

**THE MINISTER FOR THE NORTH-WEST** (Hon. A. A. M. Coverley—Kimberley—in reply) [11.22]: The only note I have on this matter is to the effect that practically all the attention it is possible for the Comptroller General and his understudies to give to the problem is being given. A system of classifying criminals is still being maintained, and every care is taken to safeguard the youthful and first offenders from the habitual prisoner class. The efforts to reclaim prisoners are not confined to first offenders, but in every case where any desire is shown by the prisoner to improve himself, encouragement is extended. Many prisoners endeavour to become efficient workmen in the available activities. When prisoners are released assistance is afforded them to rehabilitate themselves. The increased scale of gratuities continues to show improved results, and the prisoners take more interest in their tasks and avail themselves of opportunities to become proficient in tailoring, carpentry, bootmaking and printing. I assure the hon. member I will draw the Chief Secretary's attention to the remarks he has made.

Vote put and passed.

*Votes—Registry and Friendly Societies, £14,010; Prisons, £30,090; Observatory, £1,450—agreed to.*

Progress reported.

### BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Received from the Council and read a first time.

*House adjourned at 11.26 p.m.*

## Legislative Council,

*Wednesday, 29th November, 1939.*

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

### QUESTION—MINING, TAILING TREATMENT.

*Payment of Premium.*

Hon. H. SEDDON asked the Chief Secretary: In view of the amended regulations recently gazetted referring to the charge for treatment of tailings at Government Batteries, does the Government intend to pay to prospectors the gold premium on the 1 dwi. 18 grains deducted as a treatment charge?

The CHIEF SECRETARY replied: No.

### QUESTION—GOVERNMENT STORES DEPARTMENT.

*Tenders for Water Heaters.*

Hon. J. A. DIMMITT asked the Chief Secretary: 1, Is he aware that quotations have been invited by the Government Stores Department for the supply to the State Government of three Junkers, or equal, single point gas automatic water heaters? 2, In view of the fact that the Junkers water heater is a German product, will the Government consider the advisability of directing that preference be extended to tenders for the supply of heaters of local, Australian, or British manufacture?

The CHIEF SECRETARY replied: 1 and 2, Quotations were invited for three Junkers or equal single point gas automatic water heaters. The word "Junkers" appeared only as a guide to tenderers as to the type of heater required. The quotation of Metters, Ltd., has been accepted for the Cotter sink heater, which is manufactured in Sydney.

### BILL—LAND ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

### RESOLUTION—STATE FORESTS.

#### *To Revoke Dedication.*

Message from the Assembly requesting concurrence in the following resolution now considered:—

That the proposal for the partial revocation of State Forests Nos. 4, 14, 22, 23, 24, 29, 37, 38 and 51, laid on the Table of the Legislative Assembly by command of His Excellency the Lieutenant-Governor on the twenty-third day of November, 1939, be carried out.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [5.37]: I move—

That the resolution be agreed to.

This is the usual resolution introduced annually for the purpose of revoking portions of forest areas. In continuation of the policy of excising from those areas agricultural land for which application has been received direct or through the Lands Department, we propose to excise a total area of 1,350 acres. The details are as follows:—

No. 1.—Two miles east of Collie-Burn. About 150 acres of low wet land carrying very little timber, to be made available subject to the approval of the Mines Department. Applied for by a settler resident in the locality.

No. 2.—Two miles west of Collie-Cardiff. About 110 acres of poor jarrah country of no value for reforestation purposes, to be made available subject to the approval of the Mines Department. Applied for by the adjoining landholder.

No. 3.—Four miles south-east of North Dandalup. About 10 acres of swamp land applied for by the adjoining settler, who requires extra summer pasture.

No. 4.—Two miles south of Holyoake. About 15 acres of land carrying very little

timber and not required for forestry purposes. Applied for by the adjoining settler.

No. 5.—Four miles south-east of Keysbrook. About 7 acres of low land at the head of a creek and carrying practically no timber. Required by the adjoining settler in exchange for an area of jarrah country of value to the department to provide access to State Forest.

No. 6.—Three and a half miles north of Jarrahdale. About 1 acre of land of no use for forestry purposes and required by the adjoining landholder.

No. 7.—Two miles north-east of Jarrahdale. About 1 acre of ti-tree swamp required by the adjoining settler for the purpose of water supply.

No. 8.—Two miles north-east of Jarrahdale. About 7 acres of semi-swamp country required by the adjoining landholder for market gardening purposes.

No. 9.—Two and a half miles south-east of Jarrahdale. About 1½ acres of swampy land applied for by the adjoining landholder.

No. 10.—Two miles south-east of Jarrahdale. About 20 acres of swampy land applied for for market garden purposes.

No. 11.—Two miles north of Marrinup. About 2½ acres of high land carrying no timber. Required by the adjoining settler as a site for his house and buildings.

No. 12.—Five miles north of Muja. About 37 acres of open flat carrying very little timber. Applied for by the adjoining landholder.

No. 13.—One mile west of Wilga. About 420 acres of poor quality forest cut out and no longer required for forest purposes.

No. 14.—Seven miles north-east of Hester. About 200 acres of land from which all marketable timber has been removed. Applied for by the son of an adjoining landholder.

No. 15.—Eighteen miles east of Wilgarup. About 112 acres of poor jarrah country not required as State Forest. Applied for by the applicant for an adjoining vacant location.

No. 16.—Eighteen miles east of Manjimup. About 33 acres of low loadage forest country required by the adjoining settler to strengthen his holding and enable him to improve his water supply.

No. 17.—Eight miles east of Manjimup. About 40 acres, being mainly blackboy flat, required by an adjoining settler to link two holdings which he now has under pasture.

No. 18.—Four miles east of Manjimup. About 23 acres of steep country of no value for forestry purposes and carrying only an odd jarrah tree scattered among poor fire-damaged blackbutt. Applied for by the adjoining settler.

No. 19.—South-east of Congelin. About 140 acres to be made available to an adjoining landholder in exchange for mallet country to be included in State Forest.

Section 21 of the Forests Act 1918-31 provides that a dedication of Crown lands as a State forest may only be revoked in whole or part in the manner in which we are deal-

ing with these areas. In accordance with the provisions of that section, I am laying the proposals for the revocations on the Table of the House.

Question put and passed.

## **BILL—POLICE BENEFIT FUND ABOLITION.**

*Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West [4.45]) in moving the second reading said: This Bill has been brought forward for the purpose of winding up the Police Benefit Fund. As indicated in the long title, the fund was originally established in 1866 under Ordinance 30 Victoriae 10, which provided that moneys collected from the police force by means of fines and subscriptions should be used to form a fund out of which gratuities, rewards, retiring allowances or superannuation might be paid to police officers. More recently the regulations governing the fund provided that police officers were to contribute 3 per cent of their salaries, while the Government contributed an amount equal to the sum of those contributions. The gratuities paid to officers on retirement varied from a fortnight's to four weeks' salary for each year of service. Last year, however, Parliament passed the Superannuation and Family Benefits Act under which police officers, in common with other members of the Public Service, are eligible to become contributors for pensions from the Superannuation Fund. Section 32 (2) of the Act provides that where a contributor to the Police Benefit Fund elects to contribute to the Superannuation Fund, his liability for contributions in respect of the Police Benefit Fund shall cease. It is further provided that such an officer shall be entitled to have placed to his credit with the Superannuation Fund such amount as shall be certified by the Government Actuary to be equivalent to the share he would receive if the Police Benefit Fund were dissolved on the date he became a contributor to the Superannuation Fund.

Unfortunately the condition of the Police Benefit Fund is such that if the money were divided amongst the existing members, they would receive only about one-half of the contributions they have actually paid into the fund. At the end of last financial year,

the balance in the fund amounted to £33,938 3s; yet the contributions paid by existing members of the police force totalled £58,663. If all members of the force had been retired on the 30th June last, the liability for gratuities would have amounted to £151,000. Members will realise that the fund has been conducted on a basis having no actuarial connection between the contribution and the benefits.

On various occasions in the past, the Government Actuary has emphasised this point, and reported that there was a grave danger of the fund becoming insolvent. Needless to say, steps were taken to place the fund on a more satisfactory basis, but sufficient time had not elapsed for these reforms to become effective at the time of the enactment of the Superannuation and Family Benefits Act. Obviously it would be most inequitable to continue the operations of the Police Benefit Fund, and the payment of full gratuities to members remaining in that fund, and yet, at the same time, to apply in their entirety the provisions of Section 32 (2) of the Superannuation and Family Benefits Act to those officers electing to become contributors under that legislation. The Government therefore caused an investigation to be made into the position by various departmental officers, as a result of which it is agreed to the following modification of benefits:—

- (1) That the Police Benefit Fund be closed as from the end of the last financial year.
- (2) That the gratuities payable to officers who retire after the closing of the fund be limited in the case of officers under 55 years of age to a return of contributions.
- (3) That gratuities payable to members of 55 years of age and over be limited to a return of the contributions paid by them, plus one-tenth of the difference between the aggregate amount of their contributions, and the gratuities to which they would be entitled if they had retired on 30th June last, increasing by one-tenth of this difference for every year by which the age of the officer exceeds 55 years to the maximum of the gratuity which would have been payable under the existing regulations.

Even these reduced gratuities will amount to £87,345.

As the balance of the fund at the end of the last financial year was £33,938, and there were certain liabilities therewith amounting to £1,994, the Government will have to find a sum of £55,401 to pay the modified benefits. Of the sum of £87,345 I have mentioned as representing the amount of the reduced liability, £82,880 will be a debt owing to the Superannuation Board. The difference—namely £4,465—represents reduced gratuities payable to 19 members of the Police Benefit Fund who have not elected to contribute to the Superannuation Fund. When this latter amount is paid from the balance standing to the credit of the fund, the sum of £27,479 will be available for transfer to the Superannuation Board. The Government proposes to discharge the remaining liability in respect of officers who are now members of the Superannuation Fund at the rate of £5,600 per annum. This latter figure represents the amount of the subsidy the Government would have been called upon to contribute to the Police Benefit Fund this year if the fund were continued. By making payments at this rate, the Government will discharge its reduced liability of £55,401 in approximately 13 years, after allowing the Superannuation Board interest at 4 per cent. per annum on the unpaid balance of the amount due. The Bill contains the necessary provisions to give effect to the foregoing proposals.

