

In that way the funds of the board would benefit.

Mr. MANN: The statement of the Premier that the board will probably benefit is not in keeping with the vote.

The Premier: I said probably all the money would not go in that direction.

Mr. MANN: If the officer is doing extra work he should be entitled to extra pay.

The Premier: That will be a matter for the board to determine. I can trust the board to do a fair thing.

Mr. MANN: But the sum of £300 may not be enough.

The Premier: It is enough, because it has been accepted by the board as sufficient for the work.

Vote put and passed.

Vote—Commonwealth grant, £365,924:

Hon. Sir JAMES MITCHELL: Does the Premier propose to take out this grant month by month? For this half year £140,000 has already been paid.

The Premier: The monthly payments have been made.

Hon. Sir JAMES MITCHELL: The sum of £565,000 is going into general revenue. How is it proposed to get it out? The Premier will have to make a transfer from general revenue to a trust fund.

The Premier: I suppose so.

Item, Consolidated revenue fund, provision for extinction of unfunded deficit, and purchase of Treasury Bonds issued for purpose of funding deficit:

Hon. G. TAYLOR: I should like to strike out all the words after "provision," and insert "to meet the losses in connection with workers' compensation insurance (employers and employees) on the men who are working in gold mines."

The CHAIRMAN: Such an amendment would be inadmissible, as it would tend to alter the destination of the Vote.

Vote put and passed.

Vote—Forests, £24,256—agreed to.

Progress reported.

BILL—PUBLIC EDUCATION ACTS AMENDMENT.

Received from the Council and read a first time.

House adjourned at 1 a.m. (Wednesday).

Legislative Council,

Wednesday, 27th October, 1926.

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The PRESIDENT took the Chair at 4.3 p.m., and read prayers.

QUESTION—MINING, GOLD- STEALING.

Hon. V. HAMERSLEY asked the Chief Secretary: 1, What has been the maximum strength of the detective staff employed for the suppression of gold-stealing at—(a) Kalgoorlie, (b) other goldmining centres? 2, On what date was it reduced, and for what reason? 3, What staff is at present employed? 4, Is it considered adequate for the purpose? 5, What action is being taken to suppress the evil?

The CHIEF SECRETARY replied: 1, (a) Five and part time of a clerk. (b) Nil. 2, It was reduced to four in November, 1920 and two in 1924. The reason for the reduction was that the Chamber of Mines were not prepared to incur the expenditure necessary for any greater number. 3, Nil. 4, This is a question for decision by the Chamber of Mines. 5, The usual police protection in suppressing all breaches of the law.

BILL—GUARDIANSHIP OF INFANTS.

Returned from the Council with amendments.

BILLS (2)—REPORTS OF COMMITTEE.

- 1, Reserves.
- 2, State Children Act Amendment.
Adopted.

BILL—TRAFFIC ACT AMENDMENT.

Standing Orders Suspension.

The PRESIDENT: The notice of motion for the suspension of the Standing Orders in connection with this Bill appears on the Notice Paper in an irregular way. It is not here in accordance with the Standing Orders, but I shall accept it under Standing Order 422, which provides that such motions may be moved without notice and requires that they must be agreed to by an absolute majority of the whole Council.

The CHIEF SECRETARY: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Traffic Act Amendment Bill to be passed through its remaining stages at this sitting.

I placed the notice of motion on the Notice Paper merely for the information of hon. members, and shall be very glad indeed if the suspension is agreed to. We have only three days to go now if the assent of His Excellency the Governor to the Bill is to be secured in time. In the event of the measure not being passed by the 31st October, there will be chaos in certain traffic matters.

Hon. J. NICHOLSON: I second the motion, because I realise that the Chief Secretary has been put to some inconvenience as regards the Bill. For example, I have placed certain amendments on the Notice Paper somewhat late. I regret that they were not brought to the Chief Secretary's attention earlier, so that he might have been able to consider them more fully. In view of the circumstances it is only right that the House should accede to the hon. gentleman's request.

Hon. H. J. YELLAND: I have no desire to antagonise the Leader of the House in this matter, but in the case of so important a measure we might have been informed at an earlier stage that he desired to have it put through before the end of the month. The Bill contains many anomalies requiring close attention, and while it is not desirable to prevent the attainment of the Chief Secretary's wish for the passage of the Bill, full consideration should be given to those anomalies. I support the motion.

Question put, and passed on the voices.

The PRESIDENT: As there is an absolute majority of members present, and as I have heard no voice in the negative, I assume that the motion has been carried by an absolute majority of the House.

In Committee.

Resumed from the previous day: Hon. J. Cornell in the Chair, the Chief Secretary in charge of the Bill.

The CHAIRMAN: Progress was reported on a new clause to stand as Clause 37 and reading, "Part III. of the Third Schedule to the principal Act as amended by Section 2 of the Traffic Act Amendment Act, 1925, is amended by deleting the words 'one shilling,' in line 8, and inserting 'sixpence' in lieu thereof; and is further amended by striking out 'the minimum fee being fifteen shillings.' in lines 9 and 21, and inserting in lieu thereof 'the minimum fee shall be ten shillings.' "

Hon. E. H. GRAY: Under the 1919 measure the fee for horse-drawn vehicles and ordinary motor lorries was 5s. per wheel, and a carrier's license cost £1. In 1924 the fee for the vehicle, an ordinary 4-ton lorry, was raised to £8 14s. and the carrier's license fee was increased by 100 per cent., making a total of £10 14s. for such a lorry. The provision in question was carried in the small hours of the morning, and at the time it was not realised what a gigantic increase was being made. When the matter became public, there was an outcry all over the State. It was recognised everywhere that a great injustice was being done to numerous small business men. The Minister for Works, who was approached, acknowledged that a gross injustice had been created, but said he could not do anything as the administration of the Act was in the hands of the local authorities. It would be only ordinary justice if the men in question were allowed to go for two years without paying any fee whatever. Last year there was a reduction from 1s. 6d. to 1s. per wheel, but now we have a proposal for an increase of over 300 per cent. Last session it was reduced from 1s. 6d. to 1s., but it is still far too high, representing an increase of over 200 per cent. My amendment will give an increase from £2 to £4 18s., which is ample. The men in the carrying business are generally men of small means, who cannot afford to pay very high fees.

