

**BILL—METROPOLITAN (PERTH)  
PASSENGER TRANSPORT  
TRUST.**

*To Inquire by Joint Select Committee—  
Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to refer the Metropolitan (Perth) Passenger Transport Trust Bill to a select committee of four members, and had instructed the select committee to inquire—

- (1) Whether it is desirable to have one statutory authority to operate metropolitan street passenger transport services; if so, whether the Bill satisfactorily achieves this purpose, or what type of authority would be best for the purpose, and under what conditions it should operate; and
- (2) Whether there are more desirable alternatives;

and requesting the Council to appoint a select committee with the same number of members with power to confer with the committee of the Legislative Assembly.

*House adjourned at 11.43 p.m.*

# Legislative Assembly

Tuesday, 15th October, 1957.

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

## ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

- 1, Occupational Therapists.
- 2, Health Act Amendment.

# AUDITOR GENERAL'S REPORT, 1956-57.

The SPEAKER: I have received from the Auditor General a copy of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1957. It will be laid on the Table of the House.

## QUESTIONS.

### EDUCATION.

#### (a) *Cost of Furnishings, John Curtin High School.*

Mr. W. A. MANNING asked the Minister for Education:

(1) What amount had been spent to the 30th June, 1957, for assembly hall and associated buildings and furnishings at John Curtin High School?

(2) What additional amounts have been, or will be, spent—

(a) to date;

(b) from this date to the 30th June, 1958;

(c) to finish the work?

The MINISTER replied:

(1) £41,196 8s. 10d. In connection with these buildings it should be said that the Fremantle Youth Committee agreed to contribute a sum of £8,000 towards the cost on the understanding that the facilities to be provided would be available for the use of youth groups in the evenings.

The provision of the assembly hall has made unnecessary the provision of a music room, which facility has been provided in other high schools where assembly halls have not been provided. This would equal a saving of at least £5,000.

(2) (a) £821 10s.

(b) £950 for electrical and sound equipment.

(c) Answered by (b).

#### (b) *Class IV Promotion List for Teachers.*

Mr. EVANS asked the Minister for Education:

(1) Is it a fact that the Education Department has recently dispensed with the second group in the Class IV promotion list for teachers?

(2) If so, what was the reason?

The MINISTER replied:

No. Owing to the large number of names in Group I, it is not anticipated that promotions will be made from Group II, hence the latter list has not been published.

#### (c) *Expenditure on School Buildings, Bunbury.*

Mr. ROBERTS asked the Minister for Education:

(1) What was the total expenditure on—

(a) school classrooms;

(b) other school buildings;

at all schools within the boundaries of the Municipality of Bunbury for the years ended the 30th June, 1956, and the 30th June, 1957?

(2) Is it anticipated that the expenditure on school classrooms and other school buildings at all schools within the boundaries of the Municipality of Bunbury, will be greater for the year ending the 30th June, 1959, than that to be expended during the financial year ending the 30th June, 1958?

The MINISTER replied:

(1) (a) 1955-56 — £20,311; 1956-57 — £5,671.

(b) 1955-56—£745; 1956-57—£9,243.

(2) This information is not available at this stage.

#### (d) *South Stirlings School, Construction.*

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

(1) Has the site for the Government school at South Stirlings been determined?

(2) If so, when is it expected that a commencement will be made on the work of erecting the school there, and when is it expected the school will be ready for occupation?

(3) If not, when is it expected the site will be fixed and how soon thereafter will steps be taken to provide for the school?

(4) Is he aware that the existing temporary school is now overcrowded and that an increase of numbers is expected shortly and that the matter of providing accommodation is becoming an urgent one?

The MINISTER replied:

(1) Yes.

(2) It is expected that a commencement will be made in about two months' time and that the school will be ready for occupation about March.

(3) See answers to Nos. (1) and (2).

(4) Yes.

### GOVERNMENT EMPLOYEES.

#### (a) *Total Under all Headings.*

Mr. COURT asked the Premier:

(1) What are the appropriate numbers of all Government employees as at the 30th June for each of the years 1947 to 1957 under the headings—

(a) Public Service Act;

(b) other salaried appointments;

- (c) State trading concerns;  
 (d) railways;  
 (e) other Government employment;  
 (f) total in Government employment of all kinds, i.e., the total of (a) to (e)?

(2) What is the target figure under each heading as at the 30th June, 1958?

The PREMIER replied:

- (1) I submit a table giving the details.  
 (2) Apart from Classes (a) and (b), no reliable target figure could be given.

STATE GOVERNMENT AND SEMI-GOVERNMENT EMPLOYMENT IN WESTERN AUSTRALIA.

AS AT 30th JUNE IN EACH YEAR 1947-1957.

	1947.	1948.	1949.	1950.	1951.	1952.	1953.	1954.	1955.	1956.	1957.
(a) Public Service Act ....	N.A.	N.A.	N.A.	N.A.	3,069	3,862	3,895	3,963	4,139	4,343	4,433
(b) Other Salaried Appointments ....	.	.	.	.	.	.	.	.	.	.	.
(c) State Trading Concerns ....	2,224	2,193	2,132	2,165	2,243	2,331	2,400	2,469	2,900	2,913	2,955
(d) Railways ....	9,851	10,631	11,056	11,677	11,904	12,213	13,030	13,251	13,667	13,974	13,712
(e) Other Government Employment†	N.A.	N.A.	N.A.	N.A.	21,546	21,555	22,488	24,272	26,278	26,936	27,632
(f) Total Government Employment†	30,271	31,897	33,882	37,127	39,362	39,961	41,903	43,655	46,993	48,106	48,732
Government Assisted Hospitals Included in (e) and (f) above ....	1,377	1,581	1,861	1,937	2,251	2,430	2,583	2,637	2,957	3,391	3,635

\* Included under other headings.

† Includes Government Boards, Trusts, Commissions, Departmental Hospitals and Government Assisted Hospitals (e.g. Royal Perth Hospital, etc.)

(b) Approximate Estimate for 1958.

Mr. COURT (without notice) asked the Premier:

In his answer to my question, he stated in the second paragraph—

Apart from classes (a) and (b) no reliable target figure can be given. Would he be prepared to re-examine the question and submit approximate figures, on the understanding, of course, that they would not be firm estimates?

The PREMIER replied:

I would be prepared to have some guesses organised if the hon. member desires that. At this stage of the year, and in view of certain factors that could develop, they would not be much more than guesses, but might turn out finally to be close to the mark. Seasonal conditions at the moment are not as good as any of us would wish them to be; and if no rains fall between now and the middle of November, for instance, the position could be affected quite substantially because of lack of rain in the last month of the season, particularly in regard to grain crops. However, if the hon. member would be prepared to take the figures that would be presented on the basis that they were not reliable but very approximate estimates, I would be quite happy to have the figures prepared and made available later on in the week.

Mr. Court: That would be satisfactory.

GOVERNMENT LABORATORIES.

*Suitability for Work on Native Flora.*

Mr. MARSHALL asked the Minister for Health:

(1) Will work on native flora be carried out in the proposed new bio-chemistry building?

(2) If so, why not at the Government laboratories which are already equipped specifically for that purpose?

(3) If work on native flora is to be done at the new bio-chemistry building, is special equipment to be purchased for that building?

(4) If such is the case, why then not utilise the present equipment at the Government laboratories which cost £26,000?

The PREMIER (for the Minister for Health) replied:

(1) This is a matter for decision by the University, when the Faculty of Medicine is fully established.

(2) The Government Chemical Laboratories are not equipped to carry out biological investigations.

(3) and (4) Equipment suitable for this work would normally be provided in University departments.

**FORESTS.***Suitability of Soil, Wyndham Area,  
Pine Plantations, etc.*

Mr. RHATIGAN asked the Minister for Forests:

Has an officer of the Forests Department visited the area in the vicinity of Wyndham, to report on the suitability of the soil and climate for the establishment of pine plantations or other commercial producing trees?

The MINISTER replied:

No, but this matter will be referred to the conservator upon his return to the State next week.

**TRAFFIC.***Conviction of Road Hauliers re Axle Loading.*

Mr. ROBERTS asked the Minister for Transport:

Why is it that road hauliers, especially those in country areas where there is no public weighbridge, are being convicted for breaches of the traffic regulations in regard to the axle loading of their vehicles, when in actual fact the total overall weight of the load carried is within the maximum total load of the vehicle licence?

The MINISTER replied:

The loading capacity of hauliers' vehicles, other than semi-trailers, is not now taken into consideration in the computation of the licence fee, this being assessed in accordance with the Third Schedule, as amended by No. 74, 1956, of the Traffic Act, on the basis of weight of vehicle plus horse power. The loading capacity of motor-vehicles is laid down in the Tenth Schedule of the regulations which prescribe the maximum permissible load to be carried on any single or tandem axle.

The regulations with regard to axle overloading are policed within the metropolitan area as well as country areas.

**WEIGHTS AND MEASURES.***(a) Donnybrook Baker's Scales,  
Adjustment.*

Mr. HEARMAN asked the Minister for Police:

Further to my question of the 10th October, regarding the adjustment of scales in the country areas, will he say why weights owned by Mr. L. K. Shepherd, baker, of Donnybrook, which had previously been adjusted in Donnybrook, were recently ordered to Perth for adjustment by officers of the Weights and Measures Branch?

The MINISTER replied:

The six weights used in the bakery were found in such condition that, with the facilities available to the inspector upon

the premises, it was not possible to carry out the work necessary to clean and adjust them to the accuracy required by the Act.

*(b) Adjustment Procedure.*

Mr. HEARMAN (without notice) asked the Minister for Police:

What is the position of tradespeople in country towns who have been ordered to send either weights or scales to Perth for adjustment, so far as the continuation of their business is concerned during the period when they are without appropriate weighing appliances?

The MINISTER replied:

If the hon. member will place his question on the notice paper, I will endeavour to obtain the information. I would say that the present practice has been in existence for a number of years and has apparently worked satisfactorily. I presume it will continue to do so. However, I will get the information he desires.

**WAR SERVICE HOMES.***City and Country Entitlement.*

Mr. W. A. MANNING asked the Minister for Housing:

(1) Is it intended that war service homes should be available for residents of cities and towns only?

(2) If not, how can an entitled person secure such a home on his farming property?

The MINISTER replied:

As war service homes policy is directed by the Commonwealth Government, the questions have been referred to the Minister for War Service Homes, Canberra, for reply.

**PROBATE DUTY.***Payment on Victorian and W.A. Shares.*

Mr. W. A. MANNING asked the Treasurer:

(1) Is he aware of the fact that probate duty on shares in public companies registered in Victoria, having a branch in Western Australia, is payable twice (once in each State) when included in a Western Australian estate?

(2) Is he also aware that Victorian probate duty is payable by a Western Australian estate on the total value of shares in public companies registered in that State, at the rate applicable to the total value of the estate wherever domiciled?

The TREASURER replied:

(1) Yes.

(2) Yes.

## STATE HOUSING COMMISSION.

*Appointment of Senior Administrative Officer.*

Mr. WILD asked the Minister for Housing:

(1) On what date did the newly appointed manager, State Housing Commission, Mr. A. D. Hynam become a Government employee?

(2) What position did he hold, and by whom was he employed immediately prior to his employment by the Government?

(3) On what date did Mr. Hynam become a permanent officer under the Public Service Act?

(4) Will he state what positions, their classifications and divisions, i.e., whether clerical or general, salaries, whether permanent or temporary, and the respective periods of the various Government positions held by Mr. Hynam?

(5) Is he aware that there is no diploma course in public administration at the University of Western Australia?

(6) If Mr. Hynam holds a diploma in public administration why is it not shown on the Public List?

(7) If Mr. Hynam is a returned soldier, why is he not shown as such in the Public Service List?

(8) Can the decision of the Government to reduce the status of the senior administrative officer from under secretary to manager be taken as indicating that the importance and responsibilities of the State Housing Commission as a department of the Government have lessened?

(9) Does not this decision mean that many officers now junior to Mr. Hynam, and with many years of experience in the commission, will be prevented from ever attaining the rank of senior administrative officer of the State Housing Commission?

The MINISTER replied:

(1) The 15th September, 1915.

(2) Employed by contractor Thomas Hull on Bruce Rock hotel building.

(3) The 1st August, 1941.

(4) 15.9.15 to 7.9.22 — Apprentice boilermaker, W.A.G.R., Midland Junction.

8.9.22 to 3.7.36 — Boilermaker—fitting and erecting shops, W.A.G.R., Midland Junction.

6.7.36 to 31.7.41 — Factories inspector, Department of Labour; £318-£366 p.a.

1.8.41 to 30.9.45 — Factories inspector, factories branch, Department of Labour—under Public Service Act—general division, permanent officer; £342-£366 p.a.

1.10.45 to 7.7.46 — Liaison officer for re-absorption of severely war-disabled Government employees, general division—Department of Employment; £500 p.a.

8.7.46 to 11.7.48 — Material production officer, Workers' Homes Board and State Housing Commission, general division; £535-£600 p.a.

12.7.48 to 3.1.50 — Building materials production officer, Department of Industrial Development—general division; £600-£680 p.a.

4.1.50 to 30.9.54 — Technical officer, State Housing Commission; classification G.11-6, £771-£1,420.

1.10.54 — Building superintendent, State Housing Commission; classification G.1-1, £1,520-£2,182 p.a.

(5) Mr. Hynam holds a certificate from the University of Western Australia which states that he passed the subject of Public Administration at University standard at the annual examination in November, 1944.

(6) The Public Service Commissioner was not aware of this fact.

(7) This officer was not in the State Public Service when he enlisted and apparently his enlistment was not known to the Public Service Commissioner.

(8) No.

(9) No.

## SENIOR CIVIL SERVANTS.

*Positions Prior to Present Appointments.*

Mr. WILD asked the Premier:

(1) Was the present Under Secretary for Law an officer of the Crown Law Department at the time of his appointment as Under Secretary for Law?

(2) Was the former Under Secretary, Metropolitan Water Supply Department, Mr. R. J. Bond, an officer of the Metropolitan Water Supply Department, at the time of his appointment as Under Secretary, Metropolitan Water Supply Department?

(3) Was the present Under Secretary for Works an officer of the Public Works Department at the time of his appointment as Under Secretary for Works?

(4) Was the present Conservator of Forests an officer of the Forests Department at the time of his appointment as Conservator of Forests?

(5) Was the present Auditor General an officer of the Audit Department at the time of his appointment as Auditor General?

(6) Was the present Director of Child Welfare an officer of the Child Welfare Department at the time of his appointment as Director of Child Welfare?

(7) Was the former Manager, State Government Insurance Office, Mr. W. S. Bown, an officer of the State Government Insurance Office at the time of his appointment as Manager, State Government Insurance Office?

The PREMIER replied:

(1), (2) and (3) No.

(4) The present Conservator of Forests was an officer of the Forests Department prior to his resigning to join the charcoal iron industry at Wundowie.

(5), (6) and (7) No.

### COMMISSIONER OF UNFAIR TRADING.

*Investigation re Bread Sales, Goldfields.*

Mr. EVANS (without notice) asked the Minister for Labour:

(1) Has the officer of the Unfair Trading Commission returned from his inquiry on the Goldfields into the sale of bread in that area?

(2) If so, has he submitted a report?

(3) Does the report recommend that the Unfair Trading Commissioner should intervene in the dispute?

The MINISTER replied:

(1) and (2) Yes.

(3) It is not customary for such reports to contain recommendations, but the commissioner is pursuing his investigations.

**BILL—SUPPLY (No. 2), £18,000,000.**

### *Message.*

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

### *Standing Orders Suspension.*

On motion by the Treasurer, resolved:

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and of Ways and Means to be reported and adopted on the same day on which they shall have passed those committees, and also the passing of a Supply Bill through all its stages in one day.

### *In Committee of Supply.*

The House resolved into Committee of Supply, Mr. Moir in the Chair.

**THE TREASURER** (Hon. A. R. G. Hawke—Northam) [4.50]: I move—

That there be granted to Her Majesty on account of the services for the year ending the 30th June, 1958, a sum not exceeding £18,000,000.

A sum of £21,000,000 has already been authorised this financial year for use by the Government in carrying on the various services of the State. Of that

£21,000,000, £15,000,000 was voted for expenditure from the Consolidated Revenue Fund, £4,000,000 from the General Loan Fund and £2,000,000 from the Advance to Treasurer.

Expenditure during the first three months of the present financial year has been £14,201,700 from Consolidated Revenue Fund and £2,973,132 from the General Loan Fund. Revenue collections during the same period amounted to £12,352,436, leaving a deficit in the Consolidated Revenue Fund of £1,849,264. The total estimated deficit for the financial year shown in the budget papers that have already been tabled is approximately £2,630,000. It will be seen, therefore, that the financial position of the State is likely to become a bit worse during the balance of this calendar year and probably, I should say, up to about the end of February.

In the months of March, April, May and June, the financial revenues that will come to the Government will be greater than they have been on the average in the preceding eight months and some improvement should be shown in the last four months of the year. The financial position of the State is certainly very difficult. As I said, when introducing the Budget, our financial difficulties are created entirely by the operations of the Railway Department. In other words, the estimated deficit for the financial year for the railway system is very much greater than the total estimated deficit covering all the rest of the Government's operations.

I think members are already aware that the estimated deficit for the railways for the current financial year is getting on towards £7,000,000 and in that amount there is included an estimated loss in regard to running expenses over earnings of approximately £4,200,000. Therefore, if we only measure the loss in regard to running expenses over and above earnings, of £4,200,000 for the financial year, as against the total estimated deficit for all the rest of the operations, of £2,600,000 approximately, it is easy to see how severe is the impact of railway finance on the financial operations of the State as a whole.