We are providing that the Police Benefit Fund shall be closed as from the 29th June, 1939, and that all accrued and accruing rights of members otherwise than are provided for in this measure, shall cease from that date. Provision is made for the ascertainment and valuation of the shares of members in accordance with the formula I have mentioned. The Bill also authorises the Treasurer to discharge the Government's liability to the Superannuation Board by way of annual instalments, and provides that any balance owing shall be recognised as a lawful investment by the Board. Other proposals are of a machinery nature. Thus provision is made for the transfer of the balance in the Police Benefit Fund into a special "Police Benefit Fund Distribution Trust Account" to be administered by the Treasurer. The moneys in this account will be applied in meeting payments to the Sup-

erannuation Board and in paying gratuities due to those members who did not elect to join the Superannuation Fund. Authority is given for the appropriation from Consolidated Revenue of any moneys necessary to make up deficiencies, and the Bill also contains the usual provisions as to the audit of accounts by the Auditor General.

That is an outline of the Bill as it reached this Chamber. It is my intention, however, when the Bill reaches the Committee stage to move an amendment to Clause 3, adding to the definition of "member of the police force" the following words:—

The term also includes any person who having prior to the closing day been employed in or as a member of the police force and during such employment contributed to the Police Benefit Fund had prior to the closing day been transferred to another department in the service of the State and has not received any benefit from the Police Benefit Fund under the ordinance and the regulations made thereunder.

The amendment is rendered necessary by the fact that quite recently a change has been made in regard to the Traffic Branch. Three officers of that branch, who originally were members of the police force, have been transferred to the Public Service and are now under the Public Service Commissioner. In view of the fact that they have been contributing to this fund and that the particular date on which the transfer took place would prejudice those three ex-members of the police force to the extent that they would not be in the same position as the other members of the force will be if this Bill is enacted, the amendment will be moved. I move—

That the Bill be now read a second time.

**HON. J. CORNELL** (South) [4.57]: I understand that the measure has the full endorsement of members of the police force. They being the persons concerned, we need not concern ourselves with it. However, the Chief Secretary has explained that he will move an amendment making three ex-constables members of the police force.

The Chief Secretary: For the purposes of the Bill.

**HON. J. CORNELL**: I understand the position to be really that under the ordinance they are entitled to full superannuation, but that they do not want that. What they want is that they should be in the same

position as other members of the force. Under the Bill their position would be precarious, as they would then have to make application for the full compensation under the ordinance in accordance with the date of their resignation.

Question put and passed.

Bill read a second time.

*In Committee.*

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

Clauses 1 and 2—agreed to.

Clause 3—Interpretation:

The CHIEF SECRETARY: I move an amendment—

That the following be added to the definition of "member of the police force":—"The term also includes any person who, having prior to the closing day, been employed in or as a member of the police force, and during such employment contributed to the Police Benefit Fund, had prior to the closing day been transferred to another department in the service of the State and has not received any benefit from the Police Benefit Fund under the Ordinance and the regulations made thereunder."

I have already explained the reason for the amendment, and the position is as has been stated also by Mr. Cornell.

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

Clauses 4 to 20—agreed to.

Schedule, Title—agreed to.

Bill reported with an amendment, and the report adopted.

*Third Reading.*

Bill read a third time, and returned to the Assembly with an amendment.

**BILL—WAR FUNDS REGULATION.**

*Assembly's Amendments.*

Schedule of three amendments made by the Assembly now considered.  
No. 1.

Clause 2:—Insert after the definition "Chief Secretary" a definition as follows.—

"The Council" means the War Funds Council of Western Australia constituted by this Act.

Consequently the following amendments were made:—

Clause 3:—Line 13, page 3, delete "Chief Secretary" and insert "council"; line 15, page 3, delete "Chief Secretary to his" and insert "council to its"; line 36, page 3, delete "Chief Secretary" and insert "council."

Clause 4:—Page 4, line 5, delete "Chief Secretary" and insert "council"; line 7, delete "he" and insert "it"; lines 15, 24, and 30, delete "Chief Secretary" and insert "council."

Clause 5:—Page 4, line 41, delete "Chief Secretary" and insert "council"; page 5, lines 1, 11, 12, and 16, delete "Chief Secretary" and insert "council"; line 19, delete "he" and insert "it."

Clause 6:—Page 5, lines 24, 25, 26, and 38, delete "Chief Secretary" and insert "council"; page 6, lines 9 and 10, delete "Chief Secretary" and insert "council."

Clause 7:—Page 6, lines 15, 16, 17, and 35, delete "Chief Secretary" and insert "council."

Clause 10:—Page 7, line 34, delete "Chief Secretary" and insert "council"; page 8, line 5, delete "Chief Secretary" and insert "council."

Clause 11:—Page 8, line 20, delete "Chief Secretary" and insert "council."

The CHIEF SECRETARY: When this Bill was before another place, members there thought it advisable to create a council to carry out the duties which the Bill, when it left here, provided should be carried out by the Chief Secretary. I have no objection to the amendment that has been made. Practically all the amendments that appear on the notice paper are the result of the decision of another place to create this council.

Hon. J. J. Holmes: Will the council act in an honorary capacity?

The CHIEF SECRETARY: I presume so: no provision is made for any payment. I move—

That the amendment be agreed to.

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

No. 2. Clause 11, Subclause (1)—Add a paragraph as follows:—

(c) To regulate the proceedings and provide for the carrying on of the functions of the council.

The CHIEF SECRETARY: I move—

That the amendment be agreed to.

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

No. 3. Insert a new clause to stand as Clause 3, as follows:—

3. (1) There is hereby established for the purposes of this Act a council to be known as "The War Funds Council of Western Australia," which shall consist of the Chief Secretary as chairman and four other members to be appointed by the Governor.

(2) The Chief Secretary shall be the chairman of the council and the Governor may appoint another member to be vice-chairman thereof.

(3) The council shall be a body corporate under the name of "The War Funds Council of Western Australia" and by that name shall have perpetual succession and a common seal and shall have power to hold real and personal property and to sue and be sued.

(4) Any three members shall constitute a quorum of the council and whenever the members are not unanimous as to any matter, such matter shall be decided by the majority of votes, and the decision so arrived at shall be the decision of the council.

(5) All courts, judges and persons acting judicially shall take judicial notice of the incorporation and of the common seal of the council when affixed to any deed, instrument or writing, and shall presume that such seal was properly affixed thereto; and such deed, instrument or writing, when sealed, whether such deed, instrument or writing is by law required to be sealed or not, shall be admissible in evidence for or against the council on the mere production thereof without any other or further proof of the making of such deed, instrument or writing.

(6) The Governor may remove any member of the council other than the Chief Secretary and may on such removal or on any vacancy from any cause occurring in the council fill any vacancy by the appointment of another person as a member but the place of any member appointed on the nomination of any body shall be filled only on the like nomination.

(7) The council shall have the powers conferred on it by this Act, and may also deal with such matters relating to the present war as may be entrusted to it by the Governor.

(8) The Governor may on the termination of the present war, by notice in the *Gazette*, dissolve the council.

The CHIEF SECRETARY: I move—

That the amendment be agreed to.

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

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

## BILL—INCREASE OF RENT (WAR RESTRICTIONS).

### *Recommittal.*

On motion by Hon. J. Cornell, Bill re-committed for the further consideration of Clauses 2 and 4, and a new clause.

### *In Committee.*

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

Clause 2.—Definitions:

Hon. J. NICHOLSON: I move an amendment—

That the following words be added to the definition of "land":—"save and except lands comprising a farm, grazing area, orchard, dairy farm, and premises ordinarily leased or let for holiday purposes."

Members will recall that in the course of the previous discussion on the Bill there was a desire to safeguard the position of places that are the subject of summer letting, because if they are not excluded, the result will be unfortunate for the owners. Clearly it is desirable that such premises, as well as the other properties mentioned in the amendment, should not be subject to the provisions of the Act. Such premises are excluded from the regulations issued by the Federal Government under the National Security Act. The words to which I have referred comprehend the position in Western Australia.

Hon. G. W. Miles: You have not included market gardens.

Hon. J. NICHOLSON: I would not object to their inclusion.

The CHAIRMAN: If members will turn to page 5 of the Bill they will find an illustration of the fact that lawyers do differ. Actually, the words Mr. Nicholson now wishes to insert in the Bill were previously excluded by an amendment moved by Mr. Parker.

The CHIEF SECRETARY: The Government could have accepted the Federal legislation on this matter had we desired to limit the law to dwelling houses, as is the case with the Federal Act. In this Bill we have included other premises besides dwelling houses, as we felt it was necessary to do so. We also realised there might be difficulty with regard to holiday resorts, seeing that the 31st August last had been fixed as the date that would decide the

standard rent. I had the matter inquired into and an amendment prepared, but unfortunately that amendment does not appear on the notice paper. Possibly that amendment would cover the objections raised by Mr. Nicholson. The proposal is to add to the definition of "standard rent" the following:—"In the case of a lease of any premises ordinarily leased for holiday purposes the standard rent for any holiday season shall be the rent received for the said premises for any like holiday season during the 12 months preceding the 31st day of August, 1939." Such an amendment would protect the interests of persons owning properties of this kind that are let during the holiday season. If the Bill does not cover anything more than dwelling houses, we might as well not go on with it.

Hon. H. Tuckey: Does not the Federal legislation over-ride that of the State?

The CHIEF SECRETARY: That comes into operation only by proclamation.

Hon. J. J. Holmes: Your suggested amendment would be all right regarding holiday premises.

The CHIEF SECRETARY: Mr. Nicholson desires to exclude farms etc., that are let for holiday purposes.

Hon. J. Nicholson: No.

Hon. H. S. W. Parker: This is where I have a decent "grouse."

Hon. J. Nicholson: The punctuation could be improved.

The CHIEF SECRETARY: Does Mr. Nicholson desire to exempt land comprising a farm, a grazing area, an orchard and a dairy farm?

Hon. J. Nicholson: Yes.

The CHIEF SECRETARY: Whether for holiday purposes or not?

Hon. J. Nicholson: I desire that they should not be brought under the Act.

The CHIEF SECRETARY: I know of premises of that kind that are let for holiday purposes. The hon. member wishes to exempt premises ordinarily let for holiday purposes? If that is so, the amendment does not read in that way.

Hon. J. Nicholson: It depends on how it is read.

The CHIEF SECRETARY: I suggest that Mr. Nicholson goes on with his amendment, leaving out the words "or let for holiday purposes".

Hon. J. NICHOLSON: If we adopt the Chief Secretary's suggestion the Committee will not achieve what was originally intended.

