

THE MINISTER FOR TRANSPORT
(Hon. C. H. Simpson—Midland—in reply)
[9.36]: I can reply only briefly to one or two of the points raised by Mr. Watson because naturally I am not very familiar with the ramifications of the legal profession. However, I understood from Sir Ross McDonald that the members of that profession had been compelled, because of the heavy annual drain on their resources and the increasing price of books, to cut down their contributions to their own library, the contents of which are of advantage not only to themselves but to other sections of the community as well.

I understood, too, that it was their desire, if relieved of this burden, to devote that money to building up their own library so that every section of the community concerned would benefit. I am very pleased that the members who have spoken have paid the profession what I think is a very well-deserved compliment. I, too, am sorry that other sections of the community have not seen fit to follow their example; but I think that in the circumstances the legal profession has established a case, and I have no doubt that members will support the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—AGRICULTURE PROTECTION BOARD.

Assembly's Message.

Message from the Assembly received and read, notifying that it had agreed to amendments Nos. 3, 4 and 5 made by the Council, and had disagreed to Nos. 1, 2 and 6.

BILL—THE FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT.

Returned from the Assembly without amendment.

House adjourned at 9.43 p.m.

Legislative Assembly.

Thursday, 23rd November, 1950.

CONTENTS.

| | Page |
|---|------|
| Questions : Education, (a) as to hostel accommodation for students, Northam | 2166 |
| (b) as to appointment of Director | 2166 |
| Wundowie Industries, (a) as to capital value | 2166 |
| (b) as to revaluation of assets | 2166 |

CONTENTS—continued.

| | Page |
|---|------|
| Electricity supplies, as to South Fremantle power station | 2166 |
| Children's Protection Society, as to land for new premises | 2166 |
| Railways, (a) as to concession to pensioners | 2166 |
| (b) as to departmental report | 2167 |
| S.P. Betting, as to introducing legislation | 2167 |
| Timber mills, (a) as to precautions against fire | 2167 |
| (b) as to departmental regulations | 2167 |
| Kalgoorlie abattoirs, as to closure | 2168 |
| Salt, (a) as to importation from Germany | 2168 |
| (b) as to local supplies | 2168 |
| Prohibition referendum, as to effect and Government proposals | 2168 |
| Superannuation and pensions, as to increasing | 2168 |
| Trolleybus service, as to Mt. Hawthorn route | 2169 |
| Suspension of Standing Orders | 2169 |
| Assent to Bill | 2181 |
| Bills : Native Administration Act Amendment, 1r. | 2170 |
| Lunacy Act Amendment, 1r. | 2170 |
| Bankruptcy Act Amendment, 3r. | 2170 |
| Commonwealth Jubilee Observance, 3r., (point of order, dissent from Speaker's ruling, point of order), passed | 2170 |
| City of Perth (Leederville Park Lands), report, 3r. | 2171 |
| State (Western Australian) Alunite Industry Act Amendment, report, 3r. | 2171 |
| Main Roads Act (Funds Appropriation), 2r., remaining stages | 2171 |
| Vermion Act Amendment, returned | 2172 |
| Gas Undertakings Act Amendment, returned | 2172 |
| Child Welfare Act Amendment, 1r. | 2172 |
| Railway (Port Hedland-Marble Bar) Discontinuance, 1r. | 2172 |
| Fremantle Harbour Trust Act Amendment, 1r. | 2172 |
| Lotteries (Control) Act Continuance, 2r., Com. (point of order, dissent from Chairman's ruling, personal explanation) | 2172 |
| Reserve Funds (Local Authorities), Council's message | 2181 |
| Land Act Amendment, 2r. | 2181 |
| Constitution Acts Amendment (No. 2), 2r. | 2183 |
| Agriculture Protection Board, Council's message | 2184 |
| Administration Act Amendment, 2r., Com., report | 2185 |
| The Fremantle Gas and Coke Company's Act Amendment, 2r., remaining stages, passed | 2187 |
| Annual Estimates, 1949-50, Com. of Supply : Votes and items discussed | 2187 |
| Adjournment, special | 2195 |

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

QUESTIONS.

EDUCATION.

(a) *As to Hostel Accommodation for Students, Northam.*

Hon. A. R. G. HAWKE asked the Minister for Education:

(1) Is he aware that hostel accommodation is not sufficient at Northam to meet requirements of students from other districts attending the Northam High School?

(2) If so, does the department intend to take any steps for the purpose of trying to overcome the shortage of accommodation?

The MINISTER replied:

(1) Yes.

(2) The department is giving consideration to the question of overcoming the accommodation shortage.

(b) *As to Appointment of Director.*

Mr. FOX (without notice) asked the Minister for Education:

When making the appointment of the Director of Education, will he ensure that a local man gets the appointment to which a local person is justly entitled?

The MINISTER replied:

The appointment of Director of Education is not within the competence of the Minister for Education. All professional officers in the Education Department, over and including the rank of inspector, are subject to the Public Service Act. Therefore, recommendations must come under the Public Service Act, subject to the conditions of that Act and from the Public Service Commissioner.

WUNDOWIE INDUSTRIES.

(a) *As to Capital Value.*

Hon. A. R. G. HAWKE asked the Minister for Industrial Development:

What is the present estimated capital value of the charcoal-iron, wood distillation and saw-milling industries being operated by the Government at Wundowie?

The MINISTER replied:

To answer this question with any accuracy would require a revaluation of the premises and plant. The book value, however, is shown at £668,793.

(b) *As to Revaluation of Assets.*

Hon. A. R. G. HAWKE (without notice) asked the Minister for Industrial Development:

This question concerns the answer which he has given to my question asked on notice today regarding the capital value of the industries at Wundowie. Would the Minister be prepared to ask the board

of management to carry out a revaluation of the assets there and carry it out as early as possible?

The MINISTER replied:

I will go so far as to say that I will discuss the matter with the chairman of the board of management as soon as I can.

ELECTRICITY SUPPLIES.

As to South Fremantle Power Station.

Mr. GRAHAM asked the Minister for Works:

Approximately when does he expect that South Fremantle power station will be in commission?

The MINISTER replied:

Sections of the plant have now progressed past the construction stage, and checking and testing are proceeding. Work in the present stage is of an indefinite nature, making it difficult to nominate an approximate commissioning date.

South Fremantle is scheduled to relieve East Perth of portion of this coming winter's load.

CHILDREN'S PROTECTION SOCIETY.

As to Land for New Premises.

Mr. GRAYDEN asked the Minister for Child Welfare:

(1) Is he aware that the Children's Protection Society is providing a valuable public service by running a creche at its Stirling-street premises?

(2) Is he aware that the society's present premises are unsuitable for this purpose?

(3) Is he aware that the society has sufficient funds to build suitable premises but cannot obtain any suitable land for the purpose?

(4) Will the Government give consideration to providing a block of land in the near-city area on which the society can erect such premises?

The MINISTER replied:

(1), (2), (3): Yes.

(4) Many efforts have been made to secure a suitable piece of land. The Government has to consider the needs of Government departments in respect of the very small areas of land held by it and suitably situated for such purpose, and so far it has not been possible to make any land available. Efforts are continuing.

RAILWAYS.

(a) *As to Concession to Pensioners.*

Mr. BRADY asked the Premier:

(1) Is he aware that in New South Wales pensioners receiving full or part pensions are allowed a concession on the railways?

(2) Will he give consideration to granting pensioners in Western Australia a similar concession?

The PREMIER replied:

(1) Yes.

(2) Consideration has already been given to this matter. It is understood New South Wales is the only State which provides such concessions.

(b) As to Departmental Report.

Mr. STYANTS (without notice) asked the Minister representing the Minister for Railways:

About three weeks ago I asked the Minister representing the Minister for Railways when the report of the Railway Department, for the year 1949-1950, would be available. He said that he was almost certain that it would be available before the end of this session. As we have now started on the General Estimates, is the Minister in a position to say whether members will be furnished with the report of the department in time for them to use it in discussion on the Estimates this session?

The MINISTER FOR EDUCATION replied:

I regret that I am not in a position to inform the hon. member definitely but at the time he asked me the question I made inquiries from the Commissioner's office and I was assured that the position would be as I stated. I will make further inquiries in the hope of obtaining a report for the hon. member.

S.P. BETTING.

As to Introducing Legislation.

Mr. McCULLOCH asked the Premier:

(1) In view of the opinion expressed by the Commissioner of Police in his annual report to Parliament that s.p. betting should be controlled in this State in the public interests, does he intend to bring down legislation to implement the Commissioner's recommendations?

(2) If not, why not?

The PREMIER replied:

(1) and (2) The Commissioner's report will receive consideration but legislation will not be introduced this session.

TIMBER MILLS.

(a) As to Precautions Against Fire.

Mr. YATES asked the Minister for Forests:

(1) How many timber mills have been partially or totally destroyed by fire during the past three years?

(2) Do mill owners have to provide adequate fire-fighting facilities sufficient to satisfy the Forests Department?

(3) Is he satisfied that all reasonable precautions were taken in cases where fires occurred?

(4) Have steps been taken to tighten up the safety precautions against future fires which might occur in existing timber mills?

The MINISTER replied:

(1) Eight (8) mills totally or partially destroyed since the 1st January, 1948. The fires all started within the mill itself.

(2) No, not under the present Act and regulations. The Crown Solicitor has expressed the opinion that a regulation could be made under the Forests Act to provide for the inclusion of a condition in any permit granted to a sawmilling permit holder to the effect that the permit holder shall take such precautions deemed necessary by the Conservator to prevent outbreaks of fire in the mill.

Under the Bush Fires Act (Section 16) where the occupier of a sawmill uses a fire on the premises of his sawmill to consume or dispose of sawdust and waste timber in such sawmill, he must cause reasonable precautions to be taken for the purpose of preventing such fire from spreading or becoming a source of danger to persons or property.

(3) No.

(4) Sawmillers have been encouraged by the department to—

(a) install step-grate furnaces for the burning of sawdust as fuel;

(b) use diesel engines at small mills to minimise the fire risk.

As a result of the department's representations, steps have been taken to improve the water supply position at various mills, and the department's work with power pumps in saving mills and mill buildings has stimulated action by the sawmillers on similar lines.

The department has also, for many years, arranged adequate burning around sawmills to prevent the mills being swept by bushfires.

(b) As to Departmental Regulation.

Mr. YATES (without notice) asked the Minister for Forests:

The reply given to my question seems to be somewhat ambiguous. Has not a regulation yet been promulgated under the Forests Act dealing with safety precautions against fire in timber mills? If not, why not?

The MINISTER replied:

After the disastrous fire at the Worsley timber mill last week, I caused inquiries to be made to find out what extra fire precautions had been installed since the disastrous fires at Jarrahwood, Jarrahdale and Jardee. On receiving a report from the general manager of the State Saw

Mills, indicating what had been done in the State mills, I was advised that the Forests Department had been instructed by my predecessor to promulgate a regulation tightening up these fire precautions. On making inquiries I find that nothing has been done, but I can assure the hon. member that tomorrow morning something will be done and a regulation will be promulgated forthwith to see that these companies do install proper fire-fighting equipment.

KALGOORLIE ABATTOIRS.

As to Closure.

Mr. OLIVER asked the Minister representing the Minister for Agriculture:

(1) Is it a fact that the Government has closed the Kalgoorlie abattoirs and dispensed with the services of the staff?

(2) If the answer is "yes," what was the cause of the abattoirs being closed?

The MINISTER FOR LANDS replied:

(1) Yes.

(2) Refusal of master butchers to purchase livestock and operate at abattoirs.

SALT.

(a) As to Importation from Germany.

Mr. McCULLOCH asked the Minister for Supply and Shipping:

(1) Is it a fact that a ship arrived at Fremantle on Tuesday, 21st November, from Germany with a consignment of 4,000 tons of salt for distribution in Australia?

(2) If the reply to (1) is in the affirmative, what is the reason for importing salt to Australia?

The MINISTER replied:

(1) Yes. According to today's issue of "The West Australian" the amount of salt is 7,000 tons consigned to Brisbane.

(2) I do not know the reason for its importation.

(b) As to Local Supplies.

Mr. McCULLOCH (without notice) asked the Minister for Supply and Shipping:

In view of the answer given by the Minister—

(1) Is she aware that there is an abundance of salt at Pink Lake, Esperance, Lake Lefroy and Lake Cowan?

(2) Therefore, if salt is required, will she have those locations exploited?

The MINISTER replied:

(1) and (2) Yes, I am aware that we have plenty of salt in this State. I have visited the salt fields referred to and I realise that we have an unlimited supply here but the hon. member must realise that this salt is not coming to Western Australia but is going to Brisbane. That is why I do not know the reason for its importation.

Hon. F. J. S. Wise: And a Russian ship has brought it.

The MINISTER FOR SUPPLY AND SHIPPING: It might have been brought in as ballast for all I know.

PROHIBITION REFERENDUM.

As to Effect and Government's Proposal.

Mr. MANNING (without notice) asked the Premier:

If the prohibition poll is decided in the negative, will the Government accept this as an indication that liquor reform is not desired?

The PREMIER replied:

No. The Government has been giving consideration to amendments of the Licensing Act, and it is intended to bring those amendments before Parliament next session. I would say at this stage that one of the most desirable amendments would be in regard to the section relating to bona fide travellers. When the legislation was originally introduced, that section was never intended to be carried out as it is today. The member for Murchison referred to drunken driving, and I think there is a lot in what he said. Consideration should be given to that aspect. There are other amendments that are desirable, and consideration will be given to them. There seems to be a good deal of misunderstanding about the poll. The Government, as members know, is only carrying out the law which is that there shall be a prohibition poll. Parliament did not agree to a further postponement, with the result that the poll has to be held. I also note that there has been some comment about compulsory voting. The Government is not responsible for the compulsory voting position. The Electoral Act contains provision for compulsory voting, and the Crown Law ruling is that it applies to the liquor poll.

SUPERANNUATION AND PENSIONS.

As to Increasing.

Hon. F. J. S. WISE (without notice) asked the Premier:

(1) Is the Premier aware of the plight of pensioners who are members of the State Public Service Retired Employees and Superannuated Officers' Association due to the acute cost of living as applying to them?

(2) If he is so aware, will he take steps this session to do something to alleviate their position?

The PREMIER replied:

I did not have any previous indication that this question would be asked. Nevertheless, I have been making inquiries to find out what is happening in the other States. The Government has given careful consideration to requests which have been

made for amendments to the Superannuation Act of 1871 and the Superannuation and Family Benefits Act of 1938-1947, to provide for increased payments in view of the depreciation in the purchasing power of money. The Public Service Commissioner has made inquiries and has found that the Commonwealth, to a limited extent, and Victoria are the only two other Governments which have so far made further increases beyond those already approved in Western Australia. In those circumstances, the Commissioner has recommended against action being taken this session and the Government has accepted his recommendation.

