open his premises, and to pay his staff wages for being present, even though he does not take one bet.

So in administering this Act, it is a pity the board should have become so dictatorial in its methods. It is dictatorial in the setting up of betting shops in locations where they are not wanted. The board's attitude to the general public and to the various local authorities is, "You are going to have a shop here and like it." The same thing applies to the question of the opening of shops to which I have just referred where the operators are compelled to open during country race meetings and to remain open on that day.

The position is farcial. If the people are at all interested in racing in the country districts they attend the courses because it is considered the patriotic thing to do. I will not weary the House any longer because I know there are other speakers who have facts and figures to produce, and I will leave it to them to comment on the measure.

On motion by Hon. L. C. Diver, debate adjourned.

House adjourned at 10.13 p.m.

Legislative Assembly

Tuesday, 30th October, 1956.

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

LEGISLATIVE ASSEMBLY CHAMBER

Members Smoking and Use of Speaker's Chair.

The SPEAKER: Before the commencement of today's proceedings, I wish to refer to the practice that has grown up of members smoking in this Chamber. It is known that in the years that have gone by, members have had the concession of being allowed to smoke immediately behind the Speaker's Chair, but during last week's proceedings some of them were smoking right in the Assembly Chamber. As a matter of fact, one member was sitting in the Speaker's Chair in the corner of the Chamber and smoking.

It has been drawn to my notice that the public in the gallery sometimes desire to smoke and when the ushers tell them they

cannot do so, they say, "What about the members smoking, down there?" Having regard to the decorum of this House, I will ask members to refrain from smoking in the Assembly. I know that most members smoke, and they can still do so immediately behind the Speaker's Chair, or, if they wish to smoke for a longer period, they can retire from the Chamber altogether.

I would also point out that the chair in the corner of this Chamber is for the use of the Speaker when the House is in Committee, and that is the only reason for its existence, as every member in this Assembly has a seat of his own. That chair is for the use and convenience of the Speaker only.

QUESTIONS.

RAILWAYS.

(a) "U" Class Locomotives.

Mr. HEARMAN asked the Minister representing the Minister for Railways:

(1) Are the only steam locomotives in service on the W.A.G.R. that are oil fired known as "U" class locomotives?

(2) Were these locomotives originally constructed so as to permit ready conversion to coal firing?

(3) In the event of conversion from oil to coal firing of "U" class locomotives, is it considered that there would be sufficient grate area to permit satisfactory steaming on low-grade fuel such as Collie coal?

(4) What would be the cost of such conversion of "U" class locomotives?

(5) What is the balance of the economic life of these "U" class locomotives?

The MINISTER FOR TRANSPORT replied:

(1) Yes. There are 14 "U" class locomotives.

(2) Yes.

(3) Yes.

(4) (a) To remove oil fuel gear and replace with "Nyassaland" coal buring gear (fixed finger bars, Nyassaland spark arrester and Nyassaland ash-pan and gear) —£235 per loco.

(b) To remove oil fuel gear and replace with our standard coal burning "Waugh" grate, Master Mechanics front end, but Nyassaland ash-pan and gear—£860 per loco.

(c) To remove oil fuel gear and replace as in (b) above, plus new ash-pan, self trimming tender, modified smokebox door and change of injectors as requested by motive power engineer and union—£1,720 per loco.

While this would make a better job, all the additions are not essential.

(5) Approximately 20 years.

[60]

(b) Details, Collision at Spencers Brook.

Mr. CORNELL asked the Minister representing the Minister for Railways:

(1) What was the estimated total value of the loss or damage to goods being carried in the trains involved in the collision at Spencers Brook recently?

(2) For what amount (if any) is the Railways Commission accepting liability in respect of goods lost or damaged in this collision?

(3) What was the estimated value of the damage to—

(a) locomotives;

(b) rollingstock;

(c) permanent way;

as a result of this collision?

(4) What was the finding of the departmental inquiry into the cause of the collision?

The MINISTER FOR TRANSPORT replied:

(1) The total amount is not known, but claims totalling £721 have been received.

(2) £482.

(3) (a) £1,056.

(b) £4,673.

(c) £1,615.

(4) The handle of the vacuum brake of the locomotive which crashed into the stationary train became detached when approaching the station.

(c) Discontinuance of 600 Miles of Lines.

Hon. Sir ROSS McLARTY (without notice) asked the Premier:

Will he make a statement to the House at an early date regarding the proposed suspended service on 600 miles of railway, the extent to which economies will be affected, and how such economies are to be effected?

The PREMIER replied:

A statement relating to this matter will be made to the House by the Minister for Transport within the next few days.

AGRICULTURE.

(a) Infestation of Scotch Thistle. Mt. Many Peaks Area.

Mr. BOVELL asked the Minister for Agriculture:

(1) Is there any infestation of Scotch thistle in the Mt. Many Peaks settlement area?

(2) If so, to what proportions has it developed?

(3) Is any action proposed to assist settlers with its eradication?

The MINISTER replied:

(1) Scotch thistle is not known to be present in the Mt. Many Peaks settlement area.

(2) Spear thistle is often referred to as Scotch thistle, and is serious only in areas mainly associated with older settlement.

(3) Settlers affected have been advised on eradication measures and some areas badly affected earlier have been treated with success. Any further spread will largely be determined by the control measures undertaken by settlers.

(b) Fencing Loans.

Hon. A. F. WATTS asked the Minister for Lands:

Regarding loans for fencing referred to by the member for Roe on the 24th October, will he inform the House:

(1) The total sum advanced for such loans?

(2) To how many farmers were such loans made?

(3) What was the average amount of loan in each case?

(4) In what districts were such loans made, specifying the number of farmers in each district?

The MINISTER replied:

(1) £45,147.

(2) 103.

(3) £438 6s. 5d.

(4)

Albany	1
Bridgetown	30
Bunbury	15
Busselton	1
Corrigin	1
Katanning	2
Kojonup	18
Manjimup	27
Margaret River	1
Narrogin	4
Pemberton	1
Perth	2

Rabbit netting, the subject of this information, is still available to settlers within the South-West Land Division (extending from just north of Ajana to the south coast) and in the Carnarvon delta, but the success of the myxomatosis and of late the "1080" campaigns, has killed the demand for it.

MEDICAL SCHOOL.

Closure of University Avenue, Hollywood.

Mr. COURT asked the Minister for Lands:

(1) Has a decision been made on the closure of University Avenue, Hollywood, for its inclusion in the proposed medical centre?

(2) If so, with what result?

(3) If the decision is to close the road, when is it proposed to give effect to such closure?

The MINISTER replied:

(1) Yes.

(2) and (3) The closure of University Avenue has been recommended in the planning of the medical centre. Legislative provision to give effect to this recommendation when the need arises, is under consideration.

HOSPITALS.

(a) Admission and Discharge of Patients, R.P.H.

Mr. TOMS asked the Minister for Health:

(1) What procedure is adopted with regard to the admission of patients to the Royal Perth Hospital from the casualty ward?

(2) Is he aware that patients have waited in the casualty ward for upwards of four hours before being admitted to beds?

(3) If the answer to No. (2) is "Yes," could this be due to understaffing?

(4) Will he take the necessary steps to have this position rectified so as to avoid unnecessary suffering to patients?

(5) What is the procedure adopted with regard to discharge of patients?

(6) Will he issue instructions upon a patient's transfer to another place (such as I.D.H., for convalescing), that, where possible, the nearest relative will be notified?

The MINISTER replied:

(1) The registrar on duty authorises the admission, the casualty clerk completes the necessary admission slips and, together with the doctor's instructions, these are sent to the call room for transfer of the patient to the ward.

(2) Yes. In certain cases, especially relatively slight head injuries, patients are kept under observation in cubicles in casualty for at least three hours to watch developments. They then may be either discharged home or admitted to the ward. However, all patients are under medical observation and treatment while awaiting admission.

(3) and (4) The hospital is not understaffed. The occasional delay is unavoidable and is caused in part by the overcrowding of the wards, the solution being the provision of more hospital beds. However, part of the problem is due to the unpredictable rate of arrival of casualty patients.

(5) Discharges are authorised by the honorary medical staff or the registrar. After the papers have been through medical fees section, the time of discharge is fixed by the resident medical officer, who takes home conditions and other relevant circumstances into consideration.

(6) This is done wherever possible. A transfer may be urgently needed to make room for new patients, but there may be a delay in notifying relatives because the latter may not be on the telephone.

(b) Committee or Board Control, Country Hospitals.

Mr. CORNELL asked the Minister for Health:

(1) How many country hospitals are committee or board controlled?

(2) Could these committees be dismissed as summarily as was the board of the King Edward Memorial Hospital recently?

The MINISTER replied:

(1) Fifty one—all hospital boards.

(2) The situation at King Edward Memorial Hospital is not related to the activities of other boards. The procedure followed by me as Minister was in accordance with the provisions of the Hospitals Act after the chairman of the board had advised me by letter that the board had informed the executive staff to refer hospital matters to the Minister.

(c) Control, Metropolitan Hospitals and Institutions.

Mr. CORNELL asked the Minister for Health:

What hospitals and institutions in the metropolitan area are controlled by boards or committees of management?

The MINISTER replied:

The following hospitals are controlled by boards of management appointed by the Governor-in-Executive Council—

Royal Perth Hospital;
Princess Margaret Hospital;
Fremantle Hospital;
Perth Dental Hospital;
King Edward Memorial Hospital.

(d) Government Subsidy, Country Hospitals.

Mr. CORNELL asked the Minister for Health:

(1) What minimum amounts of Government subsidy respectively will be received in 1956-57 by each of the following country hospitals—

Pinjarra;
Kellerberrin;
Bridgetown;
Manjimup;
Norseman?

(2) What, in each case, will this subsidy amount to, approximately, on an occupied bed basis?

The MINISTER replied:

(1) Subject to approval of Estimates—

	£
Pinjarra	15,876
Kellerberrin	4,896
Bridgetown	9,864
Manjimup	8,052
Norseman	13,860

(2)—

	£
Pinjarra	661
Kellerberrin	233
Bridgetown	616
Manjimup	424
Norseman	990

(e) Cost of Treatment of Natives.

Hon. D. BRAND asked the Minister for Health:

(1) What total debt at the 30th June, 1956, was incurred through the treatment of native patients for each of the following hospitals:—

(a) Kellerberrin;
(b) Moora;
(c) Mullewa;
(d) Carnarvon;
(e) Three Springs?

The MINISTER replied:

No separate cost records are kept at hospitals for natives as distinct from white patients. The cost per patient day is based on the total number of patient days for all patients.

HARBOURS.

Transit Shed, Bunbury, Progress and Cost.

Mr. ROBERTS asked the Minister for Works:

(1) When will the transit shed in Bunbury be completed?

(2) Is its present stage of erection up to that originally scheduled. If not—

(a) why not;
(b) how far behind schedule is it?

(3) What was the total amount expended on the transit shed during the financial year 1955-56?

(4) What amount is to be expended on this project during the financial year 1956-57?

The MINISTER replied:

(1) March, 1957.

(2) Steelwork was purchased in 1951. Limitation of loan funds necessitated allocation of priorities and in May, 1952, the Bunbury Harbour Board allotted a higher priority to other work.

(3) £17,595.

(4) £30,560.

FORESTS.

Softwood Plantations on Private Land.

Mr. HEARMAN asked the Premier:

(1) Further to my question of the 24th October, re the establishment of softwood plantations on private land, does his reply imply that the Government has given consideration to other means of encouraging this objective?

(2) If so, what suggestions have been considered to achieve this end?

The PREMIER replied:

(1) No, but any representations made for assistance would be investigated.

(2) See answer to No. (1).

ELECTORAL.

(a) Quotas and Seats.

Mr. CORNELL asked the Minister for Justice:

(1) What are the present electoral quotas for—

(a) metropolitan seats;

(b) mining, pastoral and agricultural seats?

(2) How many seats, and details thereof, are over or under the present quotas?

The MINISTER replied:

(1) Quotas as ascertained for the last redistribution as published in the final report of the Electoral Commissioners in the "Government Gazette" of the 22nd August, 1955—

(a) Metropolitan Area	9,369
(b) Agricultural, Mining and Pastoral area	5,070

(2) Margins 20 per cent. over and under quotas (provided under the Electoral Districts Act, 1947-1955)—

Metropolitan area —

20 per cent. over=11,243.
20 per cent. under=7,495.

Agricultural, mining and pastoral area—

20 per cent. over=6,084.
20 per cent. under=4,056.

District 20 per cent. over quotas:

Wembley Beaches—enrolment, 13,085.

There were no districts 20 per cent. under the quotas.

(b) Area of Electorates.

Mr. CORNELL asked the Minister for Justice:

What are the respective areas of each of the following Legislative Assembly electorates:—

(1) Murchison;
(2) Pilbara;
(3) Gascoyne;
(4) Geraldton;
(5) Greenough;
(6) Roe;
(7) Mt. Marshall;
(8) Stirling;
(9) Albany;
(10) Blackwood;
(11) Harvey;
(12) Bunbury;
(13) Moore;
(14) Narrogin;
(15) Katanning;
(16) Eyre;
(17) Merredin-Yilgarn?

The MINISTER replied:

	Sq. Miles.
(1) Murchison	332,698
(2) Pilbara	88,284
(3) Gascoyne	68,325
(4) Geraldton	3,377
(5) Greenough	15,570
(6) Roe	17,604
(7) Mt. Marshall	14,104
(8) Stirling	8,723
(9) Albany	1,125
(10) Blackwood	2,032
(11) Harvey	1,575
(12) Bunbury	21
(13) Moore	8,240
(14) Narrogin	4,661
(15) Katanning	3,316
(16) Eyre	103,350
(17) Merredin-Yilgarn	17,867

INTERSTATE RACING BROADCASTS.

Reply of A.B.C. and Requests for Service.

Mr. COURT asked the Premier:

Further to my questions of the 16th and the 23rd October:—

(1) (a) Has a reply been received from the A.B.C. regarding interstate racing broadcasts?

(b) If so, what was the result of the Government's representations?

(2) (a) Has the Government received requests for interstate racing broadcasts or requests for representations to the A.B.C. for interstate racing broadcasts from other than s.p. bookmakers?

(b) If so, from what sections of the community?

The PREMIER replied:

(1) (a) Not to the more recent representations.

(b) Answered by (a).

(2) (a) Yes.

(b) From individuals who are interested in the running and results of Sydney and Melbourne races.

ABATTOIRS.

Establishment at Geraldton and Export of Stock.

Hon. D. BRAND asked the Minister for Agriculture:

(1) What action has been taken regarding the establishment of an abattoir at Geraldton?

(2) Would not such a provision help to encourage the fat lamb and beef industry in this area?

(3) What are the prospects of increasing the export trade in regard to sheep and cattle with Asian countries?

The MINISTER replied:

(1) Inquiries made as a result of requests from Mr. W. H. Sewell, M.L.A., representatives of the Farmers' Union and

the member for Greenough indicate that the time is not opportune to establish an abattoir and freezing works at Geraldton.

(2) It is doubtful. Experience has shown that farmers would not support a Geraldton works, in comparison with more remunerative prices for early lambs in the metropolitan market for local consumption.

(3) Promising. The Government will assist where necessary, and recently installed weighing facilities at Derby to assist the export of live cattle to the Philippines.

WUNDOWIE.

Charcoal Iron Industry, Expenditure and Additions.

Hon. D. BRAND asked the Minister for Industrial Development:

(1) What sum of money is to be spent this financial year on the charcoal iron industry at Wundowie?

(2) Was any money expended on this work prior to the provision by the Commonwealth Government of a further £2,000,000 for the works programme?

(3) Will any finance be made available for additions to Wundowie from the £2,000,000?

The PREMIER replied:

(1) £261,000.
(2) No.
(3) No.

MARINE TERRACE, FREMANTLE.

Cost and Estimated Period of Work.

Mr. LAWRENCE asked the Minister for Works:

(1) What will be the cost of work in Marine Terrace, South Fremantle, in replacing the stonework on the foreshore now being carried on by the Public Works Department?

(2) What is the estimated period of work on this particular project?

The MINISTER replied:

(1) £9,000.
(2) Three months.

EGG BOARD.

(a) Qualifications of Personnel and Government's Intentions.

Mr. WILD asked the Minister for Agriculture:

In view of the Royal Commissioner who recently inquired into the marketing and distribution of eggs stating in section 23, on page 30 of the report—

(i) Any business which has an annual turnover of approximately £2,000,000 is a very large organisation, and it is essential that it be run according to sound economic and business-like principles. The Western Australian Egg Marketing Board is such a business and it is therefore necessary that the board, which, after all, is a board of directors, should be composed of the best brains that can be obtained in the State.

(ii) I early formed the opinion that the present method of constituting the board was unsatisfactory and that the only qualifications for appointment thereto should be integrity and proved commercial ability.

(iii) I therefore recommend that the Minister for Agriculture be empowered at his discretion to appoint four members to constitute the board. The Minister has an overall picture of the industry and those engaged in it with the result that it is within his province and ability to appoint the best men—

(1) What proved commercial ability have the present members of the board?

(2) In view of the strong recommendation by the Royal Commissioner for an altered constitution of the board, why is it not the intention of the Government in the interests of the egg industry to take such action as is recommended in (iii) above?

The MINISTER replied:

(1) The Royal Commissioner did not say that the Western Australian Egg Marketing Board was not run according to sound economic and business-like principles. Indeed, the tenor of the report was the reverse.

The policy of the Marketing of Eggs Act, 1945, as interpreted by the board, and put into practice by the general manager has proved the commercial ability of the board and its principal executive officers.

(2) The constitution of the board in the original Marketing of Eggs Act, 1945, recognised the value of appointment of members and provided that of the three producer representatives, two would be elected, and one appointed by the Minister.

The amendment introduced by Hon. G. B. Wood, the Minister for Agriculture in 1949, provided that all three producer members be elected. This Government, while in favour of the original constitution of the board, believes in the policy of representation on commodity marketing boards, and not the appointment of all members by the Government.

(b) Exported Egg Pulp, Quantity and Price.

Mr. WILD asked the Minister for Agriculture:

What quantity of egg pulp is to be exported from Western Australia this flush season and what is the price f.o.b. Fremantle?