The CHAIRMAN: Should the Committee accept Mr. Nicholson's amendment, that suggested by the Chief Secretary could not be moved.

Hon. J. NICHOLSON: The Chief Secretary's amendment would mean that all places used as holiday resorts would be brought under the Act, and application would require to be made to the court should the standard rent be departed from. People who desired to spend a short holiday in one of these places would probably be unable to do so until so many days had elapsed when the case could be heard before the court. In that way both the owner of the premises and the holiday-seeker would suffer.

Hon. G. Fraser: You desire to give them an open go.

Hon. J. NICHOLSON: No, I do not. I want to make it clear that if those premises are dealt with in my amendment, they will not be subject to the application of the Bill. The position would otherwise become farcical.

The CHAIRMAN: I was hopeful that the Committee would avoid an amendment on the amendment, but it seems that is impossible.

Hon. G. W. MILES: I move—

That the amendment be amended by striking out the words "and premises ordinarily leased or let for holiday purposes."

Hon. G. FRASER: I believe the Committee desires to save people who have holiday premises to let, the inconvenience of having to apply to the court to fix the rental. At the same time, they should not be permitted to charge what they like.

Hon. H. SEDDON: I do not see why such premises should be brought within the scope of the legislation. Mr. Nicholson has presented a sound case for their exemption.

Amendment on amendment put and passed.

Amendment, as amended, put and passed.

The CHIEF SECRETARY: I move an amendment—

That the following words be added to the definition of "Standard rent":—"In the case of a lease of any premises ordinarily leased for holiday purposes the standard rent for any holiday season shall be the rent received for the

said premises for any like holiday season during the 12 months preceding the thirty-first day of August, 1939."

The amendment is elastic and will allow rates that applied last year to be charged this year, but the owners will not be allowed to charge more than the earlier rentals.

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

Clause 4—Restriction on raising rent:

The CHAIRMAN: Mr. Parker has five amendments on the notice paper.

The CHIEF SECRETARY: I may simplify proceedings if I inform the Committee that I have no objection to raise to the amendments suggested by Mr. Parker. I am advised by the Crown Law Department that, although modifying certain details, they do not affect the principle. I am intimating to the Committee that I agree to the amendments in the hope that some discussion may be saved.

On motions by Hon. H. S. W. Parker, the following amendments were agreed to:—

(1) That in lines 1 to 4 of Subclause (1) the words "rent accruing or to accrue due and payable during the operation of this Act under any lease shall not be increased above the standard rent as hereinbefore defined" be struck out, and the words "no rent shall be charged in excess of the standard rent" inserted in lieu.

(2) That in lines 5 to 8 of paragraph (i) the words "improvement or structural alteration of the leased premises (not including expenditure or decoration or repairs)" be struck out and the words "structural alterations" inserted in lieu.

(3) That in lines 9 to 10 of paragraph (i) the word "improvements or" be struck out.

(4) That paragraph (iii) be struck out and the following inserted in lieu:—"(iii) Where the rates are payable by the lessor the standard rent shall be increased by the amount of any increase of rates since the 31st day of August, one thousand nine hundred and thirty-nine."

(5) That paragraph (iv) be struck out and the following inserted in lieu:—"(iv) No increase of the rent or standard rent shall take effect in the case of a lease until the expiry of two weeks after the lessor has served notice in writing on the lessee."

Bill again reported with further amendments and the reports adopted.

## BILL—ROAD CLOSURE.

### First Reading.

Received from the Assembly and read a first time.

### Second Reading.

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [6.9] in moving the second reading said: This is the usual Bill providing for the closure of certain roads and rights of way that is brought down towards the end of each session. The first proposal relates to the closure of two portions of Unicorn-street, Wagin. This proposal is complementary to the provisions of Clause 10 of the Reserves Bill which I have already explained. The portions concerned have not been used as a street for many years, and the Wagin Council now desires to utilise the northern section between Tasman-street and Thornton-street as an extension of an area used for tennis courts, and to include the southern portion in a small ornamental park already planted with trees. There is no departmental objection, and the owners of the abutting land agree to the proposal. The second proposal concerns a short unnamed street off the Boulevard at Mount Hawthorn. As the street serves no useful purpose, the Perth City Council desires it to be closed. The Bill makes provision accordingly. Provision is made in Clause 4 for the closure of that portion of Howick-street, York, lying between Pool-street and Macartney-street. As the Railway Department proposes to close the Howick-street crossing shown on Lithograph No. 3, this particular section will be useless as a street. The York Council has therefore requested its closure. The land on the east side of the proposed closure belongs to the Crown; the land on the west side is owned by the Methodist Church, which has agreed to the proposal. There is no departmental objection. The Geraldton Council desires to improve the recreation grounds lying between Augustus-street and Shenton-street. Certain portions of the reserve, however, are intersected by Evans-street. Part of the scheme of improvement recommended by the Town Planning Commission contemplates the closure of that portion of Evans-street which lies between the other streets I have mentioned. The owners of the land abutting on this section have agreed to the closure.



The Kalgoorlie Council desires to reduce the width of that portion of Woodman-street lying between Wittenoom-street and Piccadilly. This section is about two chains in width, or one chain more than its continuation. The Council is carrying out a scheme of drainage improvement in Wittenoom-street, and the proposed closure would not only facilitate this work, but would also provide two additional building lots. The department has no objection to the closure. The sixth proposal relates to the closure of portion of certain roads in Wagin, mentioned in Clause 7. At present the aerial landing ground at Wagin is too small to provide effective runways, and therefore the Council, after consultation with the Town Planning Commission, proposes to reserve a further area of the common for future extensions. This proposal has the support of the Director General of Civil Aviation. As this will render useless the roads within the proposed new boundaries of the landing ground, the council desires to secure their closure. The final proposal relates to the closure of portions of Pembroke-street in the City of Perth. This closure has been requested by the Perth City Council, which, having acquired the abutting lands, desires to improve the layout of the streets in the locality and to re-subdivide its own lands in order to fit them in with the adjoining subdivisional scheme of the Workers' Homes Board. This proposal has been approved by the Town Planning Board. As the Council is providing land for rights of way for extensions to Dunedin-street and London-street, we propose to vest the portion closed in the City of Perth. I move—

That the Bill be now read a second time.

Hon. J. J. Holmes: I would like an assurance from the Minister that the authorities concerned have agreed to each of these closures.

The HONORARY MINISTER: Yes, they have.

Question put and passed.

Bill read a second time.

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

*In Committee, etc.*

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

Bill read a third time and *passed*.

## BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

### *Assembly's Message.*

Message from the Assembly received and read, notifying that it had disagreed to the amendment made by the Council.

## BILL—NURSES REGISTRATION ACT AMENDMENT.

### *First Reading.*

Received from the Assembly and read a first time.

### *Second Reading.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [7.37] in moving the second reading said: I have a very intimate knowledge of the need for this amending Bill. The object is to give certain country hospitals an opportunity to train nurses, owing to the fact that in the country there are not the opportunities that exist for training at the Perth Hospital, Fremantle Hospital and Children's Hospital. This Bill is designed to extend, where necessary, the period of training in the country and enable girls there to become trained nurses. The proposal is to amend Subsection 3 of Section 5 of the Nurses Registration Act, which provides—

Every person who has attained the age of twenty-one years and is certified as having had not less than three years training in a hospital or training establishment, together with systematic instruction in theoretical and practical nursing from the medical officer and matron of such hospital, and who passes the prescribed examination, shall be entitled to registration on payment of the prescribed fee.

Thus, under the existing legislation the Nurses' Registration Board cannot compel a nurse to train for a period longer than three years. While the board does not desire to disturb the present position in regard to the training period of nurses passing through the Perth, Fremantle and Children's Hospitals, it does consider that discretionary powers are necessary in respect of nurses receiving their training in the Government hospitals. These trainees receive their initial training at Wooroloo Sanatorium. After spending 12 or more months at that institution, they are transferred to one of the larger country hospitals, where they receive further training before finally proceeding to

Kalgoorlie to complete their course. Recently the Medical Department reached an agreement with the board whereby additional country hospitals will be approved as training centres.

The board points out, however, that opportunities for intensive training, such as are afforded in the metropolitan area, are not always available in country hospitals. For example, it is not always possible to arrange for medical officers to give trainees the necessary course of lectures. In view of these difficulties, the board has requested an amendment of the Act which will enable it wherever necessary, to prescribe a course of training longer than the three-year period laid down in the existing legislation. The suggested amendment is embodied in this Bill.

At present we cannot fill the vacancies for nurses, and the Medical Department proposes the passing of this legislation so that girls at the larger country hospitals may become trained nurses. To do this a four-years' course instead of a three-years' course will be prescribed. I assure the House that the measure will be welcomed by a large number of probationary nurses in the country hospitals.

Hon. W. J. Mann: Will the four-years term be discretionary in the country?

The HONORARY MINISTER: At present we cannot fill vacancies from the nurses trained in the metropolitan hospitals.

Hon. A. Thomson: You say the difficulty is that nurses in the country cannot get the necessary lectures?

The HONORARY MINISTER: That is one of the difficulties.

Hon. E. H. Angelo: Whom have the nurses to satisfy after training?

The HONORARY MINISTER: They pass an examination and then obtain registration by the board. Many girls cannot enter the Perth, Fremantle or Children's Hospitals because there is not room for them, and thus a lot of promising girls are denied the opportunity to train.

Hon. L. B. Bolton: Who conducts the examination in the country hospitals?

The HONORARY MINISTER: The hon. member ought to be able to answer that. A shortage of nurses renders the Bill necessary, and doubtless a large number of nurses in the country will avail themselves of the opportunity that this Bill will afford.

Hon. E. H. H. Hall: To which of the large country hospitals do you refer?

The HONORARY MINISTER: I should imagine they would include Geraldton, Bunbury, Katanning and other hospitals of that kind. I move—

That the Bill be now read a second time.

**HON. A. THOMSON** (South-East) [7.44]: This amendment is very necessary. I know of a girl who left a fairly good position because she was desirous of becoming a nurse. She expected to be called up this month, but I understand she has been advised that she cannot be accepted until some time in February. I am glad that the status of nurses who train in the country hospitals will not be inferior to that of nurses who train in the metropolitan area. Perhaps arrangements could be made for a girl to receive part of her training in the city. Mr. Bolton asked the Minister who conducted the examinations. That is another important aspect. Does the board examine?