TROLLEY-BUS SERVICE.

As to Mt. Hawthorn Route.

Mr. W. HEGNEY (without notice) asked the Minister representing the Minister for Transport:

Further to my question last month and his reply indicating that it was expected that the trolley-bus service to Mt. Hawthorn would commence on the 15th December next, can he now state the approximate date on which such service will actually commence?

THE MINISTER FOR EDUCATION replied:

I will obtain the information and advise the hon. member if possible.

STANDING ORDERS SUSPENSION.

THE PREMIER (Hon. D. R. McLarty—Murray) [4.49]: I move—

That until otherwise ordered, the Standing Orders be suspended so far as to enable Bills to be introduced without notice and to be passed through all their remaining stages on the same day, all Messages from the Legislative Council to be taken into consideration on the same day they are received, and to enable resolutions from the Committees of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees.

It will be remembered that in reply to the Leader of the Opposition I indicated it was my intention to bring this motion forward. This is the usual custom and is what occurs at this time of the year. I assure members that reasonable adjournments will be given. It is not proposed to bring down Bills and ask members to deal with them before they have had time to give consideration to them and where adjournments are sought members will be allowed a reasonable time to discuss them. Just about all the Bills or, I think, all of them, are now on the notice paper. I had better not be too emphatic on that point, as I think there are two in the Legislative Council. I should like to make

this announcement also. I am sorry I did not see the Leader of the Opposition, although I indicated to him several days ago that the House would meet earlier in the future and that I proposed to move this evening, when the House adjourns, that we should meet at 3 o'clock on Tuesday instead of 4.30 p.m.

HON. A. R. G. HAWKE (Northam) [4.52]: There is no objection to this motion on the question of principle. It deals mainly, if not entirely, with Bills. Members of the Opposition in particular were last year denied an opportunity to discuss the departmental Estimates, and the indications at present appear to be that members generally will have little or no opportunity to do so this year. Some of the Estimates deal with very important departments, as well as those that are not so important. Because of the failure of the Government to give members of the Opposition in particular, and members generally, an opportunity to discuss departmental Estimates properly or at all last year, some of them are especially anxious to have a reasonable chance of doing so this year. I trust, therefore, that the Premier will keep that matter in mind and will not take any action similar to the unfair action he took last year in connection with this matter.

Mr. Marshall: This will be the third year when there is no discussion.

THE PREMIER (Hon. D. R. McLarty—Murray—in reply) [4.53]: I think members will have full opportunity to discuss the Estimates. As they can see, the notice paper is not overloaded in regard to legislation and, as I indicated, the House will meet earlier each day, when ample time should be provided for a full consideration of the Estimates. It is unfortunate that when Parliament meets we cannot get down to business more rapidly. All members who have been in this Chamber for any length of time know that the Address-in-reply debate goes on for a considerable period, and it is difficult to find members to speak. The consequence is that we have early adjournments, and that goes on for some considerable time. It is only fair that I should at this stage give a warning to members that when the next session commences the Government will have a considerable portion of its legislative programme ready, and if members are not prepared to go on with the Address-in-reply and sit to a reasonable hour, then the Address-in-reply debate will be concluded. I do not think there can be any objection to that. The present practice has gone on ever since I have been here. Again I assure the Deputy Leader of the Opposition that every endeavour will be made to provide members with every opportunity to discuss the Estimates.

Question put and passed.

BILLS (2)—FIRST READING.

- 1, Native Administration Act Amendment.
Introduced by the Minister for Native Affairs.
- 2, Lunacy Act Amendment.
Introduced by the Minister for Health.

BILL—BANKRUPTCY ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—COMMONWEALTH JUBILEE OBSERVANCE.

Third Reading.

THE MINISTER FOR EDUCATION
(Hon. A. F. Watts—Stirling) [4.55]: I move—

That the Bill be now read a third time.

Point of Order.

Hon. J. T. Tonkin: This Bill proposes to declare an additional public holiday in 1951, and when the Government employees work on a public holiday they get time and a half, or double time. Because there is an additional public holiday in 1951, the expenditure of the Government will be increased in that year through paying this time and a half and double time. Therefore, the Bill imposes a burden on the Crown, and it was not accompanied by a Message. According to our Standing Orders, and to your ruling the other evening, Mr. Speaker, as the Bill imposes a burden on the Crown, it must be accompanied by a Message from His Excellency. This Bill has not been accompanied by one, and I submit we cannot pass it.

Mr. Speaker: Section 46 (8) of the Constitution Acts Amendment Act reads—

A vote, resolution, or Bill for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by Message of the Governor to the Legislative Assembly.

The wording is quite clear to me at least, if not to the House; that is, that in the same session there must be a Message. The reason why normally private Bills are ruled out when no Message is produced during the second reading is that the Government is not going to produce a Governor's Message for a private member. As I see the position, the Message in this instance can come during the next few days, if required, and will be before the Chair. I rule that the Bill is in order.

Hon. J. T. Tonkin: This is the third reading of this Bill, and it will be the last opportunity we shall have of raising this point. You will remember, Mr. Speaker, that you said the other evening that a certain Bill in connection with which I raised a similar point, could not be dealt with because it had not been taken when the Bill was under discussion.

Mr. Speaker: That is so.

Hon. J. T. Tonkin: We have to know where we are. We have either to take the point when it is under discussion and have it upheld, or else take it subsequently. The Standing Order distinctly says a certain class of Bill cannot be passed unless appropriation is recommended by a Message. If we pass the third reading of this Bill we will have no further say in connection with it. Therefore, I raise the point. It seems to me that the position is on all fours with that of the other evening, because who was there to say—you certainly did not have the information at the time, Mr. Speaker—that the Government would not be prepared to get a Message from His Excellency later on, more especially as the Premier had declared his approval of some of the provisions of the Bill?

Dissent from Speaker's Ruling.

Mr. Speaker: To which Bill is the hon. member referring?

Hon. J. T. Tonkin: The Workers' Compensation Act Amendment Bill. Who was there to say that in due course a Message from the Governor would not have been forthcoming for that Bill as you anticipate in connection with this Bill? But you did not take that point then. I move—

That the House dissent from the Speaker's ruling.

Question put and declared negatived.

Hon. J. T. Tonkin: Divide! It is as well to have this on record. We must have consistency in order to know where we are.

Division resulted as follows:

| | | | | |
|------------------|------|------|------|----|
| Ayes | | | | 20 |
| Noes | | | | 24 |
| Majority against | | | | 4 |

Ayes.

| | |
|---------------|---------------|
| Mr. Brady | Mr. May |
| Mr. Coverley | Mr. McCulloch |
| Mr. Fox | Mr. Needham |
| Mr. Graham | Mr. Oliver |
| Mr. Guthrie | Mr. Rodoreda |
| Mr. Hawke | Mr. Sewell |
| Mr. J. Hegney | Mr. Sleeman |
| Mr. W. Hegney | Mr. Styants |
| Mr. Hoar | Mr. Tonkin |
| Mr. Marshall | Mr. Kelly |

(Teller.)

Noes.

Mr. Ackland
Mr. Brand
Mrs. Cardell-Oliver
Mr. Cornell
Mr. Doney
Mr. Grayden
Mr. Griffith
Mr. Hearman
Mr. Hill
Mr. Hutchinson
Mr. Manning
Mr. McLarty

Mr. Nalder
Mr. Nimmo
Mr. Owen
Mr. Perkins
Mr. Read
Mr. Shearn
Mr. Thorn
Mr. Totterdell
Mr. Watts
Mr. Wild
Mr. Yates
Mr. Bovell

(Teller.)

Pair.

No.

Aye.
Mr. Panton

Mr. Abbott

Question (dissent) thus negatived.

Point of Order.

Hon. A. R. G. Hawke: On a point of order, Mr. Speaker, will the Premier supply you with the necessary Message this year or next year?

The Premier: I understand you have ruled, Mr. Speaker, that a Message is not necessary.

Hon. A. R. G. Hawke: The Premier has now led the House to believe that you ruled that no Message is necessary in connection with this Bill at any time.

Mr. Speaker: I am not bound by anything the Premier has said.

Hon. A. R. G. Hawke: Can you indicate whether a Message is required, in your opinion?

Mr. Speaker: If it is shown that expenditure on the part of the Crown is involved, there may be need for a Message; otherwise there will not be. It seems to me that the Message, if required, must come during the same session.

Hon. A. R. G. Hawke: Before the Bill is passed?

Mr. Speaker: If the hon. member desires to be very meticulous, it is not necessary for him to tell me that the word "passed" means "passed the third reading." It may mean before the Bill is passed finally and has been assented to by the Governor. The necessity for a Message could be checked up in the final stage. No lawyer would contend that a measure has been passed or would recognise it as law until the final stage had been completed. Therefore I suggest that the word "passed" means the completion of the full procedure right up to the assent by the Governor. As I have stated, we are not concerned at the moment about a Message, because I take it that the appropriate officer will see that a Message is sent along before the end of the session, if that is necessary.

Mr. W. Hegney: In view of your remarks Mr. Speaker, why did you rule out my Bill to amend the Workers' Compensation Act?

Mr. Speaker: I have explained that already.

Debate Resumed.

MR. McCULLOCH (Hannans) [5.9]: I hope the Minister is aware that some public holidays are not paid holidays for certain workers. Can the Minister inform me whether the 9th May of next year will be a paid holiday for such men?

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling—in reply) [5.10]: There is nothing in the Bill to indicate that the 9th May shall be a paid holiday. I understand that in a great number of awards where a public holiday is declared, provision is made for payment. When I introduced the Bill, I did not indicate in any way that it would be other than a public holiday, which it had been decided throughout Australia to observe as a national day of jubilation and this State had agreed to fall into line with the other States. I suggest to the hon. member that, should any difficulty crop up with some small section of industry where the employees would not be paid, the matter could be investigated.

Question put and passed.

Bill read a third time and *passed*.

BILL—CITY OF PERTH (LEEDERVILLE PARK LANDS).

Report, etc.

Report of Committee adopted.

Bill read a third time and transmitted to the Council.

BILL—STATE (WESTERN AUSTRALIAN) ALUNITE INDUSTRY ACT AMENDMENT.

Report, etc.

Report of Committee adopted.

Bill read a third time and transmitted to the Council.

BILL—MAIN ROADS ACT (FUNDS APPROPRIATION).

Second Reading.

THE MINISTER FOR WORKS (Hon. D. Brand—Greenough) [5.12] in moving the second reading said: This is more or less a formal measure similar to others that have been introduced from time to time. The intention is to re-enact the legislation of 1947, which had a duration of three years. Since 1941, Acts have been passed for the purpose of transferring to Consolidated Revenue the 22½ per cent. of the net balance of the Metropolitan Traffic Trust Account previously payable to the Commissioner of Main Roads in pursuance of Section 34 of the Main Roads Act, 1930-1939, for the improvement, reconstruction etc., of roads and bridges within the metropolitan area.

Hon. F. J. S. Wise: A bit of pressure from the Grants Commission initiated this one.

The MINISTER FOR WORKS: There was real pressure, according to the file, when we could ill-afford to bear it. In 1941 the Grants Commission pointed out that substantial amounts, totalling £65,000 in one year, had been deducted from the amount assessed as payable to Western Australia because of the failure of the State to bring its road finances more into line with those of the non-claimant States by applying some of its motor license revenue to payment of servicing charges on loan funds expended on roads. As a result of the passing of the 1941 Act and subsequent measures, no such adjustments have been made by the Grants Commission on account of road debt charges.

The arrangement was restricted to license fees received in the metropolitan traffic area for the licensing years ended the 30th June, 1942, 1943, 1944 on to 1947, and then on to 1950. The existing Act will expire on the 31st December, and therefore it is necessary to pass fresh legislation to carry on for a further period. The amounts received by Consolidated Revenue by reason of the above-mentioned Acts are as follows:—

| Year | £ |
|------|--------|
| 1942 | 30,199 |
| 1943 | 26,861 |
| 1944 | 28,942 |
| 1945 | 30,696 |
| 1946 | 33,643 |
| 1947 | 37,518 |
| 1948 | 67,003 |
| 1949 | 58,494 |
| 1950 | 67,711 |

It will be noted that there has been a gradual and substantial increase in the amount of money paid into Consolidated Revenue as a result of this Act, and it is felt that there must be a limit to the extent of the transference of funds under this Bill. The matter has been thoroughly discussed with the Treasury on the basis of the department's interest and sinking fund commitments on loan funds expended by the Commissioner of Main Roads on roads since the inception of the Main Roads Department in 1926.

Although there are further loan commitments for roads prior to 1926, claims on funds available to the Main Roads Department would not be justified for any earlier period. The Treasury's annual commitment on the department's loan expenditure on roads since 1926 is approximately £72,290. Therefore, it is considered that the maximum annual transfer of £70,000 to Consolidated Revenue, as provided for in the Bill, would reasonably meet the position. The provisions in the Bill are the same as those of the 1947 Act, except that a limit of £70,000 is set for the amount to be paid to Consolidated Revenue and the period has been limited to one year.

The 1947 Act was made for a period of three years to correspond with the period of the Commonwealth Aid Roads and Works Act, 1947. The terms and conditions under which road funds will be available to the States are uncertain, because up to the present we have not the details of the Bill which I understand passed through the House of Representatives last night. That is the main reason for the term of the Bill being limited to one year. Legislation is necessary during this session to enable some contribution to be made to Consolidated Revenue from State road funds during the 1950-51 financial year. Without it, the State might suffer a substantial reduction in the amount recommended by the Grants Commission as payable to the State during the forthcoming year. I therefore commend the Bill to the favourable consideration of the House, explaining that it has been introduced rather late in the session because we were hopeful that we would have had some definite detail as to the position in the Federal sphere. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Council.

BILLS (2)—RETURNED.

- 1, Vermin Act Amendment.
With amendments.
- 2, Gas Undertakings Act Amendment.
Without amendment.

BILLS (3)—FIRST READING.

- 1, Child Welfare Act Amendment.
- 2, Railway (Port Hedland-Marble Bar) Discontinuance.
- 3, Fremantle Harbour Trust Act Amendment.

Received from the Council.

BILL—LOTTERIES CONTROL ACT CONTINUANCE.

Second Reading.

THE CHIEF SECRETARY (Hon. V. Doney—Narrogin) [5.26] in moving the second reading said: This Bill seeks to amend the Lotteries Control Act by continuing the operations of the Act for a period of three years. Charity consultations continue to receive heavy public support. This has enabled the Lotteries Commission to assume additional financial responsibilities in relation to present and future requirements of our hospitals and

quite a large number of charitable institutions. Following custom, I propose, quite briefly, to refer to the activities of the Commission for the three years ended the 31st December, 1949, during which period no fewer than 173 consultations were conducted.

