Legislative Assembly

Tuesday, the 16th September, 1958.

CONTENTS

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

QUESTIONS ON NOTICE.

ENGINEERING ESTABLISHMENTS.

Reduction of Labour Forces and Transfer of Operations.

1. Mr. COURT asked the Minister for Industrial Development:

(1) What major engineering establishments have substantially reduced their labour forces in Western Australia, in the period from the 1st July, 1956?

(2) (a) Have any of them ceased business altogether, or placed their businesses on a virtual caretaker basis;

(b) if so, for what reasons?

(3) Are any of these companies considering transferring their operations to other parts of Australia or other countries?

The MINISTER replied:

Some reduction in employment in such establishments has taken place since July, 1956, two major companies having recently completed large overseas contracts. One of these is now on a caretaker basis. Two major engineering establishments have increased the numbers of their employees during the same period.

It is thought the establishments which have reduced the numbers of their employees would not wish to have their names published and would not be likely to the thank the hon. member for Nedlands for asking for that to be done.

The three questions, particularly Nos. (2) and (3), appear to be a continuation of the hon. member's efforts to sabotage the Government's policy of industrial development, and it is suggested he should refrain in future from following the destructive approach to a vital matter of State policy in which party politics should not be permitted to enter.

Mr. Brand: That coming from you is good!

STATE ELECTRICITY COMMISSION.

Posting of Accounts.

2. Mr. ROBERTS asked the Minister for Works:

(1) Why is it that the State Electricity Commission must post accounts in the first instance to the address where the electricity is consumed?

(2) Could not this practice be waived in the case of vacant premises or absentee landlords, if another person or firm was to be nominated as the authorised party to whom the accounts were to be posted?

The MINISTER FOR MINES (for the Minister for Works) replied:

(1) Long experience has shown that this is the most effective method of collecting accounts.

(2) The practice is waived on the written application of a consumer owning premises which are occupied only occasionally.

TURKEY POINT, BUNBURY.

Proposed Work on Northern Cut.

3. Mr. ROBERTS asked the Minister for Works:

(1) Are any works proposed on "The Cut" just north of Turkey Point, Bunbury, during this financial year?

(2) If so, what is to be the nature of such work?

The MINISTER FOR MINES (for the Minister for Works) replied:

This matter will receive consideration on the return to Western Australia of the Minister for Works (the Hon. J. T. Tonkin).

PRICE CONTROL RECORDS.

Availability to Unfair Trading Commissioner.

4. Mr. COURT asked the Minister for Labour:

(1) With reference to the answers given to my question on the 21st August, 1958, regarding price-control records accumulated under the legislation which is no longer operative, under what legislative authority were these records made available to the Unfair Trading Control Commissioner?

(2) Is not the release of these records to anyone a breach of the secrecy provisions of the price control legislation?

(3) Will he table Crown Law opinion on—

(a) the authority to release the records to the Unfair Trading Control Commissioner;

(b) the application of the secrecy provisions of the price control legislation?

The MINISTER replied:

(1) There is no existing legislation either to authorise or to prohibit the action taken.

(2) There is no existing price control legislation requiring secrecy.

(3) Yes; and the opinions are as follows:—

C.L.D. 1256/54.

Under Secretary for Law.

While the Prices Control Act, 1948 remained in force, Section 12 of that Act would have operated to prohibit the making available to the Royal Commission of the former Prices Branch files to which you refer. The Prices Control Act, however, has expired. The general rule is that on the expiry of an Act all rights and liabilities acquired while the Act was in force are preserved, notwithstanding the expiry (see Interpretation Act Section 16): thus it has been held that rights to practise a profession under a temporary Act continued even after the expiration of that Act.

2. It might be argued that traders who divulged information to the Prices Branch, pursuant to the Prices Control Act, had the right to have the information treated as secret under pain of prosecution and penalty, pursuant to the Act. In my opinion, however, the Section 12 does not purport to grant rights to anyone; it merely purports to impose a prohibition, and the general rule is that the prohibition remains in force only while the Act remains in force. As a matter of law, therefore, I do not think that there can now be a successful prosecution under Section 12, if, after the expiration of the Act, information were made available contrary to Section 12. I submit, however, that it was the intention of the Act that information given to the Prices Branch under the Act should be kept secret, except as in the section mentioned (e.g., for informing the Attorney General or the Commissioner of Taxation), and that, in view of the possibility that control of prices may again be established, it may be contrary to public interest to make the said files available to the Royal Commission.

4th April, 1956.

SG:CP.

Solicitor General.

C.L.D. 1256/54.

Hon. Minister for Justice.

In my opinion it would be proper to make available to the Commissioner for Prevention of Unfair Trading for the purposes of the Unfair Trading and Profit Control Act, 1956, files containing information obtained by the Prices Commissioner under the Prices Control Act, 1948 (expired).

2. The objections referred to at p. 13 of this file are in my opinion overridden by the provisions of the Unfair Trading and Profit Control Act, 1956. Section 6(d) of that Act states that one of the objects of the Act is "to authorise information being obtained" in relation to the prevention of unfair profit taking and of unfair methods of trading. The Act binds the Crown (s. 7). Under s. 19 the Commissioner may require any person to furnish him with such information as he requires in relation to any matter the subject of investigation or inquiry under the Act. Separate power is given by s. 23(1) for the Commissioner to "require the production of documents, books, papers and things". The Commissioner is bound to observe secrecy (s. 14). The Act is vitally concerned with the prices of commodities and presumably therefore the "mind of Parliament" had adverted to the provisions of the Prices Control Act, 1948. Yet there is nothing in the 1956 Act to exclude documents obtained under the Prices Control Act from being required by the Commissioner for Unfair Trading.

6th June, 1957.

SHG.RW.

Solicitor General.

BELMAY SCHOOL.

Enrolments and Additional Classrooms.

5. Mr. JAMIESON asked the Minister for Education:

(1) What is the present enrolment of pupils attending Belmay school?

(2) What is the anticipated increase at the beginning of the 1959 school year?

(3) Is it the departmental intention to build additions to this school this financial year, or to make a start on the new Cloverdale school?

The MINISTER replied:

(1) Belmay 538; Belmay Infants 281; total 819.

(2) Approximately 90.

(3) It is intended to add three additional classrooms at Belmay.

INTEREST-FREE LOANS.

Availability to Local Industry.

6. Mr. OLDFIELD asked the Treasurer: In view of the fact that the Government is prepared to assist overseas companies to establish in this State with interest-free loans, and many existing industries are languishing through lack of necessary capital to modernise their plant and so compete with Eastern States competition, will the Government give consideration to making interest-free loans available to local industries where warranted?

The TREASURER replied:

Yes.

COLLIE COAL.

Road Transport to Albany.

7. Mr. HALL asked the Minister for Transport:

(1) What would be the haulage cost per ton of coal from Collie to Albany, by road transport?

(2) How many miles would transport trucks have to travel from Collie to Albany?

(3) What would be the hours, or days, that such deliveries would take by road from Collie to Albany?

The MINISTER replied:

(1) As there are no fixed rates, the cost of hauling coal from Collie to Albany, if permitted, would be according to the carrier's quotation. It is thought bulk haulage of coal providing continuous work could be quoted as low as £4 per ton. For casual loads £6 per ton is regarded as a more likely figure.

(2) 194 miles.

(3) About 6½ hours.

Rail Transport to Albany.

8. Mr. HALL asked the Minister representing the Minister for Railways:

(1) What would be the cost per ton to haul coal from Collie to Albany by rail?

(2) What would be the hours, or days, that such deliveries of coal would take from Collie to Albany?

The MINISTER FOR TRANSPORT replied:

(1) On a Gc wagon with a minimum of 8 tons, the charge from Collie to Albany would be £2 8s. 3d. per ton with a slight addition to this charge according to the mine from which the coal is despatched. Siding haulage charges are additional.

(2) From 23 hours to 32 hours, according to the general volume of traffic being handled.

PEPPERMINT GROVE ROAD BOARD.

Area and Number of Ratepayers.

9. Mr. EVANS asked the Minister representing the Minister for Local Government:

(1) What is the area covered by the Peppermint Grove Road Board?

(2) What is the total number of ratepayers in the above road board district?

The MINISTER FOR MINES replied:

(1) 256 acres.

(2) 427 ratepayers.

QUESTIONS WITHOUT NOTICE.

IRON ORE.

Agreement for Sale to Japan, Probable Loss, etc.

1. Mr. COURT asked the Premier:

(1) Is it correct that in 1938 the then State Labour Government led by the late Mr. J. C. Willcock entered into an agreement or an arrangement with private business interests for the sale to Japan of iron ore from the Yampi Sound at the rate of 1,000,0000 tons per year for 15 years?

(2) Is it correct that the amount of royalty payable was 3d. per ton?

(3) Using the same basis as he used in replying to the hon. member for Victoria Park (parliamentary question No. 23, on the 27th August, 1958), will he state what the loss would have been to the State had not the then Commonwealth Government, in the national interest, refused an export licence?

The PREMIER replied:

(1) H. A. Brassert & Co. Ltd. held mineral leases Nos. 29-35 inclusive in the West Kimberley (Yampi Sound), the term of which was from the 1st January, 1936, to the 31st December, 1956, inclusive, with the right of renewal for a further 21 years. The annual rental was 5s. per acre. The

leases contained covenants necessitating continuous bona fide operations unless exempted by the Minister for Mines.

(2) Royalty was payable at 3d. per ton for the first ten years and 6d. per ton thereafter.

(3) Impossible to assess, as no ore was produced.

2. Mr. COURT: Would the Premier agree that had this company taken 15,000,000 tons of ore over the 15-year period, as the then Premier suggested—

Several members interjected.

The SPEAKER: Order!

Mr. COURT: —or as the then Premier was most anxious that it should take—according to his Hansard utterances—would that not represent a loss of £60,000,000 at £4 per ton, which appears to be the approximate figure used by the former Premier in giving an answer to the hon. member for Victoria Park?

The PREMIER: Had the Labour Party, at the election at which the hon. member was first elected to this Parliament, not given him a preference ahead of the then sitting member, Mr. David Grayden, the hon. member for Nedlands would not have been elected.

3. Mr. COURT: I desire again to address the question to the Premier because I do not think that in fairness to the House, or the Opposition, he has answered it in a proper manner. Does not he agree that had this company taken 15,000,000 tons of ore over a period of 15 years, as the then Premier was anxious it should take, at £4 per ton, which is the approximate figure which appears to have been used in answer to the hon. member for Victoria Park, the loss to the State would have been £60,000,000?

The PREMIER: The company took no ore.

4. Mr. COURT: In view of the fact that the Premier has answered my question on the basis that Brasserts took no ore, would he be good enough to answer the question on the basis that Brasserts had taken 15,000,000 tons of ore, as the then Premier wanted them to take?

The PREMIER replied:

The company did not produce one single ounce of iron ore.

A Previous Government's Intentions.

5. The Hon. D. BRAND asked the Premier: Does not the Premier agree that the Labour Government of that day, through the then Premier (Mr. Willcock) intended, had Commonwealth Government approval been obtained, to sell the ore at 3d. a ton royalty?

The PREMIER: Probably. In addition, the fact that the Government of which the present Leader of the Opposition was a Minister, did make with the Broken Hill Pty. Ltd. an agreement under the conditions of which that company is regularly taking large quantities of iron ore from Western Australia for processing in New South Wales.

Mr. Ross Hutchinson: Giving cheap steel in Australia, too.

LICENSING ACT.

Tabling of Special Committee's Report.

6. Mr. OLDFIELD asked the Premier:

(1) Is he in a position yet to lay the report of the special committee's inquiry into the Licensing Act upon the Table of the House?

(2) If not, will he give an indication as to when it will be made available?

The PREMIER replied:

I have to thank the hon. member for having made a copy of these questions available to me a few moments ago. The reply to his questions is that this report has not yet received close consideration by members of Cabinet. When further consideration has been given to it by Cabinet, it is almost certain that a copy will be laid on the Table of the Legislative Assembly, and a copy on the Table of the Legislative Council.

BILLS (2)—FIRST READING.

1. Electoral Act Amendment (No. 2).

2. Constitution Acts Amendment (No. 2).

Introduced by the Minister for Justice.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

Third Reading.

THE HON. J. J. BRADY (Minister for Police—Guildford-Midland) [4.45]: I move—

That the Bill be now read a third time.

MR. EVANS (Kalgoorlie) [4.46]: I am taking the, perhaps unusual, procedure of speaking to the Bill at the third reading stage, but I do so because during the week-end I was approached by one, Col. J. T. Ryan, who is secretary of a society which operates for the prevention of cruelty to animals in Kalgoorlie. This society is an incorporated body known as the Eastern Goldfields Society for the Prevention of Cruelty to Animals. Col. Ryan mentioned that he had written to the hon. Mr. Heenan, of another place, and to me, and that he had posted the letters on Thursday of last week.

Presumably these letters arrived in Perth on Friday. At that time I was home, in my electorate, at Kalgoorlie. The hon. Mr. Heenan, however, was in Perth. He received his letter and proceeded to Kalgoorlie, and a meeting was convened between Mr. Heenan, the secretary of the Eastern Goldfields Society for the Prevention of Cruelty to Animals (Col. Ryan) and myself. Col. Ryan explained to us that the Bill contained certain amendments which were causing great concern to the members of his society. He gave us copies of the notes which were taken. I would like to give to hon. members the story behind the consternation which is being felt by the members of the Eastern Goldfields society.

About 1947, the Royal Society for the Prevention of Cruelty to Animals, in Perth, sent its secretary to Kalgoorlie for the purpose of forming a branch of the society in that town. Mr. Fred Hicks was the original president; and Col. Ryan, a qualified veterinary surgeon, was elected secretary of the branch. For quite a few years the branch functioned successfully.

However, an amendment to the rules of the society was made in Perth; and this amendment relegated any branches that were operating at the time—I believe the Eastern Goldfields branch was the only one—to the position of being merely collectors of money. The officials of the branch in Kalgoorlie were required to collect money and send it to Perth. They were not allowed to operate a bank account.

Prior to the formation of the branch on the Eastern Goldfields, the R.S.P.C.A. sent to Kalgoorlie and Boulder a collector who would, on the average, collect the sum of £100 to £150 per annum. The only service that the R.S.P.C.A. gave to the Goldfields for that contribution was to send a qualified man there for two days each year to render service to those people who required it.

When this amendment was made to the constitution of the R.S.P.C.A., whereby branches were abolished and existing branches became merely money collecting groups, the members of the branch on the Goldfields were most concerned, particularly as they were not permitted to retain any funds and were required to send what money they did collect to Perth. Then they would have to rely on the services of one man who visited the area for only two days per annum. Because of this, two delegates were sent to Perth to the annual meeting of the society which was held to ratify the new rules and regulations. The delegates from the Goldfields branch voted against the new rules; but by force of numbers, of course, the new rules were confirmed.

Mr. Fred Hicks, who was one of the delegates from the Goldfields, on his return made a full report of what had happened in Perth and recommended that the Eastern Goldfields Branch—or as it would be called, a money collecting group—break away from the R.S.P.C.A. and form its own society for the purpose of preventing cruelty to animals.

So a meeting was held for the formation of this society, and this caused great consternation among members of the Royal Society in Perth. By means of publicity they attempted to stop the formation of the branch. However, it was formed and became an incorporated body known as the Eastern Goldfields Society for the Prevention of Cruelty to Animals. It had its own book of rules, and a committee or an executive comprising highly respected persons on the Goldfields has looked after the branch and has operated it successfully to the present day.