The amount of Supply now sought, £18,000,000, is required on the following basis: £14,000,000 for Consolidated Revenue Fund operations and £4,000,000 for General Loan Fund operations. This additional Supply is now sought and will enable the Government to continue carrying on the normal affairs of the State until such time as the Consolidated Revenue Fund Estimates and the General Loan Estimates are finalised by Parliament and when that position is reached, the Government will, of course, have full parliamentary authorisation to carry on expenditure to the 30th June next year.

**MR. COURT (Nedlands) [4.55]:** In the absence of the Leader of the Opposition I desire to make some brief comments on this motion. As members know, we are in the throes of debating the Estimates and at the appropriate time the Opposition will discuss them in detail and seek information from the various Ministers. However, I feel that I should make some brief comments on the motion that the Treasurer has moved.

Both during the speech he has just delivered and in answering a question earlier this afternoon, he highlighted the seasonal problem which is besetting not only Western Australia but also the whole of the Commonwealth, and which has been brought home to us all in the last few weeks. We have seen, particularly in the last few months, how quickly the situation can change in a country such as Australia which is so dependent upon primary production. It seems only yesterday that we were all concerned about how we were going to store our surplus wheat, and certain emergency measures were taken of necessity.

Today we find that not only has that situation cleaned itself up, so far as it could be cleaned up normally, but it has swung to the other side. This is a warning that the amount of food produced by Australia is not so much in excess of its requirements that at one stage of our population development we might not, given a run of bad seasons throughout the States, become importers of food, a situation which seemed almost too fantastic to contemplate a few years ago.

It is significant that already the Eastern States are looking to this State for the necessary supply of wheat, and I hope that the controversy—or what could be a controversy—starting in connection with some of that wheat is quickly scotched. I notice that it has been implied in the Eastern States, and in New South Wales in particular, that because of the wheat situation in Australia they will have problems in connection with the type of flour that they will have to bake. I cannot accept that for one moment. With the resources available to Australia and a little bit of imaginative handling of the situation, I am sure we can satisfy them that Western Australia can meet any demands they might make in that direction.

The Treasurer has emphasised the question of railway finance, and I was hoping that before this Bill or the Estimates were debated further, I would have the answer to a question which is in my name on the notice paper and which has been postponed until tomorrow. It deals particularly with the question of education. The questions I have asked are rather searching and are intended to highlight the financial predicament confronting this State in respect of education as regards both accommodation and teaching and other facilities,

because if my guess is right, it would appear that, providing we can lasso the railway deficit and bring it down to manageable proportions, the whole or most of our problem could be resolved in an amazingly short period of time.

With a deficit estimated at £7,000,000 in the Railway Department, that makes an undue demand on the overall finances of the State as a proportion of the total money available to us, and I am sure the Treasurer would agree that even if we could cut that in half, the whole outlook of the finances of the State, particularly in respect of such matters as education and hospitalisation, would be transformed overnight. Therefore, it should be the objective of all of us to see what we can do to make a contribution towards bringing that deficit down to manageable proportions. It was partly due to this that I had another question placed on the notice paper today in connection with the number of Government employees in this State.

There have been some very interesting figures promulgated by the Commonwealth in recent days regarding the number of its employees over the last few years. The accusation has been made that State Government and local government employees have increased out of all proportion compared to the increase in Commonwealth Government employees, and it was my desire to examine the figures relating to Government employees in this State to see whether that is a fair and reasonable statement in respect to Western Australia as compared with some of the other States.

However, it is not possible from the figures given in answer to my question, to hazard a guess as to what the numbers will be at the 30th June 1958, although I appreciate the offer by the Treasurer to make an effort to guess at that total. It is significant that, in this State, from 1947 to 1957, the number of the total Government employees rose—which employees include those engaged on Government boards, trusts, commissions, departmental hospitals and Government assisted hospitals—for example, the Royal Perth Hospital—from 30,271 in 1947 to 41,903 in 1953. The number of Government employees as at the 30th June, 1956, was 48,166, as against 48,732 at the 30th June, 1957, which means that the rise in the last year has been kept down to under 600.

The significant features of this are that those who come under the Public Service Act have increased their numbers by 90 in the last year; the State trading concerns have increased the number of their employees by 42 and in the railways there has been a decrease of 262 employees. The number of other Government employees has increased from 26,936 to 27,632. So it would appear that during last year, anyhow, there has been an arrest of the fairly steep rise that has been taking place in the number of Government employees in this State. For that we are grateful because

when we look at the figure of 48,732, one realises that that represents a great many people to be in Government employment in a State of this size. They all have to be paid and they receive not only their bare wages, but also they enjoy amenities and other emoluments of office peculiar to our industrial system.

From these figures I take it that they reflect the Government's undertaking made 12 months ago that it intended to take steps to curtail these numbers and at the same time maintain a standard of efficiency. With the changes that are being made in the railways, it should be possible for the numbers to decrease still further by the end of June, 1958. I think that should be the target of the Government to reduce the overall number in Government employment. This would not necessarily involve hardship and no one suggests that there should be mass sackings. It would merely be a step towards keeping a tight hold on the numbers employed.

The Minister for Transport: There are a few members in this Chamber who are in favour of mass sackings.

Mr. COURT: The Minister for Transport by that remark is suggesting that some members on this side and probably the member for Moore in particular, have suggested that mass sackings of men employed in the railways should take place. However, I think the Minister, when considering the hon. member's remark, is taking text out of context. I do not think the member for Moore would be a party to the ruthless mass sacking of a number of employees.

Mr. Ackland: He has never said so and never will say so.

The Minister for Transport: The hon. member should read Hansard.

Mr. Ackland: I have read Hansard and what the Minister suggests is not there, and I never said it.

Mr. COURT: I have never assumed, from the remarks made by the member for Moore, that he contemplated mass sackings. He has suggested that economies could be effected and I agree with him in that suggestion. In fact, I think we all agree on that and the Premier himself has suggested that he will endeavour to effect economies. I have nothing further to say on the motion.

Question put and passed.

Resolution reported and the report adopted.

*In Committee of Ways and Means.*

The House resolved into Committee of Ways and Means, Mr. Moir in the Chair.

**THE TREASURER** (Hon. A. R. G. Hawke, Northam) [5.10]: I move—

That towards making good the Supply granted to Her Majesty for the services of the year ending the 30th June, 1958, a sum not exceeding £14,000,000 be granted from the Consolidated Revenue Fund and £4,000,000 from the General Loan Fund.

Question put and passed.

Resolution reported and the report adopted.

*Bill Introduced.*

In accordance with the foregoing resolutions, Bill introduced and read a first time.

*Second Reading.*

**THE TREASURER** (Hon. A. R. G. Hawke—Northam) [5.11] in moving the second reading said: Before moving that the Bill be read a second time, I would like to express my regret at the absence of the Leader of the Opposition on account of sickness. I sincerely hope that he will soon be restored to good health. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Bill read a third time and transmitted to the Council.

## **BILLS (2)—THIRD READING.**

1, Associations Incorporation Act Amendment.

2, Marketing of Potatoes Act Amendment.

Transmitted to the Council.

## **BILL—CHURCH OF ENGLAND SCHOOL LANDS ACT AMENDMENT.**

*Third Reading.*

**THE PREMIER** (Hon. A. R. G. Hawke—Northam) [5.13]: I move—

That the Bill be now read a third time.

**MR. HEARMAN** (Blackwood) [5.14]: Briefly, I would like to clarify a point that was raised last Thursday during the debate on the Committee stage of the Bill. A suggestion was made that other people, as well as myself, had acted improperly. I would point out that the amendment that I sought to have inserted in the Bill has now been referred to a solicitor by the Diocesan Trustees and he has not only



agreed to that amendment but has suggested that a similar one be inserted when the Bill is considered in another place so that a drafting mistake may be rectified.

I want to make this point clear because there is some implication that I and others with me had acted in an improper and unethical manner. I do not consider that we did so and the fact that the diocesan solicitor has agreed that the amendments are desirable, although not of extreme importance, was sufficient, I thought, to make an explanation to the House accordingly.

**THE PREMIER** (Hon. A. R. G. Hawke—Northam—in reply) [5.15]: The point that was raised by me during the debate last week was that the Government had agreed to introduce this Bill in the form in which it now stands, and then stood, after close consultation between the representatives of the Lands Department and the Crown Law Department on the one hand, and the Diocesan Trustees and their legal representative on the other. In view of that procedure, it was my strong view last week, as it is now, that any alterations that may have been desired to the Bill by the Church of England should have been represented through the Diocesan Trustees or, by them, through their legal representative to the Government, either through the Lands Department or through the Crown Law Department.

If, as the member for Blackwood says—and I accept what he says without question—that the Diocesan Trustees and their legal representative favour the amendment he moved last week, and would recommend the Government to make similar amendments in another part of the Bill, the Government will, in those circumstances, when they become established, be quite happy to make the amendments in another place.

Question put and passed.

Bill read a third time and transmitted to the Council.

#### **BILL—JUNIOR FARMERS' MOVEMENT ACT AMENDMENT.**

Read a third time and transmitted to the Council.

#### **BILL—INSPECTION OF MACHINERY ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 10th October.

**MR. WILD** (Dale) [5.17]: This Bill seeks to amend the Inspection of Machinery Act in order to give new Australians, who have not been naturalised, the opportunity to pass the necessary examination and to engage in any particular occupation without being naturalised, provided they have passed the English language test or the test demanded of them by the board of examiners, and have satisfied the board

that they are competent to handle the particular machinery for which they desire the certificate.

To some degree this measure must cut across a line of thought which has been in existence for many years, that a man must be naturalised before he can hold a certificate under this Act. While it is possible that some members have not had experience of this provision before, we on this side of the House are quite frankly amazed to think that there has been such a provision in the Act which precludes a man who comes to Australia—whether he be a new Australian or anybody else—from holding a certificate under the Act, unless he is a naturalised British subject.

The parent Act provides quite specifically that every applicant for a certificate shall be a British subject or an ex-serviceman or a worker who has served in the merchant navy or allied navy during the last world war. We all know that there has been a tremendous influx of new Australians into this country in the last six or seven years, and we must realise that even though these people are not naturalised, they must in the main be put on the same footing as an ordinary Australian citizen.

These people are permitted to hold drivers' licenses and in some cases they are permitted to practise as medicos without having to learn to speak the English language. While I support the second reading of the Bill, I propose to ask the Minister to agree to an amendment which I will move in the Committee stage. I have not had an opportunity of putting the amendment on the notice paper because the second reading of the Bill was only moved last Thursday and I was not able to take the steps necessary to have my amendment placed on the notice paper. My amendment seeks to delete a few words in Section 59 which will give a new Australian an opportunity to earn his bread and butter in the particular avocation to which he is best suited if he wishes to study for this examination and provided that he proves to be a competent man. Section 58 says he must be competent, and if he were not, he could not pass that examination.

The amending Bill could take away from that man the right to be certificated at the discretion of the board some time later if he has not made application for naturalisation. It is left to the board to say whether it will continue the certification or not. We think that is unfair. These people have come to Australia and in the main—I would say 99.9 per cent. of them—have turned out to be good Australians and they should be given every opportunity and inducement to fit in with the laws of the country.

While I have personal views on this, I think that every new Australian who comes to this country should be naturalised as soon as possible. It is my intention to ask the Minister to agree to opening this

out a bit so that these men do not have to run the risk of having their certificate taken away at the end of three or five years, or whatever the time is, if they have not applied for naturalisation. In principle we agree to the Bill, and the amendment I intend to move in Committee will only widen the scope a little. I support the second reading.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Norton in the Chair; the Minister for Mines in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 59 amended:

Mr. WILD: I move an amendment—

That the following be inserted to stand as paragraph (a):—

by deleting all words after "shall" in line 1 of Subsection (2) down to and including the word "shall" in line 5 of that subsection.

This would have the effect of deleting paragraphs (a), (b) and (c).

The Premier: This is amending the Act.

Mr. WILD: Yes. We believe that new Australians should be given the same opportunities as ordinary Australians, and I can see no reason why they were precluded in the past. Many hundreds of thousands of them have come to our shores, and are performing various duties. It should not be held over their heads that if they do not apply for naturalisation at the end of five years their certificate will be taken away from them in the particular avocation they are following.

The MINISTER FOR MINES: An amendment such as this should have been on the notice paper, and I would like an opportunity to examine it.

Progress reported.

**BILL—ROMAN CATHOLIC VICARIATE OF THE KIMBERLEYS PROPERTY.**

*Second Reading.*

Debate resumed from the 10th October.

MR. CROMMELIN (Claremont) [5.28]: This Bill is similar to one that passed through this House in 1955 when the same provisions were required for the Diocese of Bunbury. It appears that the Roman Catholic Church has decided to create a new vicariate in the Kimberleys, and it is reasonable to assume that it desires the Vicar Apostolic to have control of that property. The measure will give it the right to take from any persons or bodies property which they are holding on behalf of the church, and to hand it over

to the new Vicar Apostolic, giving him the right of a corporate body. I can see nothing wrong with the measure, and I support the second reading.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 10th October.

MR. PERKINS (Roe) [5.38]: The Minister told us when introducing this Bill that it came about as a result of agreement reached between the Australian Workers' Union, the Pastoralists' Association and the Farmers' Union; and I believe that is substantially the case.

The parent Act dates back for many years and I think there has been only one amendment to it in the intervening years. I believe that the standard of accommodation provided in shearers' quarters on the properties to which this Bill will apply, is at least up to requirements. In these times, the great majority of good employers find it desirable not just merely to provide a minimum standard of accommodation, but to provide the kind of facilities for their employees that will keep them contented and so maintain good relations between employer and employee.

Legislation such as this is no doubt desirable in case there is some employer who is cheeseparing in his methods of running his property or in dealing with his employees. However, the great mass of employers are anxious that certain minimum standards shall be maintained. Hence, the apparently good relations that have existed for a long time between the Australian Workers' Union—the union to which most of these employees in the pastoral industry belong—those who are running the properties, and the organisations which represent them.

I am very pleased indeed that we can have this type of legislation brought before us as a result of agreement between the employer organisations and the particular union involved. Members will realise, no doubt, that this legislation applies mainly to the large station properties. At the present time, the Act applies only to sheds where eight shearers or more have stands, or where eight stands or more are provided in sheds. However this Bill will reduce that number of stands to five and make the Act apply to sheds with five stands or more. Therefore, there will be more sheds in the agricultural areas affected by this legislation.

The Farmers' Union has advised me that it raises no objection to the legislation and the Pastoralists' Association has informed me that it is in substantial agreement with it. There are one or two amendments which the Pastoralists' Association has suggested as being desirable in order to make the legislation more practicable, and I think it likely that the union will raise no objection to the particular amendments proposed. It is suggested, for instance, that the amended Act should not be proclaimed before the 1st July, 1958. Members will realise that in some sheds, or on some properties, alterations to buildings will be necessary, and such alterations cannot be made overnight. Therefore, there is need to give some time for these alterations to be made where necessary.

Further, there are provisions in the Bill dealing in some detail with the accommodation provided in the shearers' quarters. I am advised by the Pastoralists' Association that it is anxious to suggest some amendment to the details of that accommodation to the union, in order to obtain a better definition of what the minimum standard should be. Particular reference has been made to the type of mattresses provided.

There is a further provision in the Bill dealing with the size of refrigerators to be provided in the cook's area, or the eating quarters of the shearers' accommodation. It has been suggested that the size of 8 cubic feet could be reduced somewhat because there is a refrigerator on the market which is slightly smaller than 8 cubic feet and is easily obtained, whereas the larger size would probably mean the provision of two kerosene operated refrigerators. That is the type of detail, and I think it comes within the spirit of the legislation.

It is important that we should be sure that the legislation, when it leaves this House, contains provisions which can be put into force without imposing undue expense on the particular properties where they will apply. I suggest to the Minister that if the House agrees to the second reading today, he might defer the Committee stage until the Pastoralists' Association and the Farmers' Union have cleared up these details with the Australian Workers' Union. If the Minister agrees to that, I will be very happy indeed to support the second reading of the Bill, which I commend to the House.

**MR. BOVELL** (Vasse) [5.42]: It is encouraging to find that agreement can be reached between the employees' association and the employers' association—in this case, the Australian Workers' Union representing the shearers, and the Pastoralists' Association and the Farmers' Union representing the employers. They have reached an agreement in regard to providing better conditions for shearers. I think credit must be given to these parties

for their initiative in arriving at some suitable standard that will provide better amenities for the shearers concerned.

The wool industry, during postwar years, has enjoyed great buoyancy, but we must not be lulled into the false impression that this will last ad finem. The provision of these conveniences applies only to properties where more than five shearers are to be employed, whereas the Act has applied hitherto to the employment of eight shearers. The Pastoralists' Association and the Farmers' Union have signified their general agreement with the Bill but, as the member for Roe has mentioned, the Pastoralists' Association—and I am informed the Farmers' Union concurs—has sought certain amendments.

When I discussed this matter with the secretary of the Pastoralists' Association, he provided me with a copy of a letter which he addressed to the Minister in regard to the proposed amendments. I do not think that the amendments in the Bill will mean any great alteration to the facilities, and I would like the Minister, when replying, to indicate whether he has had an opportunity of considering the amendments which were forwarded to him by the secretary of the Pastoralists' Association as an attachment to a letter dated the 15th October, 1957.

The member for Roe has clearly outlined the position, and I ask the Minister to give consideration to the hon. member's request that the Committee stage be deferred in order that there may be clarification of the proposed amendments. I support the second reading.

**MR. NALDER** (Katanning) [5.46]: I support the suggested amendments. Where conditions can be improved for any employee, and the agreement can be reached, it is up to the employer to provide those improvements.

**Mr. O'Brien**: Hear, hear!

**Mr. NALDER**: I, like the Minister, have had some experience of shearing although not in sheds of the size mentioned by him.

**Mr. Sewell**: How many can you do a day?

**Mr. NALDER**: I was not a crack shearer and never managed to do 200, but possibly the sheep I shored did not have bare bellies like the ones that the Minister handled.