The Honorary Minister: Medical men conduct the examination.

Hon. A. THOMSON: At Katanning we have two excellent medical officers, quite competent to train probationers and give the necessary lectures on nursing. They, of course, would not conduct the examinations. For that purpose the probationers would have to come to Perth. I support the second reading.

**HON. L. B. BOLTON** (Metropolitan) [7.46]: I have pleasure in supporting the second reading of the Bill. As suggested by the Honorary Minister, I have had some experience of hospitals, and I have known of girls who could not get to the Perth Hospital to complete their training. Thus the nursing professions lost many girls who would have made excellent nurses. Is it intended that the examinations should be conducted in any centre except the cities? The Bill represents a move in the right direction. For some considerable time there has been a shortage of trained nurses both here and in the Eastern States, which I visited recently. I have on more than one occasion suggested to nurses in the East that they should come here, where they would find ample scope.

The Honorary Minister: Many nurses are going East from Western Australia.

Hon. L. B. BOLTON: Yes, and many come from the East to the West. I have pleasure in supporting the second reading.

**HON. H. SEDDON** (North-East) [7.48]: I am not at all satisfied about the Bill, and do not know that it will have the effect stated by the Honorary Minister, although it may attain the objective of the department. The department is short of nurses. Under the existing Act a nurse must serve at least three years in her profession, and then pass an examination to qualify. Before she passes the examination, she must get training at one of the three recognised training schools. The training given to a girl at the Kalgoorlie Hospital, for instance, is such that she obtains an all-round training in every branch of the profession.

The Honorary Minister: So she would under the Bill.

Hon. H. SEDDON: When she gets through the examination at Kalgoorlie, she has had practical experience both in the operating theatre and in special clinics associated with outdoor treatment. These things she gets as well as training in the medical and psychical wards. The Bill takes away the three-years period and substitutes for it the words "certified as having completed the prescribed course." That, in my opinion, is an important alteration.

Hon. L. B. Bolton: Nurses are like apprentices. Many of them learn more in one year than others do in three.

Hon. H. SEDDON: But the girl who passes the examination prescribed for nurses today will require all the three years' training, especially having regard to the lectures. I cannot agree to anything that would lower the standard of nurses in Western Australia. The height of that standard is evidenced by the fact that almost as soon as our girls have completed their training they go to the Eastern States, where they find plenty of scope for their abilities. I fear that if we take a girl into a country hospital, while she will get a certain amount of experience there, she cannot obtain that wide training that would be given in one of the training schools.

Hon. A. Thomson: In country hospitals such as those at Albany, Katanning and Geraldton a good training would be obtained.

Hon. H. SEDDON: But nothing like the training obtainable in such a hospital as that at Kalgoorlie.

Hon. A. Thomson: What is to be done if those hospitals will not take the girls?

Hon. H. SEDDON: I want to know whether the department intends to allow probationers to take their preliminary training in country hospitals, getting their final training in the schools. The Bill merely speaks of "the course as prescribed," which may mean anything.

The Honorary Minister: They will undergo the same examination.

Hon. H. SEDDON: If that is so, and they get the same practical training, I have no objection to the Bill.

**HON. W. J. MANN** (South-West) [7.55]: I presume that the Government's idea is that the better equipped country hospitals shall be given an opportunity to train girls on exactly the same schedule as obtains in the city. I presume, for instance, that the theory examination would be uniform throughout the State. The Collie hospital is one of the best equipped in Western Australia. The people there spent very large sums of money in providing the institution with every possible medical facility. Moreover, the institution has had highly competent nurses and highly qualified doctors. It is just as possible to train a girl thoroughly in a hospital like that as in one of the training schools in Perth. At the same time, I do not wish to minimise the advantage of coming into a recognised training school, or going to some place where a girl's training may be finished. I welcome the Bill, and I believe that if it operates for a long time, the shortage of nurses will be obviated. I would like the Honorary Minister to assure me that the conditions and the remuneration will be the same in the country as in the town.

The Honorary Minister: Those matters are governed by awards.

Hon. W. J. MANN: That is a complete answer. I feel sure that if the system is given a fair chance, before many years girls trained in our country hospitals will be as efficient as the nurses trained in the cities. In the near future there may be a big demand for nurses, and therefore the Bill is being introduced none too soon.

**HON. E. M. HEENAN** (North-East) [7.57]: I support the Bill. I do not think we have any reason to be concerned about our standard of nursing being lowered. It has often occurred to me to ask why such a scheme as this was not evolved earlier. I have known of excellent young women who, desirous of entering the nursing profession, put down their names on the waiting list, years in some cases going by, and thus these young women were deprived of the opportunity of becoming nurses because there were not vacancies at the few hospitals where training is given. The Kalgoorlie hospital is a training centre of a very high class. I would like to say, as I have said here previously during this session, that the standard of some country hospitals has improved vastly, in fact beyond all conception, during the past three years. At Laverton there is a modern, well-equipped hospital with an operating theatre. The same remarks apply to the Leonora Hospital. I am quite confident that at either of those institutions a young girl would get adequate training. It might be desirable that she should be finished in some bigger hospital; but in those hospitals which give a very general training—say the Perth Hospital or the Children's Hospital—nurses are as a rule given largely one class of work for a long period. In smaller hospitals girls get general training, and I am sure that in the course of four years they can be trained to hold their own with nurses trained in more favourable centres. I agree with Mr. Mann as to the possibility that nurses will be greatly in demand during the next few years. Every opportunity consistent with the maintenance of the proper degree of training should be given to young women who are able to enter this profession. In at least two of the hospitals I am quite confident they will receive adequate opportunities for training in my district.

**HON. G. FRASER** (West) [7.59]: I do not wish to offer opposition to the Bill, but I want to be sure that the interests of the public will be protected. I have not had an opportunity of referring to the parent Act. Glancing at the Bill one does not grasp its full meaning. I hope that the Honorary Minister in closing the debate will let us know how the section will read when amended. I want to make sure that when the girls have done their training, they will

be asked to pass an examination under the auspices of suitable persons, though not by persons who have trained them.

The Honorary Minister: Oh no!

**HON. C. F. BAXTER** (East) [8.0]: The Bill should be acceptable to everyone. It does two things. First it will help to bring more nurses into the field, and we all know that there is a shortage of nurses at the present time. Further, it will give country nurses a far better opportunity for training than they have today. At the present time they are under a great disadvantage, but the board can shorten the period of training. The proviso to Section 5 of the Act sets out that the board may accept a certificate of two years' training during a time when two years was generally recognised as the period of training for nurses. Some members asked about examinations. The Act contains provision for a board of five members and that board is to consist of the principal medical officer, a medical practitioner and three nurses. We know that some nurses have not been able to pass in the three-years period and therefore when the Bill becomes law it will be possible to extend the term and the trainees will have the opportunity of completing their course and becoming fully qualified. We should accept the Bill with open arms.

**HON. J. CORNELL** (South) [8.2]: There has been much-ado-about-nothing. If members will turn to the Act, they will find that three years is the period of training and that examinations prescribed by the board must be passed. All that the Bill will do will be to take out the three years and girls will have to complete their training as prescribed by the board. When we see how the board is constituted, hon. members need not be afraid of the standard of the nurses being lowered. The chairman of the board is the principal medical officer and there are also a medical practitioner and three nurses. I happen to know one of the sisters who conducts periodical examinations on behalf of the board in Kalgoorlie, and I am satisfied that she is the last woman in this country who would agree to lowering the standard.

**HON. E. H. H. HALL** (Central) [8.4]: Several members who have spoken have, as has been suggested, read something into the

Bill that is not there. A lot has been said about the added facilities for training in country hospitals. The Bill, however, does not afford extra facilities for training in country hospitals and I hope that the Minister will remember that aspect when he replies. I have a sister who is a nurse and is a member of the A.T.N.A. and with all due respect to Mr. Bolton, I do not agree that we should be prepared to give a certificate to any woman who could pass an examination. I happen to be secretary of the hospital fund in Geraldton and I have discussed this question with the matron of the hospital there. For the information of those who come from Kalgoorlie, I might here interpolate that we are losing that matron because she is being transferred to Kalgoorlie. I asked her how it was that Geraldton girls had to go away from a big hospital like that which we have in Geraldton to start their training elsewhere and she properly replied that it was because lectures could not be arranged by medical men in the town. Anxious as I am that Geraldton girls should be able to train at the very fine public hospital we have in Geraldton, I realise that those trainees must be given the advantage to train at an institution where they can get the most varied experience. As Mr. Cornell said, having failed at their examinations after completing a three-years' course of study and instead of having to wait for another three years, the board could hold a further examination. I should like to see the custom that has been in vogue broken down and training conducted in the principal towns of the State. It should be possible to make arrangements as they are made today in places like Kalgoorlie, for lectures to be given to girls by medical men in those towns. In Geraldton, for instance, there are three practitioners and, be it said to their credit, they give free lectures to ambulance men. It ought to be possible for the Medical Department to make some arrangement with the doctors to deliver lectures to trainees. I support the Bill.

**HON C. H. WITTENOOM** (South-East) [8.9]: I cannot see why practical training cannot be given at hospitals in leading country towns like Geraldton, Bunbury and Albany. I realise that in the course of training the girls must attend lectures in theory and must also gain practical knowledge. I

am not going to say it would not be better for those girls if they could get a certain amount of training at the big hospitals in cities like Perth and Kalgoorlie, but it should be possible to arrange for a training course at ports such as Albany and Geraldton. There the trainees would be brought into contact with accidents and various diseases and so it cannot be said that experience could not be gained there. I cannot see any reason why girls should not get their training in country institutions. Some might object that the theoretical training would not be there, but that could easily be arranged. We know that nurses from Western Australia have made a name for themselves in the other States. There is no doubt that before long there will be a big call for nurses and they will be required to take their places with the troops.

**Hon. J. Cornell**: They are liable to be called up for military service.

**Hon. C. H. WITTENOOM**: I intend to support the Bill and hope members generally will also support it.

**THE HONORARY MINISTER** (Hon. E. H. Gray—East—in reply) [8.11]: When the Nurses Registration Act was originally passed girls had to train at the Perth, Fremantle and Children's Hospitals, while country girls had to begin at Wooroloo and then continue their training at one or two of the Government Hospitals in other parts of the State. At the present time the Fremantle Hospital is the only hospital that can give nurses training both in general nursing and children's nursing; then they continue at the maternity hospital for their maternity certificate and go on to the infectious hospital. Thus they get their triple certificate. This Bill will give greater opportunities to country girls who cannot now acquire a certificate by receiving their training at selected country hospitals under a four-years course, and pass the same examinations as are passed by nurses trained at the hospitals that I have referred to. A girl could begin training say at Norseman and the time spent there would be wasted.

