

BILL—COMMONWEALTH POWERS.*Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 and 3 made by the Council, had disagreed to No. 2, and had agreed to No. 4 subject to a further amendment.

**BILL—SUPREME COURT ACT
AMENDMENT (No. 2).***Assembly's Further Message.*

Message from the Assembly received and read notifying that it had agreed to the Council's request for a conference on the amendment insisted on by the Assembly, and had appointed Mr. Smith, Mr. Styants and Mr. McDonald as managers for the Assembly, the President's room as the place of meeting and the time 1.30 p.m. on Thursday, 13th December.

BILL—CITY OF PERTH SANITATION.

Received from the Assembly and, on motion by Hon. J. A. Dimmitt, read a first time.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) I move—

That the House at its rising adjourn till 11.30 a.m. to-morrow.

Question put and passed.

House adjourned at 12 o'clock (midnight).

Legislative Assembly.

Wednesday, 12th December, 1945.

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The SPEAKER took the Chair at 4 p.m., and read prayers.

QUESTIONS.**COUNTRY HOSPITALS.***As to Shortages of Staff.*

Mr. SEWARD asked the Minister for Health:

1, Is he aware that unless additional (a) nursing staff, (b) domestic staff, is supplied to country hospitals within the next few weeks, several of them will be compelled to close?

2, If not, will he make immediate inquiries by telegram to ascertain what the position is and which hospitals are so situated?

3, If the position is as described in question No. 1, what steps is he taking to remedy the position?

The MINISTER replied:

1, No, but serious staff shortages are known to exist.

2, This is unnecessary as the department is in constant touch with all hospitals on this question.

3, Every possible step is being taken. No compulsory powers exist, and it is expected that the position will remain difficult until after the Christmas holidays. In the meantime, no effort is being spared to maintain hospital services. The assistance of local women who were nurses, and others, would be most valuable during the holiday period.

RAYON GOODS.

As to Local Manufacture.

Mr. DONEY asked the Minister for Industrial Development:

1, Has the Government been approached, and if so in how many cases, by rayon manufacturing interests desiring to make goods in this State?

2, If the answer to No. 1 is in the affirmative, what was the nature of the request or requests so submitted?

3, What was the substance of the Government's reply?

The MINISTER replied:

1, One proposal to manufacture rayon in Western Australia has been received by the Government.

2, The Government was requested to sponsor the formation of a local company to manufacture 500 tons of transparent paper and 800 tons of rayon yarn in the south-western portion of the State.

3, The proposal is being investigated and the principal of the oversea firm concerned has been invited to visit Western Australia to enable discussions to take place.

MIGRATION.

As to Shortage of Shipping.

Mr. DONEY asked the Minister for Lands:

1, Did he see a recent report in "The West Australian" newspaper crediting this State's Agent General in London with explaining to applicants that emigration to Western Australia was held up owing to shipping difficulties?

2, Is this House to assume, that so far as this State is concerned, there are no obstacles to emigration other than those arising from a shortage of shipping?

The MINISTER replied: 1, Yes. 2, The question of immigration has not yet been discussed by the Commonwealth and this State.

SCHOOLS OF AGRICULTURE.

As to Students and Staff.

Mr. DONEY asked the Minister for Education:

1, What numbers of students are at (a) Narrogin School of Agriculture, (b) Muresk Agricultural College?

2, What number of tutors or other officers (exclusive of technical and field officers) are attached to (a) the Narrogin School of Agriculture, (b) Muresk Agricultural College and what office does each officer fill?

3, If there are staffing disparities that require adjusting will he take the necessary action?

4, In what direction is such action likely?

The MINISTER replied:

(1) (a) 80, (b) 29.

(2) (a) 2—Mr. Cullen, Acting Principal; Mr. Hoad, Assistant and Housemaster. (b) 4—Mr. Southern, Principal; Mr. Tullock, Assistant and Housemaster; Mr. Bettenay, Lecturer in Agriculture; Mr. Gamble, Assistant Lecturer in Agriculture.

(3) The schools are really not comparable but having regard to their status and organisation there are no staffing disparities.

(4) Answered by No. (3).

RAT-INFESTED VESSELS.

As to Fumigation at Fremantle.

Mr. FOX asked the Minister for Health:

1, Is he aware that ships are arriving at Fremantle very badly infested with rats?

2, That over 400 rats were found dead after two fumigations on a ship that comes regularly to Fremantle?

3, That waterside workers refused to work the "Sofala" (which had been anchored in Gage Roads for a week) until it was fumigated, because of the danger of infection from rats?

4, That several members of the Waterside Workers' Union have been infected with disease traceable to these rodents?

5, In order to prevent stoppages will he take action to see that the health of the people generally be not endangered, by insisting that ships arriving at Western Australian ports be fumigated, particularly those arriving from oversea, whether the fumigation period has expired or not?

The MINISTER replied:

(1) No.

(2) No.

(3) No.

(4) No.

(5) This matter is one for the Commonwealth Health Department, but I am informed that trapping, poisoning, or fumigation is ordered whenever the inspector's examinations reveal rats on a ship.

COUNTRY WATER SUPPLIES.

As to North Baandee Extension Supply.

Mr. TELFER asked the Minister for Works:

1, In view of the fact that the water service storage tank at the end of the North Baandee extension 166, branch 4, known as Ryan Tank—being the main point of reserve water supply in dry summers for the farmers' livestock in the Kodj Kodjin area—can steps be taken at once to give greatly increased supply?

2, If unable to do so, when will circumstances permit?

3, Do stocks of piping, labour and circumstances permit sundry minor water extensions to farmers' holdings in the wheat belt area served by the Goldfields Water Supply?

4, If not, when may such extensions of service be anticipated to be made available?

The MINISTER replied:

1, 2, 3 and 4, The Agricultural Areas Water Supply Committee has been asked to review each proposed water supply extension and to indicate an order of priority. The making of extensions and improvements as recommended by the committee will depend upon the availability of pipes which are in very short supply at the present time.

RETURNING R.A.A.F. PERSONNEL.

As to Deviating of "Athlone Castle."

Hon. J. C. WILLCOCK (without notice) asked the Premier: In view of the fact that a number of Western Australian R.A.A.F. men are on the "Athlone Castle," which, it is said, is not calling at Fremantle, will he make representations to the appropriate Commonwealth authorities for the ship to call at Fremantle?

The PREMIER replied: My attention was drawn to the report that the "Athlone Castle" was not calling at Fremantle by the member for Geraldton earlier in the week and also by parents of boys who are on that vessel. I caused a telegram to be prepared to be sent to the Prime Minister and, in the course of it going from my office, we received word from the office of a newspaper in the city, whose representative was inquiring as to whether any action was taken in the matter, that the vessel would now call at Fremantle.

Members: Hear, hear!

BILL—LEGISLATIVE COUNCIL REFERENDUM.

As to Being Laid Aside in Council.

Mr. SPEAKER: My attention has been drawn to a ruling given in the Legislative Council on the Legislative Council Referendum Bill—when the ruling of the President was disagreed with—that the Bill in question should have passed this House with the concurrence of an absolute majority as provided for in Section 73 of the Constitution Act, 1889.

When the Bill was before this House, I gave particular attention to the question of whether it could in any way be classed as one that altered the constitution of either House of Parliament, and I was fully satisfied, after consideration, that the Bill did not of itself alter the Constitution but merely authorised the holding of a referendum. The Bill was introduced by a Message from His Excellency, the Lieutenant-Governor, authorising the expenditure of money to provide for expenses in holding the referendum. I have since received the opinion of the Solicitor General on the

matter, and I propose to read it for the information of the House—

1. Referring to the objection, taken in the Legislative Council on Tuesday, the 11th December, that this Bill could not be proceeded with in the Council because it was covered by Standing Order of the Legislative Council No. 242, and the requirements of that Standing Order had not been complied with.

2. I note that the Hon. the President of the Legislative Council ruled out such objection but that his ruling was by resolution of the members of the Legislative Council disagreed with.

3. In response to your request for an expression of my views, I have no hesitation in saying that in my opinion the said Bill does not in any manner whatsoever come within the provisions either of Section 73 of the Constitution Act, 1889, or of Standing Order of the Legislative Council No. 242, and that when in the first instance the Hon. the President ruled that the Bill could properly be proceeded with in the Legislative Council he gave a correct ruling.

4. Section 73 of the Constitution Act, 1889, reads as follows:—

73. The Legislature of the Colony shall have full power and authority from time to time by any Act to repeal or alter any of the provisions of this Act. Provided always that it shall not be lawful to present to the Governor for Her Majesty's assent any Bill by which any change in the constitution of the Legislative Council or of the Legislative Assembly shall be effected, unless the second or third reading of such Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly respectively, etc.

The words in black print above are the material words in the said Section 73.

5. Standing Order of the Legislative Council No. 242 reads as follows:—

242. If any Bill received from the Assembly be a Bill by which any change in the constitution of the Council or Assembly is proposed to be made, the Council shall not proceed with such Bill unless the Clerk of the Assembly shall have certified on the Bill that its second and third readings have been passed with the concurrence of an absolute majority of the whole number of the members of the Assembly.

The words in black print above are the material words in the said Standing Order No. 242.

6. The said Standing Order No. 242 is—and is only intended to be—a corollary to Section 73 of the Constitution Act, 1889, for the purpose of implementing such Section 73. Section 73 relates to a Bill which has passed both Houses, and then prohibits the presentation thereof to the Governor for the Royal Assent

unless in its passage through both Houses it was passed by an absolute majority at the second and third reading stages of both Houses. For the implementation of that section, the said Standing Order No. 242 prohibits the Legislative Council from proceeding with the Bill unless it has the prescribed evidence that in its passage through the Assembly it was passed at the second and third reading stages by an absolute majority of the members of the Assembly.

7. But in the clear unambiguous language of Section 73 of the Constitution Act, 1889, which Standing Order No. 242 cannot alter or derogate from, both the Standing Order and the section apply only to a Bill for an Act which will repeal or alter any of the provisions of the Constitution Act, 1889, in order to effect a change in the constitution either of the Legislative Council or of the Legislative Assembly.

8. Now, the Legislative Council Referendum Bill merely authorises the submission of two questions to the electors and prescribes the method or machinery for the submission of such questions, and for obtaining the answers of the electors thereto. In no manner whatsoever will that Bill, if passed, alter or repeal any provision of the Constitution Act, 1889, nor will it in any manner effect (not affect) any change whatsoever in the constitution of the Legislative Council. In that respect, it will not have any more force or effect than the conducting or taking of a Gallup poll on the same questions through the daily Press.

9. The only purpose and effect of the passing of the said Bill would be to procure from the electors for the guidance of the Government a direction as to what kind of legislation (if any) the Government should introduce into Parliament to repeal or alter some of the provisions of the Constitution Act, 1889, in order to effect a change in the constitution of the Legislative Council. If and when the Government decides upon the nature of the legislation so to be introduced, and introduces a Bill for such legislation, then—and not until then—will Section 73 of the Constitution Act, 1889, and Standing Order of the Legislative Council No. 242 apply and be relevant to such Bill.

10. Such applicability and relevancy of Section 73 and Standing Order No. 242 aforesaid to such Bill will then be obvious beyond any question because the Bill itself must by its Title relate to the amendment of the Constitution Act, 1889, and contain provisions which in express terms will amend or repeal special provisions of the Constitution Act, 1889.

11. In the light of the above observations, it will be understood that in my opinion, expressed with all due deference to the members of the Legislative Council, the Legislative Council could legally and constitutionally have proceeded with the Legislative Council Referendum Bill because neither Section 73 of the Constitution Act, 1889, nor Standing Order No. 242 were applicable.

The Minister for Works: Ned Kelly had nothing on Mr. Baxter and his friends.

HARBOURS DEVELOPMENT AND CONTROL SELECT COMMITTEE.

Extension of Time.

On motion by Mr. Styants, the time for bringing up the report was extended to the 26th December.

WOOL HANDLING DELAYS SELECT COMMITTEE.

Extension of Time.

On motion by Mr. Watts, the time for bringing up the report was extended to the 14th December.

BILL—MINING ACT AMENDMENT.

In Committee.

Resumed from the 18th September. Mr. Rodoreda in the Chair; the Minister for Mines in charge of the Bill.

Clause 2—Amendment of Section 277:

The CHAIRMAN: The member for West Perth had moved an amendment to add a new paragraph as follows:—

(d) by inserting after the word "year" in line 3 of Subsection (2) the words "but not exceeding five years."

Mr. McDONALD: I suggested that the right of occupancy should not be granted for a period longer than five years. Subsequently I heard the Minister's explanation and I think my amendment would involve further amendments to the parent Act. I feel now that the position will be sufficiently safeguarded against any abuse and I therefore ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

The MINISTER FOR MINES: When the Bill was last before us, the member for Nedlands expressed concern as to what might happen if a prospector followed a leader to 30 ft. or more and struck alluvial. There is no doubt that the prospector would have been limited in his operations to 30 ft., and this did not meet with the approval of various members. I have consulted with the company concerned in the prospecting for deep alluvial and it has no objection to

the restriction being removed, so that any prospector may have full and free right to enter upon a reservation and carry on bona-fide prospecting and have the right of ownership to anything he may discover. He will be able to prospect for alluvial as well as for lode or reef. I move an amendment—

That in lines 7 and 8 of the proposed new Subsection (1a) (a) (iii) the words "other than deep alluvial gold" be struck out.

Amendment put and passed.

The MINISTER FOR MINES: This amendment necessitates other alterations. I move an amendment—

That the following proviso be added to the proposed new Subsection (1a) (a) (iii):—

Provided that no mining tenement applied for by the person prospecting for gold and minerals as aforesaid shall be granted except upon and subject to such conditions as the Minister, after receipt of the report and recommendation of the warden following the hearing of the application in the warden's court, shall think fit to impose for the purpose of protecting and keeping free from interference the plant and operations of the holder of the right of occupancy upon the land comprised therein.

The proviso will not alter the circumstances that prevailed under the original measure, but the words "other than deep alluvial gold" appear in subparagraph (b), and I wish to overcome the difficulty and give some protection to the company. The prospector must not in any way interfere with the activities of the company, say, when making geophysical examinations or doing drilling, but otherwise he will have full freedom. The proviso is merely to ensure that there is no interference with the actual operations of the holder of the right of occupancy. The warden will have some jurisdiction in the matter, and finally the Minister will have a say. The prospector has every protection and is given a fairly free hand.

Hon. N. KEENAN: My recollection is that the holder of a miner's right can take up ground without making any application at all for it, provided the ground is open. The warden only came into the matter in the event of a dispute. Can the Minister inform me whether that is so? If the words "mining tenement" include every form of occupancy of ground by a prospector searching for gold or other minerals, and if the Minister is quite satisfied on that point, I have no objection.

The MINISTER FOR MINES: A miner's right gives the holder thereof certain privileges and certain rights, but not the right to prospect Crown land.

Hon. N. Keenan: Unoccupied Crown land.

The MINISTER FOR MINES: The prospector does not acquire a tenure until he makes application for it. The position is that many mining prospectors do not apply for a mining tenement until such time as they have some indication that they have discovered gold or other metals. They then apply for a tenement and it is granted in the ordinary course.

Amendment put and passed.

The MINISTER FOR MINES: I move an amendment—

That paragraph (b) of proposed new Subsection (1a) be struck out.

This is a consequential amendment to the one just agreed to.

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

Clause 3, Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—CONSTITUTION ACTS AMENDMENT ACT AMENDMENT (No. 4).

Second Reading.

Debate resumed from the 7th December.

