Legislative Council.

Tuesday, 30th November, 1948.

CONTENTS.

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

QUESTION.

DEPARTMENT OF AGRICULTURE.

As to Appointment of Chief Administrative Officer, etc.

Hon. A. L. LOTON asked the Honorary Minister for Agriculture:

(1) Was the appointment of Mr. Hillary as Chief Administrative Officer to the Department of Agriculture a Government appointment or was the appointment made by the Public Service Commissioner?

(2) Is the appointment of Mr. Hillary mainly a stop-gap appointment until he reaches the retiring age in approximately five years' time?

(3) Has the appointee had any agricultural administration experience? If not, what were the special qualifications that this appointee had over other possible appointees?

(4) What are the salaries to be paid—

(a) the Acting Director of Agriculture;

(b) the Chief Administrative Officer?

(5) Has the appointment of Mr. Hillary caused any dissatisfaction amongst men of long service or of proved administrative ability in the department?

The HONORARY MINISTER replied:

(1) The appointment was approved by Executive Council on the recommendation of the Public Service Commissioner in accordance with the provisions of the Public Service Act.

(2) Mr. Hillary has been appointed until his retirement.

(3) No. He was selected by the Public Service Commissioner to fill a newly created administrative position for which the Public Service Commissioner considered he had the necessary qualifications.

(4) (a) and (b). In accordance with salary rates to be fixed by the Public Service Commissioner.

(5) Yes.

BILL—WHEAT POOL ACT AMENDMENT (No. 2).

First Reading.

Introduced by the Honorary Minister for Agriculture and read a first time.

Second Reading.

THE HONORARY MINISTER FOR AGRICULTURE (Hon. G. B. Wood—East) [4.38] in moving the second reading said: I impress upon members that it is extremely desirable that this Bill should be passed today, for reasons which I will state as briefly as I can. There is very little in the Bill itself and nothing to worry members. It is not complicated. All it seeks to do is to confer power on the trustees of the Wheat Pool to run a voluntary oat pool. The parent Act will therefore be amended to include oats as well as wheat. The oat farmers of Western Australia, generally speaking, have asked me to use my endeavours to establish a voluntary oat pool. The best method by which this can be done is to solicit the aid of the trustees of the Wheat Pool to manage the proposed oat pool. This they have consented to do.

The pool will be managed without cost, with the exception of expenses, in the interests of farmers who desire to pool their oats and sell them on the oversea market.

Members will recall that last week I tabled a notice of motion which fell through. At that time there was some difficulty in arranging finance for the oat pool and I was asked to hold up the legislation, as it was thought it might not be required. However, those difficulties have been overcome, and it is desirable that an announcement should be made as soon as possible to direct the farmers where to send their oats. Of course, they have the option of selling them to the merchants, if they so desire, or sending them to the pool. In many of our farming districts oats have been stripped; some have been stripped for about two weeks or perhaps a little longer in the northern districts, where they are in the field and subject to the depredations of crows and other pests. Owing to this oat pool having been mooted, those farmers have not sold their oats to the merchants, but have been awaiting the establishment of this pool, so that they might have the option, as I said, of sending the oats to the pool or selling them to the merchants. The Commonwealth has agreed to grant export licenses to all who wish to export oats.

Hon. H. K. Watson: Then it is not an exclusive license to this pool?

The HONORARY MINISTER FOR AGRICULTURE: No. When the merchants came to see me I read them a letter I had received from the Commonwealth Minister, Mr. Pollard, and I can assure the House that there is to be no monopoly of the exporting of oats. There will be no restriction by the Commonwealth Department in that regard. The merchants of Perth went away quite happy after I had told them what was to be done. There was a fear that the voluntary pool would have a monopoly of the export license, but Mr. Pollard would not grant it, and I do not fear the competition the merchants may get in this State. Western Australia is not the only State producing oats and I do not think the competition by the merchants of Perth will have any effect upon the London market. The whole of the Commonwealth and other countries also will be exporting oats.

Representations were made to me for an export monopoly and I told those concerned that they need have no fear of competition from anybody else, but in spite of that, Mr. Pollard would not grant a monopoly. An important point is that the manager of the pool to be has already postponed some important contracts. I believe he has put off finalising a contract for 4s. 9d. per bushel for oats—which today is a high price—until this legislation is passed and they know where they are. Until then, contracts such as that cannot be finalised. If members desire further information I will be happy to supply it. I hope the Bill is passed through this House this afternoon. With the oats still in the fields and the possibility of the oversea market falling, it is urgently necessary for the measure to be passed as soon as possible. I move—

That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned till a later stage of the sitting.

BILLS (3)—FIRST READING.

1, Constitution Acts Amendment (No. 2).

2, Feeding Stuffs Act Amendment (No. 2). (Hon. C. H. Simpson in charge.)

3, State Transport Co-ordination Act Amendment.

Received from the Assembly.

BILL—MINING ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th November.

HON. E. H. GRAY (West) [4.47]: This Bill, though small, is very important as it is the commencement of a move towards developing the coalmining industry of Western Australia along the proper lines. For that reason, all members must wish it every success. The development of the coal industry at Collie and in other parts of the State should receive the closest co-operation of the Government, the coalmine owners, the coalminers and the public. It must be mentioned at this stage that the mineowners of Collie have caused a lot of discontent in past years by their haphazard methods and the fact that their plans have been badly drawn and were exe-

cuted in even worse fashion. Those who have visited Collie over the years must, if they have also been to Yallourn in Victoria, have come away with a feeling of depression.

I hope the passage of this Bill will open a new era of progress for the people of Collie, which could be made into a beautiful township. The amenities for the people of Collie and the coalminers in particular could be vastly improved. The machinery contained in the Bill lends itself to development in that direction. I think nearly all members of this Chamber have visited the mines at Yallourn, which belong to the people of Victoria. After seeing the amenities provided for the miners and the people of the town generally, as well as the housing, which is owned by the trust and is an example to other mining companies and local authorities throughout the Commonwealth, it must be admitted that Yallourn is a very progressive coalmining centre that has been remarkably free from industrial troubles.

The Bill is divided into three parts, and if our industries are to be expanded, an increased tonnage of coal must flow from the Collie coalfield. This is the first occasion that legislation has been introduced in this Chamber to separate the coalmining industry from the general provisions of the Mining Act. Previously that measure, which embraces all minerals, has been dominated by the goldmining industry. This action on the part of the Government, in view of the increased production of coal and its importance in the economy of the State, is fully justified and thus the coalmining industry will be governed, in effect, by an Act of its own. The measure is separated into three parts, the first dealing with our coal resources, the second with the industrial side and the improvements to be effected in the mines, and the third with the distribution of the coal when produced. It provides means by which we may protect and ensure the development of our mining resources.

There has been a tremendous amount of criticism respecting the haphazard methods adopted by the mineowners in the past. Under the Bill, the appointment of a chief coalmining engineer is envisaged, and that alone should be of tremendous assistance to the industry. It also sets out that there shall be a coal advisory board, the chairman of which will be the chief coalmining engineer, and on which there shall be a representative of the mineowners and another representing the unions of employees engaged in the industry. I notice that in another place the Minister made a promise that he would consider inserting an amendment when the Bill was under consideration in this House, whereby the union representative should be elected by a ballot of the men concerned. I trust that that matter will be dealt with because it would be of advantage both respecting the board and the advisory committee that is to be set up.

The proposal to establish the board is a new idea and is certainly a good one. The board will advise the Minister with regard to the development and working of our coal resources and will also concern itself with safety factors for the protection of the men engaged in the industry. In view of the adverse criticism by the public and the miners in the past, the provision in the Bill should prove a distinct step forward. It certainly meets with the approval of the employees and the unions concerned, as I understand their attitude. If the Minister will agree that the workers' representative shall be appointed either by a ballot of the workers themselves or from a panel suggested by the unions—I think the former method would be the better—it will be satisfactory to all concerned. The establishment of such a board will instil confidence in the people with regard to our coalmining industry in respect of which there are problems to be dealt with and new methods to be considered by the experts.

The appointment of a chief coalmining engineer should represent a tremendous step forward in the development of the industry and will be to the advantage of both the mineowners and the workers. The next part of the Bill deals with the Coal Reference Board which has functioned in the past under the Commonwealth National Security Regulations. I understand that those regulations will cease to have effect very soon, and the Bill contains various provisions respecting the appointment of the new board. The Government has acted wisely in this respect because the Coal Tribunal under Mr. Gallagher has done a remarkably good job. It has not been confronted with difficulties in Western Australia such as it has had to deal with in the Eastern States.

On every possible occasion, we should express confidence in, and thanks to, the men at Collie for the manner in which they have carried out their work during the past difficult years. The board will be available to settle any difficulties that may crop up between the men and employers, and that should obviate trouble in the industry. The State should not be threatened with a possible shortage of coal supplies and the appointment of a chief coalmining engineer, which I regard as one of the most important phases of the Bill, should certainly lead to increased production in the future.

We cannot afford not to recognise the importance of coal in the State's economy. From figures given in another place, I understand that the expected output this year will be over 800,000 tons. Mr. Mann knows more about the industry than I do, but I think that is more than three times the production in 1939. The new coal reference board, which will take the place of the Coal Tribunal, will have important functions to carry out.

Hon. W. J. Mann: There would still be the Coal Tribunal as well.

Hon. E. H. GRAY: The board will operate when the present Commonwealth regulations cease to apply. The third part of the Bill deals with the appointment of the coal committee. The new body will comprise five members, one to be the chairman, two to be representatives of the employers and two others to represent the employees. The Bill contains no indication as to how the employees' representatives shall be selected. I think it would be preferable if they were elected by a ballot of the men concerned in this most important industry. The board will function in conjunction with the State Arbitration Court and the Bill makes provision for appeals from the decisions of the board to the court.

The last provision in the Bill deals with the coal committee, which will also function when the present Commonwealth coal distribution organisation ceases to operate. This committee will also play an important part in co-ordinating and planning for the equitable distribution of coal. I hope it will secure better results than those obtained under the Commonwealth regime. Many complaints have been voiced about the quality of coal supplied, and much remains to be done at Collie respecting the selection of coal of various qualities. The coal committee will be an integral part of the organisation, and I trust it will be successful when taken over by the State.

Hon. G. Bennetts: It might be the means of the trains running more regularly.

Hon. E. H. GRAY: Yes. The local organisation might do far better than has been done previously, although one must recognise the difficulties that faced the industry during the war period. I look upon the measure as being only the beginning of an era of progressive development in the coalmining industry in Western Australia. I hope as the months go by both the coalminers and the employers will be able to work in close co-operation in order to provide additional amenities and develop the town of Collie so that it will be a source of pride to every citizen of Western Australia. I have much pleasure in supporting the second reading.

