

(b) is in receipt of a pension received by him by reason of having held such office;

then the pension otherwise receivable under this Act by the said person shall be reduced by the amount of the salary, remuneration or pension received by the said person as mentioned in paragraphs (a) or (b) of this subsection.

Mr. WATTS: I propose to agree to this amendment subject to a further amendment. That further amendment is to strike out from the amendment the words, "or commission" in the second line of paragraph (a) of the Council's amendment. The purpose is to prevent any judge from having two pensions. That is putting it fairly bluntly.

I am not particularly enthusiastic about the terms of the amendment, except perhaps in the very unlikely case—which, I think, gave rise to this amendment—of a judge of the Western Australian Supreme Court being elevated to the High Court Bench. That has not occurred, I understand, since self-government, and it is not particularly likely to occur, so far as one can gather, in the immediate future.

Mr. Graham: When is it to be Western Australia's turn?

Mr. WATTS: However, there is the possibility, I admit. The part of the Council's amendment which includes the words "or commission" is rather objectionable, because ex-judges are frequently asked to take on the position of Royal Commissioner; and it is hardly likely that a man is going to put himself to the trouble of perhaps travelling to another State, spending weary days examining witnesses, many more days entering in his report, and perhaps take a considerable amount of abuse from various sections of the community or Press, merely for the sake of deserting his bowling club, his literary pleasures, his garden, or whatever he enjoys in retirement, for no reward whatever. For those reasons I think it is fair to strike out the words "or commission" and I move—

That the amendment made by the Council be agreed to, subject to the following further amendment:—

Delete the words "or commission" in paragraph (a).

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

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

House adjourned at 11.45 p.m.

Legislative Council

Tuesday, the 31st October, 1961

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS ON NOTICE

HOUSING IN FREMANTLE AREA

*Commission and War Service Homes:
Number and Type*

- The Hon. R. THOMPSON asked the Minister for Housing:
 - How many State Housing Commission and war service homes were constructed in the Fremantle area (Canning River southward) in the years ended the 30th June, 1954, 1955, 1956, 1957, 1958, 1959, 1960, and 1961?
 - Of these homes, what number were for—
 - rental;
 - purchase; and
 - war service?
 - What is the number to be constructed this financial year in the above area?

- (4) Of these homes, what number will be—
 (a) rental;
 (b) purchase; and
 (c) war service?

The Hon. A. F. GRIFFITH replied:

- (1) To the 30th June—

| | |
|------|------|
| 1954 | 635 |
| 1955 | 868 |
| 1956 | 780 |
| 1957 | 260 |
| 1958 | 344 |
| 1959 | 280 |
| 1960 | 227 |
| 1961 | 192. |

- (2)

| | C.S.H.A. Rental | C.S.H.A. Pur- chase | S.H.A. Pur- chase | W.S.H. | Total |
|-------------------|--------------------|---------------------------|-------------------------|--------|-------|
| To the 30th June— | | | | | |
| 1954 | 237 | | 33 | 365 | 635 |
| 1955 | 364 | | 247 | 257 | 868 |
| 1956 | 208 | | 300 | 272 | 780 |
| 1957 | 55 | 57 | 73 | 75 | 200 |
| 1958 | 41 | 105 | 70 | 128 | 344 |
| 1959 | 92 | 19 | 53 | 116 | 280 |
| 1960 | 41 | 48 | 70 | 68 | 227 |
| 1961 | 16 | 73 | 41 | 62 | 192 |

The Commonwealth and State Housing Act is divided into rental and purchase in that answer.

- (3) Under construction at the 30th June—

| | C.S.H.A. | S.H.A. | W.S.H. | Program 1961/62 |
|-------|-----------------------|--------|-------------|-----------------|
| | 67 | | 55 | |
| | 29 | | 60 | |
| | 10 | | Unknown | |
| | | | Individuals | |
| | 97 | | 115 | |
| | Total 212 plus W.S.H. | | | |

- (4) Rental 50
 Purchase 152
 W.S.H. Unknown; dependent upon individual applicant's wishes.

- (5) If the Minister is not aware of the position, will he acquaint himself with it and take action to alleviate the position to assure that supplies are continued from the firm mentioned, bearing in mind that it is expected of it because it has a monopoly in this field of pipe making?

The Hon. L. A. LOGAN replied:

- (1) Inquiries have revealed there is a current shortage of the smaller sizes up to 1 inch of both galvanised and black piping and up to 1½ inch black for structural purposes.
 (2) This position has been evident for the past two or three weeks.
 (3) and (4) Lack of shipping space is not the reason for the shortage, but an abnormal demand which depleted the large local stocks held, faster than replacement stocks could be effected.
 (5) A large shipment is being loaded now for direct supply to this State and is expected in about two weeks.

It must be appreciated that whilst the position is watched the demand is often unpredictable. It is only a short time since merchants were concerned because of excess stocks and inadequate local demand. During that period, local stocks were kept higher than might normally have been considered necessary at Government request to try to anticipate renewed activity and demand.

PUBLIC WORKS ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.40 p.m.]: I move—

That the Bill be now read a second time.

This Bill adds a new part, numbered five A, and titled "Electricity" to the Public Works Act, 1902-1956. Under the provisions of clause 3, "Commission" means the State Electricity Commission of Western Australia established by the State Electricity Commission Act, 1945; unless the context requires otherwise.

The definitions of certain words and expressions in paragraph (b) will be found in Volume 10 of the *Reprinted Acts*, and where the word "undertaking" is used, it shall have the same meaning as when used with respect to any supply authority in and for the purposes of the State Electricity Commission Act, 1945-1959.

PIPING AND STRUCTURAL STEEL

Shortage

2. The Hon. A. R. JONES asked the Minister for Local Government:

- (1) Is the Minister for Industrial Development aware that a very acute shortage of galvanised piping, plain iron pipe, and some classes of structural steel exists in Western Australia?
 (2) Is he aware that the supply position has been difficult for weeks past?
 (3) If the answer to No. (1) is "Yes," has he ascertained the reason or reasons for same?
 (4) (a) Is the usual cry of lack of shipping space given for the shortage; or
 (b) is it a result of Stewarts & Lloyds dismissal of staff some months ago in Newcastle?

New section 94B (1) provides that the Minister may, with the consent of the commission, construct, establish and maintain a generating station at any place outside the metropolitan area where there is no supply authority generating electricity. He may supply and distribute electricity within such limits from that place as the commission approves from time to time.

Authority is given to take on lease and carry on, or purchase as a going concern and carry on, the undertaking of any supply authority generating electricity at a place outside the metropolitan area, if the supply authority requests the Minister to do so.

The Minister may, with the consent of the commission, and for the purpose of the effectual exercise of his powers under this section, purchase or otherwise acquire freehold and leasehold land, sell or exchange lands of either freehold or leasehold tenure, or let or lease any land held under any tenure at such rent and upon and subject to such terms and conditions as he may think fit.

The Bill permits the Minister to acquire patent rights, licenses, apparatus, machinery, appliances, and things; and to exercise and use all or any of the powers and authorities conferred on him by the Public Works Act in respect of any public work which he is authorised to undertake.

It is not intended that any of the rights conferred under section 94B shall operate so as to interfere in any way with, or prevent the exercise by the commission of its powers under the State Electricity Commission Act, 1945-1959, in respect of the supply direct of electricity required by any Government department or any Crown instrumentality, or by any industrial consumer having a connected load of two hundred horse-power or more within the area to which the Minister is to supply electricity.

Upon the exercising of any of the powers conferred upon him under that section, the Minister shall be a supply authority within the meaning of the Electricity Act, 1945-1953, in respect of the area in which that power is exercised, and as such shall have and may exercise the powers and authorities, and shall be subject to the duties and obligations, as are conferred and imposed respectively on supply authorities under the provisions of that Act, so far as the same may be applicable to the Minister. That Act may be found in Volume 13 of the *Reprinted Acts*, as amended by Act No. 72 of 1953.

It is further provided that, in respect of an area wherein the Minister is a supply authority pursuant to the powers conferred by this Bill, the Minister may make all such by-laws as a local authority may, for the time being, have power to make, to have effect within the limits of its district under the provisions of section 33 of the Electricity Act, 1945-1953, but subject

to the provisions of subsections (2) and (3) of that section; and by those by-laws he may impose a penalty not exceeding £50 for the breach of any such by-law.

One of the main reasons for the introduction of this amendment is because in certain parts of the State—particularly, at the moment, in the Kimberley area—it has been necessary for the Public Works Department to control the electricity. Hall's Creek is one place that comes to mind; and there is some doubt whether Wyndham will be able to control it.

On occasions such as this, when nobody else can do the job, and the State Electricity will not or cannot go in because it would have to run the concern at a considerable loss, it is essential that somebody should have power to control electricity. I imagine that at the moment the electricity supply at Hall's Creek is being operated without any authority whatever. It is therefore necessary to put this matter in order.

Debate adjourned, on motion by The Hon. F. J. S. Wise.

KWINANA-MUNDIJONG-JARRAHDAL RAILWAY BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.46 p.m.]: I move—

That the Bill be now read a second time.

The Kwinana - Mundijong - Jarrahdale Railway Bill is consequential on the Alumina Refinery Agreement Act of 1961. The Bill will come into effect on proclamation. The proposed railway is referred to in two sections—firstly, the Kwinana-Mundijong section; and, secondly, the Mundijong-Jarrahdale section. The positioning of the crushing plant had a bearing on that decision.

The Kwinana-Mundijong section is the section on which the commissioner based the estimates for the per-ton mile rate for the line taken out over that approximate distance. Apart from the difference in distance, the type of terrain between Mundijong and Jarrahdale differs in character from that between Kwinana and Mundijong. New rates will be negotiated with the company, if necessary.

The separation of the two sections of the railway has been made in the Bill to permit negotiations continuing with respect to the Mundijong-Jarrahdale section, while the Kwinana-Mundijong section is being attended to. This latter section will come into effect as soon as possible, on the issue of a proclamation after the Government is satisfied that the company has conformed with the requirements under the agreement.

The passing of the Bill will authorise, also, the construction of the Mundijong-Jarrahdale section to proceed on completion of further negotiations.

This railway Bill refers to the line defined in clause 2 of the original agreement as the direct railway. That differentiates this line from the existing line from Kwinana *via* Armadale. Early passing of this Bill will benefit the railways through its use of the line, and assist in the early stages of the alumina refinery project.

An important feature of the service will be to establish the best grades. That is of value in the economics of railway operations. The line will approximate that envisaged in the Stephenson Plan. The company is committed to use the line for 30 years to the exclusion of any other form of transport for bauxite.

The railway will be a 3 ft. 6 in. gauge railway tying in with the 3 ft. 6 in. gauge Bunbury line. Its use will not be limited to the haulage of bauxite. The agreement provides for a wider line, if so desired. A specialised type of rolling-stock will be provided. That will ensure the railways benefiting to the highest degree in the haulage of the large tonnages. I lay upon the Table of the House Plan 51/871.

Debate adjourned, on motion by The Hon. E. M. Davies.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Housing), and returned to the Assembly with amendments.

CIVIL AVIATION (CARRIERS' LIABILITY) BILL

Report

Report of Committee adopted.

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.50 p.m.]: I move—

That the Bill be now read a third time.

In moving the third reading of the Bill I should like to make a simple explanation to the House. On checking the *Hansard* proof of the speech I made the other night, in reference to advice given to me by the Chief Parliamentary Draftsman, I became aware that I had, to say the least, confused even myself. After giving the Parliamentary Draftsman's opinion on the matter, I went on to say that any amendments that were passed by the Commonwealth would not in fact have effect until they were passed by this Parliament too. That was an erroneous impression and, to keep the record straight, I want to correct it.

The situation is that now the Legislative Council has removed the words in question any amendments made to the Commonwealth Act will be operative so far as Western Australia is concerned, only when the Western Australian Parliament has amended this legislation. Had that amendment not been moved by Mr. Wise any amendment made by the Commonwealth would have been binding upon the State. I am sorry for the misunderstanding and I would like to correct it.

The Hon. W. F. Willesee: How do I get on if I fall out of a plane at the moment? Just fall out?

Question put and passed.

Bill read a third time and returned to the Assembly with amendments.

DOG ACT AMENDMENT BILL

Second Reading

Debate resumed from the 26th October.

THE HON. F. J. S. WISE (North) [4.53 p.m.]: This Bill is really designed to encourage the control of dogs where simple means have failed to enforce the law in regard to the control of disease; and it is in addition, designed to strengthen the law in the handling of those difficult circumstances where vicious or dangerous dogs are involved.

In explaining the Bill I thought the Minister made very clear there is a need for the strengthening of the law in those two particulars; and, indeed, why it is necessary where disease is concerned, to have full authority to deal with dogs so affected. I think all members will agree that a neglected or uncontrolled dog is one of the most pitiable animals; but a dog well cared for is perhaps one of the best of man's friends, and certainly one of those useful ones in very many avenues, and one of the greatest friends of children.

In the endeavours in several directions to amend the law by this Bill, opportunity is being taken to make sure that records are kept in a form more simplified and suitable to the local governing body issuing the registrations; that a card system will be available and accessible to those who require information; and that registration particulars will be on hand when sought.

I think it is necessary for me to traverse a little of the ground in regard to clause 8 of the Bill which the Minister dealt with at some length in outlining the difficulties in connection with dogs owned by natives. I think it is necessary to stress the fact that, with the exception of natives not in the South-West Land Division, there is no discrimination or variation at all between natives and other citizens. In the South-West Land Division the responsibility is on the owner of every dog, no matter who the person may be, to

register such dog; there is no discrimination at all between people in that area. An amendment covering that position was introduced recently into this Act.

The amendment outlined by the Minister in regard to section 29 first of all deletes the second paragraph of that section of the Act and reconstructs it so that instead of section 29 reading "Any adult male aboriginal native" it will read "Any person who is a native as defined in the Native Welfare Act, 1905," and will go on to say "may register one male dog free of charge." That concession is to be given to all natives; or, in the words of the Act as it will be on the passing of this Bill, "any person who is a native as defined in the Native Welfare Act, 1905, may register one male dog free of charge." The reason for that was outlined by the Minister.

It has been the experience that numbers of natives not belonging to a particular camp or group may congregate and have considerable numbers of unregistered dogs. In such cases the determination of the ownership of the dogs has been a very difficult matter; however, on the passing of the Bill, the law will be—and I want to stress this because I wish to refer to it again in a minute or two—that in the South-West Land Division all dogs, irrespective of ownership, must be registered and a fee paid for the registration, irrespective of ownership. Outside the South-West Land Division an aboriginal, or native, as prescribed in the Native Welfare Act, is entitled to register one dog free of charge in that area.

Most of the trouble in recent years due to the ravages of dogs hunting in packs—again I repeat irrespective of ownership—and getting out of the control of their owners has, in the main, been associated with camps not far removed from towns in the South-West Land Division; not outside it. I think one of the difficulties in the administration of this law is that in the transference of our Police Force from station to station—from north to south—we have men who have a knowledge of the law and its implication and application in, say, Port Hedland, being transferred to Bridgetown, Manjimup or Wagin.

It is to the credit of most police officers that in so far as natives are concerned they interpret the laws generously.

The Hon. L. A. Logan: Too generously sometimes.

The Hon. F. J. S. WISE: Maybe, as the Minister says, too generously sometimes. So, coming from the goldfields where the police use their own judgment and act, I would say, with courtesy and discrimination, giving the natives consideration and latitude, they are not, I think, always fully aware of the implications of the law as it applies under this Act in the South-West Land Division.

The Hon. L. A. Logan: Not only the policemen, but a lot of other people as well.

The Hon. F. J. S. WISE: So the Minister might pass on the suggestion that extracts from this law and a concise summary of its implications should be circulated to all police officers in the stations of the South-West Land Division. If that were done there would be a much greater understanding of what exactly was the responsibility of the natives in the more thickly populated places where greater damage might be done. I feel the Minister will not mind my raising that as a suggestion which could have a very far-reaching effect.

The Hon. L. A. Logan: Not at all.

The Hon. F. J. S. WISE: With the replacement of the existing subsection 2 of section 29 by a new section, the Bill will give to the local police officer the right, where he finds a dog not registered—again this section is not dealing with the South-West Land Division; it must be outside—to destroy the dog without seizing it, if it is outside the limits of a townsite in a district. Those principles replace all the involved verbiage in the existing renumbered section 2 which appeared in the original Act.

I think the move is the right one. The natives in all those districts outside the South-West Land Division where they still hunt for some of their living should be entitled to have, and continue to have, the free registration of a male dog for every person who is a native as defined in the Native Welfare Act.

THE HON. R. F. HUTCHISON (Suburban) [5.5 p.m.]: When I read this Bill I was very careful to find out exactly what it meant. I still wish to rebel at the fact that a similar Bill placed an imposition on the native by requiring him to do something under the white man's law without granting him any of the benefits of that law; because he is still considered a native without citizenship rights. I maintain we did a great wrong to the natives when that Bill was passed.

I understand that this measure relates to natives above the 26th parallel of latitude; and I understand that each native must see that his dog is registered. There is some just cause for ensuring that dogs are not kept indiscriminately, although I wonder why this is so very necessary now when compared with conditions in the past; because natives in the nomadic tribes up north do depend on their dogs for their livelihood. I think they sometimes depend entirely on their dogs for their livelihood.

I do not object to the Bill, because I do not know enough about it to know whether it is just or not; and I am prepared to accept the assurance given by one of my leaders that it is necessary

to limit the number of dogs, and to see that those dogs which are diseased are put out of the way.

But I would like here and now to again register my protest, because of the initial imposition that we placed on the natives. I feel we did something wrong in principle—something wrong from the humanitarian point of view, and something ethically wrong in imposing on the native the white man's law without granting him the attendant privileges under that law. When the natives are granted citizenship rights, I will bow to the inevitable and say that we must treat them as though they have a right to live; and if they are to be subjected to our laws they should benefit from the privileges that accrue from those laws.

As I say, I have no objection to the Bill, but I do feel that the stigma we have imposed still lives; and it would seem that we are not prepared to say that the native is a human being or that he has the rights and privileges of the white man's law.

THE HON. J. M. A. CUNNINGHAM (South-East) (5.9 p.m.): I was one of those who advocated that this provision be amended, because it was obvious that it was badly phrased and did not achieve what was intended. I would ask the Minister, however, to look very carefully at the proposed amendment because in actual fact it will have the effect, not of limiting the number of dogs that a native can possess, but of almost making it wide open for a team of dogs, all duly registered, to live in every camp.

The proposal says that any native under the provisions of the Native Welfare Act may own one dog. Let us consider just what an average native family can comprise in the areas in which we are interested. Kalgoorlie is such an area. The family could consist of a husband, a wife or two wives—that makes three natives under the Act—and anything up to three or four children—again all natives under the Act. So there we have seven natives each one of whom is entitled to license a dog free under the Act; and the local governing body shall supply the necessary medal to them for registration. It already objects to supplying one medal to be tied with string around the neck of the dog; so this would necessitate a collar. It is not reasonable to expect any local governing body to comply with such a condition. It is not fair in many ways.

I would like to quote a case that is very well known on the goldfields similar to that mentioned by Mr. Wise. The depredations can be attributed to many dogs—both to white people's dogs in the towns and to natives' dogs. The specific case I have in mind is that of a red setter, a comparatively good breed of dog, which was owned by a native on a mission. Unfortunately this mission is in the heart of the pastoral area. It was never intended to be so, but it is. The depreda-

tions of this one dog had been so great that one station-owner alone, despite all his efforts to have the dog destroyed or controlled, was unable to do anything; and I think he lost something in the nature of £400 worth of sheep in five months. Finally he was driven to the very unpleasant necessity of having to do something about it; and he sued the superintendent of the mission concerned. Because the superintendent controlled the mission and the dog lived on the mission, the superintendent of the mission was considered to be the one who permitted the dog to reside there.