**The Premier**: You would not think a man could shear for 24 hours continuously!

**Mr. NALDER**: I shall leave the Premier to explain that one more fully.

**The Minister for Labour**: The question is barred.

**Mr. NALDER**: The work required of a shearer is not easy. It is a hard job and when a man has worked hard all day, he is entitled to some little comfort at the end of the day's work. It is not many

years ago—especially in many of the farming areas—when a shearer had to put up with quite a few privations. He was prepared to do it because his employer was not in a position to offer him better facilities. But as conditions have improved, I think the shearer is entitled to the better conditions suggested in the Bill.

The amendments refer mainly to shearers in the pastoral areas. There may be a few south of the 26th parallel, although not as many as there are north of it. I feel sure, however, that these conditions will be welcomed by everyone concerned and that the employer will be quite happy to endeavour to provide them within the earliest possible time. I would like the Minister to accept the first amendment which will mean that the Act will not be brought into force before the 31st July, 1958, or thereabouts. This is necessary because it would be impossible, especially in some areas, for these improvements to be effected straight away.

In the northern areas, for instance, the employer would have to make arrangements for his shearing, prior to the commencement of the shearing season which starts, approximately, in March of next year. If the Bill is proclaimed at the beginning of 1958, it will be almost impossible for that employer to provide these facilities. If the Minister will give consideration to the amendment suggested by the Pastoralists' Association, I am sure it will then be possible for these people to make the necessary arrangements to have the facilities available for the following shearing season.

The other amendment, which deals with the size of the mattresses, has already been referred to by the member for Roe. It is a small amendment and possibly the people concerned—the Farmers' Union, the Pastoralists' Association and the Australian Workers' Union—may tomorrow or the next day be able to get together and agree to it. Apart from these points, the House would do well to pass the recommendations that have been suggested by the Minister, and I have much pleasure in supporting them.

**MR. ACKLAND (Moore) [5.51]:** I want to give general support to the Bill, but I wish to draw the attention of members to the fact that some years ago—during the depression period—when wool was selling for sixpence to tenpence a pound, an attempt was made to alter the conditions under which the shearers lived, but it was quite impossible and impracticable for the people who owned the flocks, or nominally owned them, to effect the improvements that they were asked to make.

At that time the old Primary Producers' Association, I think it was, as well as the Pastoralists' Association, fought against the improvements that were asked for.

They did that not because they did not realise the necessity for those improvements or their advisability, but because there simply was not the finance in the industry to effect the conditions that were sought. But already with the improvement in the industry, many sheds have been brought up to date and many quarters have been made quite comfortable with all sorts of amenities, even though they are used for only two to six weeks each year.

The people concerned are quite prepared to carry out most of what the Bill attempts to effect. The Minister could well agree to one or two of the amendments that have been suggested, particularly the one dealing with the time when the legislation should come into force. We, on this side of the House, are much in favour of the shearing industry being given the amenities that the labour calls for, and we support the second reading.

**MR. O'BRIEN (Murchison) [5.53]:** My first employment, after leaving school, was in a shearing shed some 35 years ago. At that time it was blade shearing, and I can remember the conditions that then prevailed. The shearers were working all day, sweating over the sheep, and the sheep in those times were considered rough. They were known as woolly necks and stumpy tails, and they were very rough indeed. However, since then the shearing machines have come into use. Over the years, I was employed by the pastoralists to shear sheep, and I was employed for the same purpose by my father, and although I say it myself, I was considered a clean shearer, and left-handed.

**Mr. Wild:** Were you a 200 man?

**Mr. O'BRIEN:** The amenities or conditions sought in the Bill are essential. A shearer, after shearing greasy sheep in dusty conditions all day, needs to have showers, wash-basins, wash-tubs and water provided. Surely it is not asking too much to request these things! I am pleased to hear those members who have had experience of shearing say that they appreciate what the man on the bog iron is doing for this State in shearing sheep and producing wool.

I also appreciate what the member for Moore has said. Only too well do I know that after battling for seven years on a sheep station, we were obliged, through low prices and drought, to leave it. What the member for Moore has stated in regard to those years is true, but the pastoral industry is now in a different position altogether. It enjoys better prices although, unfortunately, it does not always get good seasons. However, this industry, today, can afford these conditions, and it gives me great pleasure to support the Bill.

**THE MINISTER FOR LABOUR (Hon. W. Hegney—Mt. Hawthorn—in reply) [5.56]:** I appreciate the remarks of those

who have spoken in favour of the Bill; there has been no opposition to it. In my introductory speech I indicated that the measure was brought forward by agreement between the three parties to whom I have referred—the A.W.U., the Pastoralists' Association and the Farmers' Union.

Only this afternoon, some time after five o'clock, I was handed a document from the Pastoralists' Association. The member for Roe received one a little earlier and I discussed it with him. Even though agreement was reached, there are a few amendments—not highly important—that the Pastoralists' Association has asked for. The secretary of that body indicated that he was trying to get in touch with the secretary of the A.W.U. I hope I am right in saying that within the next day or two the parties will be able to reach agreement on the suggested amendments. If the second reading is carried, I would like the Committee stage to be held over until we have an opportunity of considering those amendments.

Question put and passed.

Bill read a second time.

### **BILL—ACTS AMENDMENT (SUPERANNUATION AND PENSIONS).**

#### *Message.*

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

#### *Second Reading.*

**THE TREASURER** (Hon. A. R. G. Hawke—Northam) [6.0] in moving the second reading said: As members will see from reading the title of the Bill, it is one which aims to amend the three superannuation Acts that operate in connection with Government employees. The one which covers the greatest number of employees is the 1938 Act; and it was introduced for the purpose of covering Government employees generally, irrespective of whether they were salaried or wages employees.

The second Act to be amended is the 1871 pensions Act, as it is generally known, and the third is the 1948 Act, which was introduced by the then Premier, now the member for Murray. The 1871 Act set up a non-contributory scheme and provided that pensions at a certain rate should be paid to those Government employees in salaried positions who were regarded as having been permanently employed in a fixed position prior to 1904. As I said, the 1938 Act covers Government employees generally, and that scheme is a contributory one. Under the provisions of that Act, every person who becomes a member of the superannuation fund has to pay regular contributions to the fund; and the Government, of course, also makes contributions to it.

The 1948 Act was introduced to provide limited pensions for those employees who considered they should have been covered under the 1871 Act, but who were found legally not to be covered. In 1948 the then Premier and his colleagues decided to introduce a Bill to provide a maximum of four units of pension for those people, and they therefore received a free pension of four units, at 12s. 6d. per unit, without having to pay any contributions at all.

This Bill proposes to amend the three Acts in question. The main proposals in connection with the 1938 Act are, firstly, to introduce a second scale as regards the number of units of pension which a contributor may or can subscribe for as a maximum number of units. There is in the present Act a scale which has applied up to now, and under this proposal that scale will be known as Scale A. The Bill also introduces a new scale to be known as Scale B. The present unit of pension is 12s. 6d. and those who will come under Scale A, if and when Parliament approves of this Bill, will receive a pension unit valued at 15s. as against the present 12s. 6d., and, in addition, they will receive the benefit of the existing supplementation of £1 per week.

The proposed new Scale B will apply to those who first commenced to make contributions to the fund after the 31st December this year, and Scale A will apply to those who have made, or will make, contributions to the fund prior to that date. That is a clear line of demarcation which will apply as between contributors under scale A and contributors under Scale B. Those who first make a contribution to the fund after the 31st December this year will receive a pension unit valuation, when they are eligible to draw pensions, at the rate of 17s. 6d. per unit; in other words, their pension unit value will be 2s. 6d. per unit above those who will be covered by Scale A; but those who come under Scale B will not receive any supplementation payment, and consequently the net result will be that those coming under each scale will finally receive approximately the same pension.

Another result of introducing the second scale of maximum units which shall be contributed for, will be to extend the groups in respect of each number of units of pensions. Scale B will have some restrictive effect in regard to the maximum number of units available to each salary group. For instance, the minimum will be extended from £52 to £65 per annum for each unit up to 20, and from £104 to £130 for each unit in excess of 20. I might point out that this new scale B is the one which operates uniformly throughout Australia in respect of the Commonwealth Government superannuation fund and, as I understand it, in respect of all or most of the Government superannuation funds in the other States of Australia.

So it will be seen at that point that this amending legislation will increase the unit value of each unit of pension from the existing 12s. 6d. to a rate of 15s. per unit in regard to those who will come under Scale A, and to 17s. 6d. per unit for those who will come under Scale B as included in this Bill. The obvious difference between the 15s. per unit and the 17s. 6d. per unit will be made up to some extent, as regards those coming under Scale B, by a continuation of the existing supplementation of £1 per week. Perhaps at this stage I should point out that the Bill proposes to repeal the supplementation legislation, and that is why the £1 per week, which is at present paid as a supplementation, has to be continued in the new legislation.

The supplementation which is at present paid to those under the 1948 Act, and also to those under the 1871 Act, will be absorbed and continued as it were under this proposed new legislation. In other words, although the supplementation legislation will be abolished in the event of this Bill becoming law, supplementation payments will continue to those who are now receiving them, either by direct absorption under the provisions of this Bill or by a new formula as set out in this Bill, and which it is intended shall apply to those who come under the 1871 Act.

In connection with the 1948 Act, it is intended that the existing supplementation benefit of £1 per week will continue. This Bill proposes to so amend that Act as to ensure that the present supplementation of £1 a week will continue in the future. Most of these 1948 Act pensioners, if not all of them, receive social service benefits and that, I think, is the main reason why the member for Murray, when Premier of the State, fixed the maximum of four units of pension as the superannuation payable to those particular ex-State employees. Had the Government at that time fixed a higher number of units, the net result in the great majority, if not all the circumstances would have been to have relieved the Commonwealth Social Services Department. In order that that department should bear its fair share of responsibility to those people, a maximum of four units of pension was included in that Act, and is continued in the present legislation, with the addition of the £1 a week supplementation.

In view of the recent alterations in Commonwealth social services payments and regulations, these people will continue to be able to take from the State their four units of pension, and also the supplementation, and will also be able to receive the full Commonwealth social service benefits, unless there are particular circumstances in certain cases which will debar their receiving the full payments under the provisions of the means test.

Mr. Bovell: What would be the amount received by those coming under the 1948 Act? Would it be four units plus £1 supplementation?

The TREASURER: Yes. In connection with the 1871 Act, I would point out that the Government has included in this Bill what is known, and what will be known, as the Nicholas formula. I think members will recollect the action of the Government in appointing Mr. Nicholas, who had been our Auditor General for some years, as a Royal Commissioner to investigate thoroughly the whole position, mainly in regard to the 1871 pensions. In the report and recommendations which he presented to the Government he recommended that a formula based substantially on cost of living increases should be applied to those pensioners. At the time the Government was not able to give all the consideration which was necessary to enable it to make a decision and to approve of this formula, and to take action subsequently to include it in the law. As the Government was not in a position to do those things at the time, it decided not to approve of the formula at that stage but to hold it over for further consideration. We have since given the proposed formula a great amount of consideration, and we have decided to adopt it and to recommend it to Parliament for inclusion in the appropriate Act—which is the 1871 Act in respect to those pensioners.

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

The TREASURER: Before the tea suspension I was remarking that the formula set out in this Bill in connection with pensioners under the 1871 Act is a very complicated one, which nobody can follow with any clearness on first reading. However, this formula has been worked out on quite scientific lines and is calculated to relate the 1871 pensions to the cost of living to some extent, but not absolutely. The organisations concerned with the 1871 pensioners put forward as the first request that these pensions be related absolutely to the cost of living movements and that adjustment along those lines should be continued. This formula will not give to individual members of the associations everything they have sought in that respect.

Hon. Sir Ross McLarty: To what extent is it related to basic wage adjustments?

The TREASURER: The formula contained in the Bill would, in operation, adjust the pensions payable under this Act to the cost of living as it existed not very long ago. Consequently this formula in operation would benefit those who retired before the inflationary period commenced. It would also benefit those who retired before the inflationary period was well under way. The application of the formula will not benefit every person who is drawing a pension today under the 1871 Act.

The reason for that is that the supplementation which is at present available will no longer be paid. The other reason, which

is the more important of the two, is that some of the 1871 pensioners retired fairly recently, and consequently they were at the time of retirement receiving a high salary, and one to which cost-of-living adjustments had been applied. So when those persons retired under the 1871 pension Act, their salary was such as to give to them under the Act a very high rate of pension.

Consequently, there would be no justification for giving them any special or additional consideration. Their pensions will be adjusted in accordance with the principles of this formula. They will receive a rate of pension which will be fair and reasonable under the circumstances. Those who have been receiving that high rate of pension, and, in addition, the £1 a week supplementation, can in certain circumstances receive less under the new law than they receive today, because they have been receiving more than they were, in point of justice, entitled to receive. However, those persons will be in the great minority.

The larger number by far will receive increases upon the application of this formula. A few will not receive an increase, but they will not receive a decrease. Their pension rate, as it happens at the present time, coincides with the principles of this formula. As I have explained, the formula has been worked out to adjust pensions substantially in accordance with the movements in the cost of living which have taken place in recent years. Although that is not the No. 1 priority in the requests made by the associations concerned, I think that none of the associations will raise any substantial protest or serious objection against this legislation.

The Bill also deals with the position of the widows and children of pensioners. Before concluding the introduction of the Bill, I desire briefly to explain what will happen to the rates of pension which are being paid at present in respect of the widows and the children. The rates of pensions which are now payable to the children will continue to apply; in other words, although the supplementation Act will, in the event of this Bill passing, be repealed, the payments which are now being paid under the supplementation Act will be taken up in the new legislation, and will, of course, continue to be paid to those who are entitled to receive them.

The widow of a contributor who dies before his retirement from Government service will receive half the pension to which he has contributed, plus £1 per week for each child under 16 years of age. The widow of a pensioner, where the pensioner was drawing the pension prior to the 31st December, 1957, will receive half the pension at 15s. per unit, plus 10s. of the £1 per week supplementation. In other words, she will receive half of the pension which was being paid to her husband during his period as a pensioner, but the half of the pension will be calculated at the new rate

of 15s. per unit, as against the present rate of 12s. 6d. In addition, she will receive half the amount of supplementation which was being paid to her husband pensioner prior to his demise. Where the pension comes into operation after the 31st December this year, the widow will then receive one half of the pension at the new unit rate of 17s. 6d., but no supplementation payment will be made in addition.

Those are the main provisions in the Bill. Perhaps I could briefly, at this stage, and before concluding, summarise them. In the first place; in connection with the 1938 pensions scheme, this Bill will bring into operation an additional scale of salaries in respect of the maximum number of units to which contribution can be made. Therefore, there will be two scales operating after this Bill becomes law—the existing scale which will be known as Scale A, and the proposed new scale which will be known as Scale B.

Scale A will operate in regard to all those contributors who commence to contribute before the 31st December of this year. The unit value of pension will be 15s. in respect of those contributors when they go on to pension, as against the existing rate of 12s. 6d. In addition they will receive the £1 per week supplementation which is payable now under the supplementation Act. Under Scale B, which will cover those who commence to contribute to the scheme after the 31st December of this year, the unit rate will be 17s. 6d., but there will be no supplementation payment at all.

I understand the unit value of 17s. 6d. is in line with the Commonwealth unit value, and also in line with the unit value of all other States in regard to the Governments' superannuation schemes. I also understand that in regard to all those schemes, Scale B is the only scale which operates. They have no double scale as is proposed under this Bill. Under the 1948 Act, the pensioners will continue to receive the maximum four units of pension, plus £1 per week supplementation which they now receive. As I mentioned previously, these persons did not contribute in any way for a pension.

They are mostly wages men who entered the service of the Government prior to 1904, and who thought in their own minds that they were legally entitled to come under the 1871 Act; or if not legally entitled to, then morally entitled to the utmost possible degree to come under the provisions of that law. As I mentioned earlier, when this particular Act was introduced by the Government in 1948, the maximum of four units was laid down to ensure that this group of pensioners would still be able to receive full social service benefits from the Commonwealth Government under the social service schemes. The £1 per week supplementation which Parliament approved in recent times will be continued under the proposed new law.

As I have explained the provisions under the 1871 Act and the manner in which they will be affected and altered by this Bill since the House reassembled after the tea suspension, it is not necessary for me to summarise them. I move—

That the Bill be now read a second time.

On motion by Mr. Bovell, debate adjourned.

## **BILL—PARLIAMENTARY PERMANENT OFFICERS.**

### *Second Reading.*

Debate resumed from the 5th September.

**MR. ROSS HUTCHINSON** (Cottesloe) [7.45]: Right at the outset I would like to say I am whole-heartedly opposed to this Bill.

The Minister for Education: Opposed?

**Mr. ROSS HUTCHINSON**: Yes. I hope that even at this stage the Government will see fit to withdraw the legislation, because I feel there is no necessity for it whatsoever. The Bill in its context changes the control of Parliament's servants. Whereas that control has been almost entirely vested in Parliament itself, it is now proposed to change it to practically governmental control.

As I intimated earlier, I feel that the Bill could be classified as unnecessary. It seeks to interfere with a tradition of control and service that has proved over very many years outstandingly successful here in Western Australia; and, of course, that applies even more so with regard to the Mother of Parliaments—the House of Commons.

I see no reason at all—or shall I say I see no sound or logical reason—for the introduction of the legislation; and I regret very much that it has been considered necessary by the Government to bring it before this House. I do not set myself up as a prophet; but I feel that if I were one, I would prophesy that this measure will have short shrift in another place. At any rate, I hope it will.

Members will appreciate that, as members, we have, over the years, claimed certain privileges. It will be realised that we do not claim those privileges just for the sake of doing so but because of the type of institution Parliament is; because of its very nature as a bulwark of democracy. To a lesser extent those privileges, I submit, apply to the servants of Parliament, to those officers who carry out the executive work of Parliament itself.

