

Hon. E. H. Gray: If it was like a baker's oven there would be no difficulty.

Hon. J. NICHOLSON: The wood was piled inside the oven and beneath the body.

Hon. E. H. Gray: That is an old-fashioned baker's oven.

Hon. J. NICHOLSON: I believe that the furnace is still used by certain Asiatics who require that form of incineration for the bodies of their dead compatriots. They do not believe in burial. It has to be remembered that cremation is one of the oldest forms of disposing of the dead, far older than burying, the practice we adopt at present. Cremation dates back to very ancient times, and the history of it I found both interesting and enlightening.

Hon. L. B. Bolton: It is only a question of time when it will again be adopted.

Hon. J. NICHOLSON: By the legislation of 1929, we have enacted that no one shall carry out the disposal of the dead otherwise than by the method authorised by a crematorium, and there is no crematorium here. I am informed that it is the intention of a body of people to see that a suitable crematorium is erected, and that whatever is required will be carried into effect with that becoming dignity which is essential in such matters. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 8.20 p.m.

Legislative Assembly,

Wednesday, 11th September, 1935.

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

BILLS (4)—FIRST READING

- 1, Land Tax and Income Tax.
- 2, Financial Emergency Tax.
Introduced by the Premier.
- 3, Electoral.
Introduced by the Minister for Justice.
- 4, Mining Act Amendment.
Introduced by Mr. Marshall.

BILL—RURAL RELIEF FUND.

Recommittal.

On motion by the Minister for Lands, Bill recommitted for the further consideration of Subclause 1 of Clause 4.

In Committee.

Mr. Sleeman in the Chair; the Minister for Lands in charge of the Bill.

Clause 4—How fund controlled:

The MINISTER FOR LANDS: Last evening the Committee favoured the principle of appointing a farmer in lieu of the Director.

Hon. C. G. Latham: You mean some did.

The MINISTER FOR LANDS: The Committee did. A correction is necessary because there might be some doubt as to the appointment of a farmer. I believe he could be appointed by regulation, but to remove the doubt I move an amendment—

That Subclause 1 be struck out with a view to inserting the following:—“(1) The fund shall be under the control of three trustees who shall be appointed by the Governor. One at least of such trustees shall be a farmer.”

Hon. C. G. LATHAM: I admit that some alteration is necessary. As the subclause reads at present, it would be impossible to interpret who was to appoint the farmer. The Minister has told us that he proposes to deprive the farmers of the services of the Director. Does he intend to appoint the Director as one of the trustees?

The MINISTER FOR LANDS: I am not entitled to make any promise in that regard. The appointment must be made by Cabinet. Last evening a desire was expressed that a farmer should be appointed as one of the trustees, and I agreed that a farmer should take the place of the Director.

Hon. C. G. Latham: That was not the amendment of the member for Avon.

The MINISTER FOR LANDS: No, it was my amendment. In order to give the member for Avon what he wanted, I agreed to substitute a farmer for the Director. There are 22,000 farmers in this State who, in order to get to the trustees, must first make application to the Director. Under the Farmers' Debts Adjustment Act administered by the Director, there are over 600 farmers, and that work is one man's job. Now it is suggested that we should have the Director as one of the trustees, a Director who has to receive the applications of 22,000 farmers, or more if the beekeepers wish to come in.

Mr. Marshall: They will whip the sting in.

The MINISTER FOR LANDS: That is more than one man's job.

Mr. Marshall: It should really be the other way about. His responsibility will be greater than that of the trustees.

The MINISTER FOR LANDS: If any man wants more work than that, he must be a tiger.

Mr. Hawke: Do you expect that all the farmers will apply?

The MINISTER FOR LANDS: I expect that the great majority will apply.

Mr. Hawke: Your choice of a farmer as a trustee will act as a lure.

The MINISTER FOR LANDS: I admit that. The hon. member is not entitled to ask whether the Government intend to appoint the Director or the manager of the Agricultural Bank, but we have agreed to appoint a farmer.

Amendment (to strike out words) put and passed.

The MINISTER FOR LANDS: I move an amendment—

That the following be inserted in lieu of the words struck out:—“(1) The fund shall be under the control of three trustees, who shall be appointed by the Governor. One at least of such trustees shall be a farmer.”

Hon. C. G. LATHAM: I fear that some members of the Committee may think this side of the Chamber was responsible for putting the Director in the measure as originally framed. The Minister himself put the Director in, and must have had a reason for doing so. We agreed with his argument at that time, when it was sound; but to-day it is not sound. The 600 odd farmers mentioned as being under the Director's control have not come about since the measure was framed, but were in existence previously; and therefore that argument is belated. The Minister whetted our appetite by telling us that he proposed to put in the Director, that officer being acceptable to this side because, to begin with, of his knowledge and experience in relation to the accounts of some 600 farmers. Now we merely ask the Minister whether he proposes to put the Director in again. The Minister replies that we have no right to ask him that question. I consider we have such a right, especially as the Minister originally put the Director in the measure. The reasons alleged by the hon. gentleman against putting in the Director existed when he himself put him in. In this case I am not going to be responsible for the majority—who are not always right—for in this case I consider they are wrong. The measure would be far better administered if administered by someone possessing the experience of the Director.

The MINISTER FOR LANDS: In this matter the Minister has not changed his mind, nor have the Government. Last night I accepted an amendment from the Opposition. The Opposition's argument now is futile. I have given this matter much thought. Never have I been too well satisfied with the Director's position in this respect. I accepted the Opposition's amendment last night because I thought it was a proper one.

Hon. P. D. FERGUSON: The way the Committee left the clause last night is absurd. It had to be recommitted in order to be made to read sensibly. I appreciate

the Minister's willingness to meet the member for Avon by providing for the appointment of one farmer. Though the Minister has no compunction about hurling epithets like "hypocrisy" at this side of the Chamber, I do not question his honesty of purpose. If he is honest and sincere, he will accept an amendment adding the words, "One of such trustees shall be a farmer, and one shall be the Director." Will the Minister accept that amendment? In the Bill as passed yesterday, there are various references to the Director, including a definition of the term. What is the use of that if the Director is not to be a member of the trust? I move an amendment on the amendment—

That after the word "farmer" there be inserted "and one shall be the Director."

The MINISTER FOR LANDS: I must oppose the amendment. The member for Avon last night voted against an amendment expressing his wishes. The hon. member did not know his own mind.

Opposition Members: Yes, he did.

The MINISTER FOR LANDS: The Government are reasonable, saying, "Yes, we will accept the farmer."

Hon. P. D. Ferguson: Cannot we have the farmer, and the Director too?

The MINISTER FOR LANDS: The Director's present job is one man's big job.

Mr. DONEY: What the member for Avon wanted was both the Director and the farmer. The Minister then gave the Committee a choice between the Director and the farmer, but followed that up by insisting on our choosing the farmer. That does not suit us at all. We want the Director before we want the farmer; we want the Director at any price. The reason given by the Minister for not putting the Director among the new trustees is that he has too much work already, but all the heavy work connected with the accounts of the 600 odd farmers has been done now. Moreover, the Director now has a competent assistant, who could free him for the far more important work of the new board of trustees.

Mr. RODOREDA: I would like your ruling, Mr. Chairman, as to whether the amendment is in order, seeing that the Committee definitely decided last night that the Director was not to be a member of the board of trustees.

Mr. CHAIRMAN: The amendment is quite in order.

Hon. C. G. LATHAM: The Committee passed the portion of Subclause 1 dealing with the Director, and had reached the stage where the member for Avon moved an amendment in a later portion of the clause. The Minister then said he desired to move an amendment further back. It was in the hands of the member for Avon to withdraw his amendment or to persist with it.

The CHAIRMAN: I do not think there is any use in discussing that aspect.

Hon. C. G. LATHAM: The Committee had at that stage agreed to accept the Director.

The Minister for Lands: No. That is stupid.

The CHAIRMAN: The Minister was, in the circumstances, quite in order in moving as he did.

Hon. C. G. LATHAM: I was of the opinion that the Committee had at that stage approved of the Director being included.

The Minister for Lands: That is wrong.

Hon. C. G. LATHAM: The Minister did the right thing in putting in the Director. Now the hon. gentleman is proposing to weaken his Bill. That will be the effect of carrying the amendment. The Minister's present attitude is not reasonable, and in the circumstances he will have to carry the burden of the responsibility.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	18

Majority against 4

AYES.

Mr. Brockman
Mr. Ferguson
Mr. Keenan
Mr. Latham
Mr. McLarty
Mr. North
Mr. Patrick

Mr. Sampson
Mr. Seward
Mr. J. M. Smith
Mr. Thorn
Mr. Watts
Mr. Welsh
Mr. Doney

(Teller.)

NOES.

Mr. Collier
Mr. Fox
Mr. Hawke
Mr. Hegney
Miss Holman
Mr. Johnson
Mr. Marshall
Mr. Millington
Mr. Needham

Mr. Nulsen
Mr. Raphael
Mr. Rodoreda
Mr. Troy
Mr. Willcock
Mr. Wilson
Mr. Wise
Mr. Withers
Mr. Wansbrough

(Teller.)

AYES.	PAIRS.	NOES.
Mr. J. H. Smith	|	Mr. Muloney
Mr. McDonald	|	Mr. Munsie
Mr. Boyle	|	Mr. Coverley
Mr. Warner	|	Mr. Cunningham
Mr. Mann	|	Mr. F. C. L. Smith
Mr. Stubbs	|	Mr. Cross

Amendment on amendment thus negatived.

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

Bill reported with a further amendment.

BILL—CREMATION ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it had agreed to the Assembly's request to resume consideration of the Bill.

BILL—NORTHERN AUSTRALIA SURVEY AGREEMENT.

Returned from the Council without amendment.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Received from the Council and read a first time.

MOTION—SECESSION DELEGATION.

As to Consideration of Report.

Debate resumed from the 4th September, on the following motion by Mr. J. M. Smith:—

That the House take into its consideration the report of the Secession Delegation.

HON. C. G. LATHAM (York) [5.4]: Mr. Speaker—

Mr. SPEAKER: Does the hon. member intend to second the motion?