**Hon. L. B. Bolton**: But the time they served at those hospitals would be credited to them.

**THE HONORARY MINISTER**: The girls might not have been able to attend lectures at those places, and so the period of training would in such cases extend over four

years. In the metropolitan area today if a trainee fails after a three-years course she is given the opportunity to submit herself for another examination.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Bill read a third time, and *passed*.

## **BILL—RESERVES (No. 3).**

### *First Reading.*

Received from the Assembly and read a first time.

### *Second Reading.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [8.15] in moving the second reading said: This is the usual Bill brought down towards the end of each Session, and dealing with alterations and adjustments to reserves and lands held under public trusts. On this occasion 12 proposals are involved. The first of these relates to Pinjarra Lot 34, the grant of which was issued many years ago to three trustees of the Independent Order of Good Templars for the furtherance of the cause of temperance. The trustees are now all deceased and the block, which is unimproved, is no longer required for its original purpose. In order that the lot may be granted to the Country Women's Association as a site for a rest room, it is proposed to re-vest the land in the Crown as a preliminary to its disposition under the provisions of the Land Act.

Swan locations 2113 and 2511, formerly comprising portion of Reserve "A" 4228 at Claremont are dealt with in Clause 3. Location 2113 is dedicated to the purpose of a municipal yard and electric light and power station, while the other land is held for municipal purposes. Since the erection of a new sub-station for electric current in this district and the changing over of the system from direct to alternating current, these areas have no longer been required for the purposes mentioned, and the municipality now desires to have them restored to the adjoining recreation reserve. This proposal has been approved by the Town Planning

Board. The Bill provides for the release of both locations from their present dedications in order that they may be reserved for recreation purposes.

Reserve 3411 (Norseman Lot 49) is the subject of the third proposal. The land comprised in this area was originally granted to trustees for the purpose of a mechanics' institute site, but was subsequently re-vested in His Majesty to the intent that it might be granted to the Norseman Mechanics' Institute when that body was incorporated as an association. The present trustees of the Institute have requested the Dundas Road Board to take over the land because the association is unable properly to maintain the building and library. At present the building is in a state of considerable disrepair. The board has signified its willingness to take over the trusteeship, and carry out renovations and repairs. Provision is made in the Bill for the reserve to be set apart for the purposes of a hall site and library and for local Government purposes and vested in the board accordingly.

The fourth proposal concerns Bunbury Lot 226, which is part of Reserve A21917. This land, together with Lots 336 to 339, inclusive, was set aside as park lands in October last, but it has now been found that Lot 226 was included in the reserve through an error. Police buildings are situated on the land, and it is therefore necessary to obtain authority to excise the lot from the Class "A" reserve so that it can again be set apart as a reserve for public buildings.

In Clause 6 the Anzac Memorial hall site at Corrigin is dealt with. The Crown grant for this piece of land was issued to trustees in 1922, and subsequently a soldiers' memorial hall was erected on the site. The road board, however, has erected a much better hall, and as a result the building vested in the trustees is little used. There is, however, a debt of £200 on the latter, and two of the trustees are guarantors to the local bank for this debt. They now desire power to sell the property in order to liquidate the debt. The local branch of the Returned Soldiers' League has supported the request, which has been approved by the State Executive of that body. The Bill proposes to authorise the sale. After the proceeds have been applied in discharging the debt, the

surplus will be paid to the R.S.L. as a donation to the Aged Soldiers and Sailors' Relief Fund.

Both the sixth and seventh proposals relate to endowment lands at Geraldton. Reserve A11385, which is set apart for educational endowment, is intersected by several streets. The Geraldton Council has pointed out that if the corners of these streets could be truncated in accordance with modern town planning principles the intersection would be immensely improved. It also desires to secure the truncation of portion of Geraldton Lot 938, which is held in trust for municipal endowment. The Bill authorises the necessary excisions and reverts the lands in the Crown to the intent that they shall be dedicated to the public as additions to the roads concerned.

Under Clause 9 provision is made for the excision of portion of Reserve A17375 at Crawley. This reserve abuts on the river frontage of the University site and is set apart as a Class "A" reserve for recreation. At present the University authorities have no road access along this frontage, although a track has been used along the reserve boundary. They now desire to have a proper road constructed, and have approached the Main Roads Department and the local authorities concerned in the matter. These bodies, together with the State Gardens Board and the Town Planning Board, are in accord with the proposal, which will involve the resumption of a strip of University land and the excision of a contiguous strip of reserve. The Main Roads Department has agreed to undertake the work of construction. Parliamentary sanction is sought for the necessary excision from the reserve in order that it may be dedicated as part of the Riverside Drive in this locality.

The ninth proposal concerns Reserve A11339 at Wagin, which is set apart for the purposes of water supply and park. The Wagin Council desires to utilise part of this area, together with part of the adjoining street, for tennis courts, and it also desires to extend Thornton-street through the south-eastern corner of the reserve to Arthur-street. In the opinion of the district surveyor, this scheme would considerably improve the locality. The Bill provides the necessary authority for the excision of

portions of the reserve for public highway and recreation purposes.

Provision is made in the Bill for the surrender to the Crown of Swan Location 2123 freed from its present trust. This reserve is held in trust by the Subiaco Municipal Council for the purpose of municipal endowment, but the council has agreed to surrender the land to the Workers' Homes Board in order that it may be dedicated under the leasehold provisions of the Workers' Homes Act. The board and the council have come to an arrangement whereby they will share equally in the cost of roads and footpaths in this area.

The penultimate proposal in the Bill deals with Cottesloe Lot 163 held by the trustees of the Independent Order of Odd-fellows Orphans' Home of W.A. Since the Home was erected in 1904, £6,500 has been expended on the erection of buildings, and a further £27,000 has been devoted to maintenance and the upkeep and education of children. Children to the number of 209 have been admitted and cared for since the inception of operations, but apart from the original grant of land, no assistance has been granted or sought from the Government. At present there are five children in the care of the Home. In recent years the directors have come to the conclusion that the overhead expenses are disproportionate to the amount of relief actually received, and they believe that the investment of a sum of money equal to the value of the land, buildings and equipment would not only be sufficient to enable assistance to be given on a wider scale to orphans, but would also allow of assistance being given to aged members and widows. The Registrar of Friendly Societies has considered a proposal of the committee of management and reported on the matter to the Minister. He is of the opinion that the proposal is in the best interests of all concerned, as the present system of supporting orphans is uneconomical. At the same time, he pays a tribute to the efficient and satisfactory manner in which the Society conducts its affairs. The committee proposes that an unconditional title be issued freed from the trust I have mentioned, in order that it may be in a position to dispose of the property if a suitable offer is obtained. It has agreed that the proceeds of the sale shall be invested, that 75 per

cent. of the income shall be devoted to assisting orphan children and widows of members of the I.O.O.F., and that the remaining 25 per cent. shall be paid to the Grand Lodge for the purpose of assisting aged members of the Society. The Bill provides the necessary authority for the sale and transfer of the land freed from the trust, and stipulates the proceeds of such sale shall be applied in the manner I have mentioned.

The last proposal involves the excision of portion of the endowment lands vested in the Fremantle City Council. The Workers' Homes Board desires to acquire about six acres of these lands for the purposes of the Workers' Homes Act. The Council, which has consulted the Town Planning Board, has no objection to the proposal, and desires also to surrender to the Crown a strip of land about one chain wide abutting on the Workers' Homes site, to provide an extension to Paget-street. Authority for the necessary surrender is provided in Clause 13. Those are the provisions of the Bill.

Hon. J. J. Holmes: Have all the proposals been approved by the local authorities concerned?

The HONORARY MINISTER: Yes. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Bill read a third time, and *passed*.

## **BILL—LICENSING ACT AMENDMENT.**

*First Reading.*

Received from the Assembly and read a first time.

*Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [8.30] in moving the second reading said: This is a small measure to amend Section 98 of the Licensing Act 1911-1934. It is rendered necessary because the Licensing Act, 1923, provided for the taking of a local option poll in 1925 and every

fifth year thereafter. The referendum was taken in 1925, and the result was a very big majority against any alteration. Since then it has been considered somewhat futile to go to the trouble and expense—involving between £7,000 and £8,000—of another referendum when there is hardly any possibility of an alteration being made. The Government has brought down this Bill to provide that the taking of the poll be postponed from 1940, the year in which it should be taken, until 1945. In the past we have had many discussions on this question, but I do not propose to say anything more now. Members will realise, just as well as I do, what the actual position is. If a poll were taken next year it would only mean expending between £7,000 and £8,000 with no tangible results. I move—

That the Bill be now read a second time.

**HON. J. CORNELL** (South) [8.32]: I have no objection to the Bill, but it does seem farcical that we should go on from time to time postponing the taking of a prohibition poll. It appears to me to be absurd. Only one poll has been taken, and this is the third occasion on which we have been asked to extend the period. It would be more open, honest and candid if we repealed the section of the Act providing for the taking of a poll. The position now is that prohibition is as dead as Julius Caesar. Why go on postponing something that ought never to be allowed to continue? What good is served? This is only a round-the-corner way of doing things. I wish to make a few observations concerning the broad question. We are prepared, as the exigencies occur, to postpone the taking of a prohibition poll, but the Government is not prepared to amend the principal Act, which in the light of experience and application cries out for amendment. It is still content to get round an Act of Parliament that is 20 years old, and of which none of the sections has been amended. The Act is due for amendment in the light of present customs and habits of the people. Let me give one simple illustration. The Government is not prepared to tackle the question as it should be tackled by amending the law. According to the law no liquor may be sold on Sunday. The trade is fully prepared to abide by that law, but in certain localities the Government allows hotels to keep open when they ought to be closed. That sort of thing has



been too long tolerated. It is for Parliament and not for the Government to say whether the hotels should be closed or opened on Sunday. My personal view is that a limited amount of Sunday trading should be permitted. I think the Licensed Victuallers would welcome a change of that sort. The advent of the motor car has completely changed the situation from former years, and enabled large numbers of persons to come within the range of being bona fide travellers. I know the members of the Licensing Court. Without endeavouring to depreciate their qualities, I hold the view that not one of them has had the training necessary for the proper administration of this Act, or to place them in a position to recommend the manner in which our licensing laws should be brought up-to-date. The attitude of the trade appears to be "Let sleeping dogs lie, and allow things to remain as they are." That is a very shortsighted policy on the part of the trade, and eventually will rebound upon it. I am safe in saying that 80 or 90 per cent. of the hotels in the State are subservient to the brewing industry of the State, in which there are two breweries. It is a sad commentary on our liquor laws that we should come down to the stage when the hotel trade should be in the hands of the brewing business, though I admit that to a large extent it endeavours to grant definite and legitimate leases. There is no gainsaying the fact that the greater part of the hotel business in Western Australia is in the hands of a few men. Instead of hotelkeepers being the keepers of hotels such as they were in years gone by, they are today merely managers. Their efforts are judged by the law of figures, whether they finish up on the debit or the credit side. The question whether the liquor trade shall continue to enjoy the respect to which it is entitled depends largely upon hotels themselves. That can only come about through the personal equation. When a man is only the manager he is subservient to some higher power, and acts accordingly. Let me cite one centre, namely, Norseman. For many years there was only one hotel in that town and one could search the country before one could find a better man for the position of manager. In the matter of Sunday trading he opened for two hours in the morning and two hours in the afternoon.

