the average collection in the vicinity of £12. To cope with what business is transacted, a skeleton staff of 16 officers has to be in attendance at the Titles Office because of the many sections concerned. I trust the measure will not be debated. Its passage is necessary, because under existing conditions great inconvenience is experienced by the employees of the Titles Office. The 16 officers in attendance on Saturday morning must be allowed time off during the week and that results in inconvenience to the department. In view of these circumstances, it behoves Parliament to pass the Bill without much discussion.

Hon. C. G. Latham: Was this one of your election sops?

The MINISTER FOR JUSTICE: I do not think so. The judges have approved of amendment of Supreme Court rules to enable the court offices to close on Saturday mornings, and the necessary action will be taken to effect the same result in connection with local courts.

Hon. C. G. Latham: If that applies to the police courts, drunks will have to wait till Monday before they can be dealt with.

The MINISTER FOR JUSTICE: I trust the Leader of the Opposition will not be placed in that unfortunate position, otherwise we shall have to bail him out! To secure uniformity throughout the Public Service is most desirable, and what is proposed will not inconvenience the public at all. The hours on week-days will be extended. There can, I think, be no objection to the Bill. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

House adjourned at 10.31 p.m.

Legislative Council,

Wednesday, 25th October, 1939.

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

QUESTION—MINING.

Mines Medical Agreement.

Hon. C. B. WILLIAMS asked the Chief Secretary: 1, In the event of the mines medical agreement being cancelled and the mining companies being made liable for payment of hospital and medical fees in accident cases, what extra premiums would the companies have to pay? 2, What is the average number of days that patients on the doctors' lists, through the mines agreement, are kept in the Kalgoorlie Government Hospital? 3, What is the average number of days as regards members of friendly societies?

The CHIEF SECRETARY replied: 1, The matter is one for an investigation. 2 and 3, An attempt is being made to obtain the information.

BILL—SUPREME COURT ACT AMENDMENT.

Introduced by Hon. H. S. W. Parker and read a first time.

BILL—LIFE ASSURANCE COMPANIES ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Report of Committee adopted.

BILL—RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT.

Reports of Committee adopted.

BILL—FINANCIAL EMERGENCY TAX.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.38] in moving the second reading said: The Bill fixes the rates of the Financial Emergency Tax. An endeavour was made last year to discontinue this particular form of taxation upon incomes, and to raise the revenue required under the provisions of the Income Tax and Income Tax Assessment Acts. The Government's taxation policy is unchanged and later in the session hon. members will again have an opportunity to consider legislation providing for the abolition of the Financial Emergency Tax and the collection of the revenue by means of the scientifically designed income tax. Provision is made in the Bill for an adjustment of the rate of financial emergency tax levied on persons (with dependants) who are in the two lowest tax grades. The existing tax on earnings up to £5 per week for such persons is 4d. in the £. We propose to reduce this rate to 3d. A similar reduction of 1d. in the £ is provided for in the case of the under £6/10/- group. Here, the reduction will be from 5d. to 4d. in the pound. No alteration in the rate of tax is proposed in respect of single persons, or those with no dependants.

In accordance with the procedure followed since 1933, we are again fixing the commencing figure for persons with dependants at a level which exempts basic wage earners. Last year's Bill provided for a commencing figure of £4 2s. per week for persons in receipt of salary or wages, and £213 per year in the case of income earners. The corresponding figures proposed on this occasion are £4 3s. per week and its annual equivalent of £216. The Metropolitan basic wage is now £4 2s. 2d.

The Financial Emergency Tax is expected to yield £1,140,000 during the current year, or approximately £75,000 less than the amount of £1,214,695 collected during 1938-1939. About £35,000 of this decrease will be accounted for by the 1d. in the £ remission on the two lower grades of income. The Treasurer expects the effect of this remission will be balanced by increased collections accruing from a reduction from 20 to 10 per cent. of the rebate allowed on income tax. A decrease of £40,000 is anticipated in the yield on account of the decline in incomes. I move—

That the Bill be now read a second time.

On motion by Hon. H. Seddon, debate adjourned.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.42] in moving the second reading said: This short measure is complementary to the Bill I have just introduced. It simply provides that the exemption in respect of salary and wage earners shall be £4 3s. per week, and in the case of income earners £216 per year. I move—

That the Bill be now read a second time.

On motion by Hon. J. Nicholson, debate adjourned.

BILL—NOXIOUS WEEDS ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.44] in moving the second reading said: The amendments proposed in this Bill are designed to strengthen the provisions of the principal legislation governing the eradication and prevention of the spread of noxious weeds. The Act as it stands at present simply contemplates the destruction of noxious weeds by certain means defined in Section 3. The methods of destruction prescribed in the definition set out in that Section are inadequate to deal with such weeds and noxious plants at St. John's Wort, Barklea Thistle, Bathurst Burr, and Blackberry, since the Act merely states that "Destroy," in relation to any noxious weeds growing on any land, means "to grub up, eradicate, and destroy such weeds thoroughly." Thus, in practice, it has been found that grubbing actually increases the incidence of certain

noxious plants, so that methods of outright destruction are quite ineffective.

Where this is the case, it is necessary to resort to spraying, the use of spray injectors, or other methods of control applicable to the particular type of plant concerned, but not contemplated by the present Act. The Bill, therefore, proposes to amend the principal Act so that local authorities may be permitted to insist upon the adoption of the most effective methods of control. To this end it is provided that the Minister shall have power to declare by notice published in the "Government Gazette" what these methods shall be, and that any persons who use such methods shall be deemed to have complied with the provisions of the Act. I move—

That the Bill be now read a second time.

On motion by Hon. H. Tuckey, debate adjourned.

BILL—STATE FORESTS ACCESS.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West [4.47] in moving the second reading said: This Bill proposes to authorise the resumption of certain lands for the purpose of providing access to three large areas of virgin forest in the vicinity of Manjimup, Yornup and Jardee. The sawmilling rights over these areas have recently been sold to tenderers by the Forests Department, and it has now become necessary to resume a number of strips of private land which will be required for the tramway routes that will link the proposed sawmilling centres with the Government railway system. Parliamentary consent for the acquisition of these lands is required under Section 22 of the Forests Act 1918, which provides that—

> The Governor, subject to the consent of Parliament, may, under the Public Works Act, 1902-1933, purchase, acquire, resume, or appropriate land for the purpose of a State Forest, or to provide access thereto, and such purchase, acquisition, resumption, or appropriation shall be deemed to be an authorised work.

Each of the strips it is proposed to resume is about one chain in width, while the total length of resumptions will aggregate about 8¼ miles. Details are as follows:—

	Miles.
Total distance from Government line to new mill site	9¾
Length through Crown lands and Reserves	8
Length of private property resumptions proposed	1¾

Bunning Bros., Ltd., are the successful tenderers for this area, and already have one mill operating in the vicinity. The proposed resumptions will provide access to that mill, and also serve a second mill to be erected on the Donnelly River. The Company has also secured sawmilling permit No. 1192—Manjimup. The new millsite on this permit area is a total distance of 16½ miles from the Government railway line. Here, the length of private property resumptions proposed is ½ mile. The other sawmilling permit (No. 1103—Jardee) has been secured by Millars' Timber & Trading Co., Ltd. Its proposed millsite is located 17½ miles from the Government line. The tramline to provide access to this area will traverse 11½ miles of Crown lands and reserves, and six miles of private property. In this case two of the resumptions are required for the purpose of linking up the millsite with the permit area. The proposed tramway routes are indicated by red lines on plans which I shall lay upon the Table of the House

Locations from which resumptions are required are shown in green, while the areas over which milling operations are to be carried out are shown in yellow. I am assured that, in selecting routes, the Department acted in conjunction with the permit holders and that, so far as possible, they avoided private property. The Land Resumption Officer has tentatively estimated that the cost of the resumptions will be in the region of £1,000 to £1,200. That is approximately equal to one month's royalty on the timber to be cut at the three mills, viz., £1,275.

Hon. H. Tuckey: It will cost more than that to put up the fences.

The HONORARY MINISTER: As the South-West representatives are aware, certain of the old established mills have almost completed cutting matured timber on existing permits, and it is desirable therefore, that the companies concerned should be

enabled to push ahead with development on the new areas as soon as possible. I move—

That the Bill be now read a second time.

On motion by Hon. H. Tuckey, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 17th October.

HON. C. F. BAXTER (East) [4.50]: For some years past there has been a growing demand in this State for compulsory third-party motor insurance, and similar legislation has been enacted in most countries of the world. Generally speaking, the measure, I think, can be regarded in a satisfactory light, although some of its provisions need modification. The measure has been drafted fairly closely along the lines of South Australian legislation, together with some notable improvements, particularly the provision regarding uninsured motor vehicles. It is proposed to deal with these in much the same way as unidentified vehicles, and thus come nearer to ensuring that wherever a third party is injured through the negligent driving of a motor vehicle, he shall not be uncompensated. There is also the provision that claimants, or some person on their behalf, must notify their intention to claim damages against either an insured person or an insurer within one month after the date of the accident, out of which such claim for damages arises. On the other hand, the Bill contains some objectionable features.

Members will note that the definition of an "Approved Insurer" includes the State Government Insurance Office, as established under the State Government Insurance Office Act, 1938. At present, the State office is limited to the transaction of employer's liability insurance, and it has been mentioned alsewhere that an amendment is being sought to that Act to extend the operations of the State office to include, amongst other things, the liability which will be imposed by the Bill to make provision in the Traffic Act for compulsory insurance against third-party risks in respect of motor vehicles.