Hon. C. G. LATHAM: Yes, I second it. The motion is not as wide as I would like, for I would have preferred it to be such that we could have engaged in a full-dress discussion on the report. The motion will afford the House an opportunity to express an opinion regarding the work of the delegation.

Point of Order.

Mr. Marshall: On a point of order, Mr. Speaker, I desire your ruling as to

whether it is competent for the House to discuss the report of the Secession delegation without a vote being taken first to decide whether they will take the matter into consideration.

Mr. Speaker: It is not in order, but the mover and seconder of the motion have the right to give reasons why the report should be considered. After the Leader of the Opposition, in his wisdom, has given his reasons, a vote will be taken to decide whether the House will consider the report. The Leader of the Opposition is in order.

Hon. W. D. Johnson: Make it short.

Mr. Marshall: No reasons were given by the member for North Perth (Mr. J. MacCallum Smith) who moved the motion.

Debate Resumed.

Hon. C. G. LATHAM: The motion provides an opportunity to place before the House reasons why the report should be taken into consideration. It will also give us an opportunity to congratulate members of the delegation who proceeded to London and carried out this work on our behalf. I am particularly anxious to submit my views to members so that, should this matter be further considered, they will have the advantage of the knowledge I gained while in London. I found amongst many people in the Old Country keen disappointment because the House of Lords and the House of Commons had not given consideration to the report of the Joint Select Committee appointed by both Houses of the Imperial Parliament. I pay a tribute not only to the work the delegation carried out regarding the secession issue, but to the efforts they made on behalf of Western Australia in other directions.

The Minister for Justice: You did that too.

Hon. C. G. LATHAM: The point I want to make is that the time of the delegation was not entirely taken up with regard to secession. I met a number of members of the House of Commons, and I am of the opinion that had that House an opportunity to consider the report of the select committee, a favourable motion would have been carried by the Commons. I do not know what the feeling was in the House of Lords, but some members of that Chamber expressed to me much sympathy with regard to Western Australia's difficulties.

Mr. Marshall: Good lords!

Hon. C. G. LATHAM: The reason for that arose from the manner in which the case for Western Australia was submitted, and the work carried out by members of the delegation. If the House should agree to discuss this matter further, we should place on record our thanks to members of the delegation and, in addition, to those who assisted in the work in London on behalf of Western Australia. It is clear that we all share the disappointment of the delegation regarding the inconclusive end to the task they set out to accomplish. An important constitutional point arises as a result of our experience regarding the Secession petition. I refer to the right of States and provinces in Dominions to approach the Crown or the Imperial Parliament. If the decision regarding the Secession petition is to be accepted, it means that we are deprived of the right to approach the Crown, and that, obviously, makes us inferior to a Dominion Parliament. We, as a State, have our sovereign rights, and it seems extraordinary that Western Australia, after holding a referendum of the people who, by an overwhelming majority, decided upon a certain course, should be unable to submit a petition to either House of the Imperial Parliament. It was admitted by the Joint Select Committee of the Imperial Houses of Parliament that the meanest of Britain's citizens has the right of appeal to the Crown or to either House of the Imperial Parliament. In this instance, the Government of Western Australia, after giving serious consideration to the matter and passing a Bill through both Houses of Parliament, that Bill having been subsequently assented to by His Majesty's representative in this State, are deprived of the right that belongs to the meanest citizen in the Empire. That raises a most serious constitutional point, and it is the first time that such a course has been followed. In effect, the Joint Select Committee said that we were legally within our rights. In Appendix 4 of the papers tabled by the Premier—the appendix really constitutes the report of the select committee—members will see that a most important position is disclosed. I want to show that our petition to the House of Lords and to the House of Commons was justified, because there was no other way open to us by which we could secure redress from the Crown. I propose to read paragraphs 6 and 7 of the report to show

what the Joint Select Committee had to say regarding the matter I have in mind. Those paragraphs read—

6. The essence then, of the proposed Bill is that the Parliament of the United Kingdom should by its enactment enable the secession of the State of Western Australia from the Australian Commonwealth. So to enact is within the legal competence of the Parliament of the United Kingdom, and of that Parliament alone. Chapter VIII. of the Constitution enacted under Sections 1 to 9 of the Commonwealth of Australia Constitution Act, 1900, provides for machinery for the alteration by the people of Australia of the "Commonwealth Constitution" as embodied in those sections. But there is no provision in the Act for the amendment of the sections of the Act which created the Commonwealth as one "indissoluble Federal Commonwealth under the Crown." The Act gives no power to any State to secede. The Commonwealth itself has no power to amend the Constitution to the extent of enabling any State to secede. It is only by legislation in the Parliament of the United Kingdom, therefore, that the dissolution of the Commonwealth or the secession of any of its constituent parts can be effected.

7. It is, however, a well established convention of the constitutional practice governing the relations between the Parliament of the United Kingdom and other Parliaments of the Empire, that the Parliament of the United Kingdom should not interfere in the affairs of a Dominion or self-governing State or Colony, save at the request of the Government or Parliament of such Dominion, State or Colony, that is to say, in effect, that interference should only take place at the request of such Dominion, State or Colony speaking with the voice which represents it as a whole and not merely at the request of a minority. That rule was well established before 1900, and has been consistently acted upon as an undoubted Constitutional convention. It is not necessary to refer to the numerous authoritative declarations of the principle, which must be regarded as fundamental in these matters.

We have done exactly what they asked us to do. The State Parliament, not by virtue of the voice of a minority, but of that of a large majority of the people, asked the Imperial Parliament to give consideration to our position. Evidently the members of the Joint Select Committee laboured under a misconception.

The Minister for Justice: But the voice was a minority of the people of the Commonwealth of Australia.

Hon. C. G. LATHAM: That is quite different.

The Minister for Justice: That is the point of view they stressed.

Hon. C. G. LATHAM: Yes, they adopted the wider view. But if a State should be treated as Western Australia considers

it has been treated, and that is the view of the vast majority of the people of the State, their views should be considered.

Hon. P. D. FERGUSON: The people of the rest of Australia have not expressed an opinion on the matter.

Hon. C. G. LATHAM: The wording of the paragraph I have read, clearly sets out that they have no power in the matter.

Mr. Raphael: When do you propose to give some reason?

Hon. C. G. LATHAM: The hon. member should be patient.

Mr. SPEAKER: Order! The Leader of the Opposition will address the Chair.

Hon. C. G. LATHAM: The facts I am dealing with furnish reasons why we should give consideration to the report. The delegation in their report have set out clearly the rights that we have, and the only persons who can rectify the wrongs from which we suffer are those comprising the Parliament of the United Kingdom. In effect, the delegation were told, "Legally you are entitled to send these petitions to the House of Commons and the House of Lords, but, from a constitutional point of view, we think it is unwise for you to do so." I am sorry, and I know I express the regret of many members of the House of Commons, that the House of Commons was not given an opportunity to discuss the report of the joint select committee. If that opportunity had been furnished we would have heard the views of the men who are the only people legally entitled to do what we ask.

Mr. Hawke: If a majority of members of the House of Commons wished to discuss it, could not they have moved accordingly?

Hon. C. G. LATHAM: They have no private members' day there as we have here, and towards the end of the last session of the Parliament they have, of course, a very busy time. Although several members of the House of Commons put questions to the Prime Minister, he said that for want of time he was unable to give them an opportunity, but that the question might be discussed when the Estimates were before the House. However, that of course would not give an opportunity for getting expressions of opinion on points

such as are contained in the Case for Secession. I am wondering how this is going to affect the sovereign right of this State and of every other State or Province in the Empire. It is going to limit our sovereign right and we ought to go to any length to maintain that right. It was admitted by the joint select committee, notwithstanding which all the time the delegation put in seems to have been ineffective because the House of Commons was unable to find time for the discussion. There might have been a chance if their present session were not the last session of the Parliament, because the Parliament will be proroguing shortly and the general elections will follow, which will mean of course that the report will be laid aside for all time.

Mr. Withers: What about making it an election cry?

Hon. C. G. LATHAM: The hon. member can do that at the next general elections if he desires, but I can assure him that if he does, we over here will take the side of the majority. I am anxious that we should not give away the sovereign power we have to-day. We have powers equal to those of the Federal Government, just as the Canadian provinces have powers equal to those of their Dominion Government, and we should jealously guard those powers. It is extraordinary if a State or Provincial Government cannot approach the House of Commons on the same conditions as the meanest of our citizens can. Mention has been made of the cost of the delegation. I do not think it cost a great deal of money at all. I saw the replies given to a member of this House, and from my experience in London I know that the delegation did all in their power, and travelled to Manchester and other places so as to get the necessary influence behind them. I am convinced that it cost the members of the delegation a great deal more than the State allowed them for expenses. It is extraordinary that on an important matter such as that they went to London about, and the far-reaching effect it would have had if they had been successful, we should try to judge the result by pounds, shillings and pence. The work put in by that delegation has convinced me that we should still continue the fight. I believe the Imperial Gov-

ernment cannot stand up to the recommendations of that joint select committee.

The Minister for Justice: But the Imperial Government rendered some assistance.

Hon. C. G. LATHAM: I do not think any assistance was rendered by the Imperial Government. The Secretary for Dominion Affairs did not even reply to letters. It was a very important delegation, representing both the Parliament and the people of this State, yet that gentleman did not give consideration to an important request as courteously as he should have done. We ought not allow the matter to lapse by simply accepting this report. There is no doubt that if this is to be the final decision the smaller States, not only of Australia, but of the Dominions, are going to suffer materially. It means that the control of the Dominion Governments over the States and Provinces will force them into great difficulties.

Mr. Raphael: Alberta has solved the problem.

Hon. C. G. LATHAM: We do not know that, but I know there is a great deal of discontent in Canadian provinces situated similarly to Western Australia. In the case submitted I notice they quoted the petition lodged by Nova Scotia in the early days of the federation of Canada, and I know that one of the western provinces is very dissatisfied with the treatment it is getting. Of course a mistake was made when we provided in the Constitution that the High Court should decide any dispute between the States and the Commonwealth.