The case was won and the station-owner concerned was awarded damages, none of which I believe he has collected. He merely wanted it established and placed on record that the mission had control of the dogs on the mission and was responsible for doing something about them. I do hope that will have some effect.

The point is, however, that the native concerned could have had that dog registered free of charge. Now we are going to give him the opportunity of having as many dogs as there are people in his family; or as there are natives at the mission. We could have the position where there are 60 men, women, and children at a mission, and accordingly 60 dogs would be entitled to be registered free.

I do not want to be hard on these people, because I realise just how much the nomadic native relies on the dog for his subsistence. This applies more so now in view of the fact that the Government has taken back subsistence from many of the natives who were receiving it. But it all depends on where the mission is situated. There are missions in the north which are nowhere near cattle stations or property, and dogs do not concern them at all.

But there is a mission in Kalgoorlie which is in the heart of the pastoral area. There is no hunting there for adult natives. There is no game there at all for them to hunt, so there is no sense in their having dogs. But these people were encouraged to go to that mission because they were receiving social service benefits and subsistence. They did not need the dogs, because they were being looked after.

But this specific dog was one which actually had been tracked from the body of the sheep, a limb of which it was actually chewing while the animal was still alive.

It had to be destroyed. Pictures were taken of it. They traced that dog back to the mia mia of the man but they were helpless to do anything about it. I want to see this clause changed because section 29 of the parent Act reads as follows:—

Any adult male aboriginal native may register one male dog free of charge, the collar and disc for which shall be supplied free of charge by the registering authority, but such dog

shall be kept free from mange or other contagious disease. Upon representation being made by any person to a justice of the peace that such dog is a dangerous dog or is liable to spread disease by reason of its neglected state, the justice may order the destruction of the dog.

Whenever the number of dogs—

Not male dogs now. This is where the wording changes in the one clause. Earlier, specific reference was made to male dogs. To continue—

—found in the possession of one or more natives—

Again the wording is changed. No longer is it an adult male native, but one or more natives. To continue—

—shall be in excess of the number of adult natives—

It is rather confusing, is it not? The section continues—

—in such party, such dog or dogs in excess except such of the said dogs as are duly registered shall be liable to be destroyed, and all police officers and constables are hereby authorised to destroy the same.

The specific case I mentioned was in regard to one particular dog; and it was not in excess of the male dogs in possession of any native. Therefore nothing could be done about it. But now we are going to make it legally possible for situations to arise such as that which I have described, and which has caused all this trouble.

Under this legislation it will be possible for any native registered under the Act in any camp or mission to have one dog registered free. If there are 60 natives, there could be a pack of 60 dogs legally in that establishment. The responsible authority is the local governing body which shall register all those dogs free. I do not think that is what the Minister intended in this new Bill.

THE HON. G. BENNETTS (South-East) [5.17 p.m.]: I am of the same opinion as Mr. Cunningham regarding the issuance of a license to each male native for one male dog. With regard to the particular property he spoke about, I think it was about four years ago when I brought the matter before this House. At that time the number of sheep which were being destroyed on that property ran into hundreds; and they were being destroyed by more than one dog.

I approached the police inspector in Kalgoorlie to see what could be done but he could not do much about it. I think we could have got in touch with the native welfare people because the dog was on a native reserve. Finally it was decided to investigate the situation and a number of dogs were destroyed leaving the natives with what was thought to be a sufficient number for them to keep.

On the goldfields, not only have the natives more than one dog, but the number of dogs running wild around the town is amazing. They are causing a lot of trouble and are dangerous for people who are riding cycles and motor-bikes. They are the ones who seem to suffer more than enough. But no-one will do anything about it. If an offer of £5 a day was made for a catcher, no-one would take the job on because there are far too many.

The Hon. J. J. Garrigan: Too many dogs or dog catchers?

The Hon. G. BENNETTS: Too many dogs. It is about time something was done to restrict the number that not only natives may keep but also those in private houses. These dogs are not registered and there is no control over them.

In Beverley the other day one of my family who runs sheep on his property, which is next door to the native reserve, had some sheep killed. I do not know whether it was a police constable or a local neighbour but someone went with him and they destroyed one of the dogs belonging to the natives, because it was killing his sheep.

If the natives are going to be given free registration for dogs—I am referring to the area where they have to register all dogs—I say they should be liable to the same penalties as are the white people. If they are going to be allowed to have a dog, they should have to keep it on a chain. Only in certain remote areas do natives still need dogs to hunt for food. There are very few these days who are dependent on dogs for food, except perhaps beyond Laverton and around the Warburton Ranges.

The situation is out of control and the natives should be restricted to one dog per family. When a dog is not wanted in an ordinary household, it generally turns to the natives who are sympathetic to it. In that way the natives gather quite a pack of dogs around them. One final word: I do not know which are worse—cats or dogs.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.22 p.m.]: It does not matter how careful one is in reframing these Bills, some mistake appears to be made. I think I must agree with Mr. Cunningham and Mr. Bennetts. We have made a mistake in regard to section 29. The intention was to allow a female native to have a dog free, because it could be that she would not have a husband or a companion who had a dog. If she had, of course, they would share the same dog. That was the intention, but it looks as though, in trying to be generous, we have gone a bit far.

The Hon. F. J. S. Wise: Delete paragraph (a).

The Hon. L. A. LOGAN: In clause 8?

The Hon. F. J. S. Wise: Yes; and leave the Act as it stands in that particular part.

The PRESIDENT (The Hon. L. C. Diver): Order! The Minister can deal with those aspects in the Committee stage.

The Hon. L. A. LOGAN: The point referred to by Mr. Wise is a very good one. It has only come to my notice in the last two or three weeks that there are some police officers, many local authorities, and even members of Parliament who have not appreciated the fact that last year we made an amendment to this Act. Therefore the suggestion of Mr. Wise that some bulletin be issued is one that has been given some thought by me. The local authorities can, of course, be informed by way of the Local Government Department's bulletin which is issued every month; and I will make sure that a copy of the bulletin is sent to the Commissioner of Police in order that he may circularise his police officers in the country districts.

There is another anomaly which has been in the parent Act for a long time, but no-one raised the issue until Mr. Loton raised it with me. I am referring to section 6A, which reads as follows:—

(1) The local authority may direct the registering officer to refuse to register the dog on the ground that such dog is, in the opinion of the local authority, of a destructive nature, or is suffering from any infectious or contagious disease.

We are, under this Bill, going to add to that subsection the word "or is, in the opinion of the local authority, vicious, dangerous, or unduly mischievous." However there is nothing which stipulates what shall happen to the dog if a local authority refuses to license it.

The Act has been like that for a long while, as far as I can see, and it does seem rather unusual that an owner could take a dog to a local authority and ask for it to be licensed, and the local authority could refuse; and, although the dog might be dangerous, nothing could be done about the matter. The owner could not be charged with having an unlicensed dog, because the authority refused to license it; he could not be dealt with under section 23, because that only deals with licensed dogs; and he could not be dealt with under section 19, because that section only deals with dogs which are wandering at large. Therefore nothing can be done about a dangerous dog if the owner wants to register it and the local authority refuses to do so, because there is no provision in the Act covering such a situation.

I have been studying the matter and have some amendments compiled. I have a copy of them but it would not be fair for members to have to vote without having some time to consider them. Therefore I propose to move that the Bill be read a

second time but will ask that the Committee stage be dealt with at the next sitting of the House.

Members will appreciate how these anomalies are missed. Year after year the Dog Act has been in operation, but only now has someone found this anomaly. I must admit that this Act has not been amended very often in later years. Undoubtedly there is some need to tighten up somewhere.

In this connection I received a letter this morning from a person in Geraldton. He gives quite an account of the actions of certain dogs around the town. I am afraid the local authorities will have to take greater interest in the control of dogs. After all is said and done, the responsibility is theirs and no-one else can take over that responsibility. Therefore we will have to try to induce them to do something about it because there are too many dogs wandering at large.

The Hon. A. R. Jones: Why don't you do something about it?

The Hon. L. A. LOGAN: The following is quoted from the letter I received this morning:—

I got up early and found a brindle kangaroo dog and two long-tailed fox terriers had upset our tin of dining-room scraps. Apparently they were unlicensed.

Passing the maternity hospital early, a car was parked in the grounds with a very dirty-looking dog on the front seat. Now dogs are rightly forbidden in dairies. Surely a dog was out of bounds at a maternity hospital!

Then passing the primary school in Fitzgerald Street, there was a stack of milk bottle crates in front of the school. While I was there a dog urinated against the crates. I loitered a few minutes and a roaming dog arrived every two minutes and never failed to visit the milk bottle crates.

Then at the swimming pool a folded towel left on the beach is at once defiled by a succession of dogs.

On the Post Office steps is camped a black and tan dog with a white breast. This dog specialises in rushing at passing cyclists.

We have a new chemist next to the Post Office who seems to be a dog fancier—all right in his own backyard—but a chemist's shop is supposed to be hygienic. A dog is out of place in a chemist's shop. This chemist even takes his dog into the dining-room of ——— Hotel.

The other morning in Marine Terrace I saw a female dog followed by seven males. No-one could even guess at the breed of any of the eight dogs.

They could and should have been destroyed and no-one would have been poorer.

And so it goes on. There are many of these reports. As I mentioned in the second reading introduction, the census people have been attacked by dogs as have been the butcher, the baker, and the postman. Many of these people have been injured. So whatever we can do to tighten up the law and get the local authorities to act on it, we will; and we will be better off as a result. I thank members for their approach to the Bill.

Question put and passed.

Bill read a second time.

BILLS (3): RECEIPT AND FIRST READING

1. Iron Ore (Tallering Peak) Agreement Bill.
2. Industrial Arbitration Act Amendment Bill.
3. Main Roads Act Amendment Bill.

Bills received from the Assembly; and, on motions by The Hon. A. F. Griffith (Minister for Mines), read a first time.

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council subject to a further amendment.

In Committee

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

The **CHAIRMAN**: The Council's amendment to which the Assembly has agreed, subject to a further amendment, is as follows:—

Clause 2, page 2—Add after subsection (2) of proposed new section 6 a new subsection to stand as subsection (3) as follows:—

(3) If a person entitled to receive or in receipt of a pension under this Act—

- (a) holds any judicial or other office or commission under the Crown, whether in Western Australia or elsewhere, for which he is remunerated out of the moneys of the Crown; or
- (b) is in receipt of a pension received by him by reason of having held such office;

then the pension otherwise receivable under this Act by the said person shall be reduced by the amount of the salary, remuneration or pension received by the said person as mentioned in paragraphs (a) or (b) of this subsection.

The Assembly's further amendment is as follows:—

Delete the words "or commission" in paragraph (a).

The Hon. A. F. GRIFFITH: I hope that having this matter dealt with forthwith does not embarrass anyone. If it does, then whoever is embarrassed will have an opportunity to express himself.

I have asked that the matter be dealt with straightaway because I understand the Attorney-General has discussed it with Mr. Watson who moved the amendment we agreed to last week; and I understand the Assembly's amendment is acceptable to Mr. Watson. I suggest that we hear from the honourable member. I move—

That the Assembly's amendment be agreed to.

The Hon. H. K. WATSON: The amendment that we inserted in the Bill provided that if a judge, after retiring, accepted any other judicial office, or any other office under the Crown, or a commission under the Crown then the amount which he received as a result should be offset against the pension provided for him under this legislation.

The deletion of the words "or commission," which is what the Legislative Assembly seeks by its amendment, will mean that if a judge accepts some other judicial office in the High Court, or elsewhere, then his salary will be offset against his pension. If he accepts any other office under the Crown—that is a permanent office—his salary from that office will likewise be set off against his pension. But if during his retirement he accepts a Royal Commission to investigate any matter, then the fees for his services will not be offset against his pension. I think the amendment is one with which we might agree.

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

Report

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

STATE TRANSPORT CO-ORDINATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

EDUCATION ACT AMENDMENT BILL

Second Reading

Order of the day read for the resumption of the debate from the 26th October.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

LICENSING ACT AMENDMENT BILL

In Committee

Resumed from the 26th October. The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 8: Section 149A added—

The DEPUTY CHAIRMAN: Progress was reported after the clause had been partly considered.

The Hon. L. A. LOGAN: Members will recall that we had quite a lengthy discussion on this clause, particularly in respect to under-age drinking, and the attempt to try to reduce the incidence of under-age drinking in unlicensed premises. I have endeavoured to obtain some clarification of what the clause intends, but I am afraid the position is much the same as it was when we concluded our discussion on it the other evening. That is, in unlicensed premises it will still be possible for teenagers to drink provided they are under the control of a person of 21 years or over, or if they are members of a house party or some similar private function.

How we are to amend the clause to conform with what is sought by Mr. Jack Thomson and Mr. Loton, without interfering with the rights of the individual, I do not know. The position, as I see it, is that I can hold a family party at my home with teenagers present, and there is nothing to stop them drinking alcoholic liquor. If I hold that party in unlicensed premises, such as a coffee lounge or a restaurant, why should I be deprived of the right to allow those teenagers to have what they want? In such circumstances, I think that any further restriction would interfere with the rights of the individual. However, if teenagers are unaccompanied when they enter an unlicensed coffee lounge or restaurant, they cannot have liquor under the provisions of the clause. It is in these circumstances that teenagers are causing trouble.

The Hon. J. M. Thomson: Not the ones that are accompanied by their parents?

The Hon. L. A. LOGAN: No. It is the teenagers who are unaccompanied who cause the trouble. There is another aspect. If I desire to hold a private party in a restaurant, surely, because I am using the premises for a particular purpose, I have some obligation to the proprietor! The same, however, does not apply to a young person under 21 years who is unaccompanied, because it is a public place. Therefore, although the clause does not go as far as some members would like, I think it is as far as we can go for the time being. So I hope members will give the clause some further consideration.

It has been suggested that it may be possible to reframe the last part of this clause. I will read to the Committee what has been suggested to me, and members can then judge whether it is an improvement on the existing wording. In place of the words "does not include such premises," etc. the following are the words that have been suggested to me as a substitute:—

But when such premises or any separate part or parts of such premises are being used for a function or entertainment that is private and not open to the public and is under the control, direction and supervision of a person of at least 21 years of age does not include those premises or as the case may be that part or those parts of the premises while being so used.

That might bring about greater clarification than the words already appearing in the clause.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): Is it the Minister's intention to move an amendment to insert those words in place of the words appearing in the clause?

The Hon. L. A. LOGAN: Yes. I think it is impossible for us to say to the owner of unlicensed premises, "If you are going to have a party in one part of your premises, you cannot use the other parts." That would deprive such an owner of his ordinary living, and would also deprive his patrons of the use of the other part of the premises while a private party was in progress. It is necessary, therefore, to define one as against the other; that is, one place where a private party is in progress, and the other where under-age drinking is not permitted. Therefore, I move an amendment—

Page 7, lines 15 to 24—Delete all words after the word "but" down to and including the word "aforesaid" with a view to substituting the words "when such premises, or any separate part or parts of such premises, are being used for a function or entertainment that is private and not open

to the public and is under the control, direction and supervision of a person of at least twenty-one years of age, does not include those premises, or as the case may be, that part or those parts of the premises while being so used."

The Hon. J. G. HISLOP: I am not certain that I know exactly what the insertion of these words will mean. I should think that part of the premises could be a table. When I take a private party into a restaurant I do not invite members of the public to share my table. When my party sits down at that table it is part of that restaurant set aside for private entertainment, and members of the public are not invited. However, what happens to other parts of the premises, such as rooms which may be located upstairs? Are the people who use those rooms going to be given a privilege when they are under the one roof? Unless we accept the proposition that a table is part of a restaurant, the proposed amendment is going to affect those people who do not have rooms set aside for private functions.

Under this proposed legislation such places will be privileged because they have such separate rooms, whereas a restaurant further down the street may not have a room which can be reserved for such purposes. Unless the Committee agrees to my argument, then under proposed new section 149A a person under the age of 21 years may not consume liquor in any public premises.

In order to cover that situation, the provision should read, "unless accompanied by an adult." The Licensing Act may cover the position, but this may override it. Unless the Committee accepts that a table in the premises is a separate portion of the premises, I could not take my son into such a place, unless he drank some non-alcoholic beverage. If a party is seated at a table in public premises, such as a restaurant, I want to know whether that table is regarded as being private.

The Hon. A. L. LOTON: The confusion arises between the words "public and private place" and "public and private party." Members of the Committee would have seen advertisements in the Press on various occasions stating that Mr. and Mrs. So-and-so invite all the friends of their daughter to attend a certain hall on Saturday night to celebrate her 21st birthday party.

That is the only invitation that is issued and it applies to all and sundry; to all those persons from 15 and 16, say, to 90 years of age. They may have met the daughter at a basketball match or a junior farmers' meeting and, after seeing the advertisement, they decide to attend the party because they know it will not cost them a penny to have a good night's entertainment.

At the hall, in such instances, no introductions are made and the people enter the hall in groups of all sizes. Those are the functions which I think encourage teenagers to drink, because there is an open invitation to them to attend. However, if the Minister defines what is a public place in order to cover the position I will be quite satisfied, but I think it will take some doing.

The Hon. L. A. LOGAN: If Mr. and Mrs. So-and-so invite people to their daughter's wedding, for the holding of which they have booked the whole of the premises of the Black Swan restaurant at South Perth, we cannot do much to prevent teenage drinking at the function.

If a person books a hall and gives a party in it, there is nothing to stop the provisions in the amendment from applying. However, the point raised by Dr. Hislop was the setting aside of a table in licensed premises as part of the premises. He said that if he told the proprietor that he was holding a private party in that part of the premises it would be exempt from the provisions of the Act, but that the rest of the premises would not be so exempt.

The Hon. J. G. Hislop: I referred to a table which a person hired and which formed part of the premises.

The Hon. L. A. LOGAN: The amendment states that when such premises or any separate part or parts of such premises are being used for a function or entertainment, and not open to the public, they are exempt. If a better definition for our purpose can be found, I am prepared to accept it. It might be suggested that a table set aside for a private function should be screened off.

The Hon. R. THOMPSON: In this amendment the Minister is trying to achieve what members desire, but we cannot get past the words used in the amendment. The words "when such premises or any separate part" are used expressly. I hope the assurance given by the Minister will be upheld by the law. If a case were taken before a court of law the intention of the amendment could be twisted. However, if the Parliamentary Draftsman has given an assurance that this amendment is not open to challenge I am prepared to accept it. In my view a separate part of the premises would mean a separate room in the premises.

The Hon. H. K. WATSON: The amendment does not refer to any part of the premises or any separate table on the premises. A table in a dining-room cannot be described as a separate part of the premises; if it could be so described there would be merit in the suggestion of Dr. Hislop.

The Hon. L. A. LOGAN: If a table is booked in licensed premises, that table is part of those premises.

The Hon. F. J. S. Wise: But not a separate part.

The Hon. L. A. LOGAN: Under the amendment it would be a separate part of the premises for the purposes of the Act.

The Hon. W. F. Willesee: That refers to a section of a room.

The Hon. L. A. LOGAN: This amendment has been drafted by the Parliamentary Draftsman.

The Hon. W. F. Willesee: It should not be capable of challenge under the law.

The Hon. L. A. LOGAN: I do not know how the objections raised by members can be overcome. It is the desire of Dr. Hislop to regard as a separate part of licensed premises a table which is not screened off. Two or three families might hold parties in the same premises, and under this amendment each of those parts would be exempt. If members are not happy with the wording of this amendment, I am prepared to agree to progress being reported, provided a suitable amendment is brought forward by them.

