

wealth Bank seeking to borrow, say, £2,000 on fixed deposit for five years, and the bank manager saying, "Through the Commonwealth Bank or the rural bank? I represent the Commonwealth Bank, which will be able to do the best for you." Of course if the Commonwealth Bank did not care about the business, it might then be available for the rural bank. To undertake this service as it should be done is going to cost a tremendous amount of money. We must have trained bankers to administer such legislation. I wish the Government luck, and hope that in the years to come we shall not have the sorry tale to tell of the administration of the rural bank that characterised the latter years of the Agricultural Bank. I support the second reading of the Bill.

On motion by Hon. V. Hamersley, debate adjourned.

House adjourned at 9.3 p.m.

Legislative Assembly.

Tuesday, 21st November, 1944.

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

QUESTIONS (6).

EDUCATION.

(a) *As to Lord-street Primary School.*

Mr. ABBOTT asked the Minister for Education:

In view of the serious concern of the parents and citizens of the area serviced by the Mt. Lawley Lord-street primary school at the proposal to close the school, will he

give an assurance that the closure of the school will be deferred until the matter is further examined?

The MINISTER replied:

It is not proposed to close the Lord-street, Mount Lawley school. It is intended as from February next year to use the existing buildings with the addition of trade and science rooms to accommodate post-primary children. This will necessitate the dispersal of the primary pupils to the neighbouring primary schools.

(b) *As to Perth Boys' School Students.*

Mr. NEEDHAM asked the Minister for Education:

(1) Will the fourth year students remain at the Perth Boys' School for their fifth year?

(2) If so, will the headmaster be informed without delay so that he will be in a position to make the necessary preparations for them including arrangements in the Technical College in regard to science courses, and thus prevent a repetition of last year when from five to seven weeks were missed in science studies?

(3) Is it intended to remove these students to Leederville? If so, under what title are they to be known? What is the name of the school and what facilities available commensurate with high school course?

(4) If they are not to remain at Perth Boys' School will the parents be informed where they are going to and what arrangements are made in regard to teaching staff, science courses, laboratories, etc.?

The MINISTER replied:

(1) No.

(2) Answered by No. (1).

(3) No.

(4) Yes.

RAILWAYS.

As to Co-ordination of Transport Facilities.

Mr. TELFER asked the Minister for Railways:

(1) Has the Railway Department formulated any policy to co-ordinate rail, road and air passenger transport?

(2) Has the department made any decision as to giving the wheat belt area a passenger road motor transport service?

(3) Has the department given any consideration to the advisability of sending expert transport officers overseas to secure all

the latest information to give effect to proposals mentioned in question (1)?

(4) Have any representations been made to the Commonwealth Government to have finance made available at specially low rates of interest to bring about reconstruction of our railways and its equipment?

(5) If representations have not been made, will he take the matter up immediately with the proper authority?

The MINISTER replied:

(1) The matter has been under consideration as a post-war development for some time and a policy is in process of formation.

(2) Covered by answer to No. (1).

(3) No.

(4) No.

(5) Yes, when the time is opportune.

SOLDIER SETTLEMENT.

As to Commencement of Scheme.

Mr. McDONALD asked the Minister for Lands:

(1) Is he able to give an approximate date when the proposed organisation for the settlement on the land of soldiers from the present war is likely to commence functioning?

(2) To meet any cases of such soldiers who are now awaiting an opportunity to settle on the land, could any interim machinery be provided to enable them to acquire a farm and commence working it?

The MINISTER replied:

(1) and (2) An agreement is being drafted as between the Commonwealth and States, based on decisions reached at the recent Premiers' Conference, and the State is awaiting word from the Commonwealth Government in this connection. The State has asked for earliest consideration to meet the requirements of soldiers who now await an opportunity to settle on the land, and, so far as State administration is concerned, to set up the requisite controlling authority. An announcement will be made in the near future regarding the State organisation.

FISHERIES.

As to Salt River-Bremer Bay Waters.

Mr. STUBBS asked the Minister for the North-West:

(1) Was a license granted by the Fisheries Department to one, Allan Parker, of

Gnowangerup for net fishing in the Salt River and/or Bremer Bay waters?

(2) If so, is this license still subsisting?

(3) If not, was it cancelled or did it expire?

(4) If it was cancelled, why was it cancelled?

(5) If it expired, was application made for its renewal, and if so, with what result?

(6) If such an application for renewal was refused, was it refused by the Fisheries Department in consequence of the policy of that Department, or on the recommendation of the Gnowangerup Road Board?

(7) What were the terms of the license originally granted to Parker, and were there any restrictions on the size or mesh of nets to be used, and if so, what restrictions?

(8) Is he aware that Parker was supplying much needed fish to Wagin and Dumbleyung as well as other centres further south, and that inability to obtain a license will almost certainly result in these centres being deprived of fish supplies?

(9) Are non-professional fishermen allowed to fish with nets in the waters mentioned; if so, subject to what restrictions?

(10) Will he take action to ensure that subject to proper steps for the preservation of fish life the requirements of the centres mentioned can be met from one of these waters?

(11) If not, why not?

The MINISTER replied:

(1) The waters of Wellstead and Palinup Estuaries are open to net fishing, subject to certain restrictions. Any person licensed under the Fisheries Act may use a net therein. Allan Parker, of Gnowangerup, is a licensed fisherman.

(2) to (6) Answered by No. (1).

(7) Restrictions imposed in these waters are:—(1) Between May 1 and September 30 a maximum of six nets each of 100 yards of 4-inch mesh is permitted; (2) between October 1 and April 30 a maximum of one net of 50 yards of 4-inch mesh is permitted; (3) a minimum distance of 100 yards between each net.

(8) Yes.

(9) Yes, subject to No (7).

(10) and (11) The waters concerned are vested in the Gnowangerup Road Board, which has an overriding authority under

Section 6 of the Fisheries Act, 1905-1940. Any measure relating to these waters must be approved by the board.

AGRICULTURAL ADVISER.

As to Appointment to Katanning.

Mr. WATTS asked the Minister for Agriculture:

When will an appointment be made of an agricultural adviser at Katanning to take the place of Mr. A. S. Wild?

The MINISTER replied:

Applications are being called this week to fill the position vacated by Mr. A. S. Wild.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

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

BILL—TRANSFER OF LAND ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS [4.36] in moving the second reading said: Except for the acute emergency conditions which developed during the war and up to at least the beginning of this year, the Government would have introduced during last year and possibly during the previous year, amendments of an important character in connection with the Workers' Compensation Act. That measure was last amended in substantial form in 1925. It is true that a small number of important alterations have been made to the Act since that date. In several respects, however, our legislation is behind similar legislation in some of the other States of the Commonwealth, and in some other countries of the world, in the protection and benefits which it confers upon workers and their dependants when the workers concerned are injured as the result of accidents that arise in the course of their employment.

The Government considers it is quite reasonable to bring forward an amending Bill at this period and to include in it a number of proposals that might very well be considered to be of major importance.

When the new Act was passed by the Parliament of this State in 1925, it was claimed, with every justification, that the workers' compensation legislation of Western Australia was the most advanced of any such legislation anywhere in the world. It is also true to say that some of the other Australian States and a number of other countries of the world subsequent to 1925 made improvements in their legislation, which improvements were based largely upon the legislation passed in the Parliament of this State during the year to which I have referred. With the passing of years since 1925, Western Australia has lost the forward place it at that time had, with the result that today our workers' compensation legislation is far behind that of some other countries and in some respects considerably behind that of other Australian States.

One very important amendment in this Bill aims to increase the maximum weekly payment under all headings to an injured worker from the present figure of £3 10s. to a new figure of £4 10s. The present maximum of £3 10s. per week includes 50 per cent. of the weekly earnings of the worker immediately prior to his injury, plus an allowance of 7s. 6d. per week for each child under 16 years of age dependent upon the worker. There are, of course, many cases where 50 per cent. of the injured worker's earnings plus 7s. 6d. for each child dependant under 16 years of age would take the total amount well beyond £3 10s. per week. However, because of the legal restriction which sets down that £3 10s. shall be the maximum amount payable under all headings per week, that is the largest sum which any injured worker can receive by way of compensation under the Act. It is now considered by the Government that the maximum should be increased, and we propose to substitute a maximum figure of £4 10s. per week.

When the present maximum of £3 10s. per week was fixed in 1925, the basic wage at that time for the metropolitan area was £4 3s. 4d. per week, whereas today it is almost £5 per week, representing an increase in the basic wage during the 19 years of about 17s. per week. It will be seen, therefore, that the proposed increase in the maximum weekly payment is approximately the same as the increase which has taken place in the basic wage in the metropolitan area. If we were to take the mean wage figures

operating in the various districts in Western Australia during 1925, or the average of those figures, and take the average of the different basic wages operating in the three districts today, we would probably find that the difference between the two averages would be very close to £1 per week. Generally speaking, therefore, it can be said that the proposed increase in the maximum amount payable per week to an injured worker under the Bill represents the increase that has taken place in the basic wage during the period I have mentioned.

The position in the other Australian States varies considerably. For instance, in the States of New South Wales and Queensland the injured worker is allowed two-thirds of his average weekly earnings, plus an allowance of 8s. for each dependent child. The maximum amount to be paid per week to an injured worker in those States is £5, or an amount not in excess of the full average weekly earnings, whichever amount is the lesser. In other words, in New South Wales and Queensland an injured worker is entitled to receive a maximum of £5 per week if his average weekly earnings are of that amount or in excess of that amount. If his average weekly earnings are £4 15s. or £4 10s. per week, he then receives the £4 15s. or the £4 10s. or the lesser amount per week. But it will be seen—and this, of course, is of importance—that the maximum in the legislation of New South Wales and Queensland is £5 per week. In the politically backward State of Victoria, the maximum is nowhere near that of New South Wales and Queensland. The Victorian maximum is only £3 7s. 6d. per week. I think it will be readily understood that this low maximum is due to the fact that Victoria has never had what may be called a progressive Government.

I think it is also to the discredit of a State like Victoria, which as we know is very compact and very wealthy, that so little regard is paid by the Parliament and the employers of that State to the condition of injured workers and their dependants when a worker becomes incapacitated as the result of an injury suffered in the course of his employment. In Tasmania, which also appears to have made very little progress along the road of industrial legislation so far as protecting the interests of injured workers is concerned, the maximum amount allowed per week is likewise well below that

of New South Wales and Queensland. I would not say that Tasmania is politically backward, because in fact the Government of that State has tried on more than one occasion to improve the workers' compensation legislation for the purpose of giving to an injured worker and his dependants during any period of incapacity far greater protection and benefits than those at present provided in Tasmanian legislation. The reason the Tasmanian Government has not been able to succeed to any extent in that direction will, I am sure, be obvious to anybody, and I need not go to the trouble of explaining it.

In South Australia, the maximum is the same as in New South Wales and Queensland; that is, a maximum weekly payment of £5 per week or the full average weekly earnings, whichever is the lesser amount. So it will be seen that in three States of Australia there is already in operation a system, under legislation, by which a maximum payment of £5 per week or the full average weekly earnings, whichever is the lesser, is available to injured workers during any period of incapacity. In view of that information, it can be strongly argued that we in Western Australia are thoroughly justified in following the lead established by South Australia, New South Wales and Queensland. In 1925 we were pioneering new advances ourselves in this State; and, in the Act which was passed through the Parliament of Western Australia in that year, there was a number of provisions which were more progressive than similar provisions contained at that time in similar Acts in the other States.

I think it is being increasingly recognised that industry has, and must continue to have, a very great responsibility to workers who, as a result of their employment, suffer injury which renders them incapable of continuing their employment for at least the time being. When a worker thus becomes incapacitated he is entirely dependent upon the provisions of the Workers' Compensation Act. He depends upon the provisions of that Act for his income, for the purpose of meeting hospital expenses, if they are incurred, and for doctor's expenses and other expenses that are associated with his illness, provided all the expenses to which I have referred are available to him under the Act. It is true beyond question that

many injured workers, because of the severe reduction in their income during their period of incapacity, develop a condition of mind which is detrimental to their recovery and which, in quite a number of instances, causes them to remain incapacitated for a much longer period than would occur if it were not for the worry and concern which they are occasioned because they know that every week they are out of work and on compensation their household accounts are going further and further behind.

During my experience as Minister in charge of the State Insurance Office, I have known several cases where recovery on the physical side by an injured worker has been very greatly delayed because the injured worker has been considerably concerned about the financial position of himself and his family. From whatever point of view this proposal is looked at and studied, it must be realised that it would be finally to the advantage of industry and of the community if a forward move were made in this regard in Western Australia. As I explained earlier, the proposal in this Bill in connection with this point is to increase the maximum weekly payment under all headings from £3 10s. to £4 10s. per week.