The Minister for Justice: And between themselves.

Hon. C. G. LATHAM: Yes, and not allowing a State to appeal to the Privy Council except with their approval. Of course they are not likely to appeal to the Privy Council unless there is divided opinion in the High Court itself. So we are placed at a great disadvantage in that we are not permitted to do what our own citizens may do, namely appeal to the Privy Council. Here on a constitutional matter we are not permitted to appeal, and so our difficulties are very much greater because of that statute bar. These are very serious matters and the smaller States have no chance of getting their grievances rectified by constitutional means. Some time ago it was sug-

gested that there should be a constitutional convention, but the Attorney General of the day declared there was no power to convene such a convention. So what can a State like Western Australia do to try to rectify its grievances? Nothing at all, and when we use the only means admitted by the joint select committee of the two Houses of the Imperial Parliament, they deprive us of the right for constitutional reasons. It strikes me the Commonwealth Government not only have tremendous influence here, but have also an unfair influence abroad. I hope this report will not just simply lie dormant on the Table of the House. The people of the State knew what they were voting for at that referendum, and they know the Government of the State have done their best to give effect to their wishes. As to the delegation, I do not know of any other men who could have done the work as well as the delegation did, nor any that could have done the work so cheaply. Apart from the primary work of the delegation, they did a great deal of good for Western Australia whilst in England: indeed they put Western Australia on the map. Whenever I was introduced at any important function, the remark was "Oh, yes, Western Australia. You are the people who have a grievance against the Commonwealth." So the State was well advertised by the delegation, and moreover the work done by the delegation was applauded by the people in the Old Country. I think we in this House should at least tender our thanks to the members of the delegation for the work they did.

Mr. Raphael: How about getting Mr. Watson into Parliament?

Hon. C. G. LATHAM: I only hope he will stand for Victoria Park and replace the hon. member. If Mr. Watson could do as good work in this Parliament as he did overseas, he would be an acquisition to the House. I not only tender my thanks to the delegation, but I also congratulate them on the work they did, and I sympathise with them in their disappointment. I will second the motion.

Question put and passed.

On motion by Mr. Sampson, consideration of the report made an Order of the Day for the next sitting.

BILL—FORESTS ACT AMENDMENT.*Second Reading.*

Debate adjourned from the 27th August.

MR. STUBBS (Wagin) [5.27]: The Bill deals with sandalwood. I wish to express my regret at the paucity of the fund—£700—left for the propagation of this wonderful wood. It is well known that 40 years ago thousands of tons of sandalwood were taken from broad areas throughout almost the whole length of the Great Southern. It was quite a huge trade and many men were engaged in it. I have been told on excellent authority that as many as 40 or 50 eight-horse wagons were used for transporting the sandalwood obtained along the Great Southern, principally at Narrogin, Wagin and Katanning, for export to China. Even now there are evidences of sandalwood to be found in those districts when men in ploughing, root out sandalwood stumps. In answer to a question of mine in the House, the Premier said it was found that the reforestation of sandalwood was a very slow process and that the experiments tried in various parts, including the Great Southern, were not successful, due to various causes, one of which was the devastation created amongst the young plants by rabbits. It is a great pity this valuable sandalwood should be allowed to die out, because in a few years the men engaged in the cutting of sandalwood will have to go hundreds of miles away from civilisation in order to earn a decent livelihood. I hope when the Forests Department estimates are before us members will have something to say concerning a vigorous policy in the future for the establishment of suitable areas of young sandalwood trees. When, some 30 years ago, I was instrumental in establishing an 8,000-acre property in the Wagin electorate, I noticed a few trees that had been left by sandalwood getters when they were clearing the district of timber. I have an idea that the sandalwood in that part of the State grew where it had the most suitable hosts. It was generally found in thickly timbered country, and it was where the timber had been thickest that the largest roots of sandalwood were found on my property.

The Minister for Justice: In the jam country.

MR. STUBBS: Yes. I think sandalwood requires certain hosts.

The Minister for Justice: It is a parasite.

MR. STUBBS: It thrives on other trees. When the opportunity occurs, I certainly hope members will assist me in endeavouring to launch a vigorous policy of reforestation of this valuable timber. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—TRAFFIC ACT AMENDMENT.*Second Reading.*

Debate resumed from the 4th September.

MR. DONEY (Williams - Narrogin) [5.35]: Judging from the final entry on today's Notice Paper, it would appear that both the Bill and the attitude of the Minister in charge of it on this question have very radically changed since last week. The principal provision in the measure has been torn out, and what remains of it is not of a great consequence one way or the other. On Thursday last the Minister brought down a Bill dressed up to look like a respectable measure to reform the traffic laws, but according to those who were most affected by the legislation, and most qualified to judge it, this is a taxing instrument in disguise. Those who hold that view are entirely justified in doing so.

Hon. P. D. Ferguson: It has lost its respectability now.

MR. DONEY: I would not like to say that. It is claimed by the owners of motor vehicles that, had the Bill been passed in its present form, they would have been penalised to the extent of over £10,000 per annum. All the available evidence tends to show that that claim is substantially correct. Public opinion was dead against the Minister. Most members, I think, upon noting the main contents of the measure, formed the opinion that the Minister could not have had time fully to probe into the effects of his proposals. It is well known that he is particularly busy, and is working long hours, and doing a

great deal of work which ordinarily his incapacitated colleague would be doing. It is obvious that he has been prevented from giving to the Bill that attention which it really needed.

Mr. Thorn: Ministers are allowed to change their minds.

Mr. DONEY: We have had plenty of evidence of that recently. I agree with the two Ministers concerned that when it is discovered that something is wrong, it is only common sense to alter it. Members will have noticed the public outcry against this Bill, and will doubtless agree it is quite right that the Minister should not ignore it. He has not ignored it. Very strong pressure was brought to bear upon him by the president of the Royal Automobile Club. Yesterday's "Daily News" would make it appear as if that pressure had been too strong for the Minister. The paper in question, however, contains one paragraph to which I take exception. Under the heading of "United Action is Urged," and in an article that is apparently written by Mr. J. R. W. Gardam, president of the Royal Automobile Club, the following lines appear:—

It is only by making a united stand that motorists can compel the Government to respect their opinion.

Plainly, he thinks he can coerce the Minister. I do not think he can. I shall be interested to hear what the Minister may have to say upon that point.

Hon. P. D. Ferguson: He has already said it.

Mr. DONEY: The reason given by Mr. Gardam, I hope is not the reason why the Minister intends to withdraw Clause 26. The president of the club used the word "compel," to which I take exception. I do not think he can compel this or any Government to do anything, unless their own common sense tells them it is a wise thing to do. The reason why Mr. Gardam and those associated with him succeeded in their objective with regard to the retention of the Dendy-Marshall formula was because they had a strong case, and were entitled to succeed.

Mr. Moloney: What is the formula?

Mr. DONEY: Ask me another! He would be an unkind person who would ask anyone to say precisely what that formula is, but the Bill clearly indicates that it

as well as the English R.A.C. formula, is very involved. I support Mr. Gardam's contention as to the undesirability of substituting the English R.A.C. formula for the existing one, but I cannot support him in the conclusion he draws from the fact that he won his little argument with the Minister in the Press. The Minister has decided to delete Part III. of the Bill. I am very glad he has come to that conclusion. The decision will mean the retention of the Dendy-Marshall formula, and the retention of the license fees at the rates at which they stand now. I am pleased the Minister has signified his intention to withdraw this obnoxious section of the measure. He showed his generalship in retiring from a position which it was impossible for him to hold. Generally speaking, it can be conceded that what is left of the Bill embodies an attempt to strengthen the weak parts of the Act. To the extent that the Minister pursues that objective, he is entitled to succeed. That does not mean I think the Bill is even yet acceptable. It is not acceptable. In Committee I shall object to quite a number of clauses that are likely to have a prejudicial effect upon country interests. Insofar as the Minister seeks to bring down legislation to control jay-walkers, pillion-riders, and the very detestable hit-and-run motorist, he will receive my support, and no doubt also the support of every member. Most of us will be inclined to join with the "West Australian," which a few days ago expressed the opinion that the proposed penalty might well be far heavier than it was designed to make it. The Minister's dilemma with regard to the Dendy-Marshall formula may be regarded as a good argument for resuscitating the old traffic advisory board. Such a board did excellent work in an honorary capacity. It was brought into being in 1926 by the then Minister for Works. It comprised persons drawn from the Main Roads Board, the Local Government Board, the Traffic Department, the Royal Automobile Club, the Perth City Council, and the Road Boards Association. I take it that each of these bodies was represented by one man. It was a well-balanced body. If the Minister for Works of that day had still been a member of this House, I am sure he would have been very ready to support the suggestions for the re-formation of that body. I have here a letter from the office of the Minister for Works supporting that conten-

tion. It is addressed to the secretary of the Royal Automobile Club, St. George's-terrace, and reads—

A Bill providing for certain amendments to the Traffic Act is now before Parliament, and provision is made therein for the making of additional regulations relating to traffic. In anticipation that this measure will be passed by Parliament without material alteration being made, the Minister has decided to constitute a committee, such committee to sit at the earliest possible moment, and to (a) revise all the existing regulations, and (b) submit proposals in regard to the making of additional regulations.

It concludes by saying, "We recommend that the committee be constituted as follows," and then is given a list of the public bodies and persons I have already mentioned. This would be a very opportune time to appoint the board, because I understand the police intend to submit quite a number of amendments to the Act as well as regulations for the consideration of the Government. This is just the time to reconstitute the board, and I submit also that particularly is this necessary in view of the alterations which have become essential as a result of the appointment of the State Transport Board. In conclusion I should like to submit for the Minister's consideration the recommendation that the Government be requested to establish an honorary traffic advisory board for the purpose of reviewing all regulations before they are forwarded to the Minister for approval.