The MINISTER replied:

It is estimated that the Western Australian Egg Marketing Board will export the following quantities of egg pulp from this State during this flush season at the prices mentioned:—

Packed in 28 lb. Tins.

Export to.	Whole Eggs.	Sugared Whole Eggs.	Whites.	Yolks.	Price per tin F.O.B. Fremantle. £ s. d.
United Kingdom	12,000	....	....	....	3 8 9·65
Do.	....	....	370	....	1 17 5·8
Persia	288	....	....	....	3 12 9
Singapore	720	....	....	....	3 9 6·4
Do.	....	240	....	....	3 14 2·4
Italy	....	....	....	260	5 19 0·5
Colombo	480	....	....	....	3 9 6·4

COMMONWEALTH SPECIAL GRANT, £2,000,000.

(a) Alleviation of Unemployment.

Hon. Sir ROSS McLARTY (without notice) asked the Premier:

(1) Was he correctly reported in the issue of "The West Australian" dated the 6th October last as having stated, in referring to the additional £2,000,000 loan funds made available by the Commonwealth Government that—

> the additional money would allow a bigger works programme to be carried out and help considerably with the unemployment situation?

(2) Has he seen a statement in the issue of "The West Australian" dated the 29th October last, said to have been made by the general secretary of the State executive of the A.L.P. (Mr. F. E. Chamberlain) wherein Mr. Chamberlain is reported to have said that—

> he could say authoritatively that the extra £2,000,000 Commonwealth loan money recently allocated to Western Australia would not provide additional employment?

(3) Which of these two statements is correct?

The PREMIER replied:

(1) Yes.
(2) Yes.
(3) Both.

(b) Amplification of Reply.

Hon. SIR ROSS McLARTY (without notice) asked the Premier:

In view of the fact that the Premier has apparently misread my question without notice, I repeat it again. I said he was reported as having declared that the extra grant of £2,000,000 loan funds would enable a bigger works programme to be carried out, and that he further declared it would help considerably to alleviate the unemployment situation. On the other hand, Mr. Chamberlain stated that he could declare authoritatively that the £2,000,000 Commonwealth grant recently allotted to Western Australia would not provide additional employment. The Premier says it will; Mr. Chamberlain says authoritatively it will not. Which of the two statements is correct?

The PREMIER replied:

I read the question very carefully and very correctly. The answer is still the same.

ESPERANCE PROJECT.

(a) Ministerial Statements.

Mr. COURT (without notice) asked the Premier:

(1) Is the Minister for Mines (Mr. Kelly) correctly reported from San Francisco in Friday's issue of "The West Australian" when commenting on Esperance and the Chase syndicate as saying:—

> All the details have been agreed upon by the Government and the syndicate. The necessary legislation will be introduced in Parliament without delay?

(2) Is his (the Premier's) comment in the same paper "that final agreement had not been reached between the Chase syndicate and the Government on the Esperance project and could not be reached until after Mr. Chase and the Government had held discussions in Perth in November" meant to contradict the statement attributed to Mr. Kelly?

(3) Have any interim contracts or options been signed by either party?

The PREMIER replied:

(1) I am not in a position to say whether the Minister for Mines was correctly reported.

(2) The comment was intended to be, and was indeed, a statement of fact.

(3) Not to my knowledge.

(b) Financial Standing of Mr. Chase.

Mr. BOVELL (without notice) asked the Premier:

Is the Mr. Chase mentioned in the negotiations relating to the Esperance project connected with the Chase National Bank of New York? If not, is the Government satisfied that the financial stability of Mr. Chase is sufficient to carry out the project as outlined?

The PREMIER replied:

I am not in a position offhand to answer the first part of the question. The answer to the second part is in the affirmative.

NATIVE WELFARE ACT AMENDMENT BILL.

Tabling of Files.

Hon. A. F. WATTS (without notice) asked the Minister for Native Welfare:

Will he lay on the Table of the House the two files relating to the cases he mentioned in his second reading speech on the Native Welfare Act Amendment

Bill? Pending same being laid on the Table of the House, will he postpone the second reading debate?

The MINISTER replied:

There is only one file which deals with the two cases. However, if there are two, I shall have both laid on the Table of the House. I agree to the postponement of the second reading debate.

WESTRALIAN MINES, ALLANSON.

(a) Tabling of File.

Mr. MAY (without notice) asked the Minister for Mines:

Will he lay on the Table of the House the file dealing with the Westralian mines at Allanson?

The MINISTER FOR EDUCATION (for the Minister for Mines) replied:

I shall give consideration to the question. If there is no reason for objecting to laying the file on the Table of the House, the request will be acceded to.

(b) Inspection of File.

Mr. MAY (without notice) asked the Minister for Mines:

In the event of the file not being laid on the Table of the House, will the Minister be agreeable to making the file available to me?

The MINISTER FOR EDUCATION (for the Minister for Mines) replied:

I shall be pleased to do so at any time.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Introduced by the Minister for Transport and read a first time.

ASSENT TO BILLS.

Message from the Lieut.-Governor and Administrator received and read notifying assent to the following Bills:—

1, Rural and Industries Bank Act Amendment.

2, Evidence Act Amendment.

3, Health Act Amendment.

BILLS (3)—THIRD READING.

1, State Government Insurance Office Act Amendment.

2, Factories and Shops Act Amendment (No. 1).

3, Nurses Registration Act Amendment. Transmitted to the Council.

BILL—OIL REFINERY INDUSTRY (ANGLO-IRANIAN OIL COMPANY LIMITED) ACT AMENDMENT.

Message.

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

Second Reading.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [5.3] in moving the second reading said: All Bills introduced have a certain objective. Sometimes that purpose is not easily definable; but in connection with this Bill, I think there is little doubt that the objective can be quite easily discerned. It is for the purpose of authorising the making of agreements for the establishment in the Kwinana district of what is known as a wet canteen.

The first agreement made in connection with this subject was made on the 23rd November, 1953, by the Government, the Anglo-Iranian Oil Co. and Australasian Petroleum Refinery Ltd. For some months previously, the Australasian Petroleum Refinery Co. had been asking the Government for assistance in connection with the establishment of a wet canteen because the company believed its establishment was essential to prevent a rapid turnover of labour which was being used in connection with the establishment of a refinery. It was pointed out that the absence of this amenity caused the men engaged in the construction work to leave the district and go where the amenity was to be found; and, in order to facilitate the construction of the refinery, something should be done in this direction.

I repeat that the action taken with regard to entering into an agreement was taken on the initiative of the company, which approached the Government and emphasised that, in its opinion, this amenity was essential if the programme for the construction of the refinery was to be adhered to. The company had previously ascertained that no private firm or company was interested in the establishment of a hotel in the district. So the Government agreed that until such time as a building suitable for a publican's general licence was constructed in the district, steps would be taken to provide the facilities which a wet canteen supplied.

However, no statutory provision existed for the granting of a licence for a wet canteen, and that presented a difficulty. It became necessary in the Government's view—although legal advice was tendered that the matter might have been dealt with in another way—to introduce an amendment to the Act or to take advantage of Clause 5 (o) of the agreement which had been entered into between the State and the Anglo-Iranian Oil Co. for the construction of the refinery. This clause sets out that—

> Any application under or provision of this agreement may from time to time be cancelled, added to, or varied by an agreement in writing to that effect signed on behalf of the parties hereto.

Section 2 of the parent Act defined the agreement in the schedule to be such as subsists from time to time. Section 3 provides for any variation of the agreement to have the same effect as if enacted by Parliament.

As the provision of the wet canteen was urged by the company as being essential to the establishment of the refinery, it appeared that an agreement to this effect would not have to be referred to Parliament. That was the advice which was tendered to the Government at the time. However, the Government felt it necessary to inform Parliament of what was intended, and so the matter was brought before Parliament for decision.

While it is true that the need for a wet canteen was not considered by the parties when making the agreement, the provision of these facilities could quite easily have been foreseen. For this reason, the Government was a little doubtful whether a further agreement could be made in the terms of the Act within the circumstances envisaged when that Act was passed.

The provision of a wet canteen was considered to be of a temporary nature only, being for the purpose of providing an amenity until a proper hotel was erected, and it was not considered necessary to authorise the establishment of the canteen by a special Act of Parliament. The agreement provided for a substantial timber-framed building 76 feet by 40 feet containing a double-sided bar, lounge, office staff changeroom, and toilet facilites. The manager of the wet canteen was to be appointed by the Government, the canteen was to be administered by the State Hotels Department and no accommodation and meals were to be provided. Copies of the agreement entered into between the companies and the Government were laid on the Tables of both Houses of Parliament.

The agreement provided that the canteen should operate until the 1st June, 1956, or until one week after a hotel was established in the Kwinana district, whichever date was the earlier. Parliament was told at the time that a canteen would be established at the direct wish of the oil company; and, because of that, the oil company had agreed to bear any loss sustained during the period of operation up to a maximum of £7,000.

Hon. D. Brand: Has it been called upon to bear any loss?

The MINISTER FOR WORKS: No; no loss was made.

Hon. D. Brand: Do you know what the profit has been for the year?

The MINISTER FOR WORKS: To be quite frank, I do not. It was estimated that if a hotel had been erected within 15 months of the commencement of the canteen, the Government would have incurred a loss of approximately that figure.

As some members may know, the canteen it situated in Medina and has served a very useful function for the residents there, as the nearest licensed premises are a considerable distance away. So far there has been no application for a publican's general licence. As a result it has become necessary to extend the life of the canteen. Members will appreciate the storm of protest which would have arisen if, on the 30th June, this canteen had been closed down and the amenity to which these people had grown accustomed had been completely withdrawn from them.

The company operating the refinery, which is now known as B.P. Refinery (Kwinana) Limited, was anxious in the interests of retaining its employees, for the continuance of the canteen. The company also intimated that it would interest itself in the possibility of having a publican's general licence obtained in the district. Because of that assurance, and the fact that it was not considered feasible to suddenly withdraw the amenity from the district and leave nothing, a further agreement was entered into with the company extending the operations of the canteen until the 1st June, 1959, or until one week after a hotel licence is granted, whichever may be the earlier. The Crown Law Department advises the Government that the subsidiary agreement dated the 23rd November, 1953, and which I have already stated was laid upon the Tables of both Houses, was made specifically to assist the company to retain in employment the persons engaged on the construction and establishment of the refinery.

Under the 1952 agreement, the company had an obligation to erect and establish a refinery, and it was considered that the subsidiary agreement for a wet canteen could be validly made under Clause 5 (o) of the main agreement as the provision of a canteen would assist the company to retain the necessary labour and facilitate the carrying out of the obligation on the company. Now that the refinery has been established, it is extremely difficult to argue that the presence of a wet canteen is necessary in conjunction with the establishment of the refinery although there is a development which alters the situation a little since the Government decided to introduce the Bill, because it has now been announced that further construction work is to be undertaken at the refinery, the additions to form part of the complete refinery. So it could, in these circumstances, when the construction work starts, be argued that the conditions were exactly similar to what they were when the canteen was first established inasmuch as it is needed to assist in the construction of the refinery.

At the time the Government decided to introduce the Bill, however, in order to make provision for the extension of this

canteen—it was not then known that this additional construction work was to be undertaken—it was felt that the proper course was to introduce a Bill authorising the making of this further agreement to extend the life of the canteen. The Government and the company agree that, in the interests of retaining employment at the refinery, the canteen should continue, and the Bill will dispose of any legal doubt which might exist concerning the powers to make this agreement in connection with the refinery.

A point I wish to emphasise is that it is the Government's desire that as soon as practicable the place of this wet canteen shall be taken by a hotel properly established under a publican's general licence, and the oil company has undertaken to interest itself in this question and to see whether it is possible to obtain a publican's general licence for the district. In the meantime the company has assured the Government that it considers that this wet canteen should continue in the interests of the people of the district and so that the company will be able to keep its employees there more or less in a happy frame of mind instead of their becoming disgruntled and dissatisfied because facilities which have existed for a considerable time have been taken from them. In these circumstances the Government felt it desirable to accede to the company's wishes, hence the Bill now before the House. I move—

That the Bill be now read a second time.

On motion by Hon. D. Brand, debate adjourned.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Message.

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

Second Reading.

THE MINISTER FOR LABOUR (Hon. W. Hegney—Mt. Hawthorn) [5.22] in moving the second reading said: Over the years amendments to this important Act, which affects many workers throughout the State, have been submitted for the consideration of Parliament, and to a great extent progressive improvements have been made. In all the other States and, of course, the Commonwealth, there are Workers' Compensation Acts, but they are not uniform by any means.

The measure now before the House is an attempt to bring the amounts, both weekly and lump sum payments, to a comparatively reasonable figure. I use the word "comparatively" in a cautious sense, because in some States—New South Wales, for instance—the maximum compensation for permanent and total disability is practically unlimited. In Tasmania and Victoria the Acts were amended some time ago and substantial improvements were made. The Bill now before the House is one which should receive the serious consideration of all members. It contains a number of amendments some of which are of a minor character. I do not propose to deal with them in detail but shall be pleased, when the Bill is in the Committee stage, to give as much information as possible to indicate why they are included.

Dealing with the major items, I may say that at the present time the basic total amount for permanent and total incapacity is £2,400. As members know, the Act contains a section which adjusts the payments in accordance with the rise or fall of the basic wage; but £2,400 is the basic amount and the Bill seeks to increase it to £3,000. The maximum weekly payment is £12 8s., but due to the fluctuations of the basic wage, it is now actually £13 3s. 1d. In a previous Bill, provision was made for a maximum of £12 16s. The measure now before us contains provision for a maximum weekly paymest of £13 11s. to a worker with dependants.

In 1954 a clause providing that the maximum for female workers should be £9 per week, was inserted at the conference of managers—members will understand that it is necessary for managers to agree unanimously on any items if a Bill is to be saved—and later both Houses adopted the decision of the conference of managers. The Bill contains a provision which states that where the female and the male rates for any particular employment are the same, the rate of compensation shall be the same. I shall give one example. I quoted this when the previous measure was being discussed. Under the barmaids and barmen's award or agreement, the barmaids receive the same rate of pay as the barmen. Members may know of some females working as barmaids who are widows and have dependent children. Under the Act their maximum compensation payment is £9. Their obligations could be the same as those of a widower with two or three dependent children, yet if they are injured in the course of their employment, they and their families receive much less than do the male employees who are enjoying the same rates of pay and conditions of employment. Members will see that the provision is to cover that anomaly or injustice.

The present amount for a dependent spouse per week is £2, and it is proposed to increase it to £2 10s., and to increase the amount for a dependent child from 16s. to £1. The lump sum payments in the Second Schedule will be increased proportionately. As £2,400 is to £3,000, so will the present amounts be increased. Those are the items enumerated in the present schedule.

Mr. Court: With which State are you trying to achieve parity?

The MINISTER FOR LABOUR: We are not trying to achieve parity, actually, with any. The Victorian Government, about 18 months or two years ago, increased its maximum payment to £2,800. As I have said, ours is £2,400. Tasmania has a maximum payment of £2,340, but in special circumstances it can go up to around £5,000. New South Wales, for permanent and total incapacity, provides, I understand, that payment can continue on a weekly basis for life; and I think the same provision operates to an extent in the Commonwealth. The same applies in regard to weekly payments in Queensland where there is provision for payments, up to the amount of the basic wage or average weekly earnings, to be made to a worker.

As I say, there are variations in the different States. We are trying to be reasonable and to bring the figures up somewhere near the mark. A small amendment is included which will be important to the particular injured worker concerned. At present a doubt exists as to whether a stepchild, who is not legally adopted by the stepfather, is entitled to be regarded by the insurer when the calculation of compensation is being made. The amendment in the Bill will clear up that position.

The main departure from the present position is in regard to the medical and hospital expenses. At present the maximum amount for medical expenses for an injured worker is £100 and for hospital expenses £150. It is proposed, under this Bill, that there shall be no limit and that an injured worker will be entitled to reasonable medical and hospital expenses. As the Minister administering the State Government Insurance Office, I have had cases brought to my notice where injured workers have had a prolonged disability and both their hospital and medical expenses have far exceeded the amounts enumerated in the Act.

On occasions we have made ex gratia payments because had we not done so those workers would have had a legal obligation to pay the difference between the total amount of hospital and medical expenses and the amount allowed under the Act. In this regard an injured worker will not be subject to litigation but will be entitled to receive reasonable hospital and medical expenses.

We propose, by this Bill, to establish a committee or board consisting of four representatives of the B.M.A. and four representatives of the insurers of whom one will represent the State Insurance Office. Those members will elect their chairman and where there is any difference of opinion or any doubt as to the reasonableness of a medical or hospital account, the board will have the right to determine what is fair and reasonable in the circumstances. As a matter of fact, that committee operates today and is performing a most useful service.

I am advised that the representatives of the B.M.A. and the insurers have had cases referred to them where it was considered that doctors' charges were unduly high, or where, to put it mildly, the charges had been most unfair. Those cases have been dealt with by the committee and this has had the effect of the doctors reducing their charges in those cases. If this Bill is passed, that committee will be given legal status and will be able to determine what is fair and reasonable in any particular case which is referred to it.

Mr. Court: What has been the result of its unofficial review of accounts to date.

The MINISTER FOR LABOUR: I am advised that where the committee has reviewed accounts which were regarded as being excessive the doctors have invariably adjusted their accounts. I think this will be a fair way of overcoming any difficulty in that connection, but it will not abrogate the right of the Workers' Compensation Board, under the provisions of the Act, to carry out any investigations as regards allegations of unfairness, exploitation or anything else regarding an injured worker.

Where an injured worker, either man or woman, injured in the course of his or her employment, is obliged to be in hospital for two or three months—and unfortunately sometimes for 12 months or more—and thereby incurs huge hospital and medical expenses, why should that injured worker be legally bound to pay any part of those expenses? The idea of setting up this board is to ensure that no unfair practices will be undertaken by any interested party and the board will be able to act as a sort of arbitration court to determine what are reasonable medical and/or hospital expenses.