The DEPUTY CHAIRMAN (The Hon. Hon. G. C. MacKinnon): Does the Minister prefer to leave the amendment before the Chair?

The Hon. L. A. LOGAN: It is desired to leave it on the notice paper.

Progress

Progress reported and leave given to sit again, on motion by The Hon. L. A. Logan (Minister for Local Government).

Sitting suspended from 6.10 to 7.30 p.m.

PAINTERS' REGISTRATION BILL

Second Reading

Debate resumed from the 25th October.

THE HON. R. C. MATTISKE (Metropolitan) [7.30 p.m.]: In the past few days I have had quite a number of individuals and associations contacting me and asking me to oppose this particular measure, as they claim it is far too restrictive on the individual and there are other means of achieving the desired result of ensuring that the public gets a proper painting job at the price paid.

On the other hand, I have had the opportunity of a discussion with the secretary of the Master Painters' Association, and with the secretary of the Chamber of Manufactures, both of whom are very keen that the measure should go through. They claim that many proprietary lines of paint are being adulterated by persons who wish the paint to cover a greater surface than it was designed to cover, and that by so doing they are immediately breaking down on the original specification and are causing inferior work. They also claim that there are many persons who have

come into the painting trade in recent years who are trying to do inferior work in order to get a maximum return financially out of every job they do.

While I appreciate all these angles, I do subscribe strongly to the view that this measure is not going to be in the best general interests. I, therefore, intend to oppose it. We have on the statute book the Builders' Registration Act, and under that Act all of the various operations of building are controlled, because it is necessary for persons building in the metropolitan area to turn out a workmanlike job or else suffer the risk of losing their registration. Even with that legislation, there is a franchise, as it were, up to £800: any work up to that value can be performed without the necessity of the builder having to be registered.

I feel that the measure now before us, if it is going to be given a second reading—and in anticipation of that I have a number of amendments on the notice paper—should contain some provision far greater than £20 for work which is not to come within the scope of the proposed legislation. I feel that the figure I have of £150 is not unreasonable, bearing in mind that the figure for the Builders' Registration Act is £800.

If we just think of what normally is involved in jobs of £800, we will realise that they are mostly renovations or additions; and they are mostly jobs which are done by the small builder. That small builder in the general rule is a jack-of-all-trades. He does his own bit of carpentering; his own bit of fibrous plaster work; roof-fixing; plumbing; and other items such as that, and he finishes up by doing his own painting of the job.

In a job of £800 total value, it would not be unreasonable to expect paint work up to £150; and I think the individual who engages in that type of construction work or alteration work should be protected and enabled to continue his present avocation. If this measure goes through it will then be necessary for him to do all the other phases of the work and to engage a registered painter for the paint work. I feel that is not a fair go to that type of builder.

There are many other aspects of the Bill with which I do not agree. The first of these concerns the actual board itself. I am of opinion that the board as at present constituted should be altered considerably. While I agree that the chairman of the Builders' Registration Board would be a suitable person to be chairman of the proposed painters' registration board; and while I agree that the manufacturers of paint and those responsible for applying it should have representation on the board, I feel that one master painter should be sufficient. I think it would be better to replace one of the two proposed master painters by an architect.

We have an architect on the Builders' Registration Board and he is a very valuable member of that board; and in this case I am sure an architect could serve a very useful purpose. It may be said that the chairman of the board is an architect. Admittedly he is, but will we always have the present chairman of the Builders' Registration Board with us. He may be replaced by a person who may not be so qualified. Therefore, we would be deprived of an architect on the board. It has also been suggested that there should be a representative of the consumer. I have contacted many persons in connection with this and have been assured that if this chamber so desires, a member of the Real Estate Institute of W.A. would be prepared to act on the board. We might do a lot worse than include a member of that institute.

The Hon. A. F. Griffith: What would members of that institute know about paint?

The Hon. R. C. MATTISKE: They know from the consumers' angle, as it were. They are the ones for whom a lot of work is being done, and they would have a very big interest in the functions of the board. Another aspect of the Bill with which I do not agree is that dealing with qualifications for registration. At the outset I do not think that the apprentices' examination is the proper examination for qualification for registration. There are many instances where builders have been apprenticed to carpenters, or in some other phase of the building industry, and have developed their own businesses and have operated those businesses on a small basis. However, they do the work of most of the different trades themselves.

If an individual is so engaged and has been legitimately working in the industry for a considerable period he should, if this becomes law, be given the opportunity of registration without the necessity of having to pass the apprentices' examination. Admittedly, one might say that under subclause (3), which provides that if he is a member of an association of painters recognised by the Master Painters' Association of Australia, he could be qualified; or even under subclause (4), which provides that if he has in some other place in Western Australia obtained a degree of proficiency as a painter which the board considers is comparable with that of persons who have completed a course of training as mentioned in subparagraph (1) of that clause—in other words, something comparable with the apprenticeship examination as we know it here—he could be qualified.

He should be permitted to attend some course of study set down by the board, pass the examination, and then be entitled to registration in the same manner as a person who requires registration under the Builders' Registration Act. Under that

Act, the Builders' Registration Board sets the course of training, conducts the examinations, and then registers the applicants on the results of those examinations.

Subparagraph (3), I think, is entirely out of order. If a person is a member of an association of painters recognised by the Master Painters' Association of Australia he will automatically be granted registration. I think that is giving the Master Painters' Association of Australia even greater powers than this Parliament, because we would not then be able to say who is going to be kept out or who is going to be let in. I think it is too wide altogether.

That association will be able to determine who shall or who shall not be registered as a painter. While on the question of registration I think that if a person is a registered builder then that should be sufficient qualification for him to register under this Act. Under the Builders Registration Act, if a person is a qualified architect or a qualified engineer, then he is, by virtue of that qualification, entitled to registration on payment of his fees, etc. As the qualifications for a registered builder cover all aspects of the building industry, I think that should be sufficient qualification for registration under this Act.

The Hon. R. Thompson: Would you say that a man should become a registered builder because he is a plumber or an electrician?

The Hon. R. C. MATTISKE: Many small builders, as I said earlier, are jacks-of-all-trades, which they do quite successfully. Naturally they cannot engage in certain works involving particular skills, and they would be foolish to attempt to do those things. But where a particular alteration or other job requires plumbing or anything of that nature, which is not contravening the metropolitan water supply regulations, I think that individual should be permitted to carry out the work; and for that reason I feel that a builder of that type should also be permitted to carry out painting work.

Bear in mind that a registered builder is still responsible for the whole of the job, whether he does the paint work himself or whether he gets a registered painter to do it. If the job is not done in a workmanlike way, he has to answer to the Builders' Registration Board. I feel there is ample protection for the public by that means.

In the definition of painting, I think that a couple of amendments should be made. The first is where certain processes or treatments commonly known as grain-ing, kalsomining, marbling, and so on should be within the scope of the Act. I think there are so many new processes coming to light from day to day and week

to week that it would not be fair to permit the painting trade to decide what is a painting process. I think it should be a process which is commonly acknowledged as being a painting process, but acknowledged by the whole of the building trade.

At the present time there are different forms of treatment to walls. There is a treatment known as *torgalum*. It is a patent process by which certain materials are sprayed on the walls and finished off. That, I feel, is not a painter's job; that is part of ordinary building. Similarly with limpet asbestos treatment, where asbestos is sprayed on a particular job. They are building processes and not painting. I feel there will be many more of them which should not come within the scope of this Bill.

The Hon. R. Thompson: What would plastic relieving be?

The Hon. R. C. MATTISKE: I do not know what that would be. The vice-president of the Royal Australian Institute of Architects (W. A. Chapter) was not sure what was meant by plastic relieving. He agreed there were many processes that would come within the scope of that phrase, but which are not ordinary painting processes.

In clause 3 there is a proviso that the Governor may from time to time by proclamation declare that this Act shall apply in any place or places other than the metropolitan area.

The Hon. F. R. H. Lavery: That provision is in all Acts.

The Hon. R. C. MATTISKE: I feel that is a very bad provision. If it is intended later, if this Bill becomes law, to extend the scope of it to other parts of the State, then I think that should be a matter for decision by this Parliament and not merely left to regulations.

Concerning the remuneration of board members, it is provided in this Bill that the board members shall be paid out of the funds of the board such remuneration for their services as shall, from time to time, be prescribed. There again, I think it is up to this Parliament to determine what the board members shall be paid. We do it in other legislation and I think this should be no exception. We should have the say as to what is reasonable payment so that we can keep control over the finances of the board.

In clause 15 there is provision by which the board may, if it finds a complaint proved, cancel the registration of an individual; or suspend the registration on such terms and conditions as it thinks fit; or allow the registration of such registered painter to remain in force subject to the registered painter paying to the board such penalty not exceeding £50 as the board imposes.

I think that is far too embracing. I do not think this board should have judicial powers. I think that if any penalty of a financial nature is to be imposed, then it should be imposed by a court of law.

This leads to another point where, in clause 17, there is provision for an appeal from the decision of the board. Under this clause any person who feels aggrieved by any decision of the board may appeal therefrom to the Minister. I do not think that is a very good right of redress for a person whose livelihood is at stake. I think that in such a case we should do exactly what has been done under the Builders' Registration Act; that is, provide for an appeal to a magistrate who is an independent person entirely, and who could hear all the evidence and facts and then make his decision.

I think it is putting the Minister in a most invidious position, to ask him to determine whether or not a person's livelihood should continue, when he must naturally take into consideration any recommendations from the board. For that reason I would like to see some alteration made to this clause so that an aggrieved person may have the right of appeal to a magistrate.

In connection with the fees payable to the board, I think the two fees referred to in the Bill are out of all proportion. An application fee of £2 2s. and an annual registration fee of up to £10 10s. are far too much. Under the Builders' Registration Act the fee was originally £1 1s.—from memory—and it gradually went up and up until it is now £5 5s.; and the Builders' Registration Act has a much greater coverage than a painters' registration Act will have. It involves so much more that it is necessary to have more inspectors to deal with a greater number of complaints than one would expect under this legislation.

When Mr. Jeffery was introducing this measure I asked, by interjection, how many operative painters there would be in the metropolitan area. I think he said there would be approximately 1,000. In addition to that number there were, I think, somewhere in the vicinity of 120 apprentices. Of the 1,000 operatives, admittedly there would be quite a number who would be working for master painters and who would not be interested in obtaining registration. On the other hand, experience in the building industry has proved that many persons entitled to registration apply for it straightaway because they do not know what the future holds for them, and they may need to be registered in order to carry out their work in the future.

Under this legislation I think we would find that a number of those operative painters who at the present time are working for masters would avail themselves of

the opportunity to register; and if my proposal is accepted, that persons registered under the Builders' Registration Act could be registered, I think we will find there will be somewhere in the vicinity of 1,000 persons registered within the first year or two of operation; and if we had a flat fee of £2 2s. for registration that would provide over £2,000 which, in the first two or three years of operation, should be ample.

Naturally, immediately the board commences to operate the number of complaints with which it will have to deal will be reasonably restricted, because the general public will not be aware of its existence. It necessarily follows that as time goes by so the complaints will increase in number, because people will know they have someone to whom they can turn; and I think the work of the board will then steadily increase.

However, I feel we should commence with some reasonable figure to enable the board to function successfully at the start, but not to accumulate funds. It may be of interest to notice that in the report of the Builders' Registration Board for the year ended the 31st December, 1960, certain figures are given of the total income and expenditure of that board during the years 1953 to 1960 inclusive. It is interesting to note that at the present time there is an amount of approximately £6,500 of surplus cash soaked away by that board.

It is not necessary for a board to accumulate such a vast reserve of funds. It can anticipate what its financial requirements are going to be for two or three years in advance, and if the then current rate of fee is insufficient to provide for its financial requirements, then it is a simple matter for the Act to be amended to increase the registration fee to provide sufficient funds.

I think we should not start off by charging such a high fee that there must, surely, in the initial stages, be accumulated a vast reserve of funds. I sincerely hope that when this Bill reaches the Committee stage serious consideration will be given to that aspect.

For those reasons I feel that this proposed legislation is far too drastic. I feel that any aggrieved person, if it be a big job, has got right of redress under the Builders' Registration Act; or, if it be a small job, has right of redress in a court of law.

If this legislation is passed, where is it going to stop? The next move would be that the stonemasons would require to be registered because the foundations of a building are of the utmost importance. Then the carpenters would want to be registered, and then bricklayers, and so on, until we have every trade in the building industry completely hamstrung. I feel that the Builders' Registration Act, which

covers the overall picture, is sufficient protection for the general public at the present time. For those reasons I intend to oppose the measure.

THE HON. R. THOMPSON (West) [7.58 p.m.]: I cannot quite understand Mr. Mattiske's reasoning in connection with this Bill. All it sets out to do is to protect the public. Mr. Mattiske has dealt all along the line with new work. We know that the average builder employs a reputable painter to paint a new building. But what about widow Jones down the street? We have seen the situation many times—and people have been prosecuted for it—where a painter contracts to do a job, he is given a deposit, and that is the last that is seen of him. He may get £10 deposit on a £40 job, and he is not seen again. Unfortunately we cannot bring in legislation to stop that completely, but we can go a good part of the way. This Bill will safeguard any person who desires to have his house painted.

Under the circumstances that exist in Western Australia at present many migrants who are not painters apply for jobs as painters when they arrive here. But they cannot pass the trade test that is set down by the Arbitration Court and the union; consequently, they cannot join the union and become employees of master painters. Because Johnny Migrant cannot get a job as a tradesman painter, he sets himself up as a master painter.

I feel sure the Minister for Housing knows all about this one because the Housing Commission has been caught. There is one particular chap who comes from Medina and who, I think, went bankrupt three times in about two years. He was painting houses at a price cheaper than the reputable painters could buy their paint. He was undercutting the master painters in the trade, which was not good for the trade in any shape or form. The only good feature about it as far as he was concerned was that he was not paying for the paint he was using.

The Hon. A. F. Griffith: I am interested to know what sort of work you think migrants should do. I am not suggesting that they should be allowed to do what you have said, but what sort of work do you think they should do?

The Hon. R. THOMPSON: They should do jobs which will comply with the standards we hope to see applied in Western Australia.

The Hon. F. R. H. Lavery: They didn't do so well in Ryrie Avenue, South Perth, three years ago.

The Hon. R. THOMPSON: There are dozens of migrants working in Western Australia at present and they do work equal to that done by tradesmen anywhere in the world. But they are tradesmen when they come here; they have

already passed a trade test. They are not the ones who come here and try to chisel in on the trade when they are not tradesmen.

Those who are rejected by the union are not tradesmen. It is the ones who try to chisel in who are rejected by their own workmates as well as the union. The reputable man—the tradesman in his own right—has nothing to fear from this legislation. This will only protect the people who are getting work done—the general public. It does not apply so much to new work as it does to renovations; and it will stop the unqualified person who claims to be a master painter from getting away with what he is doing.

People like that have never served in the trade and have virtually no knowledge whatsoever of the trade. I suppose anybody in this Chamber could buy a tin of paint, follow the directions on the can, and successfully apply it to new work. I can cite the case of an asbestos home which had originally been painted with Boncote. One of these so-called tradesmen contracted to do a painting job on this house at a price of £56—that is for the outside. It was a very cheap price but it turned out to be very expensive, because 12 months afterwards the mixture he had put on top of the Boncote washed off.

It was subsequently proved that he was not a tradesman. He went back to patch the job up again, but I think after another winter that patching will very likely wash off, too. It is not always the person who goes around hawking a cheap job who does the best work.

Another feature about this legislation is that any person who is now a master painter will be automatically able to register. That is in line with the position which obtained when the Builders' Registration Board was established. There has to be a starting point somewhere and there can be no argument about that.

I am of the opinion that if legislation to abolish the Builders' Registration Board were introduced, Mr. Mattiske would be the first one to fight to retain it. Yet because legislation is introduced on this occasion to protect not the master painters but the public he is very much against it. This legislation applies only to buildings, houses, and so forth; it has nothing at all to do with plant, machinery, motor-cars, or anything else.

One of the principal protective clauses in it states that before becoming registered a person must serve an apprenticeship or pass a trade test. That illustrates the point I previously mentioned in regard to a person who has no qualifications. Such a person will not be able to set himself up and claim to be a master painter and then go around systematically robbing the people by doing inferior work. I support the second reading.

THE HON. N. E. BAXTER (Central) [8.7 p.m.]: I intend to deal only briefly with the Bill at this stage because I believe it is primarily a Committee Bill. However, there are a few matters I wish to discuss. The principle of the measure is to protect people from being taken down by unscrupulous painters; and there is no doubt that it does not matter where we go there are unscrupulous people who will take advantage of those who are weaker than they are or who have no business acumen. It is for that reason, and because of that principle in the Bill that I intend to support it.

Apparently the Government has decided to stop people from being robbed by machines; therefore, why should we not stop people being robbed by other people? There is no reason why we should not stop a human machine from robbing another human in the same way as the Government intends to stop automatic machines from robbing the public.

There are a number of amendments to this Bill already on the notice paper in the name of Mr. Mattiske, and also in my own name.

I agree with a number of Mr. Mattiske's amendments but there are others with which I do not agree because I think that in relation to legislation of this character they are too drastic—that is if we are going to have legislation of this kind, the principle of which I believe is good.

There are a few matters in that respect to which I would like to refer, particularly one item mentioned by Mr. Mattiske. He proposes to move an amendment to provide for automatic registration of registered builders. I do not agree with that. If one looks at the syllabus laid down by the Builders' Registration Board for the training and examination of candidates for builders' registration, one will see that all a builder has to know about painting is—

Painting: General knowledge of materials used; method of preparing various surfaces; types of finishes, and methods to be adopted in obtaining these.

When the examination is taken the prospective builder has only to answer a few brief questions in regard to a big subject like painting; he is not expected to know all the ramifications of the painting trade. The same applies to roof plumbing. The requirements in the training and examination of a builder, in respect of roof plumbing, are laid down; but builders, simply because they have passed the examination, could not be registered as plumbers.

Therefore I cannot see any substance in the argument used by Mr. Mattiske that builders should be automatically registered under this legislation. If his argument is sound we might as well register all plumbers, electricians, and other building

tradesmen if they are all so well versed in the painting trade and are jacks-of-all-trades, as Mr. Mattiske suggested.

There is another matter with which I wish to deal briefly and this concerns the training and examination of apprentices. I agree to a certain extent with Mr. Mattiske that there should be some provision in the legislation whereby people other than apprentices can enter a course of training and take an examination. However, there is no need to delete from the Bill the clause which provides for the training and examination of apprentices.

I say that because we have a set-up at present under which apprentices can be apprenticed to the painting trade, and under the requisite award it is necessary for them to be trained and to pass an examination to become painters. If we delete the clause from the Bill we will be cutting across the Arbitration Court award. To this end I hope an amendment will be agreed to which will provide that people other than apprentices can take a course of training and sit for an examination conducted by the board when it is established.

One other matter mentioned by the honourable member was that the fees received from registration would provide the board with £1,000 to £2,000 a year from the 1,000 painters that he thought would apply for registration. From my inquiries there will not be anywhere near 1,000 painters who will apply for registration.

Mr. Jeffery's statement that there were 1,000 operative painters did not mean that there were 1,000 master painters. That figure included employee painters; and a large proportion of the 1,000 operative painters are employees. Most of those will not apply for registration. The Public Works Department employs painters who will not apply for registration; and there are small painting firms—partnerships—which employ tradesmen who will not apply for registration. Those employees will still remain under the supervision and direction of their employers.

That will cut down the number that Mr. Mattiske said would apply for registration; and from what I can find out it will be nearer 400 or 500, and more likely closer to 400. That number will provide the board, by way of fees, with only about £1,200, and not the figure suggested by Mr. Mattiske. This sum will by no means cover the costs that will be involved in the operations of the board.