Seeking authority for this thought, I consulted in the library several books concerning the conduct of parliamentary affairs and the matter of privileges for parliamentary officers was touched upon in a number of those books; and a little more so in the volume that I have in my

hand. It is called "The Parliament Book" and was written by a man named Guy Eden. It concerns the House of Commons.

The Premier: What year?

**Mr. ROSS HUTCHINSON**: Some time ago.

The Premier: One hundred years?

**Mr. ROSS HUTCHINSON**: No. It was first published in 1949.

**Mr. Johnson**: Is that the same man who edited the first edition of "May"?

**Mr. ROSS HUTCHINSON**: I could not tell the hon. member. But this man was chairman for many years of the Parliamentary Press Gallery, and chairman of the Parliamentary Lobby of Journalists; and I thought it appropriate that I should make brief mention of how he feels that privileges accrue to parliamentary officers by virtue of their close—and it is hoped harmonious—working together. This man Guy Eden is not a member of Parliament but belongs to the journalistic profession, and his view can be considered to be unprejudiced and worth while. I quote from a chapter in his book which is headed "Parliamentary Privilege," Towards the end of the chapter he says—

The protection of privilege is given in a limited form to the officers and servants of Parliament within the Palace of Westminster.

He goes on to make some further reference to the matter and quotes a rather interesting case called "The Umbrella Case." It is rather an amusing incident which I feel I should relate. There was a certain Mr. John Bell who left his umbrella with the doorkeeper at Parliament House, some time at the beginning of the century, if I remember rightly; and when he went to collect it on leaving Parliament, he was told by the doorkeeper with whom he had left it, that it could not be found.

Subsequently Mr. John Bell presented an order to the doorkeeper from a county court to the effect that damages were to be paid for the loss of the umbrella. The doorkeeper was quite affronted and conveyed the facts of the case to the appropriate authority in the House of Commons. The result was that the gentleman who had lost the umbrella was haled before the Bar of the House and severely admonished by the Lord High Chancellor who had detected in the claim for damages an affront to the dignity of the House.

I do not want members to take this story out of its true proportions. We all know the story of King Alfred and how the incident of the burnt cakes has been blown up in children's history books. However, I make the point that the privileges we as members claim are to a lesser extent enjoyed—or have been enjoyed in the past—by the officers of Parliament; and it



is traditional that they should be dealt with as a body apart from Government civil servants.

Personally, I have asked myself what are the reasons for the introduction of this legislation. I have queried whether we are not, as a Parliament, being well cared for by our present officers, and whether they have not been a contented body. I think that the answer to both questions is in the affirmative. We have been well cared for by our officers, and they have been a contented body of people.

So again I wonder at the reason for the introduction of the measure. The most cordial relations have existed between members and the officers. A high standard of impartial service has been given by those officers to Parliament and parliamentarians, and that high standard of service has existed in this State since the initiation of responsible Government in 1890. In all that time Parliament has successfully controlled its officers through the various authorities in the House; and I feel that we would be foolish to change the system and provide for one that could give rise to a certain amount of discontent.

If there were injustices or violent dissatisfaction which could not be remedied under the present system, some case might be made out for the Bill. But the Bill does take from Parliament its traditional control over its own permanent officers practically and places them under the power of the Government without any right of appeal. Members should appreciate what is in the Bill. A portion of it reads as follows, under the marginal note of "Determination by Commissioner is final":—

A determination made under this Act is final, is not subject to any appeal, and has effect according to its tenor.

So it is proposed that in lieu of the very satisfactory position that has existed since responsible Government was inaugurated in this State, we should adopt a system under which parliamentary officers will be under governmental control or under the control of "an appropriate authority" with no right of appeal by the officers concerned. I think that is something that democratically-minded members should chew over.

In considering this Bill we must remember that Parliament is the essential part of democracy. It is an institution which stands on its own; and being an institution which stands on its own, Parliament itself should have the control of its presiding officers, its appropriate authorities, and its relevant joint committees. It should have control over its permanent staff.

I would urge members to realise that parliamentary officers and servants are the servants of Parliament itself; and, as such, are completely distinct from civil servants, who are the servants of the Government. I would draw the attention of members to the interpretation in the Bill of the words "appropriate authority." Before giving that interpretation, I would point out that the appropriate authority is the one in whom is vested the control of the staffing conditions of either Chamber of Parliament. The relevant portion of the Bill states that "appropriate authority"—

- (a) used in relation to permanent offices of the Legislative Council, means the President;
- (b) used in relation to permanent offices of the Legislative Assembly, means the Speaker;
- (c) used in relation to permanent offices of the Joint House Committee, means the Chairman; or
- (d) used in relation to permanent offices of the Joint Printing Committee, means the Chairman.

So the appropriate authorities are the President of the Council, the Speaker of the Assembly, the Chairman of the Joint House Committee, and the Chairman of the Joint Printing Committee. And as such, the appropriate authority is enabled by the Bill to do certain things to control the affairs of the House. Members will appreciate that, in the case of the Joint Committees, this means making them absolute cyphers. Whereas in the past the chairman of each of those Joint Committees acted in conjunction with his committee, now the appropriate authority is the chairman. This could lead to autocratic control.

I have no doubt that in many instances the control exercised by the appropriate authority would be carried out in a benevolent way, but surely it is abhorrent to members that in legislation to control our permanent officers, there should be given to one person this complete power, whereas previously that power resided, in democratic fashion, in the committee concerned! I feel that this provision could lead to all sorts of trouble in the case of an appropriate authority who had pretensions to grandeur or to some feeling that might not be in the best interests of the officers concerned.

Things could happen that would not be in the best interests of the parliamentary officers or of the harmonious relationship between those officers and parliamentarians. The Bill makes the chairmen of the committees and the President and Speaker all-powerful in their respective spheres and, of course, renders the Joint Printing Committee and Joint House Committee virtually useless cyphers, as I have said. This procedure could quite easily lead to discontent, unhappiness and a lowered standard of service.

The Bill, in its context, disregards Section 35 of the Constitution Act and proposes to disregard the latter part of that section, which reads—

The Chief Clerk for the time being of the Legislative Council and of the Legislative Assembly shall respectively be removable from office only in accordance with the vote of the House of which he is an officer.

The Bill gives the Governor power, on recommendation of the appropriate authority, (a) to make an appointment to fill for a term of office or temporarily a vacancy in a permanent office; and (b) notwithstanding the provisions of Section 35 of the Constitution Act, 1899, (i) to suspend with or without payment of salary and to dismiss from a permanent office a person because he is unsuitable to carry out the duties of the office through mental or physical infirmity, and for various other reasons.

I do not think we would be wise to amend the Constitution Act in legislation of this nature. Surely it would be better, if it were considered necessary, to amend the Constitution Act itself, when the provision could be considered in relation to the other sections of that Act. I wonder whether we can morally disregard this section of the Constitution Act in a Bill relating to the conditions of employment of the permanent officers of Parliament. This provision would rob Parliament of one of its privileges in dealing with the principal permanent officer of this Assembly or of the Legislative Council, as the case might be. Under the Bill the Government—of course, it would have its reasons—could dismiss from his position a clerk of either House and he would have no right of appeal and, as I have already stated, that is expressly set out in the Bill. That exclusion of any right of appeal applies, under this measure, equally to all officers of Parliament.

Another provision in the measure is for compulsory retirement at 65 years of age, and I think this provision is manifestly unfair to present officers who have gauged and arranged for their years of retirement in the light of what has been the traditional procedure here. The present permanent officers have in the past—in the knowledge that they would not be forced to retire at 65 years of age—made certain arrangements with regard to superannuation and so on, and members will realise that under those circumstances the present officers, or some of them, owing to the lower salaries in earlier years, might not have taken out enough units of superannuation to cover them effectively on retirement.

For the present officers to take out sufficient extra units of superannuation now would entail a prohibitive cost, and so it appears to me that if the Bill became law in its present form this provision would destroy the future security of some of our

officers. I think the least we could do, if the Government will not agree to delete the provision, would be to exempt present permanent officers from the compulsory retirement provision and make it applicable only to future appointees.

When considering compulsory retirement at 65, I believe we should have particular regard to the Hansard staff as the fact that there has been no provision for compulsory retirement at that age has been a determining factor in this House being able to retain its reporting staff. Only recently the Deputy Chief of the Federal Hansard staff came to Western Australia with the idea of recruiting reporters. Approaches were made; but when that gentleman realised that, despite the fact that he could offer an increase of over £300 per year in salary, that inducement was not considered worth while in view of the fact that there was no compulsory retiring age for the staff here and that members of the staff preferred to remain here while the present harmonious relations continued, he resigned himself to the fact that he could not obtain recruits in this State.

Until recently the Joint Printing Committee, which has the power of hiring and firing in regard to the Hansard staff and which controls the conditions of that staff generally, used to draw up an agreement between itself and individual Hansard reporters, on their appointment to the staff. Many of the present Hansard staff are still employed by virtue of that agreement although in the case of the more recent appointees no such agreement has been signed.

If the Bill is agreed to, those members of the Hansard staff who have been employed pursuant to that agreement will find the conditions under which they accepted employment being by-passed and the perfect understanding which existed up till now, that there would be no compulsory retirement at 65 years of age, will go by the board. It would seem to me, therefore, that the Bill seeks to repudiate the action that has been taken up till now in relation to the employment of members of the Hansard staff.

I freely admit that in that agreement between the Printing Committee and the Hansard staff members to which I have referred, there is no provision relating to non-compulsory retirement at 65 years of age, but let it be clearly indicated now that there has always been a perfect unwritten understanding that there would be no forced retiring age. I think members should all understand that the fact that up till now there has been no suggestion of retirement at 65 years of age is one of the principal reasons why we have so far been able to retain our Hansard staff. Unless we want to denude ourselves of parliamentary reporters, we should be very careful with this particular provision.

There are other provisions in the Bill which relate to the Public Service Commissioner and his being able to make reclassifications of salaries, allowances, etc. In effect, they apply now. They stem from a request that was made to Hon. F. J. S. Wise when he was Premier to allow the Public Service Commissioner to discharge the duty to which I have referred. However, this request was not acceded to or put into effect until after the general election in 1947.

The proposals were all ready for signature and approval but the 1947 election intervened and it was left to Premier Sir Ross McLarty, following the general election in 1947, to approve of these provisions which enabled the Public Service Commissioner to make reclassifications of remuneration and allowances. At that time it was also agreed by Premier Sir Ross McLarty that all future marginal adjustments and basic wage variations should become automatic entitlements of permanent officers. Those provisions were continued until Premier Hawke took office. The Premier knows very well that these reclassifications have taken place since he has assumed office.

Mention should be made of long service leave. After all is said and done, it is not improbable that problems surrounding long service leave have given direct rise to the introduction of this legislation. If this is so—and the Premier knows to what I refer—I feel that he may have unconsciously, perhaps, overdrawn the picture concerning the trouble over long service leave. In fairly recent times, permanent officers have left this institution without having taken long service leave and it will be appreciated that the pro rata leave that was due to them was very lengthy indeed. In fact, the Joint Printing Committee, on a number of occasions, during my short period of office as a member of it, has asked the Premier what could be done about these long periods of long service leave that were due to retiring members. I think recommendations were made by the Joint Printing Committee, but I am not sure of that point.

Suffice to say, however, at this stage, when these requests were forwarded to the Premier's Department, the Premier no doubt consulted the Public Service Commissioner and a reasonably satisfactory solution was arrived at by the Premier; at least, it was satisfactory to all concerned. In the case of one retiring officer who had accumulated long service leave entitlement for 45 years' service, I think 12 months was granted. Taking that as a precedent, I think something along those lines could be adopted in the future because I thought that the Premier was very fair and just with his decision on that particular case.

In connection with long service leave, members will appreciate that it is extremely difficult for permanent officers of Parliament to be able to make provision to take

their long service leave. As I mentioned earlier, this is an institution that stands apart from others with regard to employment conditions. It is extremely difficult for any one permanent officer to say, "I shall take my long service leave from such-and-such a date." In the past, it has been proved that to fix long service leave on this basis has been well-nigh impossible to administer effectively. Any concern the Premier might have over problems surrounding annual leave should be waived because on no occasion to my knowledge has an application been made to the Joint Printing Committee, nor has any special request been made, for a retirement payment to be made to any officer in lieu of annual leave that has not been taken by that officer.

The question of long service leave for the permanent officers of this Parliament is one that we should deal with sympathetically and we should use a great deal of elasticity when arriving at a decision. The difficulty of parliamentary officers in taking long service leave emphasises the point that in regard to hours and conditions of work the officers of Parliament House stand alone. As a result of permanent officers accumulating a large amount of pro rata long service leave, the Joint Printing Committee, in recent times, has intimated to the heads of the various branches of this Parliament that it expects, wherever possible and whenever possible, permanent officers to take their leave when it becomes due.

The Printing Committee had in mind, of course, the difficulties involved, but it did request that this leave be taken at the appropriate time whenever possible. I mentioned earlier that one provision in the Bill denies the officers of this Parliament the right of appeal. Also, there is another objectionable clause which I cannot completely understand. The marginal note alongside that clause is: "Leave of absence and conditions of service," and the clause itself reads as follows:—

The provisions prescribed by or under the Public Service Act, 1904, in relation—

to annual leave of absence for recreation;

to leave of absence in case of illness or other pressing necessity;

to long service leave; and

to other conditions of service;

apply, subject to the provisions of this Act and regulations, if any, made under the provisions of this Act . . .

The phrase, "to other conditions of service," might mean anything. It might mean that the servants of this House could be taken from this place of employment and made to work elsewhere. It has no bounds whatsoever and, in the circumstances, I consider it is an objectionable provision.

In fact, I do not like this measure at all and in the back of my mind I have the feeling that many members on the other side of the House could not be in favour of this Bill. It is an unnecessary piece of legislation and it could bring discord in an institution where, in the past, harmonious relationships have existed between parliamentary permanent officers and parliamentarians. The Bill could destroy what has been an excellent atmosphere in which to work. I strongly oppose the measure.

**HON. A. F. WATTS** (Stirling [8.26]): I intend also to express opposition to this measure. I do not propose to cover the ground as exhaustively as has been done by the member for Cottesloe, but with most of the arguments that he has put forward I agree. It seems to me that the Bill is unnecessary. There has been no friction or unpleasantness between the permanent staff and members of Parliament or Parliament itself as such, and unless that were the case, it seems to me entirely unnecessary to effect any change. Further, it seems to me that the proper body to control the staff which serves it is Parliament.

**Mr. Bovell:** Hear, hear!

**Hon. A. F. WATTS:** It is surely not necessary for any outside body—however competent or even highly placed—to have anything to do with ordering the relations between Parliament and those who serve it when the ordering of those relations by the method set up by a Parliament—and not only this one—have in this case particularly succeeded and have been as satisfactory—I would suggest—as any man-made arrangements of such a kind could ever succeed.

In addition, it appears to me that there are some elements of breach of contract in this proposed Bill. To begin with, there are the provisions of Section 65 of the Constitution Act under which neither the services of the Clerk of the Legislative Assembly nor the Clerk of the Legislative Council can be dispensed with without a resolution of the House. As I understand it, if this measure were passed, no such resolution would be required. In consequence, those two gentlemen appointed to those positions, and relying upon that privilege, would find themselves without it.

Whether or no it would, in the ultimate, have any serious or detrimental effect upon them does not matter. The fact is that something which has been well established in the Constitution is part of the arrangement under which they took office and they are just as much entitled to the privileges of it as is anyone else with whom legislation deals in a somewhat similar manner. And there are quite a number of instances in our statutes where those provisions are to be found. In addition, of course, there is the obvious situation that, having no retiring age, it is quite possible, and I have

been told—though I have made no inquiries which show that it has actually happened—that officers have deliberately reduced their contribution to the superannuation scheme when, if they had been at that time under the compulsory retiring age conditions, they would have taken the same course as others and placed themselves in an immeasurably better position if they were forced to retire, than that in which they would have been if they were only prepared to take out a smaller amount because they understood that their term was one subject to good health and good service. But, of course, we cannot work Parliament as we do the Public Service.

We do not run Parliament from 8.30 a.m. to 5 p.m. with due provision for overtime with the approval of the Minister which, in the main, is the Public Service principle and method. This House and another place may start to sit at 4.30 p.m. and finish at 4.30 tomorrow; or it may start at 4.30 and finish at 2 o'clock in the morning; or, it may do many of the extraordinary things in that regard that have been done in the past; I have no doubt it will. Accordingly, all fancy schemes for the control of hours and so forth as are implicit in the Public Service, naturally fall by the board because of the exigencies of Parliament and the times at which it feels impelled to conduct its business from time to time.

Those who serve this House and another place do not start work at 4.30 either; because the House happens to sit at 4.30 p.m. is no curtailing of the hours they are compelled to work, particularly when the House is in session. Neither do members confine themselves to those hours. As is well known, there is a vast deal of work done by members on week days, five days of the week, between the hours of 9 and 4.30. There is also a considerable amount of work done by officers of Parliament. The whole set-up is, in my view, so widely separated from that which one might anticipate to be the set-up in the Public Service office that any comparison between them is ridiculous; and any legislation which purports to govern them both in anything like the same way seems to be bordering on the ridiculous.

To sum up, if there had been any grave difficulty in the relationship between Parliament, its committees and the staff of Parliament, which had been evident by friction that might have developed over a period, and it had been of a grave nature, then perhaps we might have to examine the position as to what changes should be made. But even then, I would suggest that those changes should be made within our own confines and not by going right outside the limit of these buildings which house both Houses of Parliament. But no such difficulty exists; to use a slang phrase, as far as I can see, everything is "honky-dory" and I think it ought to be left alone. Therefore, I oppose the second reading of the Bill.

**MR. BOVELL (Vasse)** [8.35]: I wish to voice my opposition to this measure because I feel Parliament is unique and should be master of its own destiny. Included in that destiny is the staff that works in Parliament. It has been the custom, which has been handed down over the years, to consider Parliament House sacrosanct, and any control of parliamentary affairs by an outside body has always been frowned on. I think that principle should be continued ad finem.