MR. WATTS (Katanning) [4.29]: It is my intention to support this measure, because I can find nothing in it to which I think any reasonable person could take exception. It contains, however, one provision to which I shall make reference in a few moments and as to which I am not clear. I have no doubt, however, that the Premier will be able to explain to my satisfaction its effect, which possibly is different from what I have in my mind. The question of the responsibility of members for transactions which they have with the Crown has been one that has exercised Governments and people for a great portion of the time in which we have had Parliamentary Government. Prior to the time when Governments engaged in commercial and trading activities and in the provision of public transport and public utilities, there was little, if any, need to re-cast the idea that transactions be-

tween members of Parliament and the Crown should be avoided, in the belief, of course, that a member of Parliament, in determining matters of public import should, in such circumstances, not be associated with those matters on which the legislation, with which he had to deal, was concerned. But times have changed.

There is a growing inclination, and in many respects a justifiable one, for the State to take control of matters which, in other ages, would have been left almost entirely to private enterprise. Nor is that necessarily an extension of any socialistic doctrine because in this country it has been obvious to Governments that would in no circumstances claim to have socialistic principles, that State enterprise in the matters to which I have referred was necessary. For example, the Forrest Administration at the end of last century was responsible for many Government activities which, today, have been extended in other directions and are still operating. The Government railways in this State were started before the commencement of responsible government and there have, of recent years, been extensions of State activities, by Governments of different political beliefs, into banking, enterprises such as that at Lake Chandler and the manufacture of commodities for the public, and extensions of transport services, water supplies and other facilities.

To such a degree have those extensions taken place that it is virtually impossible for a member of Parliament in this State to continue to exist unless he shares, with other members of the public, in a great percentage of the facilities of one kind and another that are available to him by Government enterprise. So it can be nothing more or nothing less than ridiculous to assert that today a member of Parliament should have his right to occupy a seat in this or the other House put in jeopardy, and run the risk of paying a substantial penalty at the instance of a common informer because he happens to enter into transactions, on exactly the same terms as any other citizen, with a Government department involved in these enterprises. So long as he is obliged to accept these services only on the same terms as any other citizen then for so long can there be no objection to having removed from him the imposts to which I have just referred.

In these circumstances I think that no exception can be taken to the first part of the measure by any member of this House or by the public. That the matter has been argued before in the Legislature of this State and that an opinion no different from that expressed by me has been voiced in the past is quite clear from the contents of the report—and I believe there are many other such documents in existence—of a Select Committee of the Legislative Council appointed to report on the Constitution Acts Amendment Act, 1899, Amendment Bill, presented to that House on the 29th October, 1935. That Bill was to amend, among other things, the same section of the Constitution Acts as this Bill seeks to amend, and in the report we find arguments strongly supporting a measure of the kind that is now before us. That committee included the late Hon. J. Nicholson, and all those who knew that hon. gentleman will know that it would have been extremely difficult to persuade a man of his probity and character to agree to a proposition to amend the Constitution on the lines I am discussing without the strongest reasons. But he was the chairman of that committee and signed this report which states—

When the original Constitution Act of 1889 and some of the later amending Acts were passed the Government had not established State Trading Concerns, and it is therefore not to be wondered that those responsible for the drafting and passing of these earlier measures failed to foresee and make provision to meet the circumstances which have arisen by the establishment of such concerns as those referred to, and the obviously serious position in which members of Parliament may be placed when dealing with these concerns or other activities of the Government.

By way of illustrating the position in which members of Parliament may be placed it is only necessary to refer to Sections 32, 35, 34 and 35 of the Constitution Acts Amendment Act, 1899. The sections above quoted have reference particularly to the disqualifications which ensue from a person undertaking or holding a contract or agreement, etc., with the Government, the only exceptions provided being where persons contribute to a Government Loan, or hold bonds for the purpose of such loan, or, as provided by Section 35, where the contract, etc., is entered into or accepted by an incorporated company consisting of more than twenty persons, or to a lease, license, or agreement in respect of the sale or occupation of Crown lands. The view has been frequently expressed that members of Parliament, entering into ordinary dealings with any trading concerns or other utilities or activities

of the Government, may be offending against the provisions of the Act, and exposing themselves to the penalties therein provided such as, for example, the penalties provided by Section 39.

The report later states—

So long as members of Parliament are not granted any benefit in such contracts or dealings over the general public, then your Committee cannot see why members of Parliament should be excluded from the rights which the general public enjoy, and, particularly, the right to avail themselves of those utilities or services controlled exclusively by the Government, for example, Railways or State Shipping, without being exposed to the risk of being challenged with having infringed or offended against the existing laws in relation to our Constitution.

That is a clear and unequivocal statement of the position in which we find ourselves; a position which we have attempted, as a Parliament, to remedy on more than one occasion without success. I trust it will be remedied this time. The part of the Bill which I fail to apprehend entirely is that which refers to the sale of goods or the performance of services in a town or area of the State where there is only one individual carrying on the business or able to give the service which is needed. The Bill provides—

—where there is no other person carrying on the same kind of business and—

- (i) it is necessary, in order to avoid delay, expense, or other inconvenience, that the Crown shall obtain such goods or the performance of such work in such town or portion of the State;
- (ii) the goods are not sold or the work is not performed in pursuance of a written agreement which by virtue of its provisions has a continuing operation; and
- (iii) the goods or work are not required for or in connection with the construction of a public work within the meaning of the Public Works Act, 1902-1933.

I find it extremely difficult to understand why the complete exclusion of works, which are public works, should be incorporated in this measure. It seems to me to undo a great deal of the good, so far as the Crown is concerned, that I presume the clause is intended to confer upon the Crown. The definition of "Public Works" in the Public Works Act covers a tremendous number of activities. Buildings, and water supplies, railways and roads, bridges and many other matters are

all included under the term "public works." In order to avoid delay and inconvenience, this clause says that the Crown is to be entitled to buy from a member of Parliament's business, if there should happen to be any in the particular area concerned, but that the Crown cannot buy requirements for public works. The reason for this provision will not be obvious, because I presume that in some of the outer areas of the State there may be occasions when this particular provision would require to be availed of in connection with public works in the vicinity of the business such as I have mentioned. I take it that supplies of petrol, repairs to vehicles and other small items that may be in temporary short supply, such as iron and other similar commodities, would be the most likely supplies required and they would be required, as I said, in most instances with respect to public works. I understand the necessity for securing the position regarding goods which are supplied for the purpose of public works, but I am prepared to listen to reasons that may be adduced in order to convince me that this provision should be allowed to remain in the Bill.

The third portion to which I desire to make reference is that permitting the Governor by regulation to prescribe the recoup of reasonable expenses to members of Parliament who are associated with Select Committees or Honorary Royal Commissions and also to the Honorary Minister as a member of the Executive Council. Provided—I have no doubt that this reservation will be duly complied with when the regulations are made—that the recoup of expenses proposed will be on reasonable terms, then I shall have no objections whatever to it. I have reason to know that members of this House who are among the best qualified in my opinion, for what that opinion is worth, to sit on and take part in the investigations and deliberations of Select Committees or Honorary Royal Commissions, have expressed the opinion that they are unable to offer their services for that purpose, however well qualified they may be for the task and however valuable the inquiries being prosecuted may be to the State, because they cannot afford long absences from home and the unavoidable expenses that have to be incurred in undertaking such work on behalf of the State. Those expressions have been made to me by hon. members—honourable in every

sense of the term—and I, therefore, have no hesitation in believing that it is detrimental to this Parliament and to the country itself if the present provision of the law is permitted to continue.

Believing as I do that the prescription of the allowance to be made will be made on terms that will be reasonable, and nothing in excess of that will be involved, I have no opposition to offer to that part of the Bill. It will enable members of this and another place, who are best qualified, to deal with matters that are likely to come before them as members of Select Committees or Royal Commissions in a far more satisfactory manner. It will have that effect because there will not be the need to think so much of the time they will be away from their homes at considerable personal expense, but rather have the effect of enabling them to spend more time on work that the importance of the task and the interest of the people warrant being spent in that direction. It will serve to remove an obstacle that should have been removed in a reasonable way a long time ago. I support the Bill.

MR. McDONALD (West Perth) [4.45]. I support the second reading of the Bill. It arises out of certain safeguards in our legislation which have been inherited from British parliamentary institutions and which are based on profound considerations of public policy. It is of the utmost importance that the Government should not be able to secure the favour of individual members of Parliament or render itself immune from their criticism by benefits conferred on those members or through the expectation by members of benefits that might be conferred on them by the Government in the future. At the same time, we have to remember that the present provisions which safeguard public interests in this respect, were laid down many decades ago in Great Britain under conditions very different from those that obtain today, even in Britain itself. In Western Australia there has been a wide measure of State enterprise and I think it is true, as the Premier has said, that a member of Parliament is now in the position where unless he has some protection he may, with the utmost integrity, find himself under suspicion of a breach of those rules which have come to us from the Motherland

I think the measure is justified in that it seeks to grant to members of Parliament reasonable protection while at the same time ensuring against the possibility of any breach of public interests. In general, the measure extends to members of Parliament an opportunity to deal with State enterprises and activities on the same terms as any other member of the public. When we look around us today and note the number of occasions when members have necessarily recourse to State activities, we appreciate that there must be some reasonable assurance that they may not be regarded as committing any breach of their duties by doing what, in many instances, is absolutely unavoidable. I would not like to see the provisions of the Bill in any way widened. I think the measure is quite as wide as the Legislature should make it at present. It certainly meets present day conditions. I have had some doubt as to one provision in the Bill, to which I shall draw the attention of the House.

The measure provides that the prohibitions embodied in the Constitution Act shall not apply in the case of a contract or agreement for the rendering of any service by a member of Parliament for the Crown. The words "such person" refer, of course, to a member of the Legislature: and the intention of the Bill is to exempt from any possibility of prejudice or disqualification cases where a member of the Legislature may render a service to the Crown. I agree that there might be cases where members of the Legislature may be peculiarly qualified to render services in particular matters to the Government and to the people. On the other hand, the expression is a very wide one and would cover all kinds of services, nor is it limited as to the period of the services. I would like the Premier to suggest to me whether he thinks this provision is essential to the Bill or whether he thinks the case might be met sufficiently if the Bill were passed without it.

I think there are some safeguards. There is always the discretion of the Government in securing services which it might be entitled to obtain under an authority such as this. The Government would be careful neither to put itself nor the member concerned in any position which might be misunderstood. But I would not like to see any provision in

the Bill which is so wide that possibly there might be some degree of employment of a member of the Legislature which, in the light of the traditions of our British Parliaments, would not be in keeping with those traditions. Apart from that aspect, the Bill deserves support; but if that particular part of the Bill is not considered to be of vital importance, it might be eliminated.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne—in reply) [4.53]: I would like to clarify the two or three points raised by the Leader of the Opposition and the member for West Perth. Dealing first with the last point raised, the provision in the Bill to which the member for West Perth has drawn attention would, I suggest, be very necessary in the case of many eventualities. As a matter of fact, without it, it would not be possible for the Crown to obtain the services of an eminent architect, or an eminent legal gentleman within the membership of either House, and we have such, or a doctor or an engineer or, indeed, any professional person to whom the Crown might of necessity have to refer some matter for consideration or for service. It would be very unwise and unnecessary to restrict or prohibit any such case at the moment or in the future, and so deny the Crown the services of such members of Parliament. As the member for West Perth said, such matters would be in the discretion of the Government and no Government would do other than honour in every respect such an important discretion.

No Government would be so foolish as to abuse the privilege which is incorporated in this Bill for the valid protection of such members; if it did, it would very quickly be found necessary to withdraw any opportunity to avoid or abuse responsibility under the Constitution. It can confidently be asserted that, to cover any existing or anticipated case where services of an expert character have been or might be rendered to the Crown, it is fair for the persons concerned and for the Crown to have the position clarified. On the point raised by the Leader of the Opposition, there will be found in the early part of this Bill references to contracts under the Public Works Act; and in the section of the Act which this Bill amends reference will be found to agreements and contracts

which are distinctly prohibited. Therefore, it is proposed by the Bill not to expand or broaden the privilege or the right of a member who may be in a position to sell to the Crown, so as to give him the opportunity to expand his interest, his services or his sales to the Crown in a way that would be open to public question.

The Bill provides that members of Parliament, not only in this House, but in the Legislative Council, who may in isolated places service a Government car or supply petrol or any other commodity—consumable goods—from day to day, or supply goods to a native mission station, should be exempt from challenge by a person acting as a common informer. To expand it and give to those persons all the rights of contracting for or supplying goods to the Government for any public works is not intended, and that is the reason for inserting paragraph (iii) of Clause 2.

Mr. Watts: It will make the position more difficult for them. That is what I am worried about.

The PREMIER: To strike out paragraph (iii) would leave the provision very wide indeed. This Bill is drafted to provide for the emergency case; and the Legislative Council Select Committee, from whose report the Leader of the Opposition quoted, recommended this safeguard. Consequently, there is nothing to fear from the limitation imposed. I think it would be wise to let the Bill stand as printed.

Question put.

Mr. SPEAKER: I have counted the House and assured myself that there is an absolute majority of members present and, there being no dissentient voice, I declare the question duly passed.

Question thus passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of Section 35:

Mr. WATTS: I rise not to press for an amendment of the clause, but to make a few observations on the remarks just made

by the Premier. I agree entirely with him that to open the road in regard to contracts or agreements made in respect of any public work would be definitely unwise and indeed improper, but I submit that the inclusion of paragraph (iii) will make the position of the person whom the Premier intends to cover slightly worse. Hitherto, that person has not had to consider whether the goods he was dealing in were in respect of a public work or not. He just could not supply them. If he did, he ran the risk of committing a breach of the Constitution Act. But under this Bill he will have to find out from the person who comes to him, if he wants to claim the protection of the Act, whether the materials are required for a public work or not. He will require to have with him a copy of the relevant section of the Public Works Act. I think that under this Bill we run the risk of making it a little more difficult for the individual concerned than under the existing law, because he will have to ascertain just what everything is required for before he can, within the confines of this law, dispose of it to the Crown in a purely casual way in circumstances when there is nobody else to supply it.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne) [5.1]: I move—

That the Bill be now read a third time.

Question put.

Mr. SPEAKER: I have counted the House and assured myself that there is an absolute majority of members present. I declare the question duly passed.

Question thus passed.

Bill read a third time and transmitted to the Council.

MOTION—STATE FORESTS.

To Revoke Dedication.

Debate resumed from the 7th December on the following motion by the Premier:—

That the proposal for the partial revocation of State Forests Nos. 4, 14, 20, 27, 28 and 30 laid on the Table of the Legislative Assembly

by command of His Excellency the Lieutenant-Governor on Thursday, the 6th day of December, 1945, be carried out.

THE MINISTER FOR LANDS (Hon. A. H. Panton—Leederville) [5.5]: Unfortunately, I was not in the Chamber when this matter was brought forward, and the Premier had not any notes. I therefore desire to explain briefly to the House the details of the proposed excisions from State forests. Area No. 1 is about 2½ miles south-west of Collie. It comprises eight acres, 1 rood and 32 perches and is Wellington Location 4504 as surveyed. It is required as a factory site for the Collie Power Alcohol Distillery. Area No. 2 is about half a mile south-east of Inglehope. It consists of approximately 5½ acres of land applied for by an adjoining landholder as an extension of her present holding.