I would now like to give just a few brief figures on this point. These figures are taken as more or less what would be considered the cost to the board. The registrar would naturally require some fee for his services, which could be set at about £225. The fees for the board members would be in the vicinity of £190; sundry office requirements would work out at about £150; rental would be about £100; one inspector who could do the job would cost about

£1,500 odd; and he, of course, would need costs for transport which would amount to £700, to which would be added incidentals of about £50. This would bring the figure required to a minimum of close on £3,000.

If we are to give the board only £1,200 to start with, the whole thing will be a fiasco from the beginning. We might just as well throw the Bill out and finish it. If we are to go on with the matter, let us start the board off on the right foot. The honourable member said that the Builders' Registration Board had about £6,500 soaked away—to use his own words. But that money is not soaked away; it is invested against eventualities, and the honourable member knows that as well as I do.

The Hon. G. C. MacKinnon: It is only a difference in terms.

The Hon. N. E. BAXTER: That may be so, but I think we all know what the honourable member meant. As I have said, it is invested against eventualities, and it is quite different from saying it is soaked away. The whole point is that it is necessary for a board like that to have some funds set aside, because under the Builders' Registration Act, as is the case with this legislation, there is a provision where the Governor by proclamation may extend the operations to the country districts.

If that were done, the amount of money received from registrations in country districts would not cover the cost required; and the board would necessarily need extra funds to cover those costs; particularly until the whole thing was working smoothly. It would find the amount of the registration fees, etc., being received from the country would be below the costs of operating in the country, and a reserve like £6,500 would be required until it found out what footing it was on financially; and then, if necessary, some adjustment could be made by legislation.

A reference was made to a person being able to take on building jobs to the value of £800 without having to be registered under the Builders' Registration Act; and this was compared with the figure in this legislation under which one can operate as a painter without having to be registered. If one took the percentages of those figures—that is £800, as against the average price of £4,000 to £5,000 for a house—it would be found that it would be about 20 per cent. or slightly less. One would not be far out if one said that a figure of £50 would provide one with a very similar percentage when one compared the painting requirements of a normal house and the maintenance of that house. So I feel that in this Bill a figure of £20 should replace that of £50. It would be a fair figure on which to operate.

I trust the House will pass the second reading of the Bill so that we can consider it in Committee and, if possible, make good workable legislation of it so that it will be of some benefit to the people of our State.

THE HON. G. C. MacKINNON (South-West) [8.20 p.m.]: I have been interested to hear members claim that this Bill is for the protection of the householder. I wonder, if that is so, why the actual painters have to do the paying. Perhaps Mr. Jeffery can tell us why the painters have to pay the costs if this legislation is designed to protect the public. If in fact it is to create a close preserve among the painters it is fair enough that they should pay; but if it is not—if it is wholly designed to protect the public, then it would seem reasonable for Parliament to vote a sum of money necessary for running the painters' registration board.

It seems illogical that painters should have to pay to run a board to protect people from themselves. I am not at all sure in any of these things that it is really the painter from whom the public should be protected. In effect, what we want to do is to ensure that the man who does the painting is an honest man; and I cannot see how any legislation can do that in the face of the normal methods of arriving at a decision to paint a house, when a householder calls in a painter. If the householder has plenty of money he gets a top-line painter who is in the business for ever and a day, and who cannot possibly afford to let shoddy work be done. He does a good job.

But if the householder were hard pushed for money he would get in a painter and ask him how much it would cost to paint his house. The painter would probably reply that it would cost £250 or £300. Generally, no matter what the price is, the householder almost faints on the spot, and then he starts to haggle. Members know full well that is what happens.

At that stage the painter would have another look and say, "I can get away with that without an undercoat; I can rub it down instead of burning it; I do not have to do so much filling"; and accordingly he would cut his price down by about £50. But the householder takes the risk. Very often the painter tells the householder that he is taking a risk, to which the householder generally replies, "I am quite prepared to take that risk." After the job is finished, however, the householder complains. We all know that is what happens.

Accordingly, irrespective of this legislation it would probably still occur, because we will always get some people who want their houses painted and who, through no fault of their own, are unable to pay for absolutely top-grade work. This being so they will cut a few corners; and the painter will agree to cut a few corners; and here again they will take the risk. What we want essentially is to ensure that every painter is an honest man.

The Hon. G. Bennetts: And a tradesman.

The Hon. G. C. MacKINNON: We must ensure he is the sort of man who will say, "It is a waste of time putting a coat of

paint over the existing paint on that house. It must be burnt down to the bare wood, primed, undercoated and painted again." And even though the householder may say, "No, just put the white coat on over the existing coat, we will take the risk," the painter should reply, "I won't do that because it will not be good enough."

I do not guarantee that we will get that sort of fellow, because he must do the job if the householder wants only one coat of paint, and is prepared to pay for only one coat. He will have to sign a contract. If the results are good all will be well, but if not the householder will be unhappy.

The Hon. J. J. Garrigan: Of course the type of paint comes into it.

The Hon. G. C. MacKINNON: That is so. From the speeches I have heard tonight, and from the speech I heard when the Bill was introduced by Mr. Jeffery—which evidenced a great deal of research—it would appear that painting is a most difficult art indeed. But from what I have read on the brochures put out by the paint manufacturers, I have gained the impression that it is extremely easy to be a painter.

The Hon. G. Bennetts: They would tell you anything to sell their paint.

The Hon. G. C. MacKINNON: The House will be interested to know that I painted my house inside and out. I followed the instructions and I found it was just too easy. The paintwork is still there.

The Hon. J. J. Garrigan: You are not a registered painter.

The Hon. G. C. MacKINNON: I am the sloppiest painter one could find. How many of us know of housewives who paint the inside of their houses? I came across one yesterday at Mandurah. A hard-working couple there built houses on speck, and the interior of their house was painted entirely by the builder's wife, because the son, who normally does the painting, was away. She painted the whole of the inside of the house and did a very good job of it.

Every paint manufacturer's brochure will say it can be done, that it is no trouble at all. From my experience those brochures are quite correct provided one follows the instructions. If one spends some time and care one can get excellent results.

If one were colour-blind the paint manufacturers would even go to the extent of sending a colour consultant to one's home to advise one on the colours that should be used. He might say, "Put yellow on that wall or pink with blue spots on that wall." Such consultants will tell one the primer one should use, the undercoat one should use, and the finishing coat one should use. They will also say how long the paint takes to dry.

The proof of the pudding is in the eating of it. The do-it-yourself paint business has boomed tremendously. So, as I say, if we read the brochures of the paint manufacturers we will find them an excellent guide. What they say is quite correct.

The Hon. A. R. Jones: We do not want painters at all.

The Hon. G. C. MacKINNON: Painting today is not difficult. The amount of painting going on today shows that there are very few painters in the business.

The Hon. F. R. H. Lavery: What do you mean by that?

The Hon. G. C. MacKINNON: In proportion to the amount of paint used. There has never been more paint used in the history of this country than there is today.

The Hon. F. R. H. Lavery: How many painters are there on the T. & G. Building?

The Hon. G. C. MacKINNON: We always have them on commercial structures. I guarantee that the number of painters in the trade has not increased by anything like the same proportion as the quantity of paint used.

If one wanted to paint in past years, one had to take some oil, some red-lead, or white-lead, and pigments and mix them. If one liked one's house coloured, one took brown pigment. If one did not like one's house coloured, one still took brown! But with the introduction of titanium oxide, and the doing away with toxic dangers, together with the introduction of the tremendous range of colours there is today, and of paints that do not flake or chalk, painting has become very simplified.

There has been a tremendous increase in the use of paint, and we all know the colours which are used in some of the new suburbs. For instance, members have only to remember what Medina and Calista were like when they first went up.

The Hon. R. Thompson: For twelve months!

The Hon. F. R. H. Lavery: How true!

The Hon. G. C. MacKINNON: Most painted houses last longer than twelve months. Every little cottage we see is a picture of colour. There is a lot more colour being used now; but I still maintain that in proportion to the increase in the use of paint there has been nothing like the same increase in the number of professional painters, because so many of us paint our own houses.

It comes back to this: What this Bill is asking is that the industry shall be loaded with an indebtedness of £3,000, according to Mr. Baxter; and of £1,200 according to the modest estimate of Mr. Mattiske. If the industry is to be loaded with an additional expenditure, it has to be paid by someone with the nebulous belief that never again will there be

any of this shoddy work; that there will never be any failures in the way of painting jobs.

I maintain that the majority of fellows engaged in any industry would prefer to do an honest job. Most chaps, when they do this sort of quick work are, in fact, squeezed into it by price necessity. People do not have the money to scrape a kitchen that has been smoked, and seal it off. They take a risk. They give it a lime wash to try to kill the smoke and if they are lucky it holds. If they are unlucky, it peels.

The Hon. R. Thompson: Do you think unqualified people should contract to do that sort of work?

The Hon. G. C. MacKINNON: That brings us back to the point where we must ask what really constitutes a qualified painter. Again, if we take and accept the words of the experts in the use of paint—that is the fellows who manufacture it—any housewife could paint a house; and I have seen them do it. There are a lot of members here who have seen them do it, too, so they know it is true.

A member: What about roofs?

The Hon. G. C. MacKINNON: When it comes to burning off, glazing, and putting up the glazing and that sort of thing, that is a different matter.

Several members interjected.

The Hon. G. C. MacKINNON: What about the roofs? According to the experts, a roof should be painted only when it is really hot; that is in the middle three or four hours of the day.

The Hon. J. J. Garrigan: Who is the expert who told you that?

The Hon. A. F. Griffith: Why don't you make your own speech, Mr. Garrigan?

The Hon. G. C. MacKINNON: To come back to Mr. Ron Thompson's interjection, if we take the words of the fellow who manufactures the paint, we find there are many painting jobs which he claims the ordinary housewife can do. And they do them. Judging by the nods of members, they agree with me in that opinion. Obviously there are still some painting jobs which are the prerogative of the absolute high-class professional. I would not like to see a housewife shinning up to paint the top storey of the T. & G. building, which someone mentioned a moment ago.

However, in the main this Bill is designed to take care of the person who paints the cottage—the ordinary house. I repeat, in answer to Mr. Ron Thompson, that the experts who manufacture the paint lay down the requirements of it. If people are clean and careful, and follow the instructions on the tin, the manufacturers claim that any ordinary couple may paint their home.

If this Bill had been introduced many years ago when paints were very touchy things and did not contain the ingredients

they do today, it would have had a lot of merit. At present, however, it has very little merit at all. The only thing I can see as a result of it is, as Mr. Baxter said, that £3,000 a year will be added to the paint bill of the metropolitan area, merely for some nebulous advantage. For those reasons it is my intention to oppose the Bill.

THE HON. G. BENNETTS (South-East) [8.36 p.m.]: I am going to support the Bill because I believe that anyone purchasing a home should have the services of a qualified painter. I have heard many remarks on painting tonight and I say that painting requires to be done by a skilled person. We have heard about the housewife painting. Of course, she does a certain amount and she is very lucky at times if it turns out all right.

I would like to know whether these women, to whom members have referred, would know the temperature at which the roof of a house should be painted, or even the exterior of a house; whether they would know when an undercoat was necessary; or what class of paint would be most suitable for the painting work they were doing. What about plasterboard inside a house which has not been painted before? If ordinary super matt, or other such paint were put on to plasterboard, within a month or two the paint would peel off.

I have seen that occur on many occasions. The house next to mine in Kalgoolie was painted by a tradesman, or he was supposed to be a tradesman. An undercoat was never put on the fascia boards and today they are in their original state because the paint has peeled off.

A son of mine has a house in High Wycombe and although it was built by Sloans, the walls appear to have been painted by an amateur. It is very difficult to get these jobs redone. Another example is a three-room house I saw in Subiaco the other day. It looked a nice type of house on the outside but when I went inside I found that every wall will have to be repainted because they were painted originally when the interior was not properly dry.

Do not members think a person has to be a skilled tradesman to be able to do those jobs? An amateur would not know whether walls were dry enough to paint. We must ensure that the work for which people pay will be done properly.

Mr. MacKinnon mentioned the different classes of painting. There are different classes of painting, but if a person wants a first-class job, or even a simple job, done, he must make sure he has a contract signed with the painter who is to do it. If he wants a house to be cleaned down, primed and sealed, and painted, then he must make sure that his requirements are included in an agreement.

If I ask a painter to put one coat of white paint on a wall and pay him for it, I deserve what I get if it peels. If we require a job to be properly done we should make sure that skilled men are available. We would then get a fair job done for the money we pay. I am going to support the Bill.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [8.41 p.m.]: I have been sitting here with a volume of *Hansard* in front of me, listening to the speeches in connection with this Bill. The debate I was examining in this volume of *Hansard* was that which ensued in this House in 1959 in connection with the Bill I introduced to amend the Builders' Registration Act.

It is interesting to note the change of attitude. The Leader of the Opposition in this House said in 1959 that the Builders' Registration Act should be repealed. He said there would be difficulty in describing the area of responsibility which was that defined by the second schedule of the Metropolitan Water Supply, Sewerage and Drainage Act, 1909. We are going to have the same difficulty here, I take it, because the schedule in the Bill is the same as that referred to in the Builders' Registration Act.

Mr. Bennetts had a certain attitude on the Builders' Registration Act when we were dealing with it in 1959, and many of the members who are now supporting this Bill in fact voted against some of the amendments contained in the Builders' Registration Act Amendment Bill of 1959.

One of the clauses which they voted against was the one which increased the fee under that Act from £3 3s. to £5 5s.. I think it was; and there were quite a number of other things.

I think in respect of this Bill we have to ask ourselves: Are we going to have an Act the purpose of which is to try to alleviate a certain position about which the Master Painters' Association has complained? The manufacturers of the paints are also complaining about the same set of circumstances.

Since this Bill was introduced into the House last week, members would be surprised at the number of different approaches that have been made to me by people with different opinions. Some sections of the community believe the Bill ought to go out of the door, and other sections feel it ought to be passed.

The Hon. J. M. Thomson: Some think we ought to have a Select Committee on it.

The Hon. A. F. GRIFFITH: I am not keen on Select Committees.

THE PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. A. F. GRIFFITH: I do not think Ministers are ever keen on Select Committees. But it is very difficult to know what to do with a problem of this nature when various sections of the community are interested. Having seen the multitude of amendments on the notice paper, I become even more confused as to what the outcome of this Bill will be.

I am prepared to say this: If we are going to pass this Bill, then in some respects it needs, in my opinion, a tidying up process. I understood Mr. Jeffery to say that this was a Bill to protect the public from the activities of people who set themselves up as painters but who, in fact, are not capable of performing that work. But I am satisfied that this is not an employees' Bill; and I would like the honourable member to reassure me on that point.

I think it is directly an employers' Bill; that it is a measure where the master painters see a situation where a certain section of the community are doing the wrong thing in the practice of their trade, and as responsible master painters they are asking for this legislation to try to check it and to obviate some of the faults. Therefore I think it is essentially an employers' Bill; and if it is an employers' Bill, I cannot see why there should be a member of the union on the board.

Some of the speeches made tonight have led me to think that to have a union representative on the board is very important. If the Bill is read a second time, I think it is a question of getting into Committee and seeing exactly what the amendments on the notice paper mean. Some of them, unless we get down to examining them, appear to be mere words. I say quite frankly that I do not agree with some of the amendments I have had a look at, because I think they will make the operation of the Bill quite impracticable.

For the time being I will satisfy myself by seeing whether the Bill is read a second time; and, if it is, I will watch the Committee stage very closely in the hope that we can prevent what I think can be complete chaos by the inclusion of a number of these amendments.

THE HON. G. E. JEFFERY (Suburban) [8.47 p.m.]: I agree with Mr. Baxter that the Bill is a Committee Bill; and with that end in view I shall address myself only to some of the pertinent points raised by various speakers.

If we agree to Mr. Mattiske's contention that £150 be the level at which the Bill becomes operative, then it will have been a complete waste of time to present it to the Chamber. From the information supplied by various master painters—and most of them would have given a conservative figure—it is my belief that at least 50 per cent. of the work done by master painters is on cottage renovation and re-painting jobs; and in my opinion the

average cost of the contracts would not total £150. In other words, it would still allow all those people about whom I complained when I introduced the Bill to continue on their merry way, almost unaffected. I am a reasonable man, and I believe the figure of £20 I have specified is fair. It is, of course, subject to amendment; but I consider Mr. Mattiske's figure is much too high.

The honourable member was also concerned about the constitution of the board, and he suggested that another architect be added. I have here a list of some of the boards that function within the State of Western Australia, and I suggest that it is not unreasonable to ask that on a board dealing with master painters, at least two of the members—they would still be a minority—shall represent the body that is most interested.

It has been said that as this is a master painters' board, it is not necessary to have on it a representative of the union. As I said when introducing the measure, there are 1,000 operative painters and 100 apprentices in the industry, and quite a few will be affected by the complaints that will be lodged with the board. Various arguments will be brought forward about workmanship and so on.

I was interested in Mr. MacKinnon's remarks about haggling. My experience of people who will haggle over contracts is that they are like persons who during the war years bought watches in the Egyptian markets. The watches were cheap, but they did not last long. If one goes to a reputable tradesman to have a job done on a motor-car, the tradesman will give a quote and say what has to be done; and he will give an itemised list of the work that is required. But if the owner wishes to haggle, the tradesman will say, "If you wish to haggle, I will cut out this and that, but beware of the consequences."

I believe this legislation cannot protect that kind of person; and frankly I believe that if one calls in a master painter or a builder and requires a job to be done, he should do what the master tradesman suggests.

It is like calling in a doctor because a person has influenza, and the doctor suggests that the patient go to bed for a couple of days; and he prescribes medicine for him. But the sick person goes to a chemist's shop and buys some proprietary medicine. This does not produce fatal results, but the patient probably contracts pneumonia or some other complaint.

We cannot legislate for fools, as I said on a previous occasion. I know a lot of tradesmen who will not look at a job if the owner of the premises haggles. On the other hand, some will say, "You want to cut the job down to this price, so I will do it, but certain things are likely to happen." In that event one has not much to argue about.

Mr. MacKinnon was apparently listening to TV because he spoke of self-applied paints. Well, there are paints that can be applied by a person's wife if he can get her in the mood. But the position is somewhat similar to that with regard to a motor-car. A man might fill the radiator and check the tyres, but that does not mean he is a mechanic. While a housewife might paint kitchen cupboards, there are one thousand and one things in the painting trade she cannot do; and that applies in all spheres of life. I could wrap a bandage around a man's ankle if he sprained it, but I am not interested in setting myself up as a doctor with a brass plate in St. George's Terrace.

Mr. Mattiske was asked, by interjection, about plastic relief, and I understood him to say that neither he nor the vice-president of the Institute of Architects knew what it was. Frankly, I am not too sure what it is, either. But where there are arguments in trades, the Arbitration Court decides who shall do the work, whether the work concerns a boilermaker, a plumber, a fitter, or any other tradesman.

In 1958—three years ago—the Arbitration Court dealt with the definition of "painter" in Award No. 24/58, and that definition provides for plastic relief. While I admit that I have not a great knowledge of plastic relief, because I am not an operative painter or an architect, I point out that the Arbitration Court, and the appropriate union and the masters, must have some knowledge of it because it is included in the definition of what belongs to the painting trade.