HON. C. F. BAXTER (East) [5.2]: This is one of the most important Bills we have had this session. It deals with a position that will mean success or failure to a large majority of our industries and services. Any shortage in the supply of coal will seriously affect those industries and services. Unfortunately there is a lag at the present time that we shall feel in a few weeks. One can well understand the sincerity of purpose on the part of the Government in bringing down this Bill, but one wonders whether the Government has had the necessary time to arrive at proper conclusions in respect of this matter. Personally, I do not think it has. The Bill may or may not be instrumental in producing the quantity of coal so urgently needed. Mr. Gray mentioned haphazard methods. The position of coalmines throughout the world has been very bad. Every country has experienced industrial troubles, and they seem to apply to coalmining more than anything else. We have had our fair share in Australia, but not so much in Western Australia.

The coalminers have been a very patient set of workers. The most important aspect of coalmining, to my mind, is the health and safety of the worker. The second most important is production, and the third the mechanisation of the industry to increase production and relieve the drudgery of the miners. We have only to turn our minds

back a few years to recall that coalmining was much harder work than even goldmining. We cannot say at this stage that we are up to date in our coalmining methods because we are not. We are a long way behind. We are not going to gain in that direction until we have at the head experienced and qualified men to control the industry. When we look around, we find we have not the necessary qualified men even to fill the positions on the three boards proposed in the measure.

Hon. E. H. Gray: We are not that hard up, surely.

Hon. C. F. BAXTER: I understood that this Government did not agree with boards, but boards upon boards are being brought into being. I just wonder whether they will be as successful as the Government thinks. Let us review the coalmining industry in the Eastern States. Early in the war, the Commonwealth Government appointed a Coal Commission which consisted of three members. The chairman was Mr. Justice Davidson and the other members were representatives of the employees and the employers. This Coal Commission was of short duration, and was succeeded by the appointment of a Coal Commissioner, Mr. Mighell, under the Coal Production (Wartime) Act. This single commissioner continued to perform the duties required of him for the whole of the coalmining industry throughout Australia, and a single commissioner is still in existence for all States other than New South Wales where a Joint Coal Board was created under the provisions of the Coal Industry Act. The Joint Coal Board consists of three members, two of whom are mining engineers and the third, the finance member of the board, who was previously employed at the Treasury Department of New South Wales. That is different from the board proposed here, and that was brought about after experience of the type of board suggested in the Bill.

It is significant that after a trial of the system of an independent chairman and representatives of employer and employee interests, which was in operation at the commencement of coal control, all other authorities that have been created for this purpose have avoided this unsatisfactory set-up. Yet in this State we are to follow on the lines that have failed in the Eastern States. Do not let it be said that the boards in the Eastern States dealt successfully with industrial matters, because failure in industrial control of the coal mines in the East has been shocking. We have here Amalgamated Collieries, and much has been said against them—I have said things against them myself—but they have extended in the right direction. For some considerable time Amalgamated Collieries of W.A. Limited have been endeavouring to secure the services of a competent mining engineer capable of laying out and installing the machinery for an up-to-date and fully mechanised mine, and they have only recently been successful in obtaining the services of a Mr. Rowe.

The matter of appointing a competent mining engineer was so important that I went to the trouble of finding out what Mr. Rowe's qualifications were. It is not possible to get good mining engineers in the Eastern States. At the present time two big positions for mining engineers are being advertised in the Sydney papers. Mr. Rowe, in the first place, was taught the electrical and mechanical engineering trade—a good basis—and then entered the coalmining industry where he has been actively engaged during the past 26 years. He commenced as a labourer on the bottom rung of the ladder, as it were, and has worked through the various phases of the industry to his present position. A large percentage of the most important and successful men commenced on that basis. He has been employed at three of the larger New South Wales collieries, and has been in the position of manager for the past 13 years. His last managerial position was at the Aberdare Extended Colliery and the Caldare Open Cut mine, their combined daily output being in excess of 2,000 tons. While in this position he managed the distribution and maintenance of electric light and power supply to Cessnock, its rural areas and the majority of large mines in the district; he also managed a bulk store handling large reserves of spares and equipment for three major coalmines, and supervised the Government's hydraulic stowage experiment.

I want to impress upon members how necessary it is to get an engineer with these qualifications in connection with coalmining. There is quite a difference between coalmining and goldmining. He has had experience in the complete modernisation of colliery plant, the installation and maintenance of modern trackless mining ma-

chinery, coal cleaning and preparation, handling mine fires, extensive industrial experience, and holds the following mining certificates:—1st Class Colliery Manager; Mine Surveyor; Mine Rescue Brigade; Class A Ambulance Instructor; Boiler Inspector's License. Mr. Rowe was occupying, from a manager's point of view, what was considered one of the best managerial positions on that field, where it is obvious he was well established. He decided to accept the position with Amalgamated Collieries for two reasons—one was the opportunity to lay out and carry through a mechanised programme from the coal face to the surface wagon, the most interesting work in coalmining; the other, that he was to have a free hand without interference in the development of his plans.

There is no doubt about Mr. Rowe's qualifications, and if his ideas are carried into effect, they will mean that our coalmines will be in advance of those in the Eastern States in respect of mechanisation and the safety of the men. If we are going to establish boards of practical laymen, which will be over him, how is he going to get along in his work? For 50 years there has been no advisory body on this field, but immediately this mining company commences to modernise some of its collieries and engages the best man it can obtain for the work—one who was highly recommended by the Joint Coal Board and one whom the Joint Coal Board had itself unsuccessfully tried to engage on its own staff—it is proposed to create this board.

Hon. E. H. Gray: He will not be hampered by the board.

Hon. C. F. BAXTER: He will be subject to it. Dealing with the question of safety, what is wrong with the present Coal Mines Regulation Act assented to on the 24th January, 1947, or the policing of this Act by the Minister for Mines and his department? If there is nothing wrong with it or its policing, and I have heard no complaints, then why establish another advisory board? In New South Wales there have been a number of boards in the mining industry, and their history has been a sorry one. It has been found that industrial disputes increase with the number of boards. If one party dislikes the first board's decision, then it refers the question to a higher one, and so on. I will admit, however, that the Coal Distribution Committee is a very good board, and I do not think there is any objection to it by the coalmining people.

It becomes quite evident that, to get progress with developmental work, there should be one authority on the spot to decide what is to be done and to be responsible for such decisions. At present, in New South Wales the managers of two large collieries have taken other positions, thus making two vacancies. One new company is seeking a manager and two other companies are also seeking managers. In addition, both the State Department of Mines and the Joint Coal Board are opening and contemplating the opening of new, large and modern mines, but men with the necessary qualifications are not at present available in this country. Much has been done to improve training facilities for prospective mine managers, but it will be some years before the shortage begins to ease.

The possibility of bringing managers from England has not been overlooked, and several companies have done so, but the conditions are totally different and these men have been a failure. They resigned and I do not think there were any tears shed when they did so. They now have two experts from New Zealand and they fit in much better, but there is still considerable trouble in getting good men to act in these jobs. If that is the case, what is going to be the position in this State?

Until such time as the Mines Department appoints a chief coalmining engineer, there are no officials of the Mines Department whose experience of mechanised mining compares with that of Mr. Rowe. The mining officials at present in the Mines Department are Mr. Foxall, the State Mining Engineer, whose experience has been obtained in metalliferous mines, and who admitted before the board of inquiry that he had little or no experience in coalmining. Mr. Brisbane is the Assistant Mining Engineer, and his experience also has been gained in metalliferous mines. Mr. Gillespie, the senior coal mines inspector, has had lengthy experience in coalmining but he has had little experience in modern mechanised methods, and that is a considerable drawback. He was criticised by the Davidson board of inquiry on coalmining and by Mr. A. Donne, a coalmining engineer of high standing, who was appointed by the Wise Government to in-

quire into the coalmining industry in this State. Mr. Donne is at present superintendent of J. and A. Brown and Abermain Seaham Collieries.

I consider that the Coal Distribution Committee has done good work and will continue to do so. This committee was appointed by the Coal Commissioner under powers conferred upon him by the Coal Production (War Time) Act and consisted of Mr. R. Wilson, formerly State Mining Engineer, Mr. F. Edmondson, of the State Electricity Commission, Mr. P. C. Raynor, Secretary for Railways, and Mr. C. Porter, manager of the Melbourne Steamship Co. The coal companies have informed the Government that as long as coal production is in short supply they are prepared to make supplies available, at the discretion of a committee appointed by the Government for that purpose, irrespective of whether the provisions of the Coal Production (War Time) Act remain in operation or not.

Before the Bill was introduced so late in the session, more inquiries should have been made. It is an important industry and the Bill requires further consideration before it is placed on the statute book. I know the Bill refers to boards, but that is the trouble. Where are we to get the qualified men? We in Western Australia want our mines brought up to the peak of production, and require mechanisation to lighten the work for the men and to supply safety devices to protect them from accidents as well as to speed up production.

Hon. G. W. Miles: Which will bring down the cost.

Hon. C. F. BAXTER: It will make it better for the men if the mines are mechanised, but I do not see how success will be achieved by the Bill. It will really be an amateur board as far as coalmining is concerned, because a metalliferous mining engineer is not a coalmining engineer and knows nothing about that side of mining. Mr. Rowe was sent by Amalgamated Collieries to England and America to go through their coalmines and study the position in those countries. He should be able to bring the Collie field up to date and ahead of any field in Australia, and probably a lot of other countries. This man knows his job and it is a wonderful opportunity to get our mines brought up to date. We already have the Acts, and the department—

The Chief Secertary: What do you think the Bill is for?

Hon. C. F. BAXTER: It is appointing more boards; that is what it is for.

The Chief Secretary: For what purpose?

Hon. C. F. BAXTER: It will not achieve what it is intended to achieve, because there are no men to be appointed to the board who have any knowledge of the industry.

The Chief Secretary: Who said so? You are the only one.

Hon. C. F. BAXTER: I have read the qualifications in the Bill.

The Chief Secretary: You have read what has been written out for you.

Hon. C. F. BAXTER: I have read the qualifications as given in the Bill. The Chief Secretary does not seem to understand the industry. We have not one coalmining engineer in the service; anybody knows that.

The Chief Secretary: Who, except your informant, suggested that any of them are going to be appointed to this job?

Hon. C. F. BAXTER: Then where is the Chief Secretary going to get them? We want men who are efficient and have knowledge of coalmining. They must have some freedom of action and not be tied up by boards, especially boards composed of laymen.

Hon. E. H. Gray: The chairman will not be a layman.

Hon. C. F. BAXTER: He will not be a qualified man because the Eastern States can pay much more than we can and yet they cannot get the men they want. I intend to wait until the debate has progressed before I make up my mind.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 3, 4, 5, 10 and 11 made by the Council, and had disagreed to Nos. 1, 2, 6, 7, 8 and 9.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

No. 1. Clause 5—Delete paragraph (a).