Area No. 3 adjoins the south-western boundary of Greenbushes townsite. There are 86 acres of heavily cut-over country of little value for forestry purposes, and the land has been applied for by the Greenbushes-Balingup Sports Club for the purpose of establishing a racecourse. Area No. 4 is about three miles north-west of Boyanup Junction, and consists of approximately 201 acres of poor forest country which is being cut-over for sawmilling. Several applications have been received for this area by the Lands Department. Area No. 5 consists of about 10 acres situated eight miles south-west of Donnybrook. It has been applied for by the Preston Road Board as a Class A. reserve for recreational purposes. Area No. 6 is situated 1½ miles north-west of Hester. There are about 338 acres which are required by the State Government as a soldier settlement project. All these revocations are necessary, and I hope they will be agreed to.

MR. LESLIE (Mt. Marshall) [5.7]: This is a machinery measure which is introduced every year. I have examined the particulars and have only this suggestion to make: That in the plans submitted it would be useful if there were an indication of the nature of the adjoining land and the purposes to which it is put. It would be useful to know whether it is alienated or still held by the Forests Department.

The Minister for Lands: It is all held by the Forests Department.

The Premier: You mean the outside areas?

Mr. LESLIE: Yes. It would be helpful to know whether they are privately held. I noticed that in regard to Area No. 6 of about 338 acres, which is required by the Government as a soldier settlement area, the plans indicate that the adjoining land comprises the Cascade Estates. Are those estates in operation?

The Premier: They are likely to be purchased for soldier settlement; that is, to assist in the subdivision.

Mr. LESLIE: It is handy to know the particulars concerning the land surrounding these proposed revocations.

The Premier: There is no objection to that.

Mr. LESLIE: I thank the Premier.

Question put and passed; the motion agreed to.

On motion by the Premier, resolution transmitted to the Council and its concurrence desired therein.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL.

Council's Amendments.

Schedule of 7 amendments made by the Council now considered.

In Committee.

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

No. 1. Clause 6, page 3—Definition of "Building Materials":—Add after the word "Act" in line 7 the following words:—"but excluding building materials previously used."

The PREMIER: This amendment was inserted by the Legislative Council at the request of the Government to provide for the definite exclusion from control by the Building Controls Committee of second-hand building materials. It will be remembered that this specific point was raised by several members. I move—

That the amendment be agreed to.

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

No. 2. Clause 6, page 4—Definition of "Religious building":—Delete the word "public" in line 34 and substitute the word "religious."

The PREMIER: This suggestion also emanated from this Chamber. The member for Nedlands was concerned because the Bill as it read when it left the Chamber could militate seriously against people undertaking building operations in places of religious worship that might not necessarily be for public worship. This amendment was inserted by the Legislative Council at the request of the Government. I move—

That the amendment be agreed to.

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

No. 3: Clause 9, (2) (c), page 5—Delete the word "one" in line 39, and substitute the word "two."

The PREMIER: The rest of the amendments made by the Council were those which were discussed at some length here and which were definitely opposed and disapproved. In this case I would point out that all the exemptions covered in the amendments mentioned in this Bill when it left this Chamber were taken from the National Security Regulations which have been in force for some years. The materials position is no better now than it was during the period of control by the National Security Regulations. As a matter of fact, there are certain basic items in which the limitations are more severe in regard to supply than they were some months ago. I would point out that the administration on this side of approvals for building materials has always been generous and not unduly restrictive. At the same time, it gives the authorities in charge of materials an opportunity to know just how much is being used for the large numbers of jobs which, relatively small in themselves, collectively assume rather large proportions. In this case, when we are referring to exemptions, we are not referring to the limit of materials available but to the limit of exemptions, which may be the limit for materials without a permit. The Council proposes to alter the figure in the Bill from £100 to £200. The £100 limit was contained in the measure as it left this Chamber and it is a reasonable proposal. I move—

That the amendment be not agreed to.

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

No. 4: Clause 9, (2) (d), page 6:—Delete the word "twenty-five" in line 5, and substitute the words "one hundred."

The PREMIER: This amendment was also raised in this Chamber and deals with painting, whitewashing or papering carried on in any building. When the Bill left the Chamber, the amount inserted was £25 worth of materials. It is admitted that paints are not in short supply, but a tremendous amount—£120 worth of work was the estimate given to me by an authoritative body—would be the total if £25 worth of material were used. It is because non-essential work could be undertaken and could divert materials and expert labour from essential works to non-essential works, and the fact that this limit does not impose on the householder himself any limitation in doing his own work or getting assistance from a neighbour to do it, that I object to the amendment. I move—

That the amendment be not agreed to.

Mr. WATTS: Do I understand the Premier to indicate that the words "twenty-five pounds" mean £25 as the value of the actual paint, colour, whitewash or paper to be used? Because the clause does not say so.

The Premier: It means the total cost.

Mr. WATTS: The Premier gave me the impression that he intended that the work should involve only £25 worth of material, and that therefore work to the value of £120 could be done. On my interpretation the clause says £25, including material, and I think that is an insufficient amount in view of the fact that paint is not in short supply, though I do not insist on the insertion of the words "one hundred."

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

No. 5: Clause 9, (2) (e), page 6:—Delete the word "twenty-five" in lines 15 and 16, and substitute the words "one hundred."

The PREMIER: This amendment proposed by the Legislative Council is also to exceed the amount specified by this Chamber and to raise it to £100. Such an increase in this exemption would permit a tremendous amount of non-essential work—non-essential at the present time—such as the

building of garages, sleep-outs and many other things which would become seriously competitive with necessary work being undertaken. Collectively all those smaller jobs, in excess of that amount, especially if the amount were raised to £100, would compete seriously with essential work and draw heavily on materials urgently required for the smaller homes in the city and its outskirts. It is necessary to draw attention to the latter part of paragraph (e) where the words "in the financial year does not exceed twenty five pounds" appear. If we make an overlap between one financial year and another we will, if this amendment be agreed to have £200 worth of material within the same calendar year available to such person, and that will be a serious challenge to the quantity of material available. I move—

That the amendment be not agreed to.

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

No. 6: Clause 9, (2) (g) (i), page 6:—Delete the words "twenty five" in line 30, and substitute the words "one hundred."

The PREMIER: The same comments apply to amendment No. 6 as to the previous amendments. I move—

That the amendment be not agreed to.

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

No. 7: Clause 9, (2) (g) (ii), page 6:—Delete the word "one" in line 34, and substitute the word "two."

The PREMIER: This provision also is in exact line with the limits imposed by the National Security Regulations which have applied for so long. There have not been any serious complaints against its administration, and the limit imposed of £100 for building operations carried on in one financial year is considered ample to cover the requirements of all those coming within this category. I move—

That the amendment be not agreed to.

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

Resolutions reported and the report adopted.

A committee consisting of the Premier, Mr. Rodoreda and Mr. Seward drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND).

Council's Amendments.

Schedule of six amendments made by the Council now considered.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

No. 1. Clause 4 (2) (c), page 2:—Delete all words in paragraph (c) and substitute the following words:—"A representative of the Chamber of Manufactures."

The MINISTER FOR WORKS: The amendment proposes to remove from the committee the Chairman of the Town Planning Board and substitute a representative of the Chamber of Manufactures. I have no objection to the Chamber of Manufactures having one representative on the committee, but I have very serious objections to the Chairman of the Town Planning Board being removed from the committee. His knowledge and advice would be responsible for the committee's not making a favourable recommendation and in such cases it would not be desirable that the committee should make a favourable recommendation. Unless we have a representative of the Town Planning Board on the committee a considerable amount of time will be wasted, because there will be no-one on the committee with knowledge and experience of town planning. Consequently many favourable recommendations made by the committee would be objected to by the Town Planning Board, and much time would be occupied by the board in making representations to the committee. If a representative of the Town Planning Board is on the committee, the committee will already have the benefit of his advice on every application, much time will be saved and the best interests of all will be preserved.

Hon. N. Keenan: A board of one man.

The MINISTER FOR WORKS: I believe there are three members on the board. So it is essential that the Town Planning Board be represented and it is desirable that the representative should be

the chairman. As I have stated, however, I also favour the Chamber of Manufactures having a representative on the committee. I move—

That the amendment be agreed to subject to the following alternative amendment:—

Delete all the words in the amendment after the figure “4” and insert in lieu the following clause to stand as Clause 4:—

4. (1) There is hereby established for the purposes of this Act a committee to be called “The Land Resumptions for Industries Committee”.

(2) the committee shall consist of four members ex officio namely the persons for the time being and from time to time holding respectively the offices of—

- (a) Surveyor General;
- (b) Director of Industrial Development;
- (c) Chairman of the Town Planning Board as constituted under the Town Planning Act;
- (d) A representative of the Chamber of Manufactures.

(3) The said four members shall elect one of their number to be the chairman of the committee.

(4) Any three members shall form a quorum.

(5) The committee shall meet at such times, and at such place, and shall transact its business in such manner as may be prescribed by regulations.

Mr. ABBOTT: No objection was raised in this Chamber to the chairman of the Town Planning Board being one of the members of the committee and it is essential that he should be on it. I agree that it would be advantageous to have a representative of the Chamber of Manufactures on the committee in view of the fact that the measure is largely for industrial purposes.

Mr. DONEY: I am glad the Minister has accepted the view of another place. There is an idea that the Town Planning Commissioner is on so many committees of this type that he has not the time to give due attention to each of them. I thought the Minister was recognising that fact and intended to suggest as a member of the committee some other member of the Town Planning Board. Otherwise I cannot understand why he gave that rather copious information.

Mr. WATTS: The proposal as a compromise is acceptable, but how is a representative of the Chamber of Manufactures

to be appointed? Should not some provision be included stipulating one method or another?

The MINISTER FOR WORKS: I do not think it necessary to provide for his election. The Chamber of Manufactures will nominate a representative and the Government will appoint him.

Alternative amendment put and passed.

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

No. 2. Clause 7 (5) (a), page 4:—Insert after the word “proprietor,” line 39, the words “and all persons interested, as appears from the register at the Lands Titles Office, the Lands Office, or the Mines Office as the case may be.”

The MINISTER FOR WORKS: This amendment will ensure that all persons will be notified of an application for land in which they are interested. As the amendment goes no further, I shall not object to it, because there might be some justification for notifying those interested that an application has been made to the Government to resume land for industrial purposes. I move—

That the amendment be agreed to.

Mr. ABBOTT: This amendment is very similar to one I proposed. All interested parties should be notified.

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

No. 3, Clause 8 (1) page 6:—Insert after the word “and” in line 21 the words “subject to approval by Parliament shall.”

No. 4, Clause 8 (3), page 6:—Insert before the word “If” at commencement of subclause the words “Subject to subsection (1) hereof.”

No. 5, Clause 11 (2), page 9:—Insert before the word “The” at commencement of subclause the words “Subject to approval by Parliament.”

The MINISTER FOR WORKS: Amendments Nos. 3, 4 and 5 are similar and I propose to deal with them together. I move—

That the amendments be not agreed to.

The aim is to prevent any action being taken for the resumption of land for industrial purposes until such time as the approval of Parliament has been obtained. The inclusion of such a limitation would

make the measure almost valueless and render the scheme almost entirely unworkable. Parliament at times adjourns over periods of five or six months, and a recommendation by the committee approved by the Minister and then by the Treasurer and the Governor-in-Council might be held up for that time. Business men would be seeking land under this measure and they would not waste time mucking around with procedure that would be necessary if the amendments were agreed to. Business men of standing, balance and vision—most of them have plenty of each—would not waste time and energy fooling around as suggested.

Mr. DONEY: There is some point in what the Minister says, but I do not think he covered all the ground. The fact that the approval of the Governor-in-Council has to be sought means little. The consent of the Under-Treasurer is a matter of more consequence. The land involved may easily rise to a price of £75,000 or £100,000. In the case of large amounts of that nature the approval of Parliament ought to be given.

Mr. McDONALD: In practice it will be found that very little delay will occur in the necessary transactions being finalised, especially if Parliament decides in future to sit earlier in the year. This legislation is new, and so far as I know is in operation nowhere else in Australia. It is also very drastic. Clause 6 says that if the Governor approves of the application he may, notwithstanding any provision of any other Act or any town planning scheme or by-law made by a local authority with respect to any other matter prescribed in the second schedule of the Town Planning Act, resume the land required by the applicant. This means that the Minister may override any other Act of the Parliament of this State. Without referring to Parliament he is in the position which I do not think has been occupied by any Minister for a good many centuries. He will be able to say, "I sweep that Act of Parliament away." The Legislative Council is prepared to give the Minister that power with the suggestion that before the matter is finalised Parliament shall know and approve.

That method is simple and reasonably expeditious, and is a proper provision for

this Parliament in respect to proposals which may override Acts on the statute book. I do not think there will be any delay that will make any difference so far as any new enterprise in this State is concerned. Even under the Forests Act the Governor is given only modest powers such as that for the purpose of State forests he may acquire, resume or appropriate land or provide access thereto, etc. I suggest to the Minister that he would be reassuring the public if he were sufficiently confident of the soundness of these proposals to submit them to Parliament. Before I came to this House I spent all my time with businessmen acquiring land, forming companies and dealing with enterprises. These projects were not completed overnight but usually occupied several weeks or months. If the Council's proposals are accepted there will be no delay that will be prejudicial to the expansion of manufactures in this State.

The MINISTER FOR WORKS: By the time a person seeking to obtain land for industrial purposes has been through all the methods already contained in the Bill he will have had enough waiting and delay. If after going through all that process he is told by the Minister, "Everything is all right, but I am sorry the approval of Parliament has to be obtained; Parliament will not be meeting for three or four months, and when it does I will put the proposition before it and see what happens," one can imagine what he would think. I would not like to be the Minister to have to reply in that way. The industrialists may say, "Can we guarantee that everything will be all right then?" but the Minister would not be able to guarantee anything. Land has been resumed compulsorily very frequently, and the number of such transactions is increasing all the time.

Mr. Doney: For public works?

The MINISTER FOR WORKS: Yes, and for other purposes. Is this purpose of industrial development any less important than are public works? I hope the amendments made by the Council will not be agreed to for they will impose upon industrialists cumbersome methods that will be almost impossible to carry out.

Mr. DONEY: The Minister seems to think that to seek the approval of Parliament in such matters is an innovation. There are

scores of occasions when reference to Parliament is needed. He has imparted the impression that in the matter of postwar industrial plans everything will move forward in a tremendous hurry. I do not think that is likely to be the case. If people knew at the commencement of their negotiation that the consent of Parliament had to be obtained, they would probably see to it that no unsound propositions were put forward.

Mr. McDONALD: For over a hundred years men who have been going to establish industrial enterprises in this State have had to buy their land. Industrialists who come here now would normally buy their land in the ordinary way, and would not worry about this legislation. It is only when they cannot buy land in the ordinary way or at a reasonable price that they would want to be able to take away from another man against his will the land they require. I am prepared to give the Minister the power sought, but I am not prepared to give to any Minister or person the right to take action contrary to any other Act of Parliament. If we establish such a precedent I do not know where it will all end. If Parliament is going to allow anyone to override an Act as it proposed in this Bill, we shall be adopting a principle which we may have occasion to regret. If occasional delay should occur to an industrialist who wants to take land against another man's will, I think he should put up with that delay in order that there may be preserved a principle of some importance.

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

Ayes	23
Noes	17
Majority for	<u>6</u>

AYES.

Mr. Berry
Mr. Cross
Mr. Fox
Mr. Graham
Mr. Hawke
Mr. J. Hegney
Mr. Holman
Mr. Leahy
Mr. Marshall
Mr. Millington
Mr. Needham
Mr. Nulsen

Mr. Panton
Mr. Read
Mr. Smith
Mr. Styanta
Mr. Telfer
Mr. Tonkin
Mr. Triest
Mr. Willcock
Mr. Wise
Mr. Withers
Mr. Willson

(Teller.)