The question of State insurance has been so often before the House that I do not propose to go over the grounds for objection to that procedure; that will be done when the other Bill is before the House. As for the inclusion of the State Government Insurance Office as an insurer in connection with third-party insurance, the two measures must be regarded as dovetailing. Only in the event of private enterprise failing to provide proper insurance facilities should the Government be permitted to do so. The measure contains proper and adequate safeguards for those who are compelled to insure, inasmuch as, upon the recommendation of the Minister, the Governor may appoint a committee to inquire into, and report upon, the question whether premiums charged for insurance are, or whether any term, warranty or condition contained in any policy of insurance is, fair and reasonable. I propose to deal with the constitution of the committee later on in my remarks. There are no justifiable grounds for the Government entering into this class of business, and I strongly oppose such a course. Are we to believe that the State Insurance Office, if permitted to transact this class of insurance, will be able to charge lower premiums than the other insurers? If so, it can mean only one thing, and that is, that the State Office would be charging less, presumably, than the premiums which the committee appointed by the Minister had reported upon as being fair and reasonable.

Hon. L. Craig: Would the suggestion of the committee be accepted as to whether the charges were fair and reasonable?

Hon. C. F. BAXTER: There is no question as to their acceptance. The only inference one can draw from such a state of affairs is that the taxpayers would have to make up the difference. That is to say, they would make up the deficiency if the State Insurance Office quoted lower rates than the committee recommended. Provision should be made in Clause 55 for leaving outside the scope of the Bill those vehicles that are commandeered by the Defence Department. A car may be commandeered for temporary purposes in such circumstances that the property in the vehicle remains with the private owner. Seeing that the insurance follows the car, the insurer would be liable, in such a case, for claims by third parties arising out of the negligence of the military driver.

It cannot be intended that this Bill is to apply in such circumstances, and the measure should provide accordingly. A policy of insurance is not required to indemnify the insured person in respect of claims based upon the death or injury of any person who was the insured person's spouse, or child, "or other relative, being a grand-parent, parent, brother or sister of the insured person." On the other hand, the South Australian Act, of which the Bill before us last session was an exact copy—the present Bill is nearly so—makes provision under this heading for the "spouse or child or other relative of the insured of a degree not more remote than the fourth." The point involved, as members will see, is that relatives of the fourth degree would have a much greater range than would come within the definition of the relatives in the measure before the House. I do not think it would be wise to depart from the pattern upon which this Bill is modelled, without good reason for doing so.

Hon. A. Thomson: People should have an opportunity to secure compensation in the event of an accident.

Hon. C. F. BAXTER: Most decidedly. The fact that they may not be brought within the scope of the third-party insurance risk provisions, does not mean that they cannot sue. For instance, quite apart from the Bill altogether, under the provisions of an ordinary comprehensive policy there is power to sue.

The Honorary Minister: But people would have to pay a lot more for a comprehensive policy.

Hon. C. F. BAXTER: I take it that most people will take out a comprehensive policy. In addition to that, they can sue at common law. If I were driving my son in my car, he could sue me.

Hon. A. Thomson: He would not be likely to do that.

Hon. C. F. BAXTER: But the provision is there.

Hon. H. V. Piesse: He would be able to make sure first that his father had sufficient money to pay damages.

Hon. C. F. BAXTER: Perhaps so.

Hon. G. W. Miles: If you drive a friend in your car and an accident occurs, he can sue you.

Hon. C. F. BAXTER: Of course he can. Quite apart from the provisions in the Bill, people will be able to take action at common law.

Hon. L. Craig: The provision in the Bill will assist in cases where the individual has not much money.

Hon. C. F. BAXTER: That is so, and certainly we should closely follow the provisions of the South Australian Act. The measure provides that notwithstanding anything in any enactment, a person issuing a policy of insurance under this proposed section shall be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of those persons or classes of persons. The object of that clause is not at all clear to me, but I am sure that most members will have an instinctive objection to a clause which may have unknown, but nevertheless far-reaching consequences. I have looked at this clause from many angles, and I cannot determine what the intention of it is—I am referring now to Subclause (4) of Clause 57. I ask the Minister when he is replying to explain the necessity for it. I am sure his explanation will be very interesting. Failing a satisfactory explanation we certainly cannot leave it in the Bill.

With regard to uninsured vehicles, it is to be a good defence in any action against the owner if he satisfies the court that it was not due to his own fault the motor vehicle was uninsured. The effect of the main clause is that the liability to compensate a third party injured by an uninsured motor vehicle falls upon the insurers as a body; the insurers contribute their shares in accordance with the volume of business transacted, and the right is given them to recover against the owner or the driver. Throughout the Bill the insurers are guarantors, so to speak, that third parties injured by the negligence of motor vehicles shall not go uncompensated; that is, whether the vehicle is licensed or not. It is in consonance with the general purposes of the Bill that that idea should prevail, but it surely cannot be conceded that an owner of a motor vehicle who, from whatever reason, has failed to comply with the Act and is uninsured, should be exempt from an action against him for the recovery

of damages which have been paid on his behalf. It is not the insurers who suffer, because in the ultimate result it comes out of the pockets of those who have insured in obedience to the law, and it is out of the funds provided by their premiums that the claims are paid.

Where the identity of a vehicle negligently causing death or injury to a third party cannot be ascertained, or where the owner or driver is uninsured and fails to satisfy a judgment against him, it is provided that an action may be brought against a nominal defendant, the judgment and costs against whom are to be borne by all approved insurers in proportion to their income. It is proposed that the nominal defendant shall be named by the Minister after consultation with the committee. Since this liability is to fall upon approved insurers, it should clearly be provided that the nominal defendant should be an approved insurer.

Where emergency treatment is rendered by a medical practitioner or nurse, or motor transport is required, or hospital treatment given, arising out of the death or injuries of a person involved in a motor accident, the charges fall on the insurers. This is consistent with that part of the measure dealing with the liability to pay compensation to third parties. Objection, however, must be raised to the insertion of the proviso that it should be a sufficient defence in an action against the owner or driver of an uninsured vehicle if the defendant establishes to the satisfaction of the court that he is not in any way responsible in law for the bodily injury which necessitated the emergency or hospital treatment. The insurer always has to pay for emergency treatment, irrespective of whether the accident out of which it arose was due to the negligence of the motorist. Why then should the uninsured owner or driver escape liability if he can show that he was not negligent? Why this indulgence towards the uninsured person?

Dealing with the termination of a policy of insurance, the measure contains a novel provision which differs materially from the section in the South Australian Act.

Hon. J. Nicholson: Which clause is that?

Hon. C. F. BAXTER: Clause 70. The measure before us requires 14 days' notice in writing to be given to the insured, and to the licensing authority of the insurer's desire to terminate a policy when it reaches the expiry date for the term for which it was issued—which means that the policy cannot be cancelled during its currency, and only upon giving 14 days' notice will the policy run out upon its expiry date—the position under the South Australian Act is that an insurer may terminate a policy at any time during its currency by giving 14 days' notice, and the policy automatically terminates on reaching its expiry date unless it has been renewed.

Hon. J. Nicholson: That is provided for.

Hon. C. F. BAXTER: The clause is very badly drafted.

Hon. H. S. W. Parker: There are three words omitted.

Hon. C. F. BAXTER: Of greater importance to the community than the compensating of injured people or of dependants of persons killed in motor accidents is, members will agree, the prevention of motor accidents. The legislator should not take away from insurers the right of cancelling the insurance of a motorist whose driving record shows that in the public interest he should not be driving a motor vehicle. I notice the Honorary Minister shaking his head.

Hon. J. Cornell: He whispered to you.

Hon. C. F. BAXTER: The views of the House of Lords select committee on this question is contained in the following words: —

> There are certain drivers who are constitutionally unfitted to drive a car. It is difficult to analyse the reason for this. It is probably due to a combination of vagueness, slowness in decision, nervousness, deficiency in road sense and judgment. It is not necessarily due to recklessness, or to bad road manners, or to active fault. If a driver is found to be accident prone, through defects either of capacity or of temperament, or by being involved in a series of accidents, the Committee considers that, in the interests of all concerned, he should be disqualified from driving. The Committee hopes that insurance companies will assist in carrying out this recommendation. They should refuse to insure drivers who are found to be accident prone. Persons who take out policies with new insurance companies, and in so doing fail to give details of their previous relations with other insurance companies, should be treated with severity. Otherwise accident-prone drivers may go to a new insurance company, and start afresh with a clean record each time they take out a policy. There is much scope for psychological research in the detection of

undesirable drivers who ought to be eliminated from the roads.

Members should bear in mind that the cancelling of the insurance policy does not mean that any third party injured, as the result of that person's driving of a vehicle whilst he has no insurance, would go uncompensated. An uninsured owner is not entitled to drive a vehicle, but if he does so any liability for injuries caused by him falls upon the general body of insurers.

Hon. J. Nicholson: That is so.

Hon. C. F. BAXTER: A good deal of importance was attached to the aspect of the selective right of the insurers by the House of Lords select committee on the prevention of road accidents, as members will realise from the quotation that I have just read from the proceedings of that committee. I have no doubt that a satisfactory working arrangement with proper safeguards could be arrived at between the Minister or the Committee and the insurers. That is why it is necessary that insurance companies should be in the position to be able to cancel policies. It would be necessary to give 14 days' notice of a cancellation.