The CHAIRMAN: The Assembly's reason for disagreeing is—

In the past there has not been that co-operation between the management of the railways and—

(a) The industrial unions connected with the railways, and

(b) the various users of the system.

This fact was commented upon by the Royal Commission, and it is to overcome this, and to bring both interests into closer contact with the management, that this provision has been made in the Bill.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

The Assembly's reasons are those I tried to explain when the Bill was before the Committee previously. I cannot see any better means of dealing with complaints about the railways than to set up a board which will immediately inquire into, and on the spot with one of the commissioners, any suggestions that have been made to rectify the trouble. The fact that there is an employees' representative on the board will also help considerably. No matter can be properly and satisfactorily finalised until all angles are discussed. What is better than to have the chairman and the representatives of those who actually work the railways evolve a satisfactory scheme for overcoming any difficulties that may arise? This is an excellent clause.

Hon. C. H. SIMPSON: We previously discussed this question thoroughly and the Committee by a big majority, decided that the board was not necessary. This is a board of laymen and it could only have the effect of coming between the Minister and the commissioner who are the two keymen in the set-up. The Minister has been given full power under the Bill and he can, from time to time, appoint any expert adviser he likes to assist him. The advisory board would not only be of no assistance to him but in course of time would become a nuisance. This particular feature that we recommended should be insisted on.

The CHIEF SECRETARY: I suggest that Mr. Simpson has rather misunderstood the intention of this board. He said it would be a nuisance. On the contrary, it is being created to avoid nuisance. Let it absorb the nuisance instead of it going to the commissioners, who will attend to the proper running of the railways. Laymen have purposely been appointed to the board. It is not intended that the board should run the railways or in any way interfere with the commissioners. Its purpose will be to give advice to the Minister after a matter is thrashed out with, say, one of the commissioners. The board will assist the commissioners, not harass them. I think it will be agreed that the management of the railways is considerably worried by members of Parliament approaching it from time to time with little complaints from their constituents. If the board were appointed, members could thoroughly thrash out their complaints with it. It would be able to see what was going on and bring any matters that it considered necessary before the Minister, who would then be able to inquire as to the reason for this and that. We hope to run the railways to the far greater satisfaction of the public who use them and with as little friction as possible.

Hon. G. FRASER: I hope the Committee will insist on this amendment. The Minister said that when members have any matters to inquire into on behalf of their constituents, they would be able to thrash them out with the board. I do not want to do that. If I have anything to thrash out I want to do it with the Minister.

The Chief Secretary: You can still go to him.

The Honorary Minister for Agriculture: You can always go to a Minister.

Hon. G. FRASER: I am only taking up what the Minister has said. He said that members could go to the board. If I have a matter serious enough to refer to the Minister, I want to see the Minister myself. I do not want to go to the board and then discuss the matter with the Minister second-hand. I can see no value in the board. I agree with Mr. Simpson that it will be more of a nuisance than anything else.

Hon. H. TUCKEY: I cannot see any need for this board at all. Members agreed to the appointment of three commissioners. Then, of course, there is the whole set-up of departmental advisers. My view is that we should seek to obtain some railway engines and provide rollingstock. We do not want to appoint boards which will not make

a scrap of difference to the railways. Let us get the wherewithal and provide the railways with material to do the work.

Hon. H. HEARN: I trust the Committee will insist on the amendment. This Government will go down to posterity as the "board Government." I cannot see how representatives of the men working on the job can be of any material assistance to a commissioner and two assistants who will doubtless be the best possible men for the job. I think it would be a very unbusinesslike arrangement.

Hon. E. M. DAVIES: Unlike some members, I do not think the board will have a nuisance value at all. The various sections of the community who use the railways should have an opportunity of advising the Minister, through a board, of the disabilities under which they consider they are suffering. The representatives of commercial interests, of primary producers' interests, and of those who actually do the work of the railways would be of great assistance because they know, from a practical point of view, that certain disabilities exist and they may be able to advise the Minister how these difficulties can be overcome.

Hon. G. Fraser: They can do it now.

Hon. E. M. DAVIES: I do not know whether they can. It is a matter of opinion. I think the appointment of the board is a step in the right direction.

Hon. L. A. LOGAN: I take it that this board will be a liaison board between the general public who use the railways and the management. The management would not be able to do its job if they had to sit in offices and have long interviews with complainants. The railway experts know their own jobs, but there are a lot of departments about which they know nothing.

Hon. H. Hearn: They should not be in the job.

Hon. L. A. LOGAN: Because a man is an expert on furniture he may not be an expert on boiler-making. This board will enable commercial interests to go to the Minister with suggestions. Today members go to the Minister with suggestions and he just wipes them aside. It is just a possibility that sound arguments may be put up to the Minister through that board and we might get somewhere. At least we can try.

Hon. C. H. SIMPSON: I have listened to some of the arguments put by those who think we should have a board. We went over all this ad nauseam when we debated the Bill previously. The Minister has been given power to appoint a special committee or any number of special technicians to deal with any problem that may arise at any time. After 12 months the Minister may consider that the board was not what he wanted at all, but he could do nothing about it. The only means he would have of removing it would be by an Act of Parliament. This board can of its own volition decide to investigate any matter, which might mean travelling anywhere throughout the State and it could, and probably would over the years, constitute itself a full-time board requiring full-time salaries. If a matter arose in which there was a difference of opinion between the commissioner and the advisory board, the Minister might find it very difficult to decide as between one or the other. For that reason and because it is important that the Minister and the commissioner should be close together, I ask the Committee to insist upon this amendment.

Hon. G. BENNETTS: An advisory board could be of assistance or it could be a nuisance. Seeing that the Minister will have full control and will be able to consult with the commissioners, provided the right men are selected for those positions, there should be no need for an advisory board.

Question put and negatived; the Council's amendment insisted on.

No. 2. Clause 10—Delete whole of proposed new Section 7, contained on pages 4 to 8. The consequential amendments necessitated by this amendment have been made to Clause 4.

The CHAIRMAN: The same reasons are given for disagreeing to this amendment. Actually, it is consequential on amendment No. 1.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. C. H. SIMPSON: This is consequential on amendment No. 1 and should be insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 6. Clause 10, new Section 9, page 12—Delete the words "of the board or" in line 35.

No. 7. Clause 11, page 13—Delete the words "the board or" in line 5.

No. 8. Clause 12, page 13—Delete the words "the board or" in line 20.

No. 9. Clause 13, page 15—Delete paragraph (b), contained in lines 11 to 32. The consequential amendment necessitated by this amendment has been made to Clause 4.

Motions by the Chief Secretary that the foregoing amendments be not insisted on were negatived and the Council's amendments insisted on.

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

BILL—WESTERN AUSTRALIAN GOVERNMENT TRAMWAYS AND FERRIES.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—LAND TAX.

Second Reading.

Order of the Day read for the resumption from the 25th November of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—COUNTRY TOWNS SEWERAGE.

Second Reading.

Debate resumed from the 25th November.

HON. G. BENNETTS (South) [5.58]: I support the second reading, but I have some comments to offer because I believe the measure will impose a hardship on some country districts. I am a member of the Kalgoorlie Municipal Council and a member of the committee dealing with the health and sewerage of the town. Experience of the work of those bodies and also of the special measures adopted to prevent the spread of infantile paralysis would convince anybody that a sewerage system is necessary for the health of the community. However, we have to consider the situation of outback places and whether the State can provide sufficient water for sewerage systems. At the present time I do not think it can.

During the summer months we on the Goldfields have to submit to water restrictions. When applications for water have been made by market gardeners to enable them to grow a few vegetables on the 'fields, they have been told that the supply is insufficient to permit of anyone embarking on that class of business. If water cannot be supplied to one market gardener whose holding is probably only half-an-acre, I cannot see how it can be made available for sewering the rest of Kalgoorlie and also Boulder. One half of Kalgoorlie has been sewered, and we want to extend the system to the other half. Several applications have been made to the Government to this end, but we have been unsuccessful.

Some figures were mentioned by Mr. Cunningham the other evening with reference to the number of gallons of water required by the sewerage system installed at the Boulder Central School. I have checked up on the figures he gave and find them largely correct. It was stated that 20,000 gallons of water would be required every week, but that was not correct; the figures given by Mr. Cunningham were far more accurate. The Bill is a dictatorial measure. Clause 21 lays down that a local governing authority which fails to give the notice required shall be liable to a penalty not exceeding £50. It is also provided that the Government can compel a local governing body to pay the expense involved in doing certain work, and I do not think that is quite fair.

My board also takes exception to Clause 37 where it is provided that the person who requires the sewerage to be installed must pay for it in 24 quarterly instalments. That would mean considerable hardship to many people who are renting or paying off their homes. When the present sewerage system was installed at Kalgoorlie, it was found that the cost involved for the average home was

about £60. When the Bill is in the Committee stage I will move an amendment to provide for 40 quarterly instalments, which would be much more convenient to the average householder than would 24 quarterly payments. Whereas the cost per house some years ago averaged about £60, rises in costs generally since that time would probably bring the figure to £80 or £90 at the present day for an average three or four-roomed house.

Hon. W. R. Hall: You would be lucky to get it done for that.

Hon. G. BENNETTS: The area now proposed to be sewered is almost all granite country where the cost would be a great deal higher than it was in the softer ground where the present scheme is installed. My board feels that the cost will be heavy on the Goldfields people, most of whom are ordinary working men. Clause 56 provides for local authorities to charge the Minister at the rate of 4d. per folio for a copy of the rate book, but my board does not think that charge sufficient. It would be a costly job and we think it should be done by an officer of the department. The board would be prepared to allow him access to the rate book for that purpose.

In Clause 93 there is provision for the Minister to take the whole of the proceeds arising from the sale of a property, handing over what is left after the payment of certain costs, charges and expenses, to the local authority. My board considers that the proceeds of the sale should be more equally distributed between the Government and the local governing body—

The Honorary Minister for Agriculture: There is an amendment on the notice paper which will rectify that.

Hon. G. BENNETTS: Mr. Loton referred the other night to Clause 112, which gives any officer of the Minister power to arrest without warrant. My board objects to that provision.

The Honorary Minister for Agriculture: That applies only where the person concerned refuses to give his name and address.

Hon. G. BENNETTS: We feel that local governing bodies should receive a commission for collecting the rates, as that would save setting up another office with all the expense that would be involved. Having voiced my board's objections to the measure, I support the second reading.

HON. A. THOMSON (South-East) [6.7]: I would not like members or the people I represent to think I am opposed to the provision of sewerage for country districts, but I feel that the measure requires very serious consideration. It will override local authorities, and contains no provision for appeal or objection. The Minister is to be given power to sewer any town, and there is provision that the ratepayers must pay a minimum rate of 3s. There is provision also for an additional charge to cover administration. I believe that sewerage is essential in country districts wherever the water supply is sufficient, but on reading the discussion on the measure in another place, I was amazed that a Bill of such importance was not subjected to reasonable investigation and criticism. I do not think any of the country road boards or municipalities had knowledge that legislation of this character was to be introduced.