NOES.

Mr. Abbott
Mr. Brand
Mr. Doney
Mr. Hill
Mr. Keenan
Mr. Leslie
Mr. Mann
Mr. McDonald
Mr. McLarty

Mr. North
Mr. Owen
Mr. Perkins
Mr. Shearn
Mr. Thorn
Mr. Watts
Mr. Willmott
Mr. Seward

(Teller.)

Question thus passed; the Council's amendments Nos. 3, 4 and 5 not agreed to.

No. 6, Clause 11, page 9:—Insert after the word "proprietor" in line 15, the following words:—"and all persons interested, as appears from the register at the Lands Titles Office, the Lands Office, or the Mines Office, as the case may be."

The MINISTER FOR WORKS: This amendment is the same in principle as amendment No. 2, to which we have already agreed. I move—

That the amendment be agreed to.

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

Resolutions reported and the report adopted.

A committee consisting of the Minister for Works, Mr. Berry and Mr. Fox drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILLS (2)—RETURNED.

1, Albany Freezing Works Agreement.

2, Electoral (War Time) Act Amendment.

Without amendment.

BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

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

The CHAIRMAN: The Council's amendment is as follows:—

Clause 2:—Delete the words "thirty-first day of December" in lines 14 and 15, and substitute the words "thirtieth day of September."

The MINISTER FOR LANDS: This amendment is merely to delete the words "thirty-first day of December" and insert in lieu thereof the words "thirtieth day of September." In other words, the Legislative Council in its usual mischievous mood wants to make an amendment. This will not make very much difference. I move—

That the amendment be agreed to.

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

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

BILL—STATE ELECTRICITY COMMISSION.

Council's Amendments.

Schedule of 17 amendments made by the Council now considered. !

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: The first two amendments made by the Council are as follows:—

No. 1. Clause 7, Definition of "Undertaking," in paragraph (a) on page 5:—Delete the words "mines, open cuts" in lines 32 and 33.

No. 2. Clause 7, Definition of "Undertaking," in paragraph (b) (ii), on page 6:—Delete the words "mines, open cuts" in lines 7 and 8.

The MINISTER FOR WORKS: The definition of "undertaking" contains, amongst other words, the words "mines, open cuts."

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR WORKS: I was explaining that amendments Nos. 1 and 2 from the Council deal with the one principle and propose to take from the proposed electricity commission the right to purchase and operate, or lease and operate, any coalmine or open cut. The Government considers these portions of the Bill to be vital. The three Bills introduced this session in connection with the generation and distribution of electricity were all linked together and constituted the considered policy of the Government in connection with the future development, electrically, of Western Australia. One of the Bills proposes to give the Government authority for the establishment of the South-West and Great Southern power scheme, which is a very big project and one essential not only to those portions of the State I have mentioned as they now exist but to the development of the State,

agriculturally and industrially, which we may expect to take place in the not very far distant future.

As everyone knows, coal is a vital element in the generation of electric power. The proposed electricity commission would be in a very vulnerable position if it had to depend on outside sources for its coal supplies for the undertakings it will establish and operate as time moves on. The most successful power schemes in Australia are those where the authorities have some direct, or at least some reasonably effective indirect control over the production of coal. Of the six State Governments in Australia, four have legal authority to own and operate coalmines for the production of coal for use in their electrical undertakings. Those States are Queensland, Victoria, South Australia and New South Wales, and there may be other operating authorities in other places. The South Australian Government is now engaged in the development of coal deposits at Leigh Creek where the coal is not as good in quality as that procured at Collie. The Government of South Australia, in assisting the development of the State industrially and otherwise, has obtained legal authority to develop that deposit.

To take from the commission the right to purchase, or lease, and operate a coalmine or open cut for the production of coal to be used for the purposes of its activities, would certainly place the commission in a risky position regarding the provision of adequate supplies of coal. Another aspect has to be considered in connection with the scheme as proposed. If the commission is compelled to obtain its supplies of coal—and it will require very large supplies—from private sources, it will have to pay for the coal plus a margin of profit which will be included in that price, without any control over it should price control cease. Even should price control continue, the commission would have to meet the profit margin in the price it would pay for the coal, and to that extent the cost of operating its power station would be increased and that increase would have to be passed on to the consumers, who would have to pay a higher price for the power they use. Therefore, there is not, as far as I am able to see, any argument of a logical character at all that can be successfully advanced in favour of the Council's

amendments. On the other hand, there is every reason that the commission should have the powers sought so that its operations might be more complete and therefore more successful. For the reasons I have outlined, I do not propose to accept these amendments, and I move—

That amendments Nos. 1 and 2 be not agreed to.

Mr. DONEY: It is, of course, undeniable that the commission will need control over certain coal supplies, but the Minister seems not content to rest there. He desires, quite unnecessarily as I see it, to extend his responsibilities to the seeking of power to take over all the coalmines in the State. No-one would suggest for one moment that he would desire to exercise the full power that he seeks, but I can see no reason for taking over a coalmine except for the immediate needs of the commission. The Minister seeks to do all and anything that the owners of coalmines do now, and surely that is not necessary. All he should require is what is sufficient for the needs of the electrical undertaking in which we are immediately interested, and I see no use in going beyond that point. The Minister says that, short of getting what he seeks in the way of coal control, the commission would be in a most vulnerable position—that means, if the commission had to rely upon outside sources for its coal supply.

The Minister pointed out that electrical undertakings in other parts of Australia had been successful where ample coal supplies had been under their control. He cited four States that have the authority to control production of coal, but the Minister added the words, "at least sufficient for their own electrical undertakings." If the Minister were to halt at that point, there might not be much objection to what he seeks. The Minister mentioned that the South Australian Government has taken over control of the Leigh Creek deposits, but he should be reminded that we have invited him and the Government generally to interest themselves in the coal deposits at Eradu and Irwin.

Mr. Triat: Why not at Collie, too?

Mr. DONEY: Because there seems to be no chance of the Government doing better for the State than appertaining under the present method of control.

Mr. Triat: And the present control has done a very poor job.

Mr. DONEY: The Minister seems to suggest that, should the commission be vested with the control suggested, the position would be better.

The Minister for Lands: If we put a power station at South Fremantle, what do we want the Eradu coal for?

Mr. DONEY: We know that strikes have occurred in connection with the coalmines, and, should one occur at Collie, what chance would the Government have of its mines being exempted from that strike?

Mr. Triat: The conditions in the State mines would be satisfactory.

The Minister for Justice: We consume 10 per cent. of the coal won, so why should we not have the profits?

Mr. DONEY: Why not get everything the Government wants?

Members: Hear, hear!

The CHAIRMAN: Order! Will the member for Williams-Narrogin address the Chair?

Mr. DONEY: Would the Government be prepared to share the losses equally with the gains?

The Minister for Justice: Of course!

Mr. Triat: Like we will with the Alban Freezing Works.

Mr. DONEY: I do not know that the Chairman would welcome a discussion of that undertaking. I have put my point of view before the Government regarding the matter.

Mr. McDONALD: I will agree at once that there are arguments that can be advanced in favour of the commission taking control of coalmines, but I do not think the Minister should consider these amendments vital to the Bill. Ownership of coalmines is wrapped up in subsequent provisions of the Bill which appear to give the commission power to act as general coalmine operators. It will be able to go in for briquettes and by-products of coal, quite apart from the requirements of the electricity commission's work of manufacturing and distributing electricity. What was raised in the debate in this Chamber and is possibly in the mind of the Legislative Council is that if the Government owns coalmines for the purpose of the electricity commission and genera

trading, that might well be the subject of separate legislation setting out the terms on which the coalmines are to be owned, the method of control and the trading operations to be involved. We have had electricity installations operating in this State for many years and by no means on a small scale. I think they have been operating with reasonable success and yet the proprietors have not owned a coalmine. Our railways have been working 5,000 miles of line for 60 or 70 years, but not 5,000 miles all that time.

The Minister for Railways: The mileage is 4,381.

Mr. McDONALD: I stand corrected by the Minister. Our railways have been equally dependent upon coal supplies without owning a coalmine.

Mr. Triat: But the railways have had to import much Newcastle coal.

The Minister for Lands: The railways should have owned their own coalmine a long time ago, and then they would not have been paying through the nose for coal now.

Mr. McDONALD: I suggest to the Minister that by no stretch of the imagination can it be said that the ownership of a coalmine is vital to the success of the electricity undertaking.

Mr. TRIAT: I sincerely hope the Minister will not depart from his attitude.

The Minister for Works: There is no doubt about that point.

Mr. TRIAT: For years past the Government has been the only consumer of Collie coal. It is only lately that a market has been found for Collie coal apart from the Government. It is the taxpayer of the State that has built up the industry at Collie; I refer to the coalmine owners and the townspeople of Collie, not to the workers. If it is proposed to erect a power station in close proximity to the mines, the Government should have the right to own a mine for the purpose of producing the coal required for the plant.

The Minister for Works: The Government has no legal right to open a coalmine at Eradu.

Mr. Doney: It was the intention to extend the electricity supply to Geraldton.

The MINISTER FOR WORKS: The Government is adamant in its objection to

the first two amendments of the Legislative Council and insists upon their defeat. At present, the Government has no legal power whatever to own or operate a coalmine. Even if the Government were in the position to work the Eradu deposits, it could not do anything about the matter at present.

Mr. Doney: Not for some time, I admit.

The MINISTER FOR WORKS: With regard to the suggestion of the member for West Perth as to dealing with the coalmine question by a separate Bill, we know what the fate of such a measure would be; it would probably be defeated in the Legislative Council before it was read a first time. The member for Williams-Narrogin spoke against the amendments, but did not indicate whether he would vote for or against them.

Mr. Watts: He will vote against them.

The MINISTER FOR WORKS: I ask the member for Williams-Narrogin to read the definition of "undertaking" in the Bill. He will see that the commission is given power to operate mines and open cuts only for purposes connected with electrical undertakings.

Mr. Doney: Are you sure on that point?

The MINISTER FOR WORKS: I again invite the member for Williams-Narrogin to read that definition carefully.

Mr. Doney: Do you enlarge upon your coal needs in any other part of the Bill?

The MINISTER FOR WORKS: In a later part of the Bill, the commission is given power to sell the by-products of coal, etc. This, of course, would not interfere with the ordinary activities of private companies producing and selling coal.

Mr. DONEY: The Minister's chief concern is for electricity. He is concerned with coal only because it will assist him to get electricity at a reasonably cheap cost.

Mr. Triat: That is the point.

Mr. DONEY: The question is whether the Minister will assert that all that is intended by these constant references to the taking over of coalmines, compulsorily or otherwise, and thereafter dealing with coal products in very many ways, restrict the coal activities to electricity purposes.

The Minister for Works: The Bill does that in the definition.

Mr. DONEY: I have not had the opportunity to re-read the Bill and may not be as conversant with it as the Minister is.

The Minister for Lands: You had better take the Bill home and read it in bed.

Mr. DONEY: Reference has been made to the profits that might be expected from owning a coalmine.

The Minister for Works: We do not want to make a profit out of the production of coal.

Mr. DONEY: In that respect I must have misread the Bill. I understand the Victorian Government has admitted on quite a number of occasions lately, in its annual report, that it would be better to close down the Wonthaggi mine and secure coal for electricity purposes from Newcastle.

Mr. McDONALD: I do not wish to protract the debate. I agree with the Minister that the word "undertaking" as defined in the Bill refers, amongst other things, to mines used for or in connection with the undertaking; but the subsequent terms of the Bill are clear. To my mind the commission may supply and sell coal, pulverised coal, briquettes and any products of its works and undertakings.

The Minister for Works: There are amendments on the notice paper dealing with that aspect.

Mr. McDONALD: I agree that the Legislative Council has dealt with that aspect. A later part of the Bill says that the commission may supply and sell coal.

The Minister for Works: I do not want to interrupt the member for West Perth, but I rise to a point of order. He is now discussing a clause with which a later amendment on the notice paper deals.

The CHAIRMAN: I realise that, but it is relevant to what members are discussing at present.

Mr. McDONALD: It is a matter of the interpretation of the word "undertaking" which the Minister has mentioned as possibly including the general operation of coalmines for the sale of coal and coal products to the general public.

The Minister for Works: I said this definition does not give the commission any power to produce and use coal except in connection with electric power undertakings.

Mr. McDONALD: I am not going to argue the point now.

The Minister for Works: Why not?

Mr. McDONALD: The Minister was trying to stop an argument just now.

The Minister for Works: Not on this.

Mr. McDONALD: I will argue the point on a subsequent clause if it will please the Minister. All I want to know is: If the commission is specially empowered to sell coal, to whom is it to sell? It cannot sell to itself.

Mr. STYANTS: I hope the Minister will persist in providing that the commission shall own its own coalmine. That is absolutely essential in a big business undertaking of this kind in order that it might provide fuel to supply the undertaking. I think that in all big businesses where plenty of capital is available, it has always been the custom to endeavour to control all the commodities necessary for those particular business undertakings. I cannot understand why the Opposition should raise any objection to the commission owning its own coalmine.

Mr. Doney: We do not.

Mr. STYANTS: I understood that is the case. If that is so, members opposite would only be running true to form. So long as we have been a member of this Chamber, whenever there was anything that might tend towards making a loss it has always been quite right for the Government to take over any proposition; but if there was a profit to be made out of it, the Government was not permitted to participate. That has always been left to private ownership.

Mr. Thorn: You have a one-track mind.

Mr. STYANTS: There are some members who have not even a one-track mind.

Mr. Thorn: Why do you not be fair? You are talking out of your neck.

Mr. STYANTS: That is more than the hon. member may be able to do.

Mr. Thorn: That is all right; do not try to be funny!

The CHAIRMAN: Order! The member for Kalgoorlie will address the Chair.

Mr. STYANTS: Why members of the Opposition oppose this proposal was expressed in today's newspaper account of the remarks of a member in another place, who

raised the bogey of nationalisation of coal-mines. That is what is in the minds of the Opposition.

Mr. Thorn: You are a thought-reader.

Mr. STYANTS: I want to allay the fears of the Opposition. The Government has owned State ships for many years but has not nationalised shipping. So if members opposite are afraid that because the commission will own a coalmine that will lead to nationalisation of coalmines and to fewer profits for private owners, they can set their minds at rest. In addition to ships, the Government has also owned timber-yards, timber-mills, brick-yards and hotels, but none of those undertakings has been nationalised.

Mr. Thorn: They have run them at a loss.

Several members interjected.

The CHAIRMAN: Order! These interjections must cease. The member for Tood-yay must keep order, or I will deal drastically with him.

Mr. STYANTS: It is entirely essential that the commission should own a mine for the purpose of providing fuel to produce electricity cheaply. If it has to buy coal at current prices from mines owned by private enterprise, the primary producers who are going to be served by this scheme will not be able to operate because of the cost involved.

Mr. WATTS: There are a great many things besides electricity being generated by these amendments.

The Minister for Lands: Gas!

Mr. WATTS: One is as the Minister has said. Another is heat. A third is a certain amount of unfairness from a member of this Committee who so far has been conspicuous for the opposite quality. In fairness to the member for Williams-Narrogin, it must be stated that he was not opposed to the principle involved in this proposal. If the Minister is prepared to accept an amendment to this Bill, which appears a little further down the notice paper providing that these mines are to be used by the commission for the generation of electricity, I am certain there will be no difficulty in his getting away with the proposal he makes, because that is a desirable thing. So long as such mines are to be used for providing fuel for the generation of electricity contemplated by the measure, and so long as it

is subject to a reasonable amount of supervision so that it will not become a burden on the State, which unfortunately has been the position with a great many of these concerns, I think there is justification for the proposal in the Bill. I am not going to disagree with the Minister on this particular amendment, which is merely to strike out "mines and open cuts" from the definition; but if he is not going to agree to make clear the activities of the commission—which, after all, is an electricity commission and not a general trading concern—I may have some disagreement with him, because if it is going outside of the generation of electricity and the things directly associated with it, such other matters should be the subject of a separate Bill.