Shortly after the Eastern Goldfields Society began to function as an individual body the Royal Society approached the Hon. Hubert Parker—who, I believe, was Chief Secretary in a previous Government—and appealed to him to stop the Kalgoorlie Society from collecting money. I believe the hon. gentleman wrote to the society in Kalgoorlie and presented the views of the Royal Society. The Kalgoorlie group, in return, pointed out that it was endeavouring to do something that the Royal Society had not done in Kalgoorlie; the hon. Hubert Parker took no further action; and the Eastern Goldfields society was allowed to function.

However, shortly after this the Eastern Goldfields Society wrote to the Royal Society prior to a meeting at which the constitution of the Royal Society was once more under review. The Goldfields body asked if it could become affiliated and promised to work in co-operation and unison with the Royal Society. Col. Ryan informs me that no reply has ever been received to the letter written by the Goldfields body to the Royal Society. As I mentioned, it had been the practice of the Royal Society, before the formation of the Goldfields body, to send a collector to the Goldfields; and he collected, on the average, £100 to £150 per annum.

Col. Ryan informed me that when the Goldfields branch was formed, cruelty to horses—mostly used in bakers' and butchers' carts—was rife; and dog poisoning at the time was prevalent. But within two years of the society's formation, all those bad practices were removed. He proudly informed me that Kalgoorlie is one of the cleanest towns in Western Australia so far as cruelty to animals is concerned.

I should now like to mention the names of those highly respected persons who today are executive members of the Eastern Goldfields Society for the Prevention of Cruelty to Animals. I should also like to stress the fact that this body is an incorporated one. The names of the persons

concerned are Mr. L. Sullivan, president; Col. Ryan, secretary—he is a qualified veterinary surgeon—and committee members Messrs. Sullivan, Jack Usher (a member of the Kalgoorlie Road Board); Tom Bowen (a qualified chemist in Kalgoorlie), and Miss E. Johnson, who is the librarian of the Mechanics Institute Library. The Kalgoorlie branch functions with the support of public subscriptions and contributions from each of the three local governing authorities—namely, the Kalgoorlie Municipal Council, the Boulder Municipal Council, and the Kalgoorlie Road Board. Each of these bodies makes a contribution to the society and those funds are supplemented by public subscription.

I should now like to discuss the amendments which are contained in the Bill. Section 3 of the principal Act is to be amended by adding a new paragraph which reads—

> "Society" means the Royal Society for the Prevention of Cruelty to Animals (Western Australia) Incorporated.

Then if we turn to Section 15 of the Act, which this Bill will amend, we find that at present it reads as follows:—

> Any magistrate may appoint in writing under his hand, any officer, agent, or servant of any society—

and those are the words in question—"any society"—

> —for the prevention of cruelty to animals to be a special constable to act for such time and within such limits as are appointed, and such special constable shall, during such time and within such limits, have, exercise, and enjoy, for the purposes of this Act only, all such powers, authorities, advantages, and immunities, and be liable to all such duties and responsibilities, as any constable of the police force of Western Australia.

This Bill proposes to amend that section by substituting for the words "any society" the term "the society". The effect of that would be that the Eastern Goldfields Society for the Prevention of Cruelty to Animals would lose all its powers under the Act, even though it is an incorporated body. Further, I am led to believe by Col. Ryan that a similar society is operating in Albany. He said that interested bodies in Albany had written to him asking him to supply them with a copy of the constitution and rules of the Eastern Goldfields body as they were desirous of establishing a society in Albany. According to the rules of the Royal Society no branch can operate anywhere outside of Perth.

Mr. Nalder: Since the Kalgoorlie society has been organised, has the society in Perth sent organisers to that centre?

Mr. EVANS: No; they have taken no further interest in Kalgoorlie. Therefore I think I have made it abundantly clear that the Royal Society in Perth feels some grievance about the existence of the Eastern Goldfields Society. I am not being parochial in this matter; because I believe—and the hon. member for Albany gave me this impression in conversations I had with him—there is a similar society operating in Albany. There may be people in other districts who have the interests of animals at heart and who, if this amending Bill were agreed to, would be barred from having authority to prevent cruelty to animals.

The society in Kalgoorlie only contacted me during the week-end and hitherto I was under the impression, like a great many other people in Kalgoorlie are still under the impression, that the society in Kalgoorlie is a branch of the Royal Society as it once was. I was under the impression—and I am sure there are a great number of others still under the impression—that it still is. But such is not the case. The situation being what it is, I am not able to move that the Bill be recommitted; and accordingly, it was my intention to make my standing on this measure quite clear. I will endeavour to have suitable amendments moved in another place; and I trust the members in that House will see some justice in the arguments raised.

Before I conclude, however, I would mention that a possible amendment could be made when dealing with the fact that in this respect a society means a Royal Society and that society only. The amendment could read something like this: That the society means a Royal Society for the prevention of Cruelty to Animals, Western Australia, Incorporated, or any other incorporated society for the prevention of cruelty to animals.

I have much pleasure in making my views clear on this Bill; and it is my intention to support the third reading subject, of course, to my having amendments moved in another place. I support the Bill because it contains other amendments which I believe are desirable for people who are interested in this grand work of prevention of cruelty to animals.

MR. ROBERTS (Bunbury) [5.2]: I think there is something in the remarks made by the hon. member for Kalgoorlie. The Bill was brought down on Tuesday night, and the second reading was completed on Thursday night; and though I did a considerable amount of research, I did not go as far as Kalgoorlie or Albany, because it was my opinion that the societies there were branches of the Royal Society for the Prevention of Cruelty to Animals.

Mr. Brady: Have you a branch in Bunbury?

Mr. ROBERTS: No; there is no separate branch. When carrying out research on this Bill, I noticed that Section 15 referred to "any society," and that nowhere else in the principal Act were the words "any society" used. Right through the Act it was "the society" that was referred to. If he has looked at the principal Act, I think the hon. member for Kalgoorlie will have found that that is so. I feel that the amendment suggested by the hon. member should be dealt with in another place to cover these societies or incorporated bodies in Kalgoorlie—also in Albany, if there is one—because I am certain that those societies do a great job in the districts they represent.

Accordingly I suggest to the Minister that he give consideration to amending Clause 3 of the Bill and arrange for the amendment to be carried out in another place. I support the third reading of the Bill.

Question put and passed.

Bill read a third time and transmitted to the Council.

COLLEGE STREET CLOSURE BILL.

Third Reading.

Read a third time and transmitted to the Council.

HEALTH EDUCATION COUNCIL BILL.

Second Reading.

Debate resumed from the 11th September.

MR. ROSS HUTCHINSON (Cottesloe) [5.5]: The purpose of this Bill is to constitute a Health Education Council of Western Australia, with certain functions of promoting, maintaining and improving health. This seems to be a fairly good objective. When introducing the measure the Minister gave us an account of the work done by the Health Education Council, a non-statutory body, appointed in 1956; and having detailed some of the work that was done, he referred to the fact that there would be four ex officio councillors and 13 additional representatives on the council from various organisations in the State. That is all he said. He actually gave us no reasons why this non-statutory Health Education Council should be changed to a statutory body.

Mr. Nulsen: I think I did.

Mr. ROSS HUTCHINSON: The only reason the Minister gave, and the only reference I can find in his speech is as follows:—

> Whilst the council has had the benefit of a great deal of public support, it is known that even greater support would be available if it was an autonomous body with its own authority.

I am prepared to go 90 per cent. of the way with the Minister; but I doubt if anyone in this Chamber would say that those words constitute giving a reason for the changeover. It was outlined to us quite well that the non-stautory body had performed, in effect, a very noble task; and I believe it has done so. Like the Minister I, too, would like to commend the various members of that council for the work and time they have put in to make the object of promoting, maintaining and improving health a real and live thing. All we are told, however, is that more support would be obtained.

To my mind, that is not sufficient. I ask myself—and I am sure anybody in my place who was to have a look at this Bill would ask himself—"What could happen out of this?"; and in trying to answer such a question, I think we could arrive at something along the lines that there is a possibility, or even more than a possibility, that this could mean the birth of a non-productive semi-government instrumentality.

Mr. Nulsen: What do you mean by non-productive? Do you not think it would be conducive to health?

Mr. ROSS HUTCHINSON: I used the word "non-productive" in the same way as the Premier used those words when on one occasion he spoke about the Education Department. The Minister may quibble about that. In saying it, I am not denying the work that has been done by the council. I think I made that point earlier on.

However, even if, for the Minister's benefit, I left out the word "non-productive," it could so happen that a semi-Government instrumentality would be born which—and this seems to be traditional—would in all probability grow with the years. I do not think that any one of us would want that to happen. What we all would like to happen is to see the good work of the council going forward without any increase in numbers. So many of us know that once such bodies are made into statutory authorities, it seems to be inevitable that they grow from strength to strength; and by some mysterious way their numbers increase, and their overhead cost to the Government becomes greater and greater as the years go on. Those are the things we fear when we create trusts, boards, semi-Governmental instrumentalities, and the like.

If the Minister had given us more information on the reasons why this change is considered to be essential, he would have stifled criticism at the outset of the debate. In this case we should take the Minister to task for not giving us a great deal more information on this subject. As I said earlier, and I repeat it now, I am prepared to go quite a long way with the Minister in this matter because I believe the work that is being done, and the work that is hoped to be done by the council, is

in the interests of public health. But why must we have the change? Will the Minister answer that query, because it is essential that it be answered?

Mr. W. Hegney: The National Fitness Council is set up under an Act of Parliament. It is a similar body.

Mr. ROSS HUTCHINGSON: I am asking that the reasons for the change from a non-statutory body into a statutory one be explained to the House. I do not think I am being unreasonable in asking for the reasons to be given.

There are various other points about this Bill—and fairly minor ones—with which I am not particularly happy, but which may more adequately be dealt with in the Committee stages. Concerning the information that has been given to us, one would ask this question: Why is there any necessity to change the present set-up? Whenever I spoke to anyone outside, the immediate reaction I received was that this council had been doing a good job. So why make it a body with statutory authority? It seems that as soon as such a body has legislation to back it up, there is a never-ending stream of Bills throughout the years to amend the legislation. If it can be avoided, it is far more preferable, in respect of bodies whose functions are similar to the functions of the one under discussion, that no legislation interefere with their activities in any way.

If the Minister can show us reasons, and genuine reasons, why this change should be brought about, then our opposition may fade away. I do point out to the House the danger of making legislation covering bodies such as this, because they seem to grow and grow. One of the points made by the Minister was that it was preferable that this body be autonomous, with its own authority. It would appear from a perusal of the Bill that the body will not have any real autonomy at all, because we find the following is one of its provisions:—

> The duty of the council in the giving of effect to its functions is imposed without prejudice to any duty, power or function of the Minister to whom the administration of this Act is committed by the Governor.

That is virtually what occurs at present. The Minister has control over this non-statutory body, and he will also have control over the statutory body if this Bill is passed.

Mr. Nulsen: He has control even over the hospital boards.

Mr. ROSS HUTCHINSON. That is so. My point is: Why make the change? It does not make any real difference in autonomy. We are only playing with words if we say that is one of the reasons, unless the Minister can give me any particular reasons for the change.

If at this stage the Minister is unable to give those reasons, I would appreciate it if he would see that the debate is adjourned so that he can give the House assurances on that point when he replies. Just before coming into this Chamber I heard the Minister had been requested at one stage, through a deputation, to bring down legislation of this type. Whether or not it was the request of the deputation that this exact legislation should be introduced I do not know; but it would be interesting, for example, if the Minister had given us some of the reasons behind the deputation to him.

Apparently he has acceded to the request of the deputation, because we have the Bill before us. Personally I would like to know what the members of that deputation had to say as to their desire for this body to become a statutory authority. I wonder if the Minister would at this stage be prepared to agree to the debate being adjourned if he felt he was unable to give me the full reasons why a change is actually desirable in the interests of everyone? Would he be prepared to do that?

MR. MARSHALL (Wembley Beaches) [5.19]: I would like to make a few comments on this Bill; because, like the hon. member for Cottesloe, I feel many more reasons could be given for the introduction of this legislation and as to when authority should be given to the Health Education Council to become a statutory body. Everyone will agree that the health of the people in this State should be given very serious consideration. The Minister in his wisdom has brought down this measure to constitute the Health Education Council. In doing so, he outlined in the Bill the functions which this council is to perform.

It is not quite clear whether this council is to be a purely advisory body to the Health Department or the Government, or whether the recommendations which it will make from time to time will be implemented. Provision is made, I notice, for four ex officio members of this council. One is to be the Commissioner of Public Health; another is to be the Under Secretary for Health; and there are two officers of other State departments. Then we find that the Minister proposes to include approximately 13 nominees from various prominent organisations. Power is also given to the Minister to appoint a nominee of his own choice.

It would appear that the functions of the council are to be to promote, maintain, and improve, by means of education, the health of the people of the State and to carry out the administration of this Act. As the hon. member for Cottesloe has ably pointed out, a health council has been operating for some time. I have yet to see that any recommendations from that council, however good they might have been, have been implemented in the way

suggested. I am not certain how many meetings that council has had this year, but I do know that for the year ended the 30th June, 1957, the council met only once.

Mr. Nulsen: That council has met once every month.

Mr. MARSHALL: Well, I read the annual report of the Public Health Department, and it stated quite clearly that this health council had met once in 1957; and of the various committees appointed, only two had met this year, and they, only once—these being the requirements committee and the maternal and infant health committee. That was in 1957; I have not been able to ascertain the number of times they have met in the year ended the 30th June, 1958.

Mr. Ross Hutchinson: Would you think, therefore, that all the good work that has been done is a result of the work of executive officers?

Mr. MARSHALL: It would appear to be so, because I have not been able to ascertain any recommendations that this committee has put forward. So it would appear that if the Minister considers there is need now to add to the existing council and make it a statutory body it is necessary to look at the reasons for this contained in the Bill.

It appears that the council would have the power—with the approval of the Minister—to appoint, supervise, control, suspend, and dismiss officers. I take it that means officers of the council; it would not be officers of the Medical Department. It also desires, in its corporate name, and with the approval of the Minister, to acquire, hold, manage and protect, dispose of, and borrow money on the security of any estate in land, and any other property —or, in other words, to be a statutory incorporated body; and I suppose the intention is that this council would have the power to raise money by public subscription and so forth, and use the money, possibly, to establish health centres or something of that description.

The money that is raised, according to the Bill, will be deposited in an account to be called the Health Education Council of Western Australia Fund Account which shall be kept at the Treasury. Then, of course, forming part of the fund will be various amounts appropriated from time to time by Parliament; and also gifts of money made for purposes of the Act and proceeds of other gifts made; income derived from the investment of money forming part of the fund; and the proceeds of disposal, or borrowing on the security, of property.

So it naturally departs from the authority of the existing health council because this is to be an entirely different body. I think that the Minister could and should give us the reason for the proposal to set up this statutory authority, because we have in existence—in the Commonwealth anyway—a National Health Council, on which I understand is a representative of each State. That has been in operation for quite some time; and I found after some research, that a number of the recommendations that come through from that National Medical and Health Research Council failed to achieve satisfaction, and very few of the recommendations have been acted on.

I think the Minister will recall that a few weeks ago I asked him a question as to what had happened to an Act called the Radioactive Substances Act, which was passed in this Chamber and in another place in 1954. It has never been proclaimed and never been put into operation. Now that was one of the recommendations of the National Health and Medical Research Council, and this council did make recommendations to all States to set up model regulations concerning radioactive substances.