Hon. L. Craig: Suppose the associated companies refused to take a man's policy?

Hon. C. F. BAXTER: I cannot see any insurance company turning down business unless for the reasons I have already stated. The companies do it practically all in South Australia. Why should they turn down business? In conclusion, I should like to draw attention to the proposed personnel of the committee to be appointed to deal with premiums and certain other matters. It is as follows: —

> The Auditor General as chairman; the State Government Actuary; two persons representing approved insurers.

This is on all fours with the committee appointed under the South Australian Act, with the important exception that the chairman there must be a judge of the Supreme Court, a special magistrate or a legal practitioner. Under the South Australian Act the sole duty of the committee is to inquire into and report upon the question of premiums. Yet the South Australian authorities realised that the matter was so important as to warrant the appointment of a judge, magistrate or legal practitioner. Under this measure, however, the committee is also to be empowered to inquire into and report upon the terms, warranties and conditions contained in insurance policies. Members will note how wide the difference is. Therefore it is all the more necessary that the chairman of the committee to be appointed under this measure should be a judge, a special magistrate or a legal practitioner.

I think I have dealt fully with the policy of the Bill. I intend to place a number of amendments on the notice paper with a view to making the Bill a sound measure that will meet our requirements. We have needed legislation of this kind for a long time. I know perfectly well that many people object to such legislation. I have received letters from local governing bodies in opposition to the Bill.

Hon. L. Craig: So have I.

Hon. C. F. BAXTER: I cannot understand their opposition.

Hon. L. Craig: Neither can I.

Hon. C. F. BAXTER: My conclusion is that they are not really acquainted with the provisions of the measure. In making these comments on the Bill, I have not been actuated by any desire to indulge in carping criticism. My object is to assist the Minister to get a good measure that will not have to be tinkered with in future and will not inflict greater hardship than necessary on the people.

Hon. G. W. Miles: Have you additional amendments to those already on the notice paper?

Hon. C. F. BAXTER: I was not aware that they are on today's notice paper. Those are the amendments I shall propose, and they will simplify the Bill and enable us to get a good sound law that will be a credit to Parliament and will operate satisfactorily for the Government and the insurance companies. Such legislation will overcome the disabilities that have been caused through a man's getting into a fast-moving vehicle and not only wrecking property but in some instances maiming or killing people and leaving them without redress. This measure will overcome that trouble. I shall be pleased when this measure reaches the statute-book and is proclaimed, because it will obviate hardship that has been experienced for some years.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.19]: I have considered the Bill somewhat thoroughly, not only alone

but in conjunction with the Crown Law authorities. Various amendments, I understand, will be proposed in Committee with a view to improving the measure and removing a few anomalies that have crept in. The main idea of the Bill is to protect the pedestrian against motor accidents, but it is not designed to give every person injured in a motor accident a sum of money to cover the damages he suffers.

Hon. L. Craig: That is an important point.

Hon. H. S. W. PARKER: The person injured has to prove that he was injured through the negligence of the motor driver. Furthermore, if he proves that he was injured through the negligence of a motorist, it will not matter to him whether the motorist was insured or not. The Bill is designed to provide that the motor vehicle will be insured. Members are aware that motor vehicles that are not licensed are sometimes stolen and that not all motor vehicles are licensed. Many people, when they take a long trip, leave their motor cars unlicensed in their garages. Sometimes these vehicles are stolen, and damage is caused by the persons who assume control of them. Such a car would be uninsured, but a person injured as a result of the negligent driving of the vehicle would not be debarred from receiving compensation.

Every precaution is being taken to ensure that before a vehicle is licensed there must be a policy of insurance. All motor vehicles now have to display a card on the windscreen to show that they are licensed. Anyone looking at a motor car can tell at once whether a vehicle is licensed, and this in future will be an indication that the vehicle is also insured. There will not be any difficulty in policing the Act in that respect. If a person is injured by an uninsured vehicle, all he need do is to lodge his claim with the proper authority and provision is made for a nominal defendant whom he shall sue. The insurance companies combined will be the parties liable to pay the damages. That provision, I think, is correct in principle.

Hon. G. W. Miles: Why should it be necessary to have a nominal defendant?

Hon. H. S. W. PARKER: If a man is injured, he cannot recover damages unless he sues somebody, and he must know whom to sue. Therefore we must set up some machinery whereby the injured person may sue. He cannot find the individual responsible for the accident and so he sues a nominal defendant. Even so, the claimant has to prove negligence. I take it that the nominal defendant will not be an individual who is working with the insurance companies or is a representative of the insurance companies. Some procedure doubtless will be devised whereby the nominal defendant will be a public officer who will get into touch with the solicitor for the companies or with the Crown Law authorities so that action may be taken in the ordinary way. However, the man will have to prove his claim in the ordinary way. If a hit-and-run motorist is found after judgment has been obtained against the nominal defendant, the nominal defendant will have his right of action against the man who really caused the accident. That is quite the correct thing. The Bill as drawn perhaps does not cover a car that is stolen, but an amendment I have discussed with the Solicitor General will remedy that defect.

Hon. G. Fraser: Did you say that this was a safeguard only for pedestrians?

Hon. H. S. W. PARKER: Virtually so, but when I mentioned pedestrians, I meant that it was a third-party measure. The Bill will not provide insurance for anyone in the car involved in the accident. If I had a relative in my car he would not be covered.

Hon. G. Fraser: I thought you made the statement that it was only for pedestrians.

Hon. H. S. W. PARKER: That is an expression which is commonly used. Obviously, if a motorist knocked over a cart or a bus, the people in those vehicles might be injured. The Bill is not intended to insure against damage to property; it is intended to cover the individual.

Hon. G. Fraser: What if the other individual was riding a motor cycle?

Hon. H. S. W. PARKER: That would be another vehicle; it would not be the vehicle of the man concerned. Mr. Baxter referred to relatives to the third or fourth degree. Sometimes argument arises as to the various degrees, but this Bill makes the position a little broader in that respect than does the South Australian Act.

There is a matter I should like the Honorary Minister to consider seriously before we deal with the Bill in Committee. I refer

to the question of hospital expenses. The aim of the Bill is that hospital expenses shall be cut down, if I may so express it, to a minimum, and rightly so. There is provision for a sum not exceeding £5 for an out-patient and a sum not exceeding £50 for an in-patient, but in every case the amount to be paid to the hospital shall not exceed one-fifth of the total amount, exclusive of the costs, paid by the insurer in respect to the bodily or fatal injury. Let me deal with a fatal accident. It is only by virtue of statutory authority that the relatives of a deceased person have the right of action against a person who has caused the death. There is no such right under common law. Consequently, if a child is killed, there is no pecuniary damage at all because loss of life cannot be measured in an amount of money. If one tries to make the damages an amount of money, it is quite obvious that a child is not an asset but is a liability in terms of money. Therefore if this Bill was passed in its present form and a child was killed in a motor accident, or subsequently died after having been in hospital for any time at all, there would be no claim against the insurer for hospital expenses because one-fifth of nothing is nothing. I should like the Minister to consider this matter.

Hon. L. Craig: A child of 15 or 16 would be an asset.

Hon. H. S. W. PARKER: I am afraid not. Another matter open to question I have discussed with the Solicitor General, and although there happens to be a recent decision in the court by one judge, that decision might be upset. Under Lord Campbell's Act, damages must be assessed by a jury, but following some astute argument in a recent Supreme Court case, we now know that a judge can be the jury. But in order to avoid that, the Solicitor General has suggested an amendment—he has kindly furnished me with a copy of it—which will permit of Lord Campbell's Act being overruled or repealed so far as this matter is concerned. It is quite right that a jury should not assess damages in motor car cases. I understand that in New Zealand a pernicious practice has arisen that as soon as an individual is knocked over by a motor car, whether he is injured or not injured, touts are out immediately to inform him that they can get heavy damages against the motorist. When one gets before a jury well aware that an insurance company is involved, it is well known in legal circles that so long as one can get past the judge with a prima facie case for damages, the jury is sure to find in favour of the plaintiff against the insurance company. The result has been that large claims have been made, many of them wrongfully, and large amounts awarded as damages by juries. I commend the Government for eliminating trial by jury in these cases.

Another matter I would like to bring forward is perhaps a matter of policy. An approved insurer may at any time apply to a court of summary jurisdiction for an order that a motor driver be disqualified from driving a motor car. This, of course, is quite correct; but I would like to see the provision go further and say that any police officer or police constable may apply. Naturally the insurance company would not care to make an application to the magistrate to cancel a person's driving license. That might have a very ill effect on the company's business. If a man has a lot of insurance business and is addicted to drink, the insurance company will not come along and ask to have his private license cancelled—in view of the business relationship. It is only right and proper that in all cases the police should take direct action to have the driver brought before the court with a view to withdrawal of his license.

Yet another matter of policy which I think is wrong is included in the Bill. It provides that notice of action against the insurer must be given within one month of the occurrence of the accident. To my mind that is wrong. At the present time six years is the period in which action may be taken. Under the Bill, of course, there would still be six years to take action against the individual for damages; but the injured person would not be able to recover from the insurer under the Bill unless he gave notice of his claim within one month of the accident. Unfortunately there are many accidents where people remain unconscious for a very long time. Further, within one month of the accident people are not capable or fit to give the necessary notice. Moreover, in many cases the injured person is of an ignor-

ant type and not versed in the intricacies of the law. A month I consider entirely too short.