I think Mr. Baxter gave a factual submission on the question of fees. The figure he gave would be about what I estimate the board will cost—approximately £3,000 a year. What is the good of a board if it has not an inspector? If a man who is in business is keen on his work, he has no time to go around snooping and prying into other people's work. A master painter who was a member of the executive and who felt he had to snoop around to see what other people were doing would soon find that he did not have a business of his own; and snooping is not a very fashionable occupation in Australia; the ordinary person frowns upon it. Therefore it would be necessary to employ an inspector. The figure of £3,000, which someone said the industry would be loaded with, would be the amount, I think, that the board will cost.

I mentioned two instances of people who were overcharged. One was an American citizen who was overcharged to the extent of £550 in respect of work on a fairly substantial private residence; and I mentioned the sum of £200 that will be required to correct the faults in the painting of a country hotel. So in those two jobs alone, £750 would have been saved to the clients had there been some protective provisions available such as are suggested here.

Mr. Mattiske referred to a maximum figure of £10 10s., but the maximum figure will be prescribed by the Minister. Using the amount of £3,000, which is as near as I can get to the cost of running the board, and on an estimated 400 painters who will apply for registration—there are 400 master painters at the moment—then £8 8s. per annum would, in my opinion, be a fair amount. If at the end of 12 months it was found that there was a large amount of money stacked away, the Minister could have a look at the position and adjust the fee so that equity would be maintained. I do not think we have a great deal to complain about in that regard. I am quite certain that the master painters of Western Australia would not quibble about a fee of £8 8s., because they know that their own workmen pay £6 6s. a year each for their industrial coverage; so the master should not pay less.

The figure of £10 10s. was put in for a purpose. It is fair to assume that the Minister of the day, whoever he might be, will not want to come running to Parliament with an amending Bill simply to adjust the fees to meet the requirements of the board.

I have no quibble with the figure of £3 3s. per member per board sitting, but the Bill provides that the Minister shall prescribe the amount; and the Minister, whether or not he is a member of my party, will not give away the board's money. If the board members want the fees increased, they will have to put up a pretty good case before the Minister will agree.

There is no quibble about the £3 3s.; but at the same time the Bill includes a fair provision. I do not think the board would sit on more than 12 occasions during the year so that a board member would not earn more than 36 guineas under this provision. But if at any time the board could justify an increase, the Minister should have the right to grant it.

Another complaint was that the Minister might be required to increase the area of operation beyond the metropolitan area. I do not think any Minister would increase the operational distance from the City of Perth without a close look at the legislation. This is pioneer legislation and at the end of 12 months those things that are not as we would like them could be brought back to Parliament and amendments introduced in the light of experience. I see no point in arguing about the fees; and I see no argument against the Bill as printed.

A point was taken in connection with the right of appeal being to a magistrate instead of, as the Bill provides, to the Minister; and I feel that has some merit. But the honourable member who raised the matter must be cognisant of the fact that when a private member introduces a Bill it is not possible to impose a charge on

the Crown. I am not a lawyer, but my information is that had there been included a clause which provided for appeals to be made to a magistrate, that would have imposed a charge on the Crown and so the measure could not have come before the House as it has.

The former Principal Architect will be the chairman of the board; and I feel that when the time comes for him to retire—at present the position is dependent on the Builders' Registration Act which provides that an architect shall be chairman of the Builders' Registration Board—the Government of the day will maintain the present set-up and will, when introducing legislation, deal with the position as it then exists.

The question of the examination of the people who will wish to be registered as painters was raised, and the Minister asked what we would expect new Australians to do. Well, I do not care whether a man is a new Australian, an old Australian, or a "Calathumpian"; if he has the training necessary to be a tradesman—a painter, a plumber, or any other sort—he has an equal right with anyone else to follow his trade according to his standard of skill.

As a matter of fact I think the trade union movement in Western Australia has a very clean and decent record in its treatment of new Australians. Indeed I think that in many cases it has been much too tolerant. I feel that on many occasions the people in our country have been too tolerant with those who have come from overseas, because they were concerned that they might form a bad opinion of the country and we have suffered as a consequence. Whatever the strata of society no one would quibble if a man who possessed the necessary qualifications immediately set up an industry or some form of production.

On the other hand, I think it is reasonable to assume that a man should not be allowed to continue in industry or work as a tradesman if he cannot establish his credentials in this country and in respect of that field of activity in which he is employed. It would probably be found that he could not establish his credentials in the country from whence he came and therefore that is the reason why on many occasions, he is not allowed to be employed in any trade as a competent tradesman. I think any fair-minded man will agree that that is a reasonable proposition.

If a man is to be registered as a painter he should possess some qualifications. If we permit a low standard of competency to prevail, no legislation would be better than bad legislation because, at least, if there were no law on the statute book the law of the jungle would prevail, and a man would take his chance among the others. However, to give a man who does

not possess suitable capabilities registration as a painter would only be performing a disservice to the public, because a man could come along to any householder with his name and registered number painted on his vehicle, and the person who employed him would be having the work done by a man who was not worth his salt.

The Hon. A. F. Griffith: Would not the same set of circumstances arise under sub-clause (2) on page 6 of the Bill?

The Hon. G. E. JEFFERY: I do not think so. I have already said that this is a Committee Bill and we can discuss each clause as we come to it in the Committee stage. The information I have of the Builders' Registration Board is that there are 700 "A"-class builders and 400 "B"-class builders, which would give a total of 1,100 builders contributing a fee of £5 5s. each. This would give the board approximately £5,500 a year income; and the amount of money salted away would, in effect, represent one year's income. Therefore, it is not the large sum that it might appear to be at first glance.

I believe that the standard set down by regulation as specified in the printed Bill would be equivalent to a five-year apprenticeship. It is reasonable to assume that if a man is going to be a master in the industry he should have served several years in the trade. I think that is important. If any person in this State desires to apprentice his son to a trade, he should have the right to ensure that the master under whom his son is to serve knows at least sufficient to teach the boy he is apprenticing; or, if he is not to serve under the master himself, the registered painter who is, in effect, the foreman of his business, should have a good knowledge of his trade. That is a fair proposition.

I know that lack of knowledge of the fundamentals of the trade by the master is a bad feature that exists today. There are some apprentices who, but for the training they receive at the technical school, would fail to qualify as competent tradesmen because they do not receive adequate instruction from their employers. The function of the tuition given at the technical school is only an adjunct to the practical training and instruction he should receive from his employer or master journeyman. It must not be forgotten, also, that many employers in several branches of industry are masters only as a result of having served their indentures in the employ of their fathers.

I have seen many trade examinations in Western Australia, because I have had the privilege of being a trade examiner and have had to examine people from overseas; and, in my experience, we have been very tolerant with them because of the difficulties they have experienced in speaking

our language and also in accustoming themselves to our working conditions. It has been found with some Europeans that our climate, particularly in the summer months, is rather extreme and somewhat different to what they had been used to in their homeland; and, as a result, allowances are made for them.

This Bill is not an attempt to put out of the trade a man who is reputable. As I said, when introducing the measure, I can envisage a great change within the trade over a period of six years. Those men who are engaged as painters in the trade today would be required to register within six months, and I am satisfied that this provision will drive out of the industry incompetent painters and those who do bad workmanship; and their loss will be a gain to Western Australia.

Mr. MacKinnon referred to the cost of protection. I think that most people engaged in business, of one kind or another, have to pay a membership fee to some association whether they like it or not, and this permits them to maintain the conditions which they consider should obtain.

I think the employment of an inspector is a most necessary part of the legislation. The most important feature of the inspector being a servant of the board is that he will not be subject to the whims of any particular individual. He will have a job to do, and will be responsible to the board which is to comprise an architect, two operative painters, and a representative of the Chamber of Manufactures.

By having inspectors who are completely impartial, one will get the class of report to which one is entitled. Any board that is constituted and is struggling along on an income of only £200 a year without the services of an inspector would be a sham board and the legislation would have no teeth whatsoever. The Minister mentioned the area served by the Water Supply Department. I can give him a rough definition of the boundaries of that area. If one looks at a map the area is easily defined, but one would have to be a surveyor and a half to define it from a reading of the statute.

The Hon. A. F. Griffith: I was merely pointing out the difficulty experienced by other people in understanding it.

The Hon. G. E. JEFFERY: The area has the Indian Ocean as its boundary in the West; the foot of the Darling Range in the East; south of Wanneroo in the north, and down to and including Rockingham in the south. That is a general description, which, at the same time, is fairly accurate. The Minister, during his speech, referred to this measure as being an employers' Bill. However, at the same time, during its operation, the employees would undoubtedly receive some protection from its provisions. Obviously, the master is protected in the industry when he pits

himself against the field, and when his standard of workmanship and his quotes and tenders will win him the job for which he is tendering.

This is an important Bill, because if it is agreed to, when men go out into the world as registered painters, the people of Western Australia can expect a good standard of workmanship. I am not going to suggest that every action which is taken or enforced to ensure that tradesmen possess the necessary qualifications by becoming registered will cure all the ills, because, human nature being what it is, the mere fact of a Bill being introduced will not effect a cure for all of them. If legislation could effect a cure for all the ills in our particular society, no matter in what sphere it may be that we believe it could, we would have to have legislation enforced on a thousand and one other subjects.

I think my argument in support of the Bill can be confirmed on the ground that at least when one employs a master painter one will be assured of a good standard of workmanship; and, by the machinery provisions in the Bill, one will be protected by the board because it will have the power to suspend the registration of any registered painter for any malpractice and so forth. So I believe that this is a Bill to which we can give our support; and as we go through the clauses in Committee, members will be able to discuss the various points. As I said earlier in my remarks, I think members will find me to be a reasonable individual when considering any of the arguments put forward.

Question put and passed.

Bill read a second time.

In Committee, etc.

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. G. E. Jeffery in charge of the Bill.

Clause 1 put and passed.

Clause 2: Interpretation—

The Hon. N. E. BAXTER: I move an amendment—

Page 2, lines 5 to 7—Delete the interpretation "the Union".

This amendment is tied up with the other amendments I have on the notice paper whereby the words, "the union" will be deleted from the Bill. As the Minister said when he was speaking in regard to this aspect on the second reading, this is an employers' Bill and not an employees' Bill; and I agree with him. I do not see any reason why the union should have any representation on the board.

The Hon. J. J. Garrigan: Why?

The Hon. N. E. BAXTER: A man may be an employer who has to appear before the board and it is possible that the union representative was previously one of his employees, and he could influence the decision.

On the Builders' Registration Board there may be an employee elected who represents the industry, although not a representative of the union, but the Bill proposes something entirely different. If the honourable member who has sponsored the Bill cares to move an amendment that an employee representing the industry be elected as a member of the board, the Committee could give it some consideration, but I do not believe that the union should have representation on the board. I trust, therefore, that the Committee will agree to my amendment.

The Hon. G. E. JEFFERY: I disagree with the honourable member. The union referred to is the Operative Painters and Decorators' Industrial Union of Workers, and I suggest that it has a vested interest in the painting trade. Many of the complaints which the board will receive will have some relation to workmanship, and if there is any trouble the parties who will be performing most of the work should be represented. Mr Baxter's contention is that for some reason—perhaps spite or disagreement—the union representative could act adversely against an individual seeking registration.

The board will be made up of an architect, two master painters and a representative of the Chamber of Manufactures and, therefore, I do not think one man could influence the board against any individual. If, on the other hand, the board did so act, the Bill provides that the individual can appeal to the Minister.

In my opinion, any individual who is appointed as a member of any board in this State is sincere in his application to his duty. I have yet to know of any individual who has been appointed to a board in this State, particularly during the post-war years, who has not performed his duty to the best of his ability. Further, no matter what organisation is represented on the board, that organisation generally selects a person to be a member of the board who has some capacity, and who is honest and conscientious. At this stage, I consider the clause should remain as printed.

The Hon. A. F. GRIFFITH: I do not think we should rest on this expression that there is an appeal to the Minister. I do not envy a Minister, whoever he may be, who has to deal with appeals. In the Bill we propose to set up a board of practical men and, should there be a difference of opinion, it is requested that provision should be made for an appeal to be made to the Minister. I still adhere to the same contention that I put forward during my second reading speech. I regard this as being a Bill for the master painters and one which is supported by the manufacturers for the reasons I have outlined. I cannot see the force of having a union representative elected to the board.

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

Ayes—14.

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|----------------------|------------------------|
| Hon. C. R. Abbey | Hon. R. C. Mattiske |
| Hon. N. E. Baxter | Hon. J. Murray |
| Hon. J. Cunningham | Hon. C. H. Simpson |
| Hon. A. F. Griffith | Hon. S. T. J. Thompson |
| Hon. J. G. Hislop | Hon. J. M. Thomson |
| Hon. A. R. Jones | Hon. H. K. Watson |
| Hon. G. C. MacKinnon | Hon. A. L. Loton |

(Teller.)

Noes—10.

| | |
|----------------------|----------------------|
| Hon. G. Bennetts | Hon. F. R. H. Lavery |
| Hon. E. M. Davies | Hon. J. D. Teahan |
| Hon. J. J. Garrigan | Hon. W. F. Willesee |
| Hon. R. F. Hutchison | Hon. F. J. S. Wise |
| Hon. G. E. Jeffery | Hon. R. Thompson |

(Teller.)

Ayes.

Pairs.

Noes.

| | |
|---------------------|-----------------------|
| Hon. F. D. Willmott | Hon. E. M. Heenan |
| Hon. L. A. Logan | Hon. H. C. Strickland |

Majority for—4.

Amendment thus passed.

The Hon. R. C. MATTISKE: I move an amendment—

Page 2, line 19—Delete the word "said" and substitute the word "building".

With your indulgence, Mr. Chairman, I want to refer to this and the following two amendments together. The purpose of these amendments is to ensure that certain processes which are becoming popular from day to day, and which in the strict sense are not painting processes, should be eliminated from this legislation. It should not be left to the painting trade to decide what is, and what is not a painting process; that should be determined by the building industry as a whole. These three amendments will assist in overcoming a lot of confusion which will arise in the future.

During the second reading Mr. Jeffery said that the term "plastic relieving" is used in the industrial award of the painting trade. Despite that we should aim for clarity in this legislation.

The Hon. G. E. JEFFERY: I oppose this amendment because the term is referred to in the building trades award delivered in 1958. On page 6 of that award, the term "plastic relieving" is included. We should therefore retain the wording in the clause.

The Hon. A. F. GRIFFITH: I have examined the industrial award referred to, and the inclusion of the term "plastic relieving" would put the interpretations into the right perspective. For that reason I oppose the amendment.

Amendment put and negatived.

The Hon. R. C. MATTISKE: In view of the decision of the Committee I shall not proceed with the next two amendments in my name.

Clause, as amended, put and passed.

Clause 3: Areas under the Act—

The Hon. R. C. MATTISKE: I move an amendment—

Page 3, lines 4 to 10—Delete all words after the figure “1960” down to and including the word “proclamation”.

As I said during the second reading, if the area of operation is to be amended in the future it should be left to this Parliament to decide, and not to the Minister to determine by proclamation. This Bill will no doubt require amendment in the future, and if there is a good reason to include new areas to take in country towns then surely Parliament will take a reasonable view and agree.

The Hon. G. E. JEFFERY: For the reasons given by the honourable member I have no objection to the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 4: Prohibition against unregistered painters carrying on business—

The Hon. R. C. MATTISKE: I move an amendment—

Page 3, line 16—Delete the word “twenty” with a view to substituting the words “one hundred and fifty”.

At present there are some small builders who specialise in renovations and it is customary for them to do their own painting. In view of the rising costs in the building industry the figure of £150 is not too large. If this amendment is agreed to the board will be relieved of the obligation to consider a large number of trivial complaints. That has been the experience under the Builders' Registration Act, and a large number of trivial complaints are received from time to time. These have to be investigated and such investigation involves some costs.

The Hon. G. E. JEFFERY: I oppose the amendment. The whole Bill hinges on the provision in this clause. The proposed figure of £150 is fantastic. Less than 50 per cent. of all the building jobs carried out in the metropolitan area would amount to that figure. In many cases painting is done in stages, as and when the owner of a property can afford the cost. An owner may decide to paint the outside of a dwelling to preserve it against the weather and to improve the appearance; and later on, when he has sufficient funds, he may complete the inside painting. Whilst a figure of £20 may be too low I think £150 is too high.

The Hon. A. F. GRIFFITH: The maximum of £150 is not a realistic approach. The average painting job for a two or three-bedroom cottage could be done for £150; therefore, the purpose of the Bill would be defeated by agreeing to the amendment.

The Hon. J. M. Thomson: But the figure of £20 is too low.

The Hon. A. F. GRIFFITH: As £150 seems to be too high and £20 seems to be too low I suggest that the figure of £50 be inserted. That would enable the owner of a property to engage an odd-jobber to do painting work, if he could not afford to engage a master painter.

The Hon. G. E. JEFFERY: I am of the opinion that the £20 is too low and the £150 is too high. The very man we want to protect by this Bill could be undermined if the figure is too high. Just quickly, I would suggest we raise the figure to £30.

The Hon. A. F. Griffith: This is not a bargain sale, surely.

The Hon. G. E. JEFFERY: I am not bargaining, but it is hard to assess the correct figure.

The Hon. A. F. Griffith: You said you would try your legislation.

The Hon. G. E. JEFFERY: I will accept the £50 minimum, but I am afraid we will not protect the man we are trying to help; it may call for a further amendment to this legislation. Where a man does work to the value of £50, if it is faulty, he should be held responsible for the damage.

The Hon. G. C. MacKINNON: No one has answered the query raised by Mr. Mattiske that in being fair to one group we are being grossly unfair to another. There is a very worthy section of the community that does odd jobbing and renovations. They have invested capital, they are good workers, and they serve a useful purpose in the community.

As Mr. Mattiske said, they do renovations. One of these people might build a back verandah, put a new window in the lounge, remove a chimney, or do something like that; and he would be allowed to work to a maximum of £800. Such people do quite a bit of painting, and that could well be a section of the contract. It could be in excess of £50.

The Hon. N. E. Baxter: He could “choof” it on to somebody else.

The Hon. G. C. MacKINNON: It is the duty of legislators to protect and look after everybody.

The Hon. A. F. Griffith: With £50 it will give the jobbing man a go. If it goes to £60 or £100 he will spread it out. That is the argument you used in the second reading.

The Hon. G. C. MacKINNON: If that is done we are back where we started. Mr. Baxter suggested he could “choof”—that is his word—it on to somebody else.

The Hon. N. E. Baxter: Yes.

The Hon. G. C. MacKINNON: That is not the right way to go about a piece of legislation.

The Hon. R. C. MATTISKE: If the figure is left at £50 or thereabouts, it will cause a lot of confusion in the industry later on. I am trying to visualise the difficulties that may arise so as to lessen them now. In any renovation job a firm figure is given to cover the whole of the job. If a jobber or small builder comes in to do renovations to one's home, he does not say that the carpentry is so much; he does not itemise what sections will cost. He gives a round figure for the job from start to finish.

There are many of these jobs, and if they are going to include painting to the value of £50, it is going to require some determination as to what is the value of the painting in a particular job. We recognise that under the Builders' Registration Act a builder is permitted to do work to the value of £800 without his having to be registered. We should bear that in mind when considering this clause. I think there will be many squabbles in the future, where the jobber—and he should be able to give a good estimation—says that the paint work is valued at, say, £40. Who is going to deny that? I would ask Mr. Jeffery how he would determine the value of the paint work in any job of that nature.

The Hon. G. E. JEFFERY: Using the figure of £800, which is the maximum under the Builders' Registration Act, I would suggest that the cheapest cottage in the metropolitan area would cost £2,500. Using the figure quoted by the honourable member of £800, I would say that that is one-third of the value of the house; and £50 is one-third of £150, which is the cost to paint that house. If a man can do building to the value of £800, which is one-third of the price of the cottage, one-third of the painting of that cottage will represent £50 and that figure should stand.