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

No. 3. Clause 8, subclause (3), paragraph (a)—Delete the words "nominated by the Minister" in line 36 on page 6.

No. 4. Clause 8, subclause (3), paragraph (a)—Delete all words after the word "consumers" in line 37, and substitute the words "one of whom shall be elected by the executive of the local authorities in the metropolitan area, and the other by the executive of the local authorities in the remaining part of the State."

No. 5. Clause 8, subclause (5), page 7—Insert after the word "commissioner" in line 14 the words "other than representatives of the consumers."

No. 6. Clause 8, page 7—Delete the words "the consumers or" in line 17.

No. 7. Clause 8, page 7—Delete the words and parentheses "(as the case may be)" in line 18

No. 8. Clause 8, page 7—Add after the word "Minister" in line 20, a further proviso as follows:—

Provided further that when a vacancy occurs in the office of a Commissioner who represents the consumers the person to fill the vacancy shall be elected by the local authorities who elected his predecessor.

The MINISTER FOR WORKS: These amendments all deal with one matter, and I desire to take them altogether. They propose to alter the constitution of the commission as set out in the Bill. As members

may recollect, the commission is to comprise three technical men, a representative of the Treasury in the person of the Under-Treasurer and a representative of the consumers. There is also to be a representative of the employees. All the members are to be appointed by the Governor, which of course is the Government. The amendments from the Legislative Council aim to give to local governing authorities in the metropolitan area the right to nominate one consumers' representative and local authorities in country districts the right to nominate a second. The Government's point of view is that the commission will be a State instrumentality and the undertakings it establishes and operates will be Government undertakings operated for the Government by the commission. So it is essential that the Government should appoint the commissioners and should have a free choice.

The proposals from the Council are similar to the Government being asked to give to local authorities the right to nominate officers in Government departments, and that would not be considered for a second. The Government cannot possibly give away any portion of its undoubted right freely to choose the persons who are to be the commissioners. Representing the people, the Government is better situated to elect the commissioners than are local governing authorities who, after all, are elected only by a comparatively small number of people in their different localities. So the Government is anxious to retain complete authority to choose and appoint the commissioners. I move—

That amendments Nos. 3 to 8 be not agreed to.

Mr. DONEY: I see nothing vital in any one of the series of points involved in the amendments. Such small differences of opinion as may arise here can quite easily be adjusted in conference; so I am not disposed to raise any objections to them.

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

No. 9, Clause 18, Subclause (3), paragraph (d):—Delete the words "to take" in line 29, page 10, and substitute the words "or to act in."

The MINISTER FOR WORKS: This is an amendment to correct an error in drafting. The credit for it goes not to the

Legislative Council but to the member for Nedlands, who drew my attention to the mistake, though at the time it was not possible to make the necessary amendment when the Bill was in Committee in the Chamber. I move—

That the amendment be agreed to.

Question put and passed; the Council amendment agreed to.

No. 10, Clause 18, Subclause (4), paragraph (a):—Insert after the word "Commission" in line 35, page 10, the following:—

"Provided that any question which the Chairman certifies in writing to be one dealing with matter which is wholly or mainly of technical character shall be decided by the votes of or a majority of the votes of the Commissioners appointed under section 8, subsection (3), paragraph (d) present at the meeting and sitting alone."

The MINISTER FOR WORKS: The amendment was debated in Committee in this Chamber and was defeated here. Its object is to give the chairman of the commission authority at any time to restrict the vote on any question that he declares to be technical or mainly technical to the technical members of the commission only. As members are aware, there will be at least three technical members on the commission, out of a total of seven, and if this amendment were agreed to a minority of the commission would thus be given the right to decide any question that the chairman might declare to be of a technical nature. Some members of the Legislative Council might feel that one of the non-technical members of the commission might be somewhat irresponsible and inclined to go against the technical members in deciding technical questions, but I think it unlikely that any member of the commission would be a man of that type and, even if that were the case, it is unlikely that there would be more than one such man among the four non-technical members.

Mr. Doney: They would all have a certain amount of technical knowledge.

The MINISTER FOR WORKS: One of the commissioners would be the Under-Treasurer and, no matter who might be Under-Treasurer from time to time, I am sure he would be a man of considerable commonsense, balance, knowledge and experience, who would be guided on technical questions largely by the advice of the

technical commissioners. I feel sure no harm would result from the technical members of the commission having the benefit of the advice of non-technical members, as on many occasions the advice of those members would no doubt be helpful. We all know what experts do at times, because of what might be called their one-track expert minds. I have heard debates in this House recently about what has happened in certain directions, and I have agreed with many opinions expressed in forcible terms as to what has occurred in certain matters not dealt with in this Bill. I think it would be unwise to appoint a commission of seven members, and to say that, where the chairman cares to declare a matter mainly or completely technical, four members of the commission would automatically be de-franchised and unable to vote on the question concerned. I move—

That the amendment be not agreed to.

Mr. DONEY: I see no great value in the provision here suggested by another place, as I read it now. I am prepared to share the interpretation placed upon the matter by the Minister.

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

No. 11, Clause 29, Subclause (1):—Delete paragraph (f) on page 18.

The MINISTER FOR WORKS: In paragraph (f) appear the words "open, establish, supervise, operate and maintain workings for the production of coal, mineral oil, briquetting works and by-product recovery works." To understand what that paragraph means, one has to go back to Subclause (1), which states "Subject to this Act, and to the Acts specified in the First Schedule to this Act the Commission may on behalf of His Majesty (a) construct, maintain and work any electrical or other undertaking as defined in this Act." The amendment would remove that provision from the clause. We have argued this point, in effect, on amendments Nos. 1 and 2, and have decided against those amendments. If there is any strong argument on the question of to whom the commission might dispose of these articles or commodities, that argument, I think, would take place on the next amendment. I move—

That the amendment be not agreed to.

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

No. 12, Clause 29, Subclause (2), in paragraph (b):—Delete all words after the word "electricity" in line 25, page 18:

The MINISTER FOR WORKS: If this amendment were to be accepted paragraph (b) would read "supply, sell and dispose of electricity," and the discretion of the commission to dispose of coal, pulverised coal, oil, briquettes or any by-products of its works and undertakings, would be taken from it. Whatever any opponent of the Bill might think about disposing of coal either in its ordinary form or in pulverised form, I do not think it could be argued that the commission should not have discretion to supply, sell and dispose of oil, briquettes, or any by-products from its works and undertakings. If any member of the Committee thinks he should argue against the right of the commission to supply, sell or dispose of coal either in its ordinary form or the pulverised form, he may think it a legitimate argument, but I do not think he would have the same legitimate argument as to the other products that the Legislative Council would eliminate. On behalf of the Government I oppose the amendment completely, not because the Government desires that the commission should enter into the production of coal only for the purpose of selling it to those who want to buy it. The commission, in developing a coalmine or open cut to supply its own requirements might be placed on an uneconomic basis if it were restricted to producing coal for its own electrical undertaking only. In those circumstances the coal might be produced only at a cost that would be uneconomic and which, when charged into the price of electrical energy, would impose a burden on the consumers.

Many electrical undertakings in the State are operated by wood fuel, and some by coal. In the Kalgoorlie and Boulder districts the local authorities are investigating the possibility of changing over to coal as fuel. The timber supplies round Kalgoorlie and Boulder are becoming so depleted as to compel those obtaining the timber to get it from a great way out, which makes the transport costs prohibitive when those costs are incorporated in the price charged to the local authorities for the wood. Those authorities in the Kalgoorlie-Boulder district have no choice except to use imported oil or local coal. The commission, concerned with the

modernisation of generating stations and their operation on the most economical basis, should not be prevented from entering into agreement with such local authorities for supplying them with coal. If we deprive the commission of the right to dispose of coal it produces, we shall place a severe handicap upon it in the operation of any coalmine that it might develop. We would lessen the rate of progress that might otherwise be made in the modernising of electrical undertakings and the linking of them as quickly as possible. I cannot imagine that any member of this Chamber would seek to deprive the commission of the right to dispose of oil, briquettes or any by-product of its works. In connection with the production of coal, by-products would be available in time.

Mr. Abbott: Hardly briquettes!

The MINISTER FOR WORKS: Why not? The Government is expending a fairly large sum of money on scientific investigations to ascertain whether Collic coal cannot be made available for many more purposes than it is being used for at present. If those investigations prove successful, as they well might, undoubtedly the electricity commission in the operation of its undertakings would produce by-products and should have the right to dispose of them.

It is quite probable that, with the passing of time, the operations of the commission will develop products that have not previously been obtained in this State. Are we then to say to the commission, "You will have no power to dispose of such products, but must hand them over to some middleman and allow him to arrange for their disposal at a fairly substantial margin of profit for him"? The Government is opposed to the amendment, although I have admitted that, in the view of some members, a legitimate argument might be advanced against the commission having discretion to dispose of one or two of the products mentioned in paragraph (b). I move—

That the amendment be not agreed to.

Mr. DONEY: If coal is used for the production of electricity, there must be by-products. We have to concede to the commission the right to sell by-products. There is no trouble until we reach the word "coal." Had coal not been included, I would have raised no difficulty. Even now I am prepared to

allow this amendment to go to a conference for discussion. If the commission found itself with a little excess coal, there would be no harm in permitting the disposal of it, but when it is to have the right to sell coal and other by-products, who knows the extent to which that right will be exercised? Coal could be sold in quantities as large as those disposed of from the Collic field.

Mr. McDONALD: The Minister is entirely reasonable in his contention that it will become necessary for the commission to dispose of the by-products of any coalmine it might operate and not require for the immediate purpose of generating electricity. I am not alarmed at the possibility mentioned by the Minister that if a coalmine is owned by the commission it might be convenient to sell some of the coal for the use of other supply authorities. The whole point is that when we set up an electricity commission, we should not by the same measure set up a State trading concern in coal. If there is to be State trading in the coal business, let us consider it in a separate Bill. The position would be clarified if we were given some indication of the Minister's attitude to amendment No. 15. That contains an over-riding provision, but it would properly confine the commission's activities to the generation and distribution of electricity and purposes incidental thereto. If the provision in amendment No. 15 is acceptable to the Minister, it would go a long way towards satisfying the wishes of members who desire to see an effective Bill for the commission, but not for other purposes not necessarily related to the generation of electricity.

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

No. 13. Clause 35:—Delete Subclause (1).

The MINISTER FOR WORKS: This clause provides for the commission to appoint and employ officers and servants. The Council proposes to delete the subclause because it is incorporated in the proposed new clause contained in amendment No. 16. Therefore I move—

That the amendment be agreed to.

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

No. 14. Clause 49, page 30:—Delete the words "Consolidated Revenue" in line 41 and substitute the word "sinking."

The MINISTER FOR WORKS: This clause deals with the disposal of any profit on the operations of the commission. The clause, as originally drafted, is very generous to the commission because it provides that any profit which is earned, after making full allowance for interest, sinking fund, depreciation, obsolescence and maintenance, and which in the opinion of the commission is not required for its purposes shall, subject to the approval of the Governor, be paid into Consolidated Revenue. The amendment would insist upon its being paid to the credit of the sinking fund. The clause makes provision for every possible contingency and, even after having done that, leaves it to the discretion of the commission as to whether the profit shall be made available to Consolidated Revenue.

Mr. Doney: Do those purposes include a sinking fund?

The MINISTER FOR WORKS: They include purposes for which the commission might desire to use any profit. They could include a reserve fund or the provision of finance for future extensions. This amendment is really a bit tough, especially on the Treasurer and, indirectly, upon the taxpayers. It must be remembered that the South-West power scheme is expected to involve the taxpayers of the State in heavy losses for at least five years. That being so, it is most unreasonable to say that never shall any profits earned by the commission be paid into Consolidated Revenue. It must be remembered that the commission will, in the future, establish other large-scale power schemes in the country, and they will not be as payable in the early years as the Great Southern scheme because the areas in the South-West and Great Southern districts are fairly well populated. We should at least give the commission the discretionary right to pay profits into Consolidated Revenue after it has made provision for every conceivable purpose, including the establishment of reserve funds for the expansion of any existing scheme and the establishment, later, of new large-scale power schemes in country areas. On behalf of the Treasurer and in the interests of fair dealing, I move—

That the amendment be not agreed to.

Mr. DONEY: The Minister has submitted what sounds like a particularly good case. I would like to know on what grounds mem-

bers in another place carried this amendment.

The Minister for Works: They do not need any grounds!

Mr. DONEY: I think the Minister is a trifle hard there. Clause 49 seems to be quite a fair clause to me. Under it nothing is required to be paid into Consolidated Revenue until all the purposes of the Act have been served. In the event of an argument, I shall fall back on that. In the meantime, I see no harm in being a little more generous than usual to the Treasury.

Mr. ABBOTT: One would think that the Minister's argument was absolutely irrefutable and, on the face of it, it is. But I have heard Governments complain that they have had to pay large sums of money into Consolidated Revenue to replenish a fund that had been wrongly turned into revenue. Such a case happened not so long ago when some hundreds of thousands of pounds were involved. This amendment may have been moved to provide against another such incident. If the commission carried out the provisions of the clause with proper discretion, then the Minister is entirely right, but Governments do not always do that, much less commissions. It is very tempting at times to turn what should be capital into revenue. The Minister has nothing to lose by this because there is no possible hope of his getting anything under the clause. This is one occasion when he might ignore the amendment.

The MINISTER FOR WORKS: It was only after considerable thought and discussion that the Treasurer agreed to be as generous in the drafting of this clause as is the case.

Mr. Abbott: Does he hope to get anything? If not, why not let it go?

The MINISTER FOR WORKS: When the undertakings of the commission are thoroughly established, he can expect to get something back. The Treasurer was generous in his attitude because of his anxiety for the commission to be able to provide for more than its requirements before being called upon to consider paying anything into Consolidated Revenue. I hope that members will disagree with the amendment and that another place will, on reflection, agree that it is asking for too much in this instance.

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

No. 15. New clause, Part V.:—Insert a new clause to stand as clause 26 as follows:—

26. The several powers by this part of this Act conferred on the Commission shall be exercised only for the purposes of or incidental to the manufacture, generation, transmission, distribution, supply and sale of electricity.

The MINISTER FOR WORKS: This amendment proposes to insert a new clause in the Bill. The acceptance of this amendment, particularly in view of the decisions this Committee has made on previous amendments of the Council, would establish a ridiculous position. It would mean that we would give to the commission powers to do certain things and then, by the insertion of this clause, prevent it from using those powers except in such a limited way as to make it almost impossible for the commission to function successfully. Even if the amendments suggested by the Council, that have been rejected by this Committee, had been accepted, it would still be necessary to oppose this proposed new clause. The commission is given authority to take over existing electric power undertakings which would thereupon become undertakings owned and operated by the commission on behalf of the State. The policy of the commission will be to modernise as quickly as possible as many of the established power undertakings in the country as it can.