Another amendment in the Bill aims to bring tributers into line with the general body of workers covered by the Act. In 1941 the Act was amended to alter the definition of "worker" so as to include within it workers whose maximum annual remuneration did not exceed £500. Up to that stage, all workers whose remuneration exceeded £400 were excluded from the benefits of the Act. When we altered the definition in 1941 for the purpose of increasing the annual remuneration to a maximum of £500, we omitted to make the necessary consequential alterations in regard to tributers, with the result that from that time until now tributers have been limited to a maximum annual remuneration of £400. Tributers who have been in receipt of an income of between £400 and £500 have not suffered because of that oversight, as the State Insurance Office, which provides all the insurance cover for those men, has continued to recognise claims up to a maximum rate of annual remuneration of £500. It might be said that, if the position is being covered by the ordinary administrative methods of the State Insurance Office, that should be sufficient; but I

think it desirable that the position should be remedied from the legal point of view, so we aim in this Bill to bring tributers into line with other workers covered by the Act by altering the definition accordingly.

Payments under the second schedule to the Act are also dealt with. As members are no doubt aware, this schedule sets out specified amounts to be paid for injuries that result in a worker losing a limb, or some part of a limb, or an eye, or some part of the body. Those who have studied this schedule will know that the specified amounts in the schedule range downward from a maximum of £750 to payments of a very small amount. Members will also realise that when a worker suffers a very serious injury involving a loss such as any of those I have referred to, and thus comes under the second schedule of the Act in that regard, he or she, as the case may be, is likely to be on weekly payments for a long period. Every amount received by way of weekly payment is finally deducted from the specified total amount set out in the schedule for the particular loss suffered by the worker. For instance, a worker might lose a foot as a result of an accident at work. The specified amount in the schedule for this loss is £525. The worker concerned might be incapacitated for a period during which half of the £525 would be paid to him as weekly compensation payments. That amount would be subtracted from the £525 when the final settlement was being made. Further, the actual compensation which the worker would receive for the loss of his foot would be not £525, but only half of that amount, namely, £262 10s.

It will be obvious to members that a worker who suffers an injury of this kind suffers a double injury compared with the worker who suffers what might be called an ordinary injury, or an injury without the loss of a limb and who, as a result, goes on to weekly compensation payments under the Act. The worker who suffers an ordinary injury continues on weekly payments for the full period of his incapacity. The worker who suffers the loss of a limb, or sustains an injury of that kind suffers a double loss, namely, the loss of his wages because of incapacity and, in addition, the loss of a limb. If he suffers a double penalty, and it seems to me he does, then it is surely logical that some effort should be made to give him a double compen-

sation benefit. He should be compensated for the loss of his wages because of his incapacity and he should, in addition, be given a specific compensation payment for the disability he has suffered.

I have known of cases where men who have suffered severe losses by way of injury have been on weekly payments for such a long period that they have exhausted entirely, by way of weekly payments, the full amount to which they were entitled under the second schedule of the Act. So finally, when they might still be incapable of doing work of any worthwhile kind, they received no further weekly payments because they had exhausted the full amount provided in the schedule, and they received no actual compensation payment for the very grave disability which they had suffered as the result of an injury arising during their employment. I think the amendment in this Bill will commend itself to every member. The amendment provides that weekly payments made to a worker suffering an injury coming under the second schedule are not to be deducted from the specified sums set out in the schedule for the particular injury.

This will not mean that the total maximum amount of £750 provided by the Act will be exceeded, but that where a worker has received so much by way of weekly payments he will be entitled to receive an additional amount which will bring his total payments, by way of weekly payments and lump sum compensation, to £750 or any lesser amount, if a lesser amount be indicated by the fact that the worker concerned has been on weekly compensation payments for only a short period and the total amount of specified compensation to which he is entitled would not lift the total sum payable to £750. I should think that every member knows of one or more cases of this description. I am positive that members representing industrial districts or districts in which an industrial town is situated probably know of several cases of this description. It is not necessary for me to indicate the great hardship imposed upon workers and their families in the circumstances to which I have referred whilst I have been explaining this amendment.

The next amendment in the Bill proposes to add to paragraph 17 of the first schedule. That paragraph provides that an injured worker who has been in receipt of

weekly payments for at least six months has the right to apply for a redemption of the weekly payments by way of lump sum settlement. It means that a worker under these conditions has the right to apply to have his future physical liability assessed, and to receive a lump sum payment based upon the estimate of his future physical disability. Under this paragraph the lump sum settlement can be arranged by agreement between the worker and the employer, or where there is failure to arrive at an agreement between the parties either one can by application approach the local court, and the magistrate concerned will make the necessary decision as to whether a lump sum payment shall, in fact, be made and if the decision is that it shall be made he shall specify the amount of the lump sum settlement to which the worker is entitled.

This provision in the schedule works in a satisfactory way and is generally acceptable to employers and workers alike. There have been, however, some cases where workers who, because of lack of knowledge of their legal right, have not after having been on weekly payments for six months made application for the redemption of the employer's future liability by way of a lump sum settlement. In some of these cases the worker concerned, whilst still on compensation, has been killed or has died from some cause not associated in any way with the injury which caused him to become incapacitated and brought under the provisions of the Workers' Compensation Act. Because the worker prior to his death did not exercise his clear legal rights his dependants have no right to proceed for the purpose of obtaining a redemption by way of lump sum settlement for the weekly payments that might otherwise have been available. In other words, where an injured worker dies in these circumstances the liability to pay compensation ceases entirely and at once. It is considered that the dependants of such a worker are entitled to consideration, and that the employer concerned, through his insurance company, should not be relieved of his liability in connection with the accident to such worker simply because the worker contracted some illness or suffered some other accident which finally brought about his death.

So this Bill contains an amendment which will give to the dependants of a deceased worker, under the conditions I have been

explaining, the right to make an application to the employer for a redemption, by way of lump sum settlement, of the weekly payments that would otherwise have been payable to the deceased worker. Where the employer is unable or unwilling to make an agreement satisfactory to the dependants, those dependants will have the right to make application to the local court and the magistrate of the local court will be empowered to make a decision. The procedure will, in fact, be exactly the same as that which operates today when a worker after having been in receipt of weekly payments for six months makes application for the redemption of future weekly payments by way of lump sum settlement. Some members might wonder how a decision is arrived at as to the lump sum to be payable under these conditions. The usual practice—I think the invariable practice—is to arrive at a decision based entirely on medical evidence.

The worker's doctor and the employer's doctor, if there be an employer's doctor in the case, know all about the original accident suffered by the worker, and all about the progress made by the worker towards recovery from the time of his accident to the date when the application for redemption by way of lump sum settlement was made. They are thus able reasonably to estimate how much longer that worker would have remained on compensation; how much longer it would have been before he had sufficiently recovered to return to his former employment. Because of that it is not anticipated there will be any difficulty in having fair and just decisions made in regard to the applications for lump sum settlements which might in the future be made by the dependants of deceased workers. Applications of that sort will be no more difficult of treatment than applications in the past have been when they have been made by the worker in the exercise of his ordinary legal rights under the Act.

The next important amendment deals with the existing method of assessing the actual lump sum settlement as agreed upon by the parties or as decided by a magistrate of a local court. Under existing legislation the Government Actuary is called upon to make an actuarial calculation of the present value of a lump sum settlement due to a worker. Because of this actuarial calculation being prescribed, a deduction is made from the amount of the lump sum settlement actually

agreed upon by the parties or decided by the magistrate, the deductions varying between £50 and £100. In some instances the deduction has exceeded £100. This means that the injured worker receiving a lump sum settlement and entitled in merit to a sum of £600 receives only £500 or £550 according to the actuarial calculation. In view of the progressive move in legislation in other countries and other States, it is hardly fair to the injured worker and his dependants that such deductions should be made from the amount he is entitled to receive under the Act, which amount, as I have pointed out, is decided upon either by agreement between the parties or by a decision of the magistrate. The appropriate amendment seeks to delete from the first schedule that portion which authorises the Government Actuary to make the calculation and then authorises the employer to make a deduction from the lump sum settlement.

The first schedule provides for the payment of allowances and fares to injured workers who are obliged to travel from their homes to some other place for medical advice or treatment or for treatment in a hospital. Unfortunately there is a restriction to the operation of this part of the schedule inasmuch as an injured worker becomes entitled to this right only if, in the first instance, he has been in hospital. Members will realise that many injured workers do not enter hospital. They remain at home and visit their respective doctors; they might even attend a hospital for some treatment, but the treatment does not involve their remaining in hospital. In such cases the workers are not entitled to receive the travelling fares and allowances that are provided for those workers who first of all have been in hospital. I think members will agree that this restriction is harsh and that there is little or no justification for its retention. The Bill aims at removing the restriction so that in future every injured worker who of necessity has to travel for medical advice or treatment, or for other treatment associated with his accident, will be entitled to claim and receive fares and allowances as laid down in the schedule. The Bill also proposes to allow similar fares and allowances to injured workers when they have to travel to receive massage treatment. In recent years massage has played a much larger part in the treatment of certain types of injury with very good results.

Because of the increasing use of this treatment for certain injuries, workers have remained away from their employment for much shorter periods than was necessary in previous years. The skilful use of massage has achieved marked results in certain cases, and in other cases has hastened the recovery of the worker and shortened the period during which he would have remained under the provisions of the Act.

We also propose to alter the Act in regard to the provision of artificial aids to injured workers, including artificial limbs, eyes, teeth and also the provision of spectacles. The Act is rather peculiar in its treatment of this matter. If a worker suffering injuries has to obtain an artificial limb, teeth, eye or spectacles, he is entitled to recover the cost from the employer under the provisions of the Act. If such a worker subsequent to his return to work has any such artificial aid damaged or destroyed, he is entitled to have it repaired or replaced, and the cost is met from the £100 stipulated in the Act to meet medical and hospital expenses. The peculiar part is that should a worker suffer from a knock at work and an artificial aid is damaged or destroyed, he is not entitled to the cost of repair or replacement if the aid in the first place was not provided by the employer under the provisions of the Act. This peculiarity ought to be remedied. The Bill proposes to ensure that where a worker has not previously had an artificial aid provided by the employer under the provisions of the Act, he shall, where the damage or destruction is caused at or as a result of an accident at his work, have the cost of repair or replacement made up to him.

The first schedule sets out the amounts allowed to hospitals for injured workers being cared for in hospital. The amounts differ in various parts of the State. Within a radius of 15 miles of the G.P.O., Perth, the amount is 10s. 6d. per day; in the South-West Land Division outside the 15 miles radius of the G.P.O., the amount is 12s. 6d. per day, and in any other part of the State, it is 15s. per day. The Bill proposes to increase the payment of 10s. 6d. to 12s. per day; the payment of 12s. 6d. to 15s. per day and the payment of 15s. to 16s. 6d. per day. The schedule stipulates that these payments shall not be continued for more than 30 days. This will remain, but there will be an alteration in the flat rate payment to be made after the first 30 days. The present

provision is that, after the first 30 days, the amount to be paid to a hospital in any part of the State is 10s. 6d. per day. The Bill proposes to raise the amount to 12s. per day.

Mr. Watts: Is the worker at present asked to pay the difference?

The MINISTER FOR WORKS: Yes. Where an injured worker has to be accommodated in hospital for treatment, he is entitled to receive the amount for the district as set out in the schedule. If the amount per day charged by the hospital is in excess of the amount specified in the schedule, the worker has to meet the balance of the liability, and the hospital is entitled to proceed against him, at law if necessary, to recover the balance.

Mr. Watts: Do not some hospitals get more for compensation cases than for ordinary cases?

The MINISTER FOR WORKS: A hospital would certainly receive more from a workers' compensation case than from a patient who was unable to pay anything at all.

Mr. Watts: Assume that a patient paid the normal rate.

The MINISTER FOR WORKS: There would be odd cases through the country where that would apply, but with the great majority of hospitals the reverse would be the case. An injured worker who has to be cared for and treated in any one of most of our hospitals is generally presented with a bill for the balance owing when he leaves the institution. It will be clear to members that a worker who suffers a period of incapacity, and consequently a period of less income, is not in any position at all to meet a bill for hospital expenses. The amendment in this Bill will not entirely protect every worker in that respect. Even under this suggested amendment, workers in some districts will incur hospital accounts that will not be fully met by the provisions of this amendment if it becomes law. Nevertheless, the amendment will have the effect of improving the position of injured workers who must obtain hospital accommodation in hospitals where the charges are not as low as in some of the hospitals which the Leader of the Opposition has in mind. I have explained rather fully almost every provision in the Bill, and I think I have made the position clear to members; but I shall be quite prepared, in replying to the debate and certainly in the Committee stage, to

make available such other information as might be required by any member. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

BILL—HEALTH ACT AMENDMENT.

Council's Amendments.

Schedule of two amendments made by the Council now considered.

In Committee.

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

No. 1. Clause 3, paragraph (b)—Definition of "Lodging-house":—Insert the word "not" before the word "more" at the beginning of line 16, page 2.