HON. N. KEENAN (Nedlands) [5.50]: In this Bill, from end to end, since the elimination of the provision to increase the license fees, there are no provisions of any importance. One of the most important and which should have been regarded as most urgent for consideration should have been a provision against liability of the person who sustains serious personal injury as a result of careless driving. I can quite understand to some extent why this matter has not been dealt with. It is a question of considerable complication as well as of considerable importance. It is well known to almost every member of this House that over and over again either some man, woman or child is injured in a very grave degree, and that the party driving the motor car or lorry, or whatever the vehicle might be that caused the accident, is a person of straw and so no compensation whatever can be obtained.

Therefore it is absolutely necessary at the earliest opportunity that we should enforce compulsory third party insurance on the part of every driver. With the elimination of that portion of the Bill dealing with licenses, it is difficult to see that what is left constitutes anything of much importance. In one sense the Bill seems to have been designed to tighten up the use by the public of the conveniences offered to them by the Government for conveyance of themselves and their goods. Under the existing law a motorist can give a lift to any person at all, provided that the lift is not given for hire or reward. Now it is proposed to strike out those words, and a motorist will be prohibited, except in certain circumstances, if the Bill becomes law, from giving a lift to any person travelling in the same direction, although his offer may be made without any intent whatever to receive a reward. Now it is proposed to confine this to the owner, or to the wife, husband or child of the owner. This will coerce certain people, who otherwise might get a gratuitous service, to pay for their conveyance, by whatever means. There is also a change made in the case of clergymen. Under the existing law, a clergyman is free from any obligation to pay a license fee if he owns a car. Now it is proposed to confine him to using the car in connection with his pastoral duties. It seems to me it will be extremely difficult to define the qualifications of a minister using a car for pastoral duties. It is part of his duty to travel over the parish or district of which he has charge, and who would say that he is not always in some way, directly or indirectly, carrying out his work as a clergyman? But to saddle him with the liability of having to pay a license fee unless he uses his car solely for pastoral duties seems to be tightening up the law unnecessarily.

Mr. Wansbrough: He could use the car for going to his farm.

Hon. N. KEENAN: I am not aware that clergymen combine their pastoral duties with farming. There might, of course, be a single instance, but why should we alter the law because of one instance? It will be extremely difficult to define what are pastoral duties. By making this alteration, no useful result at all will be achieved. With regard to the load capa-

city of trucks used on public roads for the carrying of goods, again it seems to me it will be most difficult to police the Act. How will it be possible in some places to weigh the goods and so determine the load?

Mr. Marshall: They now have the apparatus with them.

Hon. N. KEENAN: I was not aware of that. Then there is a further provision which will lead to considerable irritation. This is that a trade disc issued to dealers in motor cars must not be used on a holiday. To prohibit the use of the disc on a Sunday may be quite proper, but the proposal goes further; it prohibits its use on a holiday, and yet we know that on many occasions a holiday would be the only chance for a possible buyer to go out and test a machine. Why should we prohibit that? There are many holidays which a working man observes under an award of the court, but there are bank and other holidays. Therefore why should we harass the trade by making it illegal to use the disc on such days? With the exception of these small matters, nothing can be found in the Bill of sufficient importance to warrant opposition to it. Power is to be taken to control pedestrian traffic. That might be said to be of some importance, but it is doubtful whether the power does not exist to-day. It is not in the taking of the power that the importance lies, but in the manner in which it is enforced. We all know that the police refuse to allow pedestrians to walk along certain parts of the footpath, but if the proposed power is given, it will mean greater difficulty in protecting the public who will cross at all kinds of angles and make a perfect maze. I venture to say that if on a Saturday morning we took a photograph of the busy part of Hay-street and that photograph were shown in other parts of the world, what actually takes place would scarcely be believed. The photograph would reveal women and children and perambulators crossing at all manner of angles and motor cars trying to make their way down Hay-street.

Mr. Hezney: Perambulators are more important than motor cars.

Hon. N. KEENAN: Certainly, but if we wish to protect the perambulators, we should require them to cross the road where there was the least risk. In any case, I hope that the power it is proposed to take will not

become a dead letter. That is all I desire to say. There are a number of clauses proposing small amendments which may not be acceptable to the House, and some of which are not acceptable to me.

MR. SAMPSON (Swan) [6.0]: I move—That the debate be adjourned.

Mr. Marshall: What are you here for? Let us get on.

Motion put and negatived.

THE ACTING MINISTER FOR WORKS

(Hon. H. Millington—Mt. Hawthorn—in reply) [6.0]: There are one or two points that I desire to clear up. Regarding the withdrawal of Clause 26, which determines the method of fixing the horse power, and consequently the rate, I have no excuse to offer. I was not influenced by the article referred to by the member for Williams-Narrogin (Mr. Doney) because I have not read it.

Mr. Doney: It came out after you had made your decision.

The ACTING MINISTER FOR WORKS: I should say that the responsibility for the amendment being placed before the House rests upon me and upon the Government. In the first place, the advice given was that the formula of the R.A.C. was a fairer method of assessing what should be the license fee of a car or truck than was the Dendy-Marshall formula.

Mr. Marshall: Do you know the real meaning of R.A.C.?

The ACTING MINISTER FOR WORKS: Yes, but I am not a judge of a highly technical formula, which is drawn up and administered by the expert in the Police Traffic Department. Those concerned are not yet satisfied that the high-powered eight-cylinder cars can be correctly assessed under the Dendy-Marshall system. They also state that eight-cylinder cars are coming on to the market largely, and therefore they recommended this alteration. I am not in a position to question whether the R.A.C. formula is the best method, and I do not question it. I simply say that, however well the sum is set out, it does not give a satisfactory answer. I was not aware that so many cars would be affected until I questioned the officials. I then found that, instead of the R.A.C. formula affecting only eight-cylinder cars, which perhaps would have meant a good reform measure, it

affected many well-known and popular makes that have paid a certain license fee over a number of years, and that fee would have been increased by £1 a year. On examining the full record placed before me on the following morning, I discovered that one make of car—I shall not mention the name—for which between 4,000 and 5,000 licenses have been taken out, would have had the fee increased by £1 each, while another make of car, of which between 3,000 and 4,000 are on the road, would also have had to pay an extra pound, irrespective of new makes coming in. Therefore, without questioning the estimate of £10,000 increase in license fees, the facts I have given were sufficient to warrant further consideration. The point put up was that the R.A.C. formula would more correctly assess the weight of the high-powered car, but if it did that, it would also increase the rate on 24 different makes of car. Moreover, it would not decrease the rates on other makes of car, and I believe there are nearly 50 different makes on the road. That is the reason why the clause was withdrawn. We were not worried about the demonstration. We have to take the responsibility. It was also stated that the Government were using the Bill as a taxing measure. The fact is that the Government get nothing out of the traffic fees. All the extra license fees would have gone to the local governing bodies, less the 22½ per cent. allotted to the Main Roads Board from the Metropolitan Traffic Trust Account. Hence the Government would have received no advantage. It seems to me that considerable misrepresentation was indulged in. We are anxious to deal fairly with the motoring public. We had no desire to penalise them. Even though the R.A.C. formula may be more accurate mathematically, the effect would have been to penalise the owners of quite a number of cars outside of those represented as constituting the real difficulty, namely, the high-powered cars. Once that was pointed out, there was no need for pressure to be brought to bear upon the Government by anyone. It became apparent to us that to impose the extra fee on so many motorists would be unfair. I should say that thousands of motorists would have been affected, and we had no desire to penalise them. I cannot understand the congratulatory regrets of the member for Williams-Narrogin.

Mr. Doney: The what?

THE ACTING MINISTER FOR WORKS: One of the first things I learnt was that if a motorist got into a corner, he could not obtain his license unless he was able to back out. There are times when one must have the courage to admit that a mistake has been made, and one need not apologise or excuse oneself for it. Neither is there any need for pressure from all sorts of blathering people who misrepresent one. That did not influence either me or the Government. We were satisfied that it would be unjust at this stage to impose the additional fee. That is the reason, and the only reason, why the clause was withdrawn. Regarding the other point mentioned by the member for Williams-Narrogin and the Leader of the Nationalist Party, I have never represented this Bill as being a highly important measure. I said that a series of amendments, most of them of a machinery character, were required, and had been asked for by the Automobile Club, the Chamber of Automotive Industries, the Public Works Department and the Police Traffic Department for the better working of the Act. The Act has been amended on several occasions. When the officials responsible for the administration find defects in an Act, it is not unusual to introduce amendments, which may not be matters of high principle. This is merely a machinery measure to make more effective the administration of the Act. Reference has been made to the proposed regulation of pedestrian traffic. In this respect Western Australia is certainly behind any of the other States. It is time that some system was introduced to regulate pedestrian traffic. Here, although motor traffic is held up, pedestrian traffic is allowed to proceed. This, members can readily understand, is dangerous to the people. I consider that we should go further, and arrange for our schools to give the children tuition regarding the safety-first methods for regulating traffic. In introducing this Bill, there has been no intention to impose hardship on the public. Whatever is done will be done in the public interest. When we come to the proposed amendments, they can be discussed on their merits. I think that the Bill can be termed a non-party measure.

Hon. C. G. Latham: You are not sure?

THE ACTING MINISTER FOR WORKS: Then I shall say it is a non-party measure. We are all anxious to give motorists a fair deal. It is necessary to have an Act which will be effective and which can be properly

administered. That is the sole reason for bringing in the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Withers in the Chair; the Acting Minister for Works in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 5:

Hon. C. G. LATHAM: Will the Minister explain the meaning of the clause.

The ACTING MINISTER FOR WORKS: The effect will be to strike out the penal rate, and the penalty will then be not less than £1 or one-half of the license fee. In some instances it would pay to incur the penalty rather than to pay the license fee.

Clause put and passed.

Clause 4—Amendment of Section 6:

Hon. C. G. LATHAM: Why is it proposed to strike out the word "regularly"? Will it mean that a person will be precluded from carrying goods of any sort, such as conveying a few boxes across a road from a railway station at a remuneration of a shilling, without taking out a license?