The Hon. A. F. GRIFFITH: We will either have to agree to or defeat Mr. Mattiske's amendment so that I can move a further amendment.

Amendment put and passed.

The Hon. R. C. MATTISKE: I move an amendment—

Page 3, line 16—Substitute the following words for the word deleted:—
"one hundred and fifty".

Mr. Jeffery did not say how he would value the amount of painting in a renovation job.

The Hon. G. E. JEFFERY: We have estimated that £150 is the average figure for a small cottage. We have also been told that £800 is the amount of work that is permitted under the Builders' Registration Act without registration. Therefore, I am saying that renovations or extensions to a cottage with a maximum of £800 gives us one-third of £150 for painting, which is £50. The man who wants a small job done is keen and desires to have a break-up of prices, and even if he gets the

carpentering and plumbing work done he usually does the painting himself. In a maximum amount of £800, including painting, I think that £50 is a fair enough figure. I am certain that people may sort of gerrymander the figures, but we see that done every day in regard to taxation, etc. If £50 is not a good figure in the light of experience, Parliament can reach another decision at some future time.

The Hon. G. C. MacKINNON: Mr. Jeffery told us that the figure of £150 is too high and that we must take into account the fellow who gives an upset price to do renovations for, say, £800; and £50 represents the cost of painting. I would point out that this work may involve stripping out lathe and plaster ceilings and replacing them with plaster in which case each room would have to be painted. Then again there may be alterations and renovations to the kitchen such as putting in new cupboards, all of which would have to be painted. Perhaps there may be work in progress on a front window, which would mean that the whole of the front of the house would have to be painted.

If we agree to £50 we will be landing the board in a lot of trouble because when someone complains it will be necessary to assess the section of the work that is represented in the painting. Obviously, in many jobs £50 would not go anywhere near the cost of the painting. I happen to know a lot about these prices, because a near neighbour and friend of mine does this sort of work.

The Hon. R. Thompson: How does he price his work?

The Hon. G. C. MacKINNON: I do not know but he has to be fine in his prices because he has competition. He has to work out the amount of wood, the amount of bricklaying, the amount of paint and the time it will take to paint, and so on.

The Hon. A. F. Griffith: What is your argument?

The Hon. G. C. MacKINNON: If the figure is lower than £150 there will be arguments with the board and umpires will have to try to work out what percentage of the contract is painting unless that is specifically stated in the contract. If it is less, it will have to be stated in the contract.

The Hon. A. F. Griffith: Where is this in the Bill?

The Hon. H. K. Watson: That is the point; it is not in the Bill.

The Hon. G. C. MacKINNON: That is my point. I think £150 is a fair figure. In trying to protect one section of the community we are going to do another section an injustice unless we leave it at £150.

The Hon. R. THOMPSON: I am opposed to the figure of £150, and I think £50 is a little too high. However, I will support

that amount. The painter when he goes to a job is a man who knows what he is about; and I do not think Mr. MacKinnon's argument holds water. The cost is worked out on a yardage basis when a house is being built or renovated.

Even with quotes for roofs, one can ring through to Brisbane & Wunderlich Ltd., give it the dimensions, and it will send enough tiles to allow for breakages. All members of the building trade are not fools; on the contrary, they are pretty shrewd men who have to quote carefully because of competition. I am sure the Minister for Housing will appreciate that. I think the figure of £150 would be ridiculous, and I support the figure of £50.

The Hon. A. F. GRIFFITH: Painting costs vary, depending on whether it is a brick or a timber-frame house. I repeat that I think a two or three-bedroom house would cost somewhere between £120 and £150 to paint. From memory, to paint the outside of a brick house would cost approximately £40. To paint such a house inside would cost about £75 to £80. We seem to be concerned about the person who is permitted, under the Builders' Registration Board, to undertake £800 worth of work.

I am prompted to ask of Mr. Jeffery what happens if we write the figure of £50 into this Bill and a man gives a quote for not more than £50—£50 exactly. The man carries out the job to the satisfaction of the householder, and then the board comes along and questions the amount of work which has been done. What happens if the board says, "You could not possibly have done this job for £50; you should have charged £60 or £75." Do we do anything about that, or do we accept the statement of the builder that the job was a £50 quote, no more and no less?

The Hon. G. E. JEFFERY: In reply to that question, I think that commonsense would prevail. While it might appear to any other man that the work should have cost £60, not much could be done about it. I do not think the board would be concerned about £5 either way. However, when we find a man proceeding to do exactly as he did before this legislation, then certain measures should be taken.

The only reason why the board would investigate a case would be the dissatisfaction of a client over the quality of the work. Thousands of jobs would be undertaken without the knowledge of the board, unless it received a protest from a client about the nature of the work done.

The Hon. A. F. Griffith: But there is nothing in the Bill to determine the board's power in this respect.

The Hon. G. E. JEFFERY: I think adequate provision is contained in the Bill. I suggest that the maximum figure of £800 would be reached more in country

areas than in the metropolitan area, due to transport costs and so on. The Minister's question is a fair one; but I think that the only time the board would know of these jobs is when it receives a protest from a dissatisfied client that certain work was not up to that person's requirements. I do not think that the board would normally interfere.

The Hon. C. H. SIMPSON: I do not profess to be a professional painter, but I do know that such jobs cost money. There are several points on which I would like information. If we set a figure in the Bill as the maximum amount for the work which a jobbing painter may do, does this figure apply also to a householder who wishes to do the job himself? Could he paint his own house if he wanted to?

I take it that the amount would include the cost of the paint, which is appreciable. However, once a figure is put into the Bill, it will not be altered later on except for a very good reason. We must remember that values will increase in 15 years and I think it would be a mistake if the figure was too low. There must be a certain amount of elasticity and latitude. I think it is wiser to state a high figure rather than a low one. I prefer the figure of £150 rather than £50.

The Hon. A. R. JONES: I think Mr. Simpson has given us some food for thought. I consider that £50 is a fair amount to pay for labour and painting. Usually in these small jobs the owner of a house purchases the paint himself and pays only for the labour. Much of this figure of £800 would be expended on the building side of the work and not so much on the painting side.

If necessary, a painter might be brought in, and sometimes a painter also does a little bit of woodwork. Men who have been in the habit of undertaking work on a small scale for the past 5 or 10 years would have no difficulty in becoming registered painters. If we decide on a figure of £50, an alteration could be made later on if any anomalies were found.

The Hon. F. R. H. LAVERY: I would like to ask, Mr. Chairman, whether the question before the House is in respect of the figure of £150.

The CHAIRMAN (The Hon. W. R. Hall): That is correct.

Amendment put and negatived.

The Hon. A. F. GRIFFITH: I move an amendment—

Page 3, line 16—Substitute the following word for the word deleted:—"fifty".

Amendment put and passed.

Sitting suspended from 10.0 to 10.15 p.m.

The Hon. R. C. MATTISKE: I move an amendment—

Page 3, lines 17 to 19—Delete all words after the word "Penalty" down to and including the word "offence" and substitute the words "for a first offence not exceeding ten pounds; for a second or subsequent offence not less than ten pounds or more than fifty pounds".

This concerns the penalty to be inflicted for a breach of the clause. I think that £10 for a first offence and £100 for a subsequent offence is out of all proportion. I appreciate that in the Justices Act it is customary to take one-fifth of these figures, but we should be specific as is the Builders' Registration Act. Those concerned would then know that they were up for a fine of up to £10 for a first offence and not more than £50 for a subsequent offence.

The Hon. G. E. JEFFERY: This is experimental legislation and being a reasonable man I accept the amendment.

Amendment put and passed.

On motions by The Hon. R. C. Mattiske, clause further amended as follows:—

Page 3, line 35—Delete the word "twenty" and substitute the word "fifty".

Page 3, line 39—Delete the word "twenty" and substitute the word "fifty".

Page 3, line 41—Delete the word "twenty" and substitute the word "fifty".

Clause, as amended, put and passed.

Clauses 5 and 6 put and passed.

Clause 7: Constitution of Board—

The Hon. R. C. MATTISKE: I move an amendment—

Page 4, line 13—Delete the word "two" and substitute the word "one".

The proposition is that instead of having two master painters on the board, for one of them we should substitute a representative of the W.A. Chapter of the Royal Australian Institute of Architects.

The Hon. A. F. GRIFFITH: We take out the interpretation of "union". When we get to paragraph (c) Mr. Baxter's amendment will tidy that up, and we will then have a board comprising five members with no direct idea as to where the fifth one will come from, except that he will be appointed by the Government. I cannot personally agree with Mr. Mattiske's amendment, but I suggest to the Committee that we leave the board as it is; and before the Bill passes the third reading I will look at the position of the board and introduce an amendment for consideration.

The Hon. J. M. Thomson: There is no guarantee how long it would take.

The Hon. A. F. GRIFFITH: There is no guarantee with any of this; it is trial legislation. The fact remains that we have the Principal Architect, and we all hope he will remain in good health. I have him as chairman of the Housing Commission and he hopes to remain there until after the Empire Games.

Amendment put and passed.

The Hon. R. C. MATTISKE: I move an amendment—

Page 4, line 16—Insert after the word "Association" the words "one of whom shall be a representative nominated by the West Australian Chapter of the Royal Australian Institute of Architects".

The Hon. G. E. JEFFERY: I oppose the amendment. I agree with the proposition of the Minister that he have a look at the clause and at the third reading stage submit a redraft of it. In redrafting the clause I hope the Minister will agree that two members of the board shall be master painters. In regard to the Architects Board, three members are appointed by the Government and six by registered architects; in the case of the legal practitioners' board, 100 per cent. of the members are of the legal fraternity. In the case of the Builders' Registration Board we find three of the five are builders. This is the trend throughout all the boards which are appointed, and I hope the Minister will give consideration to having two members of the board as master painters.

The Hon. R. C. MATTISKE: I would like your advice, Mr. Chairman. My next amendment on the notice paper should actually precede the amendment I have moved.

The CHAIRMAN (The Hon. W. R. Hall): I suggest the honourable member withdraw the amendment he has just moved.

Amendment, by leave, withdrawn.

The Hon. R. C. MATTISKE: I move an amendment—

Page 4, line 16—Delete the word "members" and substitute the words "a member."

The Hon. A. F. GRIFFITH: I feel sure the Committee did not intend to do what it did a few minutes ago and that the question was put and passed because no other member rose to his feet. I still think we will save a tremendous amount of time if honourable members forget amendments on the notice paper until we get down to the words "on the recommendation of the union" so that this clause can be recommended.

The Hon. G. E. JEFFERY: I think the suggestion of the Minister is sound—we should deal with the clause at a later stage.

The Hon. R. C. MATTISKE: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The Hon. A. F. Griffith: I suggest that Mr. Baxter now move his amendment.

The Hon. N. E. BAXTER: I move an amendment—

Page 4, lines 20 and 21—Delete the words “on the recommendation of the Union.”

I do not think there is any need for me to make any further comments on this amendment, as I explained it earlier in the Committee stage on the first amendment.

Amendment put and passed.

The Hon. N. E. BAXTER: I move an amendment—

Page 4, line 24—Insert after the word “Incorporated” the word “or.”

This amendment is more or less consequential on that dealing with the deletion of the words “on the recommendation of the Union.”

Amendment put and passed.

The Hon. N. E. BAXTER: I move an amendment—

Page 4, line 25—Delete the words “or the Union.”

This amendment is also consequential.

Amendment put and passed.

The Hon. N. E. BAXTER: I move an amendment—

Page 4, line 30—Delete the passage “paragraphs (b) or (c)” and substitute the passage “paragraph (b).”

This amendment is also consequential.

The Hon. R. C. MATTISKE: Paragraph (c) still stands.

The Hon. A. F. GRIFFITH: Are we not getting into a mess? I thought the honourable member was going to leave these amendments, because they will become consequential in the event of any change being made in the number on the board or the representation on the board. In addition, I think paragraph (c) still stands.

The Hon. W. F. WILLESEE: He is keen to get rid of the unionists; he deletes everything.

The Hon. G. C. MacKINNON: Paragraph (c) is still in the Bill, and reads “one member appointed by the Governor”. Therefore, I hope the Committee does not agree to this amendment.

The Hon. N. E. BAXTER: The amendment is in order because it allows the Minister to do what he wants to do later. Paragraph (c) is left in the Bill; the designation is just taken out of this provision.

The Hon. G. E. JEFFERY: The Minister is right and has promised that the clause will be recommitted. Any amendments now are completely out of order, as all we will have is a conglomeration of bits

and pieces that mean nothing. Mr. Baxter should withdraw his amendment on the understanding that this clause will be recommitted.

The Hon. N. E. BAXTER: I ask leave to withdraw my amendment.

The Hon. A. F. GRIFFITH: The correct procedure in a case like this would probably be to have the clause postponed. However, it will be easier to complete this stage and recommit the clause.

Amendment, by leave, withdrawn.

Clause, as amended, put and passed.

Clause 8: Remuneration of board members—

The Hon. R. C. MATTISKE: I move an amendment—

Page 5, line 19—Delete all words after the word “as” and substitute the words “the Minister approves but not exceeding three pounds three shillings for each sitting of the Board attended by such members. No such member shall be entitled to receive or be paid in any one year more than thirty-seven pounds sixteen shillings.”

I feel it should be left for this Parliament to determine what fee shall be paid to board members and not left to the Minister to fix it by proclamation from time to time.

The Hon. G. E. JEFFERY: I see no reason why the Minister should not prescribe the fee. Most Ministers have jurisdiction over the boards under their control; and if a member is worth £4 4s. that amount should be paid.

The Hon. A. F. Griffith: What is done under the Builders' Registration Act?

The Hon. R. C. MATTISKE: The words in the amendment are on all fours with the provision in the Builders' Registration Act. In the Builders' Registration Act the amount is £4 4s. per sitting at the moment as against £3 3s. in this amendment. I venture to suggest there would be more work done at meetings of the Builders' Registration Board than will be the case with this proposed board. Under the Builders' Registration Act each member of the board, including the chairman, receives an amount not exceeding £4 4s. for each sitting of the board, and in any one year he is entitled to receive £50 8s. Therefore, my amendment is on all fours with that.

The Hon. W. F. WILLESEE: I do not see why Mr. Mattiske wants to stipulate £3 3s. for board meetings and also stipulate the number of meetings that the board shall hold. Surely the situation must be governed by the board itself. I would point out that some members are trying to get a highly qualified section of people on to

this board and to limit professional people to £3 3s. with a further limitation of £37 10s. is not right, particularly as they will be told to administer this Act.

The Hon. A. F. GRIFFITH: There is precedent for it with the Builder's Registration Board.

The Hon. W. F. WILLESEE: Under that Act the fee is £4 4s., subject to the approval of the Minister, and a minimum of £50 8s. I do not agree with that. We should not limit the perspective of these people who will be prescribed by Parliament to administer the Act.

The Hon. R. C. MATTISKE: There is precedent in the Builders' Registration Act; and the reason for fixing the maximum for 12 meetings is very simple. From time to time a board is called and the meetings are very short; and it is clearly laid down that for those short meetings they will not be entitled to receive £3 3s.

There is that precedent now. Mr. Willesee is of the opinion that these people should be paid more. Ordinarily persons on boards of this nature would still act on those boards if they received no remuneration whatever. It is merely token payment to cover certain of their out-of-pocket expenses and it is not intended to be full remuneration for their services.

If that were the case they would be paid considerably more than this, especially in the early stages when the board is being formed. They will no doubt have some very long meetings early in the piece; but after that, when the board settles down, they will have some short meetings; and they will in no way compare with the length of meetings necessary under the Builders' Registration Act. I consider that the payment of £3 3s. is quite reasonable.

The Hon. W. F. WILLESEE: It is very soothing to think there will be some short meetings. But a short meeting could well be the subject of a very big decision, which would require much forethought in the introduction of some policy brought about by this legislation. It matters not one iota to me whether the meetings be short or long.

The Hon. J. G. HISLOP: I oppose the amendment because I consider it is wrong in principle. I know there is a precedent for it, but there have been equal precedents affecting a number of committees which we have appointed, where we have done exactly as laid down in this Bill. I am associated with certain organisations. Sometimes the meetings are long and sometimes they are short. However, the short meetings disrupt the rest of my day just as much as the long meetings. Board members may say that £2 2s. is sufficient for a meeting. However, let them decide and let them make recommendations to the Minister. I think it advisable to leave the Bill as it is.

The Hon. G. E. JEFFERY: I am opposed to the amendment. Board meetings could be likened to any social meetings. One anticipates that the whole evening is going to be taken up by a particular meeting.

Even if the meeting is short, one's evening is spoilt and one's own personal affairs are disrupted. There are only ten Ministers of the Crown, and if Parliament has not sufficient faith in the capacity of its Ministers, we cannot expect the general public to have that confidence. I quite agree that a person elected to the board will not receive a salary commensurate with what he is receiving in his private vocation. We should take into consideration a man's public spiritedness. I think the Committee should agree to the clause as printed.

Amendment put and negatived.

Clause put and passed.

Clause 9: Appointment of officers—

The Hon. A. F. GRIFFITH: Clause 9 states that the remuneration of the Registrar shall be approved by the Minister. It says that the remuneration of the registrar and other officers and servants of the board shall be paid out of the funds of the board. I would like to ask Mr. Jeffery, what other officers and servants of the board are anticipated and what will be the board's commitment in respect of their salaries?

The Hon. G. E. JEFFERY: At the moment we do not know what the board will have in the way of revenue. On the figures given earlier, the registrar would receive from £200 to £225 per year. It is anticipated that as he is also the registrar of the Builders' Registration Board he would use his present office staff and facilities to perform the duties associated with this office. The amount of staff will be governed by the amount of revenue received by the board.

With regard to the inspector, the inspector used by the Builders' Registration Board could be used under this proposed board, and an assessment made of his time in serving both boards. The remuneration will be governed by the availability of revenue to the board. The registrar would probably get the same as he gets under the Builders' Registration Board, which is somewhere between £200 and £225.

The Hon. F. R. H. LAVERY: I am opposed to this clause. It seems to me that the clause is rather blatant in its wording and in its application. It says that the board shall appoint a registrar who shall also be secretary to the board. That is all right. But it goes on to say, "who shall be the Registrar for the time being of the Builders' Registration Board." Are we taking the staff of the Builders' Registration Board and shifting it to this board?

The clause goes on to say, "and may also appoint such other officers and servants as it considers necessary to enable it to carry out its duties or functions". The first portion of the clause seems to be ambiguous. It seems that the board is virtually going to be made up of the staff of the Builders' Registration Board.

The Hon. G. E. JEFFERY: I think it will be agreed that the registrar is the secretary, and he is the chief executive officer of any board. The present occupant of the registrar's position on the Builders' Registration Board would, at the commencement of this legislation, be the registrar of this proposed board. I think it has advantages.

The Hon. A. F. Griffith: It could be more plainly worded.

The Hon. G. E. JEFFERY: The drafting of this Bill has been done by the Crown Law. I agree that it could be improved. However, I think the intention is clear and there is nothing ambiguous about it. Mr. Gratwick is Registrar of the Builders' Registration Board. I think the proposal has an advantage for administration purposes and in dealing with the teething troubles of this legislation.

The Hon. R. C. MATTISKE: The registrar of the Builders' Registration Board is not on that board full time. He is a public accountant, and one might say that the board is one of his many clients.

The Hon. J. G. HISLOP: Are we entitled to say that a man who has taken on the position of registrar of the Builder's Registration Board should be appointed by the Legislative Council to take on another job at a salary of about £4 a week, without being asked whether he would accept such an appointment?

The Hon. R. C. Mattiske: You have a point.

The Hon. N. E. Baxter: Surely he must have been consulted!