The PRESIDENT: I think the hon. member is extending his speech beyond the limits of the Bill?

Hon. J. CORNELL: In what way?

The PRESIDENT: The Bill simply proposes to extend the period for the taking of a local option poll, and does not cover the whole range of the Licensing Act.

Hon. J. CORNELL: The Act should be further amended, and I think I would be in order in moving to that effect in Committee.

The PRESIDENT: By his speech the hon. member is going beyond the scope of the Bill.

Hon. J. CORNELL: Then I am not allowed to indicate what amendments I would like to move in Committee?

The PRESIDENT: Such amendments would not be in order. The hon. member could suggest certain directions in which the Bill might be amended, but he cannot go into the whole of the details concerning amendments to the Licensing Act. Surely he is aware of that.

Hon. J. CORNELL: I bow to your ruling, Mr. President, but there are other means of achieving my object. When we come to the Appropriation Bill I will continue my remarks on this subject. I support the second reading.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Bill read a third time, and *passed*.

## BILL—TRAFFIC ACT AMENDMENT.

*Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 2 to 12 inclusive, 14 to 21 inclusive, and 23, made by the Council; had disagreed to Nos. 1, 13 and 22, and had agreed to No. 24 subject to a further amendment.

## BILL—NOXIOUS WEEDS ACT AMENDMENT.

*Assembly's Message.*

Message from the Assembly received and read notifying that it had disagreed to the amendment made by the Council.

# **BILL—WORKERS' COMPENSATION ACT AMENDMENT.**

## *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

# **BILL—LAND ACT AMENDMENT.**

## *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

# **BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.**

## *Assembly's Message.*

Message from the Assembly notifying that it had disagreed to the amendment made by the Council now considered.

## *In Committee.*

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

Clause 2:—Delete proposed new paragraph (b1), and substitute the following:—(b1) in relation to insurance under Part 1VA of the Traffic Act, 1919-1939.

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

The amendment seeks to impose an unreasonable and unbusinesslike restriction on the transaction of motor insurance business by the State Government Insurance Office.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Members are well aware of the purport of the amendment. The measure is complementary to the Traffic Act Amendment Bill and restricts the State Insurance Office to third-party risk business. The issue has been debated thoroughly on several occasions and the voting was very close. The Government has taken a very definite stand regarding the Bill. If there is to be compulsory third-party risk insurance, the State office must be allowed to deal in comprehensive insurance business as well, and I ask members to reconsider their former attitude. They should remember that the Victorian Parliament by a majority of 19 allowed the State office there to compete with private companies in

the insurance business and that is a reasonable attitude to adopt. I hope members will protect the interests of motorists by allowing the State office to engage similarly in competition with the private companies.

Hon. H. S. W. PARKER: When the amendment went to the vote previously the division list showed four in favour and nine against. I trust the Committee will insist on the amendment.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	14

Majority against .. .. 2

## AYES.

Hon. L. Craig	Hon. E. M. Heenan
Hon. J. M. Drew	Hon. W. H. Klison
Hon. G. Fraser	Hon. W. J. Mann
Hon. E. H. Gray	Hon. T. Moore
Hon. E. H. H. Hall	Hon. A. Thomson
Hon. W. R. Hall	Hon. G. W. Miles

(Teller.)

## NOES.

Hon. E. H. Angelo	Hon. J. M. Macfarlane
Hon. C. F. Baxter	Hon. J. Nicholson
Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. Seddon
Hon. J. T. Franklin	Hon. C. H. Wittenoom
Hon. V. Hawersley	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. H. Tuckey

(Teller.)

## PAIR.

AYE.	NO.
Hon. C. B. Williams	Hon. H. V. Plesse

Question thus negatived; the Council's amendment insisted on.

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

# **BILL—TRAFFIC ACT AMENDMENT (No. 1).**

## *Assembly's Message.*

Message from the Assembly disagreeing to amendments Nos. 1, 13 and 22, and agreeing to No. 24 subject to an amendment, now considered.

## *In Committee.*

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

No. 1. Clause 2 (1):—Delete the words "a day to be fixed by proclamation" and substitute the words "the thirtieth day of June, one thousand nine hundred and forty."

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

If the Bill definitely becomes law on the 30th June, 1940, the premiums committee would be compelled to accept any terms offered by the insurers. Therefore, to protect the motor owners, provision is made to proclaim the Bill if reasonable rates can be mutually arranged.

The HONORARY MINISTER: I move--

That the amendment be not insisted on.

I do not think members realise the danger of the amendment, which would leave motorists at the mercy of the insurance companies. The premiums committee must be given reasonable time before the measure is proclaimed and a disservice will be done to motorists if the amendment is insisted on.

Hon. C. F. BAXTER: I cannot agree with the Honorary Minister. We do not want a repetition of South Australia's experience of introducing third-party risk insurance at a time that does not coincide with the renewal of licenses. If the Government cannot proclaim the measure on the 30th June next, half a year or possibly a full year will have to elapse before third-party insurance can be put into operation. I cannot see what other system the Government can adopt.

The CHIEF SECRETARY: Mr. Baxter's statement is an additional argument against the amendment, for which he was responsible. The Bill provides that the premiums for this insurance shall be fixed by a committee. If we agree that the measure shall come into operation as from the 1st July next, the premiums must be fixed before that date. Presumably, quite a lot of inquiry and possibly argument will occur before a premium rate is fixed, and the companies might sit back and refuse to agree to any rate. Then, with the measure proclaimed on the 1st July, the companies would be able to apply what they considered to be a suitable premium. If a delay of six months occurred there would be no control in that period. The measure will not be proclaimed until a satisfactory premium has been arrived at by the committee. By making third-party insurance compulsory, we shall be giving the companies a monopoly unless we permit the State Insurance Office to transact this class of business.

Hon. C. F. BAXTER: On the premiums committee there will be only two representa-

tives of the insurance companies and the committee will have the experience of South Australia to guide it. There will probably be some loading of costs here as compared with South Australia because of the heavier obligations under this measure. How can the licenses be issued at one period and compulsory third-party insurance be enforced at another period? The two must coincide. The self-same difficulty arose in South Australia and that is what I wish to guard against.

Hon. J. J. HOLMES: The Bill provided that the measure should be brought into force by proclamation, and we amended it by inserting the 30th June. The Minister says if we fix that date, there might be some dispute with the insurance companies, which could charge what they liked. The other side of the story is that if we do not fix the date, the measure might not be brought into operation.

Hon. H. S. W. PARKER: I favour restoring the wording of the clause to a date to be fixed by proclamation. Mr. Baxter appears to have overlooked the fact that under this measure licenses will have a currency of six months or 12 months from the date of issue, the idea being to overcome the congestion caused by issuing all the licenses at the one time. The sooner this measure is proclaimed, the better it will be. Various things have to be done before it can be proclaimed, and I do not think we should insist upon its being proclaimed by a certain date, though I hope it will be possible to proclaim it before the 30th June next. It should be done only in very special circumstances. We should leave this to be done in the ordinary way by proclamation, instead of fixing a definite date. Exceptional happenings might make it wrong to bring the measure into force as suggested. Moreover, the course proposed would increase the congestion in the rush for licenses on the 30th June.

Hon. E. H. ANGELO: The Government shows anxiety to pass legislation protecting the third party. I feel sure Ministers will use every endeavour to get the measure proclaimed as soon as possible. However, as the Honorary Minister said, matters may crop up, investigations may not have been thorough enough to permit of proclamation on the proposed date. I am sure the insurance companies are not anxious unduly to

hurry the deliberations of the premium committee. They want neither to lose money nor to make undue profits over this business.

Hon. J. NICHOLSON: We should consider the position of the public in this matter. The public is placed in an awkward position. Mr. Baxter informed the House that great confusion arose because of the fact that the South Australian Government did not bring its Act into operation until some time after the financial year had started. That resulted in a great deal of trouble because the insurance companies had to grant insurances during a broken period of the year. It seems to me extremely important that a date should be fixed. Surely the period mentioned in the Bill is a reasonable period. I hope the Committee will insist on the amendment, which will save insurers a great deal of trouble.

Hon. G. FRASER: Putting a definite date into the Bill might result in a deadlock. Insurance companies should not be called upon to accept risks on the terms stipulated by the premium committee. I see great danger in that respect. The whole matter could be completed in a few months. Good guidance will be obtainable from what has occurred in other States.

Hon. A. THOMSON: If the schedule of fees to be charged by the insurance companies were embodied in the Bill, I would raise no objection to the measure being proclaimed on the 1st October. If this were a voluntary matter, I would say to the Government, "You have no right to stipulate where I shall take out my policy." The danger of the position is that we have passed a Bill and said to the insurance companies, "This is going to be your possession entirely." On the one hand, the Government asks for the right to proclaim the measure. This being an Act of compulsion, we should throw the responsibility on the Government. I have received many communications from private persons and local authorities asking me to pledge myself to oppose this measure, if it means additional cost to the producer. I shall have to tell my electors that I am sorry I could not secure the insertion in the Bill of the amount of the fee that must be paid for each motor truck and utility truck. I can truthfully say, however, that I did my best to prevent motor car owners of Western

Australia from being exploited either by the Government or by private companies. I consider the request of another place quite reasonable.