Hon. G. POTTER: It is fees like this that the official mind seems unable to grasp. The majority of horse-drawn vehicles are mostly employed on roads that are not benefiting as some of the better roads are; chiefly they are merely bush tracks. So any reduction in fees is well warranted, whereas any increase in manifestly unfair.

The CHIEF SECRETARY: I cannot follow Mr. Gray. He says the fee for a 4-ton lorry is £8. Actually the fee is 1s. per cwt., which for 4 tons would be only £4. The Third Schedule provides for a spring cart, per cwt. 1s., with a minimum of 15s.; and it further provides that if such vehicles are used in carting produce to and from farms the fee shall be only one-fourth. Under that scale a tip-dray would pay 32s. and a light spring cart only 15s. Mr. Gray wants those charges reduced by 50 per cent., which would mean a very much smaller amount for the local authorities. The proposed reduction has not been demanded, except in isolated cases. I hope the Committee will not agree to the amendment.

Hon. E. H. GRAY: I said that in 1924 the fee for a 4-ton lorry was £8 14s. That was the fee, for it was based not only on the carrying capacity of lorries but also on their weight. That fee was reduced to 1s., which brings the charge for the lorry to £5 16s. plus £2, or a total of £7 16s. I know those figures are correct. My amendment would mean a license fee of £4 18s. which, I maintain, is ample.

Proposed new clause put and a division taken with the following result:—

Ayes	..	..	..	..	11
Noes	..	..	..	..	11
					—
A tie	..	..	..	..	0
					—

AYES.

Hon. C. F. Baxter	Hon. V. Hamersley
Hon. J. R. Brown	Hon. J. M. Macfarlane
Hon. J. E. Dodd	Hon. G. Potter
Hon. J. Ewing	Hon. H. J. Yelland
Hon. E. H. Gray	Hon. H. Stewart
Hon. W. T. Glasheen	(Teller.)

NOES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. M. Drew	Hon. E. Rose
Hon. J. W. Hickey	Hon. H. Seddon
Hon. Sir W. Lathlain	Hon. Sir E. Wittenoom
Hon. W. J. Mann	Hon. E. H. Harris
Hon. G. W. Miles	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

Proposed new clause thus negatived.

New clause:

Hon. J. NICHOLSON: I move—

That the following new clause be inserted to stand as Clause 22a:—"Any license granted in respect of an omnibus or passenger vehicle shall, during such time or times as such omnibus or vehicle is under repair, authorise the holder of such license, with the previous consent in writing of the Commissioner of Police or any officer acting for him, to substitute another omnibus or vehicle for the bus or vehicle under repair, and to ply for hire therewith without being required to pay a further license fee, during only such period or periods as the first-mentioned omnibus or vehicle is under repair and not plying for hire or otherwise being used for profit."

On the second reading I called attention to the unfair position in which owners of motor vehicles were placed. When a bus happened to be under repair it became necessary to get a new license for a substitute bus. Surely the owner should have the right to place a substitute bus on the road without paying another license fee!

The CHIEF SECRETARY: The proposed new clause does not go very far, for anything that is done must be done with the previous consent of the Commissioner of Police, or any officer acting under him. The proposed new clause is not necessary, because by an amendment of Clause 7 provision has been made to exempt from payment of fees any particular vehicle that in the opinion of the licensing authority, and with the approval of the Minister, should be exempt. I see no objection to the proposed new clause, except that it is not needed.

Hon. J. NICHOLSON: My attention has been drawn to the fact that in a Bill that has just been presented to the South Australian Parliament there is a provision similar to that which I suggest should be made here. I have, however, safeguarded the position more than South Australia has done. We have to consider the safety of passengers, and the commissioner should have some voice in making an inspection of buses.

New clause put and passed.

Bill reported with amendments.

Recommittal.

Bill recommitted for the purpose of further considering Clauses 8, 13, 22, 32 and 35. Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 8—amendment of Section 1:

Hon. J. NICHOLSON: I move an amendment—

That in paragraph (a) the first three lines be struck out, and the following inserted in lieu:—“(a) By inserting after the word ‘and,’ at the beginning of the amendment to paragraph (b) of Subsection (2), made by the Act No. 16 of 1922, the following words: ‘as to one-half of the net balance of said fees to deduct therefrom’; (b) by adding to the said paragraph (b) of Subsection (2), as amended, the following words: ‘Clause 8 (b), new Subsection (5), to insert after the word ‘against,’ in tenth line of proposed new subsection, the following words: ‘the said one-half of the net balance of said fees, so far as the same shall be available after providing for the deductions aforesaid’; to strike out the words ‘the Metropolitan Traffic Trust Account,’ appearing in said subsection.’”