The Hon. J. G. HISLOP: I feel that this board could appoint its own registrar, and I do not think we are entitled to say that the registrar shall be, for the time being, the registrar of the Builders' Registration Board. I therefore move an amendment—

Page 5, lines 22 to 24—Delete all words after the word "who" down to and including the word "Australia".

The Hon. G. E. JEFFERY: I think the Committee should accept the amendment moved by Dr. Hislop. The gentleman who is the subject of this clause could still be offered the position and could still accept if he so desired. The question of his salary does not come into the matter at this moment.

The remuneration of the registrar and other officers shall be paid from the funds of the board. The remuneration of the registrar shall be approved by the board.

So it does not affect the gentleman concerned. He shall still be selected if he so desires, and, to my mind, he will be offered the position even if the amendment is agreed to.

The Hon. N. E. BAXTER: I would suggest to Mr. Jeffery that this clause be postponed until a later stage to ascertain what arrangements have been made in regard to this appointment; to ascertain whether the registrar of the Builders' Registration Board will accept this position.

The Hon. A. F. Griffith: It would not make any difference.

The Hon. F. R. H. LAVERY: I believe we are only playing with words by deleting these words because it is obvious the same person will be appointed by the board to do the job. I intend to vote against the amendment.

The Hon. R. C. MATTISKE: I support the amendment because it is a sensible one. If we specifically state in the Bill that he must be the only registrar and he says, "I cannot accept the position at that figure and I am not interested" where do we go from there? Do we have to change the registrar of the Builders' Registration Board? Let us suppose, at some future time, the present registrar of the Builders' Registration Board sells his practice and some other person takes over the position from him. The same difficulty could arise. There is no suggestion of taking away the intention of the clause as printed and the board is quite within its rights to approach this individual to accept the position, but if for any reason he does not wish to act, or if the board does not want him to act, some other arrangements can be made.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 10: Register of painters—

The Hon. N. E. BAXTER: I move an amendment—

Page 5, line 34—Delete the word "registered."

This amendment is aimed at tidying up the clause, and the following amendments have the same purpose.

Amendment put and passed.

The Hon. N. E. BAXTER: I move an amendment—

Page 5, line 36—Delete the word "registered".

The Hon. G. E. JEFFERY: I agree with the first amendment that has been passed by the Committee to delete the word "registered", but in this instance I think it advisable to leave the word in.

The Hon. N. E. BAXTER: I think Mr. Jeffery is quite wrong. In my opinion there is no need to use the word "registered" because the name of the painter only shall be registered.

The Hon. W. F. WILLESEE: Mr. Baxter thinks Mr. Jeffery is wrong and I think Mr. Baxter is wrong. We should retain the word "registered" in this line of the clause because a man's name only is entered in the register, but he immediately becomes a registered painter.

The Hon. G. C. MacKINNON: I disagree with Mr. Willesee because a registered painter is a painter registered under this legislation. Under the definition in the Bill he is a registered painter, so it is a redundancy to have the word "registered" appearing again.

The Hon. F. J. S. WISE: I think it is quite healthy to disagree with Mr. MacKinnon. If it is possible to describe in a clause that which is in consonance with the definition contained in the Bill, it should be done, and this amply fits that point.

Amendment put and negatived.

Clause, as amended, put and passed.

Clause 11 put and passed.

Clause 12: Who may register—

The Hon. N. E. BAXTER: I move an amendment—

Page 7, line 10—Insert after the word "examination" the words "as laid down by the Board for persons other than apprentices or".

In the clause as printed, the only course of training and prescribed examination in the painting trade could be that laid down by the Court of Arbitration. As this is a limited field, it is not possible for everyone who desires to become a painter to become apprenticed and, as a result, he may have to take another job. If the amendment is agreed to, it would prescribe the type of examination for any other trade an apprentice may enter.

The Hon. G. C. MacKINNON: I am at a loss to understand the need for this amendment. The Bill does not say that a person has to be an apprentice. If an examination is laid down by the Court of Arbitration for apprentices and another one is prescribed by the board for persons other than apprentices, then as I understand it, an apprentice would have to sit for the examination prescribed for the apprentices, but anyone else could sit for either examination.

The Hon. N. E. Baxter: No.

The Hon. G. C. MacKINNON: I disagree with the honourable member.

The Hon. R. C. MATTISKE: The clause, as printed, makes it quite clear that only an apprentice would qualify because he has served the prescribed course of training and has passed the prescribed examination, both of which are laid down by the court. The amendment is quite good because it gives the board power to prescribe any other course of training.

The Hon. J. G. HISLOP: This clause gives me considerable concern because it lays down the conditions for apprenticeship. I have been searching in vain for the qualifications that are needed by a youth before he can qualify to become an apprentice. I can only find the number of years over which his apprenticeship shall be served. The reason why I have raised this question is that I have been associated recently with rehabilitation and I find it extremely difficult in many occupations—not this one—to select a vocation for a boy who has not been an apprentice.

I have also discovered that in many of these occupations, which I do not think require a high standard of English, employers call for the Leaving Certificate before the individual can become an apprentice. I consider that when the Bill was drafted some consideration might have been taken in regard to what this means. It appears to me that this clause definitely prescribes a five-year training course, and if it is five years surely because of present-day conditions when one can purchase paints of the quality outlined by Mr. MacKinnon, such a long period is not necessary. I believe that five years is too long a period of training in which a boy is tied down. I was wondering whether the amendment is a very good one; because it would allow individuals who could not carry out the course of apprenticeship to sit for an examination.

If we set down the apprenticeship course at five years the boys would have to start their apprenticeship at 16 years of age. There are many boys who cannot enter the field of apprenticeship because of their earlier decisions in life, and a shortening of the apprenticeship period should be made. Therefore, I propose to vote for the amendment.

The Hon. N. E. BAXTER: I think I explained the amendment in simple terms, but I believe Dr. Hislop has more or less set the pattern in regard to boys who leave school to enter an apprenticeship. The situation is that only apprentices could attend a course of training as laid down by the technical school. Outsiders would not be permitted to attend and, therefore, we would exclude apprentices in the future. We must make provision for boys to enter the trade because of the lack of quality at the present time.

The Hon. G. E. JEFFERY: I listened with interest to Dr. Hislop's remarks and I cannot understand why he should be looking for the conditions that are laid down for apprentices, because it is the master who lays them down. He is running his own business and he can employ a Bachelor of Arts if he so desires. I was rather intrigued with Dr. Hislop's remarks because at the start of the session I showed concern over the rates of pay which apprentices receive, and I was told that they

did not need many brains to become apprentices, or the qualifications that are possessed by members of the Civil Service.

Today most employers demand the same qualifications of apprentices as the qualifications for entry into the Public Service. The standard used to be the eighth grade, but now most employers are demanding the Junior Certificate.

Regarding the point as to whether or not the period of apprenticeship shall be five years, that is a matter decided by the Arbitration Court. The law at present fixes the period at five years and we should adhere to it. Some people may contend that because improvements have been made by chemical manufacturing companies, the time is ripe for reducing the training period of medical practitioners. We know that such a proposal is not sound, and the same applies to the painting trade.

As new materials are used, new problems are experienced in the painting trade. Many new roofing materials and window frame materials are being introduced into the building industry, and their introduction brings about new problems in the painting trade.

It has been suggested that the five-year apprenticeship qualification should be discarded and in its place registration should be determined on the passing of an examination prescribed by the board. We cannot expect an apprentice to spend five years in learning the painting trade, only to find that he has to pass another examination before he can become registered under this legislation.

A point was raised that there is an age limit to a boy commencing his apprenticeship. In fact, a person can start an apprenticeship at any age if he is able to find a willing employer. I myself started my apprenticeship at 18 years of age. Another instance of persons starting their apprenticeship at a more mature age is the training given to trainees under the rehabilitation scheme.

If a person wants to become registered as a painter under this legislation he should have served a five-year apprenticeship. If this condition is not laid down a boy would only be wasting his time in learning the trade.

The Hon. R. C. MATTISKE: I support the amendment. There is a precedent for it under the Builders' Registration Act where the board prescribes the course of training and sets the examination. The provision in the clause is too restrictive in that it enables only apprentices to become registered. That is entirely wrong in principle. It must be remembered that before a painter can be registered under the provision in the amendment, he will have to pass an examination prescribed by the board on which there will be two representatives of the master painters. This

board will be quite competent to prescribe the course of training and to set the examination.

The Hon. R. THOMPSON: If this amendment is agreed to, in the future there will be no apprentices in the painting trade, because a boy could just as well work on a milk cart while he was studying the trade of painting. By doing some piecemeal work in the painting trade he would be able to pass the examination and become a master painter. By permitting that we would not be setting a good standard in the painting trade.

The Hon. W. F. WILLESEE: There are four provisos to this clause, but the amendment deals with only one. There is a provision that persons with painting experience and who have learned the trade in places other than Western Australia are to be registered by the board. We would be treading on dangerous ground by allowing people to obtain registration by a back-door method, and thus avoid undergoing a five-year apprenticeship. If this practice is adopted, the standard in the trade will deteriorate in the course of time. The clause as worded is reasonable and will safeguard the apprenticeship system as a basis of qualification.

The Hon. R. F. HUTCHISON: I raise my voice to protect the youth of this State. To interfere with the existing apprenticeship system is dangerous and should not be tolerated. We are experiencing enough troubles in the building trades without creating more. Today there are insufficient apprentices in those trades.

The Hon. G. C. MacKINNON: Mr. Mattiske said this amendment was in line with the Builders' Registration Board, but that is not quite correct. The examination which has to be passed to obtain an "A"-class certificate requires study in advance of the study required to pass an apprenticeship examination.

The Hon. A. F. Griffith: The builder usually comes from one of the allied trades.

The Hon. G. C. MacKINNON: Yes. He has no doubt served an apprenticeship in one of the trades, but he is required to undertake further study before he can obtain an "A"-class certificate. The provision in the Bill envisages that the person starting up in the painting business shall have passed the prescribed examination and served an apprenticeship.

I want to point out that if a person from this State were to go to the Eastern States and learn the painting trade without serving an apprenticeship, he would be able to return to this State and by passing the examination he would be able to become registered. In other words, registration will be granted to everyone but the person who has learned painting in Western Australia. If a person in this State wants to become registered he must serve an apprenticeship and pass the examination.

The Hon. R. C. MATTISKE: Section 10 of the Builders' Registration Act provides that a person who has completed the prescribed course of training, including practical experience as a builder, and who has passed the prescribed examination, shall be registered as a builder. It does not state that a person must have been apprenticed to any of the building trades before he is eligible for registration.

The Hon. R. THOMPSON: In the past when dealing with the Builders' Registration Act, Mr. Mattiske pointed out that in New South Wales builders were allowed to carry out plumbing, fixing, bricklaying and painting work. The reason for the inclusion of the provision in the Builders' Registration Act, to which he has just referred, was to enable tradesmen coming from another State or another country to pass the examination and become registered.

A migrant may not have served a five-year apprenticeship in the painting trade, but as the period prescribed by the Arbitration Court is five years, we should adhere to it. In other parts of the world the training may be equivalent to or of a higher standard than that prescribed for apprentices in this State. In that way it would be possible for migrants who have sufficient training to register.

The Hon. A. F. GRIFFITH: So that we can make some progress, I suggest that if we leave subclause (4) in, someone from anywhere will be admitted as a registered painter if he is able to satisfy the board that he has the qualifications.

The Hon. R. C. Mattiske: But he must have been an apprentice.

The Hon. A. F. GRIFFITH: Where does it say that?

The Hon. R. C. Mattiske: In the last few lines.

The Hon. A. F. GRIFFITH: I see. In that case these words are not necessary.

The Hon. R. C. Mattiske: Yes, they are, because they provide for an apprentice from any other State.

The Hon. A. F. GRIFFITH: It does not matter where he is from if he has obtained the necessary degree of proficiency as a painter. I am going to support the contention of the mover of the Bill and vote against Mr. Baxter's amendment because I agree with the principle of apprenticeship. The situation is not comparable with that of builders, because a builder usually graduates from one of the allied trades; and because he is ambitious he learns the rest of the building trade and then passes the examination.

Amendment put and negatived.

The Hon. R. C. MATTISKE: I move an amendment—

Page 7, line 18—Delete subclause (3).

Many people have contacted me regarding this measure, and they have all very strenuously objected to this provision. It is felt that the clause is too wide in its application and that a person should not be registered merely because he is nominated, as it were, by the Master Painters' Association.

Amendment put and negatived.

The Hon. R. C. MATTISKE: I move an amendment—

Page 7, line 28—Insert after subclause (4) the following proviso:—

Provided that a person who is registered in accordance with the provisions of the Builders' Registration Act, 1939-1959, shall, on application being made by him and on payment of the prescribed fee, be registered in accordance with the provisions of this section without the necessity of completing the prescribed course of training and passing the prescribed examination.

I feel that a person who is registered under the Builders' Registration Act should surely be competent to carry out work of this nature. Under the Builders' Registration Act he would at the moment be doing this work and should be able to continue that avocation.

The Hon. G. E. JEFFERY: I must oppose this amendment. I cannot see any reason whatever why because a man is a master builder he should be registered as a master painter without having to pass any examination whatever. If a man feels he is qualified to be a registered master painter he should have no fears about sitting for the examination. It is farcical to apply a yardstick in one instance and not in another.

The Hon. A. F. Griffith: Section 12 (2) conflicts with your argument, does it not?

The Hon. G. E. JEFFERY: No, it does not. A man should not be registered as a master painter merely because he is a master builder. A master builder does not do the plumbing work, despite his knowledge of plumbing. The painting side of the master builder's examination is not very large, and therefore it is no argument to say that a man should be registered as a painter if he is a registered master builder.

The Hon. R. C. MATTISKE: Mr. Jeffery is not quite right. He says that there is nothing to stop a person registered as a master builder from taking the prescribed examination to become a registered master painter. But there is, because under this legislation the painter would have to start in his first year apprenticeship and serve five years' apprenticeship.

How ridiculous can we get? The smaller man who does his own odds and ends should not be deprived of the opportunity to continue in that avocation. Admittedly

those who are engaged in the trade at the moment would possibly qualify under subclause (2), but I doubt it very much. However, we have to provide for the future. There are bound to be many coming into the building trade and qualifying as registered builders who will want to do the odd bit of painting, and I think they should be permitted to do so.

Do not let us overlook the fact that the whole of this legislation is to provide protection for the public. If a person who is registered as a builder does shoddy work he will be responsible not only to the painters' registration board but also to the Builders' Registration Board; so there is ample protection for the public. Therefore we should include this amendment and allow a competent man to continue in that type of avocation.

The Hon. R. Thompson: Will any of those—

The CHAIRMAN (The Hon. W. R. Hall): Order!

The Hon. F. R. H. LAVERY: Mr. Mattiske used the word "ridiculous." I am wondering how ridiculous he can get, because this is a complete about-face of his own statements when the builders' registration legislation was under discussion last year. Then he would not even allow a competent builder to be registered unless he took the prescribed examination. Mr. Mattiske's amendment is completely out of keeping with the intention of the Bill and I hope the Committee will not support it.

The Hon. R. C. MATTISKE: I object to the words used by Mr. Lavery because there is no about-face on my part. He said that last year I objected to a person being registered as a builder unless he passed the prescribed examination after having done a prescribed course.

The Hon. F. R. H. Lavery: Of course you did.

The Hon. R. C. MATTISKE: That is quite consistent with what I am saying now.

Amendment put and negatived.

Clause put and passed.

Clause 13: When corporation may register—

The Hon. N. E. BAXTER: I move an amendment—

Page 7, line 29—Insert before the word "company" the word "partnership."

This amendment is merely to tidy up the clause as is the next amendment appearing on the notice paper.

Amendment put and passed.

The Hon. N. E. BAXTER: I move an amendment—

Page 7 line 33—Delete the words "it has in its employ a registered painter" and substitute the words "there is

already registered under this Act at least one partner of the partnership, or one director of the company, or one member of the board of management of the body corporate or a person employed by the partnership, company or body corporate."

Amendment put and passed.

The Hon. N. E. BAXTER: I move an amendment—

Page 7, line 35—Insert before the word "company" the word "partnership."

This amendment also deals with the position I have outlined and is really consequential.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 14 put and passed.

Clause 15: Complaints—

The Hon. R. C. MATTISKE: I move an amendment—

Page 8, lines 33 to 37—Delete paragraph (c) of subclause (2).

I think it is wrong in principle to allow a board to impose penalties of up to £50 on any registered painter, and such a provision should definitely not be included in the Bill.

The Hon. G. E. JEFFERY: I must oppose the amendment. Paragraph (c) is actually the lesser of the three penalties that can be inflicted, and I cannot see any reason for its deletion in view of the complaints mentioned earlier in the clause.

The Hon. A. F. Griffith: Then let us keep the penalties consistent. Because of the way you reduced the others, surely you must reduce this penalty.

The Hon. G. E. JEFFERY: His registration can be suspended for a period of time, and that could be much worse than a fine of £50. After all the painter is being tried by his own master in that the chairman is a disinterested party and there is one of his own colleagues on the board. Generally speaking the board would not be foolish and go around handing out £50 penalties; it would have to be a serious breach, before the board would inflict the maximum; and we must not forget that £50 is the maximum.

The Hon. R. C. MATTISKE: I am not at all convinced by the honourable member's argument. The board has power to cancel or suspend registration for any serious offences. We can visualise the case where a registered painter has committed some breach and is called upon to make good hitherto faulty work. If he does not make good that work the board can suspend his registration for a period, or cancel it. The board has that stick to hold over him and I think it is wrong in principle that he can be fined up to

£50 for any offence. He either makes good the work, or he does not; and if he is given a certain time in which to do it, and he does not make good the work, the board can then cancel his registration.

The whole purpose of the legislation is to give protection to the public, and the protection would be given by the first two paragraphs without having paragraph (c). The only appeal that a registered painter has against any fine imposed by the board is to the Minister; and, naturally, the Minister, if there were any doubt, would support the board.

The Hon. F. R. H. Lavery: Not necessarily.

The Hon. R. C. MATTISKE: I cannot see any reason for this paragraph remaining in the Bill.

The Hon. G. C. MacKINNON: This clause touches on the most obnoxious part of these boards that we are setting up everywhere. I well remember the Deputy Leader of the Opposition in the Federal House (Mr. Whitlam) giving a particularly interesting address at the legal convention in Perth a couple of years ago. He discussed this subject and it was particularly interesting. A couple of years ago, on the Address-in-Reply debate, I, too, endeavoured to give a similar address, but probably it was not as interesting. Here we are setting up an authority with judicial powers, and it will sit as a court of justice. These boards run into thousands throughout Australia, so let us keep it as limited as possible, and on this occasion support Mr. Mattiske so that the board can either suspend or cancel a registration but will have no power to impose fines. If Mr. Jeffery reads Mr. Whitlam's speech he will find it particularly interesting and I am sure he will be convinced of the merits of the arguments put forward by Mr. Mattiske.

The Hon. W. F. WILLESEE: When we look at paragraph (c), we see that £50 is the maximum fine. A nominal fine of only £5 could be imposed, which would be nowhere near as drastic as the cancellation or suspension of registration. Mr. MacKinnon used the term "obnoxious" in relation to legislation of this type; but I think the degree of punishment should be consistent throughout the various Acts, and as the £50 is the maximum I think it should be left as it is.

The Hon. A. F. GRIFFITH: I do not like the principle of paragraph (c), but if we took it out the board would have only one of two alternatives: to cancel or suspend, and in either case the painter who had committed the breach would immediately become inoperative. If the board decides to suspend registration, how long a suspension will it impose? It might say to a painter, "We have suspended your license, but let this be a warning to you. We are now reinstating it." I do not like

penal clauses of this type although here I think we must have one; but I think we should reduce the amount of the penalty.