The CHAIRMAN: May I suggest a compromise amendment? For instance, the Income Tax Assessment Act Amendment Bill provides for the tax to be deducted from salaries and wages, but the Act is not to come into operation until a date to be proclaimed. Such proclamation shall fix a date not later than the 1st July, 1940. That means the Bill would not come into operation until that date, but it need not be put into effect on that date. As the amendment stands, this Bill must come into operation when proclaimed.

Question put and passed; the Assembly's amendment not insisted on.

No. 13. Clause 9, proposed new Section 57 (3):—Delete the words "a substantial part of whose usual business is such carriage" in lines 26 and 27, on page 9.

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

These words proposed to be deleted have been found necessary in actual practice in administering the South Australian Act, it being considered unfair to compel an owner to take out a heavy insurance policy for casual business.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

The amendment would do great injustice to many motorists and particularly to country people who will be unable to use their trucks for picnics.

Hon. C. F. BAXTER: How can we define "a substantial part" of a person's business?

The Honorary Minister: By using common sense.

Hon. C. F. BAXTER: The matter is not vital.

Hon. L. Craig: It is stupid.

Hon. C. F. BAXTER: I ask the hon. member to withdraw that word.

Hon. L. Craig: I withdraw it.

Hon. C. F. BAXTER: I cannot understand how one can arrive at a definition of "a substantial part" of the usual business

carried on by a person. In my opinion, my amendment is a sound one. However, the matter rests with the Committee.

Hon. J. NICHOLSON: I hope the Committee will insist on this amendment, because the more one considers the clause, the more one realises how impossible it is to understand and construe. The amendment would make it essential to prove that a substantial part of the business of a person is the carriage of passengers.

Hon. L. CRAIG: I desire to disabuse Mr. Baxter's mind of the impression he got when I interjected a moment ago. I have never been accused of being rude in this House; and had my interjection been rude, I would have regretted it very much. As a matter of fact, I was agreeing that part of the clause was difficult to construe. A court would probably have to decide what was a substantial part of a person's business.

Hon. A. Thomson: The major portion.

Hon. L. CRAIG: No, "substantial" does not necessarily mean "major." I think the words should be left in, because a private vehicle would thus be distinct from a vehicle used for hire. It would leave the private car with not quite the same liability attaching to a car used for carrying passengers.

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

Ayes	..	..	..	15
Noes	..	..	..	11
				—
Majority for	..	..		4
				—

#### AYES.

Hon. E. H. Angelo	Hon. W. J. Mann
Hon. L. Craig	Hon. G. W. Miles
Hon. J. M. Drew	Hon. T. Moore
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. E. H. Gray	Hon. A. Thomson
Hon. W. R. Hall	Hon. G. B. Williams
Hon. E. M. Heenan	Hon. E. H. Hall
Hon. W. H. Kitson	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. H. Seddon
Hon. L. B. Bolton	Hon. H. Tuckey
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. J. Holmes	Hon. G. B. Wood
Hon. J. M. Macfarlane	Hon. J. A. Dimmitt
Hon. J. Nicholson	(Teller.)

Question thus passed; the Council's amendment not insisted on.

No. 22. Clause 9, Proposed new Section 77 (2)—Delete the words "the Auditor General as chairman" in line 34, page 28, and substitute the words "a judge of the

Supreme Court or a stipendiary magistrate who shall be chairman."

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

The amendment is not necessary. The Committee will be a committee of experts and the Auditor General is the most competent person to be chairman of the committee.

Hon. J. M. Macfarlane: He is an officer of Parliament.

The HONORARY MINISTER: Yes, and he has the ability, the knowledge and the time to fit him for the position.

The CHAIRMAN: I omitted to give the Assembly's reason for disagreeing to the amendment. It is as follows:—

The premiums committee is a committee of experts. The Auditor General is a specialist in regard to financial problems. He will be accepted as an authority and thus the motor owners will be confident that the premiums eventually recommended have been submitted to the most competent examination by a highly competent officer.

Hon. C. F. BAXTER: The Honorary Minister did not give the Committee any just reason why the amendment should not be insisted on. There is every reason for its being pressed. The Honorary Minister said the Auditor General has plenty of time to do the work. He has the ability and the knowledge, but he has not the time. It is not right to take an executive officer from an important department and put him on a committee of this description. Too much of that sort of thing has been done in the past, not only by this Government, but by other Governments. There seems to be a fetish for overloading competent officers. There is no legal mind on this committee and there ought to be. The most important officer we have in the State is the Auditor General and in the near future his position will become more important than ever owing to the financial position of the State and of the world generally.

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

Ayes	..	..	..	..	16
Noes	..	..	..	..	11
					—
Majority for	..	..			5
					—

## AYES.

Hon. E. H. Angelo  
 Hon. L. B. Bolton  
 Hon. L. Craig  
 Hon. J. A. Dimmitt  
 Hon. J. M. Drew  
 Hon. G. Fraser  
 Hon. E. H. Gray  
 Hon. E. H. H. Hall

Hon. W. R. Hall  
 Hon. E. M. Heenan  
 Hon. W. H. Kitson  
 Hon. W. J. Mann  
 Hon. G. W. Miles  
 Hon. A. Thomson  
 Hon. C. B. Williams  
 Hon. T. Moore

(Teller.)

## NOES.

Hon. C. F. Baxter  
 Hon. J. T. Franklin  
 Hon. V. Hamersley  
 Hon. J. J. Holmes  
 Hon. J. M. Macfarlane  
 Hon. J. Nicholson

Hon. H. S. W. Parker  
 Hon. H. Tuckey  
 Hon. C. H. Wittenoom  
 Hon. G. B. Wood  
 Hon. H. Seddon

(Teller.)

Question thus passed; the Council's amendment not insisted on.

No. 24. New Clause—Insert a new clause after Clause 3, to stand as Clause 4, as follows:—

4. Section four of the principal Act is amended as follows:—

(a) by inserting therein before the definition of "District" a new definition as follows:—

"Approved insurer" means any person or association of persons carrying on the business of insurance who or which has been approved by the Minister as an approved insurer for the purposes of Part IVA. of this Act, and all persons and associations of persons and companies approved under section ten of the Workers' Compensation Act, 1912-1938;

(b) by deleting therefrom the definition of "Owner" and inserting in lieu thereof a definition as follows:—

"Owner" when used in relation to a vehicle which is the subject of a hire-purchase agreement means the person in possession of that vehicle under that agreement, and, when used in relation to a vehicle which is the subject of a hiring agreement (other than a hire-purchase agreement) under which the vehicle is hired for a period of not less than six months, means the person in possession of that vehicle under that hiring agreement. Save as aforesaid the term "owner" means any person who owns a vehicle.

The CHAIRMAN: This new clause was inserted in the Bill. The Assembly suggests an alternative amendment to the definition of "approved insurer" as follows:—

In paragraph (a) line 5, delete all words after the word "insurer," and insert in lieu

thereof the words "under this Part, and includes the State Government Insurance Office as established under the State Government Insurance Office Act, 1938."

Before we proceed, there is a matter that deserves the attention of the Committee. The Bill as it originally came before the Council, had definitions of "approved insurer" and of "owner," in the new Part IVA., dealing with third-party risks. The Honorary Minister persuaded the Committee to delete the definitions of "approved insurer" and "owner" and subsequently to insert them in the definition section of the principal Act. The Committee will observe that the amendment includes the words "for the purposes of Part IVA. of this Act." Another place has asked this Chamber to delete the words "for the purposes of Part IVA. of this Act" and has inserted the words "under this Part." The opinion of another place is that the definition of "approved insurer" will remain in proposed new Part IVA., which is not correct.

The Honorary Minister: Can we not revert to the original amendment?

The CHAIRMAN: Members will find from the Bill that what another place is asking for is the definition of "approved insurer" that was in the original Bill, but is not there now.

Hon. J. Nicholson: As passed by us the clause read "for the purposes of Part IVA."

The CHAIRMAN: Yes. The two things do not now square. If the definitions of "approved insurer" and "owner" were re-inserted where they originally stood, everything would be all right, and if this Committee insists upon its amendment everything will also be all right. Perhaps the Honorary Minister will explain the position.

The HONORARY MINISTER: The only point at which we are at variance with another place is whether we should include the State Government Insurance Office in the paragraph or not. If a mistake has been made, I suggest we re-insert the amendment I had on the notice paper, for that was agreed to by the Committee of this House.

The CHAIRMAN: It appears that another place has overlooked the fact that this was taken out of the definition in proposed Part IVA. and put into the general definitions. This Committee must either disagree with the Assembly's amendment or agree to it.

Hon. J. NICHOLSON: There is only one attitude for this Committee to adopt to rectify an apparent misunderstanding on the part of members of another place. Should we adopt the suggestion of the Honorary Minister we would get further into the maze. The only way to extricate ourselves and another place from the mistake the latter has apparently made is for us to insist on our amendment. The matter can then be adjusted at a conference.

The CHIEF SECRETARY: I disagree with Mr. Nicholson. It appears from what the Chairman has said there may have been a misunderstanding of the extent to which this Bill has been amended by this Chamber. In view of the request of another place, we can take it for granted that it desires to insist on the inclusion of the State Government Insurance Office. If we do not insist on our amendment we shall have agreed with another place to the inclusion amongst the approved insurers of the State office. Should that happen to be in the wrong place in the Bill, that can be put right at a conference.

The CHAIRMAN: It can be done by this Committee.

The CHIEF SECRETARY: That simplifies the issue. The point is whether the State Government Insurance Office shall be an approved insurer or not.

Hon. H. S. W. PARKER: The amendment of another place says that the State Insurance Office and approved insurance companies may carry on under the Act. The danger is that the Minister may only approve of the State Insurance Office and of no other organisation. An amendment was passed to provide that all insurance companies approved under the Workers' Compensation Act should automatically be approved under this legislation. The amendment of another place does not go as far as the Committee of this House desired.

The CHAIRMAN: Do the words "all persons and associations of persons and companies approved under this section of the Workers' Compensation Act 1938" include the State Government Insurance Office? Another place does not think so and has asked for the insertion of those particular words. If the clause does include the State Insurance Office, there is no reason why the amendment should not be agreed to. The discrepancy to which I referred can easily be adjusted here.

Hon. J. NICHOLSON: The matter can be decided only by a conference between the two Houses. It is difficult to follow messages that come to us from time to time, and the arguments that ensue seem to intensify the difficulty. We should insist on our amendment and seek to have the matter adjusted at a conference.