I remind members that the Act of 1922 amended the original Act which provided that all fees paid each year for licenses or transfers of licenses or registrations in the metropolitan area should be credited to the Metropolitan Traffic Trust Account in the Treasury: that it should be chargeable with the costs of collection as certified by the Minister, and that subject to the payment of such costs, it should be paid and divided to and amongst the local authorities of the districts and sub-districts comprised in the metropolitan area in such shares and proportions as the Minister determined. When the Act came into force there was a good deal of dissent on the part of the local authorities who were affected by it. It was recognised that the division was not made on a fair and equitable basis. The legislature gave power to the Minister to determine the shares and proportions in which those traffic fees should be distributed. Traffic fees were, and really are, part of the ordinary revenue of local authorities. If we take them away it means that we are placing upon the ratepayers an additional burden because revenue must be made up in some way to meet the outgoings in connection with the carrying on of the work of the local authorities. In the later Act it was provided that there should be deducted from the fees, not only the cost of collection, but the costs incurred by the Minister, in repairing the Perth-Fremantle-road to the North Fremantle bridge. We all remember that that section got into a bad state, and in order to assist the Government to repair it, power was given to deduct from the fees the cost of making the repairs. There are munici-

palities in the metropolitan area not strictly affected by that road, but the Government are now seeking to deduct the cost of repairing other roads: the Causeway, the road running past the Karrakatta Cemetery, the Guildford-road, part of the Albany-road, and others. It is proposed that the cost of repairing those roads shall be earmarked from the fees paid. Is it fair, I ask, that the whole of this money should be earmarked and absorbed in that way? True, in some years the amount may not be equal to the total amount of the traffic fees of the city, but there may be years when the whole of the fees may be absorbed, and if we are going to deprive the local authorities within the metropolitan area of the right to some portion of those fees, how will it be possible for them to make up their estimates? In my amendment I suggest that the local bodies be paid one-half of the fees, less the cost of collection, then divide the net amount into two, one-half to be earmarked to meet the cost of maintaining and repairing all the roads set out, not only in the Act of 1921, but in the Bill before us, and as to the other half, and also any surplus that there may be, I suggest that it be divided in the manner set out in the amendment on a proportionate and equitable basis amongst the various local authorities. I understand that in ordinary years the cost of maintenance may not equal half the amount of traffic fees collected and I therefore propose in my amendment that whatever surplus may be left over shall be distributed amongst the various local authorities.

The CHIEF SECRETARY: Mr. Nicholson is over generous in regard to the statutory powers he proposes to give the Main Roads Board. I think he does that with a very definite object in view, which is to amend an important principle under the existing legislation. The Main Roads Board do not want half the traffic fees, yet Mr. Nicholson proposes to give them half to deal with the roads and bridges specified in Clause 8. The balance available last year from traffic fees was £65,000 and under the terms of Mr. Nicholson's amendment, the board could spend in the metropolitan area no less than £37,500. They would be limited to that amount. It is interesting to note that the Main Roads Board intend to spend this year under the provisions of Clause 8, £11,900 only. Mr. Nicholson says he wishes to prevent the board utilising the whole of the traffic fees, and so he limits their ex-

penditure to about £37,500. As a matter of fact, the amount deducted this year will be less than that paid to the local authorities last year.

Hon. J. NICHOLSON: The Minister credits me with the desire to give the Main Roads Board power I do not intend to give at all. I propose to limit the power. Quite unwittingly the Leader of the House overlooks a very important point. Under the Acts that have been passed and under the Bill, if we agree to it as it stands, the Minister may expend not merely £37,000, but the whole of the traffic fees, whatever they may amount to, and that money may be spent in the metropolitan area.

Hon. Sir William Lathlain: The Minister could build a new Causeway!

Hon. J. NICHOLSON: Quite so, but the point is that the whole of the traffic fees could be spent in the way I have indicated.

Hon. H. Stewart: Not on construction, only on repairs.

Hon. J. NICHOLSON: Quite so, and I propose to limit the expenditure to one-half of the traffic fees collected, allowing the unexpended balance to be distributed among the local authorities. The Minister is viewing the matter in a wrong light. Is it the wish of Parliament that the power should be given to spend every penny of the traffic fees in the way I have indicated? Certainly not! It would be most unjust.

The CHIEF SECRETARY: Mr. Nicholson has led the Committee to believe that the money is to be spent on the construction of roads.

Hon. J. Nicholson: I did not say so.

The CHIEF SECRETARY: The money has to be spent on repairs to roads. I ask the Committee to exercise common sense and to ask themselves what Minister would dare to rob the local authorities in the way Mr. Nicholson suggests. The Minister for Works will have control of upwards of £672,000 and yet he is not to be trusted in a small matter like this! I have not heard any complaints regarding the administration in this respect, either under the regime of past Ministers or of the present Minister.

Hon. J. Nicholson: I give the present Minister credit in every way.

The CHIEF SECRETARY: A Minister may make mistakes and not grant as much money as a local authority may desire, but still there has been a basis of justice underlying the administration, no matter what Government have been in power.

Hon. J. M. MACFARLANE: The Minister suggests that the Committee is not prepared to trust the Minister regarding this expenditure. On the other hand there may be abuses regarding the way the expenditure may be allocated. I do not subscribe to the statement that we cannot trust the Minister; I believe we can. On the other hand, we must remember the possibility of maladministration. When the Traffic Act was first put into operation, there was much discontent regarding the way the money was distributed, and charges of even more than maladministration were levelled against the then Minister. It has to be said to the credit of the present Minister for Works that he has dealt with the matter more fairly. I ask the Committee to support Mr. Nicholson on the ground that it is better to define the matter clearly than to leave it in doubt. In the Bill of last year it was proposed that the traffic fees should be taken from the local authorities who collected them. When the members of the select committee appointed to inquire into the provisions of that measure made inquiries in the country districts, they ascertained that this would inflict a hardship upon the local authorities and the committee recommended that those authorities should be allowed to retain those fees. The same applies to the local authorities in the metropolitan area to-day, because they are deprived of any share in the money voted by the Federal Parliament. They have to carry out repairs that involve a heavy drain upon their financial resources. The Minister pointed out that £11,900 only was to be spent in the metropolitan area during the current year. Members can consider the position for themselves. Let them consider the condition of the lower Canning-road extending from Canning Bridge to East Fremantle. If the Main Roads Board were to attempt to put that road into a state of repair, the work would amount to reconstruction and £11,000 could be easily sunk in that one undertaking alone. While the reconditioning of that main artery is necessary, the work will impose upon the local authorities affected the necessity to contribute towards the cost from their traffic fees.