Hon. L. Craig: The period cannot be very much longer or the insurance policy may lapse.

Hon. H. S. W. PARKER: At the present time the position is this with all policies of insurance: if the driver is insured, he reports immediately afterwards that he has had an accident. All right. Now it may be at any time up to six years that the person who is injured makes his claim against the insured person. All he has to do under the policy is to give notice within seven days to the insurance company. There will not be any actual hardship, because all these accidents are reported. The police have full information, and the insurance company is prepared at the present time to insure on the basis that so long as it gets notice within seven days or 21 days—at the moment I forget which—of receiving intimation that a claim will be made, it will take the claim over. I think the companies would be prepared to do that again. Perhaps six years is too long, undoubtedly one month is far too short. At the present moment I am concerned with an accident which took place, I think, 18 months ago. The people concerned have issued the writ, but will not go any further; and they need not go any further. The insurance company, however, has to fight that case. The allegation, of course, is negligence; and there is denial on the part of the driver, and so on. But the person injured will not proceed. There are means of making him proceed if one wants to. One can hang on as long as he likes and not issue the writ until just prior to the expiration of six years from the occurrence of the accident; and the insurance companies must take up the case.

Generally speaking, the Bill is to be much commended, and the Government is to be commended for bringing it forward. It is an excellent Bill, subject to a few amendments which are not as regards policy. They are, perhaps, serious as regards verbiage. Actually I cannot see that the measure should cause increased premiums very much, because all one is bound to insure for under the measure is personal injury to people through carelessness. At present most motorists take out a comprehensive policy for injury—injury to the other car as well. If anyone asked my advice after the Bill as it stands had become law, I would say, "Yes, but don't you rely on that insurance you have got when you get your license; but go along and get a comprehensive policy, because the Bill covers you only for the damage done to the individual. If you meet with an accident through carelessness and damage the other car, you will have to pay that out of your own pocket."

Hon. A. Thomson: I presume there will be a reduction in the premium that will be charged if third-party risk is covered.

Hon. H. S. W. PARKER: I should imagine that the Bill will not cause any greater liability to the motorist who is now wise enough to insure. There will be no greater liability on him, because he will be covered under the Bill for one portion and he will get the same insurance company to cover for the balance at a small premium. I am of opinion that perhaps not at first, but eventually, the effect of the Bill will be to reduce premiums, because everybody will insure, and in that way premiums will be reduced. At the present time there are many cars which are not insured and should be insured.

Hon. C. F. Baxter: A very large number.

Hon. H. S. W. PARKER: A very large number. I think myself that they are responsible for the introduction of the Bill. Another matter which I would like the Honorary Minister and the House to consider is that the Bill is designed with the object of protecting the public. It is a great protection to the public if the insurer has to pay the first £5 or £10 of the liability. People are sometimes a little careless, thinking "It does not matter to me; it will not cost me anything; the insurance company has to pay." But if the insured person has to pay the first £5 or £10, or even more, up to £50, he will be more careful. I agree, however, that the injured person should have his right against the insurance company and the insurer; but the insurer should have the right to recover against the insured person the first £5 or £10, or even a greater sum.

Hon. C. F. Baxter: That is a matter for the companies.

Hon. H. S. W. PARKER: It would be a good thing if the Bill insisted on that being so, because the Bill is designed for the purpose of protecting people on the roads.

It is not designed for the purpose of protecting a motorist from the consequences of his negligence. I should like to see some clause to that effect introduced into the measure. If the person who owns the motor car insures it when he has not any money, then the person who is injured does not suffer in any way; but the insurance company will only have its right of action against that person. There will be a debt due. As regards persons driving motor cars and having no money, that is the very reason why the passing of the Bill is so essential and necessary. It should become law very quickly, because those people who cannot afford to pay for their negligence, if they are negligent, should not be allowed to have what is known in law as a dangerous machine on the public highway.

Hon. T. Moore: That would cut out quite a lot of people.

Hon. H. S. W. PARKER: Possibly, but people should not be let loose on the public with a dangerous machine if they are not in a position to pay for the damages they may cause. The Bill provides that if they cannot pay for damages they must insure, so that an insurance company will pay in their default. I have much pleasure in supporting the Bill.

HON. L. CRAIG (South-West) [5.43]: Mr. Baxter and Mr. Parker have said all that I would have said, and said it better. This is definitely a Committee Bill. I cannot understand any member voting against the second reading, and I fail to see that any second-reading speech from now onwards will affect in any way the vote on the second reading. Therefore, without going into the many clauses that I have studied, I suggest that we do get the measure into Committee in reasonably quick time and deal with the clauses. It is not exactly a complicated Bill, but is a very long Bill of many clauses all of which require careful study. The objective of the measure is to protect those people who are injured and who would have a right of recovery from the person who injured them through negligence. That, in effect, is the meaning of the Bill. There are a few minor things which do not matter so much. The rest of the clauses are really machinery by which the object of the Bill shall be effected. I do not intend to make a speech. The matter has been dealt with very thoroughly by the two hon. members I have mentioned. Therefore I shall content myself by waiting until the Bill gets into Committee.

HON. A. THOMSON (South-East) [5.45]: I am afraid my ideas on this Bill are different from those voiced by the hon. members who have so far spoken to it. I cannot agree with Mr. Craig that we should hurry the Bill into the Committee stage. It is designed for the protection of the public and contains many important clauses. Such a measure is long overdue, but I question whether the Bill will, if passed, give the best results. The Bill is stated to be based upon the South Australian Act. Nevertheless in my opinion it is somewhat cumbersome and clumsy, and it will involve owners of motor vehicles in greater expense than I consider to be necessary. I shall place my views before the House. The subject is one to which I have given much consideration for many years past; and I think Mr. Fraser holds views somewhat similar to mine. If one may judge by the statements made by insurance companies, they would much prefer to be without this class of business, because they all say they are losing money by it. Is not there another method that could be adopted which would protect the public and reduce the premium costs to a minimum? I do not intend to traverse the clauses of the Bill.

One of the weaknesses of the measure, in my opinion, is the matter of pooling the expense of what is an unknown liability. How are the companies to ascertain the amount that each must pay into the pool for compensating people injured in motor accidents when the person responsible for the accident cannot—as unfortunately is sometimes the case—be found? How can the companies arrive at a basis? How can they assess the premiums? We have been told that the cost in South Australia varies from £1 7s. to as much as £10 for various types of vehicles. I hope the House will agree to the Bill being referred to a select committee. Personally, I would like further information with respect to the premiums that are likely to be charged. We are told that the premium might be about 33s.

Hon. G. Fraser: It ought to be less than that.

Hon. A. THOMSON: I quite agree with the hon. member. It should be possible to fix a much lower premium.

Hon. J. Cornell: It will be as hard to assess the premium in this instance as it is to assess the premium for diseases under the Workers' Compensation Act.

Hon. A. THOMSON: No. The insurance companies objected to undertake that business: at least, that was the alleged reason why the State Insurance Office was brought into existence.

Hon. T. Moore: The business was handed over to the State because private enterprise would not undertake it.

Hon. A. THOMSON: Before this Bill passes, we should know what the premium will be. The first part of the Bill deals with the appointment of a committee to decide whether the proposed premiums are fair; that decision must be arrived at before the legislation can be put into force. I confess I dislike that particular provision. Other clauses will probably be amended in Committee if the Bill is not referred to a select committee.

In reply to a question put by me, the Chief Secretary supplied me with information as to the number of vehicles licensed in the metropolitan area. According to the Pocket Year Book, which is provided for members, there are 36,368 cars licensed in the State, 22,273 trucks, 323 buses, 911 trailers and 7,079 motor cycles. In my opinion, motor cycles should be insured before a license is issued for them, because in my humble opinion they are responsible, directly and indirectly, for many accidents.

Hon. J. J. Holmes: They are the greatest danger of all.

Hon. A. THOMSON: That is so. There are also 135 road tractors; so that we have on the roads 67,107 licensed motor vehicles.

Hon. J. J. Holmes: Are push bikes included?

Hon. A. THOMSON: I am glad the hon. member mentioned push bikes. Anyone driving a motor car in the city will at times feel his heart in his mouth, or anywhere else it ought not to be, when he meets a daring cyclist who thinks nothing of crossing in front of the car. An accident can only be avoided if the car has good brakes.

Hon. L. Craig: You would not be liable, anyway.

Hon. J. Cornell: I can deal with a push bike, but not with a motor car.

The PRESIDENT: Order!

Hon. A. THOMSON: Push bikes are not dealt with by the Bill. I have no idea what the premium should be.

Hon. C. B. Williams: What do you suggest it ought to be?

Hon. A. THOMSON: I have a suggestion to make; but whether it is practicable or not, I am not competent to say. That is my reason for suggesting the appointment of a select committee.

Hon. C. B. Williams: So that you can push everything on to it.

Hon. A. THOMSON: No.

Hon. C. B. Williams: Yes, definitely. That is your idea.

Hon. A. THOMSON: I am sorry my friend thinks so.

Hon. C. B. Williams: That is your idea of a select committee.