The ACTING MINISTER FOR WORKS: The deletion of the word will clear away an obstacle when prosecutions are launched. When a person is prosecuted under this provision, it has to be shown that the vehicle is regularly used. The word "regularly" has been the subject of no end of contention. The point is that a vehicle is used for that purpose. A carrier's license will be required for every vehicle used for hire or reward.

Mr. SLEEMAN: Under paragraph (b) it is proposed to strike out the words "for hire or reward" where they occur for the second time. The latter part of Subsection 2 would then read—

and a passenger-vehicle license is also required for such vehicle if it is used for the carriage of passengers, except with the permission of the local authority on some special occasion to be stated.

Also there is to be an exemption for the carriage of one's wife, husband or child. If one wished to take one's grandmother for a ride, he would be considered to be carrying a passenger. One could not even take a friend out.

Mr. Patrick Or one's mother-in-law.

Mr. SLEEMAN: No, or a mother-in-law if one were friendly enough to invite her. Quite a lot of free carrying is done by motorists. Some call at the hospitals and take sick people for a run. Between Perth and Fremantle are quite a lot of people who have not the money for a rail or road fare, and they get a lift. If a man is to be penalised for giving a friend a lift or for helping a man who has not a fare, we should not stand for that.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SLEEMAN: The clause is too severe in providing that one must not pick up a man on the road to give him a lift. Suppose the officer in charge at Marquis-street said to a Fremantle man, "Come up, I want to see you," a ticket is supplied to that man, but not otherwise. Day after day Fremantle people go to the waterfront and are given a free ride to Perth. Such an action would, under this provision, render the driver liable to prosecution.

Mr. DONEY: The anomaly to be explained here is that a great deal more freedom is being allowed to the owner of a vehicle without a passenger license than to the man who operates under a carrier's license, and who must have a passenger license as well, since he can hardly avoid picking up a passenger occasionally, whether gratuitously or otherwise.

Mr. RODOREDA: I hope the words in the paragraph will be struck out. The idea behind the amendment is to prevent persons with carriers' licenses from picking up passengers at all, because in doing so they compete against persons in the same district who hold passenger licenses and have to be insured. Such competition is unfair. At present, before a prosecution can be launched it must be evident that the passenger was carried without fee or reward—a thing almost impossible to prove. In order to carry his wife and children on a picnic, the holder of a carrier's license need only obtain permission from the local authority, that being the authority which would authorise a prosecution. Most of the outback passenger traffic is done by mail contractors, whose vehicles have to be licensed to carry passengers, and who must be insured. The contractor in making the contract for carriage of mails specifies rates for passengers. Outback carriers take pas-

sengers at cut rates, but this fact is incapable of proof.

Mr. WATTS: I move an amendment—

That paragraph (b) be struck out.

This amendment, if carried, will have the effect of leaving Subsection 2 of Section 6 of the Act as it is now. I agree with hon. members who say that a motor carrier licensed to transport goods is entitled to pick up a man on the road, or a friend, and, carry him without fee or reward—say, an unemployed person looking for work. The paragraph represents an unwarranted interference with the liberty of the subject.

The ACTING MINISTER FOR WORKS: There is a disposition to read paragraph (b) as standing by itself. However, various exemptions are provided. There is no desire to inconvenience people such as those mentioned by the member for Katanning.

Hon. C. G. Latham: A son will not be able to take out his mother if the exemptions remain as they are.

The ACTING MINISTER FOR WORKS: The local governing body has to enforce these provisions. I can see the member for Roebourne has had some experience: I agree with him that it is almost impossible to prove that a passenger has been carried without fee or reward. Thus there is practically an open go. Moreover, there is the reason for the paragraph, that motor drivers licensed to carry passengers are entitled to protection.

Mr. Lambert: On the Perth-Fremantle road motorists pick up between five hundred and a thousand people every day.

The ACTING MINISTER FOR WORKS: But not for fee or reward. The Police Department find it impossible to prove that the carrying of passengers is done without fee or reward. In the case of a picnic party, if the local authority can be satisfied that the vehicle is safe, a permit is granted. Why are certain conditions imposed on passenger vehicles if those conditions are not to apply to carriers' vehicles? Those who desire a cheap ride will get it, even in spite of this provision. The carrying of the amendment would weaken the clause.

Mr. SAMPSON: I support the paragraph. This provision has been needed for a long time and will help to prevent the requirements of the Act being evaded. At present, many people use vehicles that are not constructed for the conveyance of passengers. It is a familiar sight to see per-

sons sitting on a motor truck with their legs hanging over the sides, a practice that is decidedly dangerous. Many local authorities will welcome this provision because it will assist them to restrict the improper use of such vehicles.

Mr. MARSHALL: Some members are under a misapprehension. The clause will not interfere in any way with the ordinary motor car, truck or motor cycle and sidecar.

Mr. Rodoreda: It deals with every truck.

Mr. MARSHALL: It merely provides the conditions under which passenger licenses will be granted. The Act does not require an individual to apply for such a license, unless he desires to carry passengers. Evidently there have been some brilliant leg shows in the hills districts.

Mr. Sampson: Do not you think that will affect other drivers?

The Acting Minister for Works: Exactly, that is the danger.

Mr. MARSHALL: If we do not agree to the paragraph, passengers will be carried on unlicensed vehicles, without the possibility of securing a conviction. It will not prevent anyone from giving a person a lift in a motor car. In the Murchison and the Roebourne districts motor transport is the only means available for many people. Why should the owners of those vehicles be required to take out two licenses, when people in the metropolitan area need take out only one?

Mr. WATTS: If a carrier desires to carry passengers for fee or reward, he takes out the passenger license as well as his ordinary license.

Mr. Rodoreda: That is the trouble; he does not do so.

The Acting Minister for Works: Of course he does not.

Mr. WATTS: It appears reasonable that the words "for hire or reward" should remain in the Act. While I have every sympathy with the police, and have more with the local authorities, it is an old maxim of British law that a person is innocent until he is proved guilty. If the authorities cannot prove the individual guilty, it is their bad luck.

The Acting Minister for Works: You would make it impossible for the authorities to secure proof.

Mr. WATTS: I know that many people in the country districts carry passengers on their trucks without receiving any fee or reward. They should not be prevented from doing so. There would be more argument for the paragraph if it were applied to motor cars.

Mr. LAMBERT: I do not know where we are getting with all these restrictions on the use of motor vehicles. It is reducing the position to an absurdity. If we are to waste our time in quibbling whether a man should carry a tin trunk or a passenger, it is pretty well time that Parliament was closed up. If restrictions are necessary, let us provide a mixed license that will enable both to be carried. I hope the amendment will be agreed to.

Mr. SLEEMAN: I support the amendment. Why should the Bill provide for the carriage of a wife or child, while brothers and sisters, and possibly a grandfather or a grandmother, will be residing in the same house? The Minister talked about the measure being administered reasonably.

The Minister for Agriculture: Many men would like to take their mothers-in-law for a ride.

Mr. SLEEMAN: And many would not bring them back! The Bill is unreasonable in that regard. Recently I picked up a man on the road and gave him a lift to Crooked Brook. He wanted to go to Bunbury and I told him that the milk van was just behind and he might be able to get a lift to his destination. Under the provisions of the Bill, I could take that man to Crooked Brook, but if the milkman conveyed him to Bunbury, he would be liable to a fine of £20.

Hon. C. G. LATHAM: I was surprised at the member for Roebourne, who spoke of the wool trucks running out from the station. Under this proposal, a man will have to walk. I have no objection to its being applied to the metropolitan area, but for goodness' sake give us some freedom in the country. In the electorate of the member for Forrest I once saw a number of men going out to a football match on a truck. If this be carried, drivers will not be permitted to have passengers in their trucks. The argument submitted by the Minister is reasonable enough for the city, but not for country districts.

Mr. RODOREDA: The Leader of the Opposition, when he refers to the North-West, does not know what he is talking about, for the instance he quoted had no bearing whatever on this question. Before any local authority in the country took action, some complaint would have to be made by a licensed man.

Hon. C. G. Latham: No, anybody can do it.

Mr. RODOREDA: But whose business is it?

Mr. Patrick: You reckon they can evade the law up there.

Mr. RODOREDA: Who but the man who has paid for a passenger license would take action?

Hon. C. G. Latham: But they do.

Mr. RODOREDA: The hon. member cannot quote a single instance. Hundreds of complaints have been made, but the charge has not been proved. We give no protection whatever to the man who pays for a passenger license. Yet that man has to insure his passengers against accident. It is absurd to say there would be prosecutions by the local authorities under this provision, because they will take no action unless complaint is made to them by a man holding a passenger license.

Mr. WANSBROUGH: I have in my electorate men holding both a carrier's license and a passenger license, and I have also other men who are evading the law and cutting the price. There is nothing to prevent a man with a carrier's license from applying for a passenger license if he wishes to carry passengers.

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

Ayes	..	..	..	13
Noes	..	..	..	13

A Tie.

The CHAIRMAN: I give my casting vote with the noes.

AYES.	
Mr. Fox	Mr. Seward
Mr. Keenan	Mr. Sleeman
Mr. Lambert	Mr. Tonkin
Mr. Latham	Mr. Watts
Mr. McLarty	Mr. Welsh
Mr. North	Mr. Doney
Mr. Patrick	(Teller.)
NOES.	
Mr. Hawke	Mr. Sampson
Mr. Johnson	Mr. Troy
Mr. Marshall	Mr. Wansborough
Mr. Middleton	Mr. Willcock
Mr. Needham	Mr. Wise
Mr. Nulsen	Mr. Wilson
Mr. Rodoreda	(Teller.)

Amendment thus negatived.

Mr. SLEEMAN: I think we should make some alteration in subparagraph (i) of paragraph (c). If it be necessary to provide for a servant and the children, we should also provide for fathers, mothers, sisters, brothers and sweethearts. I move an amendment—

That subparagraph (i) of paragraph (c) be struck out.

The ACTING MINISTER FOR WORKS: Actually this is a concession which is being given, it is something not included in the Act. And if this subparagraph is to be struck out, what are we going to put in its place?

Mr. Sleeman: We might insert "a member of the household" or "relatives."