The board might feel inclined to impose a fine of £50 for each offence in an effort to get further income; and I believe we could make it a maximum of £25. Then it could use that as a means of getting painters to do better work. The board could say to a painter, "This is bad work but we are not going to take your license away or suspend it. You are going to be fined but in the meantime brighten yourself up."

The Hon. R. C. MATTISKE: Let us see what actually happens in practice. With the Builders' Registration Board, if a complaint is made against a builder for faulty work the inspector examines the job and if, in his opinion, the work is faulty, the builder is called upon to make it good. At that juncture there is no talk of suspension or cancellation. If the builder does not make good the work within a certain time his registration is either suspended or cancelled. It should be exactly the same under this legislation.

The Hon. A. F. Griffith: How could he make it good if his license were suspended or cancelled?

The Hon. R. C. MATTISKE: At that juncture there is no talk of suspension or cancellation. He is told to make good the work within a certain time. If he does not do that the board has power to suspend or cancel his registration. I think that is fair enough and there is no necessity for the board to have power to fine a person.

The mere imposition of a fine does not stop any man from doing more and more faulty work, but the suspension or cancellation of his registration would. The board has an ample grip over a painter doing faulty work without being given this penal power.

The Hon. H. K. WATSON: I find it difficult to follow Mr. Mattiske's explanation. All that has to happen is for a complaint to be made and then for it to be proved to the board's satisfaction. If it is proved, the offender runs the risk of penalties under paragraphs (a), (b) and (c). If we delete paragraph (c) we expose the offender I think to the more serious penalties of cancellation or suspension of his registration. A penalty not exceeding £50 is too high. I notice no mention is made of recovering the penalty in a court of competent jurisdiction as a debt due to the Crown. The penalty simply goes to the board.

It reminds me of a road board that tries to supplement its income by appointing traffic inspectors to catch speeding motorists with great facility. We do not want to instil that spirit into this board, because it would be bad if the board found itself short of funds and decided to go out and

fine offending painters. I agree with the Minister that the amount of £50 should be substantially reduced.

The Hon. G. C. MacKINNON: Up to a point Mr. Watson's argument is reasonable. If the registration is obtained by fraud it is cancelled. Let us say the man has been guilty of fraudulent conduct. Until he is given the opportunity of correcting the wrong we do not know that he is guilty of fraudulent work, so what Mr. Mattiske says is likely to happen. It is possible he fixes the work after being told to do so. Provision is made for the cancellation or suspension of his license. This could be done from five o'clock on Friday till eight o'clock on Monday. There is no need for paragraph (c). It is bad enough to give a board judicial powers, but it would be unwise to give it power to fine to fill its own coffers.

The Hon. F. R. H. LAVERY: It must be remembered that after a board finds a complaint proved to its satisfaction the license can be suspended or cancelled. Subclause (3) tells us that the painter has the right to repair the damaged work. To draw an analogy, I would like to be fined by a traffic court rather than have my license taken away for speeding; and I think that the fee of £50 should be reduced to £25. Paragraph (c) must stay in.

The Hon. A. F. GRIFFITH: How often is it envisaged that the board will sit to hear complaints? I take it an inspector will investigate complaints, or in the course of his duties he might come across them. I can see the board sitting frequently, otherwise the complaints will stack up. There might be 162 complaints, and I can see the board sitting a long time.

The Hon. R. C. MATTISKE: The board does not deal with every specific complaint. As in the case of the Builders' Registration Board, complaint is made to the registrar who instructs one of the inspectors to investigate and if, in the opinion of the inspector the work is faulty a formal note is sent straightaway to the individual to make it good. At that stage it is not before the board. If the work is not made good the matter comes before the board at the next meeting. If the board were directly associated with every complaint it would be working 28 hours a day.

The Hon. A. F. Griffith: Where does that occur in the Bill?

The Hon. R. C. MATTISKE: The board has power to make regulations for the conduct of the board, and it will have power to say what will be done.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 16 put and passed.

Clause 17: Appeal from decision of Board—

The Hon. R. C. MATTISKE: I think the wording should be altered so that the appeal will be made to a magistrate, but I would like to hear members on it.

The Hon. G. C. MacKINNON: I think the Builders' Registration Board has an appeal to the magistrate. Why should not this board follow suit?

The Hon. G. E. JEFFERY: I am advised that in a private member's Bill it is not possible to impose a charge on the Crown, and that is why the word "Minister" is used instead of "magistrate".

The Hon. A. F. GRIFFITH: My information is that this would not impose a charge on the Crown. Courts are there to discharge their functions. I would not like to be the Minister hearing these complaints.

The Hon. G. C. MacKINNON: To test the Committee, I move an amendment—

Page 10, line 15—Delete the words "the Minister" and substitute the words "a Magistrate".

The Hon. A. F. GRIFFITH: I suggest that the Committee leave it as it is and I will find out and inform members on the third reading.

The Hon. G. C. MacKINNON: I agree with the Minister's original argument that this Bill does not set up a court.

The Hon. A. F. Griffith: I suggest you give me an opportunity to inquire as it will save time and argument.

The Hon. G. C. MacKINNON: The Minister will recommit it on the third reading.

The Hon. A. F. Griffith: You can recommit it.

The Hon. G. C. MacKINNON: Under those circumstances I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 18 and 19 put and passed.

Clause 20: Fees payable on registration and annual fee—

The Hon. R. C. MATTISKE: I move an amendment—

Pages 10 and 11—Delete this clause and substitute the following:—

(1) There shall be paid to the Board by every applicant for registration a fee of two pounds two shillings.

(2) There shall also be paid to the Board on the first day of February in each year by every registered painter a fee of two pounds two shillings; and if any registered painter in any year makes default in paying such fee, the registration of such painter may be suspended, but if the painter gives a satisfactory explanation of such default, the suspension of such registration shall be annulled on payment of such annual fee together with such additional fee (if any), not exceeding ten shillings, as the Board directs.

I feel we are very much up in the air as to how many persons will be registered under this legislation. If there are with apprentices and operative painters approximately 1,150 persons already practising in the metropolitan area, I feel by far the bulk of them will register, particularly within the first year or two, and in the first year in particular. The cost of administration will not be as high as later on. There will not be the same number of complaints coming in and there will not be the same need for an inspector. It will take time for the board to sort itself out before it can appoint an inspector. Therefore there will not be a great demand for money and if there should be in the vicinity of 1,000 persons registered the board will get in over £2,000. I would even agree to the raising of the figure from £2 2s. to £3 3s., and that surely should give sufficient cash for the running of the board over the first two or three years.

Later on, there must be certain amendments introduced by the Government and this matter can be given further consideration then. This figure will not preclude the successful inauguration of the board, and I hope the Committee will agree to it. As I stated earlier, the Builders' Registration Board has an accumulation of funds amounting to £6,500, which is not an inconsiderable amount, and I do not think this board should be permitted to accumulate money to that extent.

All it requires is sufficient income to cover its normal operating expenses which could be in the vicinity of £3,000 for the first year or two. Supposing we made this figure £3 3s., it would provide sufficient income and the matter could be looked at again later on.

The Hon. N. E. BAXTER: I cannot agree with this amendment. If we look at sub-clause (1) of clause 20 we find it is similar to the first half of the amendment. Sub-clause (2) reads as follows:—

Upon the acceptance of his application for registration a registered painter shall further pay to the board as and by way of a registration fee for the period commencing on the date of his becoming registered under this Act and expiring on the thirty-first day of January next following a sum which bears to the prescribed fee the same proportion as the said period bears to one year.

It could be perhaps that this measure will be proclaimed by the end of November and this board commences two months before the financial year. The two months would give the board an opportunity of getting to work and registering painters and it would know what funds it could expect to receive annually from registration. If we leave the clause as it is with perhaps an amendment of the ten guineas to a lower figure, before the 1st February the board will know what it is likely to receive and

then the Minister can approve a registration fee. If the amendment is agreed to, there is no provision for the intervening period.

The Hon. R. C. MATTISKE: I think Mr. Baxter has misread my amendment. The effect of the amendment is simply that there will be only one fee payable. There will not be an application fee and a registration fee in respect of the first year. The first payment of £2 2s. will cover the period whether it be on the 1st July or the 1st December, whenever the applicant may be registered. It will cover the whole or portion of the first year. Thereafter, in each year he will pay a further £2 2s.

That is different from the principle in the Bill under which there will be a nomination fee of £2 2s. and in addition to that there will be an annual fee up to £10 10s. with the proviso that in the first year if one is registered for only portion of the year, one pays only a portion of the subscription for that year.

The Hon. A. F. GRIFFITH: We cannot make this Bill inoperative. The board will need an inspector, and from reading the debate in another place, it is envisaged that he will be paid £1,500 per year. He will have a car, and an expense allowance for the car which might be £600 or £700 per year. There will also be office rent, stationery, and telephone.

The Hon. F. R. H. LAVERY: And a typiste.

The Hon. A. F. GRIFFITH: There is not enough money now for a typiste because the income for the first year is over-spent. Mr. Jeffery said that perhaps the £10 10s. might be reduced to £7 7s. or £8 8s.

The Hon. R. C. MATTISKE: I am surprised that several members who will no doubt oppose this amendment and support the Bill as printed, were against increasing the fee from £3 3s. to £5 5s. in the case of the Builders' Registration Act. I am surprised those same people will now approve of a fee up to £10 10s. per annum. We should have the say as to what the fee is going to be as in other legislation, instead of leaving it so loose as to say up to £10 10s. Why not fix a definite sum which we feel should be sufficient to cover the working requirements over the first two or three years? I do not care whether it is £2 2s., £3 3s., or £4 4s., but on the experience of the Builders' Registration Board £3 3s. should be ample.

Last year, there were 1,154 builders registered under the Builders' Registration Act, and the total income for the year was £6,519. I feel that £3 3s. should provide sufficient cash for the successful running of the board.

The Hon. G. E. JEFFERY: The Minister stated the position clearly and I think the figure should left in the Bill.

The Hon. A. F. Griffith: Not the £10 10s.

The Hon. G. E. JEFFERY: No, not the £10 10s. I think the figure mentioned in another place was £7 7s. or £8 8s. Mr. Mattiske has given the true picture as regards 1,154 builders being registered, but I do not think there will be 500 registered under this measure. I do not know; and obviously neither the Minister nor anybody else knows for certain what the number will be but I think it will be about 400. At £2 2s. the board will not have a chance. In the first year there will be the initial cost of establishing the board, and there will also be stationery and office equipment to be provided. They do not represent great amounts. They are things one does not need very often, except replacements.

I think we should have some confidence in the Minister who would be in charge of the legislation. I think that £2 2s. or £3 3s. would be a farcical sum. I cannot envisage any operative painter paying £5 5s., £6 6s. or £7 7s. merely for the pleasure of calling himself a registered painter, when he knows he is an operative painter, and he has no ambition to become a master painter.

There are about 400 master painters in the metropolitan area at the present moment. The Minister should be in a position to determine what the fee should be and if anyone is dissatisfied at the end of 12 months they could then voice their objection. I cannot envisage the board having a great sum of money at the end of the year.

The Hon. H. K. WATSON: Only £5 5s. is required for a member of the Builders' Registration Board, and that fee was increased from £3 3s. only last year. This Bill provides for painters, which is an associated industry, and it is strange that it requires a subscription of up to £10 10s. It seems to me that the proposed board will work in co-operation with the Builders' Registration Board. The registrar will be the registrar of the Builders' Registration Board and the same office will be used. It is not difficult to visualise that one inspector could do the dual job. If the Builders' Registration Board has two inspectors, it could merge those inspectors with a view to doing the inspection work of both boards. It seems to me that the expenses which will arise in the course of this board's operations will be much lower than if we were creating an independent board with its own office, secretary, and inspectors.

Amendment put and negatived.

The Hon. A. F. GRIFFITH: I move an amendment—

Page 11, line 9—Delete the words "ten pounds ten" and substitute the words "seven pounds seven."

The Hon. F. J. S. WISE: I hope the honourable member in charge of the Bill can give the House an assurance that the

board will be provided with sufficient funds particularly in its first year. Without any alteration to this clause the sum may be £7 7s.

The Hon. R. C. MATTISKE: Plus £2 2s. nomination.

The Hon. F. J. S. WISE: It may be £7 7s. without any alteration.

The Hon. R. C. MATTISKE: You are overlooking the application fee.

The Hon. F. J. S. WISE: I am overlooking nothing. The vital thing is that to give the board a chance of a positive life we want to be sure that it does not die of attrition in its first year or so of operations. The fact that there are 1,154 builders registered, requiring a fee of £5 5s. a year, suggests to me that £7 7s. is not enough if the membership is to be something under 500. It will be in the first year that the major costs will have to be met. I will be satisfied if it is felt that £7 7s. will provide the board with sufficient funds.

The Hon. R. C. MATTISKE: Mr. Wise gave the wrong impression when he said that the total amount the board would be able to receive in the first year would be up to £7 7s. It would be up to £9 9s. So far as the costs of running the board are concerned, I would say that in the first two or three months at least, the board would do all that is necessary for its future operations. I venture to say that the inspector will not be appointed for at least nine months of the first year. The other initial costs such as stationery would be very small. Stationery would not cost more than £50, and the costs of the registrar and typists, and so on, are not expected to be very great.

The Hon. W. F. WILLESEE: I must point out to the Committee that Mr. Mattiske is making assumptions.

The Hon. R. C. MATTISKE: Are not all of us?

The Hon. W. F. WILLESEE: I am pointing out to the Committee that they are assumptions which are not necessarily correct. For him to say that it will be nine months before there is an inspector appointed is incorrect, because I can tell him that it will only be one month before an inspector is appointed.

The Hon. R. C. MATTISKE: I stated that in the first year the inspector would not be appointed for at least nine months of the year. I did not say that he would be engaged for only three months of the first year. That is the point. If I gave the Committee a wrong impression when I spoke previously I regret it and I make the position clear now.

The Hon. G. E. JEFFERY: When Mr. Wise asks for my assurance, I cannot give it, but I believe, on the figures, which are fairly sound, that there will be 400 members and, at a fee of nine guineas each

that will represent £3,780. I cannot see any great profit coming from that because, frankly, I believe the board will proceed fairly promptly to appoint an inspector because at the end of 12 months, in its report, it will have to show some justification for its existence, and the sooner it proceeds with its duties the better it will be for all concerned. I envisage that in the first year the costs will be fairly heavy and that the £3,780 obtained from the members in fees will not leave a great margin of profit at the end of the year. However, I think the board should operate on it.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 21: Funds of Board—

The Hon. N. E. BAXTER: I move an amendment—

Page 11, lines 32 to 34—Delete paragraph (b) of subclause (3).

I do not see any reason why the registered painters should provide for scholarships for technical training for persons employed in the painting trade. Such scholarships should be provided by people in business houses and people engaged in the business of painting. We are only going to increase the expenditure of the board by legislating that it shall provide scholarships.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 22 put and passed.

Clause 23: Power to make regulations—

The Hon. A. F. GRIFFITH: On page 13 there will be found item (9) containing the words, "the testing of paint and painting materials." I think those words are taking the position a little too far. The manufacturers of paint are responsible for its manufacture and its quality. They place it on the market in a competitive way. It is not right that this board should introduce regulations for the testing of paint.

The Hon. R. C. Mattiske: Suppose a person adulterates the paint himself.

The Hon. F. J. S. Wise: He could; he could be using a mixed paint.

The Hon. A. F. GRIFFITH: He may not be. The manufacturers produce a product of which they are proud. I move an amendment—

Page 13, line 3—Delete item (9).

The Hon. H. K. WATSON: I think Mr. Mattiske's point covers this. It is not necessarily the testing of paint in the case of its manufacture. It is the testing, on the job of paint and materials which can be adulterated.

The Hon. A. F. Griffith: Not necessarily.

The Hon. F. R. H. LAVERY: Earlier in the evening I interjected, when the Minister for Mines was speaking, in regard to an incident that occurred in Ryrie Avenue,

South Perth. In that street the Housing Commission had a contract to paint several houses, and one of the tenants who was having his house painted invited me to see what was happening. I noticed that the painter on the job, when he divided his tin of paint filled the top portion with water. I was wondering whether this clause was designed to cover such a situation. I may be wrong. I am suggesting that this board on finding that incompetent work is being carried out or that poor quality paint is being used, will desire this clause as a protection.

The Hon. A. F. GRIFFITH: It is not necessarily an offence, or poor workmanship, for a man to add water to paints, because some paints have water as an additive.

The Hon. G. E. JEFFERY: I do not raise any strong objection to the amendment. If the conscience of any individual is pricked sufficiently for the manufacture of the paint to be tested, that is enough for me. It is quite easy for a man, unwittingly, to apply an additive to the paint. I can purchase paint in bulk, in large cans, and it would be quite easy for the middle man to adulterate the paint in good faith, and for the painting contractor to apply it in good faith. In the light of experience, this could happen, and I do not raise strong objection to the amendment.

The Hon. R. THOMPSON: I know a man who recently painted my home and who made up his own fillers and undercoats. If, under this legislation, he is registered as a painter and he tried to shelve the blame for poor workmanship on to the finishing coat, the board would have the power to test his undercoats.

The Hon. A. F. Griffith: To test the quality of his workmanship.

The Hon. R. THOMPSON: It is not so much the quality of his workmanship, but the quality of the paint he is using.

The Hon. A. F. Griffith: If this item is insisted on, my attitude to the Bill will change immediately.

The Hon. R. THOMPSON: I am not insisting on it, but this man told me that he did make up his own fillers and undercoats.

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

Ayes—13.

| | |
|---------------------|------------------------|
| Hon. C. R. Abbey | Hon. J. Murray |
| Hon. J. Cunningham | Hon. C. H. Simpson |
| Hon. A. F. Griffith | Hon. R. Thompson |
| Hon. J. G. Hislop | Hon. S. T. J. Thompson |
| Hon. G. E. Jeffery | Hon. J. M. Thomson |
| Hon. A. R. Jones | Hon. R. F. Hutchison |
| Hon. R. C. Mattiske | (Teller.) |

Noes—9.

| | |
|----------------------|---------------------|
| Hon. G. Bennetts | Hon. H. K. Watson |
| Hon. E. M. Davies | Hon. W. F. Willesee |
| Hon. F. R. H. Lavery | Hon. F. J. S. Wise |
| Hon. G. C. MacKinnon | Hon. J. J. Garrigan |
| Hon. J. D. Teahan | (Teller.) |

Majority for—4.

Amendment thus passed.

Clause, as amended, put and passed.

Clause 24 put and passed.

Clause 25: Offences—

The Hon. G. C. MacKINNON: Surely questions of summary conviction are taken before a magistrate!

The Hon. A. F. Griffith: It sounds like that to me.

The Hon. G. C. MacKINNON: That's what I think. Crown Law appears to have allowed an appeal to a magistrate in one case and not in the other. It would seem that my amendment was in order.

Clause put and passed.

Clause 26: Act not to affect Union coverage—

The Hon. N. E. BAXTER: This clause should come out and I hope the Committee will vote against it.

Clause put and passed.

The Hon. R. C. MATTISKE: A new clause was put on the notice paper in anticipation of an amendment to clause 12. Since clause 12 stands as printed there is no necessity to proceed with the new clause.

Title put and passed.

Bill reported with amendments.

BILLS (2): ASSEMBLY'S MESSAGES

Messages from the Assembly received and read notifying that it had agreed to the amendments made by the Council to the following Bills:—

1. Medical Act Amendment Bill.
2. Building Societies Act Amendment Bill.

*House adjourned at 12.59 a.m.
(Wednesday).*

Legislative Assembly

Tuesday, the 31st October, 1961

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The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.