The Honorary Minister for Agriculture: Whom would you blame for that?

Hon. A. THOMSON: The Government.

The Honorary Minister for Agriculture: I would blame the members of another place representing country districts.

Hon. A. THOMSON: That may or may not be so.

The Honorary Minister for Agriculture: Members of this Chamber are not to blame.

Hon. A. THOMSON: That is so. I think a measure of such vital importance should have received much more consideration. I commend "The West Australian" for its excellent leader dealing with this Bill. Apparently in the case of the Albany scheme very little consideration was given to alternative methods. Some of the Albany councillors submitted that the establishment of a sewage farm should be considered, but, of course, the engineer in charge would not listen to that. He thought it was an obsolete method that should consequently not be considered, although that has never been definitely proved. In effect, the people of Albany were told that if they did not accept the scheme put forward they would get nothing. That is my conclusion from the Press reports of the discussion that took place. I am one of those who feel that it is wrong to discharge sewage on to the sea coast.

There was an excellent leading article of Monday's issue of "The West Australian." It gave the views of those who opposed the present scheme for Albany, and mentioned the establishment of pine plantations and the use of sewage to enrich the soil, and so on. All those suggestions were swept aside by the engineers who said, in effect, "Take this or nothing." While I believe the Minister who introduced this measure in another place is in favour of the establishment of sewerage schemes for country areas, I can hardly believe that he had an opportunity of studying and considering the Bill to the extent it deserves, and I feel that it was the department that prepared the Bill. The department is more concerned about giving itself absolute control and power to override local authorities in every direction than it is with any other aspect of the matter. Right at the conclusion of the measure, Clause 120 states—

> The Governor may, in his discretion, by Order-in-Council, suspend the operation within any area, or any district, of the provisions relating to sewerage of any local government Act.

[*Sitting suspended from 6.15 to 7.30 p.m.*]

Hon. A. THOMSON: Prior to the tea suspension, I pointed out that sufficient notice had not been given as to the effect the Bill would have on country towns or municipalities. I have endeavoured to make it quite clear that I am not opposed to the sewering of country towns, but I do think that the Bill is rather drastic in many respects, so much so that it seems to have been prepared not by a Minister sympathetic towards country towns but by one who would have only a departmental point of view. I would draw attention to several provisions of the Bill to show that they are extremely drastic. The Governor may, by Order-in-Council, authorise the construction of works Why a month's notice should be given by a local authority to the Minister of any objection it may have, I do not know. Clause 15 reads—

> If, at the expiration of one month after such publication, the Minister is satisfied—
>
> (a) that the provisions of this Act have been complied with;
>
> (b) that the revenue estimated to be derived from the proposed work is sufficient to justify the undertaking;
>
> (c) that the works if carried out in the manner designed will be for the public benefit; and
>
> (d) that the objections, if any, lodged are not sufficient to require the approval of the Governor to be withheld from the proposed scheme,
>
> he shall submit the plans, sections and estimates to the Governor for approval; and, if they are approved, the Governor may forthwith make an Order empowering the Minister to undertake the construction of the works, and such Order shall be notified in the "Government Gazette."

That shows rather a dictatorial attitude. The Minister is the official head when we are dealing with bureaucratic control. We have men in our municipalities and on road boards who have given a good deal of time and valuable service to the State and the districts in which they live. If there is genuine opposition to it, surely those concerned should be permitted to lodge it forthwith.

I know what actually took place in Albany. The engineers in control of the Sewerage Department at present got out a scheme which was to discharge the effluent to Point King or some particular spot. Many people who have lived there for a number of years considered this would ultimately prove detrimental to what is one of the beauty spots in Western Australia; that is, Middleton Beach and other places in the vicinity. A good deal of controversy took place and an expublic servant took up the cudgels and made out an excellent case in opposition to the effluent being discharged at that point. At first the engineers had made no provision for the sewage and it was to be disposed of into the sea undiluted. However, in view of certain objections raised by some of the councillors, the engineers ultimately did agree that only the effluent would go into the ocean. The alternative was suggested by the people interested.

I feel I would be justified in quoting a portion of the excellent article dealing with country sewerage which appeared in "The West Australian" on the 29th November. An extract from that article reads—

> In Northam and Kalgoorlie the planning has been better. The sewage is pumped to irrigation farms from which fodder only is sold. But at such places as Albany, Bunbury, Busselton and Geraldton engineers and others, looking for economical disposal, may be under a strong temptation to repeat what has been done in Perth. It is to be hoped that the local authorities and townspeople in these centres will be watchful, and local opinion more vocal than it has been around Perth and Fremantle, against any attempt to dispose of sewage "on the cheap" with any attendant risk of beach pollution.

There was certainly a considerable amount of vocal objection to the scheme which was submitted by the Government. The local authorities were definitely told that unless they accepted the scheme they would get nothing. The article goes on to say—

The Bill places an obligation on the Minister to see that in sewering a country town there shall be no fouling of any natural water, but some Ministers in the past have taken, and some in the future may take, a lenient view of what has always been a moral responsibility.

It has been suggested—and, subject to the concurrence of the Forests Department, it is a good suggestion—that in suitable districts sewage should be employed in growing pines. Six million gallons of nutrient-laden sewage a day used on the infertile porous sandy country north (and, to a lesser extent, south) of the metropolitan area, well away from popular beaches and human habitation, conjures up a far more agreeable picture of sewage disposal than the existing methods. The McLarty Government has allocated this year £30,000 for pine afforestation, much of which will be carried out north of Perth. It is also preparing to spend millions of pounds on pumping and gravitating water throughout a large area of the wheatbelt. We commend to it the idea of sending metropolitan sewage by pumping and gravitation 20, 30, even 40 miles farther away on to poor and remote sandplain and disposing of it there in conjunction with forestry. Used with discretion this might be made the answer to most of the problem of Swan River pollution by including any industrial effluent not injurious to plant life. And on a smaller scale the sewage effluent of our southern ports might be employed similarly and very profitably.

I am voicing my objection not against sewerage installations, but against the overwhelming powers that the departmental advisers will have—not the Minister—as far as the local authorities are concerned. It is realised that in country towns like Katanning, Narrogin and Wagin there is no water supply to absorb the sewerage. So the only alternative is to provide a sewage farm. Why the department should adopt such a hostile attitude to such a suggestion I do not know. The departmental officers would not even consider it. "Nothing at all," they said; "this scheme or nothing." That is the sort of thing I am fearful of under this Bill because the Minister will be all-powerful.

I would like to touch on one or two other points in the Bill which have been raised and sent to me by one local authority. In Clause 21 we find that the Minister is again all-powerful over the local authority. It reads—

(1) Every local authority shall, when requested by the Minister, give particulars of any levels of any constructed or proposed street in which it is proposed to lay any pipe, sewer, or drain.

(2) The local authority shall give to the Minister at least forty-eight hours' notice, in writing, of its intention to alter the level of any street in which any pipe, sewer, or drain, is laid down.

(3) Thereupon the Minister may lower any pipe, sewer, or drain, and may raise or lower the fittings thereof, and the cost of so doing shall be a debt due by the local authority to the Minister.

Hon. G. Bennetts: That is one my board is objecting to.

Hon. A. THOMSON: Yes. It may be necessary that the scheme should follow the contour of the country and then the Minister may decide otherwise. Why should the local ratepayer have to pay for the blunders of the department? Not only that, the clause says—

(4) Any local authority failing to give the notice required by this section shall be liable to a penalty not exceeding fifty pounds.

(5) If the levels of any street are not given by the local authority, the contour of the street shall be deemed the level for the purposes of this section.

Clauses 32, 34 and 35 also contain severe penalties. Clause 32 reads—

If any owner or occupier of land connected with a sewer or drain does any of the following things for the purpose of discharging sewage in a manner not authorised by this Act, that is to say—

(a) uses in, places upon or attaches to the land, or permits to be so used, placed, or fitted, any fixture, fitting, instrument, or thing not authorised by the Minister; or

(b) alters, misuses, injures, or removes any fixture or authorised fitting, except for the purpose of necessary repair,

he shall forfeit and pay to the Minister a sum not exceeding fifty pounds, and shall, in addition, be liable to pay to the Minister any damages sustained by the Minister in respect of any injury done to his property.

The Honorary Minister for Agriculture: Do you think that anyone should wilfully smash up property, particularly that kind of property, and not be subject to a fine?

Hon. A. THOMSON: No, I do not; but I draw attention to the all-mighty power that the Minister is taking unto himself. Occupiers and others should have more time than is granted under Clause 35. We find, too, that the interest rate is

too high. Mr. Bennetts raised a point which was submitted to him by the Kalgoorlie municipality. The interest is at the rate of five per cent. per annum. Of course, the Government will get the money at 3½ per cent. It has increased the capital value under the Municipal Corporations Act. The interest rate was at 4 per cent. on the capital value but it has now been raised to 6½ per cent. I am referring to the rating.

Hon. G. Bennetts: The rating at Kalgoorlie is 1s. in the £.

Hon. A. THOMSON: But if the Bill be agreed to and the Government should take over, the people there could be rated up to 3s. in the £. Dealing next with the penalties, I emphasise the fact that throughout the measure they are heavy. I draw the Minister's attention to the exemptions provided in Clause 47 and, as I see it, all religious bodies and suchlike are to be provided with sewerage free. That also applies to such institutions as public hospitals, benevolent asylums, orphanages, public schools, museums, and so forth.

Hon. E. H. Gray: But those provisions are simply taken from the metropolitan Act.

Hon. A. THOMSON: The Minister may be able to show that I am wrong in my contentions, but that is how it appeals to me. Then again, the Bill will place upon town clerks and road board secretaries the duty of providing copies of the rate books and so forth. That seems to be all right, but if the Government were to insist upon that being done annually, I do not think any special rate books should be required. Then there is the provision dealing with appeals, under which these are to be made in the first instance to the Minister and from the decision of the Minister a further appeal to the local court, but that court's decision is to be final. That would place some owners of property in a very difficult position, and I suggest it should be deleted.

It is also sought to enable separate rates to be made for each district for the purpose of providing funds to defray the expenses of the general administration of the Act apportioned to the district and for the other purposes set out in Clause 67. In the succeeding clause it is provided that the sewerage rate shall not exceed 3s. in the £ on the ratable value of the land in any one year. It may be that the two clauses are to be read in conjunction, but as they stand they are quite distinct. Possibly the object is that a small district will be asked to bear only its proportion of the administration expenses. In view of the fact that there is no urgent need for the Bill to be passed this session, I think members should be allowed to send copies of it to the local authorities in their provinces to secure from them unbiassed opinions as to how the measure will affect their general administration.