The income from the sale of tickets for the three-year period totalled £2,162,466 7s. 6d. Prize money aggregated £1,146,990. Expenses, including agents' commissions, absorbed some £301,000. The profit for the three years amounted to £714,432. This sum, together with an undistributed balance from the previous period of £16,830, interest, unclaimed prizes, and transfers from reserves aggregating some £334,962, brought the total available for distribution to no less than £1,066,225. Grants to hospitals and institutions totalled £605,000, and transfers to reserves, etc., came to £401,000, leaving an unallocated balance of £59,412 at the 31st December last. The average proportion of subscriptions as applied to expenses—excluding agents' commission—was 3.9 per cent. as compared with 3.8 per cent. for the previous period.

At the close of the term under review the total of grants approved and provided for but not actually paid was £371,166. This item includes a number of commitments which for various reasons—principally owing to war causes and the consequent shortage of labour and materials—had not been redeemed in the case of the applicant organisations. The arrangement entered into with the Government in 1939, under which the Commission agreed to finance the construction of the new Royal Perth Hospital on an interest and sinking fund basis, was discontinued following completion of the first section early last year.

The Commission felt that, in view of present and contemplated commitments in respect of other large hospital and charitable building programmes, it could not undertake to meet the greatly increased cost of the complete hospital block and services under the interest and sinking fund arrangement. It was therefore decided that the Commission would accept responsibility for repayment of the capital cost of the hospital at the rate of £33,000 annually, and that interest on general loan funds advanced for the construction of the hospital would in future be borne by the Government. Capital repayments to date total £257,000. For the information of members I will give a list of the grants to hospitals other than the Royal Perth Hospital.

The institutions that have benefited are the hospitals at Collie, Bruce Rock, Yarloop, Kalgoorlie, Quairading, Katanning, Pinjarra, Lake Grace, the King Edward Hospital and the Mental Hospital. The sums there aggregate £355,657. In accordance with its undertaking to provide the

money required for the establishment of an up-to-date home for aged women, the Commission has set aside an amount of £164,000. Of that total the sum of £121,500 has already been expended on the Canning Bridge Home, which is now nearing completion. Payments to orphanages total £61,801, which includes the maintenance subsidy of 3s. per child per week, amounting to £23,737. Grants to other charitable organisations total £148,489, in which sum is included the following substantial sums:—School for the Blind £19,000; Infant Health Centres £15,218; St. John Ambulance Association and Sub-Centres £13,194; Sunset Home £12,710; Silver Chain Bush Nursing £9,104; Returned Servicemen £10,000; Home of Peace £5,577; and Kindergarten Union and Committee £5,082.

Mr. Oliver: For what period is this?

The CHIEF SECRETARY: I explained that my remarks would apply to the three-year period ended on the last day of 1949. Since the Commission was constituted in 1933 profits from lotteries and other income have reached the substantial total of £2,190,326. I advance no view as to whether lotteries, as an aid to the public revenue, are justified or not. I merely assert—

Hon. J. B. Sleeman: You will dig up some opposition, speaking as you are.

Mr. J. Hegney: You cannot just sit on the fence in regard to this question.

The CHIEF SECRETARY: I merely state that I am advancing no personal opinion.

Hon. F. J. S. Wise: Do you ever purchase a ticket in the lottery? I do.

The CHIEF SECRETARY: I do not, so there is a difference between us there. Although I do not buy tickets for myself I have on occasion bought them for other members of my family. Perhaps I do not buy them for myself because I do not regard the lottery as a commercial venture likely to bring returns, but, whatever my reason may be, the fact remains that while the hon. member very properly indulges now and again in the buying of a lottery ticket I, perhaps being a little on the stubborn side, do not.

Mr. Styants: First prize in the lottery would be only chicken feed to you.

The CHIEF SECRETARY: I wish what the hon. member states was correct. I regret that it is not. I think it only reasonable to assume that were it not for the existence of the State lottery, by far the greater part of the money subscribed by the public to the charities consultations would have been devoted to gambling enterprises of a more vicious nature, or would have left the State for investment in lotteries conducted either for private gain or for the benefit of charities elsewhere.

Mr. Oliver: Why not make the lotteries permanent?

The CHIEF SECRETARY: Parliament can take that matter into its own hands at any time. The reason why we have adopted the three-year period is because it seemed silly to come along each year seeking another 12 months of life for the Lotteries Commission, while knowing full well that without exception members would vote for its continuance. It therefore seemed better to make the period three years.

Hon. F. J. S. Wise: It has been three years.

The CHIEF SECRETARY: Yes, otherwise the Bill with which I am dealing and which makes provision for a three-year period would not have been introduced.

Mr. W. Hegney: Did you give consideration to making the period longer?

The CHIEF SECRETARY: No. Cabinet decided that three years was a sensible period and, therefore, unless there is reason to change it the three-year period will remain. The Government is of the opinion that the Commission should be permitted to continue its work in order that our hospitals and charitable institutions, which have become increasingly dependent on lottery funds, may be able to expand their services in the interests of the less fortunately circumstanced sections of our community. I move—

That the Bill be now read a second time.

MR. McCULLOCH (Hannans) [5.43]: I personally think the Lotteries Commission should be put on a permanent footing and I am inclined to believe that it should be made compulsory for everyone to buy a lottery ticket. There is no doubt about the great work that the Commission has performed since its inception. We all know, from our own observations and through the Press, the great amount of good it does. I have seen in Kalgoorlie men—perhaps silicotic miners—in mechanical wheel chairs that have been supplied by the Lotteries Commission. I have always had a fair and reasonable response from the Lotteries Commission when I have approached it on behalf of some charitable purpose. I would support any move to have the Commission put on a permanent basis instead of carrying it on with a three-years' term which, in my opinion, is only playing with the position. Our people realise that the Lotteries Commission has done wonderful work. I support the Bill.

HON. F. J. S. WISE (Gascoyne) [5.45]: As one who introduced legislation similar to this year after year on several occasions and was extremely pleased when it was possible to have one Bill put through extending the usual term of the Lotteries Commission, it is hardly necessary for me

to say that this Bill has my support. However, there are some rather amusing features about it, especially when it is introduced by the Chief Secretary and supported by the present Minister for Health. I can recall that the Minister for Health in her speeches on lotteries generally, when member for Subiaco, gave to this Chamber an opportunity of having extremely long discussions on the merits or demerits of gambling of any kind. The Minister will recall, I am sure, with reciprocated generosity, that I, as Minister for Police, and she, as member for Subiaco, exchanged some pleasantries and perhaps some unpleasanties many years ago.

The Minister for Health: We have got over that.

Hon. F. J. S. WISE: I hope so. I hope that at least one might forgive me but not forget. But on the part of the Minister for Health I am glad to find that she is in a position, after years of some mature experience on this matter and realising what this Commission does for the people and the Government, to appreciate that it is something that should have a permanent place on our statute book. I do not intend to move to extend the term of three years on this occasion, but I do hope that at some stage there is an acceptance by Parliament that the Lotteries Commission has done so much in this State that the measure can be made a permanent one. I would like to mention that much more has been done by the Golden Casket in Queensland where many millions have been spent on hospitals, and only on them, through the medium of that lottery. So whatever may be the view of those who are entirely opposed to gambling or lotteries of any kind, this indirect means of taxation in our community has become something which brings revenue from sources which otherwise would not be tapped. I support the second reading.

MR. J. HEGNEY (Middle Swan) [5.47]: I support the Bill because the legislation itself and the administration of it has raised the standard of lotteries in Western Australia. The high administrative standard which has been achieved certainly does not allow of much criticism. I think it can be said generally that there is a fair and impartial distribution of the lottery funds made throughout the State. We are fortunate to have as chairman a man who is an ex-Minister of the Crown and extremely forthright in his administrative policy.

Hon. F. J. S. Wise: And in having the secretary that we have, too.

Mr. J. HEGNEY: Yes, we are very fortunate in both respects. The Premier, who entered politics on the same day as I did, will remember that the newspapers conducted crossword puzzles in those times,

and thousands of people were engaged in solving them and submitting the solution at 3d. a time to the various newspapers in order to win £500. It was rather strange that the late John Scaddan, who introduced the original lotteries Bill and who undoubtedly tackled the proposition and put it on a sound basis, was subsequently defeated at the following election poll. There was no question that his defeat was due to the opposition he showed to crossword puzzles and their suppression by the introduction of his lotteries Bill.

I am not a gambling man, but I do have an investment from time to time in the lotteries conducted by the Commission. Australians generally always seem to be hopeful that something might turn up which will return them some easy money. All of the investors are voluntary contributors to many deserving charitable organisations throughout the State. I repeat that no suggestion of anything underhand can be substantiated in regard to the Lotteries Commission. As the Minister has stated, it has raised well over £1,000,000, most of which has been distributed throughout various parts of the State. He has referred to its contribution towards the construction of a home for aged women, which is long overdue. Also, it has done excellent work in many other ways.

I might mention the construction of Royal Perth Hospital, which was only completed because the Lotteries Commission came to the aid of the Government with the necessary finance. In another direction, I can remember that during the depression years the Commission materially assisted the Kindergarten Union in its work by making available the necessary funds for the payment of the teachers' salaries, and I am certain that it was only as a result of such assistance that the union's work is now rapidly developing.

Mr. OLIVER (Boulder) [5.52]: The principal Act itself has sufficient safeguards in it to ensure that any moneys raised by the Lotteries Commission will be used in the right direction. No matter who the personnel of the Commission may be at any particular time, there can never be any possibility that the money which it controls will be directed into wrong channels. In any case, should such a position occur, the Act could always be amended to provide further safeguards. My object in speaking to the measure is to suggest to the House that the legislation should not have to be re-enacted ever so often, because I think it has proved itself and should be made permanent. Although I think it should be one's justifiable right to be able to buy a lottery ticket if one so desires, I do not agree that one should be compelled to buy one.

Most people have got into the habit of not being able to resist passing a lottery stall where the tickets are available for

sale. It is probably the most attractive way of raising money for charitable purposes and assisting in the operations of public institutions. Everywhere one goes one can see many fine buildings that have been erected mainly from funds provided by the Commission. Therefore, I do not see why we should have to introduce a Bill every year or every three years to extend its term, and we should take the opportunity to make the Commission permanent. I know that one or two members intend to move an amendment along those lines when the Bill goes into Committee, and I would support any proposal which would have as its object the permanency of the Lotteries Commission.

Mr. SPEAKER: I would like to point out to the House that this particular measure cannot be made permanent; it can only be extended for so many years.

HON. E. NULSEN (Ayre) [5.55]: I cannot miss the opportunity of saying a few words on the Bill. We all know what fine work the Lotteries Commission has done throughout the State. I know that in my own electorate it has been very generous towards the various organisations there when assistance has been badly needed. The members of the Commission and its staff are above reproach and its work is carried out in a way that I like to see it carried out. It is highly deserving of our praise. I certainly agree with other members that instead of having to re-enact the legislation every two or three years it would be better to make it permanent. As pointed out by the Leader of the Opposition, Queensland has benefited greatly from the work done by the Golden Casket Lottery. To purchase a lottery ticket is only a small investment and the purchaser has a chance of winning a large prize or a small one, while the proceeds obtained from the lotteries are used in a very worthy manner.

THE CHIEF SECRETARY (Hon. V. Doney—Narrogin—in reply) [5.56]: I would oppose any move for the Lotteries Commission to be made permanent, because to do so would be wrong. We cannot depend on having a Mr. James Kenneally and a Mr. John Green for all time, or even men of similar calibre.

Hon. J. B. Sleeman: If you fell by the wayside we would get another Minister just the same.

The CHIEF SECRETARY: We know that, but the hon. member also knows that we do not get a succession of completely sound men. It is not that I wish to go out of my way to pass a compliment to the present chief executive officers of the Lotteries Commission, but I do say that they are two gentlemen whose character, public conduct, industry and singleness of eye to duty have never been questioned. That is rather unique, parti-

cularly when we reflect that they are jointly face to face with a highly critical public.

Hon. A. R. G. Hawke: Hear, hear!

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair: the Chief Secretary in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 21 amended:

Mr. CORNELL: It was my intention to move an amendment to give this Act the permanency which is so desired. However, in view of the Speaker's remarks I find I am unable to do so, but I move an amendment—

That in line 3 the words "fifty-three" be struck out with a view to inserting the words "ninety-nine."

Hon. J. B. SLEEMAN: I am quite prepared to vote for the striking out of the words "fifty-three," but I do not like the idea of inserting the words "ninety-nine." We should either make it some reasonable term or else make the measure permanent. I would be quite agreeable to a Bill being brought down to make this legislation permanent, but at the moment I would rather see some reasonable figure inserted, and then at the end of that term there may be someone on the Treasury bench who is prepared to bring down legislation to make it permanent then. I am going to move to make the Act apply till 1960, which will mean an additional 10 years. Present-day Ministers do not seem inclined to make the Act permanent, but those in occupancy of the Treasury bench in 1960 might be prepared to do so.

Hon. F. J. S. WISE: It is my intention to vote against both "1999" and "1960," and if those amendments are rejected, I intend to move to insert "1955."

The Chief Secretary: That would be acceptable.

Amendment (to strike out words) put and passed.

Mr. CORNELL: I am rather easy about this, but I have a rooted objection to these little tiddly-winking damned things coming up so often.

The CHAIRMAN: Order!

Mr. CORNELL: This sort of thing has been going on since 1932. The Lotteries Commission has passed the experimental stage and should be given some degree of permanency. If the Chief Secretary will give an undertaking that next session steps will be taken to deal with the position so as to give the Commission greater permanency, I shall be prepared to move for a shorter period.

The Chief Secretary: I do not know that I can anticipate the future.

Mr. CORNELL: Does the Minister anticipate a different Minister being in charge?

The Chief Secretary: That might even be so.

Mr. CORNELL: While I am easy about it, perhaps the Chief Secretary can give the Committee some reasons why an extension till 1955 would be acceptable.

The CHAIRMAN: Does the hon. member want to move an amendment?

Mr. CORNELL: To test the feeling of the Committee, I move—

That the words "ninety-nine" be inserted in lieu of the words struck out.

The CHAIRMAN: I would draw the attention of members to Standing Order No. 374, which reads—

When there comes a question between the greater and lesser sum, or the longer or shorter time, the least sum and the longest time shall be first put to the Question.

Hon. J. B. SLEEMAN: In view of that, Mr. Chairman, the only thing to be done, if we defeat the amendment to extend the Act till 1999, is to move to extend it till 1960.

Hon. F. J. S. WISE: I again wish to make it clear that I will vote against both 1999 and 1960, and will move an amendment to make the Act apply till 1955.

Mr. GRAHAM: I support the amendment to extend the Act till 1999.

The Minister for Lands: It looks like a mixed division coming on!