The MINISTER FOR HEALTH: The Committee will remember that when the Bill was before this House, the Leader of the Opposition moved to strike out the word "not." Under the parent Act the definition of "Boarding-house" includes any house, . . . building or other structure . . . in which more than six persons, exclusive of the family of the keeper thereof, are lodged or boarded for hire or reward from week to week or for more than a week. The amendment deals with lodging-houses, where persons are lodged for hire for a single night, or for less than a week at one time. I move—

That the amendment be agreed to.

Mr. LESLIE: I wish to be clear on the point. When the Bill was before this House, I raised the question of people in country towns who took in a school-teacher and a bank clerk, and perhaps a third person. These people are not conducting their homes as a lodging-house or a boarding-house for profit. Would they have to register their homes as lodging-houses?

Mr. WATTS: The Minister spoke to me on this matter last week, but I find it hard to agree with him. The further we go, the deeper we get. I am not for a moment suggesting that the Minister is trying to insert something in the Bill which is not clear to him, but certainly it is not clear to me, and I question whether it will be clear to a court hereafter if it had to give a decision on a matter of this kind. We have now reached the position when, if a person accepts as lodgers any number of persons not more than six, he must register his home as a lodging-house.

Mr. McDONALD: The Minister was also good enough to speak to me on this point. I thought at the time, and still think, that the word "not" should be omitted. The parent Act defines "Lodging-house" as any house . . . building or other structure . . . in which persons are harboured or lodged for hire for a single night, or for less than a week at any one time. Under the existing law, if only one person is lodged the premises become a lodging-house. This Bill intends to go a step further and bring in lodging-houses which lodge people by the week as weekly tenants.

The Minister for Health: I refer the member for West Perth to the definition of "boarding-house."

Mr. McDONALD: That definition provides for more than six persons, exclusive of the family of the keeper of the house. The effect of the amendment will be to bring within the definition of "lodging-house" any house which lodges only one person. That may be intended, but it is not what I thought was intended, and it raises an important issue. A person may lodge a relative. That relative might be a young person attending a high school in a country town or in Perth. If he lodges that relative from week to week and charges for doing so, then that person's home becomes a lodging-house, subject to all the requirements of registration and by-laws affecting lodging-houses. That may be desired by the Committee, but it is a very far-reaching amendment.

Mr. Leslie: It includes members of the owner's family.

Mr. McDONALD: Certain members of the family are excluded; but it is possible that a person may have distant relatives or friends coming to stay with him from week to week who pay for their accommodation. The house then becomes a lodging-house. I feel that people will either unexpectedly become lodging-house keepers, or else they will have to say to their friends, "I cannot put you up because I will require to register my premises and have the house inspected." Many persons who now provide accommodation for others may discontinue doing so. I thought the intention of the amendment was not to bring in a lodging-house that contained less than six people. If it does so, the amendment will prove a very difficult one.

The MINISTER FOR HEALTH: I admit that the amendment looks involved.

Progress was reported in another place on this point on about five occasions. The matter has been submitted to the Crown Law Department, and the Crown Solicitor insists that without the word "not" the clause will not be of much use in dealing with the persons we are after. I do not think there is any danger of people being required to register because they take in, for example, the local school teacher. We are after those who let places on a tenancy from week to week. In Adelaide-terrace, for example, people are subletting such premises. I have taken the word of the Solicitor General that without the word "not" the clause will have no effect.

Mr. McDonald: In view of your explanation I quite agree.

The MINISTER FOR HEALTH: I assure the Committee that the Crown Law Department is satisfied that no trouble is likely to occur except to those who are subletting rooms to large numbers of persons. We now have lodgers-in-boardings-houses and that is done to avoid both the lodging-house and the boarding-house provisions of the Act. Such premises cannot be inspected under the present legislation.

Mr. WATTS: We all agree that such places ought to be taken in hand, but members on this side of the Chamber do not think the amendment will have the desired effect; or alternatively, that it may have an effect on places it is not intended to deal with. On another occasion there was a controversy about the word "not." The Crown Law Department advised that it should remain in the Bill, and we on this side argued that it should be struck out, and it was struck out in the following session. It seems to me that the Parliamentary Draftsman has made this provision unnecessarily difficult. The better course would have been to insert a new definition of "lodging-houses." The provision, as it is, is by no means clear. If a mistake has been made no doubt it will be cleared up at the earliest opportunity.

The Minister for Health: I can guarantee that.

Question put and passed; the Council's amendment agreed to.

No. 2. Clause 3, paragraph (b)—Definition of "Lodging-house":—Add at the end of the paragraph the words "or in which rooms are let to more than two persons for living accommodation under a contract in the nature of a sub-tenancy running from week to week."

The MINISTER FOR HEALTH: This amendment deals with lodgers-in-boardings-houses. I move—

That the amendment be agreed to.

Mr. LESLIE: I point out that in the amendment we have just dealt with we left in the word "not." Surely that restricted the provision to only one person.

The Minister for Health: I think not.

Question put and passed; the Council's amendment agreed to.

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

BILL—WESTERN AUSTRALIAN TURF CLUB (PROPERTY) PRIVATE.

Adoption of Report of Select Committee.

Order of the day read for the consideration of the report of the Select Committee.

THE CHAIRMAN OF COMMITTEES (Mr. Marshall) [5.55]: Under Standing Order 53 dealing with private Bills, I wish to report that the several provisions required to be complied with under the Standing Orders appertaining to private Bills, in every regard and in all degrees, have been given effect to.

MR. NEEDHAM (Perth): I move—

That the report of the Select Committee be adopted.

Question put and passed.

As to Second Reading.

MR. NEEDHAM (Perth): I move—

That in view of the lateness of the session, and in accordance with No. 52 of the Standing Orders relating to private Bills, the second reading be proceeded with forthwith.

Question put and passed.

Second Reading.

MR. NEEDHAM (Perth) [5.56] in moving the second reading said: The Bill is to remove certain legal doubts that have arisen in connection with a proposal of the Western Australian Turf Club to purchase certain land. The club at present operates under a private Act known as the Western Australian Turf Club Act, 1892. Following on the death of Mr. Cockram, negotiations for the purchase of two racecourses, namely Belmont Park and Goodwood, were entered into. The 1892 Act refers in the main to

the racecourse at Belmont or Ascot, known as Headquarters. Doubts have arisen as to whether the Act is wide enough in scope to empower the club to purchase the other racecourses to which I have referred. The agreement entered into between the Turf Club and the vendors of those two racecourses must be completed before the 31st December, 1944. Consent under the National Security (Economic Organisation) Regulations for the purchase has been obtained.

The object of the Bill is to set aside any doubts as to the legality of the proposed purchase. The measure will have a retrospective feature. The reason for that is that at various times in the past the club has purchased land in connection with its activities. The Select Committee appointed by this House went into the matter, took evidence, and as a result is satisfied that if Parliament passes this Bill and empowers the Western Australian Turf Club to purchase the Belmont Park and Goodwood Racecourses, the institution will spend a considerable amount of money in providing modern amenities for its patrons, not only on the courses themselves but in the existing grounds. There is little more I can say, and I therefore move—

That the Bill be now read a second time.

MR. CROSS (Canning): I was a member of the Select Committee and I was rather disappointed with the evidence given by the Chairman of the W.A.T.C., Mr. Winterbottom. I asked for some information, as members will see if they peruse page 5 of the report of the evidence. Dealing with some questions I put to Mr. Winterbottom and his replies, the report contains the following—

In view of the fact that the Turf Club will practically control operational racing, we would like to know what you propose to do in regard to the injured jockeys' fund. I have been informed that the fund is in credit to the extent of several thousand pounds, and that last year injured jockeys received £340 or £350, while the cost of running the fund was £150. Does the Turf Club propose to pay the jockeys greater sums in case of injury or sickness?—I think your information is somewhat strained.

I understand that no insurance company will accept the risk?—May I tell the story, Mr. Chairman, in order to clear Mr. Cross's mind? Up to 15 years ago, an insurance company did take the risk and premiums amounting to considerably over £1,000 a year were paid to it. Naturally, the insurance company dealt with claims on a strictly business basis. The

amounts paid to the jockeys were strictly in accordance with employer's liability risk which, as the committee knows, is small for the loss of, say, a hand or a finger. The committee reviewed the whole situation and decided to conduct the fund itself. As a matter of fact, I was the one who proposed the scheme. There was much opposition to the scheme outside, but not by the racing fraternity. A few people were trying to control the fund apart from the club.

Mr. Winterbottom went on to say—

Since the committee has controlled the fund, it has paid out liberal amounts to injured jockeys. We are charging the same rates as were charged when the insurance company accepted the risk, that is, an annual fee of £2 and a charge on scale of 2s.

When speaking of the condition of the fund, Mr. Winterbottom said—

We have been fortunate in that we have only had one or two falls in flat races. I do not think we have had a death since the fund was controlled by the club. That has helped us to create a reserve. At present, the fund has a reserve of £4,000, and a credit of £3,000, making a total net profit in 14 or 15 years of about £7,000. The committee has already decided to reduce the premiums.

Mr. Winterbottom informed the committee that the W.A.T.C. debited the insurance fund with about £350 a year, and said that business associated with it required considerable attention in the office. He said that if it were to be controlled by an outside body it could not be done under £1,000 a year, taking into consideration the necessity for an office, staff and so on. Mr. Winterbottom was asked a question about compensation paid to a jockey named Miller and whether the amount paid was less than the ordinary workers' compensation payments. He replied that the payment made to Miller was probably more. He left the impression upon the committee that the amounts paid to Miller were much more than he would have received under the Workers' Compensation Act. In that regard I asked for some information and it has since been supplied in a letter signed by Mr. H. J. Mulder, the secretary of the W.A.T.C. From this it appears that the relief payments from the W.A.T.C. Benefit Insurance Fund are as follows:—

	While in Hospital.	When out of Hospital.
Jockeys ..	£2 per week	£3 per week
Apprentices	£1 per week	£2 per week

The letter also shows that expenses are paid in connection with doctors, hospitals, masseurs, dentists, oculists, ambulance and

chemists. Under the provisions of the Workers' Compensation Act if the jockey had a wife and children he would be paid £3 10s. a week. I do not know whether Mr. Winterbottom thinks that the maximum sum payable under the club's insurance fund of £2 a week while the jockey is in hospital is sufficient to enable the man to provide for his wife and family. The Government considers that the maximum amount allowable under the Workers' Compensation Act at present, namely £3 10s. a week, is inadequate because a Bill was introduced today to increase the weekly payment to a maximum of £4 10s. a week.

The information that I have placed before the House shows that the evidence given by Mr. Winterbottom that payments under the benefit scheme were equal to workers' compensation payments was quite wrong. I have never seen a balance sheet of the W.A.T.C., but this afternoon I did have an opportunity to peruse the financial statement for the year ended the 30th April, 1944, in connection with the W.A.T.C. Benefit Insurance Fund. The document shows that subscriptions received totalled £1,362 4s. and that the fund was credited with interest amounting to £136 6s. 11d. The relief granted to jockeys during the year amounted to £173 7s. 11d., while the administration expenses in connection with the fund totalled £352 7s. 6d.

Mr. Seward: What has this to do with the Bill?

Mr. CROSS: It has this to do with the Bill that if the measure is passed, we will practically give control over all operational racing here to the W.A.T.C. That being so, I consider we should at least ensure that injured jockeys and their dependants secure a rate of compensation equal to that available under the Workers' Compensation Act.

Mr. Seward: But the Bill has nothing to do with that.

Mr. CROSS: That is so. At present the W.A.T.C. has full control over the fund and if the Bill be passed, will have full control over operational racing.

Mr. Marshall: Where is your minority report?

Mr. Watts: That is what I want to know, too.

Mr. CROSS: I am pointing out that some of the evidence given to the Select Com-

mittee was somewhat misleading. I raised other points. For instance, there are two other racecourses in addition to the two the W.A.T.C. desires to operate. They are proprietary clubs and they will have the privilege to operate and the right to race. If we agree to the Bill, however, it means that when the war is over and racing is resumed on the customary scale, the W.A.T.C. will control all courses and the whole of the operational racing. That should influence what happens with regard to the jockeys. We should have some assurance regarding the compensation that will be payable to jockeys from the benefit fund in the future. It must be remembered that a jockey is a worker. He risks his life and in the circumstances he should receive benefits equal to those available to employees in outside industries.

I have pointed out that the W.A.T.C. charged £352 to operate the benefit fund and I have quoted the evidence showing the payments collected by the club. Mr. Winterbottom said that it would cost an outside firm £1,000 to administer the fund, but I would certainly like the job of running it for £7 a week and nothing else to do. As a matter of fact, I would have plenty of time to devote to other matters. I certainly think Parliament should seek some assurance from the W.A.T.C. with regard to the benefit payments to jockeys in the future. The fund is in such a state that, without increasing the premiums, the compensation payments could be increased to at least the maximum provided for in the Workers' Compensation Act. I shall support the second reading of the Bill, but I would be lacking in my duty to the public if I did not mention this matter. Members all know how this business was rushed. The Select Committee was appointed one night and the next day we sat to take evidence. The Bill is to be rushed through in five minutes.