Up to date, I find that New South Wales, Queensland, Western Australia, and Tasmania have enacted the model Radioactive Substances Act. South Australia has incorporated the provisions of the model Act in the South Australian Health Act. The Radioactive Substances Act was proclaimed to commence on the 3rd September, 1956, in Tasmania; and on the 1st July, 1958, in Queensland; and the amendment to the Health Act in South Australia received assent in November, 1956. The Act has not been proclaimed in New South Wales and Western Australia.

When I asked the Minister a question concerning this situation, he said that there was some assurance that that Act would be proclaimed within a month; but the fact is that no State has yet proclaimed the model regulations. I find that a number of recommendations that this National Health Council made to the various States and to the various State Medical Departments have never yet been acted upon.

So I find it difficult to understand this type of council. Are we to gather that it will make recommendations to the Government on health matters? I would like the Minister to inform me in that regard, and I think the hon. member for Cottesloe would like the information, also. It would seem that this is to be only a money-raising body.

Mr. Ross Hutchinson: I think the only source from which they would get money, in the main, would be the Government.

Mr. MARSHALL: I was just coming to that point. When we look at the nominees of the various organisations, who are to form this council, we find they are drawn from various charitable organisations which themselves are vitally concerned in raising money for their own purposes. I would like the Minister to give the House

more information on that aspect, as I am not well satisfied with the Bill in its present form.

THE HON. E. NULSEN (Minister for Health—Eyre—in reply) [5.31]: I do not think the hon. member for Cottesloe and the hon. member for Wembley Beaches have given due consideration to this Bill as the public would see it. This non-statutory body has done a good job, and it worked hard and met regularly once it got on a working basis. I do not think it has missed one monthly meeting since its inception; and the real reason for putting it on a statutory basis is that experience shows that various firms and other organisations are not inclined to subscribe to it while it remains on the present footing.

We have been promised on various occasions that if it were a statutory body, which was not directly connected with the department, various organisations would subscribe to it in different ways. The Cyclone Company, for instance, said it would give us a projector, but not until we had set up a body to which it could be given, in order that the projector could be used, independent of the Government—

Mr. Ross Hutchinson: But this council is not independent of the Government.

Mr. NULSEN: It will be under the control of the Government, because the Government will have to subscribe finance, but not to the same extent as while it is a non-statutory body. This council met me at a deputation and unanimously asked for the legislation which is now before us. Mr. Halliday, who is very enthusiastic, thought it would be better to put this body on the same basis as that in Queensland, which has been highly successful as a statutory body. As a matter of fact, that is where I got the idea from. I was in Queensland early in 1956 and brought this idea back to the Premier, who gave it consideration, with the result that this body was founded.

Mr. Brand: Is this Bill based on the Queensland law?

Mr. NULSEN: Not altogether. But most of this measure has been suggested by the council itself, which asked me on several occasions to put it on a more independent basis, so that it would receive a greater response from the public than it has received as a non-statutory body.

Mr. Ross Hutchinson: It is a fond hope.

Mr. NULSEN: Members opposite ask what is the reason for the change. Times change; and if we want to progress, we must have change. As the hon. member for Subiaco said, hon. members opposite are very conservative; and the only time they will agree to move is when this side of the House has for years put forward some idea, and in the end hon. members opposite feel that if they do not fall into line they will be left out in the cold. It is only then that they will follow the more progressive side of the House.

Mr. Brand: Push your tongue out your cheek when you say that.

Mr. NULSEN: We are asked why the should be an autonomous body. Why should that in Queensland be autonomous or those in the other States? Why should this not be a statutory body when it can do so much better in that form? These people have worked very hard and have done a fine job. I cannot give any reason other than those which the council gave me, and I have not the notes of the deputation here.

Mr. Ross Hutchinson: They would have been very useful.

Mr. NULSEN: There was not a great deal in them.

Mr. Brand: You are making up a very sound case.

Mr. NULSEN: These people said that unless they had some statutory power and autonomy they would not do as well in the future as they had done in the past because the general public has requested them to have a body to which presentations can be made.

Mr. Brand: Where will the funds be kept?

Mr. NULSEN: They will be paid into the Treasury, subject to the Government auditor; and why not?

Mr. Brand: I just wondered what would happen to the funds.

Mr. NULSEN: I am sure the Treasurer will not spend their money on hospitals, schools and so on. They will have the full use of their own money.

Mr. Ross Hutchinson: Will there be any increase in staff as the result of the passing of this measure?

Mr. NULSEN: Not as far as I know and I do not think so, as it will not be necessary. The present director is a very good one, and he will carry on in that position. The present staff is not large and I anticipate that when we get this statutory body moving, we will not have to call on the Treasury, although we will have full control in regard to money; because if the Treasurer thinks these people are being extravagant, or are employing more staff than they should, or are importing people from England because there is not sufficient ability available here—

Mr. Ross Hutchinson: Be careful! Remember King Edward Memorial Hospital!

Mr. Graham: What a galah you made of yourself then!

Mr. NULSEN: As regards the Radioactive Substances Act, that measure will be proclaimed in due course, although the Medical Department has not thought it an urgent matter. Individuals may think

it urgent; but we must be guided by the experts, because we know little of it, except what we read, and perhaps we do not always fully understand that. I repeat that the council has unanimously requested this legislation, and will be disappointed if it does not become law.

Mr. Marshall: But what about its recommendations?

Mr. NULSEN: It will act as an advisory council, besides doing the best it can for the public health of Western Australia. I am sure that as Minister I will have its full co-operation in that regard, and I think the Bill is a move in the right direction. I hope the second reading will be passed unanimously, and that we will not have much debate in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Hon. E. Nulsen (Minister for Health) in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Offices of Council:

Mr. ROSS HUTCHINSON: The second last paragraph on page 3 of the Bill reads as follows:—

> One shall be a nominee of the Western Australian State Executive of the Australian Labour Party.

Several members interjected: Hear, hear!

Mr. ROSS HUTCHINSON: I wonder why some better machinery has not been employed to obtain a representative other than one nominated by the A.L.P., because this is a direct appointment from a political party.

Mr. Roberts: It is not a political party!

Mr. Court: It is both a political and an industrial organisation!

Mr. ROSS HUTCHINSON: I do not think the Government members can be sincere. They state, in this subclause, that one representative shall be a nominee of a political party—namely, the Australian Labour Party—but that the representative from the Western Australian Employers' Federation is not a political nominee at all.

Mr. W. Hegney: The members of the Workers' Compensation Board are made up of one representative from the Western Australian Employers' Federation and one representative who is selected from a panel of names submitted by the Australian Labour Party.

Mr. ROSS HUTCHINSON: I do not like to see that principle embodied in this Bill.

Mr. Graham: You don't like Labour; that's all!

Mr. ROSS HUTCHINSON: Labour has its place—

Mr. Graham: Yes, on this side of the House!

Mr. ROSS HUTCHINSON: —but it is in its wrong place at the moment. I deplore the fact that there should be a political representative on this Health Education Council.

Mr. Lapham: It is not political.

Mr. ROSS HUTCHINSON: The representative is to be a nominee of the Australian Labour Party.

Mr. Lapham: He will represent the workers in this State.

Mr. Brand: Don't talk rubbish!

Mr. ROSS HUTCHINSON: I do not want to make a song and dance about it—

Mr. Brand: Why not put a representative of the D.L.P. on it?

Mr. ROSS HUTCHINSON: —but if we were to introduce a Bill suggesting that a representative on a certain body should be a nominee of the Liberal and Country League, there would be a hue and cry from those on the other side of the Chamber. The Minister shakes his head; but I can just imagine it!

Mr. Lapham: You have put your branch in!

Mr. ROSS HUTCHINSON: We have not put our branch in at all. The Western Australian Employers' Federation has no political affiliation with the Liberal and Country League.

Mr. Graham: You have a nominee from the newspaper proprietors and another from the British Medical Association.

Mr. ROSS HUTCHINSON: It is an industrial employers' organisation entirely on its own. If by any chance there was a majority that would support the Liberal and Country League, be that as it may be. As it turns out, the Government is stating that the workers support the Australian Labour Party; but a great number of unionists do not support the Australian Labour Party. If this clause had been phrased in another way in order to obtain a nominee from practically the same source, I would have raised no objection. In the circumstances, however, I move an amendment—

> Page 3—Delete all words in lines 32 to 34.

Mr. NULSEN: I am surprised at the hon. member for Cottesloe moving this amendment. This was the suggestion which was put forward by the Health Education Council and unanimously agreed upon; that is, that the Australian Labour Party should be represented. So even the Health Education Council does not want to deprive the workers of a representative on this council.

Mr. Ross Hutchinson: We do not want to deprive the workers of a representative on the council.

Mr. NULSEN: But you have moved to strike the words out.

Mr. Ross Hutchinson: There is a great difference between a workers' representative and a nominee of the Australian Labour Party.

Mr. Lapham: You are only playing at politics!

Mr. Ross Hutchinson: Rubbish!

Mr. NULSEN: I have not much to say because the matter is too small to consider; and, further, I am surprised that it should come from such a learned person as the hon. member for Cottesloe. The hon. member wants to say, "I want their votes, but I do not think they should have a representative of the Australian Labour Party on the Health Education Council." I am sure he would be very humble if he were on the election platform. He would not run down the worker then.

Mr. Ross Hutchinson: I never run down the workers. I said previously that I did not object to a workers' representative.

Mr. NULSEN: I am going to stand by the Health Education Council, because this was its recommendation.

Mr. BOVELL: It appears to me that the Government is endeavouring to introduce politics into the Health Education Council.

Mr. Nulsen: The council put up this suggestion and not the Government.

Mr. BOVELL: If it is wise to have a representative of the A.L.P. on the council, which party, in effect, is the political wing of the Government—

Mr. Hawke: The industrial wing!

Mr. BOVELL: —it would be right to have a representative of the L.C.L. and the Country Party on the council as well. There is no doubt that nobody would deny the workers a representative on this council.

Mr. Nulsen: You are well represented on it.

Mr. BOVELL: There is no direct representation from any other political party, and therefore it is creating a dangerous precedent that any legislation should include, on any body, a representative of one political party.

Mr. Nulsen: The working man should not exist, according to you.

Mr. BOVELL: The working man has every right to exist as has any person who is able-bodied and who can be classed as a working man or woman, including the Minister for Health and myself. So I feel that this is a dangerous precedent; and, on principle, I oppose that part of the clause. The Minister, in the interests of the democratic system, should agree to the amendment.

Mr. Graham: The A.L.P. represents all the others put together.

Mr. BOVELL: It does not matter whether the A.L.P. represents all the others put together.

Mr. Nulsen: More than all the others put together.

Mr. BOVELL: The A.L.P. is a party-political organisation.

Mr. Graham: What is wrong with that?

Mr. BOVELL: Nothing at all; we must have party-political organisations under our parliamentary system. However, if it is right for one party to have representation on a council, it is also right for any other party. I repeat that it is creating a dangerous precedent.

Mr. Nulsen: It was recommended by the council.

Mr. BOVELL: It is wrong in principle. Probably the council considered it tactical to include a representative of the same political colour as the Government.

Mr. W. Hegney: Your own Government agreed in 1948 under the Workers' Compensation Act.

Mr. Lawrence: What about a member of the communist party?

Mr. BOVELL: I do not acknowledge the communist party; and I do not think other members do either. That party is foreign to our democratic set-up and is destructive of our parliamentary system.

Mr. Lawrence: They won't have you.

Mr. BOVELL: That is the best compliment I have had paid to me in this Parliament.

Mr. HAWKE: I think hon. members on the other side are getting a little confused about this matter. If they note the organisations which are to nominate representatives to the council they will see that one is the Employers' Federation, which represents the employers.

Mr. Roberts: A lot of employers are Labour men.

Mr. Graham: There should be more.

Mr. HAWKE: The A.L.P. represents the organised trade union movement. Therefore it is quite logical that if provision is made for the Employers' Federation to have a representative on the council, the workers should have one from the A.L.P.; otherwise the council would be thrown out of balance. If the A.L.P. representative is struck out, then we must strike out the employers' representative by deleting the part of the clause which deals with the Employers' Federation.

Mr. ROSS HUTCHINSON: I think there is a great deal of sense in what the Premier has had to say. However, I wish it

were possible to devise a different method of writing this into the Act before it goes on to the statute book. I appreciate that there is provision for a representative of the employers, and therefore there should be one representing the employees.

I do not think the Bill should state that this person should be nominated by a political party. That is what we object to. We might just as easily say, instead of having an Employers' Federation representative that one shall be a nominee of the Western Australian Liberal and Country League. The Country Party could have one and also the D.L.P. if it were here.

Mr. Graham: You seem to love them.

Mr. ROSS HUTCHINSON: Once a political flavour is inserted in legislation it leads to other parties wanting a political representative.

Mr. Hawke: You will finish up wanting Collins on the council.

Mr. May: Or Viv. James.

Mr. Graham: Claude Swaine.

Mr. ROSS HUTCHINSON: I suggest that this is not the sort of phrasing we should put into legislation, as it is wrong in principle. It should be so phrased as to ensure a representative of employees, but not someone nominated by the A.L.P. I feel we are completely justified in opposing this principle.

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

Ayes—14

Mr. Bovell	Mr. W. Manning
Mr. Brand	Sir Ross McLarty
Mr. Court	Mr. Nalder
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Wild
Mr. Hutchinson	Mr. I. Manning

(Teller.)

Noes—24

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Cornell	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Gaffy	Mr. Nulsen
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. W. Hegney	Mr. Rowberry
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Toms
Mr. Lapham	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. Tonkin
Mr. Perkins	Mr. Kelly
Mr. Thorn	Mr. Heal
Mr. Watts	Mr. Bickerton

Majority against—10.

Amendment thus negatived.

Clause put and passed.

Clauses 7 and 8—agreed to.

Clause 9—Powers and duties of the Council.

Mr. ROSS HUTCHINSON: I move an amendment—

Page 8—Delete Subclause (2).

I move the deletion of this subclause for several reasons. Part of it states—

> The functions, powers and duties of the Council also include such other functions, powers, and duties as are prescribed in this Act.

This portion of the subclause could be described as being redundant in this respect: that if other functions, powers, and duties are prescribed in this Act, then they are so prescribed in the Act.

Mr. W. Hegney: What is the argument?

Mr. ROSS HUTCHINSON: Why should it be placed here? Unless we look at the next portion which reads—

> Or by regulations which the Governor may make, and is hereby authorised to make for the purposes of this Act.

If the second part has relation to the first, then it could be construed that it is widening the ambit of the regulations which may be made by the Governor. I do not think that is a good principle to have in any legislation.

Mr. Nulsen: I think it is a technicality you do not understand. This was drafted by a lawyer.

Mr. Brand: Do you understand it?

Mr. Nulsen: No, I don't altogether; and I bet you don't. I am allowed to bet in the House.

Mr. ROSS HUTCHINSON: I am not going to be drawn into an argument as to whether I understand this more than the Minister does, or not. I am pointing out one or two reasons for my objection which, I think, is reasonable. There are hon. members on the other side of the Chamber who become very upset about regulations which may be made without proper stipulations as to how they may be made, and their ambit, being prescribed in the Act. I draw attention to Clause 17 on page 12 of the Bill. I submit this provision is much more desirable than Subclause (2) of Clause 9. In moving to delete Subclause (2) of Clause 9, I am prepared to make no objection to Clause 17 under which regulations may be made with regard only to the objects of the Bill as they are stated.