Mr. GRAHAM: On five or six different occasions when similar Bills have been before this House, with very few exceptions members, irrespective of party, have said in no uncertain terms that steps should be taken to give permanency to the Lotteries Commission and the Act under which it operates. In view of the intimation by the Chairman, it is impossible for us to move in that direction, and the amendment by the member for Mt. Marshall is the only practical step that can be taken.

Hon. J. B. Sleeman: It would be practical to move for a lesser period.

Mr. GRAHAM: Yes, but hypocritical, because members on all occasions on both sides of the House have declared that the Act should be made permanent. Notwithstanding that, they are not prepared to support an amendment that will give the greatest degree of permanency possible in the circumstances.

The Premier: Members are trying to get the best they can.

Mr. GRAHAM: One argument in favour of the Bills coming before the House every 12 months is that it provides a check on the work of the Lotteries Commission. On

the other hand, members have ample opportunity, on the Address-in-reply, to deal with whatever activities they desire. Further, it is within the province of any member to submit amending legislation to Parliament if the necessity arises to deal with any aspect. To save the repetition of passing similar legislation every one, three, or five years, let us depart from this hypothetical state of affairs and go as far as is possible.

Mr. FOX: I support the amendment. If we extend the operations of the Act till 1999, it will be an indication to the Lotteries Commission that, although we cannot make the Act permanent, the Commission has the approval of Parliament to proceed with its work. If the Commission enjoyed a longer term, it might introduce many novelties. Each year, thousands of pounds go outside the State for investment in Tattersall's and other sweeps that are promoted about the time when the Melbourne Cup is run. If greater permanency were given to it, the Commission might embark upon consultations of that description.

Amendment (to insert words) put, and a division taken with the following result:—

| | |
|------------------|----|
| Ayes | 14 |
| Noes | 30 |
| Majority against | 16 |

Ayes.

| | |
|--------------|----------------|
| Mr. Cornell | Mr. J. Hegney |
| Mr. Fox | Mr. Hutchinson |
| Mr. Graham | Mr. McCulloch |
| Mr. Grayden | Mr. Oliver |
| Mr. Griffith | Mr. Rodoreda |
| Mr. Guthrie | Mr. Yates |
| Mr. Hearman | Mr. Bovell |

(Teller.)

Noes.

| | |
|---------------------|----------------|
| Mr. Ackland | Mr. Nimmo |
| Mr. Brady | Mr. Nulsen |
| Mr. Brand | Mr. Owen |
| Mrs. Cardell-Oliver | Mr. Read |
| Mr. Coverley | Mr. Sewell |
| Mr. Doney | Mr. Shearn |
| Mr. W. Hegney | Mr. Sleeman |
| Mr. Hill | Mr. Styants |
| Mr. Hoar | Mr. Thorn |
| Mr. Manning | Mr. Tonkin |
| Mr. Marshall | Mr. Totterdell |
| Mr. May | Mr. Watts |
| Mr. McLarty | Mr. Wild |
| Mr. Nalder | Mr. Wise |
| Mr. Needham | Mr. Kelly |

(Teller.)

Amendment thus negatived.

Hon. J. B. SLEEMAN: I move an amendment—

That the word "sixty" be inserted in lieu of the words struck out.

We should make the further term of office of the Commission at least ten years. I would be prepared to make it permanent but, as we cannot do that, the amendment I propose will give Governments to come plenty of time within which to arrive at a decision. Perhaps next time the Government will decide to give permanency to the Act.

Mr. RODOREDA: I wanted to move an amendment, Mr. Chairman, to make the extension to 1990 instead of 1999.

Members: No!

The Premier: Why waste time?

The CHAIRMAN: I have accepted the amendment of the member for Fremantle, and he has spoken to it. The hon. member should have risen earlier.

Mr. RODOREDA: How could I know what the member for Fremantle was going to move before he did so?

The CHAIRMAN: He spoke to the amendment.

Mr. RODOREDA: But did not move it.

Hon. J. B. Sleeman: I gave notice of what I intended to move.

Mr. RODOREDA: I could not move an amendment until I knew what the member for Fremantle had in mind.

The CHAIRMAN: The member for Fremantle gave notice of what he intended to move, and, as I have accepted his amendment, I must go on with it.

Mr. OLIVER: Is not the position that you, Mr. Chairman, called on the member for Fremantle, so how could the member for Pilbara have risen to move an amendment?

Sitting suspended from 6.15 to 7.30 p.m.

Point of Order.

Mr. Oliver: The member for Pilbara was not given an opportunity to move his amendment because you, Sir, called on the member for Fremantle. Obviously if you rule that the amendment of the member for Fremantle is in order, the member for Pilbara will not get an opportunity to move his amendment.

Hon. J. B. Sleeman: It is bad luck for him.

Mr. Oliver: It is not bad luck, but a bad ruling. In my view, the amendment of the member for Fremantle has not yet been received and I suggest that the member for Pilbara be allowed to move his amendment.

The Chairman: I take it the member for Boulder is asking for a ruling. I now rule that the amendment moved by the member for Fremantle is before the Chair. When a previous amendment was moved, the member for Fremantle gave notice that he would move a further amendment if the previous amendment were defeated. As soon as the previous amendment was defeated, I called on the member for Fremantle who moved and spoke on this amendment, and sat down. The member for Pilbara then rose in his place to move some other amendment. The member for Pilbara should have risen or interrupted the member for Fremantle before the hon. member had proceeded with his amendment. The only way I can see

for the member for Pilbara to move his amendment is by the member for Fremantle withdrawing his amendment. If the member for Fremantle continues with his amendment I must deal with it.

Dissent from Chairman's Ruling.

Mr. Rodoreda: Then I must dissent from your ruling.

[The Speaker resumed the Chair.]

The Chairman having stated the dissent.

Mr. Rodoreda: Admittedly the member for Fremantle gave notice that he would move a further amendment if the one then being considered was defeated.

Hon. F. J. S. Wise: I did the same thing.

Mr. Rodoreda: Yes, the Leader of the Opposition also foreshadowed an amendment. The first amendment was defeated. The Chairman then immediately called on the member for Fremantle. Before I knew what the hon. member was going to move, the Chairman said I should have interrupted him and moved my amendment.

Mr. Speaker: Who said that?

Mr. Rodoreda: The Chairman said I should have interrupted the member for Fremantle before I knew what he was going to move. Obviously he was under no obligation to move the amendment of which he had given notice. He could have changed his mind and moved some other amendment. Until he actually moved his amendment I had no knowledge of what he was going to do. Before the Chairman put the amendment to the Committee, I interrupted him and pointed out that I had an amendment which took precedence over the one then moved by the member for Fremantle. I would agree with the Chairman, that if he had put the amendment moved by the member for Fremantle to the Committee, it would have been too late, but I interrupted him before he could do that, and asked permission to move my amendment. The Chairman of Committees said I was too late; that I should have interrupted the member for Fremantle before I knew what the hon. member was going to move. I could not do that. I had to wait until I knew what he was going to do.

Mr. Perkins: The member for Pilbara has set out his objection to the ruling, as he sees it, but in my opinion he has not got the position quite straight. Obviously when a member gets up to move an amendment it is necessary for him to move it and then speak to it, which the member for Fremantle did. The position was that the member for Mt. Marshall moved an amendment to insert the words "ninety-nine" in lieu of the words "fifty-three" that were struck out. Two other members, the member for Fremantle and the Leader of the Opposition, foreshadowed further amendments if the amendment of the member for Mt. Mar-

shall were defeated. The member for Fremantle mentioned the word "sixty," and the Leader of the Opposition, I understand, "fifty-five." Under our Standing Order, which provides that in the case of amendments dealing with a longer or shorter time, that relating to the longer time shall be taken first, the amendment of the member for Mt. Marshall was dealt with first, and the amendment of the member for Fremantle then came before that of the Leader of the Opposition, because sixty is greater than fifty-five.

As soon as the amendment of the member for Mt. Marshall had been dealt with, in view of the fact that the member for Fremantle had given notice of a further amendment, I immediately called upon him. He got up and moved his amendment, spoke to it and sat down, completing his speech before the member for Pilbara rose. If the member for Pilbara had risen at any time while the member for Fremantle was speaking, I think it would have been possible for me to have interrupted the member for Fremantle and allowed him to move some other amendment. As the member for Fremantle had moved his amendment, spoken to it and completed his speech, I ruled that his amendment was before the Chair and must be proceeded with, unless he chose to withdraw it in favour of some other amendment to be moved by the member for Pilbara.

Mr. Graham: I feel that the Chairman has made a mistake. My recollection is that the member for Fremantle made his speech, and at the conclusion submitted his amendment. Accordingly, the member for Pilbara could not know what it was the member for Fremantle was moving until such time as he had so moved. If the member for Fremantle had changed his mind and moved for the insertion of "fifty-one" instead of "sixty" then the Leader of the Opposition would feel equally as aggrieved as the member for Fremantle. After all, we cannot take cognisance, provided parliamentary and approved language is used, of what a member may say his intention is, and neither can the Speaker. It is only when a proposition has been submitted that it is before the Committee, and we are aware of it. As soon as the words were moved, the member for Pilbara sprang to his feet. Therefore, in accordance with the Standing Order quoted by the member for Roe—

Mr. Speaker: What is the number of that Standing Order?

Mr. Graham: It is Standing Order No. 374, and it provides that the amendment which states the longest term has precedence. No sooner had the member for Fremantle moved his proposition for a certain date than the member for Pilbara was on his feet. In view of the

Standing Order referred to, I feel the Chairman should have accepted the proposition of the member for Pilbara.

Hon. J. B. Sleeman: I think the member for East Perth has not been listening too well to the debate, because if he had he would not have made the statement we have just heard. The member for Pilbara was correct when he said that I gave notice that if the words "ninety-nine" were defeated I would move to insert the word "sixty". The member for Pilbara said I could have changed my mind. That is quite right. If the member for East Perth had been listening he would have heard the member for Fremantle say that it was his intention to move for the insertion of the word "sixty", and he then went on—

Mr. Graham: You did not move it.

Hon. J. B. Sleeman: The hon. member would have seen me rise in my place and heard me say that it was then my intention to move for the insertion of the word "sixty". I went on to say why I wanted the word "sixty" inserted, and I then said, "I now move that the word 'sixty' be included." Had the member for East Perth been listening he would have known that the first words I said were, "The words I intend to insert are—"

Mr. Graham: Let us look at the "Hansard" notes.

Hon. J. B. Sleeman: The hon. member wants "Hansard" produced.

The Minister for Education: I have it here.

Mr. Rodoreda: Is the member for Fremantle in order in speaking again?

Mr. Speaker: He can only explain his remarks if there is something doubtful.

Personal Explanation.

Hon. J. B. Sleeman: I said—

I move an amendment—That the word "sixty" be inserted in lieu of the words struck out.

We should make the further term of office of the Commission at least 10 years. I would be prepared to make it permanent, but, as we cannot do that, the amendment I propose will give Governments to come plenty of time within which to arrive at a decision. Perhaps next time the Government will decide to give permanency to the Act.

That is the order of the words I used.

Mr. Rodoreda: Apparently, on the explanation given by the member for Fremantle, I had no chance of doing anything because, immediately he rose to his feet, he was called on by the Chairman who, I claim, had no right to do so. He was called on before we resumed our seats after the division. How could I get on my feet when the Chairman called on some-

one else? That is the point. No-one else had a chance to get up with any other amendment because the member for Fremantle was called on by the Chairman.

Dissent Resumed.

Mr. Speaker: I was not listening to the debate in Committee because I was not in the Chamber at the time and neither saw nor heard what went on. As far as I can understand it, the Chairman of Committees was listening to the debate and after the words "ninety-nine" were negatived he called on the member for Fremantle, having seen him rise to his feet—the first in the race as it were. The Chairman then heard him announce that he would move to insert the word "sixty." On that point, I understand the member for Pilbara wished to move some other amendment which has not been mentioned to me; but I understand it to be a higher figure. As far as I interpret the position, he did not interrupt or draw the Chairman's attention to the fact that he wished to insert a higher figure. I must support the Chairman in his ruling, although I cannot say that his decision was one hundred per cent. correct because I was not here at the time. I think that if the member for Pilbara had drawn the attention of the Chairman to the fact that he wished to move a higher figure, he would have received attention.

Committee Resumed.

Hon. J. B. SLEEMAN: In view of all the hubbub that has occurred, I have no desire to take advantage of any member wishing to move some other amendment. Had the member for Pilbara asked me to withdraw my amendment before, I would have done so. Now, I ask leave to withdraw it.

Amendment, by leave, withdrawn.

Mr. RODOREDÁ: It is rather extraordinary that the member for Fremantle should carry on in this fashion when he could have prevented it by withdrawing his amendment. After letting all this hubbub develop he magnanimously agrees to withdraw his amendment. I do not think I am under any obligation, nor is the Committee. I move—

That the word "eighty" be inserted in lieu of the words struck out.

Mr. OLIVER: I support the member for Pilbara, although I do not support his condemnatory remarks towards the member for Fremantle. The member for Fremantle made a most generous gesture when he withdrew his amendment and permitted the member for Pilbara to express himself. I support the amendment because it will, to some extent, prevent restriction and allow the Commission to operate for a longer period. The Speaker having ruled a longer period out of order, I feel I must support the longest possible term.

Mr. RODOREDA: I hope the Committee will give some attention to this amendment. The Act was introduced in about 1932 and it took about 15 or 16 years before Parliament would approve of even a three years' extension. It always used to be an annual Bill. In his second reading speech the Minister told us that in about five or ten years' time we might be prepared to extend it again. If it is going to take us as long to get a five or ten years' extension as it took to get a three years' extension, not many of us will be interested in the outcome. I cannot see why we must bring this matter up every few years. It is a permanent feature of our economy and the State's legislation. It is nonsense to say that we have to review it because the Commission may be making a bad job of its administration. The Government of the day can always be depended upon to appoint men who are capable of doing a job.

Mr. STYANTS: I hope the amendment will not be agreed to. The object of the mover is to give some permanency to the Lotteries Commission. If we desire it to be permanent, we should set about it in a proper manner and bring down a special Bill for the purpose of providing that permanency. If that were done, I would be prepared to support it. A five-year term is a reasonable one and will enable the Commission to plan ahead.

Amendment (to insert word) put and negatived.

Hon. J. B. SLEEMAN: I move—

That the word "sixty" be inserted in lieu of the words struck out.

I think this is a fair thing and I am hopeful that at the end of ten years a Bill will be brought down to make the Lotteries Commission a permanent body.