Hon. A. THOMSON: No. It is not my idea at all. We might evolve a measure which would give better results at a much cheaper premium.

Hon. C. B. Williams: How much would you suggest?

The PRESIDENT: Order!

Hon. A. THOMSON: If the hon. member will have a little patience, I will tell him.

Hon. C. B. Williams: You test my patience at all times.

The PRESIDENT: Order! That is a matter which ought to be discussed in Committee.

Hon. A. THOMSON: I have given the number of vehicles licensed in the State. I would tax the vehicles according to the following table:—

		Rate.	£
Cars	36,386	£1	36,386
Trucks	22,273	£2	44,546
Buses	323	£10	3,230
Trailers	911	£1	911
Motor cycles ..	7,079	£1	7,079
Road tractors ..	135	£2	270
	67,107		£92,422

I emphasise that the rates set out in the table are my suggestions only. I am not prepared to say whether the sum of £92,000 would be sufficient to meet all the charges that might be incurred; a select committee could inquire into that point. As I have said, insurance companies do not desire to conduct this particular type of insurance business.

If members will turn to page 100 of the Pocket Year Book, they will find that for the year 1937-38 the total revenue from premiums in respect of motor cars, etc. was £237,358. I presume some of those premiums covered third-party risks. The claims amounted to £153,123; commission and agents' charges amounted to £31,858, while other charges amounted to £50,534. The expenditure therefore amounted to roughly £82,000. Members will also find that the revenue from premiums for public risk, third-party, amounted to £6,629. Claims amounted to £1,777. Expenditure on commission and agents' charges amounted to £996, and expenditure on other items to £1,548. Members will therefore note that the scheme propounded by the Bill will involve a considerable amount of expense. That is the reason for my proposal. If the insurance were not to be made compulsory, I would not have anything further to say on the Bill. It seems reasonable to me that when a man goes to a local authority or to the police and asks for a license for his car for six or twelve months as the case may be he should be told that the cost of his license is £8 with an additional £1 for third-party insurance. In that way it would not be necessary for a man to provide a cover note from an insurance company because he would not have to prove he was insured. He would not obtain a license unless the amount required by way of insurance was paid as part and parcel of the license fee. That fund would be administered by a trust.

Hon. G. W. Miles: It would be a State Department activity.

Hon. A. THOMSON: Let it be considered so. A State department is already collecting the revenue from motor licenses, and the Government has decided to take part of that money and transfer it to another department.

Hon. J. Nicholson: All cars would be required to be insured through the department.

Hon. A. THOMSON: No, all cars would be insured automatically when the license was issued. No expense would therefore be incurred in the collection of the insurance money, which would be part and parcel of the amount paid for the license. Local authorities outside the metropolitan area when they received the fees, would simply forward a cheque to the trustees. When we compare the cost of insuring--

Hon. G. W. Miles: That would be State insurance.

Hon. A. THOMSON: I am not dealing with any insurance company at all, State or otherwise. It would be definitely a trust, and in my opinion the cost of administering the fund would not be more than 2 per cent. The figures I have quoted represent only a rough calculation. The cost would not be anything like the £92,512 I have mentioned. The officers of the trust would be a secretary and manager and the fund would be administered at a cost of 2 per cent. I know it may be said that I have always opposed State trading, and I may be accused in this instance of having turned a somersault, but I have not done so.

The Honorary Minister: You have been converted.

Hon. A. THOMSON: No; but I consider that as the measure is compulsory, the proper procedure is to eliminate all possible expense. The Bill should be referred to a select committee. If it can be proved to me that the proposal I am submitting for consideration is unworkable, I will cheerfully withdraw my suggestion, but I have given the matter considerable thought and am convinced that my plan can be given effect to at a minimum charge of £1 for motor cars, and a higher amount for motor buses and vehicles of that kind. I am not a qualified accountant or insurance expert, but I consider the scheme I have submitted is worthy of consideration. I should like insurance officials to be given an opportunity to express their views, and I should also like to hear the viewpoint of the Auditor General. In view of the enormous amount of money that is swallowed up, my suggestion merits attention. For many years I have urged that there should be third-party insurance. I have no fear that those in a position to pay will not insure. People so situated are certainly able to pay damages for causing injury to other people. The individuals I have been concerned about are those injured by motorists who have no money. I know a woman who was seriously hurt; in fact she is almost a cripple, and has not been able to earn a living. All she can hope for is to obtain a little more assistance by way of an invalid pension. That is all she can look forward to; and

she was a woman who was active and earned her own living before the accident. Practically all the money she had was absorbed in medical expenses and she had no redress against the person who caused the injury.

Hon. J. Cornell: The motor car owner who will not pay does not deserve to have a car.

Hon. A. THOMSON: I agree. Motorists not prepared to insure to protect others against what have been called the "dangerous machines" that are on the road to-day, should not be allowed to have cars. I support the second reading, and I propose to move later that a select committee be appointed to go into the matter. I discussed the subject at a road board conference held in a Great Southern district. Certain people attending that conference were strongly opposed to a measure of this kind because they considered it meant an additional impost, but my plan received the unanimous support of that gathering. If the matter were investigated, I am sure the Bill could be considerably amended, though many of the clauses would have to remain. But if the statement is correct that this type of business represents a definite loss to insurance companies, the scheme I am submitting should be of some assistance. I thought when I first propounded the idea that it was something new, but I find that Mr. Fraser advocated something of the kind some years ago. I support the second reading.

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

BILLS (3)—FIRST READING.

1, State Government Insurance Office Act Amendment.

2, Tramways Purchase Act Amendment.

3, Wheat Products (Prices Fixation) Act Amendment.

Received from the Assembly.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—INCREASE OF RENT (WAR RESTRICTIONS).

In Committee.

Resumed from the 18th October. Hon. J. Cornell in the Chair: the Chief Secretary in charge of the Bill.

Clause 4—Restriction on raising rent:

The CHAIRMAN: Progress was reported after Mr. Nicholson had moved an amendment that all the words after "rate" in line 10 of paragraph (i) of Subclause 1 be struck out with a view to inserting other words.

Hon. J. NICHOLSON: The clause provides for the landlord being allowed to charge a rate not exceeding 6 per cent. on money spent by him on improving his property after the 31st August last. That would be 6 per cent. gross, an inadequate return when all outgoings are taken into consideration. Such a provision would hamper building operations and contribute to unemployment. I have sought by my amendment to provide a rate that will give the landlord a net return equal to 6 per cent. per annum. In connection with valuations, a certain depreciation is allowed on all buildings. How could people be expected to embark upon building operations if they did not foresee an adequate return for their investment? Unless the clause is amended, landlords will find that their return on the cost of improvements will not exceed 2 or 3 per cent.

The CHIEF SECRETARY: I reported progress to give Mr. Nicholson an opportunity to explain what he meant by his amendment. He spoke of outgoings but did not tell us what they were. I am inclined to think that if the amendment is agreed to, great difficulty will be experienced in administering it. The question of rates is already provided for in another part of the Bill.

Hon. J. Nicholson: That refers only to increased rates.

The CHIEF SECRETARY: What other factor would a landlord have to face after spending money on improvements than a possible increase in the rates? The Bill provides that in such event an additional charge to the tenant would not be regarded as an increase in the rent. If the Committee is not satisfied that 6 per cent. is a fair percentage to allow, I would rather see the figure increased than have the clause otherwise amended. I am afraid the position will become complicated if the amendment is agreed to. Mr. Wittenoom has an amendment on the notice paper, the object of which is to delete the provision for a return of 6 per cent., and to substitute 10 per cent. I would prefer 6 per cent., even if

it were made net. I believe the consensus of opinion among members is that that is too low. Rather than agree to Mr. Nicholson's amendment, which would tend to complicate matters, I would prefer an amendment to specify the increased rate per cent. deemed acceptable. If Mr. Nicholson could indicate what "other outgoings" would cover, I might be prepared to reconsider my opinion. The term is so vague.

Hon. G. Fraser: It could cover the world and his wife.

The CHIEF SECRETARY: I think the position is dealt with adequately at present.

Hon. H. S. W. PARKER: Will the Minister tell the Committee what "decorations or repairs" really means? If a landlord effects repairs, he is allowed to secure a return of 6 per cent. but he is not allowed to charge for such improvements as would include decorations or repairs. I should say that of 90 per cent. of alterations or improvements to a property, 50 per cent. would be represented by "decorations or repairs".

Hon. J. Nicholson: Painting would be a decoration.

Hon. H. S. W. PARKER: If a man painted his property, he should not be entitled to charge 6 per cent., because he is merely keeping his property in order. On the other hand, the lessee of a hotel has to pay for necessary painting at certain periods. Again, if extensive alterations were carried out in order to make the licensed premises more attractive, much of the work would consist of decorations, and the owner would not be allowed to charge anything extra in the rental.

The CHIEF SECRETARY: Mr. Parker is confusing decorations and repairs with improvements and alterations. A good landlord will naturally keep his premises in repair if he desires to retain a good tenant. When it comes to alterations or improvements to a property, that is different altogether. If, as a result of those improvements, the tenant receives a reward, then the landlord or owner is entitled to claim additional rent.

Hon. H. S. W. Parker: Would not those improvements include decorations?

The CHIEF SECRETARY: I would not say that the decoration of premises could be regarded as an improvement to the extent of requiring the tenant to pay additional rent. I would take "decoration" to mean painting or other means of improving the appearance of premises. Licensees of hotels, for instance, are expected to paint their premises every two or three years.