The ACTING MINISTER FOR WORKS: But in any case the subparagraph should not be struck out, for it is a concession, a privilege.

Mr. Lambert: It is a privilege to be allowed to ride in one's own car these days.

The ACTING MINISTER FOR WORKS: We have had a ridiculous law in the past, and are trying to amend it.

Mr. Lambert: Most of our laws are ridiculous.

The ACTING MINISTER FOR WORKS: I could not agree to inserting "any member of the household," for the subparagraph itself is all-embracing.

Mr. MARSHALL: I cannot agree with the amendment moved by the member for Fremantle because, if he considers the words he proposes to insert, "any member of the household," they would embody even strangers employed in the household. The Minister might agree to an amendment to add after "husband," in line 3, the words "or any other near relative."

Mr. SLEEMAN: We should cut out the paragraph altogether. We provide that people may be sued for the upkeep of their relatives, but they may not be taken out for a day's enjoyment. It is nonsense to prevent a truck owner from taking his relatives out for a ride, especially if they are living in the same house with him. Where are we getting to, I should like to know. If this paragraph is cut out, I intend to move for the inclusion of any relative, grandfather, grandmother, uncle or aunt, sister or brother.

Mr. RODOREDA: We certainly should make this part of the Bill more embracing. It can hardly be looked upon as a concession

as it is worded now. Under the Act as it is, a man may take out any person he likes.

Hon. C. G. Latham: If he is not caught.

Mr. RODOREDA: Under this provision the truck owner will require to take out a special license if he wishes to drive other than certain people. He should certainly be allowed to take out members of his own household and near relatives.

Mr. SAMPSON: I should like to move for the inclusion of the words "or any relative of either" after the word "owner" in line 3.

The ACTING MINISTER FOR WORKS: I will agree to the postponement of the further consideration of this clause, so that a comprehensive paragraph may be drafted.

Clause postponed.

Clause 5 — Annual and Half-Yearly Licenses:

Hon. N. KEENAN: I should like to draw attention to the wording of proposed Subsection 4. The effect of this will be to embarrass persons who frequently take out licenses from June to December for a motor car. Under this new subsection they will be obliged to lodge their number plates with the authorities within 14 days of the expiration of their license if they desire to go on for another half-year. In the event of their wishing to continue to license their car, they should not be called upon to wait 14 days.

Mr. Wansbrough: This gives them 14 days grace.

Hon. N. KEENAN: Why should they have to lodge their number plates?

Mr. Wansbrough: If they do not renew their licenses they must hand in their plates within 14 days.

Hon. N. KEENAN: As it is worded here it means that the plates have to be lodged before the license can be renewed.

The Acting Minister for Works: This applies to the man who does not wish to renew his license.

Mr. RODOREDA: This will prevent people from licensing their vehicles for a half year, and then keeping their number plates. If a person wishes to renew his license he can have that done at once, as he will have his number plates still on the vehicle.

Mr. MARSHALL: There are certain individuals who, without this provision, would use their vehicles for a whole year, even though they were licensed only for six months. With this provision in the Bill, if

a man does lodge his plates after the due date, and applies for a license, the authorities will catch him.

Hon. N. Keenan: Read paragraph (c); that deals with what you are referring to.

Mr. MARSHALL: We will get to paragraph (c) directly.

Hon. C. G. Latham: I think you are all at sea now.

Mr. MARSHALL: The object is to protect a worthy citizen against the exploitation of others who would use the roads without paying a license fee at all. The department must have some method by which they can check up against those people. If we do not provide the local authorities with this assistance, we shall merely aid those who endeavour to evade their responsibility to license their vehicles.

Hon. C. G. LATHAM: This will require some motorists to take out a license for a year and a half straight away.

Members: No.

Hon. C. G. LATHAM: It seems to me that, as the subclause reads now, a motorist would be entitled to run his car for 14 days without plates, if he wanted to continue his license for an extra six months. That is not intended and I think the Minister should postpone the consideration of the clause in order to look into the position.

The ACTING MINISTER FOR WORKS: The subclause does not present any difficulty where an individual takes out a license for a quarter, for half a year, or for a year. Paragraph (c) sets out clearly that if a man does not propose to take out a license for the full year, or for a half year, he must notify the department or the local authority. I discussed this matter with departmental officers in view of the amendment suggested by the member for Williams-Narrogin. They informed me that the difficulty was that unless an individual deposited his number plates within 14 days and gave notice to the department that he did not desire to take out a license for the ensuing period, he would be charged the license fee.

Hon. N. Keenan: Paragraph (c) is quite plain, but what is the meaning of the second part of paragraph (a)? If I take out a license for the first half year, and then decide to continue for the second half year, must I lodge my plates?

The ACTING MINISTER FOR WORKS: You would have to do so within 14 days if you did not desire to continue your license.

Hon. N. Keenan: But I have pointed out that I do intend to continue the license, so what then?

The ACTING MINISTER FOR WORKS: Then there is no obligation because if you do not lodge your plates, you will be charged the license fee. If you do not propose to continue the license, you must lodge your plates within 14 days.

Mr. Seward: If the plates are not deposited within 14 days, the motorist is charged the license fee.

The ACTING MINISTER FOR WORKS: That is the position.

Mr. Stubbs: That is quite reasonable.

Mr. Sampson: But the provision is not reasonably expressed.

Hon. N. Keenan: Which section of the Act deals with quarterly licenses?

The ACTING MINISTER FOR WORKS: That is to be amended also. As a matter of fact, this provision before the Committee is proposed to simplify the one in the Act.

Mr. Stubbs: Why, it complicates it!

The ACTING MINISTER FOR WORKS: It is supposed to simplify the provision dealing with quarterly and half-yearly licenses. I think it is intended to compel a man with a quarterly license to re-license 14 days before the termination of his period.

Hon. C. G. Latham: It occurs to me the word "not" has been left out of the first line.

The ACTING MINISTER FOR WORKS: I should like to postpone further consideration of the clause until I get this point explained.

Clause postponed.

[Mr. Sleeman took the Chair.]

Clause 6—Amendment of Section 10:

Hon. N. KEENAN: This is a concession to clergymen, but I want to know the reason for the words "solely in connection with his pastoral duties." It would be impossible to police it. If we do make a gift to a clergyman, let us make a decent gift, not tie him down like this. It is an unworthy act. I move an amendment—

That in the last line of proposed paragraph (a) the words "solely in connection with his pastoral duties" be struck out.

The ACTING MINISTER FOR WORKS: I asked why these words were included, and the officials said there are acting ministers of religion who are also teachers, and some of them might take advantage of the exemption.

Hon. N. Keenan: But the existing law is more liberal than this and does not require this addition.

The ACTING MINISTER FOR WORKS: I do not know that this is highly important. Certainly we do not want too narrow an interpretation placed on this.

Hon. C. G. Latham: Heads of schools are sometimes ministers of religion, as for instance the head of St. George's College.

Hon. N. Keenan: If the head of St. George's College is met driving about in his car, does the Minister propose to stop him and ask "Are you solely on your pastoral duties?"

The ACTING MINISTER FOR WORKS: There are some men who are teachers first and clergymen afterwards. However, I will accept the amendment.

Amendment put and passed.

Mr. DONEY: I oppose paragraph (b). I cannot understand the reason for wishing to delete the words "solely or." Half license fees are charged to pastoralists, farmers, prospectors and sandalwooders who use vehicles solely or mainly for the carriage of their products. Now it is proposed to restrict the concession to those who use vehicles mainly for the carriage of their products. This will deprive of the concession a large number who use vehicles solely for that purpose. I do not think that is intended, but there is no doubt that the amendment will operate in that way.

Hon. C. G. LATHAM: I move an amendment—

That paragraph (b) be struck out.

In the amending Act of 1931 it was provided that concessions should be granted to farmers and others engaged solely or mainly in the carriage of their products. If paragraph (b) be agreed to, a man who uses his vehicle solely for that purpose will not receive the concession. "Mainly" does not include "solely."

Mr. Doney: The lesser cannot include the greater.

Mr. RODOREDA: I wish to move an amendment to include the bona-fide kangaroo hunter. He is entirely a bush worker and

is as much entitled to the privilege as is the sandalwooder or the prospector. May I move to that effect after the present amendment has been disposed of?

The CHAIRMAN: Yes.

The ACTING MINISTER FOR WORKS: The reason for paragraph (b) is that such vehicles are often used to transport the produce of other farmers, etc., without fee or reward. The striking out of the words "solely or" will enable them to do that.

Hon. N. Keenan: It increases the range of the exemption?

The ACTING MINISTER FOR WORKS: Yes, it is an additional concession.

Hon. C. G. Latham: Suppose a man were engaged in nothing other than sandalwood getting, and "solely" were not included.

Hon. N. Keenan: "Solely" is larger than "mainly."

The ACTING MINISTER FOR WORKS: Such a man might carry produce for others without fee or reward, and that would disqualify him, but by deleting "solely," the interpretation will be broadened.

Mr. Doney: I think it will be limited.

Hon. C. G. LATHAM: Road board secretaries administer the Act. A man was carting milk to the city and applied for a license under this provision. The secretary told him that he was not solely engaged in milk production as he did other things. The applicant asked that the word "mainly" should be applied, but that was not done. If the paragraph be retained, the secretary could say that an applicant was "solely" not "mainly" engaged in farming.

Mr. Rodoreda: He would be "mainly" engaged if he was "solely" engaged.

Hon. C. G. LATHAM: The word "solely" means "entirely," and "mainly" means "one or more."

Mr. DONEY: I think the Minister wishes that the man who is solely engaged in a particular type of business shall have this privilege.

The Acting Minister for Works: I do not want to insist that a man shall be solely engaged in that business.

Mr. DONEY: Both the words "solely" and "mainly" are required in this case.

The ACTING MINISTER FOR WORKS: We want to provide for cases where a man is not solely engaged in a particular business. If the paragraph is agreed to it will make the Act less restrictive. It is proposed to strike out the

definite word "solely" and leave in the less definite word "mainly."

Amendment put and passed.