Mr. BRADY: I support the amendment because it is a reasonable compromise on the views that have been expressed, although I doubt whether we should continue this class of legislation indefinitely. It really is a reflection on our social standards when we have to finance our hospitals and charitable institutions by this means. They should be more a direct charge on the people that can pay through taxation, but in the main the working man, who pays most of the taxes either directly or indirectly, is also buying most of the lottery tickets. If this amendment is agreed to, it will give the Commission sufficient time to plan ahead, create agencies where it so desires, and engage staff for a reasonable term.

Mr. GRAYDEN: I support the amendment, and I see nothing wrong in financing hospitals from earnings of the Lotteries Commission. No Government worries about spending the money it collects on the sale of beer and cigarettes which are equally as bad for the public as gambling.

Hon. F. J. S. Wise: Worse, I think.

Mr. GRAYDEN: So why should we object to spending the money from lottery tickets?

Amendment (to insert word) put and a division taken with the following result:—

| | |
|------------------|----|
| Ayes | 17 |
| Noes | 25 |
| Majority against | 8 |

Ayes.

| | |
|--------------|----------------|
| Mr. Bovell | Mr. McCulloch |
| Mr. Brady | Mr. Needham |
| Mr. Cornell | Mr. Nuisen |
| Mr. Fox | Mr. Oliver |
| Mr. Graham | Mr. Rodoreda |
| Mr. Grayden | Mr. Seeman |
| Mr. Griffith | Mr. Yates |
| Mr. Guthrie | Mr. Hutchinson |
| Mr. Hearman | |

(Teller.)

Noes.

| | |
|---------------------|----------------|
| Mr. Ackland | Mr. Owen |
| Mr. Brand | Mr. Read |
| Mrs. Cardell-Oliver | Mr. Sewell |
| Mr. Coverley | Mr. Shearn |
| Mr. Doney | Mr. Styants |
| Mr. W. Hegney | Mr. Thorn |
| Mr. Hill | Mr. Tonkin |
| Mr. Hoar | Mr. Totterdell |
| Mr. Manning | Mr. Watts |
| Mr. Marshall | Mr. Wild |
| Mr. May | Mr. Wise |
| Mr. McLarty | Mr. Kelly |
| Mr. Nalder | |

(Teller.)

Amendment thus negatived.

Hon. F. J. S. WISE: I move—

That the words "fifty-five" be inserted in lieu of the words struck out.

Hon. J. B. SLEEMAN: Is the Minister prepared to accept this amendment? There is not much use in our going on with it if he is not, because he has the weight of numbers. He said that Cabinet had decided on three years, and three years he is going to stick to. What is he going to do about it?

The CHIEF SECRETARY: Quite an interesting although very brief speech! I certainly did not say what the hon. member alleges I did. I told him on two occasions that I distinctly preferred the five-year period. The Leader of the Opposition will bear that out I am sure. I strongly favour the five-year period.

Mr. CORNELL: I do not think we should trust the Government for five years, particularly after the shilly-shallying it has indulged in lately, and because of its refusing to accept responsibility. I would like to insert the words "fifty-one."

The CHAIRMAN: The member for Mt. Marshall will have to wait before he can do anything about that, as there is already an amendment before the Chair.

Mr. CORNELL: Cannot we refer it to the Legislative Council in its present form because that Chamber decides ultimately, anyhow?

The CHAIRMAN: Order!

Mr. McCULLOCH: I oppose the amendment. We are just playing around with the matter. We had a Bill similar to this a fortnight ago and members were talking about making it permanent. Now we are asked that this legislation should come before the House every five years.

Hon. J. B. SLEEMAN: A lot will depend on the question I am going to ask whether I support the Leader of the Opposition or not. Suppose we could make it a lesser term and agree to what the Government has brought down! Would the Government then be prepared to bring in a Bill to make the Commission permanent? On the Government's reply will depend how I vote.

Amendment (to insert words) put and a division taken with the following result:—

| | |
|--------------|----|
| Ayes | 41 |
| Noes | 2 |
| Majority for | 39 |

Ayes.

| | |
|---------------------|----------------|
| Mr. Ackland | Mr. Needham |
| Mr. Bovell | Mr. Nimmo |
| Mr. Brady | Mr. North |
| Mr. Brand | Mr. Nulsen |
| Mrs. Cardell-Oliver | Mr. Oliver |
| Mr. Coverley | Mr. Owen |
| Mr. Doney | Mr. Read |
| Mr. Fox | Mr. Rodoreda |
| Mr. Grayden | Mr. Sewell |
| Mr. Griffith | Mr. Shearn |
| Mr. Guthrie | Mr. Sleeman |
| Mr. Hearman | Mr. Styants |
| Mr. W. Hegney | Mr. Thorn |
| Mr. Hill | Mr. Tonkin |
| Mr. Hoar | Mr. Totterdell |
| Mr. Kelly | Mr. Watts |
| Mr. Manning | Mr. Wild |
| Mr. Marshall | Mr. Wise |
| Mr. May | Mr. Yates |
| Mr. McLarty | Mr. Hutchinson |
| Mr. Naider | (Teller.) |

Noes.

| | |
|---------------|-------------|
| Mr. McCulloch | Mr. Cornell |
| | (Teller.) |

Amendment thus passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment.

BILL—RESERVE FUNDS (LOCAL AUTHORITIES).

Council's Message.

Message from the Council received and read notifying that it did not insist upon its amendment No. 5 to which the Assembly had disagreed.

ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Industrial Arbitration Act Amendment Bill (No. 2).

BILL—LAND ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [8.12] in moving the second reading said: This Bill to amend the Land Act is quite important as it will

bring the Act into line with present-day conditions. It will enable the parent Act to be administered more smoothly and will ensure that persons taking up land will carry out their obligations. A new section has been added to make the Land Act complementary to existing Commonwealth law in regard to the acquisition of lands by agreement. This will enable the Governor to enter into an agreement with the Governor General in connection with the sale of Crown land to the Commonwealth.

The principal Act provides that the Governor may acquire land from any person, with consent, and this can be done either by purchase or by exchange of Crown land of equal value. Cases arise where lands desired to be exchanged are not of equal value and some elasticity is desirable to meet the position. This Bill provides for a cash payment in cases where the lands exchanged are not of equal value. Where a holder of land fails to fulfil the conditions laid down by the parent Act, or does not pay his rent or instalment of purchase money, the Governor can forfeit the land, which could include improvements and all money paid.

Provision is also made in the Act for the new lessee to pay the Crown for improvements on the forfeited holding. Moneys due to the Crown, including outstanding rent, have to be deducted. The remaining money, if any, can be paid to the former lessee. The amendment which is being sought will provide some relief from the present fixed requirement of forfeiture of all moneys previously paid as rent on a cancelled lease. A case did arise which caused particular hardship. Certain rents had been paid on a cancelled lease, and a house had been erected by the lessee with moneys loaned by another party. The land was subsequently reduced in price and thrown open for re-selection.

The rents paid by the former lessee based on the higher price were in excess of the amount required to purchase the land at the reduced price. The late lessee was unable to repay the loan for erection of the house because the Crown kept the money for rent on the old lease at the higher price, despite the fact that it will again collect the price of the land from the incoming settler. The Government feels that this is a very rigid provision. Members will appreciate that a lessee may have struggled for years and paid so much off the land and then, being unable to keep up his payments, thus leading to forfeiture, the Government may take over the property in its improved condition and submit it for leasing again without making any recompense to the former lessee. This means that we are on the box seat all the time. The measure will make that section of the Act a little more reasonable.

The Bill seeks to give power to sell lands to Government instrumentalities. For example, the Rural and Industries Bank may require land for banking premises or

for staff residences. Local governing bodies may desire to buy land on which to build homes for their secretaries. The present method of purchase at public auction is not desirable in these cases, and this Bill will provide for the Crown to sell land direct.

On the advice of the Solicitor-General, the Government decided to incorporate in the Land Act the provisions of Act 16, Vic. No. 17 (1853) regarding the surrender by trustees of land vested in them by the Crown. It is desirable that the statutory powers to deal with grants and leases of reserves in trust should be included in the Land Act, which itself contains the authority to create the reserves. At the present time all town and suburban lots have to be sold by public auction.

We have been doing remarkably well with our sales of suburban lots. At several recent auctions, notably at Rockingham and even at Northampton, excellent prices were received. However, where a local authority or an instrumentality like the Rural Bank requires land, it is desirable to fix an upset price and be in a position to sell to such instrumentalities at that price. Lots when put up for auction are not always sold, and provision is made for them to be disposed of by application after a period of six months from the date of auction has elapsed. This will provide a ready means of disposing of lots for which there is no competition.

Although Section 42 of the parent Act states that "suburban land shall, within two years from the date of the sale, be fenced on the surveyed boundaries with a fence of the prescribed description," no fencing has ever been prescribed; nor could a generally applicable type suitable for all cases be evolved. "Suburban for cultivation" lands and improvement requirements for freehold sales have been evolved by regulation, but the Crown Law Department has advised that they cannot be enforced by regulation. To overcome this, the Bill incorporates a new subsection which will allow regulations to be made and enforced.

Experience through the years has shown that hard and fast cultivation conditions for large suburban blocks are not always capable of being carried out, and it is not always desirable that cultivation should be carried out. In many cases, other improvements are preferable. Section 44 of the parent Act is repealed and a new section inserted in order to establish a clear-cut basis for the fixing of prices for conversion of leaseholds of town and suburban lots to freehold. When conversion is applied for, the amendment will enable a price to be fixed which will be in accordance with the actual value of the land at that time.

The present minimum price for conditional purchase land declared open under the Land Act is 1s. per acre, which is out

of proportion to the present day value of money. In order to correct this position, it is proposed to raise the minimum to a sum of 2s. The maximum of 15s. is also out of step with today's monetary values. It is proposed to do away with a maximum as this sum can be exceeded in all cases of which the Governor approves as being a "special case," which is already provided for in the Act. As any case where the land is considered to be of a value in excess of 15s. per acre can be classed as a "special case," a specified maximum becomes superfluous, and it has been decided to do away with it.

The existing improvement requirements of one-tenth of the purchase money each year are considered to be too light, and it is felt that by increasing the required amount to one-fifth of the purchase money each year for 10 years, improvements will be established on a more successful working basis. A new paragraph is added so that improvements can be specified. This amendment is made on account of the areas which are being developed for pasture lands in the lower South-West, and also the sandplain country in the Esperance and west of Midland Railway localities.

At the present time a person who holds improved land can apply for additional land. If the improvements on the land first held are surplus to requirements, they are taken into consideration with the new land, and the holder is only called upon to improve the latter by fencing. This Bill provides for the improvement of additional lands held, and by so doing, will force them into production.

Section 57 of the parent Act, which provides a discount for payment of purchase money paid in advance, had its origin in 1919. At that time, the financial position of the State was such that every available avenue was explored for ready money, and the idea was conceived of encouraging lessees to pay up purchase money ahead of time in return for a rebate. The existing rebate, calculated on a 5 per cent. basis, is too high under present money values, and the State is not gaining an advantage by accepting money under present conditions. The prices charged for Crown lands are low, and no hardship would result if the concession were discontinued in regard to future leases. The Bill therefore provides that the rebate will cease on all leases commencing on or after the 1st January, 1951.

The Act provides that the Minister may defer payment of rent for a period not exceeding 10 years, and may also extend the term of the lease for a similar period. The Bill provides that the rate of the rental may be increased so that the full price of the land will be paid at the end of the extended period. The present sections of the parent Act relating to home-stead farms are repealed and new sections inserted. In any notice of land open for selection under conditional purchase lease

conditions, the selector of the whole of the land can apply for portion as a home-stead farm. The area cannot exceed 160 acres, but will be one-tenth of the total area selected if this figure is less than 160 acres.

In some cases, lands acquired for War Service Land Settlement are not all required, and the Bill provides for a ready method of disposal of the surplus. Sometimes when a property is purchased the area is too large for a single economic unit as laid down by the Commonwealth, and so provision is made in the Bill for the surplus to be disposed of. This would probably be sold to a nearby farmer. This will enable the financial adjustments with the Commonwealth to be made more easily than under the existing methods of disposal of land provided for in the Act.

The Bill will establish a common date for re-appraisalment of all pastoral leases in the same division which are granted after the commencement of this Act. The five year rent free period is abolished as it means an unnecessary loss of revenue, and is liable to open up avenues for continuing evasion by a process of forfeiture and reselection of land. It also enables very large areas to be held rent free for five years with an ultimate reduction to a smaller size when the rent falls due. A minimum rental of £2 per annum for a pastoral lease has been provided in order to cover administration costs.

The Bill will bring existing pastoral leases, which have been granted on various dates, with reappraisements falling due at 15-year periods from commencement, into line for reappraisalment on the common dates for older leases in the same divisions. If on a reassessment on the common date, the rent of a pastoral lease is increased, the lessee will not be required to pay the higher rental until 15 years have expired from the date of the previous assessment of the lease.

The Act is not specific in fixing a date for the receipt of applications when land is thrown open, but this is done by departmental practice. Land may be declared open on a fixed date and no applications may be received. After the lapse of time, two applications may, by coincidence, arrive on the same day. In such case, the existing proviso that they be deemed to have been received at the same time operates, but it is not specific as to what procedure shall be followed with applications received between the time of gazetting the land open and up to and including the closing date. To meet this position, a new proviso is added by the Bill.

Delays have frequently occurred in administering the estates of deceased persons, and executors or administrators sometimes fail to apply to be entered up on leases before the department issues the Crown grants in the names of the deceased persons. In any case, the department does

not necessarily know whether a grantee is alive on the date a grant is issued. As a dead man cannot acquire an estate in land, statutory authority is sought to cover such circumstances. Changed conditions, and experience gained in administering the parent Act have prompted these amendments, which I commend to the House. I think members will agree that the time is long overdue when this legislation should be brought up to date. I move—

That the Bill be now read a second time.

On motion by Hon. F. J. S. Wise, debate adjourned.

BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling) [8.30] in moving the second reading said: This is a small Bill to amend the Constitution Acts, and I think it can be said that it is being introduced because of certain circumstances which surround the position of Sir Charles Latham; although, as I hope to make plain in a few minutes, it might easily affect many other citizens if their services are required by the Commonwealth in connection with the defence of the country other than as members of the Armed Forces.

Hon. F. J. S. Wise: It could affect the member for South Perth, could it not?