Hon. G. POTTER: Mr. Nicholson and Mr. Macfarlane have more than hinted that the city might be called upon to spend money on the maintenance of roads that were specified. They suggested it would be unfair and unreasonable to expect the people of the metropolis to do so. Those roads represent arteries over which the commerce

of the city is conducted and it is only reasonable that municipalities affected shall be called upon to pay a share towards the maintenance of such roads.

Hon. J. Nicholson: They are paying.

Hon. Sir WILLIAM LATHLAIN: I do not agree with Mr. Potter. The repairs for the roads under discussion are met from the whole of the traffic fees, which are pooled, and after the expenses have been deducted, the balance is distributed by the Minister. I am in accord with the amendment, because it is essential that the municipalities should have some idea of the amount of revenue they will receive from traffic fees so that they may prepare their estimates. I appreciate the difficulty indicated by the Minister. On the other hand, if the Causeway were swept away by a flood, the whole of the municipalities would receive nothing in that year, because the amount of money required would swallow up the whole of the traffic fees. I suggest that instead of inserting "one-half" we adopt "three-quarters" and then the Main Roads Board would have about the amount they would require. Unless such provision is made there might be exceptional demands in one year, or we might have a Minister who would not exercise the discretion, fairness and judgment exhibited by the present Minister.

Hon. H. STEWART: A development has occurred that was not contemplated when the Main Roads Board was before us last session. I fail to see that the Act definitely provides that the moneys are payable to the Main Roads Board account. I am not aware that any main roads have been declared, and the Main Roads Board are being given a function that was not considered by the select committee. I did not think they would have the handling of the work in the metropolitan area. There should not be two authorities to deal with through roads, but is it not likely that municipal road engineers in the metropolitan area would be more au fait with the requirements there than would members of the Main Roads Board? The roads in the metropolitan area are very different from the type of road required for long distances throughout the State. The board may be suited for constructing main roads in the country, but they have not had definite experience of constructing roads in congested areas. The Minister should be able to tell us how the Main Roads Board come into this matter. They appear to have

been brought in by administrative act rather than by legislative provision.

Hon. J. NICHOLSON: Mr. Potter apparently did not appreciate the true position. The whole of the traffic fees from the metropolitan area are pooled and could be used for the purposes to which I have referred.

Hon. G. W. Miles: It would mean that Fremantle, as well as the city, might lose its portion.

Hon. J. NICHOLSON: Yes. Means must be provided so that the municipalities can make up their estimates each year. At present they have nothing definite, but the amendment will enable them to consider their position in a reasonable way. I take it that Sir William Lathlain meant 25 per cent. would be sufficient for the Government. I have no objection to that, but for the present it might be wise to adopt one-half. I agree with Mr. Stewart's remarks regarding the Main Roads Board, but it should be understood that the power to spend the money lies with the Minister.

Amendment put and passed.

Hon. J. NICHOLSON: I have an amendment on the Notice Paper the object of which is to bring the new subclause into line with the amendment just passed.

The CHAIRMAN: I suggest that the hon. member move his amendment in the following form—

That the words "metropolitan traffic trust account," in line 10, be struck out, and the following words inserted:—"the said one-half of the net balance of the said fees, so far as the same shall be available after providing for the deductions aforesaid."

Hon. J. NICHOLSON: I accept your suggestion, Mr. Chairman, and move the amendment in that form.

Amendment put and passed.

Hon. J. NICHOLSON: I move a further amendment—

That the following be added to stand as Subclause (c):—" (c) Paragraph (c) of Subsection (2) of Section 13 of the principal Act is hereby repealed, and the following is inserted in lieu thereof: ' (c) The remaining half of the net balance of said fees shall, together with any moneys remaining unexpended out of the said first-mentioned half of the net balance of the said fees, be annually paid and divided proportionately amongst the local authorities of the districts and subdistricts comprised in the metropolitan area in the shares or proportions which the net balance of said fees bears to the rateable value of the lands within the boundaries of the districts of such respective local authorities.' "

The CHIEF SECRETARY: Mr. Nicholson is endeavouring to achieve his object in another way. His proposal is that, after all deductions are made, the balance left over shall be distributed amongst the local authorities in ratio to the rateable land within each district. Some 15 years ago a Bill was brought down but was not accepted because of the insertion of a somewhat similar provision. The Perth City Council is the only one out of the 24 local authorities that would support the proposal. The rateable value of property in the city is approximately £20,000,000, but within the other municipalities inside the metropolitan area it is approximately £10,000,000. Within the 15 road districts in the metropolitan area the rateable value of property is 3½ million pounds. If the city received its share of the money along the lines suggested by Mr. Nicholson there would be comparatively little left for the other local authorities. The Fremantle and Armadale Road Boards have to keep up the Fremantle-Armadale-road. They would under this proposal receive so paltry a sum from the traffic pool that the road would go to pieces. The road within the Fremantle district is 1,489 chains. The amount received by the authority from the traffic pool has not been nearly sufficient to enable it to keep the road in good order. In the past the allowance has been on the chainage basis. Mr. Nicholson's proposal sets up a very different system.