There is one clause in the Bill which is no stranger to the House because this is about the eighth occasion to my knowledge that it has been submitted. It is generally referred to as the to-and-from clause and it provides for an insurance cover for workers travelling to and from their place of employment, or from the technical school to their homes, or vice versa, or from their place of employment to the technical shool. There is also a clause covering apprentices, which is modified to some extent, but the provision in the Bill to which I have referred is all-embracing. I hope that it will receive the endorsement of both Houses of Parliament on this occasion.

Until recently when a worker was incapacitated and was suffering from both an industrial and non-industrial disease, he was entitled to the percentage of the full amount with respect to the industrial disease for which compensation would be paid under the provisions of the Act. A

Full Court decision was given only recently that a worker was entitled to the maximum commensurate with the percentage of his disability, having regard to the industrial disease from which he was suffering, by way of full weekly compensation payments. Prior to that, the worker received only the pro rata amount per week in accordance with the proportionate disability from which he was suffering. There is an amendment in the Bill which will make the Act conform to the Full Court decision.

There is also another provision in the measure which certain employers might regard as contentious but I cannot see that any great argument can be put up to justify its non-inclusion. Premiums are paid on the basis of wages paid—in other words, the pay roll. In this regard I refer to the Chamber of Mines whose members have been submitting returns which show only the actual wages paid and have not included holiday or sick pay. The provision in the Bill will provide that wages shall include holiday and sick pay. Some of the small mine-owners were paying on the full wages, and including holiday and sick pay, and it is unfair that they should do this voluntarily while the bigger companies decline to do so.

One clause in the measure provides that the Workers' Compensation Board shall supply to the insurers within a reasonable time—I think the time stipulated is 30 days—a copy of its findings and decision in any particular case. There is an obvious reason for this; the insurers are interested in the decisions of the Workers' Compensation Board and these would act as a guide. The insurers would be able to compare a case with which they proposed to deal with one which had already been determined by the board, and it is felt that this would save the time of both workers and insurers and the insurers will know what the decisions of the board have been in various cases with which it has dealt.

There has been an agreement between the insurers and the Physiotherapists' Association but there are some pysiotherapists who are not members of the association. When an insurer, acting for an employer, sends a worker to a physiotherapist who is not a member of the association, that person is entitled to charge his ordinary fee and the Bill provides that where no agreement has been reached, the fee shall be determined by the Governor in the same way as medical practitioners' fees are provided for.

As regards the First Schedule, under certain circumstances, an injured or partially incapacitated worker is entitled to receive 66⅔ per cent. of the difference between his pre-injury earnings and what he would be able to earn in some suitable occupation after his injury if he were able to obtain that employment. The Bill seeks to wipe out that limitation so that he will be entitled to the difference. There is also a provision that the employer shall provide suitable light work for the incapacitated worker and if he is unable to do so, the worker shall be regarded, for the purposes of compensation, as being totally incapacitated.

There is another important part of the Bill which deals with injured workers who are being treated by general practitioners. Cases have been found where general practitioners have treated workers when they really should have been treated by specialists. The Bill provides that the employer, or the insurer acting on behalf of the employer, shall have the right to direct a worker who is being treated by a general practitioner to be treated by a specialist, and the worker's full medical and hospital expenses, and any other relevant expenses shall be borne by the insurer.

I shall not quote any particular cases but I know there have been times when workers in the country have been treated by local doctors and after the medical expenses have been exhausted, and the hospital expenses have mounted, the insurers have found it necessary to have the injured workers treated by specialists. On occasions this has prolonged the worker's disabilities whereas the position would have been quite different had he been treated by a specialist in the early stages. Occasions have arisen where employers and workers have not been able to agree regarding the submission of a case to the medical board. There is a provision in the Bill which will make it possible for either party to apply to the registrar for the setting up of a medical board.

The final provision, which is an important one too, provides that any agreement entered into between a worker and an employer shall be invalidated if the effect of the agreement is such that it will deny to the worker any rights for further compensation which he would have been able to claim had he not signed the agreement and in the event of his injury or his disability becoming worse at some subsequent date.

I invite the views of members with regard to the provisions of the measure to which I hope serious consideration will be given. It is a very important Bill because it affects so many people throughout the length and breadth of the State. The Government of the day is entitled—indeed, it has an obligation placed upon it to do so—to ensure that this legislation is kept up to date, and that the provisions of the Workers' Compensation Act are progressively improved so that any employee in the course of his employment who may fall by the wayside because of circumstances beyond his control may not be submitted to any hardship; nor should his dependents be submitted to any hardship.

Mr. Court: Does this Bill mean that you have abandoned your policy statement, that you were going to make workers' compensation a monopoly insurance of the State Government Insurance Office. There is no reference to it here.

The MINISTER FOR LABOUR: This Bill deals with the Workers' Compensation Act.

Mr. Court: You could include that provision in this Bill.

The MINISTER FOR LABOUR: The Bill contains what it contains. Since the member for Nedlands has asked that question, I might remind him that he did not adorn the halls of this Parliament in 1948 when the then Government, led by the present Leader of the Opposition who sits on the hon. member's right hand, introduced a Bill to amend the Workers' Compensation Act, which gave a complete monopoly to the State Insurance Office for all mining insurance.

Mr. Court: You have told us that about 12 times, but you have not answered my question.

The MINISTER FOR LABOUR: The truth can stand repeating any number of times. The question before the House now is the Workers' Compensation Act.

Mr. Court: Have you sought to achieve what your Premier put in his policy speech? You could do it under this measure; or have you abandoned that?

Hon. Sir Ross McLarty: They have abandoned so much that they do not know what they have not abandoned.

The MINISTER FOR LABOUR: I suggest to the members opposite that they direct their attention to what is in the Bill. If the member for Nedlands can help improve the provisions of the Workers' Compensation Act, he will be doing a service to the industrial workers of Western Australia.

Mr. Court: My question was fair enough.

The MINISTER FOR LABOUR: My answer was also fair enough. I move—

> That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

BILL—LAND ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 25th October.

HON. A. F. WATTS (Stirling) [5.48]: I think there is no difficulty about supporting the second reading of this measure. There are one or two minor observations I should like to make in the hope that the Minister will give them consideration, because I have an idea that the Bill may not do exactly what the Minister may want it to. I would like to say at the outset that I have been informed that the Pastoral Appraisement Board has said in past years that there are some pastoral leases that are not capable of carrying as many as 30 sheep to the 1,000 acres as is proposed as a condition under this measure after a period of seven years from the commencement of the lease.

For my part, I do not doubt that is a fact—I believe it is—and the Minister is well aware of it, and probably intended that the provision that the Minister in special cases could approve of the transfer of the lease should apply in this instance as well. That is why I said a moment ago that the Bill perhaps did not do exactly what the Minister thought it would. It is my belief that the terms of the measure giving the Minister power in special cases are confined to the transferance or subletting of leases before two years. If that is so, then I would say definitely that, in the light of the circumstances I have mentioned, the Bill requires some amendment.

If I were satisfied that the measure allowed the Minister to grant special leave, then I would have no objection to it in its present form whatever. If the Minister would look very carefully at the clause which seeks to amend Section 143 of the principal Act, he will see that it says—

> Except in special cases to be approved by the Minister no area leased under this Act shall be transferred or sublet until the expiration of two years from the commencement of the lease unless the lessee—

and then it later on proceeds to define the number of livestock that must be carried up to a period of seven years, and as the ministerial consideration for approval for special cases appears to apply only to two years, I cannot see how it would apply in those cases as well. If it did, I would have very little comment to make on the Bill.

The Minister for Lands: A transfer can be effected up to five years if the stock arrangements and the obligations of development have been completed. But if all that is done in two years, then a transfer can be effected also within that period.

Hon. A. F. WATTS: Oh yes, that is quite clear. But I am expressing the opinion that there will probably be some leases where it will be difficult or well nigh impossible, if the opinion of the Pastoral Appraisement Board still stands, for 30 sheep to be carried to 1,000 acres. In that event, it will be impracticable to comply with the last paragraph of this Bill, in which case it would be desirable for the Minister to have power to give special leave, and I do not think he has got it.

It is because I think he should have it that I am raising this point, because if the statement of the Pastoral Appraisement Board is, as I believe it is, still

soundly based, it would not be practicable to carry 30 sheep to the 1,000 acres. There may be few in number but the fact remains they do exist, so, with the best intention in the world, a person would be foolish to try to stock up to that figure. Yet if he did not do so, under this Bill he could not take advantage of the opportunity of transfer; and I do not think the Minister can give him leave to do so.

If the Minister will be good enough to have a look at that aspect, and be certain he has the power I have mentioned, I would have no objection to it. As it is, it may trip somebody in the future who cannot do what the Bill says he should and the Minister will not be able to relieve him although he might think it is the right thing to do. Accordingly, I think the Bill should be amended to allow the Minister to have power to give leave in certain cases.

Hon. Sir Ross McLarty: Would it be a safeguard if the Minister acted on the advice of the Pastoral Appraisement Board?

Hon. A. F. WATTS: He might do that if he wished, but that would be for the Minister to decide. I want him to have that power; whether he gets it on other people's advice or of his own volition does not matter to me. The Minister can satisfy himself on that point. But, as I have said, I would like him to have that authority because there may be some occasion where it will be extremely difficult for people to comply with the last paragraph of this Bill. It would not do the slightest harm for the Minister to grant special leave in such circumstances.

Question put and passed.

Bill read a second time.

BILL—METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WATER SUPPLIES (Hon. J. T. Tonkin—Melville) [5.56] in moving the second reading said: For a very long time in the past it has been necessary for successive Ministers to impose water restrictions in various parts of the State, particularly the metropolitan area, during a spell of very hot weather when the conduit capacity of the metropolitan water supply system proves inadequate to meet the demand for water which consumers place upon it.

Even if we have ample storage in the hills we are nevertheless obliged from time to time to restrict the use of water in order to maintain a reasonable level in service reservoirs in the city so that we will not get a situation where some people receive all the water they need while others get none at all. That could arise in the high level areas where ordinarily pressure would be poor, and where a very heavy drain leaves the pipes at the extremities containing very little water with the result that the consumers drawing off those extremities cannot get a supply.

In order to maintain a reasonable level in service reservoirs during those spells that occur periodically in summertime, the Ministers have had to notify the consumers through the Press that as from a certain day water may not be used by mechanical sprinklers during certain hours. That notice is invariably given under By-law No. 283A. Fairly recently the Crown Law Department raised the question of the legality of the action that had been taken for many years in this regard.

Hon. D. Brand: What prompted it to do that?

The MINISTER FOR WATER SUPPLIES: The same thing that has prompted lawyers over the years to suddenly discover that something which the people believe to be all right is not.

Hon. D. Brand: Was it challenged?

The MINISTER FOR WATER SUPPLIES: No.

Hon. A. F. Watts: It nearly was.

The MINISTER FOR WATER SUPPLIES: I suppose that is what prompted it. I daresay there was an inquiry on the part of somebody. I am only guessing, however, as I do not know that to be a fact. I am assuming somebody was nosing around somewhere making a few inquiries which set a train of thought going, and the question of the legality immediately became one of some importance.

There is a further point and a very valid one. When people were caught using water during prohibited hours and summonses were issued, it took some time before such summonses were brought before the court, and in the meantime restrictions were lifted. The question then arose as to whether a person could be fined for doing something which, at the time of the decision, it was perfectly legal to do. I understand that came up under Section 11 of the Criminal Code which states—

> A person cannot be punished for doing or omitting to do an act, unless the act or omission constituted an offence under the law in force when it occurred, nor unless doing or omitting to do the act under the same circumstances would constitute an offence under the law in force at the time when he is charged with the offence.
>
> If the law in force when the act or omission occurred differs from that in force at the time of the conviction, the offender cannot be punished to any greater extent than was authorised by the former law or to any greater extent than is authorised by the latter law.

So obviously there is the difficulty that restrictions may be imposed for a matter of two or three days during which some people disregard them and summonses are subsequently issued for the breach that has been committed. By the time the matter comes before the court, the restrictions have been lifted and it is perfectly lawful to do that which we are proceeding against. The purpose of this amending Bill is to give legality to what has already been done with regard to the use of this by-law and to place it beyond doubt that the Minister will have power to impose restrictions when it becomes necessary to do so.

I repeat, I have been advised that at the present time it is extremely doubtful whether that power exists so that the Minister could insert a Press notice—promulgate a law, as it were—under which people could be proceeded against for transgressing if they failed to observe the conditions set out in the notice. I am advised that as the Act stands at present, no clear power exists for a regulation to be made delegating to the Minister power to make such publication of orders in the daily Press. So it is for the purpose of establishing that clear power to give these orders that this Bill is now before the Chamber. If members are satisfied that the power should exist, then they will have no objection to the Bill. It becomes essential to impose these restrictions quickly, and if we are to go through all the formalites of getting the sanction of Parliament, the position would become quite impossible.

In the circumstances, it is necessary that there should be power to impose a restriction quickly, and lift it just as quickly, if conditions change. We might be in the midst of a very hot spell where the supply of water was inadequate to meet the demand and restrictions were put on. Suddenly a cool change blows up, and it is desirable that these restrictions, which are no longer necessary, should be immediately removed. So that the position can be completely clarified and that there will be no doubt that the Minister will have power to impose these restrictions, the Bill has been brought before the Chamber.

We all regret the necessity for having to restrict the use of water because the people pay for it, firstly in the rates which are levied, and, if they use excess water, they pay for it, too. If it were at all possible, it would be desirable to let people anywhere use the water for which they are prepared to pay, but I do not think the State will ever be in a position to give the people, either in town or country, all the water they require from time to time because consumption would grow so enormously that the capital cost involved in providing the sources of supply and reticulation would be beyond our financial capacity.

Hon. Sir Ross McLarty: Would that be so when you use the Serpentine to full capacity?

The MINISTER FOR WATER SUPPLIES: When the Serpentine scheme is completed, there will be an ample supply of water and adequate conduit to meet the needs of the metropolitan area for a period, but on past experience I am sure that will only be for a brief time, and then we will be faced with the necessity of further conservation and further reticulation. When I made my statement regarding the necessity for restrictions, I was speaking generally over the whole State because I cannot visualise our ever being in a position to provide all the water people can consume.

Hon. D. Brand: Does this Bill apply to the country?

The MINISTER FOR WATER SUPPLIES: No; this Bill deals only with the metropolitan area supply. There is no question of the legality of the powers in regard to country water supplies. I am dealing with the matter in this way primarily because we have been using a by-law —No. 283A— which we considered gave the Minister power to make an order providing for the times during which water could be lawfully used.

I repeat, the question has arisen as to whether there is any power under that by-law for the Minister to make the order which he has been issuing; to legally make it and enforce it. It is to clarify that point and to be quite sure the power will be there, should the occasion arise—as arise it will; it will be bound to arise this summer and the next and the next—that this Bill is necessary to ensure that there will be an adequate supply of water through the conduits to keep the service reservoirs at the proper level.

In the interests of consumers generally it is essential that the consumption of water be kept within reasonable bounds, and the only way in which it can be done is to prohibit people from using mechanical sprinklers during certain times. Of course, if we are prevented—and I do not think we are likely to be as things stand at present—from going on with the establishment of the Serpentine scheme to schedule, it would not be a question of restricting people in the use of mechanical sprinklers; they would not have water for their gardens at all.

Hon. Sir Ross McLarty: Do you mean there will be insufficient loan funds?

The MINISTER FOR WATER SUPPLIES: If we did not have sufficient loan funds to put in the dam and build the pipeline, we just would not get the quantity of water into the city to meet the ordinary demands, and in those circumstances it would be necessary to completely prohibit the watering of gardens either by

mechanical methods or by hand, and the water available would be conserved for domestic purposes only.

Hon. Sir Ross McLarty: With sufficient loan funds, when do you expect to complete the scheme?

The MINISTER FOR WATER SUPPLIES: The full scheme—that is, the pipe head dam, the complete reticulation and the main dam—is spread over a period of about eight years and when completed should meet the needs of the metropolitan area for a further 20 years without additional conservation or conduit capacity. However, certain augmentation of the supply will take place this summer because the pipe head dam is well on under construction and the pipeline from the dam is proceeding according to schedule. Therefore, we will get the advantage of this additional water supply into the city before the main dam is constructed, but we would not have sufficient storage for it to be able to ensure a satisfactory supply of water to the people.

The question has sometimes been raised as to why we have not enlarged the conduits or duplicated the conduits providing water from existing services. The answer is simple. When these storages were originally designed, they were designed not to be emptied in one season, but to provide a certain quantity of water to the metropolitan area, having regard to the country's experience in connection with the replenishment of supplies.

If we doubled the conduits or enlarged them from Canning, for example, then we could empty that storage in one season. If we had a completely dry season the following year, there would be no water at all, so there must be a safety margin kept in mind. It is considered it would not be safe to draw off from Canning or Mundaring a greater quantity of water than the present conduit capacity permits to be drawn and the only safe way is to provide additional storage and additional conduit capacity. That is what the Government is engaged in doing. That is only by way of illustration and really has very little to do with the purpose of this Bill.

If the point had not been raised as to whether the Minister had power or not to impose restrictions, this Bill would not have been here. But the point having been raised makes it necessary to resolve it and ensure that should the occasion arise, the Minister will have the power to restrict the use of water to those using hoses in accordance with the requirements of the time. It also becomes necessary to provide that if an offence has been committed against an order which has been made, it shall be possible for the action to proceed even if the restrictions have been lifted in the meantime and no longer apply. Those points are covered by this Bill. I trust that the House will see the need for this legislation and will agree to its passage. I move—

That the Bill be now read a second time.

On motion by Hon. D. Brand, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—STATE TRADING CONCERNS ACT AMENDMENT.

Message.

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

Second Reading.

Debate resumed from the 25th October.

MR. WILD (Dale) [7.30]: The Bill introduced by the Minister the other evening seeks to change what I might term the dual capacity of the State trading concerns—the State Saw Mills and the State Brick Works—into a concern to be known as the State Building Supplies and will, if it becomes law, mean the amalgamation of those two trading concerns which have been separated since their inauguration in 1917. I agree, in principle.

During the time when I occupied the office now held by the present Minister, I always considered that this was something which should be brought about and the then general manager of the concern, Mr. Gomme, indicated on several occasions that he felt it was something that should be attempted. I am not too sure that I like the name decided upon, but, when one thinks of possible alternatives, it is hard to say what name would be better. I suppose that, having known these concerns as the State Saw Mills and the State Brick Works over such a number of years, one will eventually get used to the new nomenclature, namely, State Building Supplies.