The MINISTER FOR EDUCATION: It is possible that it might. I am not going to try to determine cases. While it affects Sir Charles Latham, it might equally affect anybody who is a member of Parliament in this House, and who may be asked by the Commonwealth to undertake some national duty in the cause of defence. So, while this Bill must be considered at the moment as having relation to Sir Charles Latham, I think it should be viewed by members in a broad way as to what might easily occur to one, two, three or more members of either House of Parliament. The Constitution Acts Amendment Act, 1942, provided that if—

during the continuance of the war in which His Majesty is at the commencement of this Act engaged and for a period of six months thereafter such member or person accepts or holds—

- (b) any office or place of profit or other employment from or under the Crown (whether in right of the Commonwealth or of any State or of the United Kingdom or of any other part of His Majesty's Dominions)
- (ii) which the Minister of State for Defence certifies, by writing under his hand is, in his opinion con-

nected with the defence of the Commonwealth or the efficient prosecution of the war,

the provisions of the Constitution Acts affecting his membership as a member of Parliament shall not apply. At first onset, it appeared quite plain that if Sir Charles Latham took on the position of deputy director of recruiting, unpaid, as he was doing, except to the extent that he was to be recouped his travelling expenses, he would be likely, on obtaining a certificate from the Commonwealth Minister for Defence, to be able to come under the Constitution Acts Amendment Act of 1942, because it was contended that, from a legal point of view, as no treaties of peace had been concluded with the former enemies of our country, with one exception—Thailand, I think—the war in operation at the commencement of the amending Act of 1942 was still in existence, and consequently the certificate of the Minister of State for Defence would be a sufficient security for the hon. gentleman for some time to come.

But some doubt was thrown on the matter by no less a person than His Honour the Chief Justice of Western Australia who, in a minute to the Attorney General, expressed some doubt whether, in a legal sense, the protection thought thus to be afforded was sufficient. The opinion of the Crown Law officers has necessarily to some extent been coloured by the views expressed by His Honour. They have considered both sides of the matter and have concluded that it would be far better, for the reasons I gave when I started speaking on this subject, if this amending Bill were passed so as to place the position, not only of the hon. gentleman now concerned but also of any other who might fall into a similar position in his efforts to assist in the defence of the Commonwealth or the Crown, beyond any reasonable doubt.

So it has been decided to add a further paragraph to the Constitution Acts Amendment Act of 1942 to read as follows:—

That such person or person accepts or holds or has accepted or held any office or place of profit from or under the Crown which the Minister of State for Defence certifies in writing under his hand, is, in his opinion, connected with the defence of the Crown.

It will be observed that this provision will apply whether there is any actual state of war or not, so whatever the correct legal interpretation of the problem is, I am advised that it will cover the position.

Mr. Marshall: It would be advisable to act as if we were going to have war in perpetuity!

THE MINISTER FOR EDUCATION: There is a very peculiar state of affairs in the international sphere, and I do not think anybody has a clear legal interpretation to offer. I would not undertake for one minute to enter into a discussion on the pros and cons of that subject, and as to whether there is a state of war, or what state of war there is between certain nations. There may be people qualified to do so, but I am not one of them. I content myself with saying that I hope this amendment will cover the purpose, whether there is a state of war or not. But I would like to make it clear, before concluding, that this office of profit which is referred to here and in the parent Act is something which is an office of profit, whether remuneration is received or not, so long as there is an opportunity to receive profit, even to the extent of having recouped to one what one has already expended on behalf of the country. It is, therefore, perfectly clear from the interpretation which has been placed on that question from time immemorial that even this position occupied by Sir Charles Latham, and other similar positions, though they do not return one penny of profit, are offices of profit under the Crown. I move—

That the Bill be now read a second time.

On motion by Mr. Marshall, debate adjourned.

BILL—AGRICULTURE PROTECTION BOARD.

Council's Amendments.

Schedule of six amendments made by the Council now considered.

In Committee.

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

No. 1: Clause 5, subclause (2) page 3—Delete the word "nine" in line 13 and substitute the word "eight."

THE MINISTER FOR LANDS: It is not my intention to agree to this amendment. The Assembly's provision was inserted after a lot of thought, with a view to increasing the personnel of the board from eight to nine so that the Government would have a majority. Since the Government is finding a lot of money from revenue to finance the operations of the board, it is only fair and reasonable that it should have some say in the manner in which that money is spent. I move—

That the amendment be not agreed to.

Mr. OLIVER: I support the Minister's contention that the Government should have a majority on the board, since it is the Government's money that will be spent.

Question put and passed; the Council's amendment not agreed to.

No. 2: Clause 5, Subclause (3) page 3—Delete the words "the Chief Warden of Fauna" in lines 26 and 27.

The MINISTER FOR LANDS: This amendment is consequential on the preceding amendment inasmuch as the chief warden of fauna was the ninth man to be appointed. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 3: Clause 5, Subclause (3) page 3—Insert after the word "one" in line 38 the words "shall represent."

The MINISTER FOR LANDS: I agree to this amendment, which only makes the matter more specific. I move—

That the amendment be agreed to.

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

No. 4: Clause 5, Subclause (3) page 3—Insert after the word "two" in line 39 the words "shall represent."

The MINISTER FOR LANDS: This amendment is similar to the previous one. I move—

That the amendment be agreed to.

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

No. 5. Clause 5, Subclause (3) page 3—Add after the word "authorities" in line 39 the words "and the Minister shall nominate such members from such names as are submitted to him by the executives of the organisations concerned."

The MINISTER FOR LANDS: I move—

That the amendment be agreed to.

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

No. 6. Clause 8, paragraph (d) page 5—Add after the word "holding" in line 37 the words "except where such person has the consent of the owner or occupier so to do."

The MINISTER FOR LANDS: I move—

That the amendment be not agreed to.

This amendment, if agreed to, would nullify the purpose of the clause. I believe that the Legislative Council has misunderstood the powers of the owner. The provision in the Bill is to prevent what the Legislative Council's amendment would allow. We know that trappers do not take all the rabbits but instead take only the bucks and release the does, and that is what the provision was included to prevent.

Question put and passed; the Council's amendment not agreed to.

Resolutions reported and the report adopted.

A committee consisting of the Minister for Lands, Hon. J. T. Tonkin and Mr. Ackland drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILL—ADMINISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling) [8.52]: I do not propose to offer any opposition to the second reading of this Bill, but I shall make it clear in a moment or two that my further support of the measure beyond that stage will be conditional upon certain amendments, which I propose to submit when the Bill is in Committee, being agreed to. The member for Melville, when introducing this measure, gave ample evidence—if evidence were required after the lapse of time since 1903—that £500 at that time was possibly the equivalent of £1,500 today, and to the extent, therefore, that he desired to replace "£500" by "£1,500" in exactly the same manner as is provided in the Act, I offer no serious objection, but the measure is so worded as to entail some rather fundamental change in the method followed in the parent Act. If members had before them Section 55 of the Administration Act, which is to be found reprinted in the 1943 Volume of Statutes, they would find that the section of the parent Act which this Bill seeks first to amend, reads—

In all cases where a person dies leaving property not exceeding £500 in value, application for probate or administration may be made direct to the Master.

The provision there was that the property, if not exceeding £500 in value, could be submitted for probate or administration direct to the Master of the Supreme Court, under the procedure laid down. If for the words "£500" appearing in that section the Bill simply sought to substitute "£1,500" I would not be offering this explanation of my objections. What the Bill in fact proposes to do is to insert, in lieu of "£500" the words "the net value of which does not exceed the sum of £1,500," and that is a very different proposition because there can be an estate of a gross value of £10,000, with liabilities to the extent of £8,500. That is quite a common experience, and the net value of that estate would be £1,500, but it would not, I think, come within the ambit of what the hon. member intended when introducing the measure.

There are two or three difficulties involved. First of all, it is extremely hard, if not impossible—before one applies for pro-

bate or administration—in a number of cases to say what the net value of an estate is, because those calculations cannot, as a general rule, be made until some considerable time after probate has been granted and the executor or administrator is in a position to ascertain and calculate the exact position of the estate. Quite apart from that, the intention to insert the words "net value" departs from the principle of the parent Act. It involves the difficulty of uncertainty as to the assessment of the net value, when the executor or administrator applies for probate or administration, because the application for probate or administration is invariably made—and for legal purposes granted—long before the statement of assets and liabilities is filed. There would also be the considerable difficulty that if estates of a gross value of much more than £1,500 could be dealt with under this section, because after deduction of the liabilities they would not exceed £1,500, there would be a substantially increased number of estates that would go before the Master of the Supreme Court.

I discussed the matter with the Master today and he advised me that there would be a necessity considerably to increase the number of his office staff to deal with the position. That is based on the figures known to him as representing the number of estates coming before the court during various periods of years. On those two grounds alone it will be apparent to members that the phraseology which the member for Melville has used would take the parent Act considerably further than the hon. member intended when introducing the measure. When the Bill is in Committee I shall ask members to make the position quite clear by accepting amendments that will have the effect of ensuring that Section 55 of the parent Act shall continue to read exactly as it does now, with the exception that "£1,500" will be inserted in lieu of "£500."

The other clauses of the Bill are, of course, related to that to which I have just referred and the same objection applies to them, to the extent that they refer to or deal with the net value of the estate. It will therefore be necessary for me to ask the Committee to subscribe to amendments to each of the clauses of the Bill in order that this matter may be straightened out. I do not for one moment suggest, as will have been realised from my remarks, that there is any substantial reason why there should not be an increase in the figure of £1,500. All that I insist is that it should be on the same basis as the £500 was in the principal Act and not on the changed basis of a net value which, as I have said, would not only involve many estates which the hon. member, I know, never thought of, but would also involve considerable difficulty and extra staffing—I am so ad-

vised by the Master's office—and would go far beyond what was originally intended by this legislation passed both in 1903 and subsequently when it was to some degree amended, although not in respect to the actual matter with which the hon. member seeks to deal. Therefore, I support the second reading subject to the amendments which I propose to move in Committee.

MR. FOX (South Fremantle) [9.2]: I support the second reading of the Bill and hope that, as a result of it, some relief will be given to many widows who are left with no other assets except houses. Over the last three or four years I have continually asked the Government to do something for such people along the lines indicated by this Bill. No doubt most of us have had some experience of cases where the breadwinner has only one asset, namely, the house in which he lives. A couple of years ago the then member for Geraldton, Hon. E. H. H. Hall, outlined the case of a widow who had been left £200 in probate and the estate was put into the hands of a lawyer who charged her £30 for legal fees. That is too much altogether. I pay a tribute to the officers of the Probate Office who can never do too much for the people about whom I am speaking; those who are left with few assets other than a home. Whatever the outcome of the Bill, even if the Minister will not accept it in its entirety, I hope it will pass both Houses and give some relief to the people whom the member for Melville seeks to assist.

HON. J. T. TONKIN (Melville—in reply) [9.3]: I thank the Minister for his favourable intention to accept this Bill, and I have no hesitation in agreeing to the amendments which he has foreshadowed. At no stage was it my desire to enlarge the field of administration matters, but I wished only to make such alterations as were necessary to enable the original intention of the Administration Act to be carried out. Over the years the changed value of money has gradually excluded certain estates which were originally intended to come under the provisions of the Act, and my desire is to go back to the position which existed prior to 1903. I appreciate that the inclusion of the word "net" making the words in the clause read, "net value" could quite conceivably enlarge the number of estates which might have to be dealt with by the Probate Office, bringing in those estates of substantial assets which also embrace large liabilities and making the work involved fairly considerable. It was not my intention that those estates should be dealt with under this Bill, and I am quite prepared to accept the Minister's amendment along the lines he has indicated.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; Hon. J. T. Tonkin in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 55:

On motions by the Minister for Education, clause amended by striking out after the word "words" in line 2 the words "not exceeding"; by striking out after the word "pounds" in line 3 the words "in value"; and by striking out after the word "words" in lines 4 and 5 the words "the net value of which does not exceed the sum of."

Clause, as amended, agreed to.

Clause 4—Amendment of Section 56:

The MINISTER FOR EDUCATION: I wish the Committee to reject this clause. All it would do if passed, would be to insert the word "net" in Section 56 of the Act. Of course, that is the very word we cannot insert.

Clause put and negatived.

Clause 5—Amendment of Section 57:

On motions by the Minister for Education, clause amended by striking out after the word "pounds" in line 3 the words "in value"; and by striking out after the word "words" in lines 4 and 5 the words "the net value the sum of".

Clause, as amended, agreed to.

Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—THE FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 2nd November of the debate on the second reading. To the motion "That the Bill be now read a second time," Hon. J. B. Sleeman had moved an amendment as follows:—

That the word "now" be struck out and the words "after both Houses have given consideration to the Gas Undertakings Act Amendment Bill of which the member for Melville has already given notice" inserted in lieu.

Mr. SPEAKER: The question is that the amendment be agreed to.

Amendment put and passed.

HON. J. T. TONKIN (Melville) [9.59]: I think if the member for Fremantle had been present he would not have wished to proceed with his amendment, because the intention he had has been met and the Bill which I introduced has subsequently been considered and passed in this House and in another place.

Mr. SPEAKER: The question is 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.

Read a third time and passed.

ANNUAL ESTIMATES, 1950-1951.

In Committee of Supply.

Resumed from the previous day; Mr. Perkins in the Chair.

Vote—Miscellaneous Services, £3,613,634. (partly considered):

Item, Exchange on oversea interest, payments and remittances, £400,000.

The PREMIER: Last night the member for Murchison asked me what was our loan indebtedness oversea and the amount of interest payable. At the time I could not pick up the details but they are to be found on page 18 of the Estimates. The indebtedness oversea amounts to £38,948,064 and the interest to £1,214,306, while the total indebtedness in respect of Australian loans is £70,602,078, and the interest on them amounts to £2,153,455.

Mr. MARSHALL: What I cannot find in the Estimates is information to show whether Western Australia is indebted to America. I want to know if we shared in the loans raised in America previously and also in the recent loan.

The Premier: We get our share.

Mr. MARSHALL: Can the Premier give me an idea of the amount we obtained from the American loans?

The PREMIER: I have not the figures at hand. We share in loans that have been raised in the United States but what our share in respect of the latest loan is I cannot say. I can get the information for the hon. member.

Mr. NEEDHAM: As a matter of information, Mr. Chairman, can you tell me what item we are dealing with?

The CHAIRMAN: We have dealt with Item 57.

Mr. NEEDHAM: Members may be interested in other items but there is some confusion in our minds as to the items to be discussed.

The Premier: The items are clearly set out in the Estimates, and this is the usual procedure.

The CHAIRMAN: The items are numbered and if any member indicates the number of the item to which he desires to refer, should another member wish to deal with an earlier item he can inform the Chair.

Item, State Shipping Service loss, £257,000.

Hon. J. B. SLEEMAN: The details show that the expenditure for the last financial year was £306,172. How much of that

was accounted for by sending the "Koolinda" to the Eastern States for docking? On earlier occasions I have suggested that she should be slipped at Fremantle, but no notice was taken of my representations. Only small alterations are needed at the existing slipway at the port to enable the "Koolinda" to be slipped there, and that would avoid the necessity of sending her to the East for overhaul, causing her absence for months and the expenditure of a great deal of money, all of which is debited against the State Shipping Service.

The PREMIER: The notes I have on this item show that the expenditure has been largely in connection with maintaining the service to the North-West but that it also covers exceptionally heavy expenditure caused by sending the "Koolinda" to the Eastern States in 1948 for overhaul and repairs, which cost £201,000.