Mr. RODOREDA: I move an amendment—

That a paragraph to stand as paragraph (b) be inserted as follows:—"that the license is required for a motor vehicle which is owned by a *bona fide* kangaroo hunter, and which is used by such person during the currency of the license solely or mainly in connection with the occupation of kangaroo hunting."

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in line 25 after the word "used" the words "solely or" be inserted.

The ACTING MINISTER FOR WORKS: I would point out that this is a safety clause.

Amendment put and passed.

Mr. SAMPSON: I move an amendment—

That in paragraph (d) after the word "fee," in line 4, there be inserted "or in excess of the capacity as assessed by the makers."

The Acting Minister for Works: It is impossible to follow such an amendment in an intricate clause. The amendment should have appeared on the Notice Paper.

Mr. SAMPSON: In the hills districts there is great danger from men engaged in carting stone, timber and other heavy materials. It has happened repeatedly on the Welshpool hills that trucks overloaded, and therefore insufficiently braked, have got away. It is quite possible that in those circumstances a truck might get away and run into a bus laden with human freight, when the result would be most tragic. In the metropolitan area and in the South-West, hills are numerous; and in most of these places it is quite the rule to overload vehicles. A truck intended to carry a ton, if carrying two tons on a steep incline may be overloaded to such an extent that the braking capacity is unable to hold it under control. The matter has been raised many times by various local bodies concerned. This provision need not be exercised in flat country, but in hilly country it is essential.

The ACTING MINISTER FOR WORKS: On the spur of the moment I do not favour such an amendment as this. The department have ways and means of assessing carrying capacity. I believe it is usual to carry more than a ton on a 1-ton truck.

Mr. Sampson: And a truck may be reconstructed to carry more than the maximum load provided for by the makers.

The ACTING MINISTER FOR WORKS: The authorities are not limited to the load quantity assessed by the maker. If the amendment was not of sufficient importance to be placed on the Notice Paper, I can only say that I have no present means of ascertaining what its exact effect would be; and that is a good ground for opposing the hon. member's far-reaching proposal.

Hon. C. G. LATHAM: There is a good deal in what the member for Swan has said. This legislation is intended to protect the public. In the areas mentioned by the hon. member, particularly the hills districts where a good deal of stone is brought down from quarries, we ought to see whether there is sufficient brake power for the load carried. Is there provision for this now? I understand the Minister's difficulty.

Mr. MARSHALL: I agree with the member for Swan. Numbers of people have recently entered the motor traffic industry, especially its carrying section. Many of them are absolutely ignorant of the mechanism of the machines they drive. Further, numerous foreigners are taking an active part in the industry. These foreigners are not aware either of their own danger or of the menace they represent to the community, especially in hilly country. Having postponed two clauses, the Minister might postpone this one. In my district I have seen 35-cwt. Reo trucks carrying not a pound less than 3 tons, while in the care of incompetent drivers. I appeal to the Minister to postpone the consideration of the clause in order that he may ascertain if some provision cannot be included to deal with what the member for Swan has in mind.

Mr. SEWARD: I also urge the Minister to postpone the consideration of the clause. When travelling over the Armadale Road last night we passed a truck that had broken down. It was heavily laden with timber. A truck that was said to have been travelling at 35 miles an hour was burnt on that road and earlier in the week a similar fate attended another truck. The practice of overloading trucks is most dangerous. I do not know that the amendment suggested by the member for Swan will cover the position, but something should be done to make this form of motor traffic more safe.

The ACTING MINISTER FOR WORKS: I would have no objection to postponing the clause to see whether some provision can be made to limit the menace that has been

referred to. The information I have is that instances are known where an owner of a motor vehicle has declared the loading capacity of his truck to be less than it should be in order that he may pay a smaller license fee. If that man were to load his truck in excess of the computed capacity, he would be liable to prosecution.

Hon. C. G. Latham: The truck might have been rebuilt.

The ACTING MINISTER FOR WORKS: The clause has been framed with the object of preventing overloading. A definite method of computing the loading capacity of a truck is set out and it will be an offence for the owner of the truck to overload his vehicle. The clause will give the police and the local authorities something definite to work on and will also enable the owner of the truck to know what load he can carry. I do not know whether the clause can be tightened up. I understand I cannot postpone the consideration of the clause because it has been amended.

Mr. RODOREDA: I do not know that the amendment moved by the member for Swan will serve the object he has in view, or that much is to be gained by any amendment to the clause. For instance, the member for Swan does not take into account the position regarding trailers. Truck manufacturers advertise that their trucks will carry a certain load but everyone knows that the trucks can carry a much greater weight and still have an ample margin of safety. From their experience, the traffic officials know what loading should be permitted, and they will not allow a person to license his truck for a greater loading than is safe.

Mr. WANSBROUGH: My only objection to the clause is that the penalty is not heavy enough. Recently I saw a Ford truck with a three-ton tractor loaded on it. The driver had to skid his wheels all down the street and he should have been fined £100.

Mr. SAMPSON: This matter is regarded seriously in the hills districts, but as the clause cannot be postponed, I suggest to the Minister that he report progress and give the matter further consideration.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 7—Amendment of Section 12:

Mr. DONEY: I move an amendment—

That in line 4 of proposed Subclause 1 the word "substantially" be struck out, with a view to inserting "wholly or partially."

Only a fair proportion of the fee is recoverable, but I think that in certain circumstances the whole of the fee might well be recoverable.

The ACTING MINISTER FOR WORKS: I cannot accept the amendment. This provision is for a fair allocation of the fees in a given district. For instance, in the Northam district, where the road board area abuts on to the town, a license might be taken out in the town and the vehicle used wholly in the surrounding districts. In that instance there might be a fair allocation between the two local authorities. The word "partially," proposed to be inserted in lieu of "substantially," would give the local authority nothing whatever to go upon, whereas under the proposed subclause the local authority would have a claim. Moreover, if a fair allocation is not made between the two local authorities, there is always the right to appeal to the local court. The word "substantially" meets the case, but in this instance "partially" means nothing.

Mr. DONEY: I admit that in the illustration given by the Minister the clause would meet the case, but there are numbers of instances of vehicles being licensed in one road board area and then used over the whole year in the next area. In such a case, even a substantial portion of the fee would not be enough as allocation.

Amendment put and negatived.

Mr. WATTS: Would not the Minister agree to a proviso that the proposed subclause should apply only to districts adjoining each other? If a man takes out a license in, say, Wagin and goes to Meekatharra for a month's holiday, it might result in a claim being made on the Wagin Road Board.

The ACTING MINISTER FOR WORKS: Presumably a claim would be made from one local authority to another.

Hon. C. G. Latham: But not for a month, surely.

The ACTING MINISTER FOR WORKS: No, but where a substantial use of the license has been made in another district, a claim could be put in. Certainly the

provision could not be limited to adjoining local authorities. In justice, where a license is substantially used in another area, the local authority should have a claim.

Clause put and passed.

Clauses 8 and 9—agreed to.

Clause 10—Amendment of Section 18:

Hon. N. KEENAN: Is it necessary to prohibit the use of a trade disc on a public holiday? As I pointed out on the second reading, very often that is the only day on which a prospective buyer can be taken out. It is proper to prohibit its use on a Sunday, but surely not on a holiday. The trade disc represents a substantial fee.

The ACTING MINISTER FOR WORKS: Yes, £5 per annum. This proviso is the result of complaints having been made by those in trade. I asked what the position would be on Royal Show day, and was informed that if application were made, permission would be granted. If it was desired to exhibit four or five cars, the number plates could be fixed on the first and last. Exception is taken to the discs being used for joy-riding. If permission is required for genuine trade, no objection will be raised.

Hon. C. G. Latham: People have been fined for using such plates on Sunday.

The ACTING MINISTER FOR WORKS: Yes. Traders should be prepared to give reasons and to obtain permission.

Mr. SAMPSON: I hope the Minister will not insist on this provision. We are always after the motorists.

Mr. Marshall: They drive so damned fast that we must be after them.

Mr. SAMPSON: We are tyrannical in our attitude to motorists. If a new tax is required, we promulgate a new law limiting travelling to a certain pace or prohibiting traffic in a certain direction, and impose fines for breaches. Is there any great wickedness in going out on a Sunday? From my experience of those engaged in the industry, there is no justification for the proposal.

The Acting Minister for Works: We do not object to joy-riding. We object to joy-riding when trade plates are used.

Mr. SAMPSON: I shall oppose the clause.

Mr. WANSBROUGH: The member for Swan cannot have travelled much in the

country; otherwise he would know that trade discs are being used for all sorts of purposes. On Sunday last I saw trade discs on two cars, and the occupants were undoubtedly joy-riding. Some traders use the plates on private cars in order to run home for lunch.

Clause put and passed.

Clause 11—agreed to.

Clause 12—Amendment of Section 21:

Hon. C. G. LATHAM: In the Old Country, when a learner's license or certificate is issued, the letter "L" is strapped to the back and front of the car. It is useful to other people on the road to know that the man is a learner. I suggest that the Minister might pass on the idea to the officials.

Clause put and passed.

Clauses 13 to 19—agreed to.

Clause 20—Repeal of Section 35 and insertion of new section:

Hon. C. G. LATHAM: Why the need for this alteration? Does it apply to motor vehicles only or to horse vehicles as well?

The ACTING MINISTER FOR WORKS: The new section will have the effect of limiting the weight on vehicles fitted with solid rubber, cushion, iron or steel tyres with a view to an equal distribution of the load where the width of the tyre is less than 6 inches. The reason for adding the proposed Subsection 2 is that the spread of tyre when the vehicle is loaded gives a false impression that the vehicle is capable of carrying a greater weight than that declared on the license and is therefore not overloaded. The idea is to regulate the load in proportion to the width of the tyres.

Clause put and passed.

Clause 21—Amendment of Section 41:

Hon. C. G. LATHAM: I move an amendment—

That in paragraph (aa) the words "and footpaths" be struck out.