The staff of this Parliament, during the years I have been here, has rendered sterling and yeoman service. To my knowledge, there has been no undercurrent of friction and I have searched for a reason why the Government should have found it necessary to introduce this legislation. It has been pointed out by the Leader of the Country Party that it is within the province of this Chamber, if it so desires, to dispense with the services of the Clerk of the Legislative Assembly by a resolution. That principle, of course, also applies in another place, and I believe it should be continued.

The matter of the retiring age has been set down as 65 years in the Bill. Parliamentary officers are required to learn a profession—and I deliberately term it a profession—which is not similar to other modes of occupation. There are very few members of the Public Service who, unless they were trained for a lifetime in parliamentary procedure, would be capable of assuming the responsibilities of the senior members of the parliamentary staff.

It may be necessary to retain the services of an experienced officer after he attains the age of 65, and I believe that if any alteration is necessary, Parliament itself should decide whether the services, of the senior officers anyhow, should be dispensed with from time to time or when they reach the age of 65. As I see it, the Bill, in relation to the question of the resignation of the staff, would make it obligatory on any member of the staff who desires to resign to obtain the permission of the Speaker or the President. If that is so, I would say it is interfering with the freedom of the individual and it is unknown in our British way of life.

If a person wishes to terminate his services in any employment he should have the right to do so, and it should not be by the leave of any person, however exalted he might be, as is your position, Mr. Speaker. The normal course of British custom allowing an individual to choose what employment he may care to follow should not be interfered with. In any case, if retirements are to take place at the age of 65, I would ask the Government to give serious consideration to the matter for the reasons outlined by the member for Cottesloe and by the Leader of the Country Party, that any such conditions as retirement at 65 years of age should not apply to the existing staff of Parliament.

A short while ago I said I could not understand why the Government had introduced this measure, and I wonder whether any conferences have taken place between the Government and representatives of the staff of Parliament. It would be interesting to know and I hope that in reply the Premier will inform the House whether any discussions ensued. If no discussions took place, I would say that it is a reflection on all members of the staff of Parliament, and it is not conducive to a continuance of the harmony that has existed during the 11 years that I have been a member of this Chamber.

We have had sterling service from all members of the staff; their co-operation, courtesy and willingness to assist members in every way is greatly appreciated by all members of Parliament, and, in my opinion, it is an insult to those members of the staff if they have not been consulted on legislation which vitally affects their existing conditions and their future employment. Only a short while ago, the Minister for Labour when referring to a Bill discussed here in connection with employment conditions for shearers eulogised the system in relation to it. While I know you will not allow me to discuss the pros and cons of that measure, Mr. Speaker, the principle that was applied there should have been applied to this legislation.

The principle there was that the Australian Workers' Union, the Pastoralists' Association and the Farmers' Union all conferred and decided on a policy that would be suitable to all concerned. I cannot support this Bill and the main reason for my saying so is that it is taking out of the hands of Parliament the destiny of Parliament. It is also imposing conditions on the staff that have provided all the conditions necessary for the smooth working of Parliament itself. I feel that the Government should withdraw this measure and appoint an all-party committee and ask the parliamentary staff to appoint representatives in order that they might confer with this all-party committee on the conditions suitable for the continued smooth running of Parliament in the future. I oppose the second reading.

**HON. J. B. SLEEMAN (Fremantle)** [8.44]: I do not propose to take up too much of the time of the House, because if I did, it would only mean a repetition of what has already been said. On the other hand, I do not wish to cast a silent vote on this measure. I have been wondering why the Bill is necessary and I cannot understand the reason for its having been introduced.

The greater part of the Bill deals with what is the law at the present time, but the part to which I object is that which is not the law at the moment. The provision dealing with the retirement of members

of the staff at 65 years of age is, to a certain extent, a breach of contract, and if I were affected I would certainly consider it to be a breach of contract. We all know that different laws are made for different people.

Some years ago the Constitution Act laid down that the judiciary of this country could only be removed by His Majesty. We altered that, however, and said that the judiciary could be removed at the age of 70 years. At the same time, however, we inserted a provision that that section should not apply to any present occupants of the office. That was not so bad. If it had applied to future occupants, it would not have been so bad. Only this session we brought down a Bill under which magistrates will retire at 65 instead of 70 years, but we saw that the particular section did not apply to the present occupants of the office. If it is good enough for judges and magistrates, it is perfectly good for our staff. We have a good, contented staff and I do not think that this legislation is going to make them more contented.

I think that the Bill should be laid aside, or suitable amendments should be included to make it apply in the same way as it does for magistrates and judges. Take our Hansard staff. Recently a gentleman visited this State looking for good colts for Parliament at Canberra, which pays much more money. However, these chaps said—I am only guessing—that their friends are here and there is no age limit, so they would not consider making a change.

I do not think you, Mr. Speaker, have had the experience of looking for a man for the Hansard staff. When I was occupying your office, we had to look for a man and it was necessary to go all round Australia in order to get one. You can imagine, Mr. Speaker, the difficulty a man would have in taking your speeches when you were on the floor of this Chamber, or the member for Beverley—even the member for Fremantle for Hansard has to be good to take him.

If this Bill goes through, the chances are that some of our boys will decide to go to Canberra, and I do not know where we will get successors. In Canberra the Chief Reporter is paid £3,500, while the Chief Reporter in this State receives £2,502. The second reporter in Canberra gets £2,800, while the deputy reporter here receives £2,200. The Hansard staff in Canberra—there are 17 of them—receive £2,200, while the Hansard staff here is paid £2,030. That is quite a few pounds difference.

There is also a further difference. The Hansard reporters in Canberra report Parliament and nothing else; they are not called upon to report select committees or Royal Commissions—they have another staff called the reporting staff. Therefore we can see the position we will be in if we lose these boys. I think it is a fair

thing to let the matter remain as it is, because everything has gone along happily.

Long service leave has been mentioned, and I would agree that any man due for this leave should take it, because the essence of this type of leave is that after so many years of service, it should be taken so that the officer can recuperate. It should not be allowed to stand over for 10, 15 or 20 years in order that the man may have a long holiday when he finishes. They should be sent on their long service leave as soon as it is due. In regard to the remainder of the Bill I do not like it and cannot give it my support. I hope it is either laid aside or altered in Committee.

**THE PREMIER** (Hon. A. R. G. Hawke—Northam)—in reply [8.47]: All members who have spoken in connection with this Bill, except the last speaker, have claimed that the proposals would take away from Parliament authority which it now possesses to control staff and hand the authority to some outside tribunal or person. Of course, that is not so at all. It is as clear as can be that the member for Cottesloe, the Leader of the Country Party and the member for Vasse did not study the Bill at all or, if they did study it at all, they studied it with preconceived ideas or, alternatively, their studies produced quite the wrong answer.

The proposals in the Bill do not intend, nor do they lay it down, that the control of the officers of Parliament shall be handed to some authority outside Parliament. The control of the officers, as you would know from your own study of the Bill, Mr. Speaker, will still remain in the hands of authorities inside this Parliament. That could not be more clearly laid down in the Bill than it is.

Mr. Ross Hutchinson: I think I mentioned that point.

**THE PREMIER**: The member for Cottesloe did not mention it at all.

Mr. Ross Hutchinson: I made special reference to the appropriate authority.

**THE PREMIER**: The hon. member said control would be taken from Parliament and handed to the Government. Nothing could be sillier than that. It is just plain, down-right arrant nonsense, and there is not a skerrick of truth in it.

Mr. Bovell: What about the Public Service Commissioner's part?

**THE PREMIER**: If the member for Vasse had studied the Bill one quarter as much as he led members to believe he did, he would know the powers of the Public Service Commissioner would, in the event of this Bill becoming law, be powers in regard to the fixation of salaries in the main.

Mr. Bovell: It is still taking away Parliament's rights.

The PREMIER: When has Parliament fixed the salaries of officers?

Can the member for Vasse name one occasion? Of course, he cannot, because it has never happened. Therefore, it is absurd in the extreme for members to oppose this Bill on the ground that it would, in the event of becoming law, cause the control which Parliament now has and now exercises over the officers of Parliament, to be placed in the hands of the Public Service Commissioner.

As a matter of fact, I would like to request members to ask themselves: What has been the practice in this regard in the past? The practice has been that the Speaker of the Legislative Assembly or the President of the Legislative Council or some other authority has consulted with the Public Service Commissioner for the purpose of getting the benefit of his opinion and advice as to what the rates of salary should be.

Mr. Bovell: There was no obligation on them to accept it.

The PREMIER: Of course, there was no obligation upon the Speaker or the President or any other authority here in Parliament to accept the advice of the Public Service Commissioner. The authorities here could have used their own discretion and doubled, trebled or increased salaries fivefold.

Mr. Bovell: That is what I want it to do.

The PREMIER: What has Speaker after Speaker and President after President done in the main? What have other authorities done in the main? Actually, they have accepted largely the advice of the Public Service Commissioner. That would be the logical and sensible thing to do, because the Public Service Commissioner is a person, together with appropriate officers in his office, well versed in the fixation of salaries and well versed in measuring the worth of a particular office, including the positions which exist at Parliament. He is in a better position to do this than any Speaker of a Legislative Assembly or President of a Legislative Council, or any chairman of any committee which may operate at Parliament.

Mr. Bovell: The principle is entirely different.

The PREMIER: The Speaker is not trained to measure the worth of salaries and fix salaries. Therefore it is absurd in the extreme for anyone to claim that the provisions in this Bill would take away from Parliament the authority which it has exercised in the past.

Mr. Ross Hutchinson: The Premier is wrong and unfair in saying that because the Government has the power, through its Speaker, to take control from the House.

The PREMIER: The member for Cottesloe, as usual, goes from one absurd assertion to another. What power has the Government got over the Speaker to order the Speaker to do things?

Mr. Ross Hutchinson: No official power, but it could be exercised, and the Premier knows it very well.

The PREMIER: How would it be done?

Mr. Ross Hutchinson: By the Government influencing the Speaker.

The PREMIER: To do what?

Mr. Ross Hutchinson: Certain things in relation to the permanent officers of Parliament.

The PREMIER: What specifically?

Mr. Ross Hutchinson: To bring about a recommendation from the appropriate authority to sack a man. It could happen.

The PREMIER: The member for Cottesloe could not be more absurd than at the moment. If what he says is true, his assertion is not a condemnation of this Bill but of the present set-up.

Mr. Ross Hutchinson: That is what could happen.

The PREMIER: It is foolish in the extreme for the member for Cottesloe to follow that line of argument. This Bill proposes to set down in legal form the practices, by and large, which have been operating over the years. The only new legal power which is given to anybody outside of Parliament is to give a legal power to the Public Service Commissioner to do what he has been doing. In other words, the Public Service Commissioner will do what he is well qualified to do and to have the power to fix remuneration and other associated matters. I think I have heard members on the other side of the House argue that wages and salaries should be fixed and adjusted by a competent authority.

Mr. Bovell: So they have been.

The PREMIER: So they will be.

Mr. Ross Hutchinson: Why introduce legislation to bring in other things which we object to?

The PREMIER: I am dealing with matters one at a time, if the member for Cottesloe does not object to the procedure. I think he did the same thing; dealt with one matter at a time as he proceeded to discuss the Bill, or proceeded to discuss what he thought was in the Bill anyway. The member for Cottesloe also claimed that privileges enjoyed by members of Parliament were also enjoyed by the officers of Parliament. That is a completely new one to me, and I am sure it would be a surprise to the officers to hear that.

For my part, I have no doubt that at times they wish they did enjoy the privileges of members of Parliament, so long as they did not have to carry some of the responsibilities as well. We heard a

lot about appeals and so on. I am not aware that officers of Parliament have any right of appeal at the present time but if the question of appeal is important, I am sure that the Government would not have any serious objection—if any objection at all—to a reasonable right of appeal being provided for in the Bill.

We had a lot of objection from the member for Cottesloe to the chairmen of the respective committees being made the appropriate authority under the provisions of this Bill. He told us that if this Bill were to become law and these chairmen were given legal standing, they might easily become autocratic and might start to push officers this way, that way and some other way. I cannot imagine any committee that would stand that sort of conduct on the part of its chairman for more than a day or two. In any event, if that is a serious objection to the Bill, then there would be no opposition from the Government to making the appropriate committees the tribunals under the proposed new law.

If members are not prepared to trust the chairmen of these committees, then let us alter that provision and make the committees the appropriate authorities. There would be no objection to that. But as far as the Government is concerned, the Government would be prepared to trust the chairman of each committee to do the right thing and would be prepared to trust the members of the individual committees to do the right thing when the chairmen of those committees did not do the right thing in regard to the officers of Parliament.

Mr. Ross Hutchinson: You do agree that there was some logic in my condemnation of that?

The PREMIER: None at all. There is no logic in it. It was not based on logic, but on imagination.

Mr. Ross Hutchinson: The Premier, as usual, is most unfair when he hears any criticism of himself or of his actions.

The PREMIER: I did not hear the member for Cottesloe criticise me, otherwise I might be stronger than I am in what I am saying. I am trying to be indulgent in dealing with the weak points of criticism that he put forward. I am not saying they were all weak, but those to which I am paying special attention were extremely weak. I am saying that the chairmen of these committees are under the control of the committees and could not indulge in autocratic practices with the officers of Parliament without soon ceasing to be the chairmen, and the new chairmen who would be appointed would soon put right anything which had previously been put wrong. However, to meet the objection of the member for Cottesloe in this matter, the Government would be prepared to have the committee and not the chairman in each instance as the appropriate authority.

Mr. Ross Hutchinson: There must be some reason for it, if you will go that far.

The PREMIER: There is no reason at all—

Mr. Ross Hutchinson: Why agree to it?

The PREMIER: —except that if the member for Cottesloe regards this as important and feels that all these fearsome things which he conjures up in his imagination could happen, then the Government is prepared to meet his objection and to take action to ensure that the committee as a whole, and not the chairman of the committee, shall be the appropriate authority.

Mr. Ross Hutchinson: I am glad you say they could, because I made that point.

The PREMIER: I am sorry I could not possibly go any further than that to try to meet the objection, because that is the limit to which anyone could go.

We have heard a good deal about the age of retirement and long service leave. We even heard one member trying to argue that the officers of Parliament could not take long service leave because of the circumstances of their employment. I say that is absolute nonsense. Our Parliament meets, on the average, for five months in each year. I am not saying that the officers of Parliament have work to do only when Parliament is sitting, because I know that a great deal of work, or some at any rate, is involved in getting ready, and some is involved in clearing up, or cleaning up, after each parliamentary session. However, I point out that long service leave becomes due not every year but only once in ten or seven years as the case might be.

Surely no one in the House would logically argue that an officer of Parliament could not take his long service leave of three months once in ten years, or even once in seven years. If the officers of Parliament and the appropriate authorities in Parliament are not capable of organising, upon a workable basis, a situation of that kind, then it is a pretty poor lookout.

Mr. Ross Hutchinson: I think it could be organised with Hansard, but you would probably need additional staff.

The PREMIER: I do not think we would need any additional staff at all. Whatever additional shorthand, typing, or other sort of assistance might be required, could be supplied by the Public Service Commissioner from some part of the Public Service for that period.

Mr. Court: Can he supply suitable staff for the specialised type of work involved with the Royal Commissions that have a habit of popping up in the middle of parliamentary recesses?

The PREMIER: It has been done on more than one occasion in the past. There are very expert shorthand writers in the



Public Service and there are also expert typists in the Public Service. I cannot imagine that there would be any difficulty at all in organising the situation so as to ensure that each officer of Parliament, when his long service leave became due or soon after—within a reasonable time—could take his long service leave.

We know what has happened in regard to the accumulation of long service leave in some Government departments. We know that some officers of the State avoid taking long service leave as long as they possibly can. It seems to me that in fairness not only to the Government and to Parliament, but to the men themselves, long service leave should be taken as soon as possible after it becomes due; and I think that those who would avoid taking it in order that they might keep on accumulating it, should be organised in such a way as to ensure that the long service leave is taken within a reasonable time after the date on which it becomes due.

I think it was the member for Fremantle who pointed out the reason why long service leave was introduced. It might be a good idea to remind members of the main reasons for its introduction. The basis of the case put up to the Government of the time—many years ago—for the granting of long service leave was that employees of the Government, after giving ten years or seven years of continuous service were so much in need of recuperation and of something to enable them to recover their mental and physical strength and their nervous energies, that they should be given a long period of leave—three months.

It was impressed upon the Government at that time that the granting of a long period of leave—three months—would enable Government employees—salaried and wages alike—who would be more or less run down in some way or other after seven or ten years of service, to recover and come back to work, after the three months leave had been completed, in the best possible nick—even in better nick than the East Fremantle footballers have been in in the last three or four weeks! That was it, and that is why the Government of the day agreed to grant long service leave to Government employees. Yet we find, and have found over the years, that some officers will not take long service leave unless they are forced by governmental action to take it.

Mr. Perkins: I think in many cases they take another job.

The PREMIER: If they do that, they do something which is illegal and for which they could be dismissed from the Government service. I am not asking the member for Roe to inform on anyone, but should any person who is on long service leave from Government employment be found to be working in another job, he would be dismissed, I think, immediately.

Mr. Jamieson: One of your colleagues knows that only too well.

The PREMIER: The member for Vasse became quite eloquent, even if on a completely hopeless basis, when he said that the Bill would take out of the hands of Parliament the destiny of Parliament. I am pleased to see that on reflection the hon. member realises that that was pulling the long bow almost to breaking point.

Mr. Bovell: Churchill could not have said it better.

The PREMIER: Churchill could not have used more picturesque language and he could not have said it better, but I will say this in Churchill's favour, that he would not have said it in these circumstances. I would be interested to know from the member for Fremantle from where, after searching all round Australia, the Printing Committee obtained the Hansard writer that it was seeking.