Mr. NULSEN: The aim of the hon. member for Cottesloe is, I think, to destroy the Bill. The measure was drafted by an expert draftsman; and he must know what he is putting in it.

Mr. Ross Hutchinson: But draftsmen make mistakes.

Mr. NULSEN: The draftsman must have related this provision to other clauses in the Bill. I feel this subclause is necessary because it will comply with the measure when it becomes an Act. That is one of the reasons why the draftsman put it in. This is not merely a technicality, but plain English. What objection would the hon. member have to it, even if it were surplus? It is not surplus, but it is necessary. I oppose the striking out of the subclause.

Mr. COURT: I think the Minister is brushing this off far too lightly. His main argument is that because the provision has been drawn up by an experienced draftsman, we should accept it.

Mr. Nulsen: Not necessarily.

Mr. COURT: Certainly not necessarily, because we have had experience before when the best draftsmen have misinterpreted the Government's intentions. Only a few days ago the Premier brought down a Bill to amend the Acts Amendment (Superannuation and Pensions) Act because legislation, submitted to the House in the previous year, did not give effect to the Government's intentions. No doubt the Bill was introduced in 1957 in good faith, because the legal people would have assured the Government it gave effect to the Government's intentions.

Mr. Hawke: You are quite wrong.

Mr. COURT: That is how the Premier explained the Bill to us: that it was the intention that no-one should be reduced.

Mr. Hawke: But the amendment in question was moved by a private member, and not by the Government.

Mr. COURT: Without consulting Hansard, I would not be positive about that; but I have vivid recollections of the Premier bringing down the Bill in 1957.

Mr. Hawke: I introduced the Bill; but the particular amendment to which the hon. member is referring was moved by a private member.

Mr. COURT: I do not know the details, but I am instancing a case of where draftsmanship can go wrong; and no doubt the Government referred the amendment to the Crown Law Department, as is the usual custom when intricate amendments are moved. If we examine this subclause we find that it goes too far.

The desire of Parliament is to facilitate the machinery of government; but at no time does it grant power to make regulations the effects of which will be in excess of the original intentions of the Act. The hon. member for Cottesloe has criticised the Minister for not giving us sufficient information on the reasons for the legislation; but he has no quarrel with Clause 8 so far as the first subclause is concerned.

Mr. Potter: Subclause (2) is only complementary to it.

Mr. COURT: If the hon. member will listen, I will explain how Subclause (2) of Clause 9 goes too far. It reads—

> The functions, powers, and duties of the council also include such other functions, powers and duties as are prescribed in this Act, or by regulations—

That is an extension.

Mr. Hawke: Read on.

Mr. COURT: It continues—

> —which the Governor may make, and is hereby authorised to make for the purposes of this Act.

Mr. Hawke: For the purposes of this Act.

Mr. COURT: On top of that Clause 17 is the normal regulation clause. This particular subclause envisages an extension of the functions, powers, and duties of the council.

Mr. Potter: That is right.

Mr. COURT: It gives power to make regulations beyond the normal intentions of the Act. I submit that the subclause gives too much power for the promulgation of regulations beyond the intention of Parliament.

Mr. HAWKE: Superficially there would appear to be something in the point put forward by the hon. member for Nedlands. But if he reads carefully Subclause (2) of Clause 9, and then Subclause (1) of Clause 17, he will se there is a clearcut difference. Subclause (2) of Clause 9 gives the Governor power to make regulations; and Subclause (1) of Clause 17 gives the council power to develop regulations which can become effective only in the event of approval of the Governor-in-Executive Council being obtained.

Therefore, although at first reading of the two subclauses it might appear to be a duplication, there is no duplication, because in the first subclause only the Governor is referred to; whereas in the second subclause the council is given certain legal authority which can become effective following approval being given at a meeting of Executive Council to any recommendations which have been submitted for approval by the council itself.

Mr. ROSS HUTCHINSON: That introduces a new fear. Apparently one of the reasons why the Bill was submitted was to change this body from non-statutory to statutory, and to make it autonomous. Now the Premier says that the Government may make regulations concerning the objects of this Act, as well as the council being able to make regulations.

Mr. Hawke: I did not say that at all.

Mr. ROSS HUTCHINSON: I will concede that the council has to initiate the action; but there is not a great difference. It means that the Government may initiate the regulations.

Mr. Hawke: No, the council. The council may initiate them but it cannot make regulations; only the Governor can do that.

Mr. ROSS HUTCHINSON: The council may initiate the regulations which will be approved by the Governor-in-Council, but the effect is that the Government may initiate action.

Mr. Hawke: I did not mention the Government. I mentioned the Governor.

Mr. ROSS HUTCHINSON: Who is the Governor?

Mr. Hawke: Sir Charles Gairdner at present!

Mr. ROSS HUTCHINSON: I think the Premier is trying to mislead me.

Mr. Hawke: No; you are misleading yourself.

Mr. ROSS HUTCHINSON: I do not think the Premier is sure of what he is saying.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. ROSS HUTCHINSON: Before tea, the Premier and I were arguing a technicality. I said the Government may initiate regulations; and he said, "No, the Governor may initiate regulations". We all know it is the Governor-in-Council who initiates regulations. Under Subclause (2) of Clause 9 the Governor may make regulations that could be outside the stated intention of the Act.

Mr. Nulsen: No; it says in this Act.

Mr. ROSS HUTCHINSON: Hon. members should read Subclause (2). It is wrong in principle, and it is one that we oppose. We should be careful about giving power to an outside authority to make regulations which may be outside the intention of the Act.

Mr. Nulsen: Subject to the Governor.

Mr. ROSS HUTCHINSON: The Premier made another point which is in contradistinction to that made by the Minister, who said that one of the real reasons for this legislation was to give this body statutory authority and make it an autonomous body. Yet in Subclause (2) we are allowing the Governor to make regulations. That defeats the purpose described by the Minister.

Mr. Nulsen: With the advice of the council.

Mr. ROSS HUTCHINSON: Why not make it regular, and let the council recommend to the Minister or the Government? I oppose this provision. It should be defeated.

Mr. NULSEN: I do not know what we are arguing about. Subclause (2) is quite clear. We cannot go outside the Act.

Mr. Court: What about the words "or by"?

Mr. NULSEN: Only the Governor may make regulations as advised by the council. This is a charitable organisation and nothing in it will affect anybody adversely. Had the hon. member for Cottesloe obtained legal advice, he would have had something to go on. The Parliamentary Draftsman is a qualified legal practitioner, and the provision is put there for a purpose. We all make mistakes, but this is not one.

Mr. Ross Hutchinson: You want the Governor to make regulations and the council to initiate regulations.

Mr. NULSEN: The council cannot make regulations.

Mr. Ross Hutchinson: This gives the Governor power to make regulations.

Mr. NULSEN: On the recommendation of the council. If we take that power away from the Governor, it will not be there even if the council wants the regulations.

Mr. BRAND: It is quite clear that the voluntary body seeking a status through this Bill did not appreciate what it would mean; had it done so a majority then would not have agreed that these measures were necessary to achieve their objective. We on this side of the Chamber oppose this sort of thing. The subclause will give power to the Government to make regulations and to do anything it cares to in connection with this broad subject.

Mr. Nulsen: It must be within the Act.

Mr. BRAND: If this Bill becomes law, we will have the makings of a sub-department within the Health Department. Despite the goodwill of the people serving in that body, ultimately the Bill will provide for a sub-department staffed by civil servants.

Mr. Nulsen: Are you opposed to the Bill?

Mr. BRAND: I am not opposed to the principle of the Bill; but I am opposed to what resulted when some legal officers conferred together after some people sought a status for their organisation, and sought autonomy in their functions.

I support the amendment to delete the words. I consider them to be unnecessary. I hope the hon. member for Cottesloe will move at a later stage to limit the life of the Bill. If that is agreed to, Parliament will be able to review the Act as a result of the experiment to vest statutory power in the council. If as a result of later experience it is found desirable to give that body unlimited powers, then that could be done. It is bad at the initial stage for a council which has been working with very satisfactory results to be led, through a set of circumstances, into becoming another department of the Government.

Mr. POTTER: I am opposed to the amendment that has been moved. The Leader of the Opposition had great

imagination to draw on when he spoke of a sub-department of the Government. In introducing the Bill the Minister said that the council was to be an autonomous body. When we consider the functions of this body and the duties it has to perform under the Bill, we will readily see that it is necessary to clothe that body with the powers, functions, and duties which are prescribed in the Bill.

Fifty per cent. of the legislation contains a provision similar to that contained in this clause. The clause says that the statutory body can prescribe regulations from time to time, but the Governor has the power to authorise the regulations. We should remember the regulations have also to come before the House. It would be very remiss of this House to oppose the clause and prevent the council from promulgating regulations.

Mr. Ross Hutchinson: You are quite wrong. You would be right if you were referring to Clause 17.

Mr. POTTER: Clause 17 refers to regulations for the objects and purposes of carrying out the Act; whereas the clause under discussion refers to the functions, duties, and powers of the council. There is a difference. The important point is that the Bill has been considered by the Parliamentary Draftsman after an approach was made to the Government by the Health Education Council to introduce a Bill so as to make the council a statutory body. The council is aware of the provisions in the Bill. There is nothing deleterious in the clause relating to the functions and duties of that council.

Mr. MARSHALL: The amendment to this clause is much ado about nothing. The clause refers to the powers and duties of the council; it proceeds to set out the powers to be given. Power is also given to the council to do certain other things in other clauses.

Clause 9 deals specifically with the powers of the council, and Subclause (2) now under discussion is supplementary to Subclause (1). The latter enumerates all the powers; and Subclause (2) merely says that the functions, powers and duties of the council also include such other functions, powers, and duties as are prescribed in the Act. That clearly indicates that Subclause (2) was included because there were other functions which the council was empowered to carry out, and which were not contained in this subclause.

Mr. Ross Hutchinson: What other powers?

Mr. MARSHALL: In certain other clauses of the Bill the council is empowered to do certain things.

Mr. Ross Hutchinson: Then this clause is redundant.

Mr. MARSHALL: Clause 9 (2) refers not only to the powers contained in Clause 9 (1) but also to the function and powers contained in other parts of the Bill.

Mr. Ross Hutchinson: If that is so, this clause is redundant.

Mr. MARSHALL: The clause goes on to say "or by regulations which the Governor may make, and is hereby authorised to make for the purposes of this Act."

Mr. Ross Hutchinson: Do you not approve of that?

Mr. MARSHALL: I do provided that any recommendation made by the council in Clause 17 is to be referred to the Governor-in-Council. The council can only make recommendations under Clause 17. The clause under discussion refers to regulations which the Governor may make.

Mr. Ross Hutchinson: This will be a strange body if it is to initiate certain regulations and the Governor is to make them.

Mr. MARSHALL: The council is not authorised to make regulations, according to my interpretation. For that reason, I consider Clause 9 (2) perfectly in order. It indicates that not only under this clause, but also under other clauses, the council will be empowered to carry out the functions and duties in accordance with the provisions of those clauses.

Mr. ROSS HUTCHINSON: I want to be as brief as I can on this occasion; but the Minister did say in effect that this Subclause (2) had to be incorporated to enable the Governor to make regulations. This is absolutely untrue. One has only to consult Clause 17 to realise what can be done with regard to regulations. The Governor does not need any power under Subclause (2) to make regulations. The construction that the hon. member for Wembley Beaches placed on it renders it redundant; and I would suggest that besides being redundant it is possible to construe it as giving too much power to the Government to make regulations outside of the properly-constituted body—which is the statutory body being set up by this very Bill. I think it is quite ridiculous that it should be so.

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

Ayes—16

Mr. Bovell	Mr. W. Manning
Mr. Brand	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. Oldfield
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Wild
Mr. Hutchinson	Mr. I. Manning

(Teller.)

Noes—23

Mr. Andrew	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Graham	Mr. Norton
Mr. Hall	Mr. Nulsen
Mr. Hawke	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rhatigan
Mr. Jamieson	Mr. Rowberry
Mr. Johnson	Mr. Sleeman
Mr. Kelly	Mr. Toms
Mr. Lapham	Mr. May
Mr. Lawrence	*(Teller.)*

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. Tonkin
Mr. Thorn	Mr. Bickerton
Mr. Watts	Mr. Brady
Mr. Perkins	Mr. Gaffy

Majority against—7.

Amendment thus negatived

Clause put and passed.

Clauses 10 to 17—agreed to.

New clause:

Mr. ROSS HUTCHINSON: I move—

That a new clause be added as follows:—

18. The provisions of this Act shall continue in operation until the thirty-first day of December, 1960, and no longer.

The reason for adding this clause, as far as I am concerned, is to put a period to the Bill. It does not necessarily mean that the activities of the statutory body should be discontinued; but it will give an opportunity for the operations under the Act to come under review in two years' time. We do not know what the effect of the legislation will be. We do not know what growth will ensure as a result of the passing of the legislation, but if in two years' time we could have a look at it, it would be all to the good.

Mr. NULSEN: I oppose this amendment. It seems to me very definite that this Bill is not wanted at all by our opponents.

Mr. Ross Hutchinson: I didn't say that.

Mr. NULSEN: The Opposition is very sceptical about it. I do not know why, because members of the deputation which waited on me were unanimous in their desire for it. They almost drafted the Bill.

Mr. Ross Hutchinson: I guarantee they did not all approve of what was in it.

Mr. NULSEN: The Bill was not altered when submitted to Cabinet. I oppose the amendment, as this measure would be of great benefit to mothers and young children in particular and would awaken many people to their responsibilities to their families. Cabinet did not alter the provisions which these people sought to have inserted in the Bill; but because this measure has been brought forward by a Labour Government, the Opposition opposes it.

Mr. Graham: They are completely out of touch.

Mr. NULSEN: Or else in touch with someone who is trying to control the destinies of the people and of this House.

Mr. BRAND: The Minister, as usual, talks about the women and children. He says this council has done good work, and that it desires some autonomy and therefore it approached the Minister, who passed the matter on to the Crown Law Department, because the Government approved of the granting of some status to this body, by Act of Parliament. This measure results from that, but it contains many legalities and unnecessary provisions.

We feel that, if the Bill becomes law, this council will ultimately have a build-up of executive officers and become a subdepartment of the Health Department. If the Government is sincere in wishing to do what the deputation from the council sought, why will it not agree to limit the life of this measure, so that the views which we on this side have expressed may be either proved or disproved? The Minister's argument about what was being done for women and children was very weak, and had no bearing on the suggestion of the hon. member for Cottesloe in regard to limiting the life of the legislation.

New clause put and a division taken with the following result:—

Ayes—16

Mr. Bovell	Mr. W. Manning
Mr. Brand	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. Oldfield
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Wild
Mr. Hutchinson	Mr. I. Manning
	(Teller.)

Noes—23

Mr. Andrew	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Graham	Mr. Norton
Mr. Hall	Mr. Nulsen
Mr. Hawke	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rhatigan
Mr. Jamieson	Mr. Rowberry
Mr. Johnson	Mr. Sewell
Mr. Kelly	Mr. Toms
Mr. Lapham	Mr. May
Mr. Lawrence	*(Teller.)*

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. Tonkin
Mr. Thorn	Mr. Bickerton
Mr. Watts	Mr. Brady
Mr. Perkins	Mr. Gaffy

Majority against—7.