Hon. A. J. H. Saw: It would get the crumbs that fall from the rich man's table.

The CHIEF SECRETARY: Yes. The chainage of certain through roads is at present divided into the amount available, which is then distributed. The chainage of the roads in the city is greater than it is of any other district, so that Perth receives a great deal more than any other local authority. If the amendment is agreed to, Perth will receive very much more revenue, and Parliament will be turning its back on the policy it previously adopted.

Hon. Sir WILLIAM LATHLAIN: The Minister has power to regulate the amount that shall be distributed. I should like Mr. Nicholson to amend his amendment to read that the balance shall be distributed in the way the Minister thinks fit. This will prevent any dissension occurring with regard to the local authorities. I am sure Mr. Nicholson does not desire to interfere with the present system of allocation. I agree that there should be some definite amount

named that the local authorities can be sure of.

Hon. G. POTTER: It is possible that one portion of the amendment will be carried and another portion rejected. It is better to leave the Bill as it stands. Under the amendment rich districts in the metropolitan area would be further enriched, and comparatively poor districts would become completely impoverished.

Hon. H. STEWART: The provisions contained in the Bill are in accordance with the spirit animating the Main Roads Act. Where roads are constructed by money provided by the board, interest and sinking fund have to be found. The board has power to allocate the benefits derived from the expenditure and to adjust the contributions accordingly. The rateable value of property in the district is no guide to the road requirements.

Hon. Sir WILLIAM LATHLAIN: Whilst in the case of a number of districts the Main Roads Board is assisting in the maintenance of main roads, with respect to the city nothing is done until these roads leave the boundary of the city. The board does not touch the Perth-Armadale-road until that boundary is reached. The same thing appertains to the Mount's-Bay-road as far as the Crawley boundary. A greater obligation falls upon the Perth City Council in the matter of road maintenance than upon any other local authority. These through roads within the city boundary should be regarded as main roads.

The CHIEF SECRETARY: Mr. Stewart is apparently under the impression that the Main Roads Board will function within the city of Perth. That is not so.

Hon. H. Stewart: I was not under that impression; I was merely drawing an analogy.

The CHIEF SECRETARY: When the Bill constituting the Main Roads Board was introduced in another place, it was announced that there was no intention to have two road-constructing authorities, and that when the Main Roads Board had been inaugurated, all powers of road construction would be delegated to that body. To have two authorities for that purpose would be undesirable.

Hon. J. NICHOLSON: My only motive is to get the matter settled on a clear basis, so that the various local authorities may be able to estimate beforehand what they are likely to receive by way of fees. The only

possible method, in my opinion, is to determine the proportions on rateable values. The obligations of the City of Perth are infinitely greater than those of any outside municipality or road district.

Hon. A. Burvill: Perth people use the whole of the roads outside the metropolitan area and pay nothing towards them.

Hon. J. NICHOLSON: Mr. Burvill seems to overlook the fact that people from outside the metropolitan area use the metropolitan roads, towards which they pay nothing. From what source do the traffic fees come? Mainly from the metropolitan area. The City of Perth is not seeking to obtain more than its share of the fees. The adoption of Sir William Lathlain's suggestion would leave us where we were before, because the Minister's distribution was not equitable, although he wished to be fair. No equitable method of distribution has yet been suggested.

Hon. A. J. H. SAW: Under Mr. Nicholson's proposal the local authorities would not be able to estimate closely the amount of money they would have to spend, because everything would depend on whether the Minister expended the 50 per cent. allowed him by the first part of Mr. Nicholson's amendment, or spent a lesser sum. I understand that what guides the Minister in his allocation is the number of chains of road each local authority has to look after. Mr. Nicholson's proposed basis of the rateable value of land would be equitable if all municipalities and road boards were constituted into a series of ghettos such as prevail in some large cities on the Continent, where the Jews are kept in a particular quarter. If we could provide that the residents of one district should not pass with their motor cars to another district, the rateable values would be an equitable basis of distribution. However, the traffic of any district is not confined within that district, but spreads all over the city, and on holidays spreads all over the country. I prefer to leave the matter to the perhaps rough and ready methods of the Minister.

Hon. Sir WILLIAM LATHLAIN: Mr. Nicholson has gained his point in the first half of his amendment, as regards the allocation of the 50 per cent. I am prepared to leave the distribution of the balance also to the Minister. It would be useless to declare that the Minister must allocate his first portion in one way and his second portion un-

der possibly quite a different method of distribution.

Hon. G. W. MILES: If, for instance, the road from Cauning Bridge to East Fremantle were reconstructed, I take it that the interest and sinking fund involved would come out of the traffic fees collected in the metropolitan area. Would the amount be deducted before there was a division of one-half among the local authorities? The Chief Secretary said the Government proposed to expend £11,000 on such roads this year. I presume the hon. gentleman was referring to the class of roads mentioned in Clause 8. We should not hamper the Government in the matter. If there are good roads leading into the city, more people will come into the city; and that is what city ratepayers desire. Mr. Nicholson would be well advised to withdraw his amendment, leaving the matter to the Minister as suggested by Sir William Lathlain. We have gone quite far enough in saying that one-half of the fees shall be returned to the local authorities. A good deal of money still requires to be spent on the Armadale-road to make it a decent road, and in order to relieve the traffic on the Perth-Fremantle road another road must be constructed on the south side of the river.

The CHIEF SECRETARY: The money for the construction of the Perth-Fremantle road will come out of the Federal grant, but half the amount will have to be found by the local authorities; and similarly as regards the road from South Perth to Fremantle.