I found on a number of occasions that where we had two separate concerns, even though under one general manager, one accountant, one credit control officer and one officer looking after amenities for both concerns, there was not the possibility of a transference of any senior employees from one department to the other. One could understand men who had been with the State Saw Mills for many years not wanting to lose seniority by transferring to the State Brick Works, or vice versa, even though there were a number of vacancies during my term of office and subsequent to that.

With this new arrangement those men will have an opportunity, without losing status or seniority, to accept senior posts which may become available in either of

the concerns. With regard to the presentation of accounts, it has the effect—I have experienced it myself—that if one is doing a building operation and using both bricks and timber, one gets two separate statements from the two departments and I have no doubt that the credit control officer concerned has to keep his eyes open to make sure that his job is done in a satisfactory manner. Furthermore, a separate set of books was necessary. One thing which comes to my mind was mentioned by the Minister who said that internal accounting will continue to show the operating results of the brickworks. I hope he continues with that, but I would like to go further.

I notice that this year, in the presentation of the annual report of the State Brick Works, they do not show a dissection of the operations within the State Brick Works, and I think that is something which not only the Government but also members of Parliament and people outside would like to know more about than is shown today. I refer particularly to the three different works operating at the moment; that is the Byford works, the No. 2 yard at Armadale and the No. 3 yard, which is the wire cut brickworks. There is no differentiation at all in regard to the accounts.

They are all moulded together and one cannot tell, when looking through the balance sheet, which part of the works, if any, is showing a loss. The Minister probably knows that the wire cut brickworks, for instance, no doubt shows a considerable loss. It was commenced in about 1950 or 1951 to bridge the gap while the No. 2—the pressed brickworks—was being got into operation. It was only there as a stopgap measure and as I was virtually responsible for the introduction of that section of the works I know it was only started to bridge the gap until the No. 2 yard came into operation, and that ultimately we intended to close it.

I noticed this evening that the Deputy Leader of the Opposition asked the Minister whether it was correct that that section was closing. I have not heard that, but I would think that at present, particularly as it is only a stopgap works, it would be very sound tactics to close that section down, especially in view of the large over-supply of bricks, because I have no doubt it could not possibly be paying its way.

The Minister for Police: Which section?

Mr. WILD: The wire cut works, No. 3. In perusing the accounts I notice that they are losing at the State Brick Works at present, in these consolidated accounts, £1 6s. 3d. per thousand bricks. I know there is a large capital outlay at No. 2. In the report they say it is considerably over-capitalised but that does not indicate whether No. 1, No. 2 or No. 3 is showing a loss, if any, and I therefore think the Minister, if the Bill becomes law, should show that in the presentation of these accounts to Parliament; in other words there should be a split-up between the three sections of the State Brick Works. Furthermore, in support of my contention that that section should be closed, we have large over-production at present and I understand there are some million bricks now stacked at Armadale awaiting buyers.

Another point is the question of being able to use the senior officials in either of the works, something which will be possible if the amalgamation comes about, without any accounting difficulties, and here I refer particularly to the use of engineers. When the No. 2 Brickworks was being built, we were not able, without some difficulty, to use the chief engineer, or superintendent as he was called, of the State Saw Mills, and we usually had to get outside engineers to come in and give detailed assistance and instructions on what was to happen at the State Brick Works.

With the amalgamation of these two concerns there will be one man as superintendents, or chief engineer, responsible for the whole of the engineering operations of both. Apart from those few observations, I think the measure is in the interests of both the trading concerns and in the interests of the public and therefore I have no hesitation in supporting the second reading.

MR. COURT (Nedlands) [7.40]: I support the approach of the member for Dale to this Bill. The Minister has assured us that there is no extension of statutory trading rights envisaged by the measure. I would lend emphasis to the proposition put forward by the member for Dale, that in presenting the figures of the combined trading organisations to Parliament care should be taken to see that members have available to them the separate operations of the brickworks as such and the State Saw Mills as a sawmills enterprise, because if a conglomerate result is presented, it is unsatisfactory for the Minister concerned and for Parliament.

No doubt the Minister could take action to have a dissection made and would insist on it, but that does not mean that the information would come before Parliament. I have read the Minister's speech and take it that he envisages a dissection of trading results within the domestic records of the revised concern, but he has not gone so far as to say that there would be presented to Parliament the respective results of the two concerns.

While on the subject of the State Saw Mills and State Brick Works, which are two important sections of the State trading concerns, I would like the Minister, when replying, to comment on the present trading relationship of those concerns with private industry. If rumours are correct,

the Minister has directed that Government instrumentalities now buy exclusively from the State Saw Mills in respect of timber for such jobs as the Fremantle Harbour Trust, river works and drainage works.

This, of course, is no doubt the aftermath of the wartime and postwar trading conditions and no doubt now that things have become tougher in commerce and industry generally and everyone is chasing turnover, the State Saw Mills has asked its Minister to give a direction that it obtain all the business from Government instrumentalities. If that is so, I consider it is unfair, having regard to the relationship which has existed between the Government industry and private industry during the critical war and immediate postwar years.

It will be interesting to examine the position in the light of another piece of legislation which proved very contentious in this House and which at the moment is in another place. I remember, prewar, the State Saw Mills having certain advantages in respect of pressed bricks and it was not unusual for them to say to a builder, "No timber, no pressed bricks." It would be interesting to know whether that state of affairs has returned within the trading operations of the State Saw Mills at present. The State Brick Works is by far the largest producer of pressed bricks in the State at present.

Then again, it is also important to note that many of the timber mills in this State today have considerable stockpiles of seasoned timber, a commodity which was in very short supply a few years ago but in relation to which the position has been improving steadily, mainly due to arrangements made, I think, by the McLarty-Watts Government between 1947 and 1953, for the companies to refrain from exporting seasoned timber and endeavour to stockpile it in this State. With the lessening of demand that has taken place in recent months, these firms find themselves with considerable stocks of seasoned timber on hand, which they are now unable to sell freely. It is rather ironical that they are in competition with a State enterprise when it was the Government of the day that encouraged them to refrain from the export of seasoned timber.

A further point on which I would like the Minister to enlighten the House when he replies to the debate is in connection with the taxation situation of the State Saw Mills. There seems to be some difference of opinion in the public mind as to what is the position of State enterprises in respect of such items as income tax, payroll tax, sales tax, land tax, vermin tax and road board rates. In regard to sales tax, of course, I refer particularly to purchases by the State Saw Mills and the State Brick Works because the incidence of sales tax on their actual sales is not considerable. The main burden of sales tax borne by the industry is on certain items of purchase such as tyres, spare parts, vehicles and so on which do not come under the general classification of being aids to manufacture and do not come under sales tax exemption.

If the Minister could give us information in regard to those taxes and road board rates, it would enable the House to appreciate better the true position of both the State Saw Mills and the State Brick Works compared to private industry. I would also be glad if the Minister would comment on the action that has been taken by the State Saw Mills to overcome the present lack of demand for timber which has necessitated the curtailment of production by the private mills. I do not speak with a firsthand knowledge of the district, but I understand that the Government has continued the two shifts worked at Pemberton in spite of the fact that it has now become committed to heavy stocks of karri for which there is not an immediate and foreseeable market.

Should the Minister consider it expedient to continue full production in the mill on a two-shift basis, I think he should tell the House. No doubt he has done it to maintain full employment because he could not have done it as a result of a shortage of stocks in the mill. I support the second reading of the Bill.

THE MINISTER FOR NATIVE WELFARE (Hon. J. J. Brady—Guildford-Midland—in reply) [7.48]: I did not expect the questions that have been raised by the member for Dale and the member for Nedlands because, to my mind, they do not have an important bearing on the subject matter of this Bill, the main purpose of which is to amalgamate two State trading concerns for economy and greater efficiency. However, I cannot imagine the general manager of the State Saw Mills or the State Brick Works conducting his affairs in such a manner that he would not know precisely the cost of production in each of the various sections of the trading concern as referred to by the member for Dale. Nevertheless, I promise the hon. member that I will supply some information regarding the costs of the respective departments.

Mr. Wild: I was only asking that they be presented to Parliament in a separate form.

The MINISTER FOR NATIVE WELFARE: Yes, I understand. I do not think there would be any hardship placed on the general manager to supply the information sought by the member for Dale. The member for Greenough asked whether one section of the State Brick Works has been closed on account of surplus stocks, but I could not tell the hon. member the

exact number of employees involved. That was the reason I asked him to place his question on the notice paper so that I could supply the information to him in full.

In reply to the suggestions made by the member for Nedlands that the Minister may have given some direction to the State Saw Mills that it should more or less demand its rights for special privileges from Government departments over and above that which was practised until recently, I can assure the member for Nedlands that the Minister has not pursued that course. In fact, the general manager of the State Saw Mills has not presented that particular angle to me, but I would not be surprised to know that that State trading concern is urging Government departments to give it more support in order that it can maintain its output. One could not blame the State Saw Mills for that because that is what private industry would do.

With regard to the payment of taxation, I am certain that the State Saw Mills would pay payroll tax although income tax would not be payable by such a department. As far as road board rates are concerned, this trading concern, to my knowledge, goes out of its way in an endeavour to assist local authorities with their many problems in those areas where the State Saw Mills Department has its mills located. For instance, that concern goes to a great deal of trouble to co-operate with any local authority in any road-making projects and so on. I can assure the member for Nedlands that rather than try to cause friction by refusing to co-operate with certain road boards, the State Saw Mills goes out of its way to try to do a little more than it should, because it has no desire to antagonise the road boards in the areas where the vehicles haul the logs over the roads.

Mr. Court: It does not pay road board rates, in other words.

The MINISTER FOR NATIVE WELFARE: It does not actually pay rates according to a rating notice but there are more ways of assisting local governing bodies than by paying rates. For example, the Commonwealth Government does not pay any rates to local authorities for the properties which it owns, but a gratuitous payment is made in lieu of such rates. As I understand the position, the general manager of the State Saw Mills invariably assists local governing bodies with small works here and there which he is not obliged to do.

Mr. Court: I understand that most sawmills do that by way of co-operating in their own district.

The MINISTER FOR NATIVE WELFARE: The general manager of the State Saw Mills is not altogether unsympathetic in regard to the payment of road board rates, but if his department had to pay rates, it might become a precedent and as every Government department could be liable for the payment of road board rates, this could become embarrassing. I will assure the member for Nedlands, however, that I will investigate that point thoroughly.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Moir in the Chair; the Minister for Native Welfare in charge of the Bill:

Clauses 1 and 2—agreed to.

Clause 3—Section 26B added:

Mr. COURT: This is the most important clause and I invite the Minister's attention to the fact that he dealt with only some of the items that I raised. He dealt with income tax, payroll tax and road board rates. However, he did not deal with such items as tyres, spare parts, etc. nor did he deal with the question of—

The CHAIRMAN: Order! I think that matters which are being raised by the member for Nedlands do not come within the scope of the Bill. This is a measure designed to amalgamate two State trading concerns.

Mr. COURT: As the Minister has not replied to those points which I raised in the second reading, if I do not get a reply now, I do not know when I will get one.

The CHAIRMAN: I am sorry but the hon. member is out of order in discussing them under this Bill.

Clause put and passed.

Clause 4, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—BRANDS ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 25th October.

MR. PERKINS (Roe) [7.58]: Unless the Minister can produce a much better argument in favour of the Bill than he did when moving its second reading, I am afraid that I for one cannot support it. The Minister made various statements to indicate why the Bill is necessary, but I think he should have produced some evidence in support of the statements he made.

For instance, he said that legislation somewhat similar to this had been before Parliament previously and that amendments had been made to it, referring particularly to an amendment which is now law, which this measure seeks to delete and which provides that the earmarking of cattle up to six months shall be sufficient substitute for branding. The Minister stated that the producers have requested the deletion of that provision in the Act.

Mr. Nalder: Was it through the Farmers' Union?

Mr. PERKINS: That is what I want to know. If a number of requests have been made by producers or their organisations for these amendments, then this House should consider them carefully, but it would surprise me if the Minister could produce any evidence that the producers have requested the amendments.

I view with a certain amount of suspicion any proposed amendments put forward by the Agricultural Department, remembering as I do some of the legislation introduced into this House and sponsored by Ministers on this side, but which was rejected or amended drastically. It is easy for departmental officers to frame legislation which looks attractive and tidy from their point of view, but it is quite a different matter when such legislation has to be applied over a very wide variety of conditions that are found in the stock-raising districts. This House should not merely aim to make things easier for Government departments; it should aim at framing legislation which does not hamper the raisers of stock, otherwise the position of those engaged in commerce in this State would be made more difficult.

As I said on previous occasions when speaking to Bills to amend the Brands Act, there are too many provisions which are difficult to administer. If one were to question the poundkeepers, the clerks of courts and other governmental officers in the different districts of this State, and asked them to produce the register of brands and the regulations relating thereto, in very many cases it would be found that those registers were not available. That will go to show the difficulties in administering legislation which necessitates the keeping of a very long list of brands, and the various regulations made to police this type of legislation. That being the case, we are entitled to look on the amendments to the Brands Act with some suspicion, unless the Minister can make out a very good case for the need for those amendments.

I submit that in this case the Minister has not presented a good case for the support of the amendments, particularly the one relating to firebranding of cattle under six months old. I am not so conversant with the practice adopted for branding stock in the cattle-raising districts of the State, but in the agricultural areas, which are customarily referred to as the wheat and sheep districts, where cattle are kept as a sideline, it is very unusual indeed to find more than a small percentage of the cattle firebranded. In many cases the facilities for firebranding are not found on the various properties. If the department were to send out inspectors to attempt to administer very vigorously the provisions contained in the Bill, many producers would be discouraged from keeping cattle as a sideline. It would be much easier for them to discontinue that sideline rather than to erect the facilities in order to comply with the Act.

Mr. Moir: How did people get on with branding of cattle years ago? They were always branded.

Mr. PERKINS: It is news to me that cattle were always firebranded in this State. If the member for Boulder thinks that is the position, his experience is different from mine.

Mr. Moir: One is liable to get into trouble for supplying cattle which are unbranded.

Mr. PERKINS: The department finds difficulty in administering many provisions in the Act. There are regulations in force today concerning the branding of sheep. If the member for Boulder were to look at the Act he would find that it is an offence to have any sheep on a property which are not legibly woolbranded. Perhaps the hon. member has also seen some of the publicity sponsored by the wool buyers against the woolbranding of sheep by methods which make it difficult to scour the marks off the wool.

As a result of such publicity, and with the support of very responsible people in this State, an attempt was made to minimise the permanence of wool-branding as much as possible through the use of scourable branding fluids. In the wheat and sheep areas of this State, for the last six months of the growth of wool on the sheep's back, it is the exception to find more than 20 per cent. of the brands which can be identified positively. If we were to use branding fluids which are readily scourable, in many cases the action of the elements will destroy the legibility of the brand.

Mr. Moir: Sheep are still earmarked in these days.

Mr. PERKINS: So are cattle. If the hon. member were to look at the Bill he will find that its purpose is to compel cattle owners to firebrand their cattle from the earliest stages of growth, and not to recognise an earmark as sufficient for identification purposes. As it stands, the Act says that an earmark shall be a sufficient substitute for a firebrand, and of course, people who are opposed to the Bill, desire that that practice should be adopted. We think that an earmark is sufficient identification.

There is a very strong inducement for the producers to take steps to either earmark or firebrand the cattle so that they can be identified, because if they were to be stolen or lost, it would be necessary for the owners to prove their right of ownership to a court, or to any person finding stray cattle. Therefore it is in the interests of the owner to earmark, to

firebrand or to take such other steps as he considers sufficient to identify his own property.

Mr. Nalder: There is not much cattle stealing going on in the South-West.

Mr. PERKINS: Cattle stealing is quite uncommon in the agricultural areas because distances are vast and it is not easy to handle stolen cattle. If anyone had an inclination to steal property, he would choose property other than cattle. Even assuming there is some stealing going on, surely the inducement is for the owner of cattle to take what steps he considers necessary to identify his own property.

I cannot understand the reason why this legislation has been introduced to compel an owner, who may be quite satisfied that he has taken sufficient steps to protect his property, to take action which in many cases is very onerous indeed. I submit that the effect of this legislation will be to produce another section in the Act which the department will find it impossible to police. Unfortunately there are already too many Acts of Parliament containing too many provisions which are impracticable to administer properly.

Mr. Norton: How do the stations manage to firebrand their cattle?

Mr. PERKINS: I am not concerned with what the stations do. I am not suggesting that any cattle owner should be prevented from firebranding his property. What I contend is that it is not necessary to amend the Act to compel owners to firebrand their cattle.

Mr. Cornell: Most cattle are like politicians. They have thick hides.

Mr. PERKINS: There are other aspects which make this legislation impracticable. I have not had much experience in firebranding cattle under six months old. It is difficult to brand cattle older than six months. Members with experience in the use of branding irons will realise the danger of branding calves and the considerable amount of damage that will be done to their hides, if not their carcasses.

I have a very strong suspicion that the department might be pushing for this legislation for other purposes altogether. At the end of his speech, the Minister made reference to the identification of owners of diseased cattle, and said that if an animal was slaughtered and was discovered to be diseased the owner could be identified. The Minister should be more explicit on what is implied by those remarks. I do not know the diseases he is referring to in cattle under six months old.

The Minister for Agriculture: You could not have been listening.

Mr. PERKINS: The nature of the diseases do not appear in the Minister's speech. I have read his speech in Hansard, even if I did not hear it. That is not shown in his speech. The Minister might be using his imagination when he says that Hansard did not report his speech correctly; in any case, we have been accustomed to accept that as a true report of the debates.

The Minister for Agriculture: It is in Hansard.

Mr. PERKINS: If there are other points which I have not grasped clearly, I hope the Minister will make them clear when he replies, particularly with regard to the necessity for this particular legislation.

Mr. Norton: It is very hard to identify trespassing cattle in the North.

Mr. PERKINS: That is so. But in the vast majority of cases in most of the agricultural areas, as I think the hon. member will realise, it is not very hard to do so. In most instances farmers know what their neighbour's stock look like; and when any strange cattle appear, neighbours are usually very quick to make contact with others in the district to ascertain where they come from.