Hon. J. B. Sleeman: And that expenditure will be repeated next time?

The PREMIER: No, but there will still be fairly heavy expenditure. I know that the matter has been raised on several occasions by the member for Fremantle and it was referred to the Government advisers. There are certain difficulties in the way of effecting alterations to the slipway at Fremantle to accommodate the "Koolinda." The Commonwealth has some say in that matter. While negotiations have taken place on the matter, no agreement has yet been arrived at, and we have been told that the difficulties that present themselves regarding the slipping of the "Koolinda" at Fremantle are such that we must continue sending her to the Eastern States. With regard to the new boat for which plans are being prepared, we have asked both the designers and the builders that they should take into consideration the fact that we have a slipway at the port and that the vessel should be planned so that she will be able to be slipped at Fremantle.

Hon. J. B. SLEEMAN: Is it possible for the Government to take up with the Commonwealth authorities the ridiculous position that arises in consequence of the "Koolinda" being regarded as safe enough to carry passengers to Wyndham but as too dangerous to take passengers to Darwin or out of State waters?

The Premier: Has that anything to do with the age of the ship?

Hon. F. J. S. Wise: No, the trouble is that she was due for survey and because the survey has not been carried out, she is not allowed to go beyond Wyndham.

The PREMIER: I will ask the Minister for Works to take a note of the remarks of the member for Fremantle and to deal with the matter when he is presenting his Estimates.

Hon. F. J. S. Wise: The provision in that regard is far too rigid and silly in application.

Item, Board, license and registration fees to be paid to State Electricity Commission, £2,000.

Mr. BRADY: Since the Electricity Commission has taken over the electricity supplies at Midland Junction, an officer visits that centre for a few hours once a month to collect accounts. If people are unable to pay their accounts then, they are liable to have their supplies of current cut off. On occasions when the officer visits Midland Junction for this purpose queues of upwards of 30 people have to stand outside the office. That is bad enough when they have to stand in the hot sun because of the lack of shelter, but it is not pleasant in the winter months when it is raining. Could not an officer be despatched there on more numerous occasions and for longer periods, and could not some more appropriate arrangements be made for the collection of accounts? I think the time has arrived when consideration should be given to establishing a full time officer in the district so that he can attend not only to the collection of accounts but also to various applications for new connections, repairs and so forth.

Mr. FOX: I would like to see a little more co-operation between the Minister in charge of the State Electricity Supply and the Housing Commission with regard to the supply of meters to house-camps. Master meters are provided through which a number of the camps draw supplies on the flat rate basis. One person may have a number of electrical gadgets, with the result that he may get his supplies more cheaply than another who is without any such appliances, and the position is unfair. I know there is a shortage of meters, but I would like inquiries made as to whether some cannot be supplied for the camps in Melville Park because of the great dissatisfaction felt there. I have seen some of the accounts and many living there pay twice as much for current as I do.

Item, Contribution towards establishment of a Greenbelt to abate dust nuisance at Kalgoorlie and Boulder, £2,000.

Mr. McCULLOCH: I would like to know whether the local authorities still have the idea of having a greenbelt. We cannot get water on the Goldfields even for ordinary domestic purposes.

The PREMIER: The amount is provided as a contribution towards meeting the cost of planting trees at Kalgoorlie and Boulder in order to avoid the dust nuisance. Work on the scheme has been postponed from time to time through lack of materials, mostly fencing wire. I understand, also, that some difficulty has arisen in that one of the municipal councils—I think Boulder

—has not carried out its part of the scheme. That is why the money has not been spent.

The Minister for Lands: That is correct. Boulder withdrew from the scheme.

Item, Expenses, Salary, Liaison Officer—Sydney, £1,450.

Mr. MAY: This item seems to link with Item No. 82. Will the Premier explain what these liaison officers do. I recollect the Minister for Supply and Shipping complaining bitterly about not being able to have cargo shifted. I should imagine that it would be the work of liaison officers to arrange for shipping. If they are not able to do anything about it, the expenditure is not worth while.

The PREMIER: The amount is provided to pay the salary and expenses of an officer situated at Sydney to attend to shipping requirements from New South Wales to Western Australia. We have a liaison officer in Sydney and another in Melbourne to do this work. If we get an accumulation of goods on the wharves, they do what they can to have them loaded. The man at Sydney also visits Newcastle and Port Kembla to see that we get our fair share of urgent steel requirements.

Mr. May: Do you think it is worth while having them there?

The PREMIER: Yes, there is no doubt about it. They also attend to the wants of our local manufacturers and business people generally. When some goods are urgently needed, they do what they can to get a priority for them.

Item, North-West Development Committee—Expenses, £200.

Hon. F. J. S. WISE: I draw attention to a most farcical set-up of a political kind.

The Premier: It is not intended to be political.

Hon. F. J. S. WISE: It certainly was intended to be political, and it still is. The North-West Development Committee was set up in August, 1947, shortly after this Government took office. People selected by the Government were appointed to the committee. No reference was made to North-West members, then four in number. They were refused consultation, or even knowledge of the minutes, as will be found from questions that were asked in the 1947 and subsequent sessions of Parliament. It was hoped at the time, by the appointment of these political stooges—

The Premier: That is not fair. It is most unfair and untrue.

Hon. F. J. S. WISE: It is not, and I will prove it. There was no chance of North-West members knowing what was happening. The committee sat from time to time and made suggestions on matters initiated by North-West members, but those mem-

bers knew nothing of what was going on behind closed doors. As time went by and no ground was gained politically, the activities and meetings of the committee lessened considerably. These people have made suggestions to the Government, but North-West members have not had the courtesy extended to them of being told anything about the proposals.

The committee has advised the Government on matters contrary to public statements made by the Government from time to time. A classic example of that is to be found in the minutes of a meeting of the committee in February this year when there was much activity by the Government in relation to public works and water supplies in the North-West. The Port Hedland water supply will be found to be mentioned in the minutes. The whole set-up is farcical in the extreme. The Government has not told us, in answer to questions, what authority the committee had to advise, or whether the Government accepted the advice. The Premier sidestepped the question every time I asked it.

The record of the meeting in February of this year shows that the committee recommended that the proposals for a new hospital at Carnarvon be deferred for 12 months. At that time the Premier had given certain assurances that something would be done about the plans which were prepared in 1947, but not gone on with. I do not feel bitter about many political actions, but I do about this one. In February, 1950, the committee recommended that the Government should again patch up the Carnarvon hospital, and review the proposal for a new hospital 12 months hence. That was just before the election. Within a few weeks promises in connection with the Carnarvon hospital were made by the present Minister for Health, and made in good faith—probably knowing nothing of what the committee had recommended—that attention would be given to the plans. Since then new plans have been drawn, and I hope the specifications will shortly be taken out to enable tenders to be called without delay.

My point is that this farcical committee consisting of an officer of the Mines Department, an officer of the Agricultural Department, a member of the Kimberley Regional Committee and the secretary of the Pastoralists' Association made the recommendation. I challenge the Premier to name any one of them who has local knowledge to compare with that of hon. members who represent that part of the State.

The Premier: They are stooges of the Government.

Hon. F. J. S. WISE: I am not referring to the departmental officers, but the nominee members. Look at the apologies recorded at the last four or five meetings for those not present, and it will be seen whether my illustration is a fair one!

There is no member on the committee with friendliness, in a political sense, towards this side of the House, or members representing those parts. The Premier cannot tell us that they were not hand-picked.

The Premier: I do tell you so.

Hon. F. J. S. WISE: It is a strange thing that an air of mystery surrounded the first three years of the life of this committee. We could get no information from the Premier. Of course, since it was found, as a result of the last election, that no ground was gained, the committee has not met. Will the Premier deny that the committee did not meet from February to September of this year? That was because no political ground had been gained. It is on very rare occasions that I have anything nasty to say because of political action, but this is most disgusting. No North-West member has had a chance to know what was going on behind the scenes. We find on the file that matters have been discussed and forwarded to the Government that were initiated by North-West members months and years before. It took us a long time to find out just how much notice the Government took of the recommendations. Although the amount involved here is only £200 I would like to hold up proceedings and move that the item be discharged because of the farcical situation in connection with it. At the time of the appointment of the nominee members—not the departmental members—it had a political flavour of the worst kind.

Hon. A. A. M. COVERLEY: I support the Leader of the Opposition. The committee is a stalking-horse for the Government. It did not meet from last February until September—only after I asked certain questions in regard to the proposed native affairs establishment at Fitzroy Crossing. I made some remarks about a deep sea port at Derby. Both questions, of course, were referred to the committee, the names of the members of which the Leader of the Opposition has given. Just what they know about Fitzroy Crossings and the area in which it is proposed to establish the native settlement, could be written on a cigarette-paper. I warned the Minister that if he agreed to the proposition of the Commissioner of Native Affairs he would be sacrificing the natives for the benefit of administration.

If the officers of the department decided to inspect the place they could go there by aeroplane quite conveniently, and within 50 yards of where they would step off they would be at the depot. Similarly, if the medical officer arrived by air he would find the settlement only 50 yards away. There is no water supply there with the exception of a well which, though it gives a permanent supply, has not been used for years. When the tanks went dry postmasters or linesmen either prayed for rain or went to the river for fresh

water. That is the site the committee is going to recommend the Government to adopt.

Hon. F. J. S. Wise: Were you consulted at any time?

Hon. A. A. M. COVERLEY: No. I read it in the Press when the Commissioner of Native Affairs returned. He said he was about to recommend the old post office site at Fitzroy Crossing. The Minister was good enough to assure me that that was the site proposed for the native settlement. I warned him that there was no water or shelter there. From the Fitzroy River there is a slight rise to a sandy hill on which the post office was situated.

The Premier: Did the committee make these recommendations?

Hon. A. A. M. COVERLEY: No, the matter has been referred to them since my complaint. On the rise where the proposed site is located, there are no trees or even decent scrub for shelter. The easterly wind is extremely cold there for three months of the year. I believe it has been suggested that Nissen huts should be erected but they are an utter failure in the North, being cold in winter and like an oven in summer. What is proposed would merely sacrifice the natives for the convenience of the department. If the Government is prepared to do that, God help the natives! On the river frontage at Fitzroy Crossing, within $1\frac{1}{2}$ miles of that site, there is good country with an assured water supply, on which the natives could grow vegetables. I hope the matter will not be left to the committee, which does not know the conditions.

The committee has also recommended the Government to go ahead with the deep sea port at Derby, but I am positive it has not considered all the aspects. The Premier should look into the position. No representative of the North, either here or in another place, was consulted. In courtesy to the representatives of the North, they should have been given some indication of what the discussions were. I do not want the Government to confuse this committee with the Kimberley Regional Council, which is a different proposition. The Government has handed over to the advisory council all the suggestions put forward. It vetoes the propositions suggested by the local regional council. I agree with the Leader of the Opposition that the advisory council should be written off the Estimates.

Mr. RODOREDA: Ever since the committee was appointed members who represent the North have been unhappy about the set-up. The committee has been a kind of secret conclave. We were never informed of its decisions and did not know what it was doing. Departmental officers could tell us what was proposed to be done in our own electorates. Representations

made to the department brought no remedy for anything we sought to remedy, but in casual conversation we would be informed that certain decisions had been arrived at by the North-West Development Committee. If there were no political implications, why did not the Government appoint two or three members who represent the North-West as members of the committee?

I take second place to no-one in this State as regards knowledge of the North-West as a whole. Some of the members of that committee know their own districts, but none of them knows the North-West in its entirety, as do the three parliamentary representatives of that part of the State. Surely the Government should have capitalised our knowledge if it intended to treat this matter as being non-political. Surely it should have sought information from those best able to give it, not from the angle of private enterprise that wanted some particular advantage for its own district. I can think of half-a-dozen matters that were more important to the North-West than any matters discussed by this committee. The fact that it has not had a meeting for seven or eighth months is an indication of what the Government really thinks about it.

Hon. F. J. S. Wise: It was not so before the election. It met every month then.

Mr. RODOREDA: Yes, it used to meet regularly. But what was the use of its meeting? Not one penny was spent in the whole of the last financial year. Surely, if it had been active at all it must have incurred some expenditure.

Hon. F. J. S. Wise: One member is worth at least a quarter of a million pounds.

Mr. RODOREDA: There is a matter about which I have been concerned for the last two or three years, and that is the question of the white asbestos mine at Nunyerry. I have been endeavouring to get transport and a decent road to this concern, which is producing more asbestos than the Australian Blue Asbestos Co. at Wittenoom Gorge where there is a population of 500.

Hon. F. J. S. Wise: This committee knows nothing about that.

Mr. RODOREDA: The committee does not even know it exists. The committee would not even know it is there.

Hon. F. J. S. Wise: That is the farce of the whole set-up.

Mr. RODOREDA: This is a matter of vital importance to the State. This show is producing the only white asbestos in Australia. It is under an obligation to supply the C.S.I.R.O. with white asbestos so that that department can produce chemicals, penicillin and other drugs. The asbestos is used for filters, and the people

running the mine must provide the Commonwealth laboratories with about 30 tons of first-class asbestos a year before they are granted an export permit. There is not a road to this show that will carry anything bigger than a one-ton truck. There are thousands of tons of low-grade asbestos there with a ready market available if only some little subsidy could be paid and a decent road made. Were those matters discussed by this committee? I have looked through the minutes—the first time I have ever seen them—and there is not a word about this concern. Here we have a mine with only 12 or 14 people, and it is producing more asbestos—more valuable asbestos, too—than the Australian Blue Asbestos Co. at Wittenoom Gorge where there is a population of 500. The Blue Asbestos Co. is subsidised with its freight. It is a big company—the C.S.R. Co. That is a pup company belonging to the Colonial Sugar Refineries. It can get subsidies, 100 miles of first-class road constructed and a water supply in the town-site.

Hon. F. J. S. Wise: I can tell the Chief Secretary that he need not worry because this is quite in order.

Mr. RODOREDA: Yet this other concern, which is only struggling but which is producing wealth for the country, could grow into a big concern with a little encouragement. That question has never been discussed by this so-called North-West Development Committee. Surely the Premier could obtain the information which we North-West members have been able to get. Surely the Premier could get the information and have it placed before this committee. All we get now is the departmental angle, and nothing else.

Hon. F. J. S. Wise: And the private views of one or two others.

Mr. RODOREDA: Yes; of course we get the pastoralists' viewpoint as to whether we should reduce freights on cattle brought from the North-West, and that sort of thing, but nothing of a developmental character. There are discussions on whether we should pay a £20,000 subsidy on air beef—looked after by one of these gentlemen on this committee. Those are the matters that are discussed and, unless I can get an assurance from the Premier that two or three of us North-West members can be included on the committee, and make it one which will be of real benefit in advising the Government what should be done in the North-West, I will move for this item of £200 to be struck off the Estimates.