Mr. Doney: You should stonewall it.

Mr. CROSS: It was suggested that the contracts must be made and finalised before the end of this year. Seeing that the affairs of the two race clubs concerned are said to be in such a rotten condition, I do not think there is much fear of their not renewing the options.

Mr. North: Have there been any harsh cases?

Mr. CROSS: I do not know. I have not had time to make any such inquiries. I know that five or six years ago a jockey told me he had been paid a miserable sum by the W.A.T.C., although he said at the time that the club had any amount of money in the fund. I have already mentioned that the case of Miller was raised and Mr. Winterbottom dealt with the amounts that had been paid to that jockey. He did not say how much the weekly payments were but, in view of the information regarding the payments made to jockeys in hospital or out of hospital, it is obvious that the information supplied to the Select Committee was misleading. I think the House might decide to hold up the second reading of the Bill until we get some assurance from the W.A.T.C. with regard to payments from the benefit fund. Consideration could be given to bringing in a Bill to increase the amounts next session.

Mr. SPEAKER: Order! The hon. member cannot anticipate legislation.

Mr. CROSS: No, but that ought to be done. I shall support the second reading of the Bill because, generally speaking, it will be in the best interests of racing.

MR. SHEARN (Maylands): As the member for Perth pointed out when moving the second reading of the Bill, the measure deals with a specific matter. Its object is to clear up doubts which apparently have arisen in the minds of members of the W.A.T.C. Committee and their legal advisers with regard to the validity of purchases made.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SHEARN: Apart from the primary object of the Bill, it has a further aim. From the evidence submitted to the Select Committee I understand that this further aim is to enable the Western Australian Turf Club to undertake all operations appertaining to thoroughbred racing in Western Australia. The evidence submitted by the Chairman of the Turf Club conveys to me that in the club's opinion it is essential for the proper conduct of this form of racing to have more than one course available. Therefore if the Bill be agreed to, the club will have alternative courses to enable the finest racing to be conducted and to give some measure of justice to those who run

horses for pleasure or otherwise. Further I understand from the evidence given before the Select Committee that in other States huge sums of money have been paid for private courses, the object being to bring this same purpose to fruition. In this instance the Western Australian Turf Club informed the Committee—and I have no reason to doubt the information—that it represents a good proposition for the club incidentally and for those associated with racing generally. It was pointed out that it would be very unfortunate if, through the holding up of the Bill, the options they had in connection with two courses could not be finalised.

The Select Committee was also given to understand—and this is an important feature—that in the event of the Bill being ratified the club proposed to spend, so soon as practicable, a large sum of money for the purpose of improving the general amenities for patrons and otherwise bringing the courses up to the condition which the patrons of the club, in the light of its experience of many years, are entitled to look for. I personally know, like other members of the Select Committee, only what was stated by the club's chairman in answer to questions put by the member for Canning in relation to the proposal. Personally I did not know that proprietary clubs existed. That is how much I know about racing. I do suggest, however, that this has nothing to do with the Bill; it being a mere question of how a specific purpose is to be accomplished. I take it that the matter is something to be dealt with in some other manner at some other time. Regarding what has already been stated as to unjust treatment, if I went into that I fear that I, too, should be told that I am off the beaten track. However, I agree that the Turf Club should provide its employees with conditions similar to those enjoyed by employees in other walks of life. I do not think any member will disagree with that opinion. I hold especially that those employees should be granted the same conditions as those applying to other employees under the Workers' Compensation Act. I leave the matter at that, as I do not consider it pertinent to the Bill. I support the measure.

MR. WATTS (Katanning): In supporting the second reading, I must confess to

a very slender knowledge of matters connected with racing and to a distinct lack of interest therein. I have never been able to bring myself to the conclusion that activities in that direction are desirable, but I have come to the conclusion that those activities are better entrusted to the Western Australian Turf Club than to proprietary clubs. If we are to have racing at all it is much more desirable that it should be in the hands of an institution such as the Western Australian Turf Club, which makes profits for the general benefit of those concerned in racing and the development of good horses, than that we should encourage proprietary racing, which simply—as I understand—seeks profits for those who run the proprietary courses. The Bill provides, in short, that the Turf Club shall be allowed by law to complete contracts entered into for the purchase of two of the courses hitherto held by proprietary institutions. To that extent I consider the proposals of the measure extremely laudable, and the more so because in the evidence given before the Select Committee there is every prospect that the other two similar proprietary profit-making institutions are liable at some time in the not too far distant future to become also the property of the well-known Turf Club. For those reasons I consider the aim and object of this measure to be very desirable.

I would, however, like to ask the sponsor of the Bill what is referred to in this measure by words used in one of the clauses, that it "shall have and may exercise and shall be deemed always to have had under the principal Act power to enter into agreements" and so on, and "be deemed always to have had such power," which imply to me the necessity for the legalisation of some prior transaction which is certainly not mentioned in the Select Committee's report, and which of course may not exist. Possibly the words are inserted in the Bill, as is frequently the case, merely to deal with some contingency which may arise but is not known to those who are dealing with the matter at the time. I do not say for a moment that there is some past transaction which requires legalisation that I would object to. On the contrary, I am sure it would be a transaction quite proper and worthy of legalisation. However, I do think we are entitled to know whether there is any such proposition and what it is, for I

do not see it mentioned in the Select Committee's report nor do I note any reference to it from a perusal of the evidence given by the two witnesses called. I hope, therefore, that the member for Perth will be able to tell us whether there is anything to which the clause alluded to has reference; and with these few observations I also have pleasure in supporting the second reading of the Bill.

MR. J. HEGNEY (Middle Swan): I am disposed to support the second reading of the Bill, because I consider it a step in the right direction so far as racing is concerned. By giving this power to the Western Australian Turf Club, including the power to acquire property, it will be enabled to take over two of the proprietary courses. This will mean the wiping-out of proprietary racing in the metropolitan area, which would be a good thing. The matter is one which has affected the other States. The passing of the Bill will definitely mean the abolition of proprietary racing in our metropolitan area, at all events. In New South Wales only last year the abolition of proprietary racing was discussed, and from the Press it appears that the matter is still under consideration. A Bill was passed, and the proprietary courses in New South Wales have now come under the one authority, which means that private interest in racecourses has gone by the board. In Melbourne there is no proprietary racing, and the amount of prize money paid in connection with racing in Melbourne is greater than that paid in Sydney. At any rate, that has been so for the last 12 months. So that the abolition of proprietary racing in Western Australia as proposed by the Bill will be all to the good.

But there is another feature that is of importance. I believe that as regards the Western Australian Turf Club there is a good deal of dissatisfaction in the industry. We have had the Owners and Trainers' Association over a period, and its members complain about the administration of the Western Australian Turf Club Act. The Act gives the Turf Club power to acquire property, but in getting this increased power for the club the interests of owners and their right to examine the position must not be overlooked. Certainly the position could be improved. The member for Canning dealt with certain aspects and with certain funds. Un-

doubtedly whilst we have a balance sheet before us, that document does not disclose the whole position. I know of complaints voiced by owners and trainers—of whom there are many in my electorate—against the administration of the Turf Club. Many complaints have been made about unfair treatment, about inability to obtain information as to certain funds, as to difficulty in obtaining balance sheets, and so on.

Owners and trainers ask for definite representation on the Turf Club Committee. In New South Wales such specific representation does not exist, but as a matter of fact, there the president of the Sydney Turf Club is also president of the local Owners and Trainers' Association. I know that complaints have been made here for 10 years past regarding the administration of the Western Australian Turf Club. I hold that the onus is on the club to clear up the position, and be less autocratic. There are a good many racing stables in the Belmont district, and trainers have complained bitterly to me. I have met them at their meetings and I know they are looking forward to reform in this direction. I know nothing can be done under the present Bill, but I am giving some indication of the dissatisfaction of those who are the mainstay of this industry. By the abolition of proprietary racing, the standard of the horses could be improved and therefore there would be an improvement in the industry generally. This is quite a big industry. A good deal of feed is required for horses, and many men are employed. The betting side of racing may have its sordid aspects, but horseracing is a very old industry and can be a clean sport.

The Turf Club needs an infusion of new blood so that those who are the backbone of the industry may obtain better representation and consideration, and so that they may secure information when it is sought, instead of the Turf Club administration being a law unto itself. One could not do otherwise than support the principle enunciated in the Bill, because it definitely abolishes proprietary racing in the metropolitan area. The Turf Club is anxious to acquire two properties over which it has options. The Owners and Trainers' Association is not opposed to the Bill, and if it is agreed to the Turf Club will have an opportunity to obtain the Goodwood and Belmont Park racecourses before

the end of December. Nevertheless, as I have stated, the time is long overdue for reforms in the administration of the club.

MR. FOX (South Fremantle): Like the member for Middle Swan, I do not think that any good purpose would be served by opposing the Bill. It would be in the best interests of racing if we had one control in Western Australia. The W.A. Turf Club is, on the whole, an admirable body, and conducts racing pretty fairly. However, as the hon. member said, the owners and trainers have many grievances. Their contention—and I should think it would be the contention of anybody who patronises racing—is that the W.A. Turf Club has too much power. I had hoped the Government would bring down a measure that would curtail the powers of the club, which at present can do anything it likes by the tabling of a regulation. If that is knocked out, the club can have its way by formulating a rule of racing; so the Turf Club has it both ways. Trainers complain that sometimes a trainer who already has a No. 1 license, which he has probably had for a number of years, is given a No. 2 license when applying for a renewal. A person with a horse to let out for training looks up the racing calendar and prefers to give it to a trainer classed as No. 1. But the Turf Club can relegate a No. 1 trainer to the position of a No. 2 trainer, without giving any reason. If the trainer so treated has anything to say, he is usually told that no good purpose would be served by his appealing. There should be some tribunal to which a trainer so treated could appeal. It is a question of a man's livelihood. A man enters the profession as a jockey, later becomes too heavy, and then takes on training. It is particularly hard on him if his status is subsequently reduced from that of a No. 1 to that of a No. 2 trainer without his being given any reason for such treatment, and without his having the right of appeal.

Mr. Marshall: What is the reason for the discrimination?

Mr. FOX: I do not know. I am not well up in racing.

Mr. Styants: Sometimes the club will not give a license at all, and no reason is offered.

Mr. FOX: That is so. This practice was introduced in New South Wales at Randwick with the purpose of eliminating some of the "dud" racehorses. There were between

480 and 490 horses competing, and some had to be eliminated. The procedure was introduced into Western Australia with the object of cutting out some of the trainers. Another matter to which the club should give consideration concerns the disqualification of jockeys. The inquiries in such cases should be open to the Press, and jockeys should have the right to be represented by someone when their cases are being heard. They should also have the right to appeal at any time during the period of their suspension. On numerous occasions I have written to the Turf Club about the disqualification of jockeys. A number of trainers and jockeys reside in South Fremantle and I have written on behalf of some of them. The treatment has been very reasonable, on the whole, but in one instance I wrote a letter on behalf of a man who was disqualified for life. I do not know the circumstances of the case as well as the Turf Club does; I only know what the jockey told me. He said he was innocent and he wanted his case reopened, after a period of three years. He said he had five witnesses to call; but the Turf Club said no good purpose would be served. That is altogether wrong. Racing is that man's livelihood; he has been in the game most of his life. He is eight stone in weight and is not fit for hard manual toil. He said he had five witnesses to call, but was refused a hearing by the club.

There should be some independent tribunal to which a jockey, in similar circumstances, could appeal. There should also be an independent tribunal to which a trainer could appeal if he were relegated to the position of a second-class trainer. Another bone of contention with the racehorse trainers and owners is that the premiums they have to pay are too high. They have to pay £2 2s. a year in the first place and 2s. for each horse at scale. They contend that is sufficient to insure stable hands as well as jockeys and apprentices, and that the cost is too high. It is mandatory on owners and trainers, and on everybody employing anyone at all, to insure under the Workers' Compensation Act. In this instance, the owners and trainers have to insure with the Turf Club, and then take out another policy with some insurance company to insure employees working about the stable. If the contention of the owners and trainers is right—that the money they pay to the Turf Club is sufficient to meet all the insurance

they would be called upon to pay—it is a matter that should be looked into, with a view to some redress being given. There are quite a lot of problems that could be squared up if the Government brought down a Bill to regulate racing throughout Western Australia.

MR. SPEAKER: Order! The hon. member may not discuss Bills that might be brought down.