Hon. J. B. Sleeman: We got one from Canberra. This was a good many years ago. He was the only one we could get.

The PREMIER: I think it must have been a good many years ago. Speaking about shorthand writers, I think it is true that this sort of work does not appeal to the average youngster these days, and it is probable that it will not be easy to obtain the service of Hansard writers in the future, but there is provision in the Bill to meet a situation of that kind.

Hon. J. B. Sleeman: The ordinary Hansard writer cannot do it here.

The PREMIER: Cannot do what here?

Hon. J. B. Sleeman: The reporting here. He has not got the pace. When you get going, it takes someone to take you.

The PREMIER: I cannot quite follow the member for Fremantle. He says the ordinary Hansard writer cannot do the reporting.

Hon. J. B. Sleeman: The ordinary shorthand writer.

The PREMIER: That is a different proposition. As I say, whether more shorthand writers capable of doing Hansard work will be trained in the future is open to question—very much open to doubt—because it is probably not the sort of job which would appeal to youngsters today after they leave school. In any event, provision is made in the Bill to meet that situation. If no recruits are available to do the shorthand work that is necessary for the continued preparation and publication of Hansard, then the appropriate authority up here would have the right to continue Hansard writers—those on the staff and in employment—after 65 years of age.

Mr. May: Get tape recorders.

The PREMIER: So the Bill would in that regard make no difference to the existing situation. If when the present Hansard writers reach 65 years—

Hon. J. B. Sleeman: You would not hold them until they are 65. They would go somewhere else.

The PREMIER: I doubt very much whether they would go somewhere else. In any event there is one Parliament in Australia which does not have any Hansard at all, and that is the Parliament of Tasmania. Some little time ago at Canberra I was talking to one of the Ministers from Tasmania and he said to me, "We are thinking of restoring the Hansard in our State." I said, "For goodness sake, why?" He said "In order that we can quote against someone what he said five or ten years ago."

Hon. J. B. Sleeman: They tried a tape recorder and that was no good.

The PREMIER: I am inclined to think the State of Tasmania will not restore the Hansard. It might come to pass, irrespective of whether the Bill becomes law or not, that some different system of recording for Hansard will be undertaken after the time arrives when capable shorthand writers are not available. We know that science these days is doing amazing things. We know that the tape recorder already exists.

Hon. J. B. Sleeman: It was a failure. They tried it in Tasmania.

The PREMIER: I have had some speeches put on tape recorders and they seemed to go over fairly well. That applies also to the member for Nedlands, the Leader of the Opposition and others.

Mr. Bovell: Scientists might evolve a Parliament that does not talk.

The PREMIER: The hon. member would not be in it.

Mr. Court: It will not be long before they have televised tape recorders and then we will have to revise our standard of histrionics.

The PREMIER: The Bill is introduced because it is not easy for the appropriate authorities that have existed here in years gone by, to deal with particular situations. That has applied to some Speakers of this House and to some Presidents of the Legislative Council. Under the old and existing situation, everything is more or less irregular; everything depends upon the Speaker of the day, or upon the President of the day. One Speaker has certain ideas, and another Speaker has different ideas; and the same applies to Presidents. Some think that a certain line of procedure should be followed, and others think that a different line should be followed, with the result that the staff at one stage can receive different treatment to that which they receive at another stage. After all,

no Speaker or President would feel inclined to take action when, in fact, action should be taken.

Mr. Ross Hutchinson: What are the instances you refer to?

The PREMIER: They have to do with long service leave, retirement, and so on. Those of us who have been here for many years can easily recall to mind some circumstances. After all, neither the Speaker nor the President is in an easy position; and as for talking about control by Parliament, when has Parliament ever exercised any control?

Mr. Bovell: Through the Speaker.

Mr. Ross Hutchinson: And through the relevant committees.

The PREMIER: When has the member for Vasse exercised any control through the Speaker?

Mr. Bovell: We appoint our own committees.

The PREMIER: Of course we do.

Mr. Bovell: And the Speaker presides over them.

The PREMIER: And this Bill could make provision for committees, instead of making provision as it does for the chairman of each committee, to be the appropriate authority. So the situation in that regard would be the same. The main purpose of this Bill is to set down a code, if members like to call it that; a set of minimum or basic conditions which shall be applied consistently in regard to all officers concerned.

Mr. Ross Hutchinson: It comes down to one thing, I suppose—long service leave. Would you agree with that?

The PREMIER: It comes down to long service leave, retiring age—

Mr. Potter: And salaries.

The PREMIER: It comes down to the question of salaries to the extent that the Public Service Commissioner, in the future, will have the legal authority to fix salaries after, and only after, prior consultation with the appropriate authority. Surely that is desirable. If we believe—and we have all said at times that we do believe—that wages and salaries should be fixed by a competent tribunal, we cannot raise any objection, logically, to the proposal in this Bill to give to the Public Service Commissioner, after prior consultation with the appropriate authority at Parliament, the right to fix salaries.

Mr. Bovell: Will you agree to exclude the present staff from the retiring age provision?

The PREMIER: I have not seriously thought about that; I do not think we should exclude the whole staff. I am sure the younger members on the staff do not want to be roaming around working at

Parliament House after they have reached 65 years of age. Who would want to do that?

Mr. Bovell: There have been some in the past. When I came here, there was one.

The PREMIER: I can take my mind back to the time when there was one who stayed here until he was about 90 years of age, simply because no Speaker had the heart to tell him that he was finished, and simply because Legislative Assembly members did not have the heart to do it either.

Mr. Ross Hutchinson: Will you retire at 65 years of age?

The PREMIER: I will retire before then if the majority of electors of Northam say that I should. Like the hon. member, I can be retired once every three years.

Mr. Ross Hutchinson: But will you retire at 65 years of age if you are still holding your present position as the member for Northam?

Hon. Sir Ross McLarty: The answer is "No."

The PREMIER: I am saying to the hon. member that the electors of Northam, if the majority of them think so, have the right to retire me every three years.

Mr. Hearman: Will you resubmit yourself to them when you reach the age of 65 years?

The PREMIER: Yes, and at each successive election.

Mr. Ross Hutchinson: Why do you not bring down a Bill making it compulsory for members of Parliament to retire at 65 years of age?

Hon. Sir Ross McLarty: Don't take any notice of that.

The PREMIER: I have already told the member for Cottesloe twice that the electors have the right to retire members of Parliament every three years.

Mr. Ross Hutchinson: But we still offer ourselves as members of Parliament. It is our choice that we continue as members of Parliament.

The PREMIER: It is not.

Mr. Ross Hutchinson: It is.

The PREMIER: It is not our choice at all; it is the choice of the electors.

The SPEAKER: I draw the Premier's attention to the fact that the question of a retiring age for members of Parliament is not in this Bill, and I hope he will confine himself to the provisions in the Bill.

The PREMIER: I could not agree with you more, Mr. Speaker; I am only sorry that you allowed the member for Cottesloe to draw a deep coloured red herring

across the track. It seems to me to be highly desirable to set down in legislation basic conditions such as are laid down in this Bill—to set down a code so that everybody knows where he stands. Speakers will know where they are; Presidents of the Legislative Council will know where they are and the chairmen of these committees, and the committees themselves, if we alter the Bill accordingly, will know where they are; in addition, officers of Parliament will know where they are.

Mr. Bovell: Set the whole code down and let Parliament deal with the whole aspect.

The PREMIER: At the present time all officers of Parliament are dependent on the goodwill of the Speaker or the President, or of this committee or of some other committee.

Mr. Court: Have they expressed dissatisfaction with the treatment up to date?

The PREMIER: I could not say, nor do I think it is relevant. I simply say that at the moment nobody knows, from time to time, what may happen. The older members of this Chamber have seen certain circumstances in this place which do not reflect a great deal of credit upon those concerned. But as I said before, no appropriate authority—Speaker, President or committee—would have the heart to do the things which perhaps at that time they should have done—and so these things were not done. To some extent the circumstances of the time caused the particular situation to become somewhat in the nature of a laughing stock.

I think that this Bill is highly desirable because it lays down a proper foundation and enables us to establish a set of conditions so that everybody will know where he stands. I am not saying that the Bill, as at present worded, is perfect.

Mr. Ross Hutchinson: Will you make some reference to the "no right of appeal" provision?

The PREMIER: I have already said that there is no right of appeal at present; but if any member cares to put forward some amendment to provide for an appeal, the Government would have no objection to it, so long as it was reasonably based. If members think that the Clerk of the Legislative Council, or the Clerk of the Legislative Assembly of today should continue to have the benefit of Section 35 of the Constitution Act, I think the Government would not have any objection to it, so long as the new proposal would be applied to those who would succeed them in those two offices. I think there is much more to be said in favour of these proposals than could logically be said against them. I submit the Bill to the House.

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

Ayes	23
Noes	16
Majority for	7

## Ayes.

Mr. Andrew	Mr. Moir
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Jamieson	Mr. Sewell
Mr. Johnson	Mr. Sleeman
Mr. Kelly	Mr. Toms
Mr. Lapham	Mr. Tonkin
Mr. Lawrence	Mr. May
Mr. Marshall	

(Teller.)

## Noes.

Mr. Ackland	Sir Ross McLarty
Mr. Bovell	Mr. Nalder
Mr. Court	Mr. Oldfield
Mr. Grayden	Mr. Owen
Mr. Hearman	Mr. Perkins
Mr. Hutchinson	Mr. Roberts
Mr. Mann	Mr. Watts
Mr. W. Manning	Mr. I. Manning

(Teller.)

## Pairs.

Ayes.	Noes.
Mr. Nulsen	Mr. Brand
Mr. Brady	Mr. Crommelin
Mr. Hall	Mr. Cornell
Mr. Heal	Mr. Thorn
Mr. Evans	Mr. Wild

Question thus passed.

Bill read a second time.

### As to Committee Stage.

The PREMIER: In order to give those members who may wish to move amendments the opportunity of preparing them, I move—

That the Committee stage be made an Order of the Day for the next sitting of the House.

Question put and passed.

## BILL—METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST.

### Second Reading.

Debate resumed from the 10th October.

HON. A. F. WATTS (Stirling) [9.29]: It had been my intention to occupy a fair amount of time in dealing with this Bill, but in view of the fact that the Minister for Transport has informed me that he is agreeable to refer the Bill to a select committee, with attendant instructions, as soon as the second reading of the Bill is disposed of, I propose to confine my remarks to a very short period of time.

There are one or two aspects that I should refer to before I allow the Bill to go to the second reading, because they are matters which, in addition to those the Minister has in mind, may be worthy of further consideration. One is the qualifications of persons who can be appointed to the trust. Such a person will require to have wide experience,

and must have shown capacity in transport, industrial, commercial or financial matters, or in the conduct of public affairs.

I would suggest that the latter alternative, standing by itself as it would do, in view of the use of the word "or" before it, is not a very satisfactory one. There are a number of people in this House at the moment who have had considerable experience in the conduct of public affairs, but they would not be highly competent to become members of, and to have the control and management of, the organisation contemplated by this Bill. It is my firm opinion that certainly one, and preferably two, of the members of this trust should be highly qualified in matters concerning transport, and metropolitan transport in particular.

The next item I would like to mention deals with the determination of the Treasurer as to what shall be done with the profit or loss of the trust, if it is set up. There it seems to me that consideration should be given to divorcing that question altogether from the Treasurer. Admittedly, if losses are to be incurred, and I devoutly hope if this trust comes into existence they will be a rarity—they will have to be made good from somewhere. I would suggest that there is ample power elsewhere in the Bill, coupled with the authority of the Treasurer to guarantee—to which at this stage I can raise no objection—to cover that aspect. It is entirely undesirable in a matter of this magnitude that the trust should not be in a position to determine what shall be done with surpluses or profits derived from its undertakings. For the moment I leave the matter at that.

A third matter I have in mind is that it would probably, and in my view certainly, be very desirable if, instead of the process of acquisition and payment by the issue of debentures, inscribed stock or raising money by other means, the trust were to acquire the property of the independent operators and there was an arrangement made for the creation of a corporation in the nature of a public company—though I would have no objection to it being created by statute or charter—which should absorb the undertakings and issue shares to all who are at present engaged in transport in the metropolitan area and are likely to come under this Bill.

It is true that in those circumstances the share of the corporation's capital which would be held by the Government, would be a fairly substantial one; but also the shares in that capital which would be held by the various subscribing companies—their subscriptions being determined by the value of the assets which were acceptable to be taken into the organisation—would be proportionately substantial to their present resources. It seems to me there is no question whatever, if this type of organisation is to be set up, that this approach to it would

be better than the one contained in this Bill, which, in effect, although the Bill states quite to the contrary, is to set up only another Government department.

While the Bill very carefully provides that, except in certain paragraphs relating to superannuation and the like, for which purpose the trust shall be considered a department, it shall not be considered a department for any other purpose; yet a careful examination of the measure indicates that there are innumerable places where its relationship to the Government of the day will have to be such that, in many respects, it will virtually become another Government department. I think that is entirely undesirable, and if at all possible, should be avoided. I believe that the suggestion I have made, which by no means is a novel one, will achieve that desirable result.

The further that one takes an organisation of this kind—bearing in mind I have already suggested that those in charge of it should be persons definitely skilled in metropolitan transport—and the further that organisation can get away from the Government, the better for all concerned. There is also a great deal to be said for the consideration as to whether the metropolitan suburban railway passenger services should not be included in its ambit, if this body or a similar body is to come into existence. Admittedly, the Minister suggested that co-ordination between the railway section and the road passenger section would probably follow as a result of this legislation, or legislation with the same objective being passed.

I think that complete co-ordination can only be achieved if the whole of the transport system in the metropolitan area so far as the carriage of passengers is concerned, came under one control and management. In those circumstances, it would be comparatively easy in some places to shorten the road bus routes to link up with railway passenger routes, with advantage to both. We would undoubtedly do away with any risk of unfair or unnecessary competition which is implicit in the position as it stands at present.

There is no question, I suggest, but that some review of the present position has to be made. It would appear that the Government transport services are losing some hundreds of thousands of pounds a year. If one includes in that loss the suburban railway passenger service, then the loss is doubled or more than doubled. It seems to me that nothing likely in any way to minimise the terrific losses which, on the evidence before us, is being sustained by the metropolitan railway passenger services, should be overlooked.

I can see no better system than for all the services to be co-ordinated under one management, which ultimately, I would suggest, would have the effect of bringing about the same charge per passenger mile

for every form of motive transport in the metropolitan district, which occurs to me to be a great deal fairer. As I have looked at the suggestions of the Minister in regard to the proposal for the appointment of a select committee, it occurs to me that those various aspects can be given some thought. I suggest that they are.

In conclusion, I would like to point out two things. The first it is quite apparent to me that a great deal of care and thought has been given to the drafting of this Bill. Whatever might be one's views as to certain of the provisions in it, and the ultimate result that would be achieved if it were passed in its present form, as to which I have already indicated there is scope for considerable argument, there is no scope for argument, in my view, as to its draftsmanship. I have never found anything contained in any Bill before Parliament quite as plain and self-explanatory as this one.

Lastly, in regard to the proposed motion for a select committee, I shall be quite happy to support it. I agree it should not take up a great deal of time because, if this problem is to be solved in any way, it should be given attention as rapidly as possible. To make some contribution to that end, I now support the second reading.

**MR. HEARMAN** (Blackwood) [9.42]: The Minister in his opening remarks when introducing the Bill did mention something of a crisis existing in metropolitan passenger services. From the inquiries which I have made before and since the introduction of the measure, we would be wise to accept that appreciation of the position as it exists. Unquestionably, we get back to the fact that something will have to be done to meet the situation. The question seems to be what steps should be taken. We can, as envisaged in this Bill, set up a trust which will, in effect, take over the whole problem.

Some action along those lines might well prove to be the ultimate solution. However, the Minister did not, during his second reading speech—I make no criticism because I think he was very clear in his remarks—discuss to any extent the question of alternatives. In a matter of this nature it is important to consider the possible alternatives. An objective consideration of the alternatives in relation to the facts will very often provide the soundest solution. It appears that the Minister has made that comparison, but he did not tell us what the alternatives were.

It would seem to me that in the present state of affairs so far as the State's finances are concerned it is desirable, if possible, to consider an alternative which would create the least possible demands on the Treasury, both present and future. To that end it seems that it would be worth while examining disabilities under which the existing operators are carrying on and seeing whether it would be possible to

create a situation under which they would be willing to continue. There do seem to be certain advantages from the State viewpoint in allowing them to carry on if they would do so. On the other hand, I realise there are considerable difficulties in the way.

The problems that confront the operators today are, to some extent, legislative; and they have suffered under legislative frustrations for a good many years. Some of them are what one would almost call evolutionary; and are not the result of legislation at all, but the consequence of change in the public's trend and preferences. The turnover tax and other restrictions imposed on these people over a good many years have unquestionably contributed to their difficult position; and it is worth noting perhaps that if the Government proposition comes to pass and a trust is set up, the turnover tax would presumably no longer be paid to the Transport Board.

The Minister for Transport: Where did you get that idea?

Mr. HEARMAN: There does not appear to be anything in the Bill that would require it to pay that tax, and the present Government-owned services do not do so.

The Minister for Transport: This Bill does not repeal the State Transport Coordination Act.

Mr. HEARMAN: The Government-owned services do not pay.

The Minister for Transport: That is where you are wrong; they do.

Mr. HEARMAN: They have certain dispensations and advantages—or did until recently.

The Minister for Transport: Not necessarily in connection with the gross takings.

Mr. HEARMAN: I think the Minister will concede that they have had advantages. The private operators have been at a disadvantage in comparison with Government-operated services; and the position of the trust would be, from the viewpoint of revenue, substantially different from that of the private operators.