The Chief Secretary: You may not get that opportunity.

Hon. J. NICHOLSON: In our efforts to understand what another place means by this message, we are only getting further befogged. The only sensible thing to do is to insist on the amendment.

Hon. J. J. HOLMES: There is a marked difference between what this Chamber put into the Bill and the amendment made by the Assembly. The effect of our amendment was that all approved insurers under the Workers' Compensation Act would automatically become approved insurers under this measure. The amendment of another place still leaves it to the Minister to say whether he will approve of insurance companies for the purposes of this Act. If we refuse to allow the State Government Insurance Office to become an approved insurer, the Minister may decline to approve of private companies. The position should be clarified.

The CHIEF SECRETARY: The only way in which the position can be clarified is for the Committee to decide whether it is prepared to allow the State office to be an "approved office" under this measure. Members are talking all round the subject, and not making any progress.

Hon. J. J. HOLMES: My point is that if we agree to the amendment, the State Government Insurance Office may be the only "approved office." The Government will have the power to approve of companies, and the result may be that we shall create a monopoly for the State office.

Hon. V. HAMERSLEY: Why should this issue be decided definitely tonight when there is a certain amount of fogginess in my mind on the subject? Side-issues have been raised that are of importance. Cannot the further consideration of the matter be postponed? We have ample time.

The CHAIRMAN: It appears to me that an alternative amendment can be moved. If members think that the Minister might not approve of outside companies under this

legislation and that the State office might be the only approved office for the purposes of the Act, they could move an alternative amendment the effect of which would be to restore the words originally suggested for inclusion, and add a provision that it would also apply to the State office. That would safeguard all the parties concerned. If the Committee wishes to leave in doubt the point as to whether the State office is included, it can disagree to the Assembly's amendment.

Hon. G. FRASER: I am prepared to move an amendment accordingly.

The HONORARY MINISTER: The South Australian Act does not provide for the approving of all insurance companies, but only of those companies that sign an undertaking that they will do business on the basis of the rates supplied by the premiums committee. The Chief Secretary was right when he pointed out that the issue to be determined was whether or not the State office is to be included. I assure Mr. Holmes that the Government does not desire to show him a point. It would not frame an amendment, the effect of which would be to mislead members.

Hon. J. J. Holmes: I did not suggest that.

The HONORARY MINISTER: That was the inference to be drawn from the hon. member's remarks. I propose that we take a vote.

Hon. J. NICHOLSON: I suggest as an alternative amendment to that of the Assembly one that will set out that "Approved insurer" means any duly incorporated company carrying on insurance business in Western Australia under the provisions of the Commonwealth Insurance Act of 1932, and includes the State Government Insurance Office as established under the State Government Insurance Office Act, 1938."

The CHAIRMAN: The question is that the amendment made by the Legislative Assembly to the Council's amendment No. 24 be agreed to. I do not know that Mr. Nicholson's suggested amendment on the Assembly's amendment could be regarded as such, as it amounts practically to a new definition.

Hon. J. NICHOLSON: But the Assembly has apparently made a mistake regarding where we desire to place the definition of "approved insurer."

The CHAIRMAN: That is not material.

Hon. J. NICHOLSON: It is material in that we should comply with the Standing Orders and point out to the Assembly that it has misunderstood our intention. I think an amendment along the lines I suggest would straighten out the difficulty. The only proper alternative at this stage is for us to insist upon our amendment, and allow the Assembly to request a conference at which we could explain the whole matter.

The CHAIRMAN: I shall accept Mr. Fraser's suggested amendment, but I cannot accept Mr. Nicholson's. The Assembly's amendment to the Council's amendment reads—

In paragraph (a), line 5:—Delete all words after the word "insurer" and insert in lieu thereof the words "under this Part, and includes the State Government Insurance Office as established under the State Government Insurance Office Act, 1938."

Hon. G. FRASER: I move—

That the Assembly's amendment on the Council's amendment be agreed to subject to the following amendment:—

Delete the words "line 5:—Delete all words after the word 'insurer' and insert in lieu thereof the words 'under this Part,'" and insert the words "Add at the end of the definition of 'Approved insurer' the words" in lieu.

I want the Committee to come to a decision on the main issue.

Hon. J. NICHOLSON: I have endeavoured to find a way out of the difficulty, and I urge members not to agree to Mr. Fraser's amendment. We should insist upon the Council's original amendment so that the matter can be carefully considered when our minds are clear. To act as suggested must lead to confusion and increase misunderstanding.

Hon. G. FRASER: There is no confusion in my mind. My amendment will determine whether insurance companies including the State Government Insurance Office shall be approved under this measure. That is clear enough.

Amendment (Mr. Fraser's) on the Assembly's amendment put and a division called for.

The Committee divided and the Chairman stated the question.

Hon. J. J. HOLMES: Did I understand you to say, Mr. Chairman, that the amendment moved by Mr. Fraser included approved insurance companies under the Workers' Compensation Act?



The CHAIRMAN: Yes. If Mr. Fraser's amendment is agreed to the definition will then read—

"Approved insurer" means any person or association of persons carrying on the business of insurance who or which has been approved by the Minister as an approved insurer for the purposes of Part IVA of this Act, and all persons and associations of persons and companies approved under Section 10 of the Workers' Compensation Act 1912-1938, and includes the State Government Insurance Office as established under the State Government Insurance Office Act, 1938.

The HONORARY MINISTER: Mr. Fraser's amendment confines the State office to third-party insurance. The Assembly's amendment would provide for general insurance by the State office, including third-party insurance.

Hon. J. Nicholson: No, that is not so.

The CHAIRMAN: I shall put the question, and before tellers are appointed, I give my vote with the Ayes if only for the purpose of arriving at some finality.

Division resulted as follows:—

Ayes	..	..	16
Noes	..	..	12
<hr/>			
Majority for	..	..	4
<hr/>			

#### AYES.

Hon. J. Cornell	Hon. E. M. Heenan
Hon. L. Craig	Hon. W. H. Kitson
Hon. J. A. Dimmitt	Hon. W. J. Mann
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. A. Thomson
Hon. E. H. H. Hall	Hon. C. B. Williams
Hon. W. R. Hall	Hon. H. S. W. Parker
	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. L. B. Bolton	Hon. H. Seddon
Hon. J. T. Franklin	Hon. H. Tuckey
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. J. Holmes	Hon. G. B. Wood
Hon. J. M. Macfarlane	Hon. E. H. Angelo
	(Teller.)

Amendment on Assembly's amendment thus passed; the Assembly's alternative amendment, as amended, agreed to.

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

## BILL—NOXIOUS WEEDS ACT AMENDMENT.

### Assembly's Message.

Message from the Assembly notifying that it disagreed to an amendment made by the Council, now considered.

### In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

New clause:—Insert a new clause after Clause 9 to stand as Clause 10, as follows:—"10. Section 29 of the principal Act is amended by deleting the words "within one mile of cultivated land.""

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

It is considered impracticable to eradicate all weeds declared as noxious from every part of the State irrespective of the distance from cultivated land.

The HONORARY MINISTER: I move—That the amendment be not insisted on.

After consideration I see that the amendment is impracticable.

Hon. H. TUCKEY: The object of the amendment was to endeavour to bring the Government into line with local authorities. It does not follow that local authorities would insist on the Government eradicating noxious weeds all over the State. Their desire would be only that the Government should eradicate them in such places where they would be a menace to farmers and others. The Government, while insisting upon local authorities doing their part in the matter, does not propose to do its part. However, it is useless to insist on the amendment.

Hon. G. B. WOOD: I hope the Committee will insist on the amendment. It is ridiculous to suggest that the proposal is to eradicate all noxious weeds in the State.

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

Ayes	..	..	14
Noes	..	..	12
<hr/>			

Majority for .. .. 2

#### AYES.

Hon. E. H. Angelo	Hon. E. M. Heenan
Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. J. A. Dimmitt	Hon. W. J. Mann
Hon. J. M. Drew	Hon. G. W. Miles
Hon. J. T. Franklin	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. Gray	Hon. W. R. Hall
	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. H. Seddon
Hon. L. Craig	Hon. A. Thomson
Hon. E. H. H. Hall	Hon. H. Tuckey
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. G. B. Wood
Hon. J. Nicholson	Hon. J. J. Holmes
	(Teller.)

Question thus passed; the Council's amendment not insisted on.

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

### ORDER OF BUSINESS.

The CHIEF SECRETARY: I move—

That Order of the Day No. 10 (Factories and Shops Act Amendment Bill, No. 2) be considered next.

Question put, and declared passed on the voices.

Hon. H. Seddon: Mr. President, I voted against that motion.

The PRESIDENT: Does the hon. member call for a division?

Hon. H. Seddon: I thought a division might be taken. A fair thing is a fair thing.

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

Ayes	..	..	..	12
Noes	..	..	..	15

Majority against	..	3
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#### AYES.

Hon. E. H. Angelo	Hon. E. M. Heenan
Hon. J. M. Drew	Hon. W. H. Kilson
Hon. J. T. Franklin	Hon. G. W. Miles
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. R. Hall	Hon. T. Moore

(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. L. Craig	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. E. H. H. Hall	Hon. C. H. Wittenoom
Hon. V. Hamersley	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. H. Tuckey
Hon. J. M. Macfarlane	

(Teller.)

Question thus negatived.

The PRESIDENT: I shall call the items in the order in which they appear on my notice paper. The next is Order of the Day No. 5, Financial Emergency Tax Assessment Act Amendment Bill, second reading.

The CHIEF SECRETARY: I move—

That the House do now adjourn.

Question put and passed.

House adjourned at 10.57 p.m.

## Legislative Assembly,

Wednesday, 29th November, 1939.

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

### QUESTIONS (2)—RAILWAYS.

*Axles for "S" Class engines.*

Mr. STYANTS asked the Minister for Railways:—Pursuant to the answers given by him to questions asked by me on 22nd inst., re axles for the proposed "S" class locomotives.—1, If the axles are not being received in a more completed form, what is responsible for the enormous increase in price as compared with that paid recently for "P" class axles? 2, Were the axles for the "P" class engines when received from the Eastern States turned to length, centred and the work of relieving centres between journals done as is now the case with the "S" class axles? 3, Is it correct that piston rods, which have previously been made in Midland Junction, are now being imported from Broken Hill or somewhere else in the Eastern States?

The MINISTER FOR RAILWAYS replied: 1, Axles for "P" class engines were ordered as heat-treated forgings and priced