In the taking over and modernising of existing undertakings, the commission will from time to time come into possession of plant and equipment which it will either have to dispose of or make a loss on. The commission, might, in a certain district where DC current is generated, decide to change the plant over to AC current, with the result that some of the existing equipment would no longer be of any use there. Members naturally expect the commission to compensate fairly the local authorities and others concerned in cases of this kind. The commission must have authority to dispose of such plant and equipment. In the majority of cases it would be able to place the plant, at reasonable prices, in other parts of the State where the modernisation of plant and equipment would not be likely to take place until some considerable time later. This clause would be most restrictive and would involve the local authorities, the concession-

aires or the commission in serious losses. The Government does not agree to the insertion of this new clause. I move—

That the amendment be not agreed to.

Mr. DONEY: I admit that if the word "coal" in the Bill is to remain, enabling the commission to sell coal and so forth, then the Council's amendment cannot be accepted. The attempt to insert it is in consequence of the intention of another place that the commission shall not sell coal on a large scale. I assume the Minister will continue to ignore that phrase and we shall for the time being have to allow him to by-pass this amendment.

Mr. McDONALD: This is the amendment that raises the real issue and I think the Minister is quite needlessly apprehensive that the acceptance of the Council's amendment will involve any of the restrictions be mentioned. If the commission acquires any installation it does so for the sale and distribution of electricity and is incidental to it. There would not be the slightest difficulty under the clause in compensating vendors for equipment taken over. The new clause is a direct test as to how far this measure can be availed of by the commission. If we leave what is already in the Bill—and the Minister has fought hard to retain the power to buy and operate coalmines and do the other things he mentioned—then the Bill goes far beyond what I contemplated. The Minister has endeavoured to assure the Committee that in view of the definition of "undertaking," it would be possible only for coal to be sold or a mine to be operated in connection with the generation and sale of electricity. I do not think the definition clause is so restrictive as that. If this is an electricity Bill there should be no objection to the proposal, but if it is a Bill for the purpose of carrying on coalmining and the sale of coal there is every possible objection to it.

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

No. 16. New clause:—Insert a new clause after Clause 35 to stand as Clause 36, as follows:—

Commission may appoint and employ, etc. officers and employees.

36. (1) The Commission may appoint and employ such officers and other servants

as it may from time to time consider necessary to it for the purposes of this Act, and, subject to the right of appeal hereinafter provided for, may suspend dismiss fine or reduce to a lower class or grade any officer or other servant so appointed or employed.

Right of appeal.

(2) (a) Any person, who, being permanently appointed or employed by the Commission is—

(i) fined; or

(ii) reduced to a lower class or grade; or

(iii) dismissed by the Commission—may in the prescribed manner appeal to an appeal board constituted as hereinafter provided.

(b) For the purposes of this subsection a person shall not be deemed to be "permanently appointed or employed" unless he has been continuously appointed or employed for one year.

Constitution of Appeal Board.

(3) (a) An appeal board shall consist of the following persons that is to say:—

(i) A stipendiary magistrate appointed by the Governor and to be the chairman of the board, or a person appointed in like manner to act as his deputy; and

(ii) One person to be appointed from time to time by the Commission, or a person appointed in like manner to act as his deputy; and

(iii) One person, his deputy, and his substitute to be elected from time to time in the prescribed manner from among their number by the salaried staff of the Commission; and

(iv) One person, his deputy, and his substitute to be elected from time to time in the prescribed manner from among their number by the wages employees of the Commission.

Provided that only the person elected by the employees upon that branch of the staff in which the appellant is employed

his deputy or his substitute shall act on the board as the elective member on the hearing of the appeal.

Commission to arrange for attendance of elective members at sittings of Appeal Board.

(b) Immediately upon the election of an elective member of the appeal board, the Commission shall take the necessary action in regard to such elective member's employment as will ensure his attendance at each sitting of the board.

(c) The first election of the elective members of the board shall be taken as soon as reasonably may be after the commencement of this Act. Thereafter ordinary elections of elective members shall be held at intervals of three years.

Tenure of office.

(d) The chairman, and the member appointed by the Commission shall hold office during the pleasure of the Governor and of the Commission respectively. The elective members of the board shall hold office for three years from the date of the election respectively.

Vacancy.

(e) If any elective member of the appeal board—

(i) dies; or

(ii) by notice in writing addressed to the chairman of the appeal board resigns his office; or

(iii) ceases to be an employee of the Commission

his seat shall become vacant, and a successor shall be elected who shall hold office for the residue of the period during which his predecessor would have held the same if he had remained a member of the appeal board.

Provided that in any case where the seat of an elective member becomes vacant within three months of the ordinary election the member elected to fill the vacancy shall continue in office until the end of the next succeeding term of three years.

Ballot at elections of elective members.

(f) (i) The ballot of elective members shall be taken on the preferential system and in the manner prescribed by regulations.

(ii) If any question or dispute arises as to the regularity or validity of any ballot or the voting thereat such question or dispute shall be determined by the Minister in such manner as he thinks fit, and his decision shall be final.

(g) Notice of every appointment or election of a member of the Appeal Board shall be published in the "Government Gazette."

Notice of appeal.

(4) (a) Notice of every appeal to the Appeal Board shall be lodged with the Commission within fourteen days after the date of the decision of the Commission appealed against, and the appeal shall be heard within thirty days from the date of notice being so lodged.

(b) If the hearing of the appeal is not commenced within such thirty days, the punishment appealed against shall be revoked, and the appellant shall be reimbursed any loss of salary or expenses incurred.

Provided that if the hearing of the appeal is commenced within such thirty days the Appeal Board may allow any adjournment thereafter.

Quorum.

(5) The decision of any two members of the Appeal Board shall be the decision of the Board.

Procedure on appeals.

(6) With respect to the procedure on appeals under this section the following provisions shall apply:—

(a) The Board may admit evidence taken at any inquiry held by the Commission at which the appellant was present and had an opportunity of hearing the evidence and of giving evidence.

(b) Evidence of witnesses resident more than twenty miles from the place of the sitting of the Board may be taken by affidavit or otherwise as prescribed.

(c) Any member of the Board may administer an oath to any witness, and the appellant shall be entitled to have the witnesses examined on oath.

(d) No solicitor, counsel, or agent, other than an employee of the Commission or the secretary of the industrial union to which the appellant belongs shall appear or be

heard on any appeal, but the appellant shall appear in person or by another employee of the Commission or by the secretary of the union aforesaid, and the Commission by some employee thereof authorised by the Commission in that behalf.

(e) The Board may, subject to the regulations, regulate its own procedure and issue summonses for the attendance of witnesses.

Attendance of witnesses.

(7) (a) Any person who does not appear before the Board pursuant to a summons issued and served upon him under this section after payment or tender to him of reasonable travelling expenses according to the prescribed scale, and does not assign some reasonable excuse for not so appearing, or who appears and refuses to be sworn or examined, or to produce for the inspection of the Board any document which by such summons he is required to produce shall be guilty of an offence.

Penalty—Ten pounds.

(b) In addition to travelling expenses a person attending as a witness shall be entitled to recover from the person at whose instance or by whom he was summoned or requested to attend an amount to be fixed by the Board according to the prescribed scale of allowances to witnesses attending before the Board.

Powers of Appeal Board.

(8) (a) The Appeal Board may confirm, modify, or reverse any decision of the Commission appealed against, or make such other order thereon as it thinks fit, and the decision of the Board shall be final.

(b) The Appeal Board may fix the costs of any appeal and direct by whom and in what proportions they shall be payable, and in every case costs shall be awarded against an appellant whose appeal it considers is frivolous.

(c) All costs awarded against the appellant shall be recoverable as a debt due to the Crown.

(d) All costs awarded to an appellant shall be payable by the Commission.

The MINISTER FOR WORKS: Under the proposed new clause the Commission will be given authority to appoint and employ officers and employees generally and to provide the right of appeal for employees. I

sets out the procedure for appeals and indicates the power exercisable by the appeal board. This clause has been taken almost entirely from the Railways Act and has operated for many years. There is nothing new about this at all. I move—

That the amendment be agreed to.

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

No. 17. First Schedule:—"Fremantle Municipal Tramways and Electric Lighting Act Amendment Act, 1943 . . . No. 26 of 1943," was inserted in the Schedule.

The MINISTER FOR WORKS: This amendment rectifies an omission from the First Schedule to the Bill. I move—

That the amendment be agreed to.

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

Resolutions reported and the report adopted.

A committee consisting of Mr. Withers, Mr. Doney and the Minister for Works drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted, and a message accordingly returned to the Council.

BILLS (2)—RETURNED.

1, Loan, £956,000.

2, Commonwealth and State Housing Agreement.

Without amendment.

RESOLUTION—STATE FORESTS.

Council's Message.

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

SUPERANNUATION AND FAMILY BENEFITS ACT.

Proclamation of Tables of Contributions.

On motion by Premier, proclamation containing tables of contributions made under the Superannuation and Family Benefits Act, tabled.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne) [9.33]: I move—

That the tables of contributions set out in the proclamation be the table applying

to the contributions under the Superannuation and Family Benefits Act 1938-39 and be carried out.

Question put and passed.

BILL—COMMONWEALTH POWERS.

Council's Amendments.

Schedule of four amendments made by the Council further considered from the 4th December.

In Committee.

Mr. J. Hegney in the Chair; the Premier in charge of the Bill.

No. 2. Clause 3—Insert the words "and other than real property" after the word "services" in line 33 (partly considered):

The PREMIER: When progress was reported, the Committee had agreed to the amendment dealing with the substitution of dates suggested by the Council. The amendment now before us deals with the question of removing from the powers to be referred the control of prices affecting property. In his contribution, the member for West Perth made it clear that he thought it was an intra-state matter, and should not be one of the powers referred to the Commonwealth. When this matter was discussed at the Premiers' Conference, it was very clear that uniformity in the action taken by the States was essential. That, however, is not of such great importance as the necessity to keep amongst the powers referred to the Commonwealth the control that this amendment would seek to remove. It is very necessary that control of real estate values should be rigidly held. Although it was submitted by the member for West Perth that this being under the control of a Commonwealth department it would take authority from the State and in addition give to such valuations and control a Commonwealth flavour, that is not quite the position.

It is very necessary for the Committee to know that the authority now vested in the Commonwealth under National Security Order which controls the prices and sales of land, is in the hands of experienced Western Australian experts. The principal officer is perhaps one of the most highly qualified men engaged in land valuation in Australia. I refer to Mr. Steffanoni. Not only is he a man of high standing in that sphere but he is a man of undoubted integrity and great ability. It is a fact that the basic data required for the handling of property sales

and prices which are real prices, is in the hands of Commonwealth officers. Through the taxation investigations which have been undertaken in this State for many years, and the acting for the States and the Commonwealth in connection with freehold valuations ever since 1907, there are a background and a record of this State which would be almost impossible to replace and which certainly give to the authorities undertaking this task a very definite reason for retaining control through Commonwealth channels. This authority has in the past worked for both State and Commonwealth Governments.

For taxation purposes, in 1921, the same officers—including our present Director of Land Settlement, Mr. Fyfe—undertook the revaluation of most of the lands in Western Australia, with the result that there was an alteration for taxation purposes and reduction of over £1,200 almost overnight. Those officers assembled records which are at present used as check values on any sales taking place. They act quite independently of any valuations obtaining in any other part of Australia; and not only are they authorities with that background, but should there be any dispute, they have in addition a panel of legal experts independent of any governmental authority to review the position. Since the 1st January this year there have been transactions in property dealings involving many hundreds of thousands of pounds in Western Australia. There have been 14,650 individual transactions and less than 10 per cent. have been questioned or challenged by the vendors.

Mr. Abbott: But that does not mean that there has not been a lot of black marketing.

The PREMIER: Nothing can interfere with black market transactions. No Order, whether under National Security Regulations or State or Commonwealth statute, can overcome the tendency of a very small minority to engage in such practices. There is black marketing in the sale of milk, tobacco, liquor, land, motorcars, and many other things, for reasons which are obvious and because cash has been more plentiful to many people who were not previously used to handling it. In the case of property sales, although I think Mr. Steffanoni would admit there is a percentage of black marketing, the organisation has been able, through its investigations, to track down some ques-

tionable deals, and has exercised a more rigid control than ever previously. I have here a resume of the procedure adopted with property transactions under the National Security (Economic Organisation) Regulations—

(a) A statement by the vendor and purchaser, accompanied by a valuation by an approved valuer in private practice, is submitted to the Sub-Treasury.

(b) The sale price is checked by the departmental valuers and in some cases an inspection is made. If the sale price is considered correct, the transaction is approved.

(c) If the sale price is considered to be excessive, the transaction, with all relevant data is submitted to the Advisory Panel. The members of this panel are:—Chairman, C. Clarke, of the Rural Bank; W. Robertson, Director of Robertson Bros., Estate Agents; P. C. Kerr, Estate Agent; R. T. Fergie, Managing Director of Peet & Co., Estate Agents; W. L. Devitt, Officer employed by the Director of Land Settlement; V. Steffanoni, Chief Valuer of the State Taxation Department; F. H. Hunter, Delegate to the Treasurer, who assists the panel with the details of the regulations.

The panel, on the evidence, recommends a value, and this value is submitted to the parties concerned. The parties are not bound by the first decision and have the right to check a valuation. Invariably agreement is reached, and although there have been 14,650 transactions this year of transfers of properties, under 10 per cent have challenged the Sub-Treasury valuations. In view of the fact that the Chief Valuer for the Commonwealth Sub-Treasury is Mr. Steffanoni, who has acted in this State for over 20 years valuing city and urban land, there is no doubt that there are very complete records and this is an organisation which exists to handle the matter when the powers for control are referred to the Commonwealth. The alternative would be a difficult position for the States to be in, because unless we have access to the complete and voluminous records assembled in this State since 1907, we would need to employ the very instrumentality now controlling the matter, in order to be effective in control.

Mr. Abbott: The State has access to those officers for land tax purposes.

The PREMIER: The State had an arrangement with the Commonwealth whereby the officers, pre-war and prior to uniform taxation, were used in the course of all taxation matters and the set-up within this

State has the background and hall-mark of State authorities acting for the Commonwealth in this way. I think it would be very foolish to upset it and, in addition, it would not be possible for anyone in this Chamber to give the Government an assurance that legislation would be passed conferring upon the State control by the State. Who can guarantee that, if this be discarded? When the National Security Orders lapse, who can guarantee that both Houses of Parliament in this State will pick up the responsibility for the State, for it to be administered by the State? The result would be not only lack of uniformity and continuity of control, but soaring prices, profiteering and all sorts of difficulties. There would certainly be inflation and exploitation, particularly of returned men seeking land and homes. I hope the Committee will be influenced by those points and will agree to disagree to the amendment proposed by the Legislative Council. I move—

That the amendment be not agreed to.

Mr. PERKINS: I agree with the Premier that it is necessary to hold land values at a reasonable figure. It is not only dangerous from the inflation point of view to allow great speculation in land, but it is detrimental to genuine producers, that land values should be unduly inflated. I have little objection to Commonwealth control provided it is based on a satisfactory level. At the moment the chief difficulty is that officers administering this control are tied to a period that does not give a fair basis of value for certain properties. The present date is the 10th February, 1942. It has been suggested that the 10th September, 1939, might be more satisfactory, but I do not think it would.

Hon. J. C. Willecock: It would be much worse.

Mr. PERKINS: Perhaps it would. I was thinking more about rural properties, of which I have a better knowledge than I have of city properties. It is doubtful whether any period from 1930 up to the latter war years would give a satisfactory basis for valuing rural property. In a period when prices for rural products are unduly depressed, as they were for the period when producers were receiving less than the cost of production, there would be few people seeking agricultural land, and in fact there

were comparatively few sales in that period. Generally the properties sold belonged to people who were forced to sell, and in those circumstances few highly improved properties are sold. That is largely the position at present and the sales referred to by the Premier, when quoting statistics, contained few sales of highly improved agricultural properties. In most cases the owners of such properties have spent more on developing them than the Sub-Treasury will permit them to be sold for at present.