However, there are other restrictions that may be imposed on them in the future. The traffic problem may perhaps mean that these people will have to incur extra expenses which would not be economic but which might be necessary for the purpose of dealing with traffic problems as they arise from time to time. I refer specifically to through routing, which may be desirable in the overall picture but which might not be economic from the viewpoint of the operators. I think, however, that the House should take some notice of the case that could be presented for maintaining these people in operation. That is not to

say that because there are certain advantages that would flow from such a procedure that is necessarily the only solution that it might be desirable to adopt.

I have here a report of a committee on transport economic research which was set up by the Australian Transport Advisory Council. This committee, incidentally, seems to consist entirely of civil servants, most of them—in fact, all of them—from the Eastern States. Nonetheless some of their observations are of considerable interest; and I find that some of the costs they have got out are almost identical with those of some of our operators of metropolitan passenger services in this State. So I think we could well pay some attention to the findings and recommendations of this committee. Paragraph 41 of this report states—

While a large number of buses in all States are operated by public authorities, the cost shown in Table 5—

which are the costs of operating passenger buses as at the 30th September, 1956,

are for privately owned buses only. The published cost of operating publicly owned bus systems are considerably higher than the known costs of private bus operation even over comparable routes. There are a number of factors responsible for this difference, not the least of which are the overhead costs. Wages is another item where the cost shown in the account of public authorities is substantially higher than the cost of private bus operation. Closer union supervision of conditions and the wide use of conductors, ticket collectors and inspectors on public authority routes also lead to higher costs. On private bus routes, the use of ticket sellers and inspectors is still the exception rather than the rule.

It seems to me that although this research committee comprised members of the Civil Service, it appeared to indicate there are some advantages in private operation of passenger road services. The committee dealt quite exhaustively with the subject, and I referred the paragraphs of the report that are relevant to one of the operators who could be regarded as efficient, and I found he was substantially in agreement with the determinations of the committee. He may not agree with the committee in all respects, but in major respects he found himself in agreement. He mentioned that the question of buses is important and the economics of the situation require bigger and more expensive buses, which obviously must have the effect of aggravating the position.

This report shows rather clearly some of the disabilities concerning the operators of passenger services—that is to say, road passenger services. The Minister mentioned the competition that the bus companies were suffering from private cars; and the

committee is apparently in complete accord, pointing out that if there are four people travelling in a motorcar the cost per passenger mile is 2.19d. It goes on to say—

It will be observed, therefore, that a private individual driving his motor-vehicle to business in competition with the other forms of transport, and occupying it solely, is paying dearly for the privilege at an average of 8.75d. per passenger mile, plus any city parking expenses which may be involved. There are many motorists who are doing this. In cases, however, where private motor-vehicles are used and where they have a loading of, say, four or more persons who are sharing the running expenses, costs per passenger mile can be lowered to a figure quite competitive with public transport. This, when coupled with the convenience and flexibility of the motor-vehicle, tends to make use of the private vehicles more attractive.

That is a trend that has developed over the last few years and inevitably will continue to develop. It is not a matter of legislation, but just a change in the general trend, and something of which private operators are well aware. It is one of the factors that tend to make them a little reluctant to express too much optimism concerning the future.

The same report says that, generally speaking, buses need an average loading of 15 persons per bus to get their actual passenger mile costs down to those of the private motorcar carrying four passengers. It seems that the margin is very small, and that the question of an extra passenger or two per trip on any one bus makes all the difference between covering the cost and making a profit or running at a loss. So it is idle to underestimate the problems confronting the private operators today.

Another alternative is the possibility of a corporation such as was depicted by the Leader of the Country Party. This would obviously have the advantage that it might not involve the Government in the same expenditure as the proposal of the Government for the complete acquisition of all the private services. There is more than one precedent for a set-up of this kind; and, of course, there are also objections. I think that is one of the reasons why the matter should be thoroughly considered by Parliament before the passage of this legislation.

Quite obviously, any proposal that would involve the Government in an expenditure of millions of pounds, whether paid immediately or handed on to posterity to pay, is one that should be examined very fully; and all the relevant facts and data that can be brought to light should be obtained. One of the difficulties with which we might be confronted would be the need to raise additional capital for a venture of this

kind on the normal money market, and the reluctance of that market perhaps to provide the funds for such an enterprise.

Quite obviously, if such a state of affairs could be brought into being, it might have certain advantages. One would be the reduction in the amount that the Government would have to pay in compensation for acquisition. In that connection, and in view of the general dependence of the State Treasury on the determinations of the Grants Commission, I think we should consider very carefully just what the view of the commission would be likely to be.

I am aware that the commission could not prevent us from carrying out this proposal; but it could decide whether it was a reasonable and sound proposition in respect of which it was prepared to contribute towards a loss, or whether it was one with which it should have nothing to do. That is a matter on which I should like to hear the views of the Minister when he replies to the debate. It seems to me that we cannot completely neglect the possible impact on the whole matter of the view of the Grants Commission.

That brings me to the point raised by the Leader of the Country Party concerning the desirability of including metropolitan passenger rail services within the ambit of the trust. I feel that the Grants Commission might take a more favourable view of the proposition if that were done. I say that for the reason that it would make for greater overall efficiency in the handling of metropolitan passenger traffic. If that were done, it would remove one of the major difficulties of operators of road services at present and I refer to competition from the railways, which I think the Minister referred to as unfair competition. It would remove that competition which any operator of road passenger services would suffer through a rail service operating at a substantial loss with apparently little concern about the size of that loss.

Another advantage of the proposition would be that it would remove from railway finances the possibility of losses on metropolitan passenger services, and I think many members would be happy to think that the railways finances were affected only by the transport of goods and country passenger services. In that regard I will quote briefly from a paper given to the 22nd summer school of the Australian Institute of Political Science at Canberra on the 28th to 30th January last year, by Mr. L. A. Schumar, general manager of Yellow Express Carriers Ltd., Melbourne. In that paper, entitled "Road Transport", he clearly sums up the problem and says—

The problem in transport is to distribute the traffic to the various forms of transport undertakings in the proportions that will make the minimum demand on community resources.

That clearly and concisely states the problem and if we applied that postulation to metropolitan passenger transport and decided to take over the private operators, I think the authority to be set up should take over not only road transport services but all metropolitan passenger services in order that we might distribute the traffic to the various forms of transport undertakings in proportions which would cost us least and, from an economic viewpoint, give the most efficient service.

I doubt whether this State can afford anything but the most efficient and economic service in this regard. If we are going to consider incorporating a Government service with a shareholding by private operators, the Bill will require certain amendments. Any set-up of that nature would need to have the right to fix its own fares, especially if we hope to attract private capital into the venture. The Government's proposal at present is that the fares should be fixed by the State Transport Board, the qualification for membership of which reads—

The board shall consist of three members, one of whom shall be a Government official, one representing rural interests and one city interests but none of whom shall be financially interested in any form of transport service or contracts.

While I do not question the wisdom of that qualification, I think it improbable that a board so constituted could fairly and wisely fix fares for metropolitan passenger transport, because the requirement that they shall have no financial interest would tend to mean that they would have no personal knowledge of the problem. The qualification, "one of whom is a Government official and one who represents rural interests" would mean that two out of the three would have little, if any, experience of the specialised problems applying to metropolitan passenger transport services.

I suggest that the trust itself would be a far more competent authority to fix reasonable fares than is the Transport Board, which I do not think has even general qualifications to make such a determination. The Leader of the Country Party raised a query which was justified about the qualifications of members of the Transport Board.

Another point is that under the Bill members of the trust shall be appointed as from the date of gazettal in the "Government Gazette" and that means that all three members could be eligible for retirement together, or within a short time of one another, and so there could be a complete change of personnel, which would be undesirable. If the trust happened to be at cross purposes on some issue with the Government of the day and the Government knew they were all due for

reappointment within a short time, they might all be replaced almost simultaneously.

The Minister has probably overlooked that aspect but I think we should provide for them to retire in sequence. If the appointments were made for a six-year term instead of five years, and if we appointed the chairman first for six years and the next member, in the first instance, for four years and the third member for two years, they could retire in rotation and that would make for smoother working of the trust, continuity of policy and greater efficiency.

During his speech, the Minister said there would probably need to be some alteration of the definition of "vehicular traffic" to include ferries and if it is decided to bring in metropolitan rail passenger transport, the definition will have to cover that also. A further clause on which I would like clarification is that making it necessary to back date sales of property for three years. Under that provision if a sale of any part of an undertaking had occurred within three years of the date of acquisition by the Government, it could be declared null and void.

I can understand the Government's desire to protect itself against speculators or exploitation, but if a company in good faith has decided to sell its undertaking, it is not proper that the Government should be able to say, within 12 months, that the sale does not stand. Certain bus services have other business ventures attached to them—in one instance a body building business—which might be sold in good faith, and in that case it would be unreasonable to give the trust power to take those businesses back.

It should be clear, I think, that the trust will have to take over the whole of an undertaking and I am wondering what would be the position in certain instances because I know of one bus service which also operated a farm machinery agency, although I find that will not come within the ambit of this legislation. However, there could be business ventures not directly related to transport but entered into by certain companies.

I wonder whether the Minister has investigated that aspect and whether the legislation will enable the trust to take over all the ventures that the companies may have entered into. It seems to me that if the trust is going to acquire a person's business and he wants it to acquire the lot, the trust should do that, and I think the Minister would agree in principle.

However, I raise that query as to whether there are other business ventures such as I have mentioned which the trust could not take over under this Bill. I believe one bus company has an agency for bus chassis and I do not know what the position would be if it wanted the trust to take over that agency. I do not think it could do so



under the Bill. If the company wanted to get completely out of the business, I think the trust should be prepared to take over the whole of the undertaking and allow the business to be wound up.

Another provision states that the trust will be obliged to take over, or acquire, any undertaking on request within three years of the request. That seems a long time to ask an operator to continue operations when he is looking down the barrel of the gun, as it were. In three years he might be involved in considerable expense for fleet replacement and so on.

It could happen that some very poor fleets would be maintained in operation as the companies would be reluctant to replace them, or if they did replace them on the basis that they were to get full compensation, they might renew their fleet with the type of vehicle that would be of no use to the trust, and that should be avoided. It would be manifestly unfair to ask an operator to carry on for three years knowing his business would be acquired at the end of that time and that he would be put to considerable expense while at the time of taking over, as the value of his assets might be much less than it was at the time when he asked to be acquired.

If a man is to be asked to discontinue his operations, at least there should be some effort made to value his undertaking at the time he was asked to be taken over and he should not have to wait for a period of three years, as would be possible according to my reading of the Bill. Otherwise, if that is not done, it would be possible to allow a business to become completely run down by force of competition; and at the time of the actual acquisition, it would be worth very little.

I do not think that is the Minister's intention. According to his second reading speech, it would be possible under the Bill. It would be wise, however, to ensure that those people whose property was to be acquired would not be placed in a prejudiced position. The question of compensation is another important aspect of the Bill. The general principles laid down as to what might be acquired are fair and reasonable, but, as I read the measure, the trust would not be under any obligation to make payment to a person whose business had been acquired by it until a final determination of the amount to be paid had been arrived at.

It is provided that the trust shall make a valuation of the undertaking that is to be acquired and the company concerned then has four months in which to consider the offer made and to make a counter proposal, if any. The trust can then have a further four months to consider the counter proposal and if it cannot submit an alternative proposal, the company has a further two months in which to apply for arbitration. That would mean a total of 10

months and as the process of arbitration would take at least two months, or perhaps a great deal longer, a situation could be reached whereby a company would find itself in the position where its finances were not very sound. The Minister has mentioned that some of them are fast approaching that position now.

The trust might make an offer of, say, £80,000 for an undertaking, but the company might consider that it was worth £100,000 and the difference of £20,000 could well become a matter of dispute. However, under the provision in the Bill, the company would not receive anything until after the final determination had been made. This could mean that a period of 12 months or even two years could elapse if the full process of the law was invoked. During this time, the company could be placed in a very embarrassing financial position and, in fact, could be forced into bankruptcy.

It seems to me that the trust could quite easily pay to the company the sum of £80,000 which it had offered and leave the payment of the £20,000 which is in dispute until the legal process of the law had been completed. If this were not done, it could mean that the company might not be able to invoke the full process of the law because it might not be able to afford to pay the legal expenses involved. Further, under the clause in question the Government might not make the full payment in cash; payment could be made partly in cash and partly in Government stock or debentures. The company, therefore, would have to place such stock on the market immediately and might have to sell at a discount. That is the general practice followed with Government stock.

Therefore, if a valuation of an undertaking has been made by the trust, immediate payment of at least the amount the trust is prepared to offer should be made to the company which would then have something with which to pay its contingent liabilities. Some companies may not have any liquid assets whatsoever and, if so, this would place them in a position where they could not carry out any further negotiations—which they have a perfect right to carry out—so far as arbitration or litigation is concerned.

Another provision in the Bill which I do not fully understand is that if, by any reason or chance, trustees are holding an investment in a particular company on behalf of somebody who is legally incompetent—for instance, a lunatic—they would be forced to obtain some other investment and they could receive all sorts of directions from the Supreme Court—which may be all very sound in law—because the law relating to trustees may not cover such a situation. The Bill, however, lays down, in some detail, the matters on which the trust can apply to the court for a direction, but it makes no provision as to who shall pay the costs.

It seems to me that the trustees or executors must pay the costs. If a company is put out of existence as a result of acquisition, the trust should pay the legal costs involved.

I have another query with respect to the Bill itself. It is provided that the Treasurer shall have the right to raise certain charges against the trust for its use of any buildings or of the services of Government servants. I am not quite clear on what is involved in this proposition, but it seems to me that the Treasurer could charge anything he liked for the use of any Government building and the trust would have no redress except to vacate the building and take up residence elsewhere.

Also, under the same clause, it would be possible for the Treasurer to charge for the services of the Auditor General who would audit the accounts of the trust. Further, he could possibly charge for the services of the officers of the Crown Law Department should the trust invoke their services at any time. I am wondering how far it would be possible for the Treasurer to go under this clause. In fact, I was wondering whether the Commissioner of Police would have the right to make charges for the licensing of vehicles that were held by the trust.

I was wondering whether the trust could appoint its own auditors and its own solicitors in the same way as private companies do. If the Auditor General was not prepared to accept the certificate of the trust's auditor, he could conduct an audit himself to ensure that the books were kept in a proper and businesslike manner, but I do not think that the trust should be placed in a position of having to pay for these services. The Auditor General is appointed to audit Government accounts in which the Government is interested. He is appointed by the Treasurer to protect the Treasury and it is quite unreasonable that he should be permitted to charge for his services.

We should add some powers to those that are already proposed to be given to the trust, in any case. For example, we should give it power to fix its own fares; power to control metropolitan passenger fares, and to employ its own solicitors, auditors and so on. This is an extremely complex problem, a solution for which is impossible to find by members of this House in the short time that the Bill has been before us. There are several possible alternatives that could be considered and the whole question indicates the need for some further examination.

To that extent I am pleased that the Minister has given some indication that he will agree to the appointment of a select committee. It will be necessary, if the trust is to work efficiently, to have the very best possible men that are available appointed to responsible positions. The House could well consider whether we

should provide for a one-man trust or a three-man trust. We have had the experience of the Railways Commission in that regard and it is rather pointed that the Government is shortly to introduce a Bill to reintroduce one-man control instead of three-man control over the railways administration. If this system is good enough for the railways, it might be good enough for this transport trust. Alternatively, if a three-man control has not worked in the railways—

The Minister for Transport: I do not think you listened to my remarks when I introduced the Bill, otherwise you would not be speaking in the strain that you are.

Mr. HEARMAN: I might have been listening to the Minister's remarks, but I may not have accepted all his propositions. This problem of efficient management is an extremely complex one and, in fact, there are certain difficulties which confront the management of a large transport organisation that are not associated with smaller similar undertakings. Experience, generally, has shown that not only here, but also in other States and in other countries, the standard of managerial efficiency is greater in smaller organisations.

The Minister for Transport: Don't you recall that your Government appointed a State Housing Commission of seven members that handles between £10,000,000 and £12,000,000 a year? That is a large undertaking, but there are not seven individuals interfering with the administration.

Mr. HEARMAN: I am aware of that fact.

The Minister for Transport: Under this Bill, it will be only three men instead of seven.

Mr. HEARMAN: What I am saying is that if we do not look at the Bill very carefully, we could find ourselves in the same position as we have with the railways because with the trust being placed in the position of not being able to fix its own fares that, in itself, would deter any man of suitable calibre from applying for appointment on this trust. One of the difficulties facing those in charge of public transport is the question of political interference. Therefore, an applicant must often wonder whether he would be allowed to run the organisation as it should be or whether he would be hamstrung for political rather than economic reasons.

The Minister is well aware that men of the highest calibre are required to be in control of a large organisation such as that proposed in this Bill. I ask whether the restrictions that will be placed on the general manager of this proposed organisation are likely to deter any suitable applicants who might be available, because it is most desirable that we should get the best possible man. If a potential

applicant knows, for example, that the fares of the trust are to be fixed by some other body, that, in itself, I think, is going to cause apprehension in the minds of those who may wish to apply for the positions available.

The Minister for Transport: I think you are speaking without your book because the Transport Board at present fixes the maximum fares for all private operators.

Mr. HEARMAN: I am well aware of that and perhaps that is one of the grievances of the private operators.

The Minister for Transport: I do not think so.

Mr. HEARMAN: Whether that is so or not, it could well be that that very fact could cause some query in the mind of a potential applicant for the job. He would prefer to feel that the trust could run its own show.

The Minister for Transport: I could imagine your reaction if there was to be a monopoly form of transport, with the right to be inefficient and cover its fares in that manner.

Mr. HEARMAN: The Minister could well imagine my reaction to such a proposition, but that is not what I am putting forward.

The Minister for Transport: You would make that possible.