New clause thus negatived.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILLS (6)—RETURNED.

1, State Housing Act Amendment.
With an amendment.

2, Plant Diseases Act Amendment.

3, Junior Farmers' Movement Act Amendment.

4, Argentine Ant Act Amendment. (Continuance.)

5, Rural and Industries Bank Act Amendment.

6, Broken Hill Proprietary Steel Industry Agreement Act Amendment.

Without amendment.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 11th September.

MR. HEARMAN (Blackwood) [8.10]: When the House rose on Thursday last I was discussing the importance of the Bill, not in the light of the fact that the measure is extremely contentious, or that there is anything new about it once we accept the idea that we shall have one railway commissioner. On that, I think the Minister was quite clear in his explanation. Nevertheless, he gave little indication to the House of any awareness of the importance of this appointment. I do not suggest that the Minister is not aware of it, but he certainly gave the House no indication that it was much more than a routine appointment.

Actually, in view of the marked impact that this appointment will have on the State's finances—if the appointment is a successful one—and in view of the fact that it will, I hope, reverse the extremely adverse effect of the unfortunate appointment of three railway commissioners in the past, I think the House should know all the circumstances that led up to the introduction of this legislation. In particular, hon. members should ask themselves what they can do to make this appointment as satisfactory and successful as possible.

I did mention, of course, that there are provisions in the industrial awards which govern the working conditions of railwaymen which lead to inefficiency; and, in my opinion, as a result of having some frank discussions with several railwaymen, they are well aware of the stupid acts that occur from time to time as a result of a literal application of the award that has been prescribed by the Arbitration Court. They make no bones about it. One might say that they are quite happy to draw attention to the fact—that is, once one gets their confidence; and there is no doubt that many incidents occur which even Gilbert & Sullivan, 100 years ago, could not have thought possible in our railway system.

The fact that the railway employees themselves are so ready to acknowledge these facts leads me to suppose that if the proper machinery were put into motion to rectify some of these anomalies it would be found that there would not be too many employees who would object very seriously to such action. After all is said and done, there is no reason to suppose that railway employees are any more devoid of commonsense or are any less conscious of the effect of stupid acts that occur on the job than any other section of the community. I think that, like all Australians, if given the proper lead, they would respond as well as any other body of workers.

It is well known that Australians have made a reputation—if shown proper leadership—for performing some magnificent feats; and, overseas, they have a reputation for doing just that. Therefore, I have no reason to doubt that the railway employees would rise to the occasion if given an opportunity. Obviously, in the interim that must exist before the appointment of a new commissioner, a golden opportunity presents itself to the Government—if it cares to seize it—to take some steps to ensure that the Arbitration Court is also granted an opportunity to function as it should. In other words, it should be allowed to weigh up both sides of the question and to come to a reasonable decision.

Last week I quoted an instance of where it cost £46 to place a truck of fruit alongside a mail steamer on a Sunday. On second thoughts, I should think that that amount would be an under-estimate because to it must be added the cost of the signalman's wages at £1 1s. 8d. an hour; and I do not think he can be employed for less than four hours on a Sunday.

In addition, shunting charges at 1s. 6d. per ton would have to be added; and these extras could easily mean that the charge for depositing that truck of fruit alongside the ship would be £50 and not £46 13s. as I said the other night; although that was the amount that was given to me by the Minister last year. However, the figure actually relates to Bunbury where there is generally no signalman on duty. That is one case where, if the matter were brought before the Arbitration Court, it would probably say, "This means that if any fruit is to be shifted for the purpose of loading it on to any overseas vesssel on a Sunday, road transport will have to be used."

It is quite evident that that is the opinion the court would have to express; and the only possible effect of that clause in industrial awards is that the business would be lost to the railways or—worse still—lost to the State altogether, because that fruit would just not be exported.

I would refer to another case of inefficiency, at Margaret River, where the railway line was closed only recently. At the Margaret River railway station there was one station master, two assistant station masters, and a man in the goods shed to handle two scheduled trains a week and

possibly some specials, which would not amount to more than one train a day. I suppose every member will agree that in the busiest period that could be experienced at that station one man could have handled all the traffic; and yet there were four men employed to do the work.

That is the sort of thing that ultimately must lead to the closure of railway lines; and it must mean that any other form of transport that runs in competition with the railways is at an advantage. I do not think that the railwaymen are so stupid that they cannot realise the true position.

It boils down to this: Are the people who regard themselves as the leaders of the trade union movement—I refer to the members sitting behind the Government at present—big enough to give a lead to the men in the railway unions in this case to protect the interests of the employees themselves?

It is very simple to lead people the way they want to go. It is quite easy to lead people to apply for attendance money. However, that is not the real test of leadership. The real test comes when a leader asks people to do those things that they do not want to do and perhaps do not like doing. When people will follow one after having been given a lead in circumstances such as that, then one can claim to be a leader.

There is far too much loose talk and there are too many stupid statements being made, perhaps from members on both sides of the House. I do not think that one can appeal to these men by saying that half of them ought to be sacked. Nevertheless, I think there is a glorious opportunity for the Government—if it has what it takes to seize it—to give a lead to the railwaymen in the interests of the State and, in particular, in the interests of the railwaymen themselves.

Does the Government intend to measure up to it? If we are to reap the full benefit from any lead in that direction, then there is a call to the Government. If we are going to pay a man something in the vicinity of £4,750 per annum in the position of commissioner, then we will certainly want a person who will run the show properly, and a man who will know that he is free to run that show as an efficient business undertaking and free to tackle the anomalies and stupidities created by these extraordinary industrial conditions laid down by the Arbitration Court.

If we do not make it very clear that we are prepared to allow the incoming commissioner to tackle these problems, I am afraid it is going to adversely influence the type of man we will get. We require a good man, and do not want to place any impediments on him. One of the ways to create the right atmosphere to ensure the best possible man getting the job is to give some indication—and the Government can give it very easily and clearly if it wants to—that we are prepared to put our railways on a proper footing.

I know this sort of thing can be pushed off in the form of an inquiry. It is the only thing which Mr. Royal Commissioner Smith has not been asked to inquire into, and I do not think there is any need for such an inquiry. It should be referred back to the Arbitration Court in order to get some more realistic conditions placed into the industrial award, and I would suggest it is not a suitable matter into which a Royal Commission should inquire. After all, the Royal Commissioner could not fail to submit a finding to the effect that some of the conditions under which men are working are completely ridiculous. This could be interpreted in some quarters as a reflection on the Arbitration Court and on the arbitration system. I do not believe that to be a correct interpretation, because I do not think the Arbitration Court and the arbitration system has ever been given a fair chance in this matter.

The only way the court can function properly is to have both sides of a case placed before it. We know that in the past there have been far too many cases of the advocate of the commission appearing before the court. He simply stands up and says, "My instructions are so and so." Obviously he has very little heart in the proceedings, knowing full well that a direction has been given by his superiors.

The situation could be handled quite well if leaders of the various unions concerned were called together at a conference. In this way a log of claims could be served and normal arbitration machinery put into operation. If that were done there would be no dissatisfaction and industrial unrest. We know that certain elements would try to make something of it; that would be inevitable. But we must be big enough to override that sort of thing. A difficult course calls for good leadership; and I think the responsibility fairly rests on the members of the Government, both front and back bench, to see this matter is tackled, because the whole question of transport costs in Australia is getting completely out of hand.

Instead of the 30 per cent. we used to talk about, the latest figure places the increase as high as 35 per cent. When we compare that percentage with the figures of our overseas competitors, we find they are paying 10 per cent. and less. Therefore, it is quite apparent that in the interests of Australia we have to be prepared to tackle this problem.

In view of the fact that the railways are the biggest single transport medium in this State, this is the most important appointment which could be made. Quite obviously the Government has a wonderful opportunity. Is the Government big

enough to measure up to these requirements or not? That is the question which confronts it.

I hope the Minister will give some indication that the Government is prepared to measure up to that responsibility and intends to create an atmosphere which will attract the best possible person to this particular job, because he will have to do many things to our railway system that will perhaps be new. The railwaymen will have to adopt a completely new outlook and realise that they have something to sell.

A few odd exceptions do occur. I remember a station master at Boyup Brook who made a point of attending all stock sales. As soon as a person bought a pen of sheep or cattle, this station master would move over and say, "How are you going to send them? We can transport them for so much." He was selling the railways against road hauliers, who were also looking for business. I understand the time came when he was promoted, and I think he is now the station master at Claremont.

When I mentioned this at a meeting a few weeks ago, some people thought it extremely funny that a man was sent to Claremont for doing a good job. That chap had the right approach. He went out and obtained business and gave good service. While he was station master at Boyup Brook, the figures at that station increased. However, he is the exception to the rule—very much so.

We need a lot more like that man. We need railwaymen imbued with the idea of competing, because the question of protection to the railways is one that has to be measured up to. Unless we can get a new commissioner who is prepared to go out after business and introduce efficiency into the railway system, he will not win the confidence of the men. Those employed in the railways should take a pride in their jobs and make no apologies because they are railwaymen.

In my own electorate we instituted a system for which I give the railways full credit because of their co-operation. Super was moved by special trains; and where it had been taking an average of ten days to turn a truck around between Kojonup and Picton under the old system, it was being turned around twice a week. Previously the story was that there were not enough trucks. However, the number of trucks in effect was quadrupled; and as a result, farmers were getting their super when they expected it. This was something about which the railwaymen were proud; and they did not mind going to the pub after they knocked off in order to have a drink and meet the farmers, who were satisfied with the service. The workman does not like it when everybody is complaining about the service which is being given. I can understand his point of view.

Given the chance, these fellows are all right; but they have to be given the chance. It is up to their leaders to see they get that chance. It is not good enough to look for scapegoats. We know the three-man commission was not very successful, and a lot of blame was attachable to many people. We also know that the three-man commission has been done away with. That, I think, has had a beneficial effect on the outlook of a lot of railwaymen. But we have a tremendous way to go yet.

Half the railwaymen themselves do not, I think, realise just how far we have to go. There is only one way to get them to develop their thinking to the point where it will not be necessary to make apologies for the railways, or to have so much restrictive legislation against competitive forms of transport. The only way to get them to that stage is to help them through, not to drive them. It is possible to do it if it is properly done; but if we simply look for scapegoats and wonder what is the politically wise thing to do, we are not doing much for the State or the railways.

I would like to close on the note that I hope this new commissioner can, when he is appointed, get the railways to the point where they really reach the stage envisaged in paragraph 35 of the conclusions of the committee on transport economic research relating to road and rail transport. Part 2 of the report of that committee reads in part—

> If restriction upon the freedom of users to choose the form of transport most suited to their needs is kept to a minimum, effective transport co-ordination and development will be achieved by the natural working out of the transport economic forces.

This committee was set up by the Australian Transport Advisory Council to go into the whole question of the co-ordination of transport in Australia and the question of what forms of transport were most suitable for various forms of traffic. Its decision, as it were, was that it was very hard to say, because there were so many different factors. The committee came to the conclusion that if all forms of transport were efficient, we could leave it to the economic forces to work out the problem; and no form of efficient transport need be afraid of the result.

We need to have a completely new mental approach to the problem; and this applies to members of Parliament just as much as to the commission, because members of Parliament in the past have never applied themselves to the job, sufficiently and seriously enough, but have been too prone to play politics on it.

Mr. Graham: That sounds like the member for Vasse to me.

Mr. HEARMAN: We have a job to tackle. It is true the deficit has gone down from £5,279,000 in 1957—the last report available—to £3,700,000 odd.

Mr. Graham: What a Government!

Mr. HEARMAN: It is true that the question of the deficit has been tackled to some extent; but I am afraid the Minister will have to agree with me that the figure next year might not be so good, because the traffic on the railways may be down. Do not let us think we have this problem completely collared, because I do not believe we have. In any case, the present figure, however much of an improvement it might be, could still be improved on.

Mr. May: We ought to make you the new commissioner.

Mr. HEARMAN: That, too, is an idea, particularly as the salary, in comparison with mine, is quite attractive. While I thank the hon. member for Collie for the suggestion, made in all seriousness as it was,—

Mr. May: I do not want to get rid of you from here.

Mr. HEARMAN: —I feel the sort of person we want for the job needs to have many qualifications that I lack.

Mr. Graham: You are too modest.

Mr. HEARMAN: It is going to be hard to find the right person. We have to ensure that we get applications from the right type of man. One thing we must do is to show a readiness and a willingness to tackle the problem.

This suggestion comes from our side of the House. If the Government is thinking of the political aspects of it, let it be said that the very fact that the suggestion comes from this side of the Chamber removes it, to a large extent, from the sphere of party politics. My suggestion is put forward in all sincerity, and I would like to hear the Minister on it—and the Premier, too, if possible; because after all, he must inevitably, as the Leader of the Government, accept a fair amount of the responsibility for the manner in which the Government seizes this opportunity. The problem is a big one and the opportunity is a big one. The Government has a chance here really to distinguish itself, if it wants to.

Mr. Graham: The Government, to be fair, has in recent years shown considerable courage.

Mr. HEARMAN: I think it has, and I think that many of the things that had to be done have been done. As far as the present Minister for Railways is concerned, although I might not see eye to eye with him on every point, I will say this much: that he has been more realistic than any other Minister that I have had to deal with since I have been a member of Parliament.

Mr. Bovell: Are you speaking of the Minister for Railways or the Minister for Transport?

Mr. HEARMAN: The Minister for Railways. I say that in all sincerity. He has had a difficult task; and it has possibly been made more difficult by the attitude of his own party, if the truth is really known, although I do not listen in to the discussions in the party room of his party.

The question of the industrial award should be tackled; and as the matter has come from this side of the House it is, as far as I can do it, at any rate, removed from the sphere of party politics. If the Government likes to adopt my suggestion, then we, obviously, cannot make political capital out of it if there is dissatisfaction from certain disgruntled railwaymen; and we know there are certain elements who will always try to stir up trouble. We should not, however, be intimidated by them.

I have no quarrel with the Bill; I think it is a reasonable one and I agree with the idea of there being one commissioner. But let us get the best man possible.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Hon. H. E. Graham (Minister for Transport) in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3, Section 8 amended:

Mr. HEARMAN: I would like the Minister to give us more information on paragraph (b). The Leader of the Country Party raised this matter by interjection, and I would therefore like the Minister to explain the significance of it. There is probably nothing wrong with this provision; but let us be quite clear on it.

Mr. GRAHAM: About the best explanation I can give is to quote a small passage from a report made by the Royal Commissioner, Magistrate A. G. Smith, in a memo. addressed to the Minister for Railways and dated the 4th August last. He says, among other things—

> I consider that para (IV) should be retained but agree wholeheartedly with the Crown Law authorities that it be amended so that the right to resign is dependent on the acceptance of the resignation by the Governor. If this amendment were not made, a commissioner whose conduct rendered him liable to dismissal could "beat the gun" as it were, by resigning.

The matter has been covered in the Stipendiary Magistrates' Act—

He is quoting that to show that there is nothing unique about the proposal in the Bill now before us—

—No. 17 of 1957, Section 5 (7) which provides—

> Any magistrate shall be deemed to have vacated his office—
>
> (a) if he resigns his office by writing under his hand addressed to the Governor and the Governor accepts such resignation.