MR. FOX: Would I be in order in saying that I believe racing should be controlled by a board? That would be more satisfactory to everyone concerned. I have nothing against the members of the Turf Club Committee; they are doing a very good job. Concerning apprentices, I know of one man who had a lad apprenticed to a trainer who later left for the East. The father wanted to put his lad with some other trainer, but the man that held the apprenticeship told him he would have to go to somebody else. The Turf Club insisted that this apprentice should go where the master desired him to go. I consider that, when a trainer goes out of the State, the father of an apprentice should have some say as to where the boy is to go, because there are undesirable places to which a lad could be sent where he would meet undesirable characters. On the whole, I believe the Bill to be for the good of racing, and I intend to support it.

On motion by the Minister for Education, debate adjourned.

BILLS (3)—RETURNED.

- 1, Natives (Citizenship Rights).
With amendments.
- 2, Busselton Cemetery.
- 3, Stamp Act Amendment.
Without amendment.

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th November.

MR. DONEY (Williams-Narrogin) [7.53]: This Bill comes at the end of quite a long period of desire and, a little later, of expectation. The House, therefore, will gather that I very cordially welcome it. I believe it confers benefits in a great many directions. It will be plain to us all that State and Commonwealth economy, the welfare of one of our biggest industries—

in fact, the biggest of them, though not necessarily the most wealthy—and also the domestic economy of every Western Australian home are wrapped up in the fate of this measure, which might be termed the first round in the fight between pure wool and substitute wool. Every member knows, or should know—and I have no doubt does know—that the continent of Australia is peculiarly suited to the production of the world's best wool—Merino—and that our credit in countries with which we do our heaviest reciprocal trade is in a very great measure built upon a wool foundation. It is essential, therefore, that that position be not unduly disturbed. If it is disturbed, our duty is to take action. It has been disturbed, and for this reason action is being taken in the form of the measure now before us.

Today's world market for wool and woollen fabrics is suffering an attack by the interests that produce substitute or synthetic fabrics. All true Western Australians will agree that the warmth, durability and other good qualities of pure Australian wool are greater than of those fabrics falsely asserted to be like wool, or as good as wool, or better than wool, and so forth. These substitutes are being offered to the public under such trade names and descriptions as give the impression very often—although not always—that they are wool, or so much like wool that the small amount of difference does not matter. The result is of course that, being offered to the public at a lower cost, they sell quicker than does the higher grade woollen article with the result that the latter is all too often left upon the shelves of the stores and warehouses. The Australian purchasing public, the Australian wool industry, and the country's economy have the right to be protected against these practices. Members know that Australia uses only about 7 per cent. of its output of wool. That means that Western Australia would use, through its factories, probably less than 1 per cent. of what the continent produces. Of course we can appreciate that the position as to use will nevertheless improve as we erect more factories or as existing factories put more wool over their looms.

It can be seen, therefore, that dealing as we do in Western Australia with such a small quantity of wool, this Bill will be

of substantially greater use to the householder than to the sheep man. Nevertheless, the Bill is of use to the sheep man and will be of greater assistance when the other States do what is required of them by the Commonwealth Government, namely, pass similar measures and when, in the course of time, other countries pass like legislation. It needs to be clearly understood that this Bill is not designed to limit in any arbitrary way the sale of substitute fabrics. It is not proper thus to interfere with the freedom of the individual to that extent, and indeed the Bill, if it passes, will not have that effect. It is plain, however, that in the domestic and national interests of the country these textiles must no longer masquerade as wool, but must stand or fall on their own merits, and must be placed on the textile market in Australia with a tag that tells the purchaser precisely what the article being purchased is made of. The Minister for Industrial Development when introducing the Bill made very clear that point in respect of the description and what is intended to be conveyed thereby.

For a long time the producer-interests of this country have been seeking legislation to protect purchasers and themselves against deceptions. Foremost in this matter have been the Woolgrowers' Council of Australia, the Wool Producers' Federation, the Wool Section of the Primary Producers' Association and quite a number of other allied bodies in the several States. I think it is quite proper here to suggest a word of commendation in favour of Mr. Hitchens, who is well known to many members, although possibly not to all, as being for a long time the president of the Wool Section of the P.P.A. and at the present time, in addition, the president of the Australian Wool Federation and also a member of the Wool Committee of the Australian Wool Board. I know that Mr. Hitchens has during the course of his endeavours on behalf of the wool men of Australia been making inquiries in his quest for legislation such as we have before us. These inquiries have extended to America where there is already a statute with a title somewhat similar to that of this Bill. That statute is the initial piece of legislation of its kind to be introduced in any part of the world. For a long time there has been friendly co-operation between the bodies I have named and that other

official body known as the Agricultural Council of Australia, of which the Minister for Lands is a member. The result has been a recommendation from that last-named organisation to the Commonwealth Government to have brought down in all the Parliaments of Australia legislation of the type now being considered by this House.

I can see no objection to the Government's decision to use the existing Act, namely, the Trade Descriptions and False Advertisements Act instead of framing entirely new legislation. It is plain to all that the Title is such as can properly embrace the purposes of the Bill now before us. Indeed it would almost seem as though a niche in the parent Act has been specially awaiting the advent of this measure. We on this side of the House—and I imagine the feeling is the same on the Government side—are particularly glad to see this Bill being dealt with at this time as otherwise there would be a strong likelihood of chaos arising in the wool trade after the war. I may say that the artificial fibre interests are strongly entrenched in the Eastern States, although not yet as manufacturers, but there are those who consider that the way is at this moment being prepared for factories. Whether that is so or not I am not sure, but I do think that the introduction of a measure such as this will serve to prevent or assist in preventing their achieving the success that is intended. I hope there will be no dissent from this Bill, but that it will have a quick and successful passage through this Chamber. I am pretty sure that England has legislation of this type dealing with the subject-matter of the Bill, but I am not quite certain as to how in particular it treats this question of trade descriptions and false advertisements. I am rather anxious to have that information, and if it is possible I ask the Minister to let us have it a little later in the debate.

MR. McDONALD (West Perth): I propose to support the second reading of this Bill, which is designed to protect the great wool industry of this country and also the people by letting them know the kind of commodity they are buying. I am hoping the terms of the Bill will be such that they can be complied with without undue difficulty by the people engaged in the distribution of these textiles. I see from the Bill that certain requirements must be complied

with to ensure that the purchaser is made aware of the nature of the article that he or she is buying. That information has to be given in certain ways set out in the Bill. From the point of view of the layman—one who has no knowledge of the distributing trade, wholesale or retail—it seems that the information required to be given to the purchaser could be made available without undue difficulty or expense. I hope that is so. While I am sure that distributors, wholesale and retail, will be anxious and willing to co-operate in every way, it is desirable that the means which they are to use to convey the information regarding the textile should be such that it will not involve any undue cost, because that would be reflected in the cost to the consumers. It seems to me, however, that the requirements of the Bill would not appear to suggest any grave difficulty. If there should be any difficulty and the distributors be anxious to suggest an alternative course which might easily safeguard the buyer, no doubt the Minister will be prepared to entertain any such proposal.

MR. MANN (Beverley): I am pleased that the Government has brought down this Bill. Apparently legislation of this description is to be made Commonwealth-wide. I am almost sorry that this is not a separate Bill. The parent Act could quite easily have gone overboard and an entirely new one substituted. The whole question of clothing today is deteriorating rapidly. Each State must be uniform in regard to legislation of this kind in order that all States may be protected. Victoria has already passed a Bill, and so has New South Wales and Queensland, almost in conformity with ours. This is definitely a measure that ought to be standardised throughout Australia. The question of the imports from other parts of the world arises. One thing I am concerned about is the shoddy material that Australia is putting out. I know an Air Force man who has been discharged. He was in England for four years. What struck him when he arrived in Australia was the poor quality clothing. There is no dearth of clothing in England and the material there lasts longer. This man was astounded after wearing a good uniform at having to accept from the shops the most shoddy article going.

Members will agree that it is impossible to buy a decent suit length in this State. The Minister for Lands might shake his head in disapproval of what I am saying, but most of the stuff being sold at present is undoubtedly of inferior quality. Take working men's clothes! I bought a pair of trousers and in no time they were gone at the knees. The average shirt being sold at present would not keep one warm in winter-time and would soon shrink half way up the back. The working man certainly realises how inferior is the quality of the clothing he has to buy today. In fact, everybody knows what shoddy stuff is being sold. Let me quote a passage from an article dealing with the selling prices of woollen goods. It states—

Raw wool, cleaned, scoured, at 30d. a lb. is stated to increase to 100d. a lb. in the cloth and 360d. a lb. retail price.

If any member can tell me that for wool at 30d. a lb. to increase to 100d. a lb. in the cloth and 360d. a lb. in the retail garment is a fair thing, I cannot agree with him.

Mr. Withers: That is not Australian.

Mr. MANN: It is Australian.

Mr. Withers: With the present price-fixing?

Mr. MANN: Yes.

Mr. Withers: There must be something wrong.

Mr. MANN: The article continues—

Woolgrowers throughout the Commonwealth are naturally somewhat surprised at the Government's decision to lease portion of a munitions factory for conversion to a factory manufacturing rayon and artificial silk goods . . . It is most extraordinary for the Government to decide to create a rayon industry, employing hundreds of people when, at a recent Tariff Board inquiry, the reason given by the Ministry for War Organisation of Industry for the failure to produce first-class wool textiles was acute shortage of manpower.

The Government is prepared to lease this factory for the manufacture of rayon but, when it comes to a question of providing for a better quality of clothing, the Minister for War Organisation of Industry pleads an acute shortage of manpower. The Government is prepared to afford facilities for the manufacture of an artificial article, but the quality of woollen goods, which would last much longer, cannot be improved because of a shortage of manpower. The whole thing shows the conflict existing between the wise men of

Canberra. If we had any sort of proper administration, the people would not be required to buy the shoddy material that is being supplied today. I cannot see how this Bill is likely to overcome this shoddiness and ensure to people a better article. If members cast their minds back 25 or 30 years, they will recall that we could get good tweeds from England and homespun from Ireland and that those materials lasted a long time. From those days we have definitely fallen back. The anomaly is that in Australia we can produce the best merino wool in the world, and from that we are producing one of the most shoddy articles ever put on the market. At any rate, I hope the Bill will have some effect in the direction of ensuring a better article for the people.

The Minister raised a point that manufacturers and retailers are opposed to this legislation. I was amazed to hear that statement. I would rather imagine a retailer being only too pleased to have a better quality of article to sell. I am fully convinced that the average man and woman would prefer to pay twice the amount for a good article of clothing than to buy shoddy stuff that would last less than half the time. Yet we are required to pay full price for the shoddy article. We are all aware that there is a scarcity of manpower in wartime, but the authorities seem to overlook the fact that the shoddier the article is, the sooner it wears out and the more manpower is required to manufacture additional supplies. If we produced material of a higher quality at twice the cost, we would be using less manpower and we would certainly have a better article made available for the people. I support the second reading.

Question put and passed.

Bill read a second time.

BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

In Committee.

Mr. Marshall in the Chair; the Premier in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 10; repeal and new sections:

Hon. N. KEENAN: I move an amendment—

That in line 1 of paragraph (b) of proposed new Section 10 the word "six"

be struck out and the word "eight" inserted in lieu.

If the amendment be passed, the Senate will remain the same in number and there will be no alteration to the number of Government nominees proposed in the Bill. The only alteration will be that the number elected by Convocation will be increased from six to eight. During the second reading there was considerable discussion derogatory to Convocation, which is the body charged with the election of the Senate. I was surprised to hear it, because there is not a university in any part of the British Empire where Convocation has not a large say in electing the Senate. The reason is that Convocation is a body constantly being fed by new recruits. Every year a number matriculate and become members of Convocation, and so there is a constant stream of new, young and enthusiastic men and women who know all the shortcomings of the University and where improvements can be made much better than by anyone else, and they are best qualified to elect the Senate.

It is distressing to hear comment implying that Convocation is a useless, ignorant and almost obsolete body, whereas the reverse is the case. It is kept alive every year by new recruits, and of what other body can that be said? I am asking for nothing more than what is found to be right, proper and judicious in other parts of the world. As I have said, this amendment will not increase the number on the Senate nor will it decrease the nominees of the Government. All it will do is to take two of the co-opted members and translate them to elected members. This is an alteration keenly desired by those who have the interests of the University at heart. It is deplorable that some members should think the professors want to produce a state of chaos at the institution. The University is the means of their livelihood and something to which they devote the whole of their lives.

The PREMIER: I cannot accept the amendment. No member of the Government has abused members of Convocation. I went out of my way to pay a tribute to the professors who have carried on the University since its establishment, under uncomfortable conditions, in 1912. They have turned out some very good men. However, there is another aspect to be considered. People are apt to criticise the Parliament and the Govern-

ment for ordering an expensive inquiry by Royal Commission and, after having obtained the information, making no use of it. The Government did not appoint the Royal Commissioner with the idea of ignoring his recommendations. Rather did we consider that he would be able to offer valuable information for our guidance and that of members. The Government should take cognisance of what the Royal Commissioner recommended; but the Government considered this change which he proposed to be too drastic. He recommended that the existing number of members of Convocation be reduced from 12 to three. I am not quarreling with that recommendation, but I consider it too drastic. The Commissioner's report, however, shows great necessity for a change. The document is most valuable, and Parliament would be ill-advised to throw it into the discard.