Mr. HEARMAN: No; it would be impossible. The second proposal I am putting forward would not preclude the Government from having some say and control in the standard of fares because, although the Minister rather indicated that he thought the trust might possibly break even in its operations so far as the cost was concerned, I think even he might regard that estimate as being a little optimistic. I would like to suggest to the House that the trust is not going to show a deficit but, in fact, I think it very probably will, and the Government will be called on from time to time to meet that deficit.

Obviously, the manner and the extent to which the Government is prepared to meet deficits of this trust must have a direct bearing on the fares that would be charged if my proposition to allow the trust to fix its own fares were accepted. I am not suggesting that the matter go completely out of the hands of the Government.

The Minister for Transport: But who said it would be in the hands of the Government? It will be fixed by the Transport Board.

Mr. HEARMAN: The Minister said that I would object to a proposition which allowed them to be completely inefficient and charge what they liked for it.

The Minister for Transport: There is an independent authority to fix maximum fares.

Mr. HEARMAN: It is the Minister's view and I am prepared to concede that it is his view.

The Minister for Transport: That is the law of the land.

Mr. HEARMAN: It is, but we could change it.

The Minister for Transport: That is not being interfered with.

Mr. HEARMAN: I am suggesting we should change it. I do not think there is anything for the Minister to worry about, because I am only putting forward a suggestion. That is a point that could well be the subject of further investigation. I do not think my proposal would make for inefficiency; I think it would have the opposite effect. Anyhow, there is no useful purpose being served by continuing this "It is" "It is not" argument with the Minister across the Chamber. This is a difficult problem, and it is one that should be thoroughly examined. The proposal for a select committee is a wise one and, with a view to facilitating the appointment of that committee, I am prepared to support the second reading of the Bill.

**THE MINISTER FOR TRANSPORT** (Hon. H. E. Graham—East Perth—in reply) [10.35]: First of all I want to express my appreciation, and that of the Government, for the conciliatory attitude adopted by the Opposition in connection with this proposition. Because of the promptings from certain sources, I did imagine at one stage that advantage would have been taken of what might have appeared to be a glorious opportunity to indulge in the sort of stuff we hear from soap boxes on particular occasions.

Mr. Court: You are dealing with a very responsible Opposition.

**THE MINISTER FOR TRANSPORT:** I sincerely hope there will be some demonstration of that during the consideration of this Bill in its later stages. Nobody will be more gratified than myself if that proves to be correct. I would now like to refer to the proposition that a select committee be appointed. I would say now, as I did by interjection last week, that in my candid opinion there is no necessity for a select committee to be appointed. The facts are sufficiently well known—or they ought to be—by people who take a prominent part in public life. Beyond that there would be little difficulty indeed on this, as on other matters, to ascertain at very short notice the position that has developed, and which is growing worse.

However, the select committee—if it be the wish of Parliament that one should be appointed—will be able to ascertain certain facts. One of them I predict is that contrary to the completely false caption that appeared in Saturday morning's Press that only three bus operators are in favour of this trust, members of all parties and of both Houses of Parliament will come to the conclusion, because it is so, that that was a complete fabrication—a lie for the purpose of creating mischief.

It is a pity that that sort of thing goes on, and I pay a compliment to both parties of the Opposition for not being misled by the type of mentality responsible for that kind of thing. Members will recall—and I think they were as surprised as I was—that in the heading to the report of the proceedings of the evening the Bill was introduced, there was embraced in large letters, the word "Grab." Everyone in this Parliament, and those vitally affected, know perfectly well that there is no question or suggestion of that whatever. But, of course, these things are done for the purpose of endeavouring to poison the public mind.

It is not the first time by any means that from the same source I have been at the receiving end of that type of criticism. When, as I have said on other occasions, that journal is able to speak to several hundreds of thousands of readers for six days a week throughout the entire year, whereas I can merely speak to 49 members of this Assembly, it is a lopsided sort of a game. But it does not make it any more decent or honest because of the advantages that that paper has. The Government has decided to agree to the appointment of a select committee in deference to requests of members of the Opposition.

I am confident that as a consequence of the investigations of the select committee, we will have a Parliament that is solidly behind the principles and main provisions of this Bill. There are several conditions pertaining to the acceptance of the proposition and, in turn, those provisions, or conditions, have been acceptable to members of the Opposition, or to leaders of the two parties, for which again I thank them. The proposition to which it is intended to give effect presently is that there shall be a select committee of eight members—four from each of the two Houses of Parliament, with equal numbers of Government representatives and representatives from the Opposition benches.

The leaders of the two Opposition parties will, of course, be at liberty—as should go without saying—to nominate persons of their own choosing. Another of the provisions at the request of the Government was that I, as Minister for Transport, should be chairman of the select committee, and that proposition has also been accepted.

Finally, there is the proposition made by the Deputy Leader of the Opposition, that there should be a time limit. I know it is usual to specify a date by which reports should be submitted, and it is proposed to accept the date of the 12th November, suggested by the Deputy Leader of the Opposition, on the clear understanding—which cannot be written into the motion—that there will be no extension of time. Let me say here and now that I am somewhat at my

wits' end to know how I, personally, can find the time to devote to the work of the select committee on top of my office work, and the responsibility appertaining to the work in this Chamber.

However, I shall do my utmost and I am certain that if all eight members apply themselves diligently—as I believe they will—for the purpose of getting to the bottom of this matter with a view to finding the basic truth, while at all times endeavouring to do the best for the State, it will be possible to deal with the proposition. Since several points have been raised, I will refer to them as briefly as I can. First of all, the Leader of the Country Party expressed some concern, or doubt might be a better word, with regard to a person being eligible for appointment to the trust who had experience in the conduct of public affairs. There is, of course, a provision in the Bill which says that he must have wide experience, and that he must have shown a capacity in the conduct of public affairs. Those same qualifying words are used in respect of other qualifications—transport, industry, commercial or finance.

But, in any event, whether superlatives are used or not, it is in the hands of the Government of the day when these appointments are made, and I am confident that a Government of any political complexion would make the wisest choice from the material at its command at that particular time. One thing, however, I do want to impress on all members—and that is because there is this mention of a person who has had wide experience in the conduct of public affairs—that there is no intention on the part of the Government—as a matter of fact, it has not even been discussed—of appointing a member of Parliament or an ex-member of Parliament. It is merely there, and was merely put there by the Parliamentary Draftsman without any instruction whatever.

In connection with the remarks of the Leader of the Country Party with reference to the establishment of a corporation or a joint body of operators, I think that when introducing the measure, I intimated that this proposition had been discussed with the private operators and the other two parties, namely, the Government instrumentality and the Fremantle Municipal Transport Board, and there was a unanimous expression of opinion that they would not have a bar of it, to use a colloquialism.

During the subsequent discussions, and indeed as recently as within the last week or so, in talks with the president of the Omnibus Proprietors' Association, that attitude has been confirmed. Their point of view is that if this trust is formed, they want to cut the painter and be free to devote their capital or energies, as the case may be, along other avenues and not be tied to a semi-governmental instrumentality. I emphasise that the proposition

was submitted to each one of the operators present at one of the conferences. The question was asked in turn, with the result previously outlined.

On the surface there does appear to be some merit in this proposed trust operating services not only over the roadways but also on the metropolitan rail system. However, I think a little analysis will prove that it is completely unworkable. Perhaps, this can be an interesting line to be followed by the select committee. I do not know how the Leader of the Country Party would face up to the situation if this trust were completely efficient and were running a most frequent suburban service—that is, a fast suburban train service—between Midland Junction and Fremantle and meanwhile the Albany express was held up for an hour or more on the other side of Midland Junction whilst workers were taken to their places of employment in other parts of the metropolitan area with a frequent service.

Hon. A. F. Watts: You would be surprised how it is overcome in other places.

**THE MINISTER FOR TRANSPORT:** Where there are two operating authorities, I do not think it would be easy of solution. Neither do I think the question as to who owns which locomotives or who was responsible for how much maintenance, the payment of various staffs, whether ticket sellers, signalmen or anyone else, would be easily solved. Whilst it might appear to be an ideal to have all public passenger movements under the one administering authority, frankly I do not think it would prove to be a practical proposition.

The member for Blackwood seemed to think that there were avenues open in which to explore alternatives. I mentioned there had been some attention given to zoning, and indeed there are seven zones in the metropolitan area at the present time. There have been talks in connection with amalgamations to reduce the number of operators for the purpose of effecting certain benefits. The Transport Board has endeavoured to assist in connection with this matter—if I might use the term, it has even applied pressure on certain occasions—but with no success whatsoever. I am not saying that in criticism of any individual operator, as they are businessmen and know the points for and against; and they have chosen not to be associated with another operator.

I can appreciate some of the difficulties, but I do not intend to outline them at the present moment. Concessions have been granted by the Government. I think I would be right in saying that during the term of the previous Government, the average percentage on gross takings paid by all operators in the metropolitan area was about 5 per cent., while at the present moment it is about 2½ per cent. Therefore there has been a considerable reduction in the Transport Board fees levied on operators in the metropolitan area.

As already indicated, the position was explored in connection with this general ownership proposition, and for their own very good reasons the omnibus proprietors decided that they would prefer not to be associated with it. Therefore, I feel that some attention over recent years—and some going back a little bit longer—has been given to the several propositions that should be considered if there is to be a full survey of the situation.

With regard to the observations of the member for Blackwood in connection with the losses and the attitude of the Grants Commission, I am not in a position to say how it would regard losses incurred by this trust, if indeed that be the situation. However, I do know this: For many years the Grants Commission has been meeting State deficits occasioned by the loss on our railway system running into not a few hundred thousand pounds as might be the case here, but many millions of pounds, and this year is the first occasion to my knowledge when the State has been penalised by the Grants Commission. In other words, the full loss has not been met.

Mr. Court: Their attitude towards transport losses is gradually stiffening, is it not?

**THE MINISTER FOR TRANSPORT:** I think they feel it is necessary that the State Government should take some steps in connection with the matter. I do not want to proceed further than that, but no doubt when the Government is taking steps more or less to meet the wishes of the Grants Commission, there will be not a little criticism from the other side of this House.

Mr. Court: You will be battling to explain why the deficit is going up.

**THE MINISTER FOR TRANSPORT:** There will be no difficulty whatsoever, but more of that on another occasion. The suggestion of the member for Blackwood regarding the staggering of appointments will be given sympathetic consideration, without in any way committing the Government. I think it might well be that the term of appointment for the chairman of the trust might be lengthened to seven years and the other two members six years and five years. If it is a trust of three, that would give the result he seeks. I mention seven years because in so many cases, for instance, the Conservator of Forests and the general manager of the State Saw Mills—people with whom I have something to do—the term is seven years.

I can assure members that there are certain fundamental principles in the Bill which I think is a fair and reasonable proposition and, as indicated earlier, it is acceptable to the people most affected. After all, it is a matter of some concern and consequence that a number of operators and those whom they represent are being divested of their business undertakings which, in some cases, they started from the most humble beginnings—by a

lot of hard work, and exertion of personal sacrifice. There is an understandable pride of achievement on their part for what they have done. They have rendered a service to the community and it is on account of a change in circumstances that they are confronted with the position which now exists.

As it appeared that this proposal to appoint a select committee would hasten rather than delay, after the assurances received, I finally agreed to submit to my Government the proposition of this inquiry. However, I emphasise there is urgency about it. I venture to say that if we do not agree to take steps on the lines outlined in the Bill, where there are 12 separate operators today there will be something less than that number if we choose to deal with this matter in 12 months' time.

Mr. COURT: Is that a threat or a statement of fact?

The MINISTER FOR TRANSPORT: Unfortunately, it is because of a deteriorating position. Quite a number of the concerns—apart from operating expenses as against maintenance, which perhaps are balancing out reasonably well—find themselves completely incapable of properly maintaining their fleets, and so far as their financial resources are concerned, they cannot undertake any replacement or a programme of replacement of any magnitude.

So the bleak prospect confronting them is that their vehicles and everything else will completely run down until they are no longer serviceable, and then they will have nothing to sell. There will be at least a few of them in that position because of the general downward trend of public patronage. Those who are able to survive that period will have something less to sell than at the present time. I desire to say no more than that. It would appear, without any guessing, that the second reading will be agreed to, following which I intend to move in connection with the select committee, as intimated earlier.

Question put and passed.

Bill read a second time.

*To Refer to Select Committee.*

The MINISTER FOR TRANSPORT: I move—

That the Bill be referred to a select committee.

Mr. COURT: I rise to support the motion that the Bill be referred to a select committee. As the House knows, I indicated when replying to the Minister that we felt the best and quickest way to facilitate the consideration of this measure was for a select committee of both Houses to consider it, and I think he will agree that we have done all within our power to expedite deliberations. The matter is one of such great moment that it would be unthinkable for this House or another place to adopt the

measure without the most exhaustive examination. It is our considered opinion that the only way the Bill can be thoroughly examined and its background thoroughly investigated is through a select committee.

When the matter is before that committee, I hope that, under the chairmanship of the Minister—and I might add that we are quite pleased to know the Minister will be chairman of the committee—he will ensure, along with his other committeemen, that the position is examined on the widest possible front. It may take an extra day or two to deliberate on some of the ramifications of the matter, but the background should be established in the minds of the committeemen, particularly those who are not Government supporters, so that they can convey to their respective parties the implications of what they have seen and learned at the appropriate time.

It is not a matter that the Opposition accepts with gusto; I would not like it thought that the Opposition is jumping for joy at the possible elimination of private operators. However, we are co-operating because we feel we have a responsibility to do so, so far as this measure is concerned. We accept on face value what the Minister has told us regarding the urgency of the problem and feel our duty is to facilitate deliberations. Therefore, I support the motion that the Bill be referred to a select committee.

Question put and passed.

*Select Committee Appointed.*

The MINISTER FOR TRANSPORT: I move—

That Mr. Lapham, Mr. Hearman, Mr. Owen and the mover be appointed to serve on the select committee.

Question put and passed.

The MINISTER FOR TRANSPORT: I move—

That the committee have power to call for persons and papers, to sit on days over which the House stands adjourned, and to report on the 12th November, 1957.

Mr. COURT: If I read the motion aright, it means that the Minister is forgoing the right of the Committee to sit on days on which the House is actually meeting; or does it mean that the committee can sit on those days except during the time when the Speaker is in the Chair, as well as on other days?

The other point is that I would like to know what the Minister's attitude will be in connection with the admission of the Press. This is a question of great public interest and I feel that the committee should give consideration to the admission of the Press at appropriate times. There will be occasions when confidential information is before the committee, and I do not suggest for a moment that the doors be open to strangers or the Press at those times. I am prepared for that to be left

to the discretion of the committee. However, a resolution of the House is necessary before the Press can be admitted. I believe, although I consider this an anomaly, that the committee can allow strangers to enter the committee room, but the Press is not automatically allowed to enter.

I understand that the procedure would be that the committee would come back to the House and ask for approval for the Press to be admitted; or, alternatively, we could move without notice tonight, for the Press to be admitted, if we could get an absolute majority in view of the fact that a Standing Order is involved. I would appreciate comment from the Minister as to what his attitude would be towards a resolution of this House, authorising the committee at its discretion, to allow the Press to be admitted to the proceedings.

The MINISTER FOR TRANSPORT (in reply): I think it would be best to leave it to the discretion of the committee. I am not prepared to give any undertakings in advance—indeed, I could not very well—partly on account of recent experience in connection with this measure, which will be investigated by the select committee, and also because I can imagine there will be many intimate and confidential matters submitted which will be most vital to the continuance of any business—as could well be the case; we cannot anticipate Parliament—of some of the people directly concerned.

After all, the purpose of the select committee is not to provide a feast for the public but to satisfy itself in connection with certain matters and then, as members of this Parliament exercise their discretion and, with a due sense of responsibility as to what they use, to participate in the debate and base their arguments on the information they were able to adduce at the hearings of the committee. In other words, I do not think that on this occasion there is any necessity to make special provision, but that we should allow the committee to look after the matter in due course, in its own way.

Mr. Court: You cannot do it on your own initiative?

The MINISTER FOR TRANSPORT: That is so. If the select committee feels it wants to come back to Parliament for authority to permit the Press to be present, then such action will be taken.

Question put and passed.

#### *Instruction to Committee.*

The MINISTER FOR TRANSPORT: I move—

That it be an instruction to the committee that it also inquire—

- 1, whether it is desirable to have one statutory authority to operate metropolitan street

passenger transport services; if so, whether the Bill satisfactorily achieves this purpose, or what type of authority would be best for the purpose, and under what conditions it should operate; and

- 2, whether there are more desirable alternatives.

It is true that this instruction is in totally different verbiage from that employed by the Deputy Leader of the Opposition when he foreshadowed the move for a select committee, but I think that he, and indeed all members, will agree that the terms are sufficiently all embracing to allow the select committee to proceed without any hindrance or inconvenience.

Mr. COURT: The terms of reference are supported by the Opposition, although it is true they represent a great condensation of the proposition I submitted to the House on Thursday last. When I then submitted eight points, it was for the purpose of having the points that were exercising our minds regarding this question, dealt with. I have discussed the matter with the Minister and I am satisfied that the terms of reference now proposed are adequate to allow the committee ample scope to examine all the matters that were put forward by me last Thursday. I repeat, however, that we hope the chairman and his committeemen will examine the matter on a wide front and will give consideration to the eight points I put forward. It is on this understanding that we support the motion.

Mr. HEARMAN: My interpretation of the terms of reference is that we will certainly be able to examine all the points raised during the second reading debate. I trust I am correct in placing that interpretation on the terms of reference.

Question put and passed.

#### *Request to Confer.*

The MINISTER FOR TRANSPORT: I move—

That a message be transmitted to the Legislative Council acquainting it that the Legislative Assembly has appointed a select committee of four members to inquire into the Metropolitan (Perth) Passenger Transport Trust Bill; acquainting the Legislative Council of the instruction given to such committee; and requesting the Legislative Council to appoint a select committee with the same number of members, with power to confer with the committee of the Legislative Assembly.

Question put and passed.

*House adjourned at 11.9 p.m.*