In my view there would be two reasons to prevent an occupant of the office from retiring and getting out cleanly when perhaps he had committed a most grievous sin, and the Government of the day felt he should be sacked or retired from his office. Such a circumstance may never arise—and we hope it never will. The second one could well be that as such appointment is to be for a term not exceeding seven years it virtually becomes a contract between the person appointed and the Government. Therefore, before the party concerned can retire from the agreement or contract, it should be accepted by the Governor.

I do not think anybody could visualise, where for a good and sufficient reason a commissioner of railways sought to retire, any government being so unreasonable as to keep a responsible officer in his position against his will. I can speak with every authority so far as a government from this side is concerned, and I think perhaps the hon. member for Blackwood would be prepared to have as much confidence in a government of his political colour. In other words, I do not think that there is any impediment in this procedure; but I appreciate the question raised by the hon. member because it was put forward by the Leader of the Country Party, who is not here this evening.

Clause put and passed.

Clauses 4 and 5, Title—agreed to.

Bill reported without amendment, and the report adopted.

VERMIN ACT AMENDMENT BILL.

In Committee.

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

STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 4th September.

MR. JOHNSON (Leederville) [8.47]: This Bill is a small one to enable the State Government Insurance Office to cover all forms of insurance, although there is some restriction in the measure in relation to life assurance, restricting it only to farmers and pastoralists. One of the objects of the measure appears to be to give the State Insurance Office a greater separation from other Government departments, and a greater distinction between those insurances that are covered by the State office for itself, and those which it handles as an agent for the State Government—that is the Government Workers' Compensation Fund and the Government Fire, Marine and General Fund.

The whole purpose of the Bill is to allow the State office to compete on equal terms with all other non-life assurance companies, and it will permit those people with conscientious beliefs in State trading to exercise their freedom of choice to insure where they wish.

Mr. Court: You must be going to support our Industrial Arbitration Bill.

Mr. JOHNSON: I have some very real beliefs about conscientious belief and I need proof of it. The Bill will allow the State office to enter fields of insurance at present closed to it, and either make a higher profit rate in those fields, with benefit to the Treasury and indirectly to the taxpayers; or it will, by competition, reduce the excessive premium rates in those fields with benefit to the public—in particular, the business side of the public.

The Commonwealth Statistician lists 22 fields of insurance. The authority I quote is Statistical Bulletin No. 48, Private and Public Finance, for 1956-57. I have here a list of those various headings and insurance is listed under the following:—Fire; Householder's comprehensive; sprinkler; loss of profit; hailstone; marine; motor vehicle; motor cycle; compulsory third party; employers' liability; personal accident; public risk; general property; plate glass; boilers; livestock; burglary; guarantee; pluvious; all risks and others.

The table which I quote from that bulletin concerns the premium income in Western Australia, and the relative figures under the headings I have given; and the premium incomes are—

	£
Fire	1,857,000
Householder comprehensive	249,000
Sprinkler	2,000
Loss of profit	78,000
Hailstones	253,000
Marine	270,000
Motor vehicle	2,231,000
Motor cycle	30,000
Compulsory third party	689,000
Employers' liability	1,278,000
Personal accident	331,000
Public risk	79,000
General property	5,000
Plate glass	23,000

	£
Boiler	1,000
Livestock	32,000
Burglary	67,000
Guarantee	16,000
Pluvious	3,000
Aviation	22,000
All risks	31,000
All others	38,000

The same table lists the claims made against those premiums; and to give a degree of fairness to the statement I have included in the claims against fire, the premium required to be paid by the fire insurance companies to the Fire Brigades Board, namely, an amount of £192,000. The direct claims paid for fire insurance amount to £604,000, making a total of £796,000 against a premium income of £1,857,000. That is a gross profit of £1,061,000 or 57 per cent. Using relatively similar figures, the various gross profit rates are—

	Per Cent.
Fire	57
Householder comprehensive	78
Sprinklers	100
Loss of profit	84
Hailstones	—

One black spot which in the last year made a very severe loss.

	Per Cent.
Marine	63
Motor vehicle	37
Motor cycle	53
Compulsory third party	9.8
Employers' liability	9.4
Personal accident	56
Public risk	72
General property	60
Plate glass	43
Boiler	100
Livestock	53
Burglary	73
Guarantee	100
Pluvious	33
Aviation	87
All risks	64
Others	40

Average, 35 per cent.

That table may sound rather dull. There is, as I have said, only one black spot; namely, the figures for hailstones. It was of interest to me to extract the figures for hailstones over the past six years, back to and including the previous year in which there was a heavy loss. That was the year 1951-52 in which there was a loss of £469,000 of claims as against premium. As I said earlier, there was £252,000 in this year. In the intervening years there were gross profits as follows:—

	£
1952-53	71,000
1953-54	251,000
1954-55	206,000
1955-56	216,000

Allowing for those two unusual years in which there were great losses—namely, 1951-52 and 1956-57—there is still a gross profit of £33,000 in those six years. It will be seen, therefore, that over a period even that particular form of insurance does return a fairly considerable profit ratio. The net profit in Western Australia of all forms of insurance listed by the statistician was £431,000 which had a relation of 5½ per cent. to premium income—not the shareholders' funds, or any of those points, but to gross premium income.

It is worth noticing that that includes the excessive year of £250,000 loss in the hailstone field. Of the 22 fields of insurance I have mentioned, other than life, State insurance is permitted to compete in four only. They are motorcar, with a gross profit ratio of 37 per cent.; motor-cycle, with a profit ratio of 53 per cent.; compulsory third party—the motor-vehicle pool—in which the rate is 9.8 per cent.; and employer's liability in which it is 9.4 per cent. The State office, by the way, also covers, under employer's liability, the whole of the disease section of employer's liability and the gross profit ratio is only 6.6 per cent. None of the other companies desire to enter that field, and of course it is fairly obvious why.

Of the total premium income in Western Australia of £7,585,000 the State competes in only those four fields I have mentioned, of a total premium income of £4,107,000; and these are the four lowest profit producers. To continue—

	Premium Income.	Percentage.
	£	
Fire	1,857,000	57
Personal accident	331,000	56
Householders comprehensive	249,000	78
Loss of profit	78,000	84
Public risk	79,000	72
Burglary	67,000	73

All of which are at a high profit ratio. There remains a £2,661,000 premium income group needing competition by the State Government Insurance Office.

The State Government insurance has a profit ratio in relation to motorcar insurance lower than the average, and it is of some interest to know why. The reason is that included in the motor-vehicle insurance field, statistically, are those insurance companies which are captive of various hire-purchase firms, and whose premiums are plainly excessive. In normal Australian, I think it should be called sheer robbery. The reason that the State Government Insurance Office makes a lower than average rate is that its premiums are a great deal lower than those of the captive companies.

I have figures relating to the insurance of one particular vehicle which is insured with the National and General Insurance

Co. Ltd., a subsidiary of Customs Credit which, as we all know, is one of the hire-purchase companies largely controlled by the National Bank. The premium for the first year on the vehicle insured for £900 was £40; for the second year, it was £37.

The premium for the same amount of insurance under the State Insurance Office would be £20 for the metropolitan area, and £17 10s. for the country, during the first year; in the second year, the premium would be £19 5s. for the metropolitan area and £16 15s. for the country. Either of those two years' premiums would be reduced in accordance with whether or not there were any claims, and whether there was a previous history of no claims. The claim bonus can rise to as high as 60 per cent.

Mr. Court: That is on the basis that the vehicle is subject to hire purchase?

Mr. JOHNSON: The State Insurance Office does not load its insurance because a vehicle is subject to hire purchase.

Mr. Court: It does not at the moment.

Mr. JOHNSON: Quoting from the letter sent by Mr. Hogg, the manager of the State Insurance Office, "the premiums are not altered in any way if the contract is under hire purchase". I asked that question to make sure of the position.

The premiums of the R.A.C. for the same amount of insurance are as follows:—

First year—metropolitan area, £20 6s. 6d.; country, £16 11s. 4d.

Second year—metropolitan area, £19 10s. 10d.; country, £15 18s. 10d.

That is in respect of a vehicle valued at £800 in the second year.

The no-claims scale under which R.A.C. insurance operates is as follows:—

1st Renewal, 25 per cent.; 2nd Renewal, 33⅓ per cent.; 3rd Renewal, 40 per cent.; 4th Renewal, 50 per cent; 5th Renewal, 60 per cent.

There is no variation or loading of R.A.C. premiums between new or used vehicles or between vehicles under hire purchase agreement or free of encumbrances.

So it is clear that people who are required to insure under the captive companies are in plain language, robbed; and in this case the robbery involves no less than £20 in the first year. In fact, with no-claim bonuses allowed, the amount would be greater in the second year. It is no wonder that companies which work that way do show a higher gross profit ratio than those which operate in a fairer manner.

I feel that this small demonstration of direct exploitation needs to be given. It will ensure that all members of the Liberal Party will vote to give the State Government Insurance Office the right to enter this field of insurance, because such a policy is in accordance with the Liberal Party platform.

Mr. Court: The State Insurance Office can write motor business now.

Mr. JOHNSON: If the hon. member had been listening, he would have heard that I named four fields out of 22.

Mr. Court: I have listened to everything the hon. member for Leederville has said. You must agree that the State Insurance Office can now write unlimited motor business.

Mr. JOHNSON: It is not unlimited when people in the hire-purchase field prevent their customers from exercising a freedom of choice. The quotation I was about to make concerning the platform of the Liberal Party is taken from the objectives of the Liberal Party of Australia as set out in the constitution of 1948. It reads—

> To have an Australian nation in which an intelligent, free and liberal Australian democracy shall be maintained by (d) protecting the people against exploitation—

I would point out that in this case the word "liberal" is spelt with a small "l".

Mr. Court: It is a jolly good platform.

Mr. Graham: It is all right on paper.

Mr. JOHNSON: The State Insurance Office exists for the purpose of preventing exploitation, and is very largely achieving that end in the fields in which it does operate. It is obvious from the profit ratios I have quoted that in those fields in which it does not operate, exploitation is now taking place.

The July, 1958, edition of "The Australian Insurance and Banking Record" shows 150 insurance companies as advertisers. Not all of those operate in Western Australia, and not all Western Australian companies advertise in "The Insurance and Banking Record." In Western Australia there are 106 companies registered, according to the Government Statistician, plus the State Insurance Office and the motor-vehicle pool, making a total of 108 operating forms of insurance other than life. Of those six are Western Australian companies, 34 Eastern States companies, and the balance of 66 are overseas companies.

Mr. Bovell: We are looking for overseas capital all the time.

Mr. JOHNSON: This is not overseas capital. This is overseas exploitation.

Mr. Potter: They even have their printing done overseas.

Mr. JOHNSON: Of these companies, the tariff companies—which is the group that has ganged up for the purposes of exploitation—consist of two Western Australian companies, four Eastern States, and 59 overseas. The non-tariff companies

consist of four Western Australian, 14 Eastern States, and seven overseas companies.

It would appear that the overseas companies and the tariff companies are near enough to being one group, one body, one ring, or one organisation, whichever term one likes to use; and the Western Australian and Australian registered companies, with the exception of seven which have overseas registration, are in the main the non-tariff group.

Mr. Court: Do you know through which London office the State Insurance Office operates?

Mr. JOHNSON: The State Insurance Office has its head office in St. George's Terrace. It has no London office.

Mr. Court: Do you know through which London office it operates?

Mr. JOHNSON: I do not know. I know that that office does not reinsure with the tariff group.

Mr. Court: You have not answered my question.

Mr. JOHNSON: I do not know. It is not a point in which I am interested.

Mr. Court: It is very important to the argument you are advancing.

Mr. JOHNSON: If the hon. member thinks so, why did he not say something about it?

Mr. Court: I dealt with those points the year before last. If the hon. member desires it, I can repeat them.

Mr. Roberts: Do you object to the State Insurance Office operating through a London office?

Mr. JOHNSON: I suggest it is not entirely in the interests of this State. It would be preferable to deal with our own organisation.

Mr. Roberts: What is your main objection to those operations?

Mr. JOHNSON: That they take money out of the State. We believe in supporting Western Australian goods and Western Australian business. The more we can get of that the better.

Mr. Court: Yet the State Government Insurance Office reinsures abroad.

Mr. JOHNSON: I have not researched that question. I have some very sound recollections that there were reasons for that to be done; but the hon. member for Nedlands will not enter into a discussion of those reasons.

Mr. Court: I know the reason for that.

Mr. JOHNSON: You know the reason is that the other parties here will not take reinsurance of the State Insurance Office because of their stupidity.

Mr. Court: Tell us why they do not take State Insurance Office business.

Mr. JOHNSON: I have not researched this point recently. I am now speaking from memory and I leave the matter at that.

Mr. Court: That is fair enough.

Mr. JOHNSON: If these interjections go on long enough, I shall make some research and deal with the matter in Committee, if I get the chance. The State Government Insurance Office is already experienced in the majority of fields of insurance which it is not permitted to enter into by legislation, but which it does enter into as an agent of the Government dealing with the Government's own insurance.

I quote from the Auditor-General's report for 1957, from page 165. It states—

> This Fund was first opened in 1926-27 to insure against loss, through fire or hail, the crops and haystacks of settlers who had received assistance through the Industries Assistance Board.
>
> In the following year the fund was extended to other classes of insurance and a Treasury circular dated the 26th November, 1927, stated that it was "intended to cover the Government's own property as well as that in which the Government is financially interested as mortgagee. The classes of insurance risk covered are:—Fire (including fusion and wind storm), householders and house owners, crops, (fire and hail), baggage, burglary, cash in transit, specie, accidental damage, fidelity guarantee, livestock, personal accident, plate glass, public risk, machinery breakdown, travel by air, all risks, malicious damage and marine.

So it will be seen quite clearly that we already have a body of skilled people with a considerable degree of experience ready to enter into these various fields—fields which I think we have already proved are being seriously exploited by groups consisting mainly of overseas persons.

I think that the Bill should be passed, not only because it was introduced by the Government, and has the backing of the majority in the House and the majority of people, as proven by the return of this Government on two successive general elections—

Mr. Roberts: You don't want to be too sure!

Mr. Graham: And the third one up and coming.

Mr. JOHNSON. And a third one up and coming, as the Minister for Transport has said. The Bill has the support of the Liberal Party, if they are true to their platform, which I doubt. I do not think they could be true to anything much except the

jingle of silver. It also has the support of that very anti-Labour paper, the "News Review" I quote—

> The hon. member for Nedlands, speaking for some others besides himself, because he used the pronoun "we", made it clear that neither he nor "they" were really concerned about the clause in the Bill.

He seems to have changed spots slightly. Returning to "News Review": After dealing at some length with this matter in the issue of the 1st October, 1956, it concluded in italics—

> Now: Is there any other country or State in the world in which democracy has made real progress which would tolerate an Upper Chamber refusing FOUR times in four separate sessions, to pass legislation (any legislation) put forward by the popular (adult franchise) Chamber?

Mr. Graham: They did not know our Liberals.

Mr. JOHNSON: It would appear that there is—should we say—little principle, but a great deal of interest in the things that the Liberal Party do for St. George's Terrace people.

Mr. Roberts: Don't you like us?

Mr. JOHNSON: Not even you!

Mr. Graham: And why should he?

Mr. Bovell: I am sure that pleases the member for Bunbury.

Mr. JOHNSON: It is of further interest to note that the insurance share prices quoted in the "Insurance and Banking Record" listed only 14 companies; and as far as I can find, those 14 are the only companies that are listed on Stock Exchanges of Australia. Their lowest dividend rate as quoted, is 7 per cent.; the highest is 22½ per cent.