Mr. Doney: But the Government has disagreed with a few of the Commissioner's recommendations.

The PREMIER: No. In the main we have accepted his recommendations.

Mr. Doney: But there have been occasions when the Government has not.

The PREMIER: We disagreed with the recommendation that Convocation representation should be reduced to three. Perhaps in two or three years it might be considered necessary to restore to Convocation its former representation or to increase it to some extent, but apparently it has been found that the present constitution was not giving the results that were expected of it. The Government is not prepared to accept the amendment.

Mr. PERKINS: After having listened carefully to the Premier's remarks, I intend to support the amendment. The Premier said that we should not throw the report of the Royal Commissioner into the discard; that the Commissioner was appointed to make an exhaustive survey, and that we should take cognisance of his recommendations. But the Government has not followed exclusively the recommendations of the Commissioner. For instance, the Royal Commissioner advised that the number of members elected by Convocation should be reduced from 12 to three; the Government has departed from that recommendation. I see no reason why the Government should not accept the further small alteration proposed by the amendment.

The Premier: It is not a small alteration; it is a big one.

Mr. PERKINS: It is not a material alteration.

The Premier: It is 30 per cent.

Mr. PERKINS: The object of the amendment is further to preserve the independence of the University. The Government has stated that it has no wish to compromise that independence. If it holds that opinion, why the extreme opposition to the amendment?

The Premier: It is not extreme opposition. The Government is following the Royal Commissioner's report.

Mr. PERKINS: The amendment merely alters the direct representation that is nominated by Convocation from six to eight. Probably, the members who were appointed to the Senate would be the same in the long run as they would be if appointed under the present proposal. If there were some outside body to whom we could turn to secure nominations for the Senate, personally I would be quite prepared to give that body the opportunity to nominate representatives for the Senate; but I know of no other body so well suited to do that as is Convocation, which is representative of the graduates of the University and of people closely connected and conversant with university life. I read the report of the Royal Commissioner very carefully. No doubt there was some justification for criticism regarding the interest some members of Convocation took in the affairs of the University. In future there is every reason to hope that there will be increased interest, because more and more graduates of the University will become members of Convocation and they can reasonably be expected to take a greater interest in the institution. I would be very reluctant to take away the power that Convocation now possesses. If in the future we find that lack of interest continues to be displayed, Parliamentary action could then be taken.

Mr. McDONALD: In my opinion, the appointment of a Royal Commission to report on the University of Western Australia at the end of some 30 years of its existence was a very wise move. The Royal Commissioner presented a most valuable document, for which Parliament, the Government, the University and the public are indebted to him. Due weight has been given to the views of the Royal Commissioner in

discussions in this House, in the Senate and in Convocation. Unlike the Premier, I am a great believer in Royal Commissions. If one reads the constitutional history of modern times, one will find that Royal Commissions and other similar bodies of inquiry have paved the way for all worth-while changes.

Mr. J. Hegney: And the National Government pigeonholed reports of Royal Commissioners! They pigeonholed the child endowment report for 15 years.

Mr. McDONALD: I do not know that that was done.

Mr. J. Hegney: It was done by the Bruce-Page Government, and was pigeonholed for 15 years.

Mr. McDONALD: I know that child endowment became law.

Mr. J. Hegney: And what about the national insurance report?

Mr. McDONALD: National insurance became law.

The CHAIRMAN: Order! Will the member for West Perth address the Chair, and will the member for Middle Swan obey the Chair? I have had to call for order several times.

Mr. McDONALD: I shall not speak about all the Royal Commissions and bodies set up to carry out inquiries and the reports submitted in consequence that have been the foundation of so much humanitarian and economic legislation.

Mr. J. Hegney: What about accepting the recommendations of the Royal Commissioner on this occasion?

Mr. McDONALD: If recommendations of Royal Commissions were accepted on every occasion, there would be no further use whatever for Parliament. Members would be merely dummies to move as occasion might require. In the circumstances, there would be no democratic government, and I am certain that no suggestion such as that emanating from the member for Middle Swan would be accepted by anyone who gave a moment's consideration to the matter. A Royal Commissioner collects evidence and submits his report; it is for the Government and Parliament to analyse it and determine how far the recommendations of the Royal Commissioner should be implemented by legislation. In this instance I pay a tribute to the Royal Commissioner for the presentation of a very valuable report. The Government has rightly given consideration

to the recommendations submitted and, while it has gone part of the way with regard to the election of senators, it has rejected wholly the recommendation that fees should be charged at the University.

What appeals to me is the comparatively minor gap between the proposal of the Government embodied in the Bill and the proposal of the member for Nedlands in his amendment. Both take into account the recommendations of the Royal Commissioner and, whereas the Government proposes that Convocation should be responsible for the election of six members of the Senate, the member for Nedlands proposes to reduce the number elected by Convocation from 12 to eight. In view of the increased size of the Senate proposed in the Bill, whereas at present Convocation elects two-thirds of the Senate, the proposal of the member for Nedlands means that Convocation would elect just over one-third in future. Thus we have the difference between the two proposals as one of "six" and "eight." I suggest that we should not be quite so revolutionary as the Royal Commissioner would have us be, but if we accept the proposal of the member for Nedlands we shall have gone a long way towards implementing the Judge's ideas. I say with great respect to the Royal Commissioner that it has appeared to me as somewhat unfortunate that he had occasion to form his conclusions at a very critical stage of the war. Convocation, even in wartime, has been a very active body in discharging its functions. At the last election of a senator, out of a total number of 1,200 eligible to vote, about 500 members did vote, and it appears to me that such a vote in those critical days two or three years ago gave evidence of a very strong sense of responsibility on the part of members of Convocation respecting that very important duty. I would like to know just how many members of Convocation are overseas. I know that a great many of them are engaged in very onerous and responsible employment.

Hon. N. Keenan: And some are prisoners of war.

Mr. McDONALD: It appears to me that, with a vote of 500 under such conditions, the Royal Commissioner might quite justly have referred to the high sense of responsibility displayed by Convocation in the discharge of this important duty. Again I speak with great respect, because the Royal

Commissioner based his conclusions on the evidence before him. He referred to a meeting at which 28 members attended. I have known of meetings being convened at which very eminent people in the political life of the State attended—and there were no meetings at all! No-one attended to hear them.

Hon. H. Millington: Why bring that up?

Mr. McDONALD: Possibly no blame was attachable to the electors of the political individuals concerned, but such a result may have been occasioned by the worries and anxieties of the people at that stage. It will be remembered that at that time we were passing through some of the most critical days of the war when this State was in a position of some danger.

Mr. W. Hegney: But the usual attendances at Convocation were not much higher in pre-war days.

Mr. McDONALD: I could not say of my own knowledge, but I understand that during the last year or two the attendances have been much more satisfactory. I have known of attendances of from 50 to 70 or more on occasions. I have had supplied to me—I do not know by whom—a typewritten list of the activities of Convocation during the last ten or 12 years. I have been impressed by the multitude of the activities and the volume of research work that has been carried out. It was most surprising to me. The Royal Commissioner more or less inevitably based his impression of Convocation on a wartime period. What Convocation will be in the future we can, I think, reasonably estimate—a very large, very important body; a body enlarged every year, as the member for Nedlands said, by numbers of men and women who know all about the University. Convocation seems to be an inescapable and really valuable portion of the Senate.

The Royal Commissioner's report tables the position in regard to other universities. In Sydney there are 26 members of the Senate, whereas we propose only 21; and of the 26, four are appointed by the Governor and ten by Convocation. In Melbourne, of the 32 members of the Senate, eight are appointed by the Governor and ten by Convocation. In Queensland, with 27 senators, ten are appointed by the Governor and ten by Convocation. In Adelaide, with 25 senators, five are appointed by Parliament—not by the Government—and 20 are

elected by Convocation. In Tasmania eight are elected by Parliament—not by the Government—and six are elected by Convocation. We see in those universities the importance that the Parliaments of those States have attached to the responsibilities which they expect the Convocations to assume in the appointment of senators. I venture to suggest that the amendment of the member for Nedlands is an attempt to go a long way towards meeting the Government's views and towards taking into account the Royal Commissioner's observations. It seems an eminently reasonable proposal which will not discourage Convocation but still represents a basis that will give added representation to the Government as a recognition, which we all freely grant, of the voice the Government might reasonably expect to have in view of the contributions made by the State.

The PREMIER: There is a feeling in some quarters that Convocation is composed of university graduates who have dwelt in the cloistered seclusion of university atmosphere and possess traditions and customs and archaic ideas going back into the Dark Ages. We want representation of the public, not of the University. The public is almost exclusively responsible for the maintenance of the institution. Every section is asking for increased representation. Only about two-thirds of the Senate, I think, are not members of Convocation.

Hon. N. KEENAN: The Premier's reply is to the effect that because some Government nominees are holders of the Bachelor of Arts degree and are therefore entitled to become members of Convocation, they are to be treated as if they were elected members of Convocation. In a few years there will be so many graduates in Western Australia that it will be found almost impossible to go outside for any appointment. It is deplorable that this matter is not dealt with on its merits. In the first place, the Government says, "We appointed a Royal Commissioner; let us follow what he recommended; let us take his report as gospel." In the second place, the Government said, "It does not really matter whether the Government or Convocation makes the appointments. They are all masters of arts or bachelors of arts, and that is sufficient." It is not sufficient. What body is better fitted to make the appointments

than is Convocation, which is comprised of men who have passed through the University? We could get no better tribunal. If the Premier had suggested some good grounds for others than members of Convocation selecting the Senate, we might have met him if the grounds were strong enough. But none were given. The Premier suggested nothing except that we follow what the Commissioner recommended. It is like the old song, "Follow the man from Cook's." I do not desire to say anything disrespectful of or derogatory to the Royal Commissioner, but his recommendations are not followed in the main. What were his principal recommendations? Undoubtedly, on the financial side! He also recommended that fees should be charged, and I am in agreement with the Government when it turned down that proposal.

The Premier: It has been turned down by the House.

Hon. N. KEENAN: I hold no brief for the imposition of fees. Another recommendation of the Royal Commissioner was that the minimum grant to the University should be £42,000 a year. Again the Government exercised its right and departed from that recommendation. The amendment proposes that eight members shall be elected and two co-opted. Has any argument been advanced against that proposal? None whatever! The old Convocation nominated 12 out of 18; now it is proposed that it shall nominate only six. That is a sacrifice which entirely destroys the whole record of our University history. Are we so wonderfully clever that we can do something contrary to the whole practice of universities throughout the British Empire?

Hon. H. Millington: We have done it.

Hon. N. KEENAN: In what way?

Hon. H. Millington: We have a free university.

Hon. N. KEENAN: There is not a single university in the British Empire where Convocation does not elect a far higher proportion of the Senate than this Bill proposes.

Mr. CROSS: I think the Government has been generous, particularly in view of the caustic remarks made by the Commissioner with regard to Convocation. I propose to quote some of those remarks;

members will find them at page 17 of his report. He said—

The greatest criticism of this body (Convocation) came from some of the members of the Senate and the professoriate. The general view expressed was that Convocation was the plaything of a few members, generally young graduates, the large body remaining disinterested and aloof from its activities. Its statutory activities, already alluded to, are two in number:—

(a) Approval of statutes passed by the Senate;

(b) Election of Senate representatives.

It was alleged that Convocation often found it difficult to get the statutory quorum of 25; the printing and sending out of proposed statutes prior to meetings entailed unnecessary expense; and that no useful purpose was served by giving Convocation the power of approval. A suggestion of meeting Convocation half-way was made, that proposed statutes should lie on the Senate table for a period of three months to give Convocation an opportunity of raising objections or making suggestions for amendments.

I find that the general allegations made against Convocation are only too true. It is not much use allowing the graduate body a voice in the government of the institution if a minority, and a very small minority at that, is sufficiently interested to elect representatives to the Senate and to consider proposed statutes.

A good illustration of the ineptitude of Convocation is furnished by an occurrence which took place during the hearing of my Commission. The Warden of Convocation took umbrage at certain remarks made by some of the members of the professoriate and members of the Senate who gave evidence. The tenor of those remarks was that Convocation supplied nothing useful in the life of the University, that it was dominated for the most part by the noisy element, and that it had difficulty in getting together a quorum for the consideration of business. Following these aspersions on the fair fame of Convocation, the Warden called a meeting. Notices were sent out on the 25th August, 1941, calling the meeting for the 19th September. The notice drew attention to the "disparaging remarks . . . made on the efforts of Convocation in the past to assist the University." The notice went on to say, "This is a threat to its very existence, and it is for Convocation itself to prove that the allegations are wrong. I therefore urge you to show, by attending the next meeting, that you do not agree with the adverse opinions expressed."