Mr. Hall: Would you dispute the fact that the old method of tarbranding was inferior to the present system and badly damaged the wool?

Mr. PERKINS: That is so.

Mr. Hall: If you trace that through the history of the wool industry, you will find that the owners incurred losses under the old system.

Mr. PERKINS: I take it that the member for Albany does not see the necessity for the firebranding of calves under six months. I am very pleased to see him adopt that attitude, because he represents an area where many baby beef cattle are produced; and I think that if the Minister for Agriculture had consulted some of the members of his own party who represent cattle-raising districts, they would have given him very different advice from what he received through his departmental advisers.

For my part, I hope that this will not be treated as a party matter. I do not think the prestige of the Government is involved. I well remember a previous occasion when the member for Toodyay was Minister for Agriculture and some of us very strongly opposed certain provisions in legislation which he brought forward from this same department. I am pleased to say that our attitude was supported by some members sitting opposite, particularly the then member for Kimberley, the late Mr. Coverley.

All I want to say in conclusion is that I am certain that if the Minister and his departmental officers examined the position obtaining at present throughout other than the specialised cattle-raising areas, they would find that this legislation is not a very practical approach to the particular

problem involved. I repeat that if the owners of cattle are satisfied that they can identify their stock, it should be left at that. After all is said and done, cattle are very much easier to identify than sheep, for instance. In the case of cattle other than those of one pure colour, it is fairly easy to identify an individual correctly enough to satisfy even those who control the various stud books. This applies to white markings on red or predominantly black animals which vary slightly from other animals. I think one is justified in saying that the percentage of cattle stolen or lost is very much less than the percentage of sheep, which are much more difficult to identify. So unless the Minister can produce much more cogent reasons than those he put before the House in troducing the measure, the House should reject it.

MR. NALDER (Katanning) [8.20]: The member for Roe has put up a good case as to why this Bill should not be proceeded with. I cannot work up any enthusiasm for it either because I cannot see the necessity for amending the Act to make it compulsory for calves under six months to be branded. At this rate we will get to the stage where we will have a Bill introduced for the branding of little pigs; and fathers had better look out, or they will find a measure introduced telling them to brand their kids. Perhaps it would be better to get the C.S.I.R.O. to try to breed animals with the brands already on them; that might be a better proposition!

The Minister has not given any good reasons why the amendment should be agreed to. I consider it most ridiculous to suggest that a calf should be branded, especially one that has to be marketed as baby beef, because quite a considerable amount of damage would be done to the animal—not only to the hide and to the meat value but also from unnecessary bruising.

If the Police Department suggested there was quite a lot of cattle-stealing occurring in the State, and that it was difficult to find out where they were stolen from or where they were going to, there might be some good argument for this proposal. But it appears to me that the department requires this branding to be done only in order to be able to find out who are the owners of diseased animals. That seemed to be the main reason the Minister put forward for the suggested amendment.

However, I fail to see what animal under six months would be affected by disease, and I cannot see any reason why the measure should be agreed to. The Minister has not advanced any sound reason for it. Apparently it is not in order to trace stolen cattle but to give the department a chance to see whether they can remedy the position with regard to diseased animals. But not much disease will be found in cattle under six months. If the Minister were able to get statistics from the various abattoirs, he would find that disease appears in stock something over two years of age.

For the life of me, I cannot see any reason for the introduction of this amending Bill. There is no reason for its application to the South-West Land Division or the agricultural areas, and I have no doubt that members representing the dairying districts would say the same. It is not easy for stock to be stolen in those areas. It is not like sheep, which a dog can round up in the night and herd into a truck. To steal cattle would require a team of wild west riders in order to herd them into a corner. So the argument of theft can be ruled out.

It is a different proposition, as the member for Gascoyne suggested earlier, with reference to stations in the North, but there is no reason for the provision to be applied to the South-West Land Division, the agricultural areas and the dairying districts. In the circumstances, I have no other course open to me but to oppose the second reading.

MR. ACKLAND (Moore) [8.25]: I find I will not be in a position to record a vote if a division is taken on this measure, so I desire to avail myself of this opportunity of expressing my opposition to the Bill. I believe that in parts of the State it is desirable and necessary that stock or cattle should be branded.

The SPEAKER: Order! The member for Vasse should speak in undertones. His voice is very disturbing.

Mr. ACKLAND: Particularly does that apply in station country where the owners would see that, in their own interests, such branding was done. But that does not apply to the agricultural districts and the South-West.

Hon. Sir Ross McLarty: I would not like to have unbranded cattle knocking about.

Mr. ACKLAND: That may be so. The Leader of the Opposition is a cattle baron! I never put it the other way round. I suggested that the Leader of the Opposition was a cattle baron, and I stick to that statement.

The SPEAKER: Order! The hon. member must not indirectly reflect on the Leader of the Opposition.

Mr. ACKLAND: No, Mr. Speaker; I can assure you I would not reflect on him at all. I think other members were doing that by their merriment. I hope this will not be made a party measure. We do know that it is quite unnecessary, so far as the great majority of cattle breeders in the South-West Land Division are concerned, that their cattle should be branded.

MR. I. W. MANNING (Harvey) [8.27]: The Bill provides for two amendments to the Brands Act. One is the compulsory firebranding of all cattle, and the other is the compulsory firebranding of calves before they reach the age of six months. The relevant section of the Act reads as follows:—

> An owner shall mark with his registered brand or earmark his cattle if they are in a specified area before they attain the age of 12 months and if they are elsewhere than in the specified area before they attain the age of 18 months.

That makes it optional for a farmer to either brand his cattle with a firebrand or earmark them. In practice, it is usual for farmers to firebrand them. That is the general practice throughout the cattle breeding areas. The main point is that it should remain optional.

To me, branding before the age of six months is very objectionable. I have had considerable experience with the branding of all types of cattle, and I cannot think of anything more stupid than to stick a hot iron on to a fat little vealer of five months of age. Considerable damage would be done to the animal to start with. We expect to market them at seven, eight or nine months, and it is absolutely imperative that at no stage during that time should they get any set-back whatsoever. There is nothing worse than to put a hot iron on a calf, especially one at the age of five months. A hot iron would go clean through his hide.

The Minister for Agriculture: A lot of calf-branding is done, as you well know.

Mr. I. W. MANNING: Of course there is. The point that I am making is that it should not be compulsory to brand these calves before they reach the age of six months, because if they are to be marketed when they reach the age of seven or eight months, which is the practice, nothing should be done to damage them or set them back. This branding could easily make a difference of £1 or £2 a head, which means a lot to a farmer breeding baby beef, and the baby beef industry is a specialised one in the South-West.

As far as dairying goes, most calves are branded before they reach the age of 12 months, and they are still on the bucket —or many of them are—long after they reach the age of six months. I see no reason for these calves to be firebranded. If it is necessary for some identification marks to be put on an animal before it reaches six months or 12 months, it can be done by ear-marking. My strong objection is to them being firebranded before they are six months of age. I strongly oppose the Bill. It serves no useful purpose. It is obvious the Minister has introduced it without any research into the cattle industry.

The Minister for Agriculture: How do you know that?

Mr. I. W. MANNING: It is obvious that he has introduced it without any research. If he had any knowledge of the cattle industry, he would realise just how much damage could be done to cattle by branding at this stage. He would also realise how completely unnecessary it was to introduce compulsory provisions into the Act. We have too many Bills coming before Parliament to amend Acts by including provisions under which people can be prosecuted. The Brands Act is working satisfactorily at present. People are branding their cattle at a suitable age, and there is no cause for complaint. I see no reason whatsoever for this amendment, and I oppose the Bill.

MR. BOVELL (Vasse) [8.33]: I oppose the two provisions in the Bill, namely, the imposition of a system forcing the cattle breeders to firebrand their cattle and to firebrand baby cattle under six months. It appears to me that a system is growing up in this country which will eventually put the primary producers in the position of having to consult a legal adviser on the operations of their farms. There is compulsion everywhere. The Minister, we know, represents an area where in the main dairying is engaged in, but no doubt in the Warren district there is a fair amount of beef-raising. I am surprised that he should introduce a Bill for the compulsory firebranding of baby cattle under six months of age. The hides of all baby cattle under six months—

The Minister for Agriculture: Are not as thick as yours.

Mr. BOVELL: —are very tender, and unlike—

The SPEAKER: I suggest the hon. member take no notice of the interjection.

Mr. BOVELL: The firebranding of such a beast would sear the flesh and probably have a detrimental effect on it. The Minister when speaking on the second reading referred to the fact that the measure would permit the tracing of diseases in cattle. The member for Roe has already outlined the fallacy with regard to baby cattle, under six months, being diseased.

In regard to the compulsory firebranding of stock, to my knowledge in recent years there have been no examples or evidence of cattle stealing in the South-West area. A beast is quite easy to trace and I feel that the voluntary system of branding should be retained in the interests of all producers. Let us give the producers some discretion to decide whether they will brand their cattle.

Hon. Sir Ross McLarty: From practical experience, I can assure you it is not so easy to trace unbranded cattle.

Mr. BOVELL: The Leader of the Opposition, as we know, is a cattle-breeder and has been most of his life. He can have his own opinions, and if he wants to brand his cattle, he can do so, but he should not be forced to, and neither should any other farmer. Whilst I do not often disagree with the Leader of the Opposition, I disagree with him on this, if he is implying—

The Premier: Give it to him!

Mr. BOVELL: —that there should be compulsory branding of cattle.

Mr. Oldfield: You have to brand them after you slaughter somebody else's beast.

Mr. BOVELL: I hope that the Minister upon reflection, and perhaps after consultation with the dairy farmers and cattle-breeders in his own electorate, will withdraw the Bill because I feel it has been introduced at the instigation of officers of the Department of Agriculture who are concerned with their own affairs rather than those of the primary producers who are, after all, the main parties affected by this legislation. I oppose the second reading.

MR. MANN (Avon Valley) [8.38]: As a breeder of baby beef I resent the Bill. It is stupid to force people to brand cattle at the age suggested. Let us take the comparison between the North and the South. In the northern parts of the State the cattle are reared under harder conditions and they can take the brand, but in the specialising of baby beef we have to breed the right type of animal and nurse it until it is eight or nine months old. It strikes me that the Minister is not fully conversant with the subject and neither is the Vermin Board which is in control of the Bill.

Hon. Sir Ross McLarty: The Vermin Board?

Mr. MANN: Yes, this comes under the Vermin Board which is a new department, created when the present Opposition was in power. Like all departments, it tries to grow. It will continue to grow, and each year we will find that it will send new legislation to the Minister. I point out that the officers of that department have not the faintest idea of what they are talking about. A hot iron would not hurt them—probably. I am surprised at the interjection of the Leader of the Opposition who does not believe in control. To think that he should turn around and want to control us, astounds me.

Hon. Sir Ross McLarty: I have not spoken on the Bill.

Mr. MANN: If the cattle breeder does not want to brand his stock, why should he? If his cattle are stolen, that is his loss.

The Minister for Agriculture: You are not only opposed to the amendment but to the Act itself.

Mr MANN: I am opposed to the lot.

The Minister for Agriculture: That is too bad.

Mr. MANN: That may sound too bad.

Mr. Bovell: The Bill makes it compulsory to firebrand stock.

Mr. MANN: Yes. Why should a man be forced to firebrand any of his stock. It is his stock and if it is stolen, it is his loss. I hope the Bill will not be passed, particularly with regard to baby beef. We are hoping in this State, particularly having in mind the possible project at Esperance, that there will be a fair basis for the export overseas of baby beef. All this nonsense about branding will be futile. Then there is the effect on the hide. Many butchers complain now about the brand on the hind-quarter. They say that good hides are being ruined because of the branding. Many hides to be exported overseas are condemned on account of the system of branding. In other parts they do not brand. A country that is going in for a beef strain with hides as an export trade, does not brand because of the mutilation. If a bullock's hide, or that of cattle generally, is firebranded, there is distinct deterioration from the branding marks.

The whole question of our Brands Act is futile. We were branding our sheep, years ago, with tar. The tar-brand remains. That was wiped out by virtue of the deterioration of the wool for spinning. Then the firms brought out a special brand, but that was not satisfactory. Now the C.S.I.R.O. have brought out a brand as the member for Roe suggested, and at the end of three months the brand is completely obliterated. Today, in the market, the sheep are branded off-shears. If they are distinctly branded now, in two or three months' time the brand cannot be seen at all.

With the new brand we are forced to use a fluid, and within nine months the brand on the sheep cannot be distinguished. Our branding system is farcical. I understand that in Victoria it is optional, and it should be optional here, whether we brand our sheep. The sheep or cattle are mine and I have a right to sell them. Why should I have to brand my own stock?

The Minister for Agriculture: The Act says you must.

Mr. MANN: I do not give a hang about the Act. If this Parliament only passed one Bill in three years, it would be a good job for the State.

The Minister for Agriculture: It could be.

Mr. MANN: We have these Bills—

The Minister for Agriculture: You still have the parent Act.

Mr. MANN: I am not concerned about the parent Act. I am giving my opinion as a stock-breeder. These sheep and cattle are mine, and I can do as I like with

them. I can kill and sell them as meat, but there again I am worried by the health authorities—another control. The Government wants to bring the whole of the farmers under control in every shape and form. Let us handle our own affairs, particularly this question of baby beef, which is the most insane thing possible. I say that there is not one man in the department—or the Minister—who has the faintest idea about baby beef.

Mr. Hall: With the old brands on wool you used to lose your market because of the deterioration caused by the brand.

Mr. MANN: With the old brand the farmer lost in the value of his wool because of the tar; but with the present branding, the brand cannot be seen. So what is the difference?

Mr. Hall: You are getting your market value.

Mr. MANN: But it is useless! I am forced to buy the more costly branding material and I have to pay for my men's time branding the stock. It is not worth it. Leave us where we are. We know our own business and Heaven knows the unfortunate farmer has enough controls over him now. He can look after himself without any Government control. The Government will not help us or show us any mercy by reducing freights, but all it does is try to harass the farmers. I strongly oppose the Bill, not as an ordinary person but as one who is now breeding a fair number of baby beef for sale, and I hope that this State will soon be a great exporter of baby beef.

MR. HEARMAN (Blackwood) [8.46]: I do not think this Bill would have been introduced, in its present form at any rate, had the Minister any practical experience of rearing cattle and of branding them. Personally, I doubt whether the Minister would know the difference between branding the figure 7 on a beast and the figure 8. I do not think he realises there is a complication associated with the figure 8 that does not exist with the figure 7. If the Minister knew anything about it, he would not be so interested in making it compulsory to brand cattle at six months or younger.

Then again, I wonder whether he realises the complications that will occur in his own electorate, which is a dairying area, if this measure is passed. Many of the farmers in his district have relatively small herds, and if herds are properly managed, the calvings occur from April through to September. This amendment will mean that a dairy farmer, in order to comply with the law, will need to have two, three or even four brandings throughout the year. This will have to be done because the young calves will have to be branded before they are six months old. Normally, branding is done once a year and when the annual branding is done everything on the farm which requires branding is attended to. The farmer can pick the right time of the year and by that means he gets a far better brand and fewer complications from branding.

Under this proposition, April calves will have to be branded before October and September calves before March. In other words, a farmer will be branding several times a year and this will be a nuisance to him and something that in the past he has always tried to avoid. I think that if the Minister got in touch with some of the farmers in his own electorate in regard to this matter, in the same way as he got in touch with them over the potato business—

The Minister for Agriculture: Neither your electorate nor mine will come under this.

Mr. HEARMAN: —I think he would realise the complications that will occur in the dairying areas. That in itself is worthy of consideration and the Minister knows perfectly well that in actual practice, if the Bill becomes law, some calves will not be branded. I do not think there is any necessity for this measure, particularly in the South West and probably in other areas as well. Calves at six months are either on the bucket or on their mother and if they are on their mother the accepted method of identification is to mother them off. That is the most satisfactory method of identifying calves which are with the mother and has been accepted by stockmen for years. If they are on the bucket, there is no difficulty in identifying them, even for as long as three or four months after they go off the bucket.

The SPEAKER: Order! There is so much conversation that I cannot hear the hon. member.

Mr. HEARMAN: I have never heard of an argument about identification of bucket-fed calves that have strayed. They do stray from time to time but I have never known of an argument about their identification, and I doubt very much whether the Minister has heard of one either. The present Act says that it is optional and a farmer can brand at twelve months. But for many years branding was compulsory and I have never heard of a case of a man being prosecuted for not branding his cattle. I doubt whether any prosecutions have been launched in that regard. I do not think the Minister could tell me of a case, within the last five years, of anybody being prosecuted for failing to brand.

Mr. May: They have been for putting on the wrong brand.

Mr. HEARMAN: That is a different matter altogether. If the department felt that there was a need for more firebranding—and I agree with anybody who says

that firebranding is by far the most satisfactory means of identification—and stealing was rife, I think we could have expected the department over the years to have taken some steps to exercise its right to prosecute people who neither brand nor earmark. I do not think the Minister could tell me of one case where there has been a prosecution in that regard.

If the department were policing the Act as it stands to the fullest possible extent, and it felt that the law did not go far enough, and there was a need for a stricter identification, the Minister should have made out a case along those lines. But he did not do so, and in actual practice, I do not think he knows of one case where the department has prosecuted a person for failing to brand or earmark.

Mr. Norton: Does not the Brands Act require that cattle be branded?

Mr. HEARMAN: Yes, but what is the good of having an Act if it is not being policed? What guarantee will we have that there will be any stricter policing of the Act if we say that they should be branded at six months instead of twelve months?

Hon. D. Brand: We have too many laws now which are not enforced.

Mr. HEARMAN: If we reduce the period to six months, the Act will be even more difficult to police, apart from branding at six months or younger having a deleterious effect—or it could have—on certain young cattle, particularly if they have to be branded at the wrong time.

The only reason I can see for wanting this amendment is to identify diseased baby beef; and, personally, I have never heard it suggested that we should firebrand in order to identify carcasses. This seems to be an entirely new approach to the question. But I suggest that if any beef were found to be diseased, it would be an extraordinary case because I would say that the percentage of baby beef diseased would be about nil. If a young beast were diseased it would not get into baby beef condition and it would not be sold as baby beef.