Under the existing legislation, local authorities have power to provide sewerage systems in their districts and to impose the necessary rates. Under this provision it will mean an all-round increase in expenditure without the local authorities having an opportunity to discuss such an important measure. The construction placed upon my remarks might be that I am opposed to country towns being sewered.

The Honorary Minister for Agriculture: You have given the Government very little praise for the proposal.

Hon. A. THOMSON: I cannot give the Government much praise. I am certainly in favour of sewerage systems being provided in country towns, but I cannot agree to the Bill. So far as I am aware, not one country town has been notified of the contents of the measure and of the position in which they will be placed if it is agreed to. I suggest that in the average country municipality or road board area, any sewerage scheme installed would be administered much more cheaply and economically than if it were in the hands of the Government.

The Honorary Minister for Agriculture: And they would pay for it?

Hon. A. THOMSON: Of course.

The Honorary Minister for Agriculture: But would they? The Government will be paying for this work.

Hon. A. THOMSON: That is not so.

The Honorary Minister for Agriculture: The Government will be lending the money.

Hon. A. THOMSON: That is the position.

The Honorary Minister for Agriculture. And the work would not be done but for the Government.

Hon. A. THOMSON: Quite possibly that is so, but the point is that the smaller municipalities and road boards would not incur such heavy administrative costs as if the work were done under the department. The small additions that have been made to systems in country towns have shown how remarkably costs have increased and restrictions have been imposed upon the people. In all earnestness, I suggest to the Minister that if the Government will not withdraw the Bill, consideration of the measure should be held over to enable members representing rural districts to circularise their local authorities and secure their views. There are between 50 and 60 road boards in the South-East Province, and it would take some time to circularise them, receive their replies and give due consideration to their views.

I notice that the Minister intends to amend Clause 93, but his amendment will only serve to make it a more completely drag-net provision. Members will note the unfair advantage the Government seeks to take with respect to the application of money arising from the sale of land for non-payment of rates. It is including the Rural and Industries Bank. When private banks take over properties, they are responsible for payment of rates, but when the Agricultural Bank took over properties, there was a bone of contention with the local authority because the rating ceased. On some properties there was an accumulation of rates, and when some were taken over, the new owners found themselves confronted with a heavy bill for arrears of rates. Not too many were caught in that way, and prospective purchasers stipulated that there would be no rates paid, so the Agricultural Bank wiped them out. The Minister will probably say that in all legislation the Government takes precedence in such matters; but I think that the inclusion of the Rural and Industries Bank is going outside that provision.

I would like to move a few amendments to the Bill, but it would take some time to prepare them. One of my main objections to the measure is that it overrides the local authority. I do not know whether I would be able to secure agreement to an amendment that would give local authorities power to install sewerage systems with money they themselves could borrow, but I certainly think such a move would be more economical for the districts concerned.

Hon. E. H. Gray: They might do it more efficiently.

Hon. A. THOMSON: It all depends.

Hon. G. Bennetts: Kalgoorlie was successful.

Hon. A. THOMSON: Northam has been fairly successful, too. The municipality was fortunate in getting the financial assistance which it did. If the local authorities are agreeable to the Government taking over this undertaking, then, of course, the ratepayers will have to pay for it.

Hon. L. Craig: The local authorities would be asking for this scheme.

The Honorary Minister for Agriculture: They are rushing the Government for it.

Hon. A. THOMSON: I have quoted a case that actually happened within the last 12 months. A considerable number of people strongly objected to the discharge of the effluent in a certain district, but they were overridden. No doubt the majority of the councillors were acting constitutionally, but they were not game to submit the matter to a referendum. We should guard against such an occurrence. I am not opposing the second reading; whether I shall be able to bring down the amendments I would like to, depends on whether I can get the necessary assistance from the Crown Law Department. I draw the Minister's attention to the fact that although the blame may rest on members in another place, not much discussion took place on the measure there. I wish it every success, although I would like to see it modified in several directions. It may be said that I am damning it with faint praise.

The Honorary Minister for Agriculture: Not too much praise!

Hon. W. J. Mann: Very faint!

Hon. A. THOMSON: That may be, but I think it is the most dictatorial Bill that I have read for many years.

The Honorary Minister for Agriculture: But 75 per cent. of it has been taken from other Acts.

Hon. A. THOMSON: That is a hardy annual!

Hon. E. H. Gray: The metropolitan area has the same scheme and is not growling.

Hon. A. THOMSON: But the metropolitan area is different from country towns. The scheme may be more economical in the long run, but I feel justified in having drawn attention to some of the protests which were made to me against the Bill by those who do not like many of its provisions.

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

BILL—WHEAT POOL ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. A. L. LOTON (South-East) [8.4]: Members may recall that early in October I asked a question of the Honorary Minister respecting the formation of a State oat pool. The Minister replied that he had not been able to get support from the Farmers' Union and that consequently it was not proposed by the Government to introduce legislation forming a State oat pool. Since then there has been much bucking and filling by various organisations.

On the 14th October the Federal Minister for Commerce (Mr. Pollard) announced that there would be no finance made available by the Commonwealth Government for the formation of a compulsory pool, and that he was not prepared to give the State Government of Western Australia a sole export license for the State. Since that time we have not been able to make progress, except that Co-operative Bulk Handling stated it was prepared to conduct a voluntary oat pool, irrespective of Government finance, for the marketing of surplus oats. That is where we stand at present. Last year high prices were offered by the Commonwealth Government for oats: a guaranteed payment of 4s. per bushel for feed oats, and an extra 3d. per bushel for millable oats. That induced many farmers this year to grow a considerably larger quantity of oats than they had hitherto grown.

We now find ourselves, owing to a favourable season, with a huge quantity of marketable oats on hand. This is owing to two reasons. New South Wales and Victoria have still a large quantity of last season's compulsorily-acquired oats on hand; and this State, by better organisation and marketing and better handling of shipping space, has only a small parcel on hand. I quite understand the position into which Mr. Pollard was forced. The Eastern States were not prepared to permit this State to export new season's oats while they still held a surplus of the old season's oats. Unfortunately, pressure from the Eastern States has been maintained. The Minister explained, when introducing the Bill, that he had been unable to get a sole export license for the Government, and therefore any person can obtain an export permit to export oats.

Unfortunately, the oversea market collapsed during the past 12 months. Victorian oats sold on the 21st September for 5s. 10d. per bushel f.o.b.; and since then the market has been going down each week. Last week oats were offering at just over 4s. a bushel. Last season first-class oats realised 3s. 6d.; there is another advance of 1s. 10d. to be paid in a few days, making a little over 5s. This year I do not think oats will realise more than 2s. 6d. a bushel net. Bags cost 22s. per dozen and freight is 4d. per bushel. Early in the year, it was proposed that oats be consigned to the metropolitan area in bulk trucks. That was not payable, because it meant a 10-ton bulk truck to load six tons bulk oats, and farmers had to pay the maximum railage for the minimum quantity.

The handling at Fremantle is another problem. Actually, there are no facilities there for bulk handling of oats. Last year the Australian Barley Board did handle in bulk a large quantity of oats; then they were handled by machinery into a big bin, and afterwards they were hand-bagged. All oats last season were hand-bagged. I think about 450 to 500 tons were left at Fremantle a fortnight ago from last season's oats. If the Bill passes, it will enable the farmers to deal with surplus oats. Their desire is to have a cash crop. I mean by that that they wish to obtain cash for their oats in order that they may pay for their super, which must be paid for before delivery. The dropping of the price may be a blessing in disguise, because I am hopeful that many farmers who, under normal conditions, sell their oats will hold them as feed for their stock. That will give them a better return than 2s. 6d. per bushel. I have much pleasure in supporting the Bill.

HON. C. H. SIMPSON (Central) [8.11]: I have much pleasure in supporting the Bill. I think that through Co-operative Bulk Handling the scheme will be well handled and that the growers will benefit. The difficulty sometimes in regard to oats is that when there is a fairly good crop in what might be expected to be normally a consuming year, the demand is very light. Then there is a glut and the price to the consumer naturally drops. But a Bill such as this, which will cater for oversea trade, will undoubtedly help to stabilise prices and provide a market for the oats which the growers have to sell.

Some few years ago, in a drought period, I can remember that stations hand-fed their sheep. I used to buy and sell large quantities of oats then. I have sold as many as 1,500 bags a month; but I found that there was a great difference in the samples of oats that were sent forward. Generally speaking, oats grown down the Great Southern line, at Lake Grace, and along the Midland line, were of very good quality; but there were samples grown in some other parts of the State which were almost rubbish. I have no doubt that Co-operative Bulk Handling, which is a most competent organisation, will maintain the standard of oats for export, so that our State's reputation for supplying a good article will not be jeopardised. Bearing those considerations in mind, Mr. President, and being quite convinced that the scheme is for the benefit of the growers and that it will be handled very well, I have, as I have said, much pleasure in supporting the Bill.

HON. L. A. LOGAN (Central) [8.13]: I also support the Bill. During the past few months there has been an agitation by farmers for some method of handling surplus oats which they themselves cannot hold on the farm, owing to lack of storage accommodation. The merchants who usually buy the oats cannot handle the surplus now on hand. I think that is the reason why so many farmers have been advocating some kind of a pool. Fortunately, or unfortunately, whichever way one views it, Co-operative Bulk Handling cannot get a monopoly for an export license. I do not think that is an anomaly, as the merchants are quite entitled to their share of the business, as they have been in the past.

I am afraid that at present prices there will not be great quantities of oats exported. I agree with Mr. Loton that that might be a good thing, because northern areas are not favourably situated this year as regards the season. With oats at a reasonable price, it enables farmers to buy and thus retain their stock, which in ordinary circumstances, they would have to dispose of. That has been done in a few cases. Although the unfortunate oat grower is going to lose, the stock owner is going to gain and after all one farmer helps another farmer, and I do not think they would begrudge any man an opportunity of getting cheap oats. I support the second reading of the Bill.

THE HONORARY MINISTER FOR AGRICULTURE (Hon. G. B. Wood—East—in reply) [8.16]: I do not intend to delay the House but I want to reply to one or two points that have been raised. Mr. Loton was a little pessimistic when he spoke about 2s. 6d. As a stockman, I would be very happy to buy oats for 2s. 6d., but I would be sorry for the man who had to sell them at that figure, because I know he could not do it at a profit. Quite a large parcel will be sold tomorrow at Fremantle at 4s. 8½d. That is not a very big price, but it will help to stabilise the price for internal consumption. Based on that figure nobody should sell his oats under perhaps 3s. 6d., and I hope nobody will have to do so.