The period from 1942 or from 1939 is not a fair basis for the value of agricultural properties. Few wheat properties in this State can be sold for more than £4 per acre with the permission of the Sub-Treasury at the present time, but many such properties cost considerably more than that to develop. The owners of many such properties are now getting on in years and do not wish to carry on, but they would require a reasonable price, sufficient to recompense them for the cost of development, to enable them to spend the last years of their lives in reasonable comfort, to which they are entitled. If the Premier can suggest a way of securing a reasonable basis I will be ready to grasp it.

The Premier: I mentioned, the other night, that I had already approached the Commonwealth Government about it.

Mr. PERKINS: If the Premier thinks the Commonwealth Government is likely to be reasonable in the matter I am willing to agree to the Bill as it stands. An orgy of speculation in real estate would make it difficult for the price fixing authorities to prevent an inflationary tendency, which would be of no value to genuine producers. I wish only to see a reasonable basis so that the people who depend on getting their money back may be able to do so.

Mr. ABBOTT: I think land is essentially a matter for State control. The Premier based his argument mainly on the fact that Commonwealth Government servants are used for the purpose of valuing land. The same men are availed of by the State for land tax purposes, and there is no reason why they should not be put under State authority. Members all know that with authority and control centralised in Canberra it is difficult for anyone in Western Australia to make a personal contact in

order to get any redress. People doing business in Melbourne or Sydney are generally able to keep in personal contact with the final authorities in Canberra. I would like to see this control in the hands of the State. I had an application sent to Canberra some time ago and after five weeks I sent an urgent telegram, and I may get a reply.

The Minister for Lands: You will be lucky.

Mr. ABBOTT: That is why I wish to see the control here. Another objection is that land is not valued on a Commonwealth basis. If it were, there might be no reasonable objection to it, but it was valued on a Western Australian basis and at a time when people were packing their trunks and leaving for the Eastern States.

The Minister for Lands: Now they are over there and cannot get back.

Mr. ABBOTT: I agree with the Minister. It is well known to members of the Government that highly-placed Service personnel were sending their wills to the Eastern States and were sending their wives over.

Mr. Withers: You cannot blame them for that.

Mr. ABBOTT: No. I think it wise, knowing what I know. The valuation based on that date is unjust. I know the Premier is trying to get a more suitable date. We know that people will not obey a law which they consider is unreasonable. They did not obey the liquor laws in America, and they will not obey this law today. Living in the commercial world I think I am better informed on this matter than is the Premier and I know the tremendous extent of the black market. Certain persons were discussing the matter with an official, and he shrugged his shoulders and said, "We are not police and cannot do anything about it." It is bad when people disregard the principle to the extent of having no compunction about breaking the law. If the land is resumed at a reasonable price, nobody can object. The people who are feeling this most are not those who are well off, because they can afford to hold. They are holding, and will not sell. The parties affected are widows, estates, and those who are compelled by circumstances to sell. They simply have to accept the valuation and take the money offered. This matter should be reserved for the State Government so that people in

touch with affairs, as State officials are, would be able to say for the next three years what is to be done, instead of leaving it to the Commonwealth.

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

No. 3. Clause 3:—Add a subclause to stand as subclause (2) as follows:—

(2) For the purposes of this section the term "semi-governmental or local governing bodies" shall include and shall be deemed to include all road passenger transport operators whose omnibuses are operated under licenses granted by the Western Australian Transport Board.

The PREMIER: This is a case where it is necessary not to have piecemeal legislation. The Prices Branch has experienced men to determine whether excess profits are being made and an inquiry is in progress at present about excess profits made during the war. There should be a general relationship between these and other costs. We need to have a reasonably workable measure with uniformity for dealing with these matters. I move—

That the amendment be not agreed to.

Hon. N. KEENAN: This amendment is designed to retain the practice that has existed ever since the State Transport Co-ordination Act was passed. By force of circumstances we are compelled to hand over certain powers to the Commonwealth because we cannot exercise control and the Commonwealth can, but the class of business referred to in the amendment is provided for in the State Transport Co-ordination Act. Section 23 provides for application to be made for a license to act as an operator to carry passengers and the application has to be accompanied by the fares proposed to be charged. Unless the board, which alone can issue a license, is satisfied with the fares, a license is not issued. Under Section 58, the board can determine the maximum fare to be paid by passengers. That is the practice today, and it has worked very successfully. Why give that power to the Commonwealth? Is it a confession of impotence? I do not suggest that such a charge would be just, so I say there is not a single reason for giving up this power. I hope we will not hand over to the Commonwealth a power which is being exercised today and which we have full power to exercise.

Mr. McDONALD: The argument that the Premier not unreasonably used in connection with the transfer of price fixing from the Commonwealth to the State in respect of land applies with equal force in support of this amendment. The amendment proposes to retain this power to the Transport Board, which has fixed fares for many years and has the requisite records and experience. This represents a new departure in surrendering a State authority to the Commonwealth. I understand that the Government favours the return of arbitration powers to the State, largely for the reason of the better knowledge possessed by tribunals on the spot. If that argument is sound, it must apply to the work of the Transport Board. If the Premier's arguments in favour of the Commonwealth retaining the fixing of land prices on the ground of its long experience are sound, they apply equally to the fixing of fares by the Transport Board.

Mr. WATTS: I hope that the Premier will change his view. There is a very close relationship between the services regulated and to a certain extent controlled by the Transport Board to those actually regulated and controlled entirely by Government departments. The board exercises fair and efficient control over the services and has given great satisfaction, and I see no greater objection to excluding these operations than those of the railways, tramways and trolley-buses, which are serving the same people in the same manner and, in the majority of instances, just as efficiently.

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

No. 4. Clause 6:—Delete all the words after the word "force" in line 26 down to and including the word "operation" in line 28, and substitute the words "until the thirty-first day of December, one thousand nine hundred and forty-seven."

The PREMIER: For the sake of uniformity and out of consideration for the agreement arrived at by the conference of Commonwealth and State Ministers, we should not agree to a two-year period. We should adhere to the reference for a three-year period as the agreed time between the States. I move—

That the amendment be amended by striking out the words "forty-seven" and inserting the words "forty-eight" in lieu.

This will mean that the reference of powers will be until the 31st day of December, 1948.

Amendment on amendment put and passed.

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

Resolution reported and the report adopted.

A committee consisting of Mr. W. Hegney, Mr. Seward and the Premier drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILL—SUPREME COURT ACT AMENDMENT (No. 2.).

Council's Request for Conference.

Mr. McDONALD: I move—

That the Council's request for a conference be agreed to, that the managers for the Assembly be Mr. Smith, Mr. Styants and the mover, and that the conference be held in the President's room, or other available room, tomorrow, Thursday, at 1.30 p.m.

Question put and passed, and a message accordingly returned to the Council.

BILL—CITY OF PERTH SANITATION.

Second Reading.

MR. CROSS (Canning) [10.20] in moving the second reading said: This small Bill concerns public health which is a matter of paramount importance because in our comparatively hot climate decent sewerage and drainage are essential. This climate is particularly good for the breeding of flies and mosquitoes which carry diseases, so that it is important for us to take every possible precaution to prevent breeding grounds being established. It is the general opinion that these two pests cause most of the summer sicknesses such as enteric fever, dysentery and malaria. We should now seek to improve our sanitary amenities because our soldiers are returning from the islands and probably bringing back malaria. It is well known that more Australian troops suffered from malaria than received injuries at the hands of the enemy! The pan system is not only a disgusting method, but it is archaic. Whenever there is an outbreak of diphtheria the health authorities usually look at the sanitary arrangements.

Members may wonder why I have always been keen on the extensions of improved sanitary arrangements. For their information I might say that about 25 years ago an outbreak of diphtheria in Victoria Park affected my family. That outbreak was traced to the Victoria Park school. I do not know how much it cost me, but it kept me poor for a long time because one member of my family, as a result of getting diphtheria—it not only induces rheumatic fever but lowers the vitality of its victims to such an extent that they can catch almost anything else, which is what happened in this particular case—was not able to do any work until he was well over 20 years of age. After that I organised a public meeting in the Victoria Park town hall. It was a crowded meeting and we demanded that deep sewerage be installed, but the Government refused our request on the score of the tremendous cost. I have followed that up and as soon as I got into Parliament I organised a big deputation to wait on the ex-Minister for Works, Mr. Kenneally, and I asked him to extend the deep sewerage system throughout the greater metropolitan area. I was successful on that occasion.

When we got the sewerage started I asked the South Perth Road Board to prevent any new buildings being constructed unless the people concerned connected with the deep sewerage or installed a septic tank. The board agreed to that proposition. From that time no new building has been erected in South Perth except under these conditions. The people who put in a septic tank use fittings that comply with the Water Supply Department's specifications. The object of this Bill is to compel people, in unsewered areas, to instal a septic tank in any new buildings within the municipality of Perth; that is where there is no deep sewerage. The Bill does not seek to affect existing buildings, but it is as well to prevent new buildings providing for the pan system. The Perth City Council has already provided that in the case of new buildings the lavatory shall be of brick with a cement floor.

The truth of the matter is that at present while the City Council urges builders of new buildings to instal a septic tank in unsewered areas it has no power to enforce that desire. It does stamp all the permits urging the people to instal a septic tank, but has no

power of enforcement. Then again even if a septic tank were installed the council has no power to insist that the fittings shall comply with the requirements of the department. That should be done so that waste shall not take place. The Water Supply, Sewerage and Drainage Department has no power to do anything outside of a sewered area. Recently, because septic tanks were being stalled when some new houses were being built, I took an expert from the department to see them and asked him what would happen if that district became sewered. He said, "We would condemn the whole of these fittings because they do not comply with the requirements of our department." The present position is unsatisfactory because no one has the power to enforce the installation of standard fittings, even when septic tanks are put in.

I have interviewed the authorities of the Metropolitan Water Supply and Sewerage Department and they agree that the power sought is desirable. They point out that if a man buys a house which is provided with a septic tank, the sewerage system may be installed later on and, when that man is required to connect with it, quite a considerable amount of his money will be wasted because of the necessity for his buying all new fittings. I have also interviewed the City Council officials and the Town Clerk, who agree that legislation of this description is desirable and urge its passage. They adopt that attitude because of the lack of power to deal adequately with the matter under existing conditions. As a matter of fact, people who avail themselves of the pan system in sewered areas will not save much money; they have to pay almost as much as if they had installed a septic tank. The City Council charges a pan rate of 26s. per year and it costs the council £2 12s. a year per removal. The result is that an increase in the rate is contemplated, by which people will have to pay the actual cost of pan removals.

In the City of Perth area there are 2,800 premises not connected to the sewerage system, and of those 2,100 are in Victoria Park. Of that number, about 1,100 represent premises adjoining sewers. The Bill will not force those people to connect with the sewerage system but will ensure that there shall be no extension of the pan system in such areas. Only recently, new premises were erected in Carlisle and the pan system was

resorted to. I have made inquiries regarding the cost of providing a brick lavatory and there seems to be some difference of opinion in that regard. An expert associated with the Metropolitan Water Supply and Sewerage Department informed me, in the presence of the Under Secretary, Mr. Hutchinson, that the cost of putting in fittings to comply with the departmental specifications, including the pedestal, cistern and plumbing, would be about £8 10s., while he considered the extra cost for a septic tank would be £8 10s., making a total of £17 in all. I thought that price was rather low. I discussed the matter with the City Council authorities, the Workers' Homes Board and the officers of the Architectural Branch of the Public Works Department, and from what I can gather the estimate given to me must have been based on pre-war prices because the other authorities I consulted considered the increased cost would be from £25 to £30, according to the distance the septic tank was from the lavatory.

If the Bill be agreed to, the Metropolitan Water Supply and Sewerage Department will be vested with power to deal with new buildings. Builders will have to apply, for instance to the City Council for the necessary permit to carry out the sanitary work. The council will grant a permit, subject to a septic tank being installed, if in a sewered area, in accordance with the specifications of the Sewerage Department. The departmental officers will make an inspection of the premises and indicate where the septic tank must be placed. Those officers will be in a position to do so because they know from their plans where the sewers will go. As a matter of fact, I am given to understand that in Victoria Park an area has been set aside for sewerage and the work is likely to be done within the next year or two. Under those conditions, if premises are required to be connected later on, there will not be much loss because the standard fittings will have been already installed. Not much loss will be involved to the owners of buildings under those circumstances, apart from the loss of the septic tank itself.

I am of opinion that the time has arrived when an up-to-date sanitary system must be provided, and it is certainly useless having a sewerage system with the pan system operating concurrently. Since the Bill was introduced, the City Council has awakened

to the position and is now drawing up regulations to compel people to instal septic tanks. I have received legal advice that even if the regulations were tabled, they would have no effect because they could not bind the Sewerage Department at all. It would mean that builders could instal any system they preferred and an Act of Parliament would ultimately be required to deal with the situation. That is my object in submitting this legislation. Its provisions do not go as far as I would like, but I think they go as far as is necessary at the first attempt. With that object in view, I wish to deal with the City of Perth Council area for a start. The Bill seeks to ensure that no more pans will be used in the sewerage service. That has applied in South Perth for 12 years and it applies also in the areas controlled by the Perth Road Board, the Fremantle Municipal Council and, I have been informed by the member for Nedlands, the Nedlands Road Board as well. It should operate in the city area. Members will realise that it would not cost much more to put in a septic tank when the builders are on the job constructing a new house, and certainly it could be done more cheaply than if the provision were made later, with the necessity to secure other labour.

Mr. North: Has not any council power to do this now?

Mr. CROSS: Yes, but the City Council has not done so because it cannot give power to the Sewerage Department to inspect premises outside a sewered area. For that reason, I have been advised to persist with the Bill because the City Council regulations will be inadequate to deal with the situation. I have been assured that the Bill will be acceptable to another place, and I trust members here will agree to its prompt passage. It is interesting to note that since the installation of the sewerage system in the metropolitan area, the number of cases of diphtheria have dropped from over 1,000 a year to about 50 or 60. The time has arrived when the women of this State should have the benefit of a sewerage system and septic tanks.

The Minister for Lands: You should put a woman on the board!

Mr. CROSS: The provision of these amenities will assist in getting rid of mosquitoes and flies, because it will deprive them

of one of their principal breeding grounds. I have watched the sanitary carts in Victoria Park and have visited the sanitary depot. I found millions of flies at the depot, and those flies do not stay put. Recently, a mild epidemic of dysentery broke out, and that was largely caused by flies. I appeal to members to ensure that something is done sooner or later—the sooner the better—to get rid of the pan system. It is my intention next year to introduce legislation to limit the time that people living beside sewers can continue with their premises unconnected with the system. We should certainly not have the pan system when the sewerage system is available. Those conditions should apply throughout the metropolitan area, and I am pleased to know that the Canning Road Board is considering insisting upon the installation of septic tanks in its area. I trust members will not delay the passage of the measure, and I move—

That the Bill be now read a second time.

MR. READ (Victoria Park) [10.42]: I support the member for Canning in his endeavour to get this legislation passed. The City Council has had under consideration for some little time the promulgation of amended building by-laws making it compulsory for septic tanks to be installed in connection with all new buildnigs. As the contractor and the plumbers will be on the job when the new building is erected, it will mean very little added cost, proportionately, to have the septic tank installed while the men are there. If the Bill is agreed to, it will mean that quite 50 per cent. of the fittings used on such jobs will be of use when premises are connected to the sewerage system. The added cost in this respect will not be great when included in the weekly or monthly payments incurred by the individual in paying for his house. As the member for Canning stated, the pan rate is 26s. a year, so that the increased cost will not represent very much. No doubt the sewerage system will be installed in Victoria Park in the near future, and the residents there will be able to take advantage of this opportunity to prepare for that time and so help to protect the health of the people generally.