It would appear that the Australian public has very little right to participate in the considerable profits of the insurance business. The people of Western Australia are restricted in their right to participate. The right should be given to them through their participation in the company or office which they themselves own—that is, the State Government Insurance Office.

The Federal Liberals have shown on occasions that they believe in the principle of State organisations competing against private enterprise, as evidenced by the T.A.A. in aviation—although they have shown some tendency to strangle it—and the Commonwealth Bank in banking. I would like to remind people who do occasionally read things, of an article by Professor W. Murdoch in the "Sunday Times" of the 7th of this month, dealing with individual rights, a subject about which the Liberals—

Mr. Potter: Know little!

Mr. JOHNSON: —talk a lot, and do the opposite. Professor Murdoch says—

> Capitalism, uncontrolled, is doomed; unless it undergoes a change of heart, and turns from the thought of private gain to the thought of public welfare, its end is near. To quote one more American, one who is by no means a leftist in politics, "If capitalism can adjust itself to the new circumstances, then capitalism can go on. If not, there is nothing on earth that can save it, and nothing in Heaven that will try."

The Liberals will not be in Heaven.

Mr. Court: That is kind of you.

An hon. member: Judgment has descended.

The SPEAKER: I would point out that the hon. member is not here to judge whether the Liberals will be in Heaven or anywhere else.

Mr. Court: I knew we had no chance here, but I thought we would have a chance in Heaven.

The SPEAKER: Order!

Mr. JOHNSON: I thank you, Mr. Speaker. I am sorry. The opportunity overcame me. To conclude what Professor Murdoch says—

> In brief: the best form of government is that which best conserves the rights of the private person and which interferes only to protect those rights from the greed and selfishness of other private people, and from aggression by a foreign power.

I have shown that there are very greedy people in the insurance field, and that they are in the fields in which the State Government Insurance Office does not operate; and that in those places where the State Government Insurance Office does operate, the exploitation does not take place. As is fairly obvious, I support the Bill. I anticipate that every Liberal member who supports his own party platform will support the Bill. I said who "supports his party platform," because I do not think many of them do support it.

Mr. Jamieson: Not many of them have even seen the platform.

Mr. JOHNSON: I would like to make just a short reference to the matter of school children's insurance, a subject about which I do know a little. The matter of school children's insurance started in the district of Leederville. It is the result particularly of work by the present president of the Parents & Citizens' Federation, Mr. Bridge. He was president of the Leederville Parents & Citizens' Association at the time at which I joined it. The subject of school children's insurance was then discussed at meetings at Leederville in which I took part, and was discussed in other places. It was whilst I was a member of the Leederville P. & C. that Mr. Bridge became general president

and in both offices took part in the organisation which led up to the eventual inauguration of the scheme.

I can remember a number of conversations with him on occasions when he took me home in his car—he lived just around the corner from me—when we discussed this scheme. And my interpretation of the genesis of the scheme is, in general, something like this:

Mr. Bridge and other leading lights of the P. & C. Federation discussed with various insurance organisations the possibility of school children's insurance; and, as far as I can recall, none of them was prepared to quote, as a starting point, a premium of less than £1 per child and, if I remember rightly, they demanded a certain minimum guarantee as to numbers. All concerned in the talks at that time were sure that there was not a large number of parents who would be prepared to pay £1 per child for the coverage given.

The examination went on and eventually, after long conversations—many of which were informal—which Mr. Bridge and other officers had with the various bodies concerned, something in the nature of a possible scheme was arrived at with the State Government Insurance Office. From there onwards the position became more formal and negotiations eventually took the form which we now know. I feel that the statements made by the hon. member for Nedlands, to the effect that the private companies were not given a fair go, are not such as would be supported by the man who was principally responsible for the organisation—

Mr. Court: I do not think he would dispute one word of what I said during my second reading speech, because it was a factual record of school children's insurance, for which I had documentation.

Mr. JOHNSON: I was dealing with the pre-documentation period.

Mr. Court: I went back further than you did in my survey.

Mr. JOHNSON: I am dealing with the matter as we are concerned with the position in Western Australia.

Mr. Court: You will admit that they broke off negotiations without any official advice.

Mr. JOHNSON: I cannot speak as to that, because it was all highly conversational at the time, so far as I know it, and I was not an official, but just a member of a branch of the P. & C., of which the gentleman doing the job was president. I can only go on my own recollection of the circumstance, the principal point being that the proposal by the private companies was far too expensive for it to be expected that the people would take it up.

Mr. Court: Before the State Government Insurance Office scheme was introduced here, there was a scheme operating in South Australia at 3s. 6d. per capita.

Mr. JOHNSON: That is news to me.

Mr. Court: I mentioned that during my second reading speech and that was available to Miss Hooton when she went to South Australia, because the scheme was operating there.

Mr. JOHNSON: What was the company?

Mr. Court: It was the C.G.A., operating on the restricted basis on which the State Government Insurance Office operates now, but they subsequently expanded it to a cover for 24 hours a day and seven days per week at the greater premium.

Mr. JOHNSON: I was not aware of that. However, I did not want to go into the history of the C.G.A.; but I do know that in their prospectus or proposition, as put forward, they said they did not expect to make a profit out of it. In spite of that, I noticed from their returns, as given by the Commonwealth Statistician, that their expense ratio in relation to premiums is extremely high, and if they do not expect to make a profit on that, they have to be regarded with some degree of suspicion. My suspicion is that they are using this form of insurance as a lead-in to other forms of insurance in the homes of the people.

I felt a great deal of personal resentment when the form came to my home and I found that these people wanted to know not only whether I had children, but also what my job was. It is fairly obvious that they intend to use up the leads given by school children's insurance for the purpose of writing other insurance. That may be quite legitimate business; but I think it is an undesirable form of business, although it may be that my conscience is a little narrow on that question.

At all events, I can inform the House that in one of the P. and C. associations to which I belong in my electorate, as the result of a vote taken at a meeting, the propositions of both the State Government Insurance Office and the invading company were sent together to the parents. I am pleased to relate that, despite the greater attraction of the new proposition, approximately 30 per cent. of the people, to whom both propositions were put, preferred still to remain loyal to the organisation which had protected them in past years; and very good it is to see such loyalty.

When the freedom of choice is there and complete equality of opportunity is given in regard to both propositions—both being sent out on the same day and in the same hands—it is good that the people have a preference for the State Government Insurance Office. Those who would deny the right of the individual to seek his insurance where he desires to, are denying him a democratic right. There are people—I am one, and there are others who can be seen on this side of the House

—who prefer to deal with the State Government Insurance Office; and any denial of that right is a denial of democracy.

Mr. May: It would bring some competition into the field, too.

Mr. JOHNSON: We prefer it for various reasons, and desire it because we know that this would reduce exploitation of the farmers, of business people, and of the ordinary people. There is very little more I can say in this regard, except that I trust that not only will the Bill pass through this Chamber by a unanimous vote; but also that, in support of the democratic principles to which they have long been a bit blind, certain members in another place will give us the democratic right to insure where we wish. I support the Bill.

Question put and declared passed.

Point of Order.

Mr. Court: On a point of order, Sir, you did not give anybody a chance to declare "No." You merely stated "The ayes have it."

The Speaker: Nobody called for a division. Nobody rose to speak, and I put the question very clearly. I admit that a vote of "No" was not expressed; but there was no call for a division.

Mr. Court: In putting the question, you merely stated "the ayes have it," and did not ask for the noes. I called "No," hoping to remind you; but there was no chance for other members to call "No."

The Speaker: If I did that, I will put the question again.

Division.

Question again put and a division taken with the following result:—

Ayes—24

Mr. Andrew	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Graham	Mr. Norton
Mr. Hall	Mr. Nulsen
Mr. Hawke	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Rhatigan
Mr. Jamieson	Mr. Rowberry
Mr. Johnson	Mr. Sewell
Mr. Kelly	Mr. Sleeman
Mr. Lapham	Mr. Toms
Mr. Lawrence	Mr. May
	(Teller.)

Noes—15

Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Wild
Mr. Hutchinson	Mr. I. Manning
Mr. W. Manning	*(Teller.)*

Pairs.

Mr. Tonkin	Mr. Mann
Mr. Bickerton	Mr. Thorn
Mr. Brady	Mr. Watts
Mr. Gaffy	Mr. Perkins

Majority for—9.

Question thus passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Hon. W. Hegney (Minister for Labour) in charge of the Bill.

Clause 1—Short Title and Citation:

Mr. COURT: As is customary with measures similar to this one, I do not propose to speak on each of the clauses. The Minister has always accepted the fact that we have registered our protest during the second reading—that we are wholeheartedly opposed to the Bill—and, of course, for us to oppose each of the clauses in turn would achieve nothing, because we have already made our point. However, although we are co-operative in allowing these clauses to go through Committee without debate, we are in no way accepting them.

We have always agreed in principle that in having a franchise for the State Government Insurance Office, machinery of this type may be necessary; but that does not mean that we agree to this principle in any way whatsoever. I want to make that quite clear, because we will not be debating each of the clauses as they arise.

Clause put and passed.

Clauses 2 to 11, Title—agreed to.

Bill reported without amendment and the report adopted.

INDUSTRIES ASSISTANCE ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 11th September.

MR. BOVELL (Vasse) [9.37]: This is a very small Bill, but the Minister did not convince me that it is necessary.

Mr. Sleeman: You take a lot of convincing.

Mr. BOVELL: From 1917 a Bill to continue the legislation was introduced into Parliament each year until 1948 when the then Government decided that the Act should be continued for a period of five years. That amendment to the legislation was introduced by the former Minister for Agriculture, the Hon. E. K. Hoar, who is now the Agent-General for Western Australia in London; and I am wondering why the Government now wishes to make this measure permanent.

If the Minister had been able to convince me that it was in the interests of primary producers and farmers generally to make this Act permanent, I would have wholeheartedly supported it without any comment. However, the measure seeks to amend the relevant section of the Act which relates to those emergency conditions that affect primary producers, such as fires, floods and other unforeseen disasters that occur from time to time. In

his speech the Minister said that there is usually sufficient finance available from the two sources that he had mentioned previously to cover normal annual requirements, and this is the point that makes me somewhat suspicious of the Bill. He went on to say—

> Unless a wide-scale disaster strikes the agricultural industry, continuation of this Act will not necessarily involve financial appropriation by Parliament.

I feel that at some time in the future there may occur some wide-scale disaster in the agricultural industry; and therefore I consider it necessary that the principle of referring this measure to Parliament from time to time, to enable the Legislature to ensure that sufficient and adequate funds are made available to the agricultural industry of Western Australia, should be continued.

I will quote to the House what the former Minister for Agriculture said in this Chamber in 1953, when he was moving for the continuance of this legislation. At page 24 of Vol. 1 of the 1953 Parliamentary Debates, on the 3rd September, 1953, the then Minister for Lands was reported as having said—

> The advantage of having this Act continued is that since 1944, when the Rural and Industries Bank supplanted the old Industries Assistance Board, there has been in existence machinery which can be implemented to render assistance to farmers who have suffered some disaster through fire, flood or bad seasons. The Act no longer applies to outside industries but strictly to agriculture as it is today.

Therefore, this legislation deals almost entirely with the agricultural industry, and I consider that Parliament should be given an opportunity to review the position from time to time; because, in Mr. Hoar's own words, unless some wide-scale disaster befell our primary industries, there would be no need for any reference to be made to this Act. I have made considerable research into the various amendments to the Act over the years; and Section 15 of the original Act, the Industries Assistance Act Amendment Act, No. 16 of 1917, which now appears in the reprinted Acts, becomes Section 29A which provides—

> No commodity shall be supplied or money advanced under this Act or its amendment after the 30th day of June, 1933, except under the provisions of Section 22E.

Section 22E refers to advances that may be made to the agricultural industry; and, amongst other things, it provides—

> If the land of the settler or other person as aforesaid is subject to a mortgage in priority to the Board's security this section shall not apply without the consent of the mortgagee, but if such consent is given interest payable to the mortgagee may, so far as the Board in its discretion thinks fit, be paid under paragraph (a) of subsection two.

The Bill, if approved by Parliament will delete reference to Section 22 (e) of the parent Act.

As I said at the outset, I am not convinced of the necessity for making this Act permanent, and therefore taking away from Parliament the opportunity to review it from time to time. I want to make it entirely clear that it is because of the possibility of a large-scale disaster to the primary industries of Western Australia that I believe this Act should be reviewed by Parliament from time to time, in order to give it an opportunity to discuss the matter.

Mr. Graham: Every time the Bill comes up it is only to alter the date.

Mr. BOVELL: That is quite so.

Mr. Graham: Therefore, in that event Parliament could not do anything about any disaster.

Mr. BOVELL: It would give Parliament an opportunity to discuss the matter. If the Minister heard what I said previously—I quoted Section 29A of the Act—he would realise it is not just a simple provision saying that the Act shall remain in force until such and such a date and no longer. In the limitations section is says "except under the provisions of Section 22 (e)." If this Bill is passed, the reference to Section 22 (e) will disappear.

I would like to foreshadow an amendment in Committee to bring the life of the Act back to a five-year period, as was inaugurated by the previous Government and carried on by the previous Minister for Lands. My purpose in moving this proposed amendment will be to give Parliament an opportunity of deciding whether there is a large-scale disaster confronting the primary industries of Western Australia.

The Minister mentioned that unless there was a large-scale disaster, this Act would not necessarily involve any financial appropriation by Parliament. However, I think Parliament should make an appropriation and have an opportunity of discussing the matter from time to time.

THE HON. L. F. KELLY (Minister for Lands — Merredin - Yilgarn — in reply) [9.50]: I do not intend to waste very much time on this measure. The previous Government recognised the stupidity of bringing this measure before the House annually. The legislation benefits only one section of the community—the farmers—when they are in difficulties. It provides a means of relieving their troubles, and that is all it has been used for. At

the second reading I told the House that there is only a very small amount of money involved—

Mr. Bovell: At the moment.

Mr. KELLY: Provision is made for 10 or 20 times the amount to be used, at its own discretion, by the Government in power. When the Bill was brought forward with a recommendation that it be continued for a further five years, we had a look at it and considered that as it was only used in times of emergency it was a waste of time bringing it before the House every five years. We thought we might as well make it a permanent measure. If it needs to be amended at any time, it is the prerogative of this House to amend it. It can be discussed in any number of ways. The hon. member for Vasse could discuss it during the Address-in-reply or on the Estimates.

Mr. Brand: The Address-in-reply does not get you very far, as the Minister knows.

Mr. KELLY: If anything wants highlighting, it could be done at any time and the Act amended. I am not wedded to its being a permanent measure in any circumstances.

Mr. Brand: Then bring it up every five years if that is the case.

Mr. Bovell: The Minister knows—

Mr. KELLY: I did not interrupt the hon. member for Vasse when he was talking. I am trying to tell him my impressions, and think he could extend me some courtesy. The hon. member says he is suspicious of the Bill. Why? It is not a big bogey. It is not an eleventh-hour attempt to bolster up some section that is weak. It is purely a matter of trying to save the time of the House. That was the only reason for our deciding to make it a permanent measure. We should have adopted this policy towards many measures that come to this House frequently for alteration of a date.

It seems rather a waste of time to continue discussion on a matter of this kind, because I gave the House an assurance during my remarks on the second reading of the Bill that its only intention was to save the time of the House.

Mr. Court: You haven't told us the significance of the change.