The effect of the Bill is that a large quantity of oats will be held all the time so that the Commonwealth Government will know definitely where it is and will refuse to give a permit to export oats until our stock position is safeguarded. I consider that desirable. I remember last year when sheep were starving we were able to draw on the huge pool of oats at Fremantle at a price of 4s. 3d. If there was a pool the Commonwealth Government would know just where it stood and just how much was in Western Australia and what to do about export licenses. I have no objection to competition from merchants because if they can go out and offer the farmers 3s. 4d. and make a profit, then I say good luck to them. I have nothing against that.

Hon. G. Fraser: If this Bill goes through tonight, will it be in time?

The HONORARY MINISTER FOR AGRICULTURE: Yes, I hope it will go through both Houses tonight. I know it will go through this one and I hope it will go through another place, so that the wheat pool trustees will know just where they stand as regards making arrangements.

Hon. G. Fraser: The C.B.H. was mentioned by the last speaker. How did that come into it?

The HONORARY MINISTER FOR AGRICULTURE: There is a sort of link up. Probably some C.B.H. installations were affected. I think Mr. Loton said there were no facilities for bulk-handling oats, but it is proposed by the trustees of the wheat pool to erect some sort of bulk installation at Fremantle. It is already there, although there is a re-bagging arrangement, so that oats can be re-bagged quickly and cheaply. That is what the merchants cannot and will not do. Therefore I say that the pool should be able to give a better return to the farmers. If a speculator or merchant legitimately buys oats cheaply, as he has the right to do, then I say good luck to him. I have no objection and I do not think we should take that right away from him, if he can compete with the pool, which I do not think he can.

Hon. A. L. Loton: The woolbuyer does that, you know.

The HONORARY MINISTER FOR AGRICULTURE: Yes, I know a lot of farmers who were happy to sell their wool at that time but that has nothing to do with the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and transmitted to the Assembly.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban [8.20] in moving the second reading said: This is not a large Bill, but it is to deal with important matters, which I think the House will agree are essential and necessary. It contains three provisions, one of which is that the lay members of the court shall be appointed for a period of five years, instead of three as at present. Another provision is for the appointment of a conciliation commissioner and the third provision is for the appointment of an assistant registrar.

The view has been expressed to the Government that the term provided for the lay members who hold appointment for three years is too short. I think the House will agree that the lay members of the court become more useful as they gain experience and therefore after three years they are more qualified than they were when first appointed. These members have in the past occupied their positions for more than three years, but they have had to be reappointed every three years and it will be agreed that it is an advance in the right direction when five years is substituted. A man is not likely to give up a good position for three years, but he is more likely to do so if he is assured of a permanent appointment for five years. At the latter end of the five years he will be far more experienced and will be of greater benefit to the community. This provision will not apply to the present members although no doubt they will probably be the ones who will be appointed when their present term expires. It is not intended to debar them.

The question of a conciliation commissioner is a matter of great importance and members will agree that industrial arbitration is one of the most important judicial functions provided in our Constitution. Any industrial matter which requires a decision should be determined with all reasonable promptitude and in fact it is essential that industrial disputes—or matters which should be dealt with before they become industrial disputes—should be discussed as promptly as possible, in order that industry will not be delayed. The appointment of a conciliation commissioner will greatly relieve the work of the court and ensure greater expedition. Mr. President Dunphy has notified the Government that his duties are becoming too onerous and he is obliged to spend much time beyond his normal working hours in carrying out his duties. This is, of course, imposing a strain on the President which should not be.

It is requested that a conciliation commissioner be appointed to assist him. The Bill provides for the appointment of that commissioner for a term expiring when the appointee attains the age of 65 years. However, he can be suspended from his duties by the Governor for misbehaviour or incompetence but he cannot be removed from his office except by the decision of Parliament. He can be suspended but the matter must be brought before Parliament to decide the question. This is similar to the provision applying to judges and stipendiary magistrates. The office shall be deemed to be vacated under certain circumstances such as bankruptcy, unsound mind, and so on.

The commissioner's powers are that he shall have authority to deal with any industrial matter or dispute remitted to him by the court and in such matters exercise the functions of an industrial board, which as members may be aware, possesses the authority under Section 109 of the principal Act, to make awards in any industrial dispute remitted to it by the court and to make recommendations to the court for the purpose of enabling it to make an award; also to inquire into and report on any matter at the court's request.

The other provision is for the appointment of an assistant registrar of industrial unions. In fact there has been one for some time but he has not been duly and legally appointed and the Bill intends to ask for the authority to make that necessary appointment. The parent Act provides that the Registrar of Friendly Societies shall perform the duties of registrar of industrial unions. This provision is deleted by the Bill as the Registrar of Friendly Societies has not undertaken those responsibilities for many years. The duties of registrar of industrial unions are carried out by a full-time officer. The Bill is short and concise and has only three principles in it. If members desire any further information in the Committee stage, or to adjourn the matter, I would have no objection. However, I would point out that we may have some late sittings in future.

Hon. E. M. Heenan: Will the Commissioner have any special qualifications?

The CHIEF SECRETARY: No, no particular qualifications. I move—

That the Bill be now read a second time.

HON. H. HEARN (Metropolitan) [8.23]: I rise with a good deal of pleasure to support this Bill.

Hon. E. M. Heenan: You are not supporting the Bill!

Hon. G. Fraser: Not at last!

Hon. H. HEARN: Over a number of years I have seen the development of the work performed by the Arbitration Court. We all remember with a great deal of gratitude the work of the ex-President, Mr. Walter Dwyer. We already realise the marvellous job done by President Dunphy and we also look to the future when, during a rapidly changing period we have seen the evolution of the Commonwealth system of arbitration and conciliation commissioners. I think that those on both sides of the political arena would agree that the finest thing that could happen to our own State would be to ensure that Arbitration Court machinery is kept up to date and efficient.

The Government has done a wonderful job in introducing this Bill because in the industrial life of the community and for the development of this State it is something we need. A conciliation commissioner, as suggested, is necessary to keep abreast of the times. If we are to have in this favoured State of ours continued peace in industry, that can only be achieved by arbitration and more arbitration. It is difficult for men even to consider anything in the nature of a strike if they realise that any of their difficulties can be attended to promptly. The purpose of the Bill is to see that the waiting list of claims, which is unavoidable under present conditions, will be swept away by getting down to the job and using men who have a full knowledge of industrial conditions.

I am in full accord with the extension of the three year period as mentioned by the Chief Secretary. It has been my privilege to have quite a lot to do with the lay members of the Arbitration Court. In regard to the present occupants of these two positions I have come to realise the marvellous growth of their efficiency and their knowledge. I therefore consider that their appointment for five years is better than a three year period. I thoroughly support the Bill and congratulate the Government on being awake to the possibilities of the rapidly changing situation in these modern times.

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

BILL—HEALTH ACT AMENDMENT (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [8.25] in moving the second reading said: This Bill deals with an extremely important matter; that is, the question of tuberculosis. We will all agree that it is one of the most serious diseases in our midst that has to be combated. Strangely enough, the disease is one of the most readily curable when it is found in its early stages. Contrary to the old belief it is not hereditary, but it is infectious and can strike anyone at any age.

The stamping out of T.B. should be the concern of everyone. Tuberculosis is difficult to control because in its early stages it gives little or no warning of its presence. The Commonwealth has decided to initiate a campaign which calls for a great degree of co-operation between State and Commonwealth Governments for the purpose of controlling, and, if possible, eradicating this dread disease, which in Australia is by far the greatest individual cause of death amongst men and women in the prime of adult life, that is, between the ages of 20 and 40 years.

In the year 1946, the latest for which figures are available, tuberculosis was responsible for 27.6 per cent. of deaths from all major individual causes among people aged from 20 to 39 years. It caused more than twice as many deaths in this age group as did cancers and tumours, and exceeded by more than 50 per cent. the total of deaths from diseases of the heart and circulatory system among people of these ages. There are between 30,000 and 40,000 known tuberculosis sufferers in Australia. There may be many thousands more unsuspected cases. The disease in some forms is highly infectious.

The Commonwealth has based its campaign on Commonwealth-State co-operation and collaboration and it is desired that it should be worked on a uniform plan throughout the Commonwealth. The States will continue in control and utilise their existing organisation and facilities, expanding them to provide adequately for growing needs. The Commonwealth proposes in future to bear the whole of the costs of maintenance expenditure incurred by the States, if approved by the Commonwealth, in excess of a sum equal to the net maintenance expenditure incurred by them in diagnosis, treatment and control of tuberculosis during the financial year 1947-1948. In addition, it is understood, but not confirmed, that the Commonwealth will meet all capital expenditure. The Commonwealth will also bear the cost by reimbursement to the State of all new approved capital expenditure of the State from the 1st July, 1948, for land and buildings, furnishings, equipment and plant for use in diagnosing, treatment and control of tuberculosis.

There is a very real need to educate the public about the means to combat the spread of tuberculosis and of the value of early diagnosis and treatment. It is necessary to destroy the fear of the disease. I would like to stress that point. There is no need for that fear. It is also desirable to overcome the reluctance of some people to undergo radiological examination. Where necessary, proper control should be provided for such few of those persons who are affected by the disease and are in a highly infectious state to ensure that serious damage is not done by them to innocent persons. The maximum protection should be given throughout the community.

The object of the Bill is to enable the closest co-operation to be established with the Commonwealth in implementing the campaign against tuberculosis, and to take the necessary control to ensure that all reasonable protection is given to the community from such irresponsible persons who do not care whether they spread infection or not. At present, Wooroloo and the Tuberculosis Clinic are maintained and administered under the provisions of the Hospitals Act. The Bill provides for tuberculosis to be dealt with under the Health Act so that the necessary expenditure can be provided under that Act instead of under the Hospitals Act.

There seems to be very little difference as to whether it should be expended under the Health Act or under the Hospitals Act, but it is provided for under the Health Act in the other States and it is easier to deal

with the Commonwealth Health Act than the Hospitals Act. The Bill provides—

that the Governor may for the purpose of ascertaining the incidence of tuberculosis, the prevention, treatment and otherwise control of it—

(a) Establish and maintain a Tuberculosis Control Branch of the Health Department, and

(b) Hospitals and sanatoria for the treatment of cases.

This could not be so easily done under the existing Hospitals Act. Wooroloo Sanatorium and all future sanatoria will be administered under the sections of the Act. Provision is made for proper notification to the health authorities of any case of tuberculosis. Some of the provisions are already incorporated in Health Acts, but it is thought desirable to consolidate them in one part of the Act.

The Act provides that a person suspected by an approved medical officer of having tuberculosis may be required to submit to examination, if it is thought necessary. If in the opinion of the Commissioner a person is suffering from communicable tuberculosis and does not conduct himself so as to preclude infection by him of other persons, or if a person so suffering consumes to excess intoxicating liquor and does not voluntarily subject himself to proper treatment, or if a patient conducts himself in such a manner as is detrimental to the condition of other patients in the institution or, attempts to leave the institution, a complaint may be made against him, with the approval of the Commissioner or an approved medical officer.

