.m.

Legislative Assembly

Tuesday, 6th November, 1951.

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

QUESTIONS.

EDUCATION.

(a) *As to New School, Baker's Hill.*

Hon. A. R. G. HAWKE asked the Minister for Works:

When is a commencement likely to be made with the erection of a new school building at Baker's Hill?