I was sent a copy of this notice and a copy of the minutes of the meeting. Inquiry disclosed that there was a very poor attendance indeed. Only 23 members attended. Included in the 23 were seven members of the staff. Without these seven members a quorum would not have been available. The seven members of the staff included the Warden. According to the records, the number of members of Convocation who live near enough to attend meet-

ings is 745. If ever there was a practical illustration of the supine condition of a body this is one. In a matter of life and death, as it was put, only 21 members apart from staff show enough interest to come along to the meeting. Apologies were received from 24 members and three communications were received protesting against the allegations made against Convocation.

On page 19 the Commissioner says—

In none of the Australian universities which I visited could it be said that convocation was a very much alive body. It seems to suffer from much the same complaint—apathy—wherever one goes. I think the Rev. Archdeacon Storrs spoke to the point when he said that in observing "the systems at work in Sydney, Melbourne and Adelaide . . . my general feeling then was that the convocation of our University was at least as alive as theirs—though this is not high praise."

In the University of Melbourne convocation is represented by a standing committee of not less than forty persons. I think that system could, with advantage, be adopted here. I would stipulate that the number of members should not be less than twenty-five nor more than one hundred.

That is what the Commissioner thinks about Convocation. That meeting was called when the Royal Commission was sitting, and one would naturally think that Convocation would have taken a greater interest in the matter when it knew that the result of the inquiry might mean it would be settled for all time.

Hon. N. Keenan: How many members live in Perth?

Mr. CROSS: Within the greater metropolitan area there were then 745. Evidently the Commissioner took the trouble to find that out. If eight members were appointed from Convocation, there would probably be no more than three or four at a meeting. The Government has been generous in providing for six members.

Mr. J. HEGNEY: The member for York considered that Convocation is the best body to supply representatives to the Senate; but there are many persons engaged in industry in this State who have applied talents and commonsense to production and various enterprises, and are quite as capable of giving good service on the Senate. Their minds are trained and developed and they have to face the practical affairs of life. I remember the late Professor Shann saying that the University should be close to the people, and not divorced from them; and I agree with that. The Government's proposal seems to be

quite fair, having regard to the adverse report of the Royal Commissioner. The member for West Perth spoke about University men on active service. The Royal Commissioner was not given his Commission until 1941 and his report was completed in 1942. The inquiry took place when many young men who may now be on active service were in the State, but those of them who were members of Convocation did not take much interest in the matter.

Mr. McDonald: The war started in 1939.

Mr. J. HEGNEY: Yes, but all the manpower of Western Australia was not drawn into the vortex until the Japs entered the conflict. There is no denying that the Royal Commissioner is an able man, and he urged that three representatives of Convocation would be sufficient. The Bill provides for twice that number. The member for Nedlands said that there was not a sufficiently strong argument in favour of having eight and taking away two of those to be co-opted. He argued to the contrary that the governing body, the Senate, as constituted, should have power to co-opt four others. He admits they may be members of Convocation. The Premier has pointed out that while they may not be elected by Convocation many of the members of the administrative body will be members of Convocation. The Premier has also been at great pains to point out that the Government has never given an instruction to any of its representatives. He mentioned Mr. Thomas who criticised the Bill, thus showing the freedom of thought of the Government representatives. The proposal seems to be fair. The member for Nedlands said we were trying to do something different from what was done at other universities. Progress is made by people getting off the beaten track. On the whole the provision for the government of this University seems to be well balanced. The member for Nedlands has advanced no sufficient reason for an increase of two in the number of the Senate, and an increase of two to be co-opted.

Hon. H. MILLINGTON: Our University has been compared with other universities, and the member for Nedlands has agreed that they are not comparable. I propose to say a word on behalf of those I represent, the taxpayers. Where else in the world is the taxpayer called upon to bear a proportion of the expenditure of running a

university? If fees were charged—and there are solid arguments in favour of that—our University would be more comparable with others. We are concerned with the management of this University and the class of people on this board of control, called the Senate. The class of person is the important question, not where he comes from. The type that is capable of running the University is the man who passes through it and makes a name for himself in the workaday world, and not merely the student with a good memory whose education has probably embraced only one phase.

This Royal Commissioner, who has been spoken so well of during the debate, did not make a name for himself at the University but after he left. I read his report some time ago and my memory has been refreshed by the discussion this evening. After taking evidence he suggested that the number on the governing body should be cut down by 75 per cent. The Government being generous, and also because Governments have to compromise, made it 50 per cent. Now the member for Nedlands says that he will only agree to its being reduced by 33 and some fraction per cent. We represent the taxpayers of the State. Now, what type of man is the taxpayer going to appoint, through the medium of a discerning Government, to the management of this University? The man so appointed will be one of capacity as well as having university degrees after his name. The member for Nedlands visualises the future when all people of importance will have a university degree.

Hon. N. Keenan: All people of intelligence, not of importance!

Hon. H. MILLINGTON: There is such a thing as opportunity. Many men have University graduates working for them. Captains of industry have industrial chemists and specialists of all sorts in their employ. In spite of that the hon. member says that a man, who may be a nincompoop and possess merely a memory, by having a degree is to be placed in a better position than someone who, in addition to the university degree, is a person of some capacity. One member sought to show that university graduates are not too reliable. I understand that in the Old Country they take no notice of anyone under the age of 25. Today there is a great disposition to

put the apprentice in charge of the works, and that is how it is at the University.

I would willingly give the Guild of Undergraduates representation. Let one of those youngsters have the chance to learn something by rubbing shoulders with men of experience. But let it not be thought I advocate that these young fellows should be allowed to run the show even under the new order. We shall still require men of experience and capacity. On behalf of the taxpayers who have to finance this concern, I consider that Convocation has been given a very generous deal by the Government. Experience shows that there is still something in native ability that has not had a university training and yet can run rings around many of those who have. The Government has taken a very generous view of the situation, and Convocation should consider itself very fortunate in the treatment it has received. We want to ensure that we have a competent body in control of the University. I am not in a position to say whether the University has been well conducted in the past, but I feel sure that it is going to be well conducted in future under the proposals laid down by the Government.

Mr. NORTH: I move—

That the Committee do now divide.

Motion put and negatived.

Hon. N. KEENAN: I regret that the member for Mt. Hawthorn has dealt with the whole question as a business proposition. That is a fatal view to take. The University does not pay dividends, unless it be intellectual dividends. The University is an institution for the cultivation of ideals, and ideals are not business propositions. Consequently, all the reasoning from that point of view was hopelessly wrong. I do not dispute the capacity of the Royal Commissioner; nor do I ask that anything he recommended should be thrown into the discard. The Government, however, has thrown into the discard two of his most important recommendations. All I ask is a readjustment that will increase the number elected by Convocation from six to eight. Appeals are often made in this Chamber in the name of democracy and seldom is it proved that democracy exists. It would not exist if the Government's proposal were adopted. No sound argument has been advanced why Convocation should not be allowed to elect eight representatives. Any

comments made on the absence of members of Convocation from the meeting convened at short notice are unjust and unwarranted.

I believe there is no part of the world where members of Convocation cannot be found. Those who take degrees at our University scatter over the wide world to earn a living, and so members of Convocation are found practically from Klondyke to the South Pole. They are now principally at the seat of war and in different parts of Australia where war is being prepared. So it happens that at this particular time the number of members of Convocation residing in Perth is very small. We are doing something that all the British world has deliberately kept away from. It has been noted by educationists of the highest standing as one of the marked features of university life that it shall be governed by its own graduates. We are departing from that, and for no reason, because it cannot be suggested that there is any danger whatever in a Convocation of 36. In England the Education Committee provides £2,000,000 annually for the universities, and that without asking for the appointment of a single nominee by the universities.

The MINISTER FOR EDUCATION: In my opinion the Bill does what the amendment asks. In practice, the four most likely to be co-opted will be members of Convocation who were nearest to being elected. Let me illustrate the position in England as exhibited in the case of the Bristol University. In that instance the court of governors is technically the supreme governing body. It is truly an enormous corporation, whose members number about 360 and who are drawn from a variety of sources. The list begins with the Chancellor and other high officers of the university. Next in precedence come life members who have subscribed £1,000 and upwards to the university or are appointed by various corporations. Then come nearly 40 persons appointed by the city and its various interests, such as hospitals, schools and working-class organisations, 11 representatives of county councils and county boroughs; 36 of other universities, learned societies and professional institutions; 43 members of Parliament, and a huge motley group of lord-lieutenants, mayors, bishops, heads of non-conformist bodies, chairmen of county councils and education committees, directors of education, chairmen of local hos-

pitals and associations, head masters and head mistresses of the leading schools of six counties, the whole of the university council, the deans of faculties, the professors, the librarian, the registrar, 29 representatives of Convocation, two representatives of the readers and lecturers, nominees of affiliated colleges, a small group appointed by the university council ranging from the presidents of the student body to the parliamentary representatives of the university constituency.

A quorum for this unwieldy body is 12, and is scraped together once or twice yearly. In practice this court of governors is without important influence; its chief value lies in its underlining of the many interests which have a stake in the university and in administering to the vanity and self-importance of a few persons regarded as potential benefactors of the university. In Bristol, as in the other modern universities in England, council is the real governing body. This is a lay body with small academic representation—between 30 and 50 persons who are appointed by the court of governors or by the local authorities. From one-fifth to one-sixth of the members are appointed by academic bodies. The powers of the councils are tremendous, in one instance council having control of the conduct of all the affairs of the university. The senates are purely academic bodies. Some of the universities give their councils specific power to pass resolutions of the senate or to refer them back for reconsideration; and all the councils have, in fact, this power. If the vice-chancellor of the academic members of the council has the necessary tact and skill, relations between the council and senate can be smooth and even cordial. If the president of the council and the treasurer have academic experience, the senate is more fortunate still.

Reprehensible though the system appears to be in theory, in practice it works quite reasonably well; but, as is to be expected, every now and then it fails even in practice. The senate either initiates or receives from the faculty boards all academic business, although none of this can have effect without the approval of the council. The person who holds a key position in both senate and council is the vice-chancellor. The first question asked about a newly appointed vice-chancellor is—"Will he be a council man or a senate man?" That remark reveals the weakness of the dual system of

government. Senates are not the governing bodies of the British universities, and therefore there is no point in saying that there are greater numbers of members of Convocation on the Senate of this University than there are on British universities. Here the Senate is the governing body. I submit that it is unreasonable to endeavour to prove the case by referring to the position of senates in modern British universities.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	24
Majority against					10

AYES.

Mrs. Cardell-Oliver	Mr. North
Mr. Hill	Mr. Owen
Mr. Keenan	Mr. Perkins
Mr. Leslie	Mr. Shearn
Mr. Mann	Mr. Thora
Mr. McDonald	Mr. Watts
Mr. McLarty	Mr. Doney

(Teller.)

NOES.

Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Panton
Mr. Fox	Mr. Rodoreda
Mr. Hawke	Mr. Seward
Mr. W. Hegney	Mr. Styants
Mr. Hoar	Mr. Telfer
Mr. Holman	Mr. Tonkin
Mr. Kelly	Mr. Triat
Mr. Leahy	Mr. Willmott
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Needham	Mr. Wilson

(Teller.)

Amendment thus negatived.

Hon. N. KEENAN: I move an amendment—

That in line 3 of paragraph (b) the words "or examiner" be struck out with a view to inserting the words "or assistant lecturer but not part-time lecturer" in lieu.

The paragraph sets out certain persons not eligible to be elected by Convocation to the Senate. Among those persons are examiners, but I am informed that an examiner is not a member of the staff.

The Premier: He is a casual employee.

Hon. N. KEENAN: Yes.

The PREMIER: The examiner might only be employed in a casual way for two or three days or for a week. I do not know why he was excluded, except that in nearly all instances examiners are members of the staff.

Amendment (to strike out words) put and passed.

Hon. N. KEENAN: I move an amendment—

That the words proposed to be inserted be inserted.

If members will peruse the succeeding paragraph, they will find that among the persons designated as being members of the staff, and therefore qualified to be elected by the staff to represent them, are assistant lecturers. For some reason, assistant lecturers were not included in paragraph (b). The words "but not part-time lecturer" are included because part-time lecturers are not on the staff.

The PREMIER: They get an occasional job. I have no objection to the amendment. As a matter of fact, the member for West Perth at one time acted as a part-time lecturer and I would not for a moment exclude him from being on the Senate if Convocation elected him. He, with other members of the legal profession, delivered lectures on law subjects in respect of which they were experts. They gave perhaps only three or four lectures; in many instances these were given gratuitously, but in other instances the lecturers received a fee. The whole principle is that the Senate shall not be dominated by the staff. The staff is entitled to two representatives only.

Amendment (to insert words) put and passed.

Hon. N. KEENAN: I move an amendment—

That in line 4 of paragraph (c), after the word "Vice-Chancellor," the words "or part-time lecturer" be inserted.