Hon. J. Nicholson: But that applies only to large premises.

The CHIEF SECRETARY: I think it applies to every tenancy of that description.

Hon. J. Nicholson: No, not to small premises.

The CHIEF SECRETARY: Then let us deal with dwelling-houses.

Hon. H. Seddon: Dwelling-houses are not brought within the scope of the Bill; the Federal provisions cover them.

The CHIEF SECRETARY: The hon. member is under a misapprehension. The Federal regulations under the National Security Act do not become operative until such time as the State issues a proclamation having that effect. That has not been done so far, and so the Federal regulations do not apply. However, that furnishes an additional reason why we should agree to the Bill, because the Federal regulations are far more severe in their application to shops and dwelling-houses than are the provisions in the Bill.

Hon. A. Thomson: Should a dispute arise, the Federal regulations would override our law.

The CHIEF SECRETARY: No, not until the State Government issues the proclamation. That is provided for under Regulations 4 and 5 issued by the Federal Government under the National Security Act. However, I am quite opposed to Mr. Nicholson's amendment, and would prefer the Committee to decide upon the percentage allowable.

Hon. J. J. HOLMES: I am wondering where the Committee is drifting to. The notice paper contains an amendment to be moved by the Chief Secretary to the effect that where the Bill conflicts with the Federal legislation, the latter shall prevail. The Federal legislation shows that regulations have been issued under the National Security Act covering shops, dwelling-houses, lodging-houses, and so on, and they set out that the rents thereof should be controlled by the Federal provisions. The present discussion affects shops and dwelling-houses.

The CHAIRMAN: Order! The whole of this discussion is out of order.

Hon. J. J. HOLMES: The position is that we must have a clause which sets out that where the State conflicts with the Federal law, the Federal law shall prevail. The Federal law includes shops, dwelling houses, boarding houses, etc., but does not include licensed premises or any premises let for holiday purposes, grazing areas, etc. If we deal with the latter items we are up against this position: licensed premises can look after themselves, but with regard to premises ordinarily let for holiday purposes, it is not a fair thing to ask those people—only a few of them—that they shall go before the board to have their rents fixed. Surely that is a matter between landlord and tenant. No one else should butt in. There have been instances where a man has died and has left a farm that was not paying. The Trustee Company has had to do the best it could to get a tenant at any price. If we pass this legislation it will not be possible to increase that rent unless an appeal is made to the board. Surely that should be a matter between the Trustee Company on behalf of the owner and the incoming tenant.

Hon. J. NICHOLSON: The Chief Secretary found himself in a difficulty in specifying what might be decorations.

The CHAIRMAN: I have already said that this discussion is out of order. The subject of decorations should have been decided before the amendment was moved.

Hon. J. NICHOLSON: I merely desire to show the difficulty there is in explaining what "outgoings" may comprise. It is difficult for anyone to specify the hundred and one things that might be embraced under the heading of "decorations." I may give one instance. I own a building in the country which has not up to date, had the benefit of electric light. Suddenly an enterprising individual decides to establish an electric lighting plant in the district. I, as the owner, decide to have the premises connected up. Thus the expense incurred would be an outgoing. The same thing might happen in connection with sewerage, and that would be an outgoing. If we continue this discussion we can quote many other instances and the Chief Secretary will wonder why he did not discover them for himself—all being classed as outgoings. I will leave it at that, and I hope I have introduced a ray of light into the discussion.

Hon. A. THOMSON: Members by now are fairly well convinced that six per cent. is really not a reasonable rate. The point raised by Mr. Parker should be considered on recommittal.

The CHAIRMAN: It might be advisable, in view of the amendment standing in Mr. Wittenoom's name on the notice paper, to delete the word "six" for the purpose of substituting "ten," if Mr. Nicholson were to withdraw his amendment so that the feeling of the Committee might be tested on the subject of the deletion of "six."

Hon. J. NICHOLSON: If I withdraw my amendment for the time being, it will be necessary to re-commit the Bill to consider it. To assist in making progress, I ask leave to withdraw it.

Hon. J. J. HOLMES: We can easily be led into a trap. Someone might be able to say later on that the Legislative Council insisted on ten per cent. interest. I should prefer Mr. Nicholson to stick to his amendment.

The CHAIRMAN: The hon. member can object to the withdrawal of the amendment.

Hon. J. J. HOLMES: I object to it.

The CHAIRMAN: Therefore the amendment cannot be withdrawn.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That the following words be inserted in lieu of the words struck out:—"which will give a net return to the landlord of a sum equal to six pounds per centum per annum calculated on the amount so expended after providing for a sum of not less than three pounds per centum per annum as a fund to cover depreciation and after deduction of all rates, taxes and outgoings paid or payable by the landlord."

The CHIEF SECRETARY: As the Committee has decided to delete the words, I shall have to recommit the Bill, no matter what the decision might be on this occasion. If we insert the words suggested by Mr. Nicholson, complications will arise. In reply to Mr. Holmes I point out that this measure will cover a wider field than the Federal provisions. In the event of the Federal regulations being proclaimed by the State Government, only that part of the measure in conflict with those regulations would go by the board. Shall I be in order in moving a further amendment to provide for a specific rate in lieu of what Mr. Nicholson proposes? Possibly Mr. Wittenoom's proposal could be accepted in preference to Mr. Nicholson's.

The CHAIRMAN: The only way in which the Chief Secretary can attain his object will be by striking out "six" and inserting another figure, and providing that it be gross instead of net.

Hon. E. M. HEENAN: If Mr. Nicholson would agree to the striking out of all the words after "depreciation," we could accept the compromise. That would bring the rate to 9 per cent. and the 3 per cent. over the 6 per cent. would cover the outgoings mentioned by Mr. Nicholson.

The CHAIRMAN: The hon. member may move in that direction.

The CHIEF SECRETARY: I am satisfied that the Committee is not prepared to agree to 6 per cent., and I suggest that Mr. Nicholson should approve of the insertion of the word "similar" before the word "outgoings."

Hon. J. Nicholson: That would not be fair.

Hon. H. S. W. Parker: Recommit the Bill and make it 10 per cent.

The CHIEF SECRETARY: I must confess that Mr. Nicholson has not enlightened me at all. The very things he has spoken of are already provided for in the Bill. If a man were adding a new bar to licensed premises, lighting would be necessary and that would be an improvement. Therefore it would be included in the cost of the additions.

Hon. H. Tuckey: What about replacements?

The CHIEF SECRETARY: The landlord is responsible for them unless he has an agreement for the tenant to provide them. To save time we might agree to the amendment for the present and consider it further on recommittal.

Hon. J. NICHOLSON: What the Chief Secretary mentioned as improvements are not improvements. The clause contemplates improvements of a special nature such as structural improvements.

[*Hon. G. Fraser took the Chair.*]

Hon. J. CORNELL: I am reluctant to enter into the discussion, but I do so because architects have told me that 6 per cent. net is all that is required. They would then know exactly what was intended. If a man spent money on improvements, he would be entitled to charge an increased rent at the rate of 6 per cent. net.

Hon. J. J. Holmes: That is what architects think. What do owners think?

Hon. J. CORNELL: The Bill provides for outgoings. If we stipulate that a landlord is entitled to 6 per cent. on the money expended, is not that sufficient? If we introduce qualifications and a board has to interpret the provision, difficulties might arise. The provision of 10 per cent. gross might actually represent less than 6 per cent. net.

Hon. H. Tuckey: Is there any guarantee of getting money at 6 per cent.?

Hon. J. CORNELL: That is not in question.

Hon. H. Tuckey: An owner cannot make additions without money.

Hon. J. CORNELL: The landlord could charge 6 per cent. net.

Hon. H. S. W. Parker: What do you mean by "net."

Hon. J. CORNELL: I am satisfied that the owner could charge 6 per cent. net under the amendment.

The CHIEF SECRETARY: I am inclined to agree with Mr. Cornell. I appreciate that "6 per cent. net" would be understood by anybody interested. When the Bill was drafted the intention was to stipulate 6 per cent. net. It was never intended that there should be a reduction on 6 per cent. by expenditure going out on other things; but this clause has only to do with additions. If ways and means can be found to adopt Mr. Cornell's suggestion, I shall be prepared to agree to it. It would satisfy most property owners. Six per cent. would mean that in a period of 16 years the owner would be recouped the cost of additions.

Hon. A. Thomson: But if he had to borrow at more than 6 per cent. to make the additions, what then?

The CHIEF SECRETARY: The hon. member's argument adds to the necessity for the Bill. Since the declaration of war, as is well known, quite apart from either Commonwealth or State legislation there has been, in actual practice and not merely in theory, a definite increase in cost of commodities, including that of money to be used for this purpose. By the Bill we try to prevent unnecessary increases in prices of commodities, including money for this purpose. This kind of thing is giving

Commonwealth authorities much concern. Six per cent. should be sufficient in the circumstances. As soon as publication was given to these particulars, a prominent architect who was interested in two or three properties which were being added to communicated with me asking just what was meant. I could not give him definite information, and he said, "If it means 6 per cent. gross, it will be the end of all work of that kind; but if it means 6 per cent. net, we have no objection."

Hon. J. J. Holmes: The architect has no control over the owner of money.