Under the rule of keeping to the left a pedestrian who is walking on the road, as he sometimes has to do in the suburbs because of the lack of a footpath, is walking in the same direction as moving vehicles. If he walked on the right hand side of the road, he could see the vehicles as they approached him and would be in a much safer position. In older parts of the

world the traffic on the footpaths is not regulated. The pedestrian has the right to cross the street. He is not obliged to give way to the traffic all the time. In England signs are put up, and the road traffic has to make way for the pedestrians so that they may cross over.

THE ACTING MINISTER FOR WORKS: If the amendment is agreed to, it will be impossible for the police to regulate the footpath traffic. In Melbourne pedestrians have to stop on the footpath at a given place, and can only cross the street when the signal is given. If there is no control of the footpath traffic, the police will be unable to control people when they desire to cross the street.

Hon. N. Keenan: A road includes a footpath.

THE ACTING MINISTER FOR WORKS: If that were so, I might be able to accept the amendment. The fact is the police have not sufficient control over pedestrian traffic.

Hon. C. G. Latham: There is more control in Perth than there is in the heart of London, where there are 8,000,000 people.

THE ACTING MINISTER FOR WORKS: Because of their laxity, some of our people should be taught and disciplined. I am afraid if they went to Melbourne or Sydney they would not last any time.

Hon. C. G. Latham: I have seen some officious policemen on our footpaths.

THE ACTING MINISTER FOR WORKS: And I have seen some very helpful and kindly policemen. This is the first complaint I have heard against our police force.

Hon. C. G. Latham: I am not complaining about the force in general.

THE ACTING MINISTER FOR WORKS: It could well be used as a means of disciplining the public to a reasonable extent. The amendment would destroy the effect of the clause. Traffic on the footpaths must be controlled.

Hon. N. Keenan: A road in a special Bill like this, and in all common sense, extends from boundary to boundary of the dedicated portion that is made available to the public. It includes the carriageway that is used for vehicular traffic, as well as footpaths which pedestrians alone are allowed to use, although they also have the right to use the road. It is possible to make any road applicable to the footpath.

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

Ayes	..	..	..	10
Noes	..	..	..	15
Majority against				5

AYES.

Mr. Hawke
Mr. Keenan
Mr. Latham
Mr. McCarthy
Mr. North

Mr. Sampson
Mr. Seward
Mr. Watts
Mr. Welsh
Mr. Doney

(Teller.)

NOES.

Mr. Fox
Mr. Lambert
Mr. Marshall
Mr. Millington
Mr. Needham
Mr. Nulsen
Mr. Raphael
Mr. Rodoreda

Mr. Tonkin
Mr. Tray
Mr. Wansbrough
Mr. Wiffcock
Mr. Wise
Mr. Withers
Mr. Wilson

(Teller.)

PAGES.

AYES.

Mr. J. M. Smith
Mr. McDonald
Mr. Boyle
Mr. Warner
Mr. Mann
Mr. Stubbs

NOES.

Mr. Moloney
Mr. Munster
Mr. Coverley
Mr. Cunningham
Mr. F. C. L. Smith
Mr. Cross

Amendment thus negatived.

Mr. NORTH: I move an amendment—

That in paragraph (v), subparagraph (ma), after the word "equipment" there be inserted "during locomotion."

The traffic authorities have nothing to do with a caravan when it becomes a dwelling-house or bungalow, so to speak, and might not be moved for a week.

THE ACTING MINISTER FOR WORKS: I am not quite sure that during locomotion is the only time when there should be control. What is the idea behind the amendment?

Hon. C. G. Latham: The amendment refers to a caravan at the seaside, for instance.

Mr. North: Yes, where it might be in the same place for a week or more.

Amendment put and passed.

Mr. DONEY: I move an amendment—

That a subclause be added, as follows:—
“(c) By adding the following subparagraph after subparagraph (xvi) of Subsection 1:—
(xvii) Prohibit, restrict, or regulate the practice or occupation of attending or watching over vehicles on roads or public places for fee or reward known as ‘car watching,’ and control persons engaging in such practice or occupation when not prohibited from so doing.”

The object is to enable the Government to deal with the question by regulation. The practice referred to is generally regarded as something of a nuisance, and certainly as requiring strict oversight by local authori-

ties. The service given to the motoring public is not considered to be commensurate with the charge made. I understand that a deputation waited on the previous Minister for Works in connection with the matter, and that he said definitely there should be legislation to control or, if necessary, to prohibit what I have described as a nuisance.

The ACTING MINISTER FOR WORKS: At this stage I am not prepared to deal with an important question in this way. If regulation is urgently needed, the matter should be attended to by local authorities. The amendment would operate not only in the metropolitan area, but outside it. Unless the local authority or public opinion is sufficiently strong to restrict the practice, it is in evidence.

Hon. C. G. Latham: Each road board has its own traffic regulations.

Mr. Doney: But there is no authority bringing this practice under them.

The ACTING MINISTER FOR WORKS: No. At present we have not that power. For the time being, the Government do not desire to deal with the matter in the Bill.

Hon. C. G. Latham: The local authorities could attend to the matter.

The ACTING MINISTER FOR WORKS: Yes, but not by virtue of any provision to be included in the Bill. I do not want such a provision in the Bill. We have considered the matter, and for the time being do not propose to deal with it. I agree that car watching has become, to some extent, a public nuisance, and requests have been made to the Government to suppress the practice. On the other hand, the car watchers themselves have requested recognition and protection.

Hon. C. G. Latham: The amendment would give that to them.

The ACTING MINISTER FOR WORKS: They might be "recognised out of existence." At any rate, for the time being we are not prepared to deal with the matter in the Bill.

Mr. DONEY: The Acting Minister for Works is impressed with the necessity to do something, but does not desire to include any such provision in the Bill. Will the Minister tell the Committee how he intends to deal with the matter?

The Acting Minister for Works: I have told the Committee I do not propose to do anything. I will not provide the neces-

sary power for local authorities in this Bill.

Mr. DONEY: Or in any Bill?

The Acting Minister for Works: Not for the time being.

Hon. C. G. LATHAM: I am sorry the Minister will not accept the amendment. I have no objection to car watchers, but it is difficult to determine who are car watchers. Simply because people desire to leave their cars on the road they should not be blackmailed by self-appointed individuals. There is no provision by which the car watchers can be restricted or controlled, and the amendment would simply give local authorities power to deal with the matter if they so desired. If men are to be permitted to watch cars, they should be properly controlled. If these people gave a fair return for the payment they received, it would be all right, but we should not permit pure blackmail by persons who have no responsibility.

Mr. Withers: Very often they are not there when the car owner returns.

Hon. C. G. LATHAM: We have an opportunity to deal with the matter now, and I do not know of any other measure in which it could be dealt with.

Hon. N. KEENAN: I would direct the Minister's attention to subparagraph (vii.) of paragraph (a) of Clause 21. That empowers any local authority to make by-laws appointing stands and parking places for different classes of vehicles, to regulate the use thereof and to appoint officers to take charge. That subparagraph goes a long way towards securing what is desired and, with the inclusion of a few additional words, would empower local authorities to appoint car watchers. The Minister really does touch on the matter to a large extent. Why not make it complete?

Mr. Wansbrough: As the paragraph stands, it refers to local authorities outside the metropolitan area.

Hon. N. KEENAN: Yes, but with slight alterations it could apply to local authorities generally.

Mr. SAMPSON: I hope the Minister will give further consideration to this matter. The Royal Automobile Club have urged that there should be some control exercised over car watchers. It is a reasonable request, and the amendment would get over

the difficulty. Why should the request be so coldly received?

Mr. Doney: It was not coldly received by Mr. McCallum when he was Minister for Works.

Mr. SAMPSON: I hope the present Minister will see the matter in the same light. Because this is something that relates to motorists, it seems to be neglected. I know of no other section of workers who are not under control.

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

Ayes	..	..	..	10
Noes	..	..	..	14
Majority against	..	..	4	—

AYES.	
Mr. Keenan	Mr. Sampson
Mr. Lambert	Mr. Seward
Mr. Latham	Mr. Watts
Mr. McLarty	Mr. Welsh
Mr. North	Mr. Doney

(Teller.)

NOES.	
Mr. Fox	Mr. Tonkin
Mr. Hawke	Mr. Troy
Mr. Marshall	Mr. Wansbrough
Mr. Millington	Mr. Willcock
Mr. Needham	Mr. Wise
Mr. Nulsen	Mr. Withers
Mr. Rodoreda	Mr. Wilson

(Teller.)

PAIRS.	
AYES.	NOES.
Mr. Stubbs	Mr. Cross
Mr. J. H. Smith	Mr. Moloney
Mr. McDonald	Mr. Munsie
Mr. Boyle	Mr. Coverley
Mr. Warner	Mr. Cunningham
Mr. Mann	Mr. F. C. L. Smith

Amendment thus negatived.

Mr. NORTH: Before the clause is passed, I desire to bring under the notice of the Minister a complaint received from many residents at Cottesloe, in my electorate. It is in regard to the power of the local authority to regulate parking areas and so forth. The point at issue is that the local authority appears to have the power to prevent vehicles stopping anywhere within a wide area, even though it were only for the purpose of buying a few chocolates in a shop. The police are waiting to hunt the motorists on, and in consequence those people will not continue to come to the district. This attitude on the part of the police is having a very bad effect on local trade.

The ACTING MINISTER FOR WORKS: That is purely a matter for the local authority. They could make a regulation and ask

the police to act accordingly. I do not see what else can be done.

Clause, as previously amended, put and passed.

Clause 22—agreed to.

Progress reported.

House adjourned at 10.26 p.m.

Legislative Council,

Thursday, 12th September, 1935.

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

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Introduced by Hon. A. Thomson and read a first time.

BILL—CREMATION ACT AMENDMENT.

Recommittal.

On motion by Hon. J. Cornell, Bill recommitted for the further consideration of Clauses 1 and 4.

In Committee.

Hon. J. Cornell in the Chair; Hon. J. Nicholson in charge of the Bill.

Clause 1, Short title:

Hon. J. NICHOLSON: I move an amendment—

That in line 2 "1934" be struck out and "1935" inserted in lieu.

It is due to the vigilance of the Usher of the Black Rod, Mr. Leake, that the need for this