Hon. G. W. Miles: Will the local money come out of this fund?

The CHIEF SECRETARY: The interest and sinking fund up to 9 per cent. will.

Hon. J. NICHOLSON: If it is the opinion of the Committee that the division of the fees should be left to the Minister, that object can be attained by deleting some words towards the end of my amendment.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. NICHOLSON: In view of the discussion, I move an amendment on the amendment—

That after "paid," in line eight of the amendment, the word "to" be inserted; that in the same line "proportionately" be struck out; and that in line 10 all words after "area in" be struck out, and the following inserted in lieu:—"Such shares and proportions as the Minister shall determine."

The CHIEF SECRETARY: I have no objection to this amendment on the amendment.

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

Clause 13—Amendment of Section 21:

Sir WILLIAM LATHLAIN: I move an amendment—

That the following proviso be added:—“Provided also that no licensed person under 18 years of age shall drive a motor vehicle in the metropolitan area. Penalty £20.”

When, previously, the clause was before the Committee a great deal of consideration was given to country members in a desire to assist them by allowing boys 17 years of age to drive motor cars in the country. However, the age of 17 is too young for the driver of a motor vehicle in the city. I think 18 years of age is quite young enough for a person in charge of a motor car anywhere in the metropolitan area.

The CHIEF SECRETARY: I am not entirely in favour of the amendment, but I will support it for the time being as it is an improvement on the amendment that was carried the other night. The Bill, as received here, provided that no person under 18 years of age could secure a license to drive a motor vehicle. That has since been amended to 17 years of age. The amendment now before us provides that in the metropolitan area no one under 18 years of age shall drive a motor vehicle. So, for country districts the age will still be 17 years.

Hon. Sir Edward Wittenoom: How are you going to distinguish between drivers in the country and those in the city?

The CHIEF SECRETARY: Under the amendment the offender, if caught, will be liable to a fine of £20. He certainly would be caught if an accident occurred.

Hon. Sir Edward Wittenoom: How are you going to prove his age?

The CHIEF SECRETARY: Very easily. For 2s. 6d. we could get a copy of his birth registration.

Hon. J. EWING: The amendment distinguishes between drivers in the country and those in the metropolitan area. I still think we had better leave the question of age as it is dealt with in the existing Act. Let those in authority determine what is the right thing to do. The Commissioner and his officers have used discretion in the past and they can be trusted to continue to use it in

the future. If we tinker with the question of age we shall be doing wrong. The matter has been in safe hands and we should leave it where it is.

Hon. E. H. GRAY: I agree with what Mr. Ewing says, but there is a danger that the age may be fixed by regulation, and it may not be what Parliament desires. The amendment that I gave notice of will eliminate all danger in respect of motor lorries and charabancs by providing that drivers shall be at least 21 years of age. If that amendment be not agreed to I would be inclined to support the amendment moved by Sir William Lathlain.

Hon. Sir EDWARD WITTENOOM: When speaking on the second reading I expressed the belief that the age limit in the metropolitan area should be 21 years, and I am glad to find that Mr. Gray is of a similar opinion regarding drivers of charabancs and motor lorries. The 17 years that was agreed upon was a compromise to permit of youths on farms driving waggons and cars in the country. There are lots of boys of 14 and 15 who are able to drive motor vehicles on a farm, and facilities should be given to permit them to do that. The important question is what is the minimum age at which we should allow a person to drive a vehicle without endangering the lives of others.

Hon. C. F. BAXTER: I agree with Mr. Gray that if we leave the matter to be fixed by regulation, we may find a regulation framed increasing the age to perhaps 20 or 21. That may be passed while Parliament is not sitting and we may not have an opportunity to move to disallow it.

Hon. J. M. MACFARLANE: If the age be fixed at 17 for drivers in the country it will be an incentive to youths of that age to break the law by coming into the metropolitan area. A youth trained in the city is as careful a driver as a youth trained to drive in the country. If we are to give the farming community any relief we shall require to fix the age at 17 throughout the State.

Hon. W. J. MANN: I was sorry to hear Sir William Lathlain say that the previous vote taken was an act of generosity to the country. I prefer to accept it as a recognition of the rights of the people of the country. I agree with those speakers who have said that if a lad of 17 has passed an examination that will entitle him to a license to drive in the country, he is quite qualified to drive in the city as well. Sir William Lath-

lain spoke of the recklessness of country drivers when coming into the city. I can tell him that I know of some city people who, when they get into the country, become the wildest and most reckless drivers in the world. Along a stretch of road between Busselton and Yallingup there is a sharp turn after a straight run, and if one fails to negotiate the turn he goes into a lagoon containing about a foot of water. During the past two or three years half a dozen people have failed to negotiate the corner and have gone headlong into the lagoon. In not a single instance have they been country drivers; they have all been from the city.

Hon. A. PURVILL: If a youth is competent to drive a motor vehicle I do not see that the question of age should come in. I consider that driving in the country makes a person capable of driving in the city, because in the country he has to negotiate carefully trees, ruts and stumps.

Hon. Sir WILLIAM LATHLAIN: I am prepared to leave the matter in the hands of the police because in the past they have exercised a wise discretion in connection with the issuing of licenses. We have been told that the police do not issue licenses to persons under 18 years of age. I would prefer to eliminate all references to age, and leave the whole matter to the discretion of the police. I am compelled to move the amendment because of the decision already arrived at in which the age of 17 years was dealt with.

Hon. H. STEWART: It would not be satisfactory to leave the position as it stands to-day. While no reference to the minimum age appears in the Act, there is provision for regulations.

Hon. J. Ewing: There is no provision regarding the minimum age in the regulations.