The complaint is to be heard and determined by a magistrate under the provisions of the Justices Act. The magistrate may exclude from the hearing all persons and prohibit the publication of the proceedings at his discretion. If a complaint is established to the magistrate's satisfaction he shall adjudge the person a declared patient and order him to enter an institution and to remain there for such period not exceeding 12 months. Assuming the magistrate does order him to stay there for 12 months, if the medical man decides that he should and there is no further danger of his communicating the disease to other people then he may be released. If contrary to the terms of an order by a magistrate a declared patient does not enter into an institution, or having entered an institution does not remain there while the order is operative, he commits an offence and the magistrate may issue a warrant for the patient to be apprehended and conveyed to the institution where he may be kept in custody during the operation of the order.

There is provision for the order to be extended for a further period if necessary or the Commissioner may discharge the patient if he thinks his condition no longer requires him to remain. Power is given for the Governor to make necessary regulations for the purpose of carrying into effect the provisions of the Act. The Controller of Tuberculosis in Western Australia has reported to me that there is a small number of persons who cannot, or will not, conduct themselves in a way so as not to be a menace to the community. He says—

But there remains a small minority who cannot or will not conduct themselves in the interests of themselves or the rest of the community. These few, usually numbering about ten at any one time, constitute a serious gap in our defences against the disease. The chronic alcoholic, the mentally subnormal and the wilful anti-social persons are, by their homicidal lack of responsibility, a great menace to those who have to associate with them.

The restrictive provisions of the Bill have been devised to deal with those few. Although they are only a few, they constitute a serious menace to a large number of people. If the Bill is passed, I feel sure it will mark the opening of a strong campaign by the Commonwealth and States to stamp out tuberculosis and relieve a very large amount of suffering that is now caused by this disease. I think members fully appreciate the seriousness of tuberculosis and the urgent need for providing for the treatment of patients. For smallpox and other diseases, drastic action has to be taken, including the segregation of sufferers. I do not think that, under this measure, a great many people will have to be segregated in an unpleasant way. I commend the Bill to the House and move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [8.46]: Like many others I have hesitated to support the introduction of compulsion in the treatment of this disease. Members will recall that last year, when a measure of a somewhat similar nature was introduced, I objected on the ground that such powers should not be given to any department. I can assure members, however, that

this is a very different measure. During the interval since the introduction of the previous Bill, I have had an opportunity of discussing the subject at great length with Dr. Henzell, and we virtually drew up what we considered to be the minimum conditions under which the Act could be properly administered. In many respects, the Bill may not bear any similarity to the wording we at first contemplated, but I believe, after having made a careful examination, that it will achieve precisely what I and Dr. Henzell desire.

I feel that adequate protection is provided for the person who behaves in a normal manner. For the person who behaves in a careless manner so as wilfully or even carelessly to infect others, this Bill is necessary. I consider that that is the true way in which such powers of compulsion should be employed. I have therefore no hesitation in supporting the second reading. In almost every direction, it lays down what I believe are safeguards, even to the methods proposed to determine what may be regarded as reasonable evidence. On the reasonable evidence as provided for in the Bill, a person not suffering from tuberculosis would run no risk of being placed under restraint.

There are one or two points I should like to question in view of the altered wording. Under the definition clause "approved laboratory" is defined thus—

> A laboratory established and maintained with the approval of the Governor pursuant to the provisions of this Part.

I am wondering whether that will eliminate all possibility of examinations being made by skilled pathologists not in the employment of the Government and of their giving a patient a certificate that he is suffering from tuberculosis. The definition would suggest that the only laboratory that may give a certificate is the Government laboratory. On page 6 of the Bill, further reference is made to a certificate—

> signed or purporting to have been signed by the director of a laboratory established and maintained with the approval of the Governor.

So it would appear that only the laboratory conducted in the Royal Perth Hospital could give a certificate to this effect, whereas the examinations conducted by one of our pathologists would afford ample protection. We have in this city two qualified pathologists who do regularly for the profession examinations of sputum and other secretions for the tubercle bacillus. I should like the Minister to consider this point and say whether he is satisfied that in a measure designed generally to control tuberculosis, only one laboratory should be empowered to give such a certificate.

As to the rest of the measure, I feel that ample safeguards have been provided to deal with a person who behaves in an improper manner either outside or inside an institution. It becomes just as necessary to control a recalcitrant patient inside an institution or sanatorium as one outside, and clauses have been included for this purpose. As provision has been made for an appeal to a magistrate, I feel that an individual will have his redress at law.

There is only one other point I would query. After all my discussions with Dr. Henzell, I should like to be assured that there is no provision for a person suffering from communicable tuberculosis to be apprehended for any cause whatever without his behaving in such a manner as to bring him within the provisions of the measure. The proposed new Section 268E provides—

> (1) (a) When, in the opinion of the Commissioner or an approved medical officer—
>
> (i) a person is suffering from communicable tuberculosis and does not conduct himself so as to preclude infection by him of other persons, whether members of his family or not, with tuberculosis.

I have always maintained that such a person must be suffering from communicable tuberculosis and misbehaving to the extent of infecting other people. Subparagraph (ii) reads—

> a person is suffering from communicable tuberculosis and, having regard to his condition, consumes to excess intoxicating liquor or intoxicating or narcotic drugs.

I believe that in subparagraph (ii) there should be included the words that appear in subparagraph (i), "and does not conduct himself so as to preclude infection by him of other persons, whether members of his family or not, with tuberculosis." That is the whole object of the measure—to ensure that afflicted persons do not infect other people. I commend the Bill and hope the Minister will give the assurances for which I have asked.

HON. E. M. HEENAN (North-East) [8.55]: After a hasty perusal of the Bill, I consider that it represents a step in the direction of attempting to control this disease, which apparently, during recent years, has made such inroads into the general health of the community. Most of us hesitate to approve of any provisions that savour of compulsion in the treatment of sufferers, but on the other hand we have to ensure the greatest good for the greatest number.

I have known of a few cases where some control should have been exercised over individuals who had rendered themselves incapable of self-control by excessive indulgence in liquor. One man had been in and out of Wooroloo Sanatorium and on each occasion when he left the institution, he returned to Kalgoorlie and became a chronic alcoholic. He was frequently arrested for being drunk. Any layman can readily appreciate that this state of affairs is not right and that some measure of control should be exercised over such a person in the interests of other members of the community.

The proposed new Section 268E, which Dr. Hislop has questioned, seems satisfactory to me, but I shall be pleased to hear what the Minister has to say about it. I commend the Government for making what appears to be a sincere attempt to deal with the difficult situation that exists, and we all hope and pray that the efforts of the medical officers, on whom will devolve the responsibility of administering the Act, will meet with all the success they anticipate.

HON. G. BENNETTS (South) [9.0]: The Bill is a step in the right direction, although I do not like the compulsory setup. Many people on the Goldfields have been compelled to go to institutions, and they do not like doing that. Some have been receiving treatment in their own homes, and many such cases are kept separate from the rest of the people. They are well looked after. On one occasion, Mr. Heenan was booked in a cabin on a train, with a person suffering from T.B. Mr. Boylen and I happened to know the man, and we arranged separate accommodation for Mr. Heenan. There was no special accommodation for the sick man. Provision should be made for these people to be kept apart from ordinary passengers. I would like the debate adjourned so that we could look into the provision whereby sufferers from T.B. are to be sent compulsorily to institutions.

On motion by Hon. J. M. A. Cunningham, debate adjourned.

BILL—DOG ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER FOR AGRICULTURE (Hon. G. B. Wood—East) [9.2] in moving the second reading said: This is a fairly small Bill, and the majority of the amendments contained in it have been requested by various local authorities which have the somewhat troublesome responsibility of administering the Act. The first amendment is designed to assist owners of dogs and local authorities by defining the words "wandering at large." These words occur in Section 19 of the Act, which states—

> Any dog found wandering at large may be seized and kept by the police or any authorised officer of a local authority.

There has never been any satisfactory uniform interpretation of the words "wandering at large." In fact, attempts have been made in some centres to seize dogs which were in the company of their owners, the dogs not being under some specific type of control, such as a leash. A dog might be running 50 or 100 yards behind its owner, and it is regarded as wandering at large. To obviate these irritating occurrences, the Bill gives a clear interpretation of "wandering at large."

The Act provides that any person failing to register a dog shall be liable to a fine not exceeding £2, and not less than 10s. Members will, no doubt, agree that 10s. is a low enough minimum. Nevertheless, it has been found that justices on some occasions have exercised the power of mitigation given them under the Justices Act and have imposed fines of less than 10s. So small a fine would not act as a deterrent and, in fact, might encourage other persons to evade the law. The Bill, therefore, proposes that the mitigatory provisions of the Justices Act and the Criminal Code shall not apply, and that no lower fine than 10s. shall be imposed. The opportunity is also taken to improve the wording of this section without altering its intent, and also

to give courts power to direct an offender to pay the registration fee. The courts at present do not possess that authority.

In the past, a person could get away with paying a 5s. fine, and still not register the dog. In regard to the authority given by the Act to the police or authorised officers of local authorities to seize or keep any wandering dog, it is a fact that many local authorities have no official place in which to put the dogs, as the local authorities have not power to maintain pounds from their revenue. We must agree that pounds are essential to the conduct of a well-ordered municipality or road board, and so the Bill provides that dogs, when seized, may be placed in a pound established and maintained by a local authority. The provisions in the Act prescribing the procedure to be followed in disposing of arrested dogs are deleted by the Bill, which states, in lieu, that such dogs shall be held and disposed of in manner prescribed. The manner prescribed will be set out by regulations to be made according to the wishes of different local authorities.

I also point out that the Bill proposes to give local authorities power to make their own bylaws in relation to dogs. This procedure is much superior to laying down hard and fast rules in the Act. Some local authorities may want bylaws different from others. A local authority in the Kimberleys would not, perhaps, desire to have the same bylaws as would the road board at Peppermint Grove. At present, the Act gives owners or occupiers of enclosed land on which there are sheep and cattle, power to destroy, humanely, any stray dogs trespassing on their land. That is a wise provision.

The Bill proposes to extend this authority to owners of poultry. If the sheep or cattle-owner is allowed to kill a dog, so should the poultry-owner. When dogs get among sheep, they cause tremendous damage—perhaps hundreds of pounds' worth in one night. I have had unhappy experiences myself with native dogs, not dingoes, doing damage to sheep. I can visualise similar damage being done to poultry. A man who allows his dog to get among sheep miles from his home, does not deserve to have a dog.

Hon. G. Bennetts: Does this apply to residential property?