The PREMIER: This is a case where a public man, or a Minister, can be accused of some action, or accused of trying to do something for his own political gain, for which there is not the least foundation. The committee that was selected was not selected by me. A recommendation was

made to me by the Director of Works. I did not concern myself as to the personnel. I did not request the director to ask any particular person to serve on this committee. I left it entirely to him, and a recommendation was made to me that this committee should be set up.

Hon. F. J. S. Wise: Did the idea of the committee come from him, too?

The PREMIER: Yes.

Mr. May: Did not you see the danger of it?

The PREMIER: So far as gaining any political advantage from it, that never entered my mind.

Hon. F. J. S. Wise: What a joke that is!

The PREMIER: The hon. member can say that, but I am giving the facts about this committee.

Hon. F. J. S. Wise: I will tell you more about the results in a minute.

The PREMIER: A number of these committees have been set up throughout the State, and they have not been set up with the idea of gaining some political advantage.

Hon. F. J. S. Wise: Are all these meetings held in secret too?

The PREMIER: No, they are not secret.

Hon. F. J. S. Wise: I will produce "Hansard" to prove it.

The PREMIER: As far as I know, there is nothing to stop any member for the North-West consulting the committee at any time.

Hon. F. J. S. Wise: Then why were we refused in 1947?

The PREMIER: If the hon. member had told me—

Hon. F. J. S. Wise: I did tell you.

The PREMIER: —that he had been refused an interview with the committee—

Hon. F. J. S. Wise: I was refused by you.

The PREMIER: —I would have taken steps to see that he was granted the interview.

Hon. F. J. S. Wise: That is utter rot, and I will produce "Hansard" to prove it.

The PREMIER: So far as I know, I have never refused the hon. member access to that committee. In fact, I would not think the hon. member, or those two other members who have spoken, would have thought it necessary to come to me to ask for access to that committee.

Mr. Rodoreda: But surely it is our right to be informed of its decisions!

The PREMIER: Yes, I think the hon. member should be informed of the decisions. I have not the slightest objection to that.

Hon. F. J. S. Wise: We asked for it in 1947 and 1948, and did not get it.

The PREMIER: If the hon. member had seen me, I would have made sure that he had access to the committee. I do not remember that he did see me, but I would not doubt his word.

Hon. F. J. S. Wise: I can prove it to you

The PREMIER: I do not think the hon. member would say so if he did not see me but at the same time, I repeat, I would not do anything to prevent his gaining access to that committee. These committees were set up in different parts of the State to advise the Government as to what development should take place, and in an endeavour to try to push forward the respective parts of the country or State in which they are operating. So I do not think there is any justification for the charges; if the committee has not come up to expectations it is just unfortunate.

Hon. F. J. S. Wise: Unfortunate for whom?

Mr. RODOREDÁ: Seeing that the Premier is so anxious to have this committee functioning, with maximum usefulness to the North-West, can he give me any reason why members for the North-West were not appointed to that committee? Furthermore, can he give me an assurance that one or two of them will be appointed to that committee to collaborate with its members in the future? Having access to the committee is not much help. One has to be a member of it to take any interest in it and be fully acquainted of its decisions.

Hon. F. J. S. Wise: I could not get a record of its decisions when I asked for it

Mr. RODOREDÁ: Having access to the committee is not of much assistance after it has made its decisions. It is necessary to have a vote and share in the decision. Cannot the Premier see that? I would like an assurance from him that he will revise his attitude towards members of Parliament being on the committee, otherwise I will move to have this item struck from the Vote. I have heard enough from the member for Murchison to realise that if a member of Parliament disagrees with a decision made by a departmental officer, the word of that officer is always taken in preference to that of the member of Parliament. This is another example of how a member of Parliament is brushed off as knowing nothing about the conditions pertaining to his electorate.

The PREMIER: On these committees which have been set up there are not any members of Parliament and I do not think

it is desirable that there should be. Members of those committees are generally elected from local governing bodies.

Mr. Rodoreda: There is not a man from my district on the committee.

The PREMIER: Since so much dissatisfaction has been expressed in regard to this committee I will give the hon. member an undertaking that I will go into the matter immediately with the Director of Works to ascertain whether we cannot make this committee work more satisfactorily.

Hon. F. J. S. Wise: You refused to answer the question I asked before about this matter.

The PREMIER: I wish to satisfy the hon. member as to these committees—

Hon. F. J. S. Wise: We were just brushed aside.

The PREMIER: —and I am prepared to see that much closer co-operation is shown in the future than has been shown in the past. They will be consulted upon this proposal.

Hon. A. A. M. Coverley: At the same time, ask the Director of Works if he has ever had a drink at the well at Fitzroy Crossing. Ask him that!

The PREMIER: I do not know where he has had a drink at any time.

Item, Estimated cost of Basic Wage Increases, £700,000.

Mr. OLIVER: I wish to ask the Premier whether the anticipated increase in the basic wage has been taken into account in estimating this amount of £700,000. Could the Premier tell me on what he bases the estimated figure? Has he taken into consideration the £1 increase in the adult male basic rate and 75 per cent. of that figure representing the female rate? -

The PREMIER: Owing to the present prevailing conditions it is considered advisable to show the estimated increases in the basic wage for the current financial year in a bulk figure. I explained that when introducing the Budget. As some of the increases become payable the amounts will be charged against the appropriate Votes of the departments concerned. The estimate does not include the recent increase of £1 awarded by the Commonwealth Arbitration Court. I went into this question myself this afternoon and made a note of it and the estimate definitely does not include that £1 increase. The award of 75 per cent. of the male rate being granted to females will cost £1,300,000 over the £700,000 estimate.

Mr. Oliver: That makes a £2,000,000 total?

The PREMIER: Yes.

Item, Chamber of Mines—Payment re Gold Stealing Detection, £5,500.

Mr. MARSHALL: From memory, I think that the £1,000 for this particular purpose has appeared on the Estimates for years past. I note that that amount is to be now £5,500 or, an increase of £4,500. I am going to assume that the Government has taken the full responsibility of paying for the whole of the salaries and costs of maintaining this particular staff. I cannot see how it would be possible for such a terrific increase to appear on the Estimates unless it is that the Chamber of Mines, which I believe used to contribute most towards the payment for this particular purpose of using some of the members of the Police Force as gold stealing detection staff, is not now doing so.

If it is that the Government has assumed the full responsibility of payment for the whole of the services rendered on behalf of the Chamber of Mines then I would strongly protest because I know of no other institution or organisation which, when it applies to the Police Department for police protection, gets it without making payment accordingly. If it is desired that a policeman should be in attendance at picture theatres, public halls and the like to ensure peace and goodwill during a function, then the promoter of such a function must pay for that police officer's services. Therefore, I want to know from the Premier why a £4,500 increase appears in the Estimates on this item because I do not think the Government's responsibility has ever exceeded £1,000 yearly.

Mr. McCULLOCH: This item was £1,000 last year and, as the member for Murchison has said, it is now £5,500. Gold has certainly increased in price by 41 per cent., but this item shows an increase of 450 per cent. The reimbursement to the Chamber of Mines is £3,393. Last year the Premier told us that this was to recompense the Chamber of Mines for gold-stealing charges. It seems to me that this amount of £5,500 is out of all proportion to what the reimbursement has been, and my information is that goldstealing over the last year has been less prevalent than it was in former years. I cannot understand, therefore, why this item should be increased by 450 per cent.

The PREMIER: I think I have the explanation. The amount is provided as a recoup to the Chamber of Mines for the expenditure incurred by that Chamber towards helping in the detection of gold-stealing. The Chamber will receive one-half of the stolen gold recovered but not exceeding £6,000 in the calendar year. The increase has been provided towards recouping the Chamber of Mines for the additional cost of establishing the Perth

section of the gold detection staff in conjunction with the Kalgoorlie section. I point out to members who have spoken and stressed this point that the Chamber will receive half the value of stolen gold recovered but not exceeding £6,000 in the calendar year. As members know, there has been an increase in the price of gold, and most stolen goods that are recovered are generally returned to the owners.

Mr. Marshall: If you know who the owners are.

The PREMIER: Yes. In this case we know that there are certain people legitimately engaged in the goldmining industry and provision is made for the return of this proportion of the stolen gold proceeds.

Mr. Oliver: It is paid to the individual company if its identity is known.

The PREMIER: I understand that is so.

Item, Expenses of State Officers' visit to Japan re Materials Supply, £650.

Mr. MAY: I know two officers were sent to Japan at a time when materials were scarce. From the trouble we took to try to get materials at that time I should have expected some results. I would like to know if these officers submitted a report and, if so, is that report available? Was the sending of these two officers to Japan really worth while? So far as I have been able to ascertain, it was not, as I have not noticed any inrush of materials from Japan since their visit. We should consider whether it is worth while following this practice. If there is an inrush of materials I certainly have not been able to obtain any.

The PREMIER: The Minister for Industrial Development tells me that a report was submitted. These two gentlemen who went to Japan, were Mr. Rodda from the Railway Department and Mr. Andrews from the State Housing Commission. I do not think there is any doubt at all that good resulted from the visit of these two men. A representative of one of the firms that deals in the export of steel, particularly from Japan, called to see me not so long ago, and he told me that he considered that these two men we sent to Japan had done very good work and had created a good impression. The reason for sending them was to see that the quality of goods we were getting was the quality we desired and, in that respect, I think they did good work. They did get us extra material. The hon. member has said he has not noticed any great inrush of steel.

Mr. May: Piping and galvanised iron.

The PREMIER: I know a good deal about the galvanised iron position. Unfortunately the position is that General Macarthur, who is in supreme command

in Japan, has stopped, to a very large extent, the export of these much-needed materials.

Mr. May: These two officers were there long before the Korean war broke out.

The PREMIER: This embargo has been on for some time. Steel is one of the most difficult of all commodities to get in any part of the world. Today, after a great deal of discussion and consideration with the Under Treasurer and our officer in charge of the Government stores, I did approve of a further amount of galvanised iron being imported into Western Australia. I disliked the price intensely, and I was very reluctant about giving approval. But it was explained to me that we had a quantity of this material on hand, which had been bought at what was a good price from our point of view, and we would be able to average the cost in regard to this higher purchased material. Taking the overall view, we are fortunately placed with the amount of steel pipes and wire rods that we have in Government stores. We have ensured a fair supply for 1951, and, in the circumstances, we are very lucky to have it. I know that this material has been bought at very considerable cost, but I also know that if we were to sell it today we could not only make a profit, but a very large profit. But, of course, it is not for sale.

Mr. May: You had better not sell it!

The PREMIER: It is not for sale because our Public Works programme is such that we will need it, and more, and we just do not know where the rest of the steel is to come from.

Mr. Fox: Should you hoard what other people require?

The PREMIER: We are not hoarding it. We have only to take a look around to see that it is required for the comprehensive water scheme, for the railways, harbour development and in every other direction in which this material is used. But it cannot be used at the one time. That is the explanation I give to the hon. member. There is no question of hoarding.

Item, Ex gratia payment to the widow of Squadron Leader Preston Williams, late Private Secretary to the Governor, £250.

Mr. McCULLOCH: There was a door-keeper employed at Parliament House for many years and I understand that similar provision was not made for his widow. Is the Premier aware that the lady mentioned in the item was again married a few days ago, and is it intended to ask her to refund the money?

Mr. FOX: I should like to know what amount was paid to the widow of the employee referred to by the member for Han-

nans. If it was not equivalent to the £250 contained in this item, will the Premier see that it is brought up to that sum?

The PREMIER: The amount in the item was a compassionate grant. For many years the deceased had received a very moderate salary, something like £350 a year, though just before his death it was raised to £500. He died in tragic circumstances, and his widow was left with a small child. Compassionate grants have invariably been made at the discretion of the Government. I had investigations made as to the position of Mrs. Williams and the Government decided to make this amount available to her. I had no idea that she intended to marry again. There is no intention of asking her to refund the money. I do not know what provision was made for the widow of the employee mentioned by the member for South Fremantle, and, not knowing the circumstances, cannot give any undertaking.

Vote put and passed.

Vote—North-West Generally — £200—
agreed to.

Progress reported.

ADJOURNMENT—SPECIAL.

The PREMIER (Hon. D. R. McLarty) :
I move—

That the House at its rising adjourn
until 3 p.m. on Tuesday next.

Question put and passed.

House adjourned at 10.27 p.m.

Legislative Council.

Tuesday, 28th November, 1950.

CONTENTS.

| | Page |
|---|------|
| Questions : Health, as to conveyance of patient to Wooroloo Sanatorium | 2195 |
| Light land settlement, as to conditions and superphosphate supplies | 2196 |
| Roads, as to Southern Cross-Coolgardie section | 2196 |
| Leave of absence | 2196 |
| The Kauri Timber Company Limited Agreement Bill Joint Select Committee, report presented | 2196 |
| Bills : Lotteries (Control) Act, Continuance, 1r | 2196 |
| Land Act Amendment, 1r. | 2196 |
| Administration Act Amendment, 1r. | 2196 |
| Noxious Weeds, 3r. | 2197 |
| Natives (Citizenship Rights) Act Amendment, 3r. | 2197 |
| Judges' Salaries and Pensions, 3r., passed | 2197 |
| Legal Practitioners Act Amendment, 3r., passed | 2197 |
| Bush Fires Act Amendment, Assembly's message | 2197 |
| State Transport Co-ordination Act Amendment, 1r. | 2202 |
| Constitution Acts Amendment (No. 2), 1r. | 2202 |
| Fauna Protection, Assembly's message | 2202 |
| Milk Act Amendment, 2r., defeated | 2205 |
| Increase of Rent (War Restrictions) Act Amendment (No. 2), 2r. | 2206 |
| Railway (Port Hedland-Marble Bar) Discontinuance, returned | 2216 |
| Vermin Act Amendment, Assembly's message | 2216 |
| Rural and Industries Bank Act Amendment, Com., report | 2216 |
| Agriculture Protection Board, Assembly's message | 2216 |
| Industrial Arbitration Act Amendment, 2r., Com., report | 2220 |
| State (Western Australian) Alunite Industry Act Amendment, 2r. | 2220 |
| War Service Land Settlement Agreement (Land Act Application) Act Amendment, 2r., Com., report | 2221 |
| Inspection of Machinery Act Amendment, 2r. | 2221 |

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

QUESTIONS.

HEALTH.

As to Conveyance of Patient to Wooroloo Sanatorium.

Hon. G. BENNETTS asked the Minister for Transport:

(1) In reference to the serious female stretcher case of T.B. which was conveyed from Kalgoorlie to Wooroloo on Monday last, will the Minister see that, in future, proper ambulance conveyance is supplied for this purpose?