I am hopeful that the Workers' Homes Board will also be affected by the legislation, because it would be scarcely fair if a private builder were compelled to comply with its

provisions and at the same time the Workers' Homes Board, when constructing dwellings nearby, were not similarly affected. Then there is the advantage that we shall have of the numbers of new houses which we hope will be built. These would increase the work of the sanitary contractors and the municipalities. The sanitary depot would also have the additional work to cope with. The Perth City Council is making a start on the new road and is proceeding with the work of removing the sanitary depot from its present site to the new site. We hope that ultimately the obsolete pan system will be entirely discontinued. I shall have pleasure in passing over to the Metropolitan Sewerage Department the policing and administration of this work in lieu of the City Council.

MR. ABBOTT (North Perth) [10.46]: I do not propose to delay the House long at this stage; but I consider the member for Canning on this occasion deserves to meet with some success. He has not met with much success in the House this session. The fact that in 1910 the cases of typhoid fever in the metropolitan area were 1,003, and that for the whole State last year the number was 35, alone warrants my support of the measure. That wonderful result is, I think, considered by the medical profession to be attributable to sewerage.

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.

ANNUAL ESTIMATES, 1945-46.

In Committee of Supply.

Resumed from the 6th December; Mr. Rodoreda in the Chair.

Vote—Mines, £124,483, (partly considered):

MR. W. HEGNEY (Pilbara) [10.56]: I desire to refer briefly to some matters affecting the Pilbara district. For some time past the North-West has received much

publicity. Some who have indulged in that publicity have been well informed and have spoken from practical experience; others have acted on hearsay and so some of their criticism has been ill-founded. When I say I am dealing with the mining industry, I do not refer exclusively to gold, but also to such metals as tantalite, tin, asbestos and others. If there is any industry which will tend appreciably to increase the population in the North-West, I think it must be conceded that it is the mining industry. The report of the State committee recently submitted to the Government indicates that the mining industry is directly and indirectly related to many of the subjects dealt with in the report, such as housing, water supplies, education, transport and medical services, all of which are dependent upon the extent to which the population in the North-West may be increased. Consequently, I make no apology for the suggestion that the Government should give special consideration to the development of the mining industry in that part of the State.

I take the opportunity now to express my appreciation of the kindly approach of the ex-Minister for Mines to the industry in that area. I have no doubt that the same attitude and the same enthusiasm will be apparent in the present holder of the position of Minister for Mines. The State committee to which I referred recommended that the Government should materially assist the mining industry in the North-West. It is to be noted, too, that the terms of reference of the proposed committee which will be representative of Queensland, Western Australia and the Commonwealth include the mining industry. I am confident that when that committee takes evidence it will be sympathetic towards the proposal to develop mining in the North-West. I am also confident that the Minister for Mines, the Under Secretary for Mines and the executive officers of the Mines Department will present to the committee the best case possible on behalf of Western Australia.

Dealing with suggestions for the development of the industry it is pleasing to note that the Minister for Mines, when introducing these Estimates, indicated that it was proposed to assist prospectors by the provision of drilling machines and advice of a technical nature. It was also proposed, the Minister said, to tabulate information relat-

ing to prices and other matters of interest to miners and prospectors, and that this information would be forwarded in the form of a bulletin to the various wardens' offices throughout the State for distribution. That ought to be helpful to the men in the back country, as will be the proposal to make advances on prospectors' ore in certain cases.

Dealing with mining facilities, I would like to ask the Minister to pay special attention to the furnishing of crushing facilities in the Nullagine district. I realise that this matter really should come under the Estimates for State batteries, but I do not propose to duplicate my remarks, nor do I wish to deal extensively with the subject now. The Prospectors' Association in Nullagine is very anxious that a State battery should be erected in that district. Correspondence that I have received from the secretary indicates that the prospectors were gradually returning to the area and the time had arrived when modern crushing facilities should be made available there. This remark applies to a certain extent to the Tamborah district. I am convinced that the question is whether the Government will wait until there are sufficient prospectors in the district or whether the latter will wait until the Government can provide crushing facilities. I know quite a few old-time prospectors of the type to which the Minister referred some days ago who, if assured of crushing facilities on the Tamborah goldfield, would certainly prospect in that area and encourage others to do so.

Much has been said in recent months about the need for rehabilitating ex-servicemen. My suggestion, which is a practical one, is that we should extend the prospecting scheme which was operating in the Murchison and the Eastern Goldfields areas to the Pilbara district. The Pilbara district is recognised as one of the richest mining fields in the world. As far as tantalite is concerned, it is regarded as the richest area in the universe. If the scheme as suggested is extended in the way I propose applicants should not be selected indiscriminately. The Mines Department, or the proper authorities, should invite men to participate in the prospecting scheme. The prospectors should be men who are acclimatised, who have the spirit of independence in their make-up, who would hesitate to work for wages and who desire to act on their own

initiative. If proper supervision were exercised over them, much could be done in a practical way to develop the mining industry in the Pilbara district.

I know there are difficulties in the way. I do not suggest that the men should be paid £10 or £15 a week, but I certainly consider that approved applicants should be reasonably subsidised until such time as they can stand on their own feet. After all is said and done, it has to be borne in mind that some, if not all, of our bigger mines were discovered as the result of prospecting by individual persons, from the day of Paddy Hannan onwards. I shall refer now to the Comet Mine, which is six miles from Marble Bar. A prospector accidentally stumbled across gold at the spot where the Comet Mine is, and as a result of his discovery a thriving community has grown up in that district.

It will be conceded that if such a scheme were extended to the North-West portion of the State it would in some small way help to place some of the men returning from the Services, who should be given encouragement to go into the back country. I hope the Minister will take cognisance of what has been said and that when the opportunity arises—which I do not suppose will be before next May or June—I shall have the pleasure of piloting him through the Pilbara district and enabling him to meet residents, including prospectors, in his dual capacity as Minister for Mines and Minister for Railways. I wish him every success in those offices and especially in the office of Minister for Mines, and can assure him of the co-operation of the people in the Pilbara district.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison—in reply) [11.1]: I desire to make one or two corrections of utterances made by the member for Nedlands who may be misinterpreted because he evidently misunderstood what I said. There can be no doubt that as far as prospecting is concerned the old system of loaming can never be dispensed with. There is nothing known to science that can take its place in the initial steps in working up to deposits of goldbearing ore or some other particular mineral. Loaming must be done and will be done in the old-fashioned way because there is nothing to take its place.

In regard to the copper treatment plant at Ravensthorpe, the member for Nedlands made reference to the separating of gold from copper bullion. That is not so. What the plant accomplishes is to bring into existence a state of copper bullion which varies from about 90 to 95 per cent. pure copper and therein remains the gold contents of the ore treated. From that point the particular plant at Ravensthorpe takes no further part. The copper bullion is exported to Port Kembla where the gold is divorced from the copper.

A repayment of assistance to prospectors by way of a 25 per cent. deduction from the profits won was referred to by the member for Mt. Magnet. I would assure him that that is a stipulation included in every agreement with every prospector who goes out, but as my predecessor and his predecessors in the Mines Department know, it is not strictly enforced. It is only where it is found possible for him to make payments that he is asked to do so. If it is found, after a great deal of labour, that the reward is not sufficient to enable him to carry on for a time, he gets further assistance. If he receives sufficient reward to enable him to continue, the assistance ceases. If he is successful enough to repay, the department naturally demands payment. The member for Mt. Magnet also mentioned treatment at State batteries. In that respect he was a little mixed as to the different processes used. There can be no doubt about the economical way of processing ore by virtue of the all-slime process, but it should be remembered that should that be introduced it would be particularly costly because it is a continuous process and once a plant is erected and started there must be sufficient ore coming in to keep it constantly in motion.

I do not know that there are many centres in Western Australia at the moment that could give a guarantee they would have sufficient ore to supply to a battery to warrant the expense in the first place or to give a guarantee that the plant would continue once it had started; that it would not stop until it had to do so for repairs. There would be only one alternative and that would be to buy ore at assay value. Prospectors produce small parcels of ore and in the amalgamation process—that is the gravity stamp and leeching process—small

parcels can be put through. The battery is then stopped and a clean-up takes place. With the all-slime process that cannot be done. From three to six parcels may be mixed up in the one agitator and in that case there could be no accounting for the value of each particular prospector's ore. So we would have to buy it at assay value and then treat it. However, the matter could be considered if there is any prospect in any given centre which would warrant the erection of such a plant.

Regarding the price of gold, it is true that that is controlled by the Commonwealth Bank. On these Estimates some time ago, I made reference to the open market available to the gold producers—or which I thought was available—and my predecessor took the matter up with Mr. Dedman, M.H.R. I have given every one of the Goldfields members a copy of the reply my predecessor got and therein is contained the position which I frequently tried to point out when dealing with monetary reform matters. There can be no doubt that the 33 reserve banks throughout the world have had the co-operation of respective Governments. They control all distribution of gold and regulate its price. The purpose is obvious to anyone who has studied the matter. While Governments will collaborate with financial institutions for the benefit not of Governments or countries, but of banking institutions, we can expect no redress and no open market for the gold producers of the world.

Reference was made by the member for Hannans to conscription of miners on the Golden Mile. I know nothing of that, but I feel with him that any endeavour to interfere with the freedom of the miner will cause an upheaval; because I consider that the miners will not be coerced and will be less inclined to be conscripted. However, that is a matter I could not take in hand. It is one for negotiation between the employer and the prospective employees. However, I would be surprised to know that any undue pressure is being placed on men who are now returning from war centres where, we are led to believe, they fought for freedom.

Mr. Thorn: How can they be conscripted?

The MINISTER FOR MINES: The member for Hannans explained how it was

done. One company arranges that a man shall not be employed by other companies. Economic pressure forces a man who leaves a mine to go back to it.

Mr. Thorn: You do not stand for that, do you?

The MINISTER FOR MINES: No, and I do not think anybody else would. Nor will the men collectively.

Mr. Thorn: Let us hope they do not.

The MINISTER FOR MINES: It is something that we cannot handle as a department. I come now to the question of alumina therapy. The member for Hannans did not seem to understand that the process is patented and the patent is held by the McIntyre Research Company. In order to ensure that the plant is properly installed and the treatment given precisely as directed, the company refuses to grant the right to its use until it has had an inspection made by one of its experts. This man takes all sorts of precautions in regard to the installation of the treatment which is, however, simple in itself. The idea is that the company does not want the treatment to be so administered as to bring about failures. It is very careful in regard to this matter. It is particularly careful as to whom it grants a license. Dr. George of New South Wales is visiting Canada in connection with the matter, and we are hopeful that Dr. Robson will return with him to Australia and when he makes personal observations of our goldmining areas and our metalliferous mines—I do not know that the latter will require them; but certainly our gold mines will—and when he is quite satisfied that the companies understand what is wanted and will give him an assurance they will instal the plant and carry out the treatment in strict accord with the terms set down, the miners will be able to receive the treatment.

Tantalum was referred to by the member for Kalgoorlie. Some time ago the matter was taken up with the Commonwealth Government and we hoped to get some information concerning the plant that was operating in Japan. The department is already making every endeavour to obtain all the information it can about that plant that was operating when war occurred. We have also written to Canada where there was a treatment plant and are seeking all the information we can obtain.

We are hopeful that, before the next Estimates are presented, we shall be able to give the Committee full details in regard to this matter and that an endeavour will be made to instal a plant in Australia to enable us to do that particular work ourselves. In regard to the unemployment mentioned by the member for Brown Hill-Ivanhoe, I had inquiries made immediately. The position was that approximately 100 men were unemployed, half of whom were returned soldiers. Instructions were given that these men were to be placed in mines where we knew a labour shortage was prevalent and immediately the Sons of Gwalia volunteered to absorb 100. I hope those men have now been taken back into their old vocation and are settling down to civil life once again.

So far as crushing facilities at Nullagine are concerned, I will give the assurance that all the necessary investigations will be made. From my experience, it is not a lack of prospectors or auriferous belts of country able to produce large quantities of gold and other minerals that is a matter of concern. What is absent in Nullagine is a good water supply to run a battery. Strange to say we have not reached that stage of efficiency where we can run an ordinary gravity stamp plant without water. The matter will be further reviewed in the hope of something better being done in the future than in the past. I suppose it is not possible for our experts to place sub-artesian streams in likely centres for the establishment of crushing facilities. I am not aware as to why assistance to prospectors does not apply to the North-West. There is a sufficiently rich auriferous belt there to justify my saying that so far as the Government is concerned, it cannot allow that particular area to go undeveloped. I agree that there is nothing that will bring about decentralisation and take people into the outback quicker and in greater numbers than the discovery of gold or other valuable metals. On behalf of the Government I say that every consideration will be given to assisting those who desire to prospect in that area, as well as in your own district, Mr. Chairman, which I know contains many square miles of auriferous country that should be developed as early as possible. I thank members for the way in which they have accepted the introduction of these Estimates. I will have investiga-

tions made into the matters that have been the subject of criticism, in the hope that we will see a great deal of prosperity, in the industries I have mentioned, in the near future.

Vote put and passed.

Votes—Goldfields Water Supply Undertaking, £156,750; State Abattoirs and Sale Yards, £62,688; Metropolitan Water Supply, Sewerage and Drainage Department, £143,755; Other Hydraulic Undertakings Chargeable to Revenue, £74,545—agreed to.

Progress reported.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL.

Council's Message.

Message from the Council received and read notifying that it insisted on its amendments Nos. 3, 4, 5, 6 and 7.

In Committee.

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

The PREMIER: I move—

That the Assembly continues to disagree to the amendments made by the Council.

Question put and passed.

Resolution reported and the report adopted.

Assembly's request for Conference.

The PREMIER: I move—

That the Council be requested to grant a conference on the amendments insisted on by the Council and that the managers for the Assembly be Mr. Rodoreda, Mr. Seward and the mover.

Question put and passed, and a message accordingly returned to the Council.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND).

Council's Message.

Message from the Council received and read notifying that it insisted on its amendments Nos. 3, 4 and 5 and had disagreed to the amendment made by the Assembly to the Council's amendment No. 1.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

The MINISTER FOR WORKS: I move—

That the Assembly continues to disagree to the amendments made by the Council.

Question put and passed.

Resolution reported and the report adopted.

Assembly's request for Conference.

The MINISTER FOR WORKS: I move—

That the Council be requested to grant a conference on the amendments insisted on by the Council, and that the managers for the Assembly be Mr. Berry, Mr. Fox and the mover.

Question put and passed, and a message accordingly returned to the Council.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. F. J. S. Wise—Gasecoyne): I move—

That the House at its rising adjourn till 11.30 a.m. tomorrow.

Question put and passed.

House adjourned at 11.25 p.m.

Legislative Council.

Thursday, 13th December, 1945.

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The PRESIDENT took the Chair at 11.30 a.m., and read prayers.

QUESTIONS.

KOJONUP BUS SERVICE.

As to Finance, Vehicles, etc.

Hon. H. L. ROCHE asked the Chief Secretary:

1, What was the net profit on the operation of the Kojonup bus service for the year ended the 30th June, 1945?

2, What was the cost of repairs and replacements for that year?

3, What cost per diem was debited to this service for the hire of a vehicle from the tramways branch, vide page 6 of the report of the Commissioner of Railways, for the year ended the 30th June, 1945?