The CHIEF SECRETARY: In ninety-nine cases out of a hundred the architect is the man on whom the owner relies.

Hon. J. Cornell: The architect is the man who estimates the cost.

The CHIEF SECRETARY: I am prepared to accept 6 per cent. net. Failing that, I shall have to move recommittal of the Bill in order to get away from the difficulties inherent in Mr. Nicholson's amendment.

Hon. T. MOORE: I wish again to point out exactly what is taking place. This is war time. I am honestly afraid that hon. members generally have not yet got that fact into their heads. They seem to be afraid that someone will not get some extra money while the war is on. The Bill would not receive much consideration but for the war that is in progress. We have been on this question for an hour now. On the other side of the world people are making terrible sacrifices. As regards the suggestion of 6 per cent., this Bill being for the duration of the war the rate might well be 3 per cent., and then those affected would get off very cheaply indeed, this being a time of sacrifice. Apparently this Council does not intend to let capital suffer at all. I hate referring to such aspects, but let us remember that this is a wartime Bill and that an investor receiving 6 per cent. is doing jolly well. Referring to a wartime measure, President Roosevelt used these words, "Unfortunately we have at all times the ugly, greedy profiteer with us." There are always sharks about, but any fair-minded person conscious of what is happening to-day in the world will agree that 6 per cent. is an ample return.

Hon. A. THOMSON: I regret exceedingly that Mr. Moore attributes motives to members of the Chamber. Other members may reasonably take a different view from his. This is not a quibble as to 6 per cent. or 10 per cent. If money is to be borrowed for the purpose of effecting improvements, they will not be made on such terms as the Bill proposes. Thus there may be less employment. As for sacrifices, every one of us will have to contribute his quota; we shall all be taxed. The return from property, it is generally estimated, should be 10 per cent. I do not own any buildings, and therefore the question does not affect me. However, it must be regarded also from an investor's point of view.

Hon. C. F. BAXTER: I do not agree with Mr. Thomson's views. Even in the extreme case where the owner has to borrow at 6 per cent. in order to make additions, he clears himself. The increased rent resulting from additions is a serious matter to many tenants.

Hon. J. CORNELL: We are concerned only with properties that are already built. Who decides whether improvements or alterations shall be made to them? The landlord.

Hon. J. Nicholson: He might be ordered to make them.

Hon. J. CORNELL: In that case he should think himself lucky to be able to charge 6 per cent. on the cost of the alterations or improvements. A landlord should not be permitted to charge the extortionate rate of 10 per cent. The Committee appears to be of opinion that 6 per cent. is not sufficient.

Hon. J. J. Holmes: What is wrong with the amendment?

Hon. J. CORNELL: It provides for totally unnecessary machinery. In the event of a dispute between a landlord and a tenant as to the rate, who will settle it? It would have to be settled by a tribunal, which would decide it on the facts. I shall later move an amendment on the amendment to the effect that the rate of interest be fixed at 6 per cent.; but I do not see the necessity for the machinery set up in Mr. Nicholson's amendment. The fact remains that the Committee must make a decision.

Hon. H. V. PIESSE: I move an amendment on the amendment—

That the word "six" be struck out and the word "eight" inserted in lieu.

Most people owning cottages or houses let to tenants would have to raise money to effect alterations or improvements; and they cannot do so under a rate of interest of 5½ or 6 per cent. Alterations made to premises let to tenants are not always of a permanent kind. Alterations may be made to suit the particular business of a tenant; and if that tenant fails in business the landlord may find it necessary again to alter the premises to suit the business of a new tenant. The landlord would have no recourse against the first tenant. Mr. Moore said that landlords might profiteer; but I can assure him that the landlords I know are not profiteering.

Hon. T. Moore: I said some were.

Hon. H. V. PIESSE: If the rate is fixed at 6 per cent. in my opinion a tremendous amount of building work will remain undone, and thus workmen will be thrown out of employment.

Hon. J. Cornell: If the money can be obtained at 6 per cent., why make a profit?

Hon. H. V. PIESSE: Would I be justified in employing the capital moneys belonging to an estate in making alterations and additions or improvements unless I was assured of getting a reasonable return for the outlay?

Hon. E. M. HEENAN: This Bill is an emergency measure; and, in my opinion, we should not in a war period raise prices of commodities or increase the rates of interest at which money can be borrowed. If in this clause we fix the rate of interest at 8 per cent., we shall be creating a bad impression. We should endeavour to maintain a standard. I favour the clause as it appears in the Bill. Members will notice that rates are already excluded, and there cannot be other outgoings except taxes. I trust the rate of interest provided by the Bill will not be increased; we should try to restrain financial institutions and individuals from obtaining rates of interest higher than they are at present charging.

Hon. H. V. PIESSE: We are not fixing the price of money but what the landlord will get for his money after raising it, in many instances, from an institution. If a small percentage over and above the bank interest is not allowed, improvements will be curtailed and that will have an effect on employment.

Hon. J. M. MACFARLANE: I am sure owners would be satisfied with six per cent. net in respect of additions or improvements to houses or properties. This does not apply to the general rent, but only to that charged in respect of alterations. If a man obtains six per cent. he is doing well in the circumstances. I am sorry that the word "net" was removed from the clause.

Hon. A. THOMSON: I want to place on record that any remarks I made to-night were not made with a view to fixing the rate of interest on money. My only fear is that we may restrict work that we should like to see carried out. I have no desire to do anything that might encourage an increase in interest. As a matter of fact, I am satisfied that Commonwealth legislation will be introduced to provide against such an increase.

The CHIEF SECRETARY: Those who have read the Bill will realise that provided an increase in rent is limited to six per cent., it will not be considered an unfair increase. Consequently there will be no possibility of proceedings being taken against a landlord or owner. If the position should be such that the additions in the opinion of the landlord were such as to necessitate a higher rate than six per cent. being charged to compensate him for his expenditure, then he would have the right to approach the tribunal set up under the Bill to seek an increased rental. The arguments used about a man not being able to obtain money at six per cent. do not carry much weight. Again, this deals only with additions to property and such additions must increase the value of the asset to the landlord or the owner. If he does obtain six per cent. net on his outlay he should be quite satisfied. If the war continues for three years he will be lucky to obtain six per cent. on his money at the end of that time.

Amendment put and negatived.

Hon. J. CORNELL: I move an amendment on the amendment—

That the following words be struck out "calculated on the amount so expended after providing for a sum of not less than £3 per centum per annum as a fund to cover depreciation and after deduction of all rates, taxes and outgoings paid or payable by the landlord."

The effect will be to give a net return to the landlord equivalent to six per cent. per annum. In the event of any further improvement being effected, the matter would be left to a tribunal to determine.

The CHIEF SECRETARY: I thank the hon. member for providing a method of obtaining the desired effect of returning six per cent. net. This will remove the need for recommitting the Bill.

Hon. H. Tuckey: Would this Bill override existing leases?

The CHIEF SECRETARY: I think I pointed out before that leases entered into before the 31st August and providing for increased rentals after that date are not affected by the Bill.

Amendment on the amendment put and passed.

Hon. H. S. W. PARKER: I do not understand paragraph (iii) of Subclause (1). It begins—"Where the landlord pays the rates chargeable on the occupier of any land." I fancy this is intended to mean "Where the landlord pays the rates chargeable under the terms of a lease on the occupier or tenant of any land." Unless that is what is meant, I cannot understand the paragraph.

The CHAIRMAN: I suggest that as there is no notice of an amendment on the notice paper, the clause should be agreed to and later recommitted.

Hon. J. NICHOLSON: All that is needed is that the words "the occupier of" should be deleted.

The CHAIRMAN: There is some disagreement as to what words should be deleted. Would Mr. Parker outline the amendment he proposes?

Hon. H. S. W. PARKER: I do not know what the paragraph means and I am asking the Chief Secretary to be kind enough to tell me. When he does so, I may be able to frame an amendment. I do not oppose what I believe to be the idea.

The CHIEF SECRETARY: Here we have another instance of a legal man presenting to the Committee difficulties which he thinks he may have to meet.

Hon. H. S. W. Parker: We want to avoid confusion.

The CHIEF SECRETARY: In this instance we will give the hon. member credit for desiring to avoid future legal complications. I think the clause means what it says.

Hon. H. S. W. Parker: Briefly, what does it say?

The CHIEF SECRETARY: We have men in the service who will probably be able to define for us what this paragraph really means and whether it means something different from what it says.

Hon. H. S. W. Parker: What does it say?

The CHIEF SECRETARY: It refers to rates chargeable on the occupier of any land, and—

Hon. H. S. W. Parker: But, in the first place, rates are not chargeable on the occupier of land. The occupier might be sued for them, but rates are not chargeable on the occupier, but on the land. The land bears the rates.

The CHIEF SECRETARY: If an occupier does not pay he can be sued.

Hon. J. Nicholson: That is a different matter.

Hon. H. S. W. PARKER: If the occupier of premises leaves them the owner still has to pay the rates. What does the clause mean?

The Chief Secretary: It refers to rates chargeable on the occupier of any land.

Hon. H. S. W. PARKER: But they are chargeable upon the land itself.

Hon. T. Moore: The land itself cannot pay, so the occupier must pay.

The CHIEF SECRETARY: I see no complication in the position. If there is an increase in the rates and the landlord passes that on, it will not be deemed to be an increase in rent for the purposes of the Act.