The HONORARY MINISTER FOR AGRICULTURE: Yes. If the hon. member saw a dog that was not licensed amongst his fowls at Kalgoorlie, he would have the right to get rid of it.

Hon. G. Fraser: And if it was licensed?

The HONORARY MINISTER FOR AGRICULTURE: I suppose he would not destroy it in that case. Most people, of course, would look for the owner if the dog had a disc.

Hon. L. Craig: It might not necessarily have a disc.

The HONORARY MINISTER FOR AGRICULTURE: Quite a large portion of the Bill deals with the right of the Governor to make regulations. The Act gives the Governor such power, but the Bill sets out the different items in detail. These mainly refer to the establishment and maintenance of pounds, and to the care and disposal of dogs placed in pounds. A most important item is the power to prohibit dogs from entering certain places, and from entering other places unless on a leash. Members will no doubt agree that there are many establishments, such as food stores, shops that sell vegetables, and so on in which, in the interests of health, dogs should not be allowed. These places will be specified in the regulations. We could not very well put into the Act all the places where dogs should not be allowed, so it will be done by regulation. The Bill is quite simple and we have all had practical experience of these things. I move—

That the Bill be now read a second time.

On motion by Hon. E. M. Davies, debate adjourned.

BILL—LAND ACT AMENDMENT (No. 1).

In Committee.

Resumed from the 24th November. Hon. J. A. Dimmitt in the Chair; the Honorary Minister for Agriculture in charge of the Bill.

Clause 5—Repeal and re-enactment of Section 33 (partly considered):

The HONORARY MINISTER FOR AGRICULTURE: I promised to get some further information on this clause, and I

have it now from the Lands Department, as follows:—

The purpose of the clause is to—

(a) Clarify and definitely lay down the various procedures for vesting, leasing or granting freehold title of lands in reserves to secure their use for the purpose for which they are declared, without altering any of the principles in the existing section, but which is not as fully explicit as is desirable.

(b) Co-ordinate at the one source—

Power to grant title to lands, in trust.

Power to authorise and control subletting.

Power to authorise and control mortgaging.

Power to free the trusts on default.

Under the Public Institutions and Friendly Societies' Lands Improvement Act, 1892, lands held in trust from the Crown by bodies of the type specified in the Act may be mortgaged with the Governor's consent and Parliament has already provided therein for the freeing of the trust.

Under the Associations Incorporation Act, 1895, provision is made for the mortgaging by an association of lands held in trust from the Crown, with the Governor's consent, but no specific provision is made in this Act for freeing the trust.

It is because of the lack of specific provision in these cases that mortgagees, press associations who have their mortgages dealt with by special Bills—not so much to obtain consent to mortgage, but to obtain provision for freeing the land of the trust should default occur.

Cases in point at present held up are the Soldiers' Memorial Institute at Narrogin and the Goldfields Fresh Air League (Esperance) and each is waiting to proceed with building operations but the mortgagees are not prepared to advance moneys owing to the lack of specific provision as to freeing of trusts.

Hon. L. Craig: That in effect allows them to mortgage the land for security.

The HONORARY MINISTER FOR AGRICULTURE: Yes. The document continues—

In practice (other than under Special Acts) mortgages are submitted to the Attorney General for his review before submission for the Governor's signature. In any case, if the Governor consents, the Crown cannot shut its eyes as a consenting party, to the risk which must be run for ultimate pressure for release of the trust should default occur and the consent of the Governor in Council to a transfer by a mortgagee with a request for freeing the trust could be expected and hardly refused.

The results, in the end, are the same whether Parliament itself handles the matter or not.

The purpose of the clause is therefore to establish a uniform method of all types of trust lands and one which faces up to the actual facts.

If Mr. Gray's suggestion is carried out we will be back where we were before.

Hon. E. H. GRAY: After listening to the explanation by the Honorary Minister for Agriculture I find it answers all my queries.

Hon. E. M. HEENAN: Apart from my Parliamentary duties, I am President of the Eastern Goldfields Fresh Air League. I made inquiries into the legal implications of the measure and I have been in communication with a high official of the Lands Department who gave me advice identical with that contained in the explanation given by the Honorary Minister. I think Mr. Gray was evidently under the impression that the Bill intended to take away from Parliament something that was its special prerogative. That is not the case. Under the Public Institutions and Friendly Societies Act of 1892 there is power to mortgage as there is also under the Associations Incorporations Act of 1895.

The situations as far as the Fresh Air League is concerned is largely a legal quibble which has been looked up by an eminent firm of solicitors in Perth, Stone, James & Company. This firm, which makes a specialty of conveyancing, seems to think that although the Associations Incorporation Act gives the Governor power to allow the land to be mortgaged, there is some doubt as to what becomes of the trust, and in case the society concerned makes default it is intended to clear up the legal doubt by this measure. As far as the Fresh Air League is concerned, the bank has granted an overdraft of £5,000 which has already been used. I hope the Committee will pass the Bill.

Clause put and passed.

Bill again reported without amendment and the report adopted.

BILL—ELECTRICITY ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th November.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [9.25]: This is a Bill to compel landlords to repair electrical fittings when they become dangerous, no matter what the cost may be. There

are many provisions to ensure that electrical fittings are in order. There is the Electricity Act and all insurance companies insist that the electrical fittings be in order before they will accept policies. The Bill purports to throw on to the landlord all the costs of repairs howsoever incurred.

In these days, when rents are pegged and landlords are tied down in every possible way, it does seem unfair that we should compel them, at a moment's notice, to put all the electrical fittings in order where they may or may not have been damaged through the negligence of the tenant. I think that the present law has acted quite satisfactorily and that there can be no danger. If there is a danger any reasonable landlord, in his own interests, will have the electrical fittings put in order so that he will save any loss by fire. Is the landlord to provide electricity? A Bill last session made provision that a landlord must have the house connected but it rests with the tenant as to whether he wants electricity. In these days, with so many electrical appliances such as irons, stoves, washing machines, wirelesses and so on, most tenants need electricity but it is rather hard on the landlord that he should have to keep this in order for him.

Hon. E. H. Gray: That is not mentioned at all in the Bill. It does not apply.

The CHIEF SECRETARY: I am not saying that he has to keep the appliances in order but he has to keep all the connections for them in good condition and they are abused even in careful households. It will often be found that the iron attachment gets out of order as well as various other attachments.

Hon. E. H. Gray: He would not have to do that.

The CHIEF SECRETARY: He would not have to worry about the attachment to the iron but he would be concerned about the attachment on the wall.

Hon. J. A. Dimmitt: The plugs.

The CHIEF SECRETARY: I think that is a matter that the tenants could look after and maintain. How is the Electricity Commission going to serve a notice on the landlord to rectify a dangerous electric connection if the Commission does not know where the landlord is? It is much easier, if there is danger in the wiring of premises, for the Electricity Commission to go along and give notice to the tenant that the electricity must not be used until the connections have been repaired. How can the Commission serve notice on the landlord? Perhaps he may be living in the country.

Hon. E. H. Gray: He would have an agent.

The CHIEF SECRETARY: It provides for an agent where an owner is oversea but there are many of them who live up in the hills and come down once a week or once a month to collect the rent. How can the Commission give notice to those people if they cannot be found? If one goes along to the Titles Office to make a search it is often found that the owner is in some distant part and that he has not altered his address on the title deeds. It may even be that he has sold the property and the new purchaser is not mentioned on the deed. There may be all sorts of difficulties. If notice is served on the tenant and it is something that the landlord should do, the tenant will very soon see that he does it in the same way as he does with locks and other household appurtenances. I consider this is a bad Bill and creates a rather strange principle.

HON. C. F. BAXTER (East) [9.30]: The provisions of the Bill are certainly dangerous. One would think, hearing all the talk about landlords, that they are completely bad. Many of them may have a couple of small buildings, upon the rents from which they depend for their livelihood. They do not get much for their properties in view of all the costs and restrictions imposed upon them. The average person who rents a building is certainly not careful, and the result has to be borne by the landlord, who has to shoulder a lot of expense during the 12 months. If there is the slightest thing wrong with an installation, this will mean bringing in an electrician and that costs a good deal, because their charges are very heavy. The Bill will serve to encourage people who are careless and destructive, particularly if they have a grievance against their landlord. The Bill will provide them with opportunities to incur additional expense. I could not support a Bill of this nature, the provisions of which are so unfair.

HON. G. FRASER (West) [9.32]: I support the Bill. It is astonishing how when a small Bill of this type is brought forward,

extraordinary objections can be raised. All this measure seeks to do is to safeguard tenants where the electrical equipment is faulty. The Chief Secretary asked how it would be possible to find the owner. Tenants are able to find their owners when they have to pay the rent.

The Chief Secretary: That happens once a month. When the equipment is dangerous, you cannot afford to wait for a month.

Hon. G. FRASER: The Bill provides for a time in which to serve notices upon landlords. Surely the tenant would be able to give information as to where the owner could be found.

The Chief Secretary: He would not know where the owner lived. He would only know that the owner called upon him.

Hon. G. FRASER: I do not suppose that more than one in a thousand would not know where the owner of the property lived. I can see nothing dangerous in the Bill at all.

Hon. C. F. Baxter: Many tenants know only the agent and not the owner.

Hon. G. FRASER: Agents will accept service on behalf of owners.

The Chief Secretary: They will not do that.

Hon. E. H. Gray: But they do.

Hon. G. FRASER: What about the rate notices? In the case of absentee owners, they are served on the agents who see that the rates are paid and generally look after the interests of the owners.

The Chief Secretary: If the rates are not paid, they attach to the land.

Hon. G. FRASER: That is so.

The Chief Secretary: There is nothing in the Bill to say that the cost of this work will attach to the land.

Hon. G. FRASER: The agent sees that the rates are paid. He has certain powers respecting the property and does what is necessary from the owner's point of view. The object of the Bill is to ensure that the electrical installations are safe. No harm will be done to the genuine landlord who will see that such matters are attended to.

The Chief Secretary: But the notices are to be served on the owner, not on the agent.

Hon. G. FRASER: Many such small difficulties can be easily overcome. If the Bill is agreed to, there will be no trouble about serving notices on owners. The tenants will help in that respect, particularly if the electrical installation is dangerous. There are many old houses in the metropolitan area that were wired many years ago. If an inspector were to walk into such places, the installations would be condemned straight away.

The Chief Secretary: This will not apply to those people.

Hon. G. FRASER: It will, if the electrical equipment is in a dangerous condition. Surely no member would suggest that defective electrical installations should be permitted to remain. All the Bill sets out to do is to give the Electricity Commission power to order work to be done when the electrical equipment is in a dangerous condition. The good landlord will look after such matters himself. Only the bad landlord will be affected, and I am surprised that some members would put up a case on such a person's behalf.

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

House adjourned at 9.35 p.m.