Hon. H. STEWART: Recently a young lady, who was under 18 years of age, was charged with a breach of the traffic regulations in the police court. She was not asked to state her age. It was said that she brought herself within the scope of the Act because she was driving a car and had got a license under the false pretence that she was 18 years of age. I am informed that that was a case of hardship.

Hon. V. Hamersley: It was cruel.

Hon. H. STEWART: If there had been no breach of the law, no conviction could have been secured. Unless the age is fixed, a regulation could be framed providing for

a minimum age of 21 years, and that regulation might remain law throughout the time Parliament was in recess, because the regulations had not been tabled, thus giving hon. members an opportunity to deal with them.

The CHAIRMAN: After considering Sir William Lathlain's amendment, I find upon reflection that it should be moved in another part of the clause. I suggest that his amendment take the following form:—

That after "age," in line three, the following words be inserted:—"and is further amended by adding the following words: 'provided that no licensed person under 18 years of age shall drive a motor vehicle in the metropolitan area, penalty £20; and is further amended.'"

Hon. Sir WILLIAM LATHLAIN: With your permission, Mr. Chairman, I shall move the amendment in the amended form you suggest.

The CHIEF SECRETARY: At present there is no age qualification for drivers of motor vehicles, either by way of regulation or in the Act. The whole matter is left to the discretion of the Commissioner of Police and his officers. It has been understood generally, however, that the minimum age shall be 18 years. There is an age qualification regarding the drivers of motor buses, but not regarding drivers of ordinary motor cars.

Hon. V. HAMERSLEY: I would draw attention to Section 41 of the Act of 1919, in which provision is made for the framing of regulations, among which there is a reference to persons not being of the prescribed age. The parent Act distinctly provides for regulations dealing with the age of motor drivers.

Amendment put and negatived.

Hon. E. H. GRAY: I move a further amendment:—

That the following words be added to the clause:—"and by adding a proviso to Sub-section (1), after the word 'specified,' as follows: 'Provided that no annual license shall be granted to drive a motor wagon or motor omnibus in the metropolitan area to any person who is under the age of 21 years.'"

It must be apparent to everyone, in view of the large fleet of motor buses running at present, there should be an age limit respecting drivers of those buses. I consider that 21 years of age should be fixed in order that we may safeguard the interests of passengers and public alike.

Amendment put and passed.

Hon. C. F. BAXTER: I move a further amendment—

That the following words be added to the clause:—“And by adding a proviso to Sub-section (1), as follows: ‘Provided further that a permit may be granted at a nominal fee to the son of an owner of a motor vehicle who is not under the age of 16 years, permitting him to drive his parent’s motor vehicle in the district in which he resides, except in the metropolitan area.’”

Many sons of farmers are in control of motor tractors, motor wagons and, at times, motor cars. If my amendment be agreed to, those lads will be permitted to drive the vehicles in the districts in which they reside, and will be permitted to drive only their parents’ vehicles. The average man employed by a farmer does not take every care of valuable machinery, whereas the sons of farmers do take that care, regarding the machinery as part and parcel of their own estate. The amendment will overcome a real difficulty in the country districts.

The CHIEF SECRETARY: The amendment bristles with objectionable features. First it provides for a permit, not a license, and then the holder is to be the son of the owner of a motor vehicle. He is not to be subject to examination and he might be half blind. He might travel anywhere in the State except in the metropolitan area. Under the amendment a boy, so long as he was the son of a motor owner and was not under 16, could drive on country roads and perhaps do injury not only to himself but to other people.

Hon. C. F. BAXTER: The amendment provides that a permit “may,” not “shall,” be granted. It would rest with the licensing authority. Unless the applicant could handle a vehicle properly, a permit would not be granted. He would be able to drive only in the district in which he resided, not any where but in the metropolitan area.

Hon. J. Ewing: The Minister’s interpretation is right.

Hon. C. F. BAXTER: The whole of Western Australia, with the exception of the metropolitan area, could not be claimed to be the district in which he resided.

Hon. J. M. Macfarlane: I presume you mean the road district.

Member: Yes.

Hon. C. F. BAXTER: The boy would have to undergo examination, and he would be able to drive only his parent’s vehicle.

Hon. E. H. HARRIS: For what term would such a permit be granted? If the

age of the holder of a license was fixed at 19, a boy might hold a permit for three years and, though qualified when he obtained it, he might not be competent 12 months afterwards. The amendment provides for a permit for the son of a motor owner, but does not take into consideration the man who has daughters and not sons. I do not see why daughters should not have equal rights.

Hon. C. F. Baxter: They should not be made slaves.

Hon. E. H. HARRIS: Further, what would constitute a district?

Hon. J. Nicholson: There is a definition of “district” in the Act.

Hon. E. H. HARRIS: A boy might live in one district and might require to traverse another to get to the railway. I would be inclined to support Mr. Baxter’s proposal, but the amendment is not framed satisfactorily.

Hon. J. NICHOLSON: While Mr. Baxter’s object is admirable, it would give rise to many difficulties that would prevent the effective control of traffic. Under Section 21 the Commissioner of Police has power to issue only a license. He has no power to issue a permit.

Hon. J. Ewing: That would be almost a license.

Hon. J. NICHOLSON: It would not be a license. The Act contains a definition of “license,” but there is no definition of “permit” either in the Act or the amendment. Further, no limit is stipulated. A person of 21 would be a person “not under the age of sixteen” and would be entitled to obtain a permit. Would a permit give him a greater right than would a license, seeing that a license has to be renewed annually?