Mr. Nalder: They would not find out whether it was diseased or not until it had been slaughtered and the hides could easily get mixed up.

Mr. HEARMAN: It is not a positive identification. In any case, I do not think anybody would buy a diseased animal for baby beef because if it were diseased it would not be in baby beef condition. Baby beef are pulled off the mother, put into the saleyards and straight into the slaughteryards and it is only a few days from the time they are on the mother to the time they are on the butcher's hook. So I do not think it is necessary to put the farmers to all this trouble because of the very few cases that the amendment might cover. I would like the Minister to tell us if the records show that any baby beef have been found to be in a diseased condition.

Even with a mature beast a brand is not necessarily a positive means of identification because once a beast changes hands, the brand will not show the owner of the beast. I might buy a beast which will have someone else's brand on it and yet it is still my property. I might sell a beast, with my brand on it, to the member for Katanning; but it would be of no use his coming to me and saying that one of my beasts had been found to be diseased. If we wanted to trace diseased carcasses the department would need to have a complete record of every beast sold, and those records would have to show the complete movements of every beast in the State.

I have several cattle on my place with brands other than my own on them. I own them but I did not brand them myself. If I sent them to the saleyards and one of them was found to be diseased, the person whose brand was on the beast would probably be asked first whether it was his beast or not. I cannot see any real value in branding mature stock from the viewpoint of identifying the owner of diseased carcasses; and as regards baby beef, so long as the mother can be identified, the calf can generally be identified too. I think in the dairying industry this amendment would cause considerable difficulty because the farmers would have to brand more than once a year and that would be most inconvenient.

At present the farmer brands at the most convenient time and I suggest that the middle of summer is certainly not the best time to brand young stock. If they are branded at the wrong time the farmer is liable to get a bad brand, and, of course, that is undesirable because it becomes difficult to identify stock and that can lead to arguments, particularly if the middle of a letter falls out. Unfortunately not everybody can get an easy or a good brand.

When the Minister replies to the debate I hope he will tell us why the existing regulations have not been fully enforced. Also, I would like him to tell us whether he proposes to alter the existing penalty because this provision of six months will make it much more difficult for farmers to comply with the requirements of the law and, as a result, if the legislation is policed, there will be an additional number of prosecutions. For the reasons I have given I oppose the second reading.

HON. SIR ROSS McLARTY (Murray) [8.58]: As one member said, this Bill comprises two parts and I agree with the Minister that, as regards bigger stock, branding should be encouraged. Some members have said that there is no need for a

farmer to brand cattle if he does not feel inclined to do so. I do not agree with that point of view.

The Minister for Agriculture: I should not think you would.

Hon. Sir ROSS McLARTY: I think every farmer should brand his cattle. I know that from time to time unbranded cattle stray on to properties and it is often difficult to find out who the owners are.

Mr. Norton: Especially if they cause some damage.

Hon. Sir ROSS McLARTY: Yes. Also a beast can alter rapidly. A young steer, 12 months old, might stray on to a property and if he is there for a few months, he alters considerably.

Mr. Perkins: Don't you think the owner would come looking for him before then?

Hon. Sir ROSS McLARTY: No. It is strange that sometimes owners do not come looking for them, or if they are looking for them, they do not always go to the right spot to find them.

Hon. L. Thorn: Don't you brand them?

Hon. Sir ROSS McLARTY: As a colleague of mine for many years, the member for Toodyay is aware of my undoubted honesty.

Mr. Oldfield: Is it a fact that you only mend the fences when the cattle start going back?

Hon. Sir ROSS McLARTY: I do not think there are any cattle in Mt. Lawley, but I know there are a few goats. The Minister has put forward practical reasons as to why there should be branding of large stock. I tried to explain that unbranded stock can cause a great deal of trouble and it is necessary in the interests of the farmers and of good feeling between neighbours, that stock should be properly branded.

We know that the demand for baby beef in this country has grown very rapidly and it appears as if that demand will continue. I do not know that the branding of a calf would have any detrimental effect upon the carcass. I run cattle, as a member has pointed out, and I brand hundreds of them. I have never seen any ill effect from the branding of cattle whether they be old cattle or young cattle.

Mr. Bovell: Have you branded any under six months?

Hon. Sir ROSS McLARTY: Yes, plenty of them. It is all a question of how the brand is used and most cattlemen have no trouble at all in branding cattle where they have had practical experience in doing so. In view of what members have said, I think it might be a good idea if the Minister would agree to delete that part of the Bill which makes compulsory branding of stock up to six months. I would suggest he has another look at this provision.

It does not seem practical to brand a calf at six months if he is to be sold at seven or eight months, and I would suggest the Minister have another look at the Bill from that point of view. Perhaps the Minister would agree to an adjournment of the debate to see if there is a way of overcoming this difficulty. I think this measure is a practical effort and is introduced in the interests of stock breeders; it is not to their detriment. I seem to be out of step with my colleagues on this side of the House.

Mr. Bovell: Very much so.

Hon. Sir ROSS McLARTY: But after all, I can speak from practical experience.

Mr. Nalder: It seems a good while since you have been among the cattle from the way you are talking.

Hon. Sir ROSS McLARTY: I was going to say that I have been among more cattle than the member for Katanning has ever seen, but perhaps that might not be quite correct. I am frequently among cattle and I suggest the Minister might have another look at this Bill, particularly as it affects the branding of what is now termed baby beef.

On motion by Mr. O'Brien, debate adjourned.

BILL—LOCAL GOVERNMENT.

In Committee.

Mr. Moir in the Chair; the Minister for Health in charge of the Bill:

Clauses 1 to 5—agreed to.

Clause 6—Interpretation:

Hon. A. F. WATTS: I move an amendment—

> That the word "shire" in line 5, page 9, be struck out and the word "district" inserted in lieu.

This is the first time the word "shire" is used and it is out of place in a municipality in this State. We have no shires and it is undesirable to adopt that word. While I propose to insert the word "district," it is possible that a better word could be found.

The MINISTER FOR HEALTH: I oppose the amendment. The word "shire" was recommended by the Royal Commission set up by the McLarty-Watts Government. That commission said there would be less confusion with other organisations that were using the name "district council". The name "district council" can be used in different ways. There are Labour district councils and various other charitable organisations which have district councils. It is a general term for all areas. As I say, "shire" was recommended by the Royal Commission.

Hon. A. F. Watts: You have not attached much importance to its other recommendations.

The MINISTER FOR HEALTH: This commission was set up by the Government of which the Leader of the Country Party was a member.

Hon. A. F. Watts: I have not agreed to accept all its recommendations.

The MINISTER FOR HEALTH: I do not think the member for Stirling is very serious about this amendment if his second reading speech is any indication. South Australia uses the word "district" but Victoria uses the word "shire".

Hon. D. BRAND: I support the Leader of the Country Party. We are heartened by the fact that the Minister leans towards the recommendations made by the Royal Commission because there are some of them which we would like him to accept, as we feel they are vital to the Bill. It does not matter much whether we call it "shire" or "district", except that we have used the word "district" without confusion. Introduction of the word "shire" is foreign to the whole governmental organisation of this State. The word "district" is used in South Australia.

The Minister for Health: Victoria uses "shire".

Mr. Marshall: So does New South Wales.

Hon. A. F. WATTS: I feel we should stick to the word "district" and not confuse the whole issue. There is no good purpose served by the Minister sticking to the word "shire" when it is desirable and desired by local government that we retain the word "district".

Mr. BOVELL: I want to support briefly the amendment moved by the Leader of the Country Party. Reference has been made to South Australia where they use the word "districts". By interjection, members indicated that in Victoria and New South Wales they use the word "shire". That is quite so. I understand from the Land Acts in those States that the word "shire" is freely used, but in the Land Act in Western Australia the word "district" appears. There is no mention in any legislation on our statute book of the word "shire". Perhaps the words "country council" might be just as appropriate and, in the absence of suggesting something better, I feel "district" meets the case. The amendment as moved by the Leader of the Country Party will tend to uniformity and I support it.

Mr. HEARMAN: I cannot see any useful purpose in falling into line with the Eastern States. We will still be out of line because South Australia is out of line.

The Minister for Health: We do not want to fall into line with any State.

Mr. HEARMAN: If we stick to our present usage of the word "district" and "road board", all existing stationery can continue to be used and will not require alteration. I think that is sufficient argument alone for the retention of the word "district" in preference to "shire". I do not see any virtue in the Minister insisting on the word "shire" and hope he will agree to the amendment of the Leader of the Country Party.

Hon. A. F. WATTS: I am sorry the Minister is not more amenable in this particular instance.

The Minister for Health: I do not think you are serious.

Hon. A. F. WATTS: I am quite serious in regard to this matter. What I am not adamant upon is the use of the word "district" and I give credit to the member for Vasse who suggested "country council" as I want to get right away from the word "shire." It is an anachronism so far as Western Australia is concerned. I was going to suggest to the Minister that as there are district councils of the A.L.P. and other organisations, it would not be very difficult to prescribe that the word "district" would have to be abandoned by those organisations within a reasonable time in the same way as had to be done by people with hotels who used the words "Commonwealth" and "State." I think it is most desirable this word should be out of the Bill and something put in its place so I hope the amendment will receive a better welcome than the Minister proposes to give it.

Amendment put and negatived.

Hon. A. F. WATTS: I move an amendment—

> That the definition "minimum penalty" in lines 12 to 18, page 11, be struck out.

The definition says—

> "minimum penalty" means that the punishment specified is irreducible, the provisions of section one hundred and sixty-six of the Justices Act, 1902, and of sections nineteen and six hundred and sixty-nine of the Criminal Code, 1913, or of another Act or law notwithstanding.

If this definition is allowed to stand, it simply means "at the discretion of the magistrate". The judge is entirely removed and Parliament has laid down what the lowest penalty is to be in all cases. While that may be very well in some specific instances, I do not think it generally satisfactory, because courts should be allowed the utmost discretion in the penalty they are going to prescribe, taking into consideration the surrounding circumstances. I do not think it generally definition of "minimum penalty" in this part of the Bill, it seems contrary to that principle altogether. Therefore the definition should be deleted and I move accordingly.

The MINISTER FOR HEALTH: The Leader of the Country Party has given a fair exposition of the case, and I agree

with him to a certain extent. However, again this is a recommendation of the Royal Commission set up by the McLarty-Watts Government and it recommended an irreducible minimum. If we allow the amendment to go through, a court will have discretion. Under Section 166 of the Justices Act, and Sections 19 and 669 of the Criminal Code, the magistrate will be allowed to use his discretion, especially if a person is a first offender. However, here again the Royal Commission wants a definite irreducible minimum. I think I understand the position and know from an administrative point of view that it is very difficult. I have had experience lately concerning different Acts. If the local governing authorities of Western Australia want an irreducible minimum—the Royal Commission recommended that an irreducible minimum be inserted in the Bill—it will take away the discretion from the magistrate. Again I must disagree with the Leader of the Country Party.

Hon. D. BRAND: I support the Leader of the Country Party. The Minister is evidently going to confine himself to the argument that these were recommendations of the Royal Commission.

Hon. A. F. WATTS: Local Government also wants this course adopted.

Mr. Nalder: The Minister must know that.

The Minister for Health: I do know it.

Hon. D. BRAND: We are now dealing with Clause 6 and there are about 681 clauses in the Bill and somewhere along the line we can take it the Minister will accede to our request that he consider the recommendations of the Royal Commission in some of the vital principles involved. At this stage I also ask the Minister whether he will make it clear that he is opposing the amendments put forward because of the problems of reprinting the Bill or whether he is opposing them for any other reason. Surely he does not hope for that reason alone that this Chamber —which he and his party often refer to as the House of the People—should be ignored and made to accept the Bill as it stands, without any indication from him that at least, except for the problem of reprinting, such an amendment would be acceptable to the Government.

I would like him to indicate from time to time, as Minister representing the Minister for Local Government in this House, that he will accept amendments put forward from this side. With respect to the amendment, surely the Minister would accept the principle of allowing the magistrate all the discretion possible, particularly in matters referring to local government or matters in which local government would be involved. I feel this is a general principle and we should leave all discretion with the magistrate. I support the amendment moved by the Leader of the Country Party because I am sure it will make the position quite clear that the magistrate should make the decision himself.

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

Ayes	17
Noes	22
Majority against	5

Ayes.

Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Hearman	Mr. Watts
Mr. Mann	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Mr. W. Manning	*(Teller.)*

Noes.

Mr. Andrew	Mr. Lapham
Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hawke	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. May
	(Teller.)

Pairs.

Ayes.	Noes.
Mr. Owen	Mr. Kelly
Mr. Thorn	Mr. Sleeman
Mr. Ackland	Mr. Tonkin
Mr. Grayden	Mr. Rhatigan

Amendment thus negatived.

Mr. BOVELL: I move an amendment—

That the word "shire" in line 11, page 15, be struck out with a view to inserting another word.

I think the amendment should be agreed to in the interests of uniformity, because if this amendment is agreed to, I propose to move to insert the word "country" in view of the word struck out. The result would then be that we would have the Albany town council, the Plantagenet country council, and so on.

The MINISTER FOR HEALTH: I oppose this amendment for the reasons I gave in regard to a similar and earlier amendment.

Mr. BOVELL: I think the Minister should agree to the amendment and the Bill could be recommitted to deal with the earlier amendment, which would be necessary.

Amendment put and negatived.

Clause put and passed.

Clauses 7 to 9—agreed to.

Clause 10—Number of offices of member of the council of a city or a town:

Hon. A. F. WATTS: I move an amendment—

That the words "are those of president and such number of councillors, being not less than four" in lines 15, and 16, page 20, be struck out.

This is the first provision in the Bill dealing with the appointment of the president and its terms are such as to add the president to the number of councillors, because later in the Bill he is to be elected by popular vote. Therefore I think it necessary to test the feeling of the Committee as to the question of the election of the president by popular vote because, if the amendment is agreed to, the provisions later on for electing the president by popular ballot will have to be altered.

If the clause is amended as I suggest, the president will be one of the five or 13 members of the council and not an additional person to the four or 12 members of the council which the Bill at present proposes. By no stretch of the imagination can it be said, as the Minister said of the minimum penalty, that the provisions of the Bill in this instance are wanted by the local authorities. I have already told the Committee that 59 out of the 120 odd local authorities have written to me asking me to object to this proposition. I do not think it is approved by their organisations such as the Road Board Association.

In my view it has little or nothing to commend it, particularly in regard to rural local authorities, especially if we are, as a consequence of this measure, to have, as is proposed, adult suffrage, because particularly in those areas where there are substantial townships, the prospects of electing anybody but a resident of the township will be remote, whereas at present it is frequently found that the best chairmen of local authorities come from outlying and scattered districts.

Again I contend that it is far better in the circumstances of the rural local authority—this is undoubtedly the opinion of the majority of them—that the chairman—or in this instance the president—should be elected from among the members of the local authority itself, because, in my view, they are bound to have a far better appreciation of his ability and capacity.

Despite the remarks of the Minister when introducing the Bill, I suggest that in no case has it been proved that the chairman of a local authority is the creature of his fellow members. On the contrary, in the great majority, if not all cases, they have established themselves over the years as persons of great responsibility and, in the main, the selections made by their fellow members are equally as good as, if not better than, the selections made in other types of election by the ratepayers as a whole.

Mr. Lawrence: What do you mean by "a creature of their fellow members?"

Hon. A. F. WATTS: I do not know. I am merely quoting the words of the Minister in regard to gentlemen who have been chairmen of road boards. In my view, they are first rate persons who do not warrant the suggestion made during the debate on the second reading, that this amendment is desirable to prevent them from being creatures of their fellow members. To resume, and conclude, I think it is highly desirable that the substitution of the word "president" for the word "chairman" to which there can be no objection, should be agreed to. This amendment is a move in the right direction.

The MINISTER FOR HEALTH: I more or less agreed with what the Leader of the Country Party has said but if we allow amendments to be made to the Bill, the introduction of this measure will prove to be only a waste of time because if the amendments are agreed to, it will mean that the Bill will have to be reprinted, which will take approximately two months, and by that time the session will have ended. I think it is better to have an independent chairman or president elected by the electors than to have one elected by members of the road board or shire council.

Mr. Nalder: Don't you think the present system has worked satisfactorily?

The MINISTER FOR HEALTH: Yes, to a certain extent. But I know of some cases where the chairman has been a creature of his fellow members.

Mr. Nalder: Only in very isolated cases.

The MINISTER FOR HEALTH: Yes, but under this clause it could not happen. It will make the system more uniform if the president is elected by the electors in the same way as the mayor of a municipality is elected.

Hon. A. F. Watts: The circumstances are not the same as when a mayor is elected by the ratepayers. There are some areas which are 34,000 square miles in extent.

The MINISTER FOR HEALTH: Some are and some are not. A president of a shire council who is elected by his own members would be likely to develop an inferiority complex which he would not have if he were elected on the voices of all the electors. Councillors have certain rights and if they are elected by the electors there is no reason why the president of a shire council should not be elected by them. Our friends in the Country Party apparently do not like anything new.

Mr. Lawrence: This is more democratic.

The MINISTER FOR HEALTH: Yes, we are trying to get something which is more democratic and something new in place of the old system. These amendments could be submitted to the Minister in another place but I think we should give this suggestion a trial. After 12 months if the shire councils consider that the president should be elected by the shire

councillors instead of by the electors, the Bill could be amended. As the Leader of the Country Party knows, it took two years to get the Companies Act knocked into shape but it is now a very efficient Act, and it is desired to proceed with this legislation along the same lines.

Mr. BOVELL: As the amendment moved by the Leader of the Country Party has a great bearing on the election of the president of a shire council, I feel that the Minister should agree to it. The Minister continually harps on the fact that members are not anxious to agree to changes. He admitted, however, that the present system of electing a chairman of a road board by the vote of members has proved satisfactory, but now he wishes to alter it purely for the sake of altering.

Practically every member on this side of the Chamber has had representations made to him from local authorities who are in their electorates, to adhere to the present system of electing a chairman. Therefore I do not know why the Minister wants to change it. The Minister has suggested that he will confer with the Minister for Local Government in another place where it may be possible to do something about this suggestion. However, I would remind the Committee that we are a very important part of this Parliament.