Hon. H. S. W. PARKER: I think this clause should stand over until I have been able to frame an amendment. Paragraph (a) (IV), deals largely with business premises. The court may decide that the rent shall be increased or decreased. The landlord will then have to give four weeks' notice to the tenant before he can adjust the rent accordingly. In cases where land has been let prior to the 31st August the rent cannot be increased after that date. Assume that a shop is vacant, that the owner desires to effect certain improvements, and afterwards to let the place at a higher rent. Will the Chief Secretary say how the landlord can serve notice upon a tenant who does not exist? My purpose in bringing these matters up is to avoid unnecessary litigation.

Elsewhere the clause contains verbiage that is quite unnecessary.

The CHIEF SECRETARY: Apparently there is a difference of opinion between the legal gentleman who drafted the Bill and Mr. Parker who is criticising it.

Hon. J. J. Holmes: We do not need a legal man to know that a notice cannot be served upon a tenant who does not exist.

The CHIEF SECRETARY: My reading of the clause is that it provides for giving the tenant four weeks' notice of intention to increase the rent, and during that time he is at liberty to approach the court if he is dissatisfied with the position.

Hon. J. Nicholson: That could only happen in the case of a person who was a tenant but not a lessee.

The CHIEF SECRETARY: The Commonwealth regulations provide that after the rent has been determined by the board it shall not come into operation for 14 days, whereas the Bill provides for four weeks' notice being given before rent can be increased.

Hon. H. S. W. Parker: Even where an increase in rent is permitted by the measure the landlord must give four weeks' notice to the tenant of his intention to charge an increased rent.

The CHIEF SECRETARY: My interpretation of the clause is that the landlord must give the tenant four weeks' notice of his intention to increase the rent. If the tenant is not satisfied he can during that time apply to the court for a determination upon the point. Mr. Parker has introduced some intricate legal points. I suggest that we get through the Bill and that he takes up these matters with the Parliamentary Draftsman. If there is anything in what he has said we may be able to meet him.

Hon. H. S. W. Parker: There is the question of policy whether the notice should be four weeks or one week.

The CHIEF SECRETARY: The question of the policy is one for the Government.

Hon. H. S. W. PARKER: I move an amendment—

That paragraph (iv.) of Subclause (1) be struck out.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 5—Fair rent for land first leased after the 31st August, 1939.

Hon. H. S. W. PARKER: I move an amendment—

That in paragraph (iii) of Subclause (1A) the words "farm, grazing area, orchard, market garden or dairy farm" be struck out, and the word "land" be inserted in lieu.

A definition of "land" is included in the Bill, and the effect of my amendment will be to make the clause comprehensive and cover everything instead of merely the classes of property mentioned. I think that was the real intention.

The CHIEF SECRETARY: I do not object to the amendment.

Amendment put and passed.

Hon. H. SEDDON: I move an amendment—

That in line 1 of sub-paragraph (iv) of paragraph (a) of Subclause (1), after the word "circumstances," the words "on the 31st August, 1939" be inserted.

There may have been special circumstances existing on the 31st August, 1939, that would make reasonable an application for an increase in rent later on.

Hon. H. S. W. PARKER: I hope the amendment will not be agreed to because the restriction would be wrong. The amendment would restrict the special circumstances to the specific date mentioned, whereas the provision should apply at any time when such special circumstances arose.

Hon. J. NICHOLSON: I hope the Committee will not accept the amendment. As at the 31st August a dwelling house may be in such a condition as to warrant a rental of a shilling a week. Subsequently repairs and alterations may be effected and a much higher rent could reasonably be expected.

Hon. H. SEDDON: Mr. Nicholson's contention indicates exactly what I wish to achieve by the amendment. Improved conditions would justify an increase in rent, whereas the dilapidated condition of the house to which he alluded constituted the special circumstances that originally warranted the lower rental.

Hon. J. CORNELL: Special circumstances may arise frequently. All Mr. Seddon seeks to do is to bring this particular sub-paragraph into line with the other provisions of the Bill.

Amendment put and negatived.

Hon. H. S. W. PARKER: I move an amendment—

That the following words be added to paragraph (a):—"unless mutually agreed between the lessor or lessee or proposed lessee."

I am particularly concerned about cottages at seaside resorts. Why should not the parties concerned agree upon the rental which would apply for a week, a fortnight or perhaps a month? If the amendment is not agreed to, the parties concerned will have to apply to the court to have the rental fixed.

The CHIEF SECRETARY: If the amendment is accepted, we shall, in effect, provide that parties may contract themselves out of the Act.

Hon. H. S. W. Parker: That is so.

The CHIEF SECRETARY: Then I must strenuously oppose the amendment. In many instances tenants could be forced to agree to rentals demanded because of special circumstances surrounding their position.

Hon. H. S. W. PARKER: I agree with what the Minister has said, but I desire to overcome the difficulty regarding seaside resorts. I am willing to allow the amendment to go by the board.

The CHAIRMAN: I shall not put the amendment.

Hon. H. S. W. PARKER: I move an amendment—

That in sub-paragraph (i) of paragraph (a) of Subclause (2) the word "intending" be struck out.

We have already amended the definition of "lessee" to include owners of properties and earlier we referred to lessors and lessees, not intending lessors or intending lessees.

The CHIEF SECRETARY: I have no objection to the amendment.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in sub-paragraph (ii) of paragraph (a) of Subclause (2) the word "intending" be struck out.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 6, 7—agreed to.

Clause 8—No costs:

Hon. H. S. W. PARKER: I move an amendment—

That the following words be added:—"unless in the opinion of the court or judge the grounds of the application or the opposition to such application are unreasonable."

The amendment will prevent frivolous applications being made to the court on the part of tenants or landlords.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 9 to 12—agreed to.

Clause 13—Act not to apply to leases granted by the Crown:

Hon. J. NICHOLSON: I move an amendment—

That after the word "apply" in line 1, the following words be added:—"to any lease or agreement for lease of any land made prior to this Act in which the rent reserved is subject to a provision for re-appraisement at any time or times and is determined in accordance with such provision or whereby the rent is fixed at varying or specified amounts during any one or more periods of the term of the lease or agreement and further shall not apply."

There are instances of premises having been taken on long leases, for instance, 21 years. A certain rental is fixed for the first seven years, and for each of the other seven-year periods the rent is to be determined between the parties; or it may be that the parties, failing to agree, the matter is determined by arbitration. The position exists at the present time and it is necessary to make it clear that one holding such a lease shall not be required to go to the court to have the rental determined. It should be determined according to the terms of the agreement.

The CHIEF SECRETARY: I do not intend to oppose the amendment, but I am not going to finalise the Bill tonight. I want the opportunity to inquire further into the statement of the hon. member. My own opinion is that Clause 4 meets the position. Anyway, I will not argue the matter at this stage.

Amendment put and passed; the clause, as amended, agreed to.

Clause 14—agreed to.

New clause:

The CHIEF SECRETARY: I move—

That the following be inserted to stand as Clause 3:—

Construction of Act.

3. This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act and to the Commonwealth National Security (Fair Rents) Regulations made under the National Security Act, 1939, so as not to exceed the legislative power of the State to the intent that where any provision of this Act would, but for this section, be in excess of that power, it shall nevertheless be a valid enactment to the extent to which it is not in excess of that power.

It has been pointed out to me that as the Commonwealth may at any time frame other regulations which could be enforced by the State Government by proclamation, it is necessary to have this new clause.

New clause put and passed.

New clause:—

Hon. A. THOMSON: I move—

That the following be inserted to stand as Clause 11:—

Nothing in this Act shall apply to any dwelling-house ordinarily leased for summer residence at any seaside holiday resort.

For the purposes of this section "dwelling-house" means any land on which there are premises leased substantially for residence and the appurtenances to such premises.

I hope the Chief Secretary will accept the new clause. There are many houses at the seaside that are practically empty during the greater part of the year. At Albany, for instance, a house may be let for from six to 12 weeks, and for the remainder of the year it is empty. It has been an accepted custom during the Christmas holidays, when houses are at a premium, for people cheerfully to pay £3 or £4 a week for a furnished cottage, for a fortnight, or a little longer. It is only proper, therefore, that houses ordinarily let for summer residences should be exempt from the measure.

The CHIEF SECRETARY: The fears of the hon. member are perhaps not exactly groundless, but they are not as serious as he has pointed out. Clause 12 of the Bill provides that regulations may be made for the effective operation of the measure, and I understand it is intended to cover the position mentioned by the hon. member. Regulations would not be quite so cumbersome as the hon. member's proposal. I ask the hon. member to allow the matter to stand over for the time being. He will have an opportunity of again raising the question next week, and in the interval I will have the matter inquired into. It is our desire that the measure shall be made as effective as possible.

The CHAIRMAN: I suggest that the hon. member ask leave to withdraw the proposed new clause and to allow it to remain on the notice paper so that it can be dealt with again on recommittal of the Bill.

Hon. A. THOMSON: I will follow your advice, Mr. Chairman, and ask leave to withdraw the amendment.

New clause, by leave, withdrawn.

Title—agreed to.

The CHAIRMAN: Before leaving the Chair to report the Bill, I ask members who have amendments to move on recommittal to place them on the notice paper.

Bill reported with amendments.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [10.1]: I move—

That the House at its rising adjourn till Tuesday next.

Question put and passed.

House adjourned at 10.2.