Mr. KELLY: There is nothing to tell. It was altered from one year to five years by the previous Government, and now we have decided to make it a permanent measure.

Mr. Graham: It has been before Parliament 30 or 35 times without amendment.

Mr. Court: That is a good reason for it to come up another 50 times.

The SPEAKER: Order!

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Hon. L. I Kelly (Minister for Lands) in charge o the Bill.

Clause 1—agreed to.

Clause 2—Section 15 of No. 16 of 1917 amended:

Mr. BOVELL: I move an amendment—

Page 2, line 3—Delete the word "repealed".

Parliament has been reviewing this legislation for the last 20 or 30 years and think it should still be given the opportunity to do so from time to time. As th Minister said in his second reading speech unless a large-scale disaster strikes th agricultural industry, the continuance o this Act will not necessarily involve financial appropriations by Parliament.

Mr. Graham: Suppose Parliament di decide there was a terrific disaster, wha effect would it have? None whatsoeve It is left entirely to the Government to de cide the sum to be appropriated.

Mr. BOVELL: It gives Parliament especially members representing rura areas—an opportunity to discuss the posi tion and put forward suggestions to th Government.

Mr. Graham: That can be done b motion at any time.

Mr. BOVELL: The Minister for Land and the Minister for Transport both kno that a private member cannot introduc Bills involving finance.

Mr. Graham: That is why I said a mot ion.

Mr. BOVELL: A motion is no good a all. If a Bill of this nature is introduce it will give us an opportunity of amendin Section 22(e) of the principal Act.

Mr. Graham: Not of providing an additional funds.

Mr. KELLY: The hon. member fo Vasse has indicated that he desires Parlia ment to have a chance of discussing thi measure from time to time. He know perfectly well that there are many oppor tunities for Parliament to discuss it. How ever, the Opposition has very little chanc if a Government does not fall in with th lines of discussion. Therefore, it does no matter whether it is discussed or not; i will not be varied in any shape or form.

I point out to the hon. member tha it is quite within the realms of possibilit that the disaster he is talking about, o the major upset in an industry, could tak place in 12 months' time. In that cas the Opposition—he is speaking on behal of the Opposition apparently—would hav the same opportunity to discuss the meas ure and suggest what remedial action th Government should take, as it would hav if the period in the legislation were on

year or five years; or, as we now intend to make it, more or less permanent. There is no depth of conviction in the request he is making.

Mr. BOVELL: The Minister has not given any assurance whatsoever that the passing of the Bill will not in some way adversely affect the agricultural industry in a time of national crisis.

Mr. Graham: On the contrary, it looks after it for all time instead of only five years.

Mr. BOVELL: It is better to have a five-year period.

Mr. Graham: Suppose Parliament does not renew the measure in five years' time.

Mr. BOVELL: It is strange that the legislation has been brought to Parliament from time to time in all these years, but the Minister has not put up a convincing argument as to why Parliament should not have the opportunity of discussing it now.

Mr. Graham: It has got to the stage of not being funny after coming up about 30 times.

Mr. BOVELL: The Minister has not been here for the 30 times.

Mr. Graham: No; but strangely enough, I can read.

Mr. BOVELL: I am pleased to know that. I am waiting for the Minister's assurance.

Mr. COURT: I have read the Minister's speech several times, and I do not think he made any serious effort to explain why this periodic review should be abandoned.

Mr. Kelly: There was nothing to explain about it.

Mr. COURT: This is not just an ordinary continuance measure. The Minister is deleting from the Act, Section 29A—it is referred to in the Bill as Section 15—to which I draw his attention.

Mr. Kelly: The Act is not being altered.

Mr. COURT: I am coming to that. The Minister admitted that the advantage of having the Act continued was borne out from time to time.

Mr. Kelly: Why did Parliament agree to extend the period from one year to five? It was for the same reason as I am advancing now.

Mr. COURT: It was because Parliament was prepared to allow a longer period to elapse. I cannot understand why the Minister is so stubborn about not having this continued on a five-year basis. Surely it is not unreasonable for Parliament, once in five years, to stop and think about its legislation. It is a pity a lot of our legislation did not come before us at regular intervals so as to refresh our memory on some of the crazy things on the statute book. If we had to read everything on the statute book we would be amazed, and would want to get rid of some of it.

Mr. Kelly: We would be as old as Methuselah; and would not get half way through it.

Mr. COURT: We must regard this as being different from an ordinary continuance measure. I support the amendment.

Mr. Graham: You are virtually saying we should not assist the farmers in six years' time.

Mr. COURT: Nothing of the sort.

Amendment put and negatived.

Clause put and passed.

Bill reported without amendment and the report adopted.

NATIVES (STATUS AS CITIZENS) BILL.

Second Reading.

Debate resumed from the 9th September.

MR. LAPHAM (North Perth) [10.7]: I rise to support the second reading of the Bill. The whole question of natives comes before Parliament quite frequently. One of the reasons why it comes before the House is, I feel, because at long last we are beginning to realise we have a responsibility to these people. There has been a lot of criticism of the natives' way of living and of their poor standards. But if we analyse the position, we find that the poor standard of the natives is a reflection, not on the natives, but on the white people; because they, the white people, have had control of the natives, but have done little to uplift them.

The Bill makes provision for the granting of citizenship rights to the natives; but unfortunately it also makes provision for the taking away of those rights. I cannot agree with that part of the measure. I do not like the protection side of it. It reminds me of some of the protection that Hitler extended to certain countries. I feel that the Bill, apart from this aspect, is a good one.

The measure is a movement in the right direction. I could not oppose the second reading, because if I did I would be opposing the granting of citizenship rights to some coloured people; and I feel they should have those rights. I also consider that the Bill has been tackled in the wrong way. Instead of granting rights to the natives, we should take away the restrictive legislation which we have imposed on them. Had we done that, the natives would automatically have become citizens and then we could have extended to them certain concessions—I refer to concessions such as have been extended to

returned soldiers, in the matter of land settlement schemes and so on—by means of legislation. In that way we could have helped them attain a better social standing—

Mr. O'Brien: Many natives are returned soldiers.

Mr. LAPHAM: We could have set up an organisation dealing with the social activities of natives, to extend to them a helping hand, which should have been extended to them many years ago.

I can understand the provisions in the Bill for the protection of the natives, even though I do not agree with them, because in my experience native parents have a bad influence on their children. Hon. members representing South-West electorates will have more appreciation of that point than will other hon. members; because they have seen natives in that part of the State who, as a group, are more or less shiftless, nomadic, unreliable, and lacking in responsibility. Even though some of the native children may be working in an area, if the group decides to move on the children move with them, and consequently have no opportunity of rising above the standard of their parents. The upbringing of the children is entirely coloured by the habits of their parents.

I can understand the Commissioner of Native Welfare wanting to take over the protection of native children, in order to help them adopt our way of life; but it would be improper for us to allow him to do that, even though it might be of great benefit to the children concerned; because a native parent is a human being, and should be given the same consideration in such matters as we extend to white parents.

When the committee appointed by the Minister inquired into the position of natives in this State, I appeared before it and said that I agreed that citizenship rights were a "must" for natives. I indicated that, in my opinion, the children of natives must be removed, as far as humanely possible, from the influence of their parents. I wish to make sure that there is no misunderstanding in this regard; because at that time I was quoted in the Press as saying that I recommended that the native children be taken completely away from their parents.

I did not say that, but said that the influence of native living should be removed, as far as humanely possible, from the children; and there is sound reason for that. In many instances, where native children attend schools, they return to their parents after school, and the parents go around the town cadging and getting what food or money they can by that means, thus teaching their children a way of life which is completely foreign to what is taught under our educational system.

I still feel, however, that it would be entirely wrong to grant any person—as this legislation would—the right to take native children away from their parents. The Bill proposes to amend Section 35 and give the commissioner that power. It would allow him to undertake the general care, protection and management of the property of any native; and it states that the powers conferred by this section shall not be exercised in the case of minors without the consent of the native, except so far as may be necessary to provide for the due preservation of such property. That also refers to protected natives.

Section 69 provides that the Governor may make regulations for all or any of the matters which may enable any native children or protected native children to be sent to or detained in a native institution, industrial school, or orphanage. In my experience native parents have just as much feeling for their children as have white parents, and it would be unjust to deprive them of the company of their children.

I, believe, also, that natives are prepared to allow their children to be educated and fed in missions or institutions; and under the circumstances, I do not feel it is necessary to have legislation granting the Commissioner of Native Welfare or his officers the right to detain a native in any institution, industrial school, or orphanage. After all, what wrong have either the native children or the parents done? Yet we are asked to legislate so that the children may be detained in a native institution, industrial school or orphanage; and I feel that is wrong.

In place of the word "detain," I believe that we should use the words "to attend," so as to enable any native child or protected native child to attend a native institution, industrial school, or orphanage. I feel that that is all that is necessary, and I am satisfied that the natives would allow their children to attend the schools, institutions, or orphanages. I regret that the Minister could not be in attendance here tonight, because I wanted an assurance from him that the Bill would be amended in that way, or an assurance that he, as Minister, would see that the enforcement of the Act would not be in the manner I have indicated.

Mr. Sleeman: That would not be any good because he will not be the Minister forever.

Mr. LAPHAM: We expect that next year we will be able to deal with the native question, which is arising so frequently; but through this measure we are at least beginning to see some results.

Mr. Brand: What do you mean by "next year"? Why do you think you will be able to deal with the question?

Mr. Jamieson: We will have a bigger majority then.

Mr. LAPHAM: I have no doubt the electors will show their usual discernment.

Mr. Brand: I presume the Labour Party is serious about that, and the native question as well?

Mr. LAPHAM: We are. I have no doubt that the electors will show their usual discernment and return this splendid Government to this Chamber once again, probably with an increased majority.

Sir Ross McLarty: And you might be the Minister for Native Welfare.

Mr. LAPHAM: In that case I will make the decision myself.

Mr. Brand: I would not advise you to have a run now because you would be tossed out on your necks.

Mr. LAPHAM: I do not think that this native question is the problem that a lot of people make out it is. It is not a problem of a major nature. All it requires is someone to tackle it.

Mr. Brand: Someone to take the line of least resistance as you are doing.

Mr. LAPHAM: To tackle it, as we are tackling it.

Mr. Cornell: Do you hope for a change in the office of the Minister for Native Welfare?

Mr. LAPHAM: There must always be changes, for many reasons.

Mr. Graham: Even at Mt. Marshall.

Mr. LAPHAM: Under the circumstances I will take my chance with the rest.

Mr. Cornell: I was not plugging for you.

Mr. LAPHAM: In my opinion, the root of the whole problem stems from the lack of education of native children in the past —education in our way of living and not only the three R's. To my mind that education is secondary. The first essential is to train the native children up to our own way of living; and before we do that, they must be put into institutions or schools which have facilities which will enable them to be educated to our way of living. In many of the institutions I have seen, in which native children are taught, the facilities provided are second-rate. Many of our children would not sleep in beds in which I have seen native children sleeping —and neither would I.

Mr. Cornell: You have not seen some of my kids on a camping holiday.

Mr. LAPHAM: Even on a camping holiday our children would not put up with what some of these native children encounter. While that state of affairs exists, how can we expect them to adopt our social way of life? After all, they do not understand it, and we are not attempting to teach them. The whole basis of the question is in the education of the children. Under the circumstances I can understand why the Commissioner of Native Welfare should adopt his idea that the only way is to compel these children to go to institutions. I agree with him up to a point. It would solve the problem a lot quicker than by proceeding in the normal way; but I cannot agree to it, because it is unfair, and it is inhuman to take children away from their parents.

Mr. W. A. Manning: Then you must oppose the whole Bill.

Mr. LAPHAM: No; I am not opposing the whole Bill. I agree with the proposal to give them citizenship rights, but I do not like the protected status. I shall ask the Minister to amend the Bill in the way I have outlined so that these children will not be compelled to stay in institutions but, on the contrary, they will be given the right to attend a school or institution as the case may be.

Mr. Brand: Did you not make a public statement in the Press that you thought the children should be taken away and trained?

Mr. LAPHAM: Yes; but I made it before the committee which was inquiring into natives.

Mr. Brand: I am not interested in where you made it.

Mr. LAPHAM: I want to put the hon. member on the right track. I used these words—

> That the influence of native living should be removed so far as humanely possible from the children.

Of course the Press indicated that I said the children should be removed from their parents. I said that. But they forgot to include the word "humanely"; and there is a little difference.

Mr. Cornell: That was your saving clause.

Mr. Brand: Yes. I do not know what you meant by that.

Mr. LAPHAM: But we cannot just take them away.

Mr. Brand: But you just said that they should be removed from the native influence. If you do not remove them from their living quarters, how do you do it?

Mr. LAPHAM: I do not think for one moment that there would be any difficulty in the parents agreeing to their children going to an institution. If we granted them citizenship rights all the laws of the State would govern the natives as well as the whites so that they would come under the Child Welfare Act, and the Education Act. In those circumstances, if a native was living a life that would not provide a fair upbringing for his children, those children would be taken away and placed in the care of an institution, in the same way as white children are placed in an institution when their parents are not up to standard. That provision exists today and applies to whites; and there is no

reason why it should not apply to blacks. So I do not think it would provide any great difficulty.

Once we started to educate these children in the social way of living we would accept them in our homes. My experience is that it is not the colour which worries a white person, if he becomes friendly with a native, but it is the doubt as to whether the native will conduct himself in a normal way. But if natives are trained in the normal way, they will conduct themselves in that way. I have met a number of natives who have been trained up to a standard and in many instances they are far better than some of the white natives I have tried to assist at the State Housing Commission.

With those reservations I support the measure. I hope the Minister will amend the Bill to ease the protection and to grant natives the right to indicate their willingness to allow their children to attend institutions to be educated in the way we want them to be educated, rather than compel them to adopt this course.

Mr. Brand: How long do you think this programme will have to go on before we begin to achieve some worth-while result?

Mr. LAPHAM: If we took the children I think we would achieve something in a very short time.

Mr. Brand: What do you mean by a very short time?

Mr. LAPHAM: Within the life of a child. For instance, if a child went into an institution at the age of four or five years, and we carried it through our social structure and educated it, if it was a boy, to take a trade or a profession—if he was capable of doing it—or, if it was a girl, introduce her to something that could be used to her benefit in the future, such as nursing, that would achieve results. I might add that most of them have proved to be very competent at nursing.

In those circumstances, when they were raised as a group, they could then marry within that group. That is one of the problems that confronts natives. They could be retained in a group; and, within that group, they could marry and, as a result, could raise their children in the same way as they were brought up. By that means the full benefit of bringing them up in the proper manner would be felt.

Mr. Brand: You are not suggesting that if a native did not possess citizenship rights he would be unable to get a job, are you?

Mr. LAPHAM: Not at all. I am merely stating that in such circumstances it is a shame to deprive a native of citizenship rights. I am depriving him of the right to full citizenship rights when, instead, I should be waiving the restrictive legislation that is at present on the statute book. After all is said and done, his forebears were in Australia long before mine, and he has more right to citizenship rights than I have.

Therefore, I repeat, that in the circumstances I would rather see restrictive legislation relating to natives repealed so as to permit all of them to become citizens and, further, to grant them assistance in order to effect other social legislation for their welfare. By that means I think we would accomplish something. I support the second reading.

On motion by the Hon. Sir Ross McLarty, debate adjourned.

House adjourned at 10.22 p.m.

Legislative Council

Wednesday, the 17th September, 1958.

CONTENTS.

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