The Minister for Health: More important than the Legislative Council, I hope.

Mr. BOVELL: I am not going to argue the pros and cons of that. Nevertheless, we are important, and if merely for the sake of printing and other reasons we are to forego our rights, the Minister should revise his ideas in regard to our function and realise that we must not discount our rights and privileges for the sake of convenience. The Committee should agree to this amendment because the present system has proved to be satisfactory. Whilst the Minister has accused me on a number of occasions of objecting to changes and whilst I admit that I am somewhat conservative, I am suspicious of changes—

The Minister for Health: You must be a Welshman.

Mr. BOVELL: No, but I am a mixture of Scotch and Irish. To adhere to a system that has proved satisfactory is more important to me than to experiment with a system that may not be satisfactory. I support the amendment.

Mr. OWEN: I support the amendment. No doubt the Minister has often seen the wording of that well-known advertisement, "When you are on a good thing, stick to it." The present system of electing a chairman on the vote of his fellow members or councillors has proved very satisfactory in the past and I see no reason to change it.

The Minister for Health: It is really outmoded now, is it not?

Mr. OWEN: It could be that the election for mayor could be held on the same day as the election for members of the road board and there might be several candidates for the position of president or chairman. Therefore, those candidates would be denied the opportunity to serve their district as an ordinary member of the shire council. There might be individuals offering themselves as candidates for the positions of members of a local authority, but if all chose to put up for the position of president, they would not have that opportunity. Therefore, why not let those members serve on the council and allow them to choose one of their members for the office of president?

Mr. POTTER: Members should keep in mind that the clause seeks the amalgamation of two Acts and therefore we cannot have it both ways. If we do not keep this point in mind, we will only revert to two distinct Acts. This legislation will go a long way towards remedying many anomalies. Whilst we know that the election of a chairman of a road board under the Road Districts Act has proved to be satisfactory, there have been instances where that system has not been satisfactory. A president of a shire council should be elected on the votes of the electors in the same way as a mayor of a municipality is elected. If this were done, it would add to his prestige.

There may be some difficulties with those local authorities who have a large area to administer, but, from an administrative point of view, the election that is held for the appointment of a president of a shire council would prove no more difficult in regard to a local authority with a large area than it would with one which administered only a small area.

Hon. A. F. WATTS: The Minister appears to have let the cat out of the bag. We are not to be allowed to amend the Bill if he can stop it. I make the strongest protest against a statement of that nature. I have never heard it made before in this Chamber, since the time I have been here, and I hope I shall not hear it being made again. There is not the faintest prospect of the Bill passing this Chamber or another place in the normal time of this session, but there is no objection to it being dealt with in another place next year either at a special session for that purpose, or at the normal time because there is no election intervening.

This House is therefore entitled to amend the Bill as much as it likes, the same as with any other Bill. If the Minister were over on this side and I were in his place, he would take the strongest objection if I made the statement he did. I consider that this amendment is most desirable. No difficulty has arisen out of the election of chairmen of country local authorities, known as road boards.

In the opening discussion the Minister stated this evening that in one instance particularly it was necessary to retain something in the Bill because the local authorities wanted it. I say it is equally important to leave something out of the Bill because the local authorities want it taken out. If the argument is good in the first case, it is good in the second. There is no question that the local authorities want this amendment to be inserted.

Mr. Nalder: One hundred and twenty out of 120 are of that opinion.

Hon. A. F. WATTS: We on this side are facing what I regard as an undesirable position. We know that almost unanimously, if not unanimously, the local authorities want the alteration made, as the member for Katanning has said. We are getting into an undesirable position when we are told that an amendment moved in this House has no chance of consideration because it could be dealt with in another place and the Bill should not be reprinted. That is not satisfactory and I should persist in my amendments, just as I have no doubt the Minister will persist in his view, which is entirely wrong.

Mr. JAMIESON: Regarding the acceptance of amendments at this stage it would be in the interests of all concerned to pass this Bill. The sooner it is done the better it will be for the local authorities. To meet that requirement I suggest that the Minister should give some assurance that amendments which are acceptable will be favourably considered in another place.

I do not agree with those who have spoken in favour of amending the clause, because I have seen the present system working. Despite the unanimity of local authorities as to the method of appointing their chairman, I feel that is motivated by a desire to retain the status quo and an opposition to any change. We might say that there is some degree of unanimity among the municipalities with respect to the election of the mayor. No consideration was given when two road boards were transformed into municipalities; there was no difficulty about the election of mayors. If it is considered so diabolical that the road boards should elect a senior person to the local governing body, those municipalities would have objected.

Under the present situation where there is an equal number of board members for each and every ward in the district, it is the duty of someone to put forward the wants and views of each ward. Where finance of a ward represented by the chairman has been under consideration, the other member representing that ward has moved the motion, which might be one to reduce the rating. Nobody seconds that motion because the other wards are on a higher rating, and the motion is not debated. By the ganging up on that ward member, the chairman has very little chance to put forward the views of the ward represented by him before the various district councils or road boards. Even if there were more than two members to each ward, in effect there would be one less in voting strength for one of the wards. Therefore, we are destroying the balance to which these people are entitled.

In view of the increasing duties that are imposed on the senior member of the local authority, such as administering the oath of allegiance, he is entitled more than ever to be representative of the district as a whole and not just elected by the board members. As regards the appointment of a chairman in the case of country districts, if the town ward has some prior right to the election of a man to that position, there is no reason why he should not be elected to represent that district, as a whole. I fail to understand why because a person represents a town ward, he is undesirable for the position of mayor of the district.

In the case of a member of Parliament representing an electorate with a large town, we might say that the majority there should not be able to determine whether he is a fit and proper person to represent that district. If a person performs work which puts him in the public's eye, the public is the best judge of his suitability, and when consideration is given to representation for the district he would become president of the shire, if he was a keen supporter of the district. I do not see any fault in that.

Mr. COURT: The member for Beeloo said that there had been no outcry in recent months by the ratepayers of two local authorities, and I presume he referred to Nedlands and South Perth, which changed from road districts to municipalities. Of course, there was not; they could not elect their mayors in place of the road board chairman by popular vote. The fact is that a vote will be taken for the first time in November this year. In the meantime those districts will be served by caretaker mayors.

There is a very good reason why there has been no outcry in respect of the change from road districts to municipalities in the metropolitan area; that is because those areas are compact, are in the city and the circumstances are entirely different. The reason why there has been no outcry in the metropolitan area in regard to these two changes is a complete justification of the attitude that has been taken by the Leader of the Country Party in this matter, because he made it very clear there are two distinct problems, that of the country road district and that of the more compact municipal district.

For that reason the example put forward by the member for Beeloo in instancing the two metropolitan changes in recent

months is completely irrelevant to the argument raised by the Leader of the Country Party. If one examines the situation in the country one finds there is not one but many cases where members of road boards would not be able to preside if the voting was allowed to be dominated by the town vote. Ratios of 1,700 out of 2,100 votes can be stated in respect of some of these country road districts. If we take the townsite vote against the outer area vote, what chance would one of the outer areas representatives have in an instance like that? The case put forward by the member for Beeloo also has its reverse aspect in respect of this public vote.

Mr. Lawrence: You say 1,700 local votes and 2,100.

Mr. COURT: Overall.

Hon. A. F. Watts: There are 1,700 in the town and 400 outside.

Mr. Lawrence: Do you not believe in the democratic vote?

Mr. COURT: If we acknowledge that a country district is separate from a metropolitan district, I do not think the question of a democratic vote comes into it.

Mr. Lawrence: Do you believe in the democratic vote?

Mr. COURT: I do. In regard to a country district, one has to have regard to the effort and general effectiveness of the people who live in that area. The important producers in that area are the farmers.

Mr. Lawrence: Not necessarily; one person is as important as the next person.

Mr. COURT: We are not referring to people as one individual against another, but the effectiveness of people in these areas against another group. I expect that if a representative of a town ward on a country road board is an outstanding man and acknowledged by all the board members, they will elect him as their chairman by the exercise of their free choice. If they feel that a particular individual is the best man they will elect him. The Government wants to apply the vote over the whole road districts and we have to regard the country road districts in a different light from that in which the metropolitan road districts are viewed. I wanted to correct the contention of the member for Beeloo because the general change of switching from a road district to a municipality is different and I support the proposition put forward by the Leader of the Country Party.

Mr. BOVELL: By way of interjection, the member for Beeloo said that the people in a scattered district would be just as aware of a candidate's ability as would be the members of a road board. A member of a road board elected as chairman has served among the members probably for 10 years or more. His ability as a leader and as an administrator is known to his fellow members, but in a scattered area the popular choice may be a man who does not have that leadership or acumen to preside over the district's affairs.

The interjection of the member for Beeloo to the effect that the residents of the whole district would have as great an appreciation of the ability of a prospective chairman as would the members who had known him over a number of years as a fellow member of the board, is not well-founded. That is a sound reason for the members of a board to elect as chairman a member whom they know and whose ability has been tried and proved. If it is let to the district someone, who has no knowledge of local affairs, might be elected on a popular vote.

Mr. PERKINS: We have all had representations made to us on this provision and it is noticeable that all the local authorities that have been accustomed to electing their chairman from among their own members are keen to continue that practice. Where municipal councils are constituted, the practice under the Act is to elect the mayor by the vote of those ratepapers who desire to vote.

I am wondering whether the Minister could provide that each district might follow the practice it desires. Surely it would not be difficult to amend the legislation to provide for that! It is natural that where the other representatives of the ratepayers have to work with one man as their chairman, and he is elected by the ratepayers as a whole and does not get on well with the rest of the representatives, there will be a lot of friction; and that is not going to make for good local government.

Mr. Andrew: That operates now.

Mr. PERKINS: Surely the hon. member does not suggest that it is desirable! Where there is friction between the mayor or chairman and the other representatives, there will not be as good government as where there is harmonious working. I think we would be making a mistake to force a system on any district that the majority of the ratepayers of that district do not like. No vital principle is involved here. Each district should have the option and be able to decide as it thinks fit. In view of the strong representations made to so many of us from the road boards, I would urge the Minister to adopt the course I have suggested.

Hon. Sir ROSS McLARTY: Most members endeavour to interpret the wishes of their electors when dealing with legislation. Every local governing authority in my electorate favours the present system of giving the members of the road board the right to elect their own chairmen. I can see nothing undemocratic in that. Members of road boards—they may be known as shire councils in the future—are elected by the ratepayers of the district although they may not be in the future if the Bill

is passed as it is. It is a much more practical proposition for the members of a local government, particularly a road board, to elect a chairman from amongst themselves than for him to submit himself to the whole district.

Road districts sometimes cover huge areas, and in those circumstances it is difficult for members of the local authority to get around and meet the electors to place their views before them. It can be said that this is no argument; that members of Parliament are able to do this. But service to local government is still given in an honorary capacity, and we should do nothing to make it more expensive than it already is. All local government members make a contribution in a voluntary capacity and at some cost to themselves. Why we should put the chairman of a road board to the expense of having to submit himself to the whole of the district for election, passes my understanding.

In the past we have been well served by local government. Members of local government, in electing their chairman, have taken into consideration a number of factors such as proximity to the road board headquarters; the man's ability to attend to road board affairs at frequent intervals; and the fact that he is willing to give up a considerable amount of his time to local affairs. If the Minister insists upon the chairman or president of a shire council being elected by the whole of the electors, it will deter a number of men from offering themselves, and I cannot help but feel that local government will suffer as a result

Members talk about democracy. I have already said that I cannot see where there is any departure from democracy when the chairman is elected as he is now, because the members of local governing authorities are elected by the people of the district and those members in turn elect the chairman. I say we have departed from democracy in this Chamber. I did not think it possible that we should be asked to pass a Bill with 680 odd clauses and 28 schedules without a single amendment. What is the use of debating the measure at length and what was the use of the Leader of the Country Party putting in so many hours framing amendments and having discussions with members of his party and others and going around the State getting the views of local governing authorities and of the electors if we are now to be told that no amendment will be accepted?

Mr. Nalder: It is disgraceful!

Hon. Sir ROSS McLARTY: Of what use is all the information that has been collated and all the work that has been done, if this is to be the Government's attitude? I put it to my friends on the Opposition benches to decide whether it is worth while persisting if we are to assume that the Bill is to be treated strictly on party lines.

The Minister for Health: That is what happened when you were on this side of the Chamber.

Hon. Sir ROSS McLARTY: That is not so. Surely some of the amendments we propose are worthy of consideration! As the Leader of the Country Party said, if the position was reversed and a Minister of ours adopted the attitude of the present Minister in regard to a Bill, there would be uproar from the members now on the Government side of the Chamber. They would not tolerate it, and rightly so.

I am sorry for members on this side of the House who for many months have done so much work in regard to the Bill. I am sorry also for the hardworking people who have given so much time to local government and spent so much time in collaboration with members of this Chamber, when their views are not to have the slightest effect here and the whole question will depend on what happens in another place. If we move worth-while amendments, why cannot the Government give them consideration?

The Minister for Health: I remember what you did when on this side of the Chamber. You are just indulging in vacuous verbosity.

Hon. Sir ROSS McLARTY: When we were on that side of the Chamber, the Minister was never told that no amendment would be accepted. Someone wrote to the Press recently saying that Oppositions ought to be abolished and if this is the way this Opposition is to be treated, there may be merit in the suggestion. I cannot imagine the Premier being comfortable when he hears the Minister tell us that no amendments we move will be considered while the Bill is in this Chamber.

The Minister for Health: I did not say anything of the sort.

Mr. NALDER: Never since I entered this Chamber have I seen such a dictatorial attitude adopted by any Minister, especially in view of the fact that the majority of local governing bodies in this State strongly oppose some of the provisions of the Bill. Now the Minister says that no amendments moved by members on this side will be agreed to—

Hon. A. F. Watts: To save reprinting the Bill!

The Minister for Health: The local governing bodies want the Bill, but you people do not want it.

Mr. NALDER: We are coming to a pretty stage when a measure such as this is to be bulldozed through this Chamber without amendment. I voice my strong protest at this treatment. As an elected representative of the people in my electorate, in

which there is a number of local governing bodies that have approached me personally and by correspondence to support these amendments, I do not think I should be told that the amendments will receive no consideration.

Mr. MANN: I support the amendment. There are two points in regard to this; firstly, the Bill has been introduced to try to assist local governing authorities but not one of the road boards agrees to this particular clause. It is not easy to get people to stand for election as road board members. They give their time and surely they should have the right to elect their own leader. Parliament elects its leader, the Speaker, and the parties elect their leaders, so why should not road boards elect their own chairmen.

The Minister for Health: Mayors are elected by the people.

Mr. MANN: I am not concerned about mayors. Why change the old order? It has been satisfactory in the past.

Mr. Jamieson: Why not be modern?

Mr. MANN: The old ideas in this instance have been most satisfactory and local governing bodies have been a success. I have been a member of this Chamber for a long while and this is the first time I have heard it said that no amendments to a Bill will be accepted. We might as well walk out. What is the good of us stopping here trying to debate it? The Labour Party, in its constitution, wants to abolish another place but now it wants to send this measure up there and have it amended by that Chamber.

The Minister for Health: If we did not have to send it to another place, we would not have to waste any time.

Mr. MANN: We should have had a special session of Parliament to deal with this Bill. Instead of that, we have been fooling around for three years.

The Minister for Health: It has been going on for 23 years.

Mr. MANN: We talk about democratic rights! Look at what is happening in Europe today. If this sort of thing is to go on in the future, we could have the same thing happening here. It is all very well for some members to smile but it only wants this sort of thing to get a footing and out will go our parliamentary institution. I regard our local governing bodies as akin to Parliament. I know that in my electorate I am guided by the local governing authorities because they are truly representative of the people and they should have the right to elect their own leaders. If the Bill is passed in its present form, the Beverley Road Board, which is comprised of eight members, could get an outsider appointed as the chairman. He might be a popular sort of fellow but with absolutely no interest in road board affairs. His only interest in being chairman of the board might be so that he could attend some function as chairman.

I have never seen the Minister look so uncomfortable as he is tonight. We know that he is honest and sincere and that he is being forced to do this. We all know that he does not desire to handle it in this way and I know that members opposite who live in rural areas feel very unhappy about many parts of this measure. Why should we dodge our responsibilities? We who represent rural electorates should vote on these clauses so that the people in our electorates know where we stand. There are only four vital clauses in the Bill and this is one of them. I hope that the Minister will report progress. The principle contained in this clause is not democratic and I know that in my own electorate there is very bitter hostility to it. If the Minister wishes to pursue the idea of not accepting any amendments, we might as well walk out.

Mr. JAMIESON: I hope that Opposition members will not walk out but will persevere with their amendments because two heads are better than one and 50 heads are better than 29.

Mr. Roberts: What is the good of it?

Mr. JAMIESON: If they are put forward and there is some good in them, they can be incorporated later and eventually become part of the statute.

Mr. Hearman: Why cannot they be accepted now?

Mr. JAMIESON: The hon. member knows that although this Government has certain ideas, members opposite have other ideas and we could argue on those points of view for hours without achieving anything. I was surprised to hear the member for Avon Valley say by inference that the Mayor of York was not a fit and proper person to occupy the position.

Mr. Mann: I referred to a metropolitan road board.

Mr. JAMIESON: But this applies to a road board in a rural district, too.

Mr. Mann: I referred to the city and not to the country.

Mr. JAMIESON: I cannot see the difference between a chairman who is a bank manager, an accountant or a farmer. All three would be most important people in the community.

Mr. Bovell: Your particular problems are totally different from those in the electorate of, say, the member for Murchison.

Mr. JAMIESON: Yes, and I would probably know more about the problems in the hon. member's electorate than the hon. member would know about the problems in mine, because the member for Vasse is too parochial in his outlook. We

merely agree to differ on the Bill. The Minister has said that there is nothing contentious about the Bill; it is only a matter of opinion.

Mr. Roberts: He said it is only a little Bill.

Mr. JAMIESON: No, he did not say that on this occasion.

Mr. Roberts: You look at his second reading speech!