This is a consequential amendment.

The Premier: I have no objection.

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

That in line 2 of paragraph (d) the words "for any reason" be struck out, with a view to inserting, in lieu, after the word "act" in line 3, the words "owing to absence from Perth."

It seems to be unreasonable that if the Under Treasurer—who is put on the Senate because he is a person of considerable importance—is in Perth, he should not attend but rather send anyone else he likes.

The Premier: He might be ill.

Hon. N. KEENAN: Then we could add the words "or illness" to my later amendment. I have no objection to that; but the Under Treasurer should not be given authority to delegate anyone he likes—any

Tom, Dick or Harry—to attend a meeting of the Senate when he himself is in Perth.

The PREMIER: I do not propose to agree to this amendment. The Under Treasurer is put on the Senate because of his special knowledge of Government finance. He is not such an irresponsible person that he would send anyone to represent him. The only person he would appoint would be the Assistant Under Treasurer who has an equal knowledge of the Public Accounts and would be able to advise the Senate in that connection. I am sure that the Under Treasurer is so interested in the University that he will attend on every possible occasion; but the Grants Commission may be in Perth at the time of a meeting of the Senate and want to see some part of the State accompanied by the Under Treasurer. Or perhaps the Under Treasurer will be preparing his case; or he may be engaged in some other important work connected with the public life of this State. He would not ask the members of the Senate to postpone the meeting, but his viewpoint could be expressed by a deputy.

Hon. N. Keenan: Then why not a deputy for the Vice-Chancellor or for the Director of Education?

The PREMIER: Just because we agree to appoint a deputy in one instance, there is no reason for that to be the invariable rule. We have heard a lot about the Government wanting to dominate the Senate. This is the only person out of the 21 members who will represent a real Government viewpoint on financial matters. The Senate, for instance, might be considering the establishment of a new Chair, and the Under Treasurer would be able to advise it on the financial aspect. A previous Vice-Chancellor of the Senate would start some new activity, finance it for a year or two and then come to the Government and say: "This has been commenced. We have made a contract in regard to a professor or a part-time lecturer. We cannot get out of it, and we must have the money."

Hon. N. Keenan: That is not quite fair.

The PREMIER: It may not be; but it happens to be true.

Hon. N. Keenan: It is neither true nor fair.

The PREMIER: I do not want to malign anybody; but there is an absolute necessity for someone to consider the future and indicate what may happen if certain things

are done. The Under Treasurer would not ask any Tom, Dick or Harry—or Bill, or anyone else—to represent him, but only someone fully qualified to express the viewpoint he would express himself if he were present.

Mr. McDONALD: I have a very great regard for the Under Treasurer, but the Vice-Chancellor has always seemed to me to be an important person, too. He, however, will not be missed. Whether he is sick or absent for another reason he will have no deputy. Again, I would have thought that the Director of Education would be important enough to have a deputy; but he can go to England or anywhere else, or be ill, yet he will not have a deputy.

The Premier: Do you want deputies for all of them?

Mr. McDONALD: No; I do not want deputies for any of them.

The Premier: I want a deputy for the Under Treasurer. If anybody else wants a deputy, I may listen to reason.

Mr. McDONALD: If the Under Treasurer is the only one to have a deputy I think the view of the member for Mt. Hawthorn has been well conserved. This is a taxpayers' Bill and from the taxpayers' point of view it has been looked at thoroughly! I should have thought that if the Under Treasurer went away he would ask, to look after the financial side, one of the captains of industry who no doubt the Government will appoint as its nominees.

The Premier: Why not go by the experience of those we have appointed?

Hon. N. KEENAN: We might go by the experience of those appointed by Convocation. To give their names would be invidious, but it would be hard to find a list of citizens more worthy to serve on the Senate of the University or who could have rendered better service.

The Premier: You would not like to give the names of some who have been left off?

Mr. McDONALD: I would not.

The Premier: I would not, either!

Mr. McDONALD: I would not, because that is a matter of opinion. If Convocation has sometimes left people off who have been very eminent and highly qualified, it is because it has chosen people who are, perhaps, in a more humble sphere of life and more in touch with the ordinary taxpayer. I cannot see why we should stamp this Bill as essentially a Treasury Bill by indicating that in

the University the Vice-Chancellor is so unimportant that he does not need a deputy, but that the one man who is indispensable on the Senate is the financial man watching, as the Premier rightly says, the financial situation on behalf of the Government, and he is to have the privilege of appointing a deputy. The member for Mt. Hawthorn said that a captain of industry was the man to control the University.

Hon. H. Millington: A few from Trades Hall, too.

Mr. McDONALD: They are captains of industry also. If what the hon. member says is correct then some of the captains of industry appointed under paragraph (a) might well be competent in the absence of the Under Treasurer to keep a sharp eye on the financial side. I hope that for the sake of consistency we shall leave out this suggestion of a deputy.

Amendment put and negatived.

Mr. McDONALD: I move an amendment—

That a new paragraph be inserted as follows:—“(g) One person (being a graduate of the University and not being a person holding any salaried office at the University as a Dean of Faculty, professor, lecturer, or part-time lecturer) to be elected by the Guild of Undergraduates.”

The Guild of Undergraduates is provided for in the parent Act. It is part and parcel of the University structure. It has several hundred members who are students of the University. When the war is over and the University is again at normal strength the undergraduates are expected to number 1,300. They seek to be allowed to elect one person to the Senate, that person to be a graduate and, therefore, likely to be 22 or 23 or more years of age and presumably a responsible and competent person. I understand that the student body of the Melbourne University elects two members of the Senate. In Sydney the students elect one member. Apparently the students of the Queensland and Adelaide Universities are moving for the necessary amendments to allow them also to have representation on the Senates of those Universities. Mr. Justice Wolff did not favour the representation of the student body on the Senate. That is already the position in the case of the Sydney University and the Melbourne University, which has two such representa-

tives. It is desirable that the student body be allowed one elected representative to hold office for four years and to be eligible for re-election. That representative could express the thoughts of the students, and at the same time the student body, by having an elected representative, will undertake responsibility in connection with the affairs of the University. In addition, the decisions of the Senate will be those of a body on which the students have their representatives. That arrangement is not only desirable, but will mean that the students will have an additional interest and an increased sense of responsibility in the satisfactory conduct of all University affairs. The amendment is in keeping with the view that the younger people should be given a say.

The PREMIER: This matter was specifically inquired into by the Royal Commissioner, who said it would be going beyond the necessities of the case to provide a seat for a representative of the Guild. I would not object altogether to the Guild being represented on the Senate, but if the Senate desires to have a representative of the undergraduates, it can appoint one amongst the four co-opted members. Anyone who it is considered might be an acquisition to the Senate can be appointed to the number of four.

[Mr. J. Hegney took the Chair.]

Hon. N. KEENAN: The amendment proposes to give the undergraduates the right to elect a representative, whereas the Premier wishes to reverse the position and have someone appointed by the Senate. If the undergraduates are not allowed to elect a representative, but are to have someone selected to represent them, it is far from being the same thing. The undergraduates would be interested to elect somebody to convey the views of the young men who are being told that they are to rule the new world and make it the wonderful world that is to be. But if some old and ancient stick is to be appointed to represent them, where is the new world coming in? The undergraduates would take great care that whoever was elected would represent their views. They are asking for this privilege.

The Premier: Which they have never had before.

Hon. N. KEENAN: Of course not. If they had had it, they would not be asking for it. Surely there should be some better reason for refusing the request! I know

of no sound reason for refusing. We admit that we have to get young minds to help us solve the many problems confronting us, and we ought to approve of this proposal.

The PREMIER: I am disposed to take a good deal of notice of the Royal Commissioner's recommendation. If members cannot adduce arguments to break down that recommendation, I propose to adopt it.

Mr. McDONALD: A visiting American educationist recently said, "The problem of youth is the adult." We are asked to determine that 1,300 boys and girls of very acute minds—some of the best in the State—are not to be trusted to elect one representative to the governing body of the University. When the war is over there will be scores and, I hope, hundreds of young men and women who will come from the services to take up education at the University. We have had much discussion about the right to vote for members of Parliament, the age of 18 having been said to be a fair one.

The Minister for Mines: We did not get too many votes for it.

Mr. McDONALD: We would be doing a great service to the University and to the young people if we adopted the attitude, "You are to have the privilege of electing one representative to express your point of view and thus you will share the responsibility of the conduct of the University."

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

Ayes	..	..	..	13
Noes	..	..	..	22
				—
Majority against	..	..	..	9
				—

AYES.

Mr. Hill	Mr. Perkins
Mr. Keenan	Mr. Seward
Mr. Leslie	Mr. Sheara
Mr. Mann	Mr. Thorn
Mr. McDonald	Mr. Watts
Mr. McLarty	Mr. Doney
Mr. North	

(Teller.)

NOES.

Mr. Coverley	Mr. Needham
Mr. Cross	Mr. Nulsen
Mr. Fox	Mr. Panton
Mr. Hawke	Mr. Rodoreda
Mr. W. Hegney	Mr. Telfer
Mr. Hoar	Mr. Tonkin
Mr. Holman	Mr. Triat
Mr. Kelly	Mr. Willcock
Mr. Leahy	Mr. Wise
Mr. Marshall	Mr. Withers
Mr. Millington	Mr. Wilson

(Teller.)

Amendment thus negatived.

Mr. PERKINS: I move an amendment—

That in line 1 of paragraph (g), after the word "persons," the following words

be inserted:—"one of whom shall be nominated by the Guild of Undergraduates."

I have hopes that there will be a gentle thought in the Committee for this amendment.

The PREMIER: This is in substance exactly the same amendment as the previous one, and therefore not in order.

The CHAIRMAN: My ruling is that the amendment is in order.

The PREMIER: I do not know how this representative will be selected. The probability is that he will be selected by referendum or by an election. I oppose the amendment much on the same lines as those on which I opposed the amendment of the member for West Perth.

Mr. WATTS: This amendment is by no means the same as that moved by the member for West Perth, in that it is part of the provision in the existing Bill. The suggestion is that a nominee of the Guild of Undergraduates should be submitted to the Senate, and he could be co-opted. This proposal is not the same as the one mentioned by the Premier: it is a reasonable compromise. The Guild of Undergraduates is entitled to representation, preferably in the manner suggested by the member for York.

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

Ayes	13
Noes	22

Majority against	..	9
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AYES.

Mr. Doney	Mr. North
Mr. Hill	Mr. Seward
Mr. Keenan	Mr. Shearn
Mr. Leslie	Mr. Thorn
Mr. Mann	Mr. Watts
Mr. McDonald	Mr. Perkins
Mr. McLarty	

(Teller.)

NOES.

Mr. Coverley	Mr. Needham
Mr. Cross	Mr. Nulsen
Mr. Fox	Mr. Pantou
Mr. Hawke	Mr. Rodoreda
Mr. W. Hegney	Mr. Telfer
Mr. Hoar	Mr. Tonkin
Mr. Holman	Mr. Triat
Mr. Kelly	Mr. Willcock
Mr. Leaby	Mr. Wise
Mr. Marshall	Mr. Withers
Mr. Millington	Mr. Willson

(Teller.)

Amendment thus negatived.

Hon. N. KEENAN: I move an amendment—

That at the end of proposed new Section 10 the following proviso be added:—"Pro-

vided always if and when two or more University colleges have been established and are in active operation such University colleges will be entitled to elect one person to be a member of the Senate. Such person shall be chosen by each such college in successive years and failing agreement as to the order to be observed then the order in which they are to be appointed shall be determined by the drawing of lots. A University college within the meaning of this proviso shall be a college recognised as such by the Senate whose decision in the matter shall be final."

This is a recommendation of the Royal Commissioner; and, as the Premier has told the Committee that he is following as closely as he can all the Commissioner's recommendations, I have every right to ask for his support of the amendment. This will only come into force when two or more University colleges have been established and are in actual operation. Whether or not they are in operation is a matter to be determined by the Senate, whose decision would be final. I understand there is every expectation that three colleges will be in operation at an early date, but almost certainly two colleges will be in the immediate future.

The PREMIER: I oppose the amendment. There seems to be a desire to obtain special representation for this, that and the other. The Senate can be trusted to deal with these matters. It can elect four representatives; the whole matter can be decided by the Senate as the governing body. In any event, I do not like the idea of alternate representatives. If a representative gave entire satisfaction, I do not think the Senate would be doing the right thing in removing him and substituting from another college a representative who might not be nearly his equal from the point of view of intelligence and debating ability. It might be suggested that there should be a representative of the Trades Hall or of the Chamber of Mines or of the agricultural industry, or of any other organisation or industry. But if the Senate considered any of these representatives necessary at any particular time it could appoint him as one of the co-opted members who are to serve for four years, one retiring each year. I am quite prepared to leave this matter to the Senate itself.

Progress reported.

House adjourned at 11.5 p.m.