Mr. JAMIESON: Not one of the members opposite has been prepared to suggest how we are going to get over the instance I have quoted, namely, a president being elected under the present set-up by depleting the numbers on the floor of the shire council. I have seen that happen to the detriment of the various wards. Until members opposite can suggest some way to overcome the anomaly, that is one reason why the system of election by members of the whole district should be tried.

Mr. Perkins: How would we get on in this Chamber?

Mr. JAMIESON: Even the member for Roe would not be so foolish as to suggest that we should have a different franchise in the electorate of Roe compared to that in the electorate of Beeloo. The principle is exactly the same in this instance. The election of members of this Chamber is more like the election of the president of a republic. Parliament has a system with which we are reasonably satisfied and the municipalities are reasonably satisfied with their system. However, they are reasonably satisfied with it because they have never tried an alternative system and the views of those on road boards are limited in scope. Probably they do not represent the views of the majority or of those who desire their views to be put forward in that particular sphere. We have had it said that the vast majority of local authorities want the amendment that has been submitted. However, there are many road boards which are tinpot and very small.

Mr. Mann: They are not tinpot!

Mr. JAMIESON: I am not referring to the one which the hon. member mentioned but there are some which are numerically small and which have a small area to administer. They are in various scattered areas and they have a particular interest that they have to look after. When I refer to them as tinpot, I had not in mind road boards in the successful farming districts. To put forward such a suggestion as a complete argument against the Bill, is merely drawing a red herring across the trail. I hope that the member for Stirling and the member for Avon Valley will persist with the amendments. Surely some good must arise from this discussion even if the amendments are not accepted at a time when the members want them incorporated in a Bill such as this.

Mr. OLDFIELD: I would like to correct the member for Beeloo in the statement that he made because I can instance a tinpot road board, namely, the Peppermint Grove Road Board. It administers an area of only 300 acres. Its officers consist of a secretary and a typist. When it wants some trees pruned or some work done, it calls on the Cottesloe Road Board to do it.

It is purely a waste of time to argue about whether the electors should elect the chairman of a shire council or whether he should be elected by his fellow members because there is always someone in charge between meetings. On the one hand we have the Government which is trying to do something it believes in, and on the other hand, we have the members of the Opposition trying to do certain things because they believe in them. This issue is becoming purely a political football. For example, the member for Claremont is a member of the Claremont Municipal Council, the member for Darling Range is a member of the Darling Range Road Board, and the member for Maylands is a road board chairman. I have had six years' experience with road board affairs.

Mr. Bovell: We have already heard from local governing bodies.

Mr. OLDFIELD: I know all about that, but I am going to criticise members on both sides of the Chamber. No one has ever raised ony objection to municipalities holding mayoral election once every two years.

Mr. Bovell: In totally different circumstances.

Mr. OLDFIELD: There is no difference between a road board and a municipality. They are both set up to administer the affairs of the district. We have the spectacle of the Peppermint Grove Road Board administering 300 acres only. The original intention was that the townsite should be a municipality and the outlying ward should constitute the road board. When it suits them, certain road boards like the Peppermint Grove Road Board and the Guildford Road Board adopt a system of unimproved values and the method that is going to suit certain people. Vested interests have ruined local government politics and we have to face up to what is happening. Let us have uniformity in the country.

It does not matter to me whether we have the present system under which the ratepayers elect the mayor or whether we follow the old system where the board elected its chairman. It is a matter of convenience and expediency in the particular district to which it refers. If the member for Cottesloe is so interested in this matter, let him stand for election to a local government authority and obtain

some experience in this matter. I have had six years' experience of local governing authorities and I am qualified to speak.

Mr. Bovell: There are others with longer exeprience than you who have spoken.

Mr. OLDFIELD: That may be so, but I looked after the progress of the local authority and did not consider my own interests in the matter.

Mr. Cornell: You are not the only one who blows his own trumpet!

Mr. OLDFIELD: I have known people to watch their own interests while being members of local authorities and they have retarded the progress of the district by waiting for land values to assume unexpected proportions before selling out. Let us have uniformity whatever system we adopt.

Mr. OWEN: I agree with the member for Mt. Lawley that we should have uniformity. The Prime Minister is elected by his colleagues in the Federal sphere; the Premier is elected by his colleagues in the State Government, so let us have a local government where the shire president or leader is elected by his colleagues. We would then have uniformity. In the case of a member elected as chairman of a board being a single voice, it is quite easy to have seconded any worth-while motion that he may bring down. Members of these boards are generally more broad-minded than some members in this House. Indeed we have such a case in our own road board and there is no difficulty in having any proposition seconded which this single member wants to bring down.

At this stage, I would also like to protest at the manner in which this Bill has proceeded and at the fact that no amendments are being permitted because they would involve extra time and money to have the Bill reprinted. That is a travesty of justice and the Minister should not permit this sort of thing to happen. I hope he will give consideration to worthwhile amendments that are put forward.

Mr. WILD: I move—

That progress be reported.

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

Ayes	16
Noes	24
Majority against	8

Ayes.	
Mr. Bovell	Mr. W. Manning
Mr. Brand	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Hearman	Mr. Watts
Mr. Mann	Mr. Wild
Mr. I. Manning	Mr. Hutchinson

(Teller.)

Noes.	
Mr. Andrew	Mr. Lapham
Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Hawke	Mr. Oldfield
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. May

(Teller.)

Pairs.	
Ayes.	Noes.
Mr. Owen	Mr. Kelly
Mr. Thorn	Mr. Sleeman
Mr. Ackland	Mr. Tonkin
Mr. Grayden	Mr. Rhatigan

Motion thus negatived.

Mr. WILD: I voice the strongest protest possible on behalf of the two road boards I represent. They have asked me to vehemently oppose the three main clauses, in addition to one over which they held a special meeting when about ten members spent a whole evening debating an amendment. I do not know what will be their reaction when they learn that the Government has decided to bulldoze this Bill through. I am staggered to see the Minister adopting a dictatorial attitude.

It was put forward by the member for Beeloo that we should be more temperate in making suggestions to improve the Bill, yet we have been told by the Minister that he will not accept any amendments. The critical point is that the Government will have to depend on another place to pass the Bill. It is about time the Opposition walked out again to show its protest. I would like to see the reaction of the Canning Road Board to the attitude taken by the member for Beeloo because no doubt he has received the same instructions as I have.

The Minister for Transport: What instructions?

Mr. WILD: I contend that a member of Parliament must act under the instructions of the people he represents. The local authorities want this Bill but not in its entirety and members of Parliament are asked to make representation on their behalf.

Mr. HEARMAN: If the Minister wants this Bill to go through without amendment as a matter of expediency, he has had the opportunity. The Bill has been reprinted and the second reading debate has taken place on two occasions. He has been made aware of the majority of our objections, and if he was anxious to avoid complications brought about by amendments, he would not have left the contentious clauses as they were. Had he done that, some evidence of good faith on his part would have been shown. As it is, he has said he will not accept any amendments from this side. Members opposite have spoken about tempering our attitude, but I notice that less than half of the Government members are in this Chamber.

The Minister for Transport: How many of your members are present?

Mr. HEARMAN: They outnumber the Government members by two to one. The principles involved have been clearly defined.

The CHAIRMAN: The hon. member should discuss the amendment.

Mr. HEARMAN: The amendment touched off the Minister's decision not to accept any amendments and that was why I have been discussing the action of the Minister. I do not know if it is your ruling, Mr. Chairman, that I cannot discuss that action.

The CHAIRMAN: That is my ruling.

Mr. HEARMAN: That being the case, it makes the position worse. This is the first clause incorporating the policy of the Government in writing into the Bill the platform of the Labour Party. Previously the Bill was on a non-party basis. There seems to be very strong objection to this clause and consequences will follow from the local authorities. The Minister has been told in no uncertain terms in my presence of the objection to this and to other clauses.

The Minister for Health: He was also told in your presence that the local authorities want the Bill to go through, so that amendments can be made.

Mr. HEARMAN: Nothing of the kind! The Government is treating not only the Opposition but the local authorities in an extremely discourteous manner. It is not giving us the opportunity to incorporate any of our ideas into the Bill and we seem to be wasting the time of this Chamber.

The CHAIRMAN: I have asked the hon. member to discuss the amendment.

As to Quorum.

Mr. Bovell: I draw attention to the state of the Committee.

The CHAIRMAN: The hon. member cannot do that while another member is on his feet.

Mr. Bovell: I suggest that can be done at any time.

Bell rung and a quorum formed.

Mr. PERKINS: On a point of procedure, should not the Chairman report to the Speaker?

The CHAIRMAN: No. The Standing Orders have been amended. I would draw attention to Standing Order No. 379. I have counted the Committee and there is a quorum present. The hon. member may proceed.

Committee Resumed.

Mr. HEARMAN: The member for Beeloo suggests that because municipal councils elect their mayor by a general vote, that should be good enough for tinpot road boards, as he describes them. I do not know whether we should be annoyed or sorry for him, because if the member for Beeloo feels that country road boards are tinpot affairs—and presumably he must classify most of them in that category—he is showing a lack of appreciation of the work done by local governing authorities in country areas. It seems to me that we should pay particular attention to the opinions of those people who have had experience of local government in country areas.

I have never come across a chairman in the country who agreed with the idea behind this clause. Such people realise with the problems that confront them that it is possible, in a local authority comprising as few as five men, to have a chairman who is not very suitable. In a body consisting of perhaps 15 to 20 members, the matter of chairman is not quite so important as in the smaller local authorities. The Minister should know from his own experience in the country of the very considerable difficulties that could arise if the Government persists with this clause.

Mr. Lawrence: What is your experience?

Mr. HEARMAN: I do not know the object of the member for South Fremantle. I may not have had much experience but I have obtained the opinion of local governing authorities, not only in my own electorate but also outside it. We also know, and you would know, too, Sir, in regard to the Goldfields areas, that local governing authorities circularised all members of Parliament expressing objection to the principle that the Government is setting out to incorporate in this Bill, and this clause is part of it.

When we hear so much hackneyed talk about democracy and find disregard of the opinions expressed, it is apparent the procedure adopted is not upholding these principles. Some further effort should be made to induce the Government to consider not only the views of the local authorities concerned, but the fact that we have always prided ourselves in British Parliaments that minorities have a viewpoint. I would be lacking in my duty if I did not voice a vigorous protest against the idea of steam-rolling the Bill through with the knowledge that the Government will not accept an amendment to this or any other clause.

The Bill will go to another place and we do not know how it will come back here. It is the proper function of this Chamber to amend such legislation that comes before it. We have a right to do that and the Government has no right to say it will not accept an amendment to this or any other clause. I do not think the Minister is very happy because he knows it is not playing the game with the Opposition and he knows how local authorities feel about the clause.

Hon. D. BRAND: I have nine road boards in my electorate and each one has, from time to time, advised me by letter or

direct that it is not desirous of any change in the method of election of its president. I am sure the Minister does not feel very comfortable because he is standing behind a suggestion which is not really in the interests of local government. He knows that every local governing body in the country in the past has enjoyed the system of electing its own president or chairman from among its own councillors or members.

The Minister for Health: It is outmoded.

Hon. D. BRAND: No, it is not. It has been a happy and satisfactory arrangement. I would like to hear from the Minister how this can benefit local government. He must know as a country member —and so would the member for Murchison —that the existing system is satisfactory. He could not name one instance where there has been pressure for a change in this system. I wonder, therefore, why the Minister is sitting tight and delaying this Chamber in debating an issue which is not going to bring any benefit at all to the vital organisation of local government. In fact, they are opposed almost unanimously in the country to the suggestion which the Minister has made.

Members who have preceded me tonight in this debate have pointed out that under the system suggested by the Government for election of the president, the president or chairman, who is always No. 1 citizen, would come from the built-up area. That in itself is not democratic. Why not leave the system as it stands, where the members elect from among their number a man whom they feel is fit to lead them and one who is capable. You, Sir, have mentioned at times that the chairman is the creature of this fellow-members. I feel that was a very unfortunate remark, because a chairman elected by the people on a popular vote might find himself indeed the creature of his fellow members. The quality of leadership is not whether he has been elected by the members or by the people or any other system.

The Minister for Health: Do you not think he should be elected by the electors?

Hon. D. BRAND: The qualities of leadership will only show in the man's character and capacity to lead. I am hopeful that even yet the Minister will see fit to say that the amendment will be acceptable in another place. Given that assurance, I feel we would make some progress.

The Minister for Health: I cannot give that assurance. I have told you that I will submit the matter to the Minister for Local Government and it will then depend on the majority in the other House.

Hon. D. BRAND: Does the Minister tell me that he has not discussed this question—one of the four main bones of contention—with the Minister for Local Government? Unless the Minister can give me the assurance I have sought, we must continue to make our protest in the interests of country local authorities. I would like to hear from members such as the member for Murchison, who has in his district a number of country local governments.

Mr. WILD: I wish to comment on a point raised by the Deputy Leader of the Opposition because it applies to my district. If we have the system that the Minister wants, we would get, in the Armadale-Kelmscott district and the Gosnells district, men from the two main centres. We would get one from Armadale because the local government voting there is in the order of 700 to 800 votes as against 200 each at Byford and Roleystone. The position would be nearly three to one at Gosnells.

Many brilliant men would be debarred under this proposition. In the Armadale-Kelmscott district I can recall Mr. Oscar Bruns who was a member of the leather and hide board and other boards. We would not get him as chairman of the road board because he lives in Byford where there are only about 150 to 200 voters. The selection would be confined purely to the main centre.

The Minister for Health: Do you mean that a municipality is at a disadvantage?

Mr. WILD: I know nothing about municipalities. If the Minister will indicate that his colleague in another place will accept the amendment we want, he will save the continued protest which we must make. Every member of Parliament must have had a letter about these two or three repugnant clauses, not only from the Local Government Association, but from nearly every road board in Western Australia. The Minister must know from those letters that it is not members of this Chamber but the people all over the State, who want this.

The Minister for Health: I have three boards in my electorate.

Mr. WILD: I have no doubt that they said exactly the same as the boards in mine.

Mr. COURT: When I spoke before —

Mr. Roberts: I draw attention to the state of the Committee.

The CHAIRMAN: There is a quorum present.

Mr. COURT: It is significant that every time a Labour Government starts to amend local government legislation, one of the first things it attempts to do is to replace the presiding officers with men who are elected on a popular vote throughout the municipality or road district. The sordid history of local government in New South Wales is a terrific reflection on local government in Australia and it all started from this very point. It is acknowledged that Mr. Cahill is the father of the present local government mess in New South Wales. If we follow the history back, it will be found that it started through an innocent proposition like this.

Mr. Jamieson: Like this clause?

Mr. COURT: Like the one in the Government measure.

Mr. Jamieson: You are on dangerous ground there.

Mr. COURT: The Leader of the Country Party seeks to avoid that state of affairs. If we follow the proposal through the Bill we see taking shape a pattern precisely the same as that which was developed over a number of years by the Labour Government of New South Wales, which pattern has brought local government in that State into such discredit. The Minister will claim that he has no such intention. I do not think he has, but we have to review the Bill in the light of the Government's policy and what it is attempting to do with local government. The Minister cannot deny that the Bill seeks to alter completely the complexion of local government in Western Australia and to take it away from an essentially local atmosphere and put it into one which will be highly charged, within a few years, with party politics.

The Minister for Health: I do not know where you get your imagination from.

Mr. COURT: This is the starting point. There are bigger issues at stake than the question of how the president is to be elected, having regard to the history of local government in New South Wales and the position which has evolved there. For those reasons I support the Leader of the Country Party and oppose this provision.

Mr. JAMIESON: The member for Nedlands may be a keen student of the type of person associated with local government in New South Wales but the difference between that State and Western Australia is great. I take it the hon. member is referring mainly to the Sydney City Council, or whatever it is called—

Mr. Court: We want to stop these bad things happening.

Mr. JAMIESON: But they can and do happen now.

Mr. Court: What is wrong with the job local government has done in this State?

Mr. JAMIESON: It has done a good job, but could do better.

Mr. Court: Do not let us ruin it, as they have in New South Wales.

Mr. JAMIESON: They do not think they have ruined it.

Mr. Court: You would not like to have here the corruption they have there, but that is what will come out of this Bill.

Mr. JAMIESON: The hon. member must have a contorted mind to read into this clause that it is the endeavour of the Government to induce people of low repute to seek positions in local government. I think the reflection is more on the Local Government Department in New South Wales than on the local governing bodies.

Mr. Court: The reflection there is on the State Government.

Mr. JAMIESON: There have been associated with Parliament in New South Wales people of a type we would not tolerate here. Neither the Canning Road Board nor the Belmont Road Board, although they probably subscribe to the views of the 120-odd other boards, has approached me in this matter. Although the member for Dale is not here, I think my attitude towards local government is better than his, as I believe in letting them have their own way. When the local authorities in my area ask me to do something I do it, if possible, but the member for Dale would attempt to dictate the terms and policy of the road board in his district—

Mr. Court: On what do you base that statement?

Mr. JAMIESON: Read the "Coastal Districts Star" and see what he says at road board meetings. I think we should allow the local authorities to decide how to elect their chief officers. Whether the chief officer is elected from the town or the outlying parts of the district does not matter except that the secretary of the local authority would no doubt prefer to have the president handy so that administrative matters could be dealt with readily. For that reason alone it would probably be desirable, in a lot of cases, that the person be centrally situated in regard to the local authority concerned.

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

Ayes	15
Noes	23
Majority against	8

Ayes.	
Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Court	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Hearman	Mr. Watts
Mr. Mann	Mr. Wild
Mr. I. Manning	Mr. Hutchinson
Mr. W. Manning	*(Teller.)*

Noes.	
Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Norton
Mr. Gaffy	Mr. Nulsen
Mr. Graham	Mr. O'Brien
Mr. Hawke	Mr. Oldfield
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. May
Mr. Lapham	*(Teller.)*

Pairs.	
Ayes.	Noes.
Mr. Owen	Mr. Kelly
Mr. Thorn	Mr. Sleeman
Mr. Ackland	Mr. Tonkin
Mr. Grayden	Mr. Rhatigan
Mr. Cornell	Mr. Hall

Amendment thus negatived.

Clause put and passed.

Progress reported.

House adjourned at 11.56 p.m.