Hon. H. J. YELLAND: The difficulty could be overcome by stipulating a period of six months for the permit, and other portions of the measure could be amended to allow of a permit being issued. The spirit of the amendment should commend itself to the Committee. The discussion has been directed towards restricting the age of drivers in the metropolitan area. The chances of accident to a third party are greater in the metropolitan area than in the country, and an age limit suitable for the metropolitan area does not, and therefore should not, apply to the country districts. The amendment is an attempt to make such provision for assistance to country districts as will meet the needs. It is

possible for a young person to drive satisfactorily on country roads, though it might not be safe to allow him to drive in the city. A permit need provide only that it applied to the road district in which it was issued. The holder would have to undergo examination, which would be the same as the examination to obtain a license. The age of 17 might be satisfactory for the metropolitan area, but it is not low enough for the country.

Hon. J. M. Macfarlane: You have got it down from 18 to 17. Do not ask too much or you will lose the lot.

Hon. H. J. YELLAND: The amendment is necessary to overcome a difficulty that is increasing owing to the substitution of motor traffic for horse traffic. I suggest an addition to the amendment limiting the currency of the permit to six months, which would mean that the holder would have to apply for a renewal every six months.

Hon. J. EWING: Members are only tinkering with this business, seeing that the Committee have already agreed to the age of 17. Rather than pass the amendment we should delete the clause imposing the age limit of 17. What is the difference between killing a man on the Fremantle-road and in the country? The danger is the same in both places. Some members seem to know exactly when a boy is fit to be allowed to drive a car. We are at sixes and sevens on this matter. We can well trust the officials who are at present controlling the traffic.

Hon. G. W. MILES: Mr. Baxter's amendment should be altered. The object should be to permit, not only the sons of owners of motor vehicles in the country to drive cars, but any boy or girl who is fit to do so. In that case the age for the metropolitan area could be altered to 18. The police would not issue a certificate unless a person was competent to have one. I am not in favour of leaving the matter in the hands of the authorities.

Hon. J. Ewing: You would be perfectly safe.

Hon. G. W. MILES: We would not be safe. The age in the country could be reduced to 16, and raised to 18 for the city. If the matter is left in the hands of the Government they may fix the age at 21 throughout the State. I suggest that Mr. Baxter should withdraw his amendment and substitute the following—

Provided further that a special license may be granted to a person not under the age of

16 permitting him to drive a motor vehicle in the road board district in which he resides.

If necessary a penalty of £50 could be imposed for contravention of the law.

Hon. J. Ewing: A lad can kill a person in his own district, but not anyone outside it.

Hon. G. W. MILES: He would not be granted a license if he were not competent to hold one. Some boys of 15 are better drivers than men.

Hon. J. M. MACFARLANE: I hope the Committee will not further amend the clause. We have reduced the age to 17, which is a clear gain for country districts, where the supervision is not so strict as it is in the city. If the amendment is carried there will be such a wide discrepancy between another place and this Chamber that possibly the gain will be lost. There should not be two ages for different parts of the State.

Hon. Sir WILLIAM LATHLAIN: When I moved an amendment providing for an age of 18 in the metropolitan area, members pointed out that we had already agreed to the age of 17. They now ask that this should be reduced to 16 for the country districts, which already have received a big concession.

Hon. C. F. BAXTER: Many boys are handling machinery on farms, but are not allowed to drive as far as a siding. That anomaly should be put right. It is all very well to restrict the age to 18 in the city, but we should do what we can to assist people in the country by reducing the age to 16. I would be prepared to withdraw my amendment in favour of that suggested by Mr. Miles.

Hon. G. W. MILES: I move an amendment to the amendment—

That the words "proviso to Subsection (1), as follows:—"Provided further that a permit may be granted at a nominal fee to the son of an owner of a motor vehicle who is not under the age of 16 years, permitting him to drive his parent's motor vehicle in the district in which he resides'" be struck out, and the following inserted in lieu: "special license may be granted to a person not under the age of 16 years, permitting him to drive a motor vehicle on the roads of the district in which he resides."

Hon. H. STEWART: If what is now proposed were adopted, youths of 17 coming into the metropolitan area while driving motor cars would be liable under the Act. On a special license the name and address of the person would appear, and if he travelled outside his district the fact would immediately become apparent. The difference be-

tween the two proposals exonerates members supporting the former from any charge of inconsistency.

The CHIEF SECRETARY: On close analysis, there is little difference between this proposal and Mr. Baxter's. The object in each case is to get outside the definition of "license" in the Bill. In order to obtain a license under the measure, a person must undergo an examination; but under Mr. Miles's proposal an examination is not necessary.

Hon. G. W. Miles: The word "special" might be struck out.

The CHIEF SECRETARY: I am not here to suggest such amendments. We have already provided that anyone not under 17 years of age can obtain the license. Another place fixed the age at 18 years. Now we have a further proposal to reduce the age to 16.

Hon. C. F. Baxter: But you know very well that the intention is that the persons to whom the amendment refers should be examined.

Hon. G. W. MILES: No one is to obtain either a license or a special license without examination. The word "special" could be struck out of the amendment. Upon the amendment being carried, the Bill could be recommitted and the age of 13 reinstated for other purposes.

Hon. J. NICHOLSON: While sympathising with the amendment, I do not wish this Chamber to send back the Bill to another place with clauses which will create confusion. It is proposed that a special license shall be issued to a person not under 16 years of age permitting him to drive a motor vehicle in the district in which he resides, that district not being in the metropolitan area. Any young man of 21 answers the description, he being over the age of 16. I also answer that description, being a long way over 16. Mr. Miles and I could apply for the license in question. Not only a minimum age, but also a maximum age, should be fixed.

Hon. G. W. Miles: I would say "not over 17 years."

Hon. J. NICHOLSON: We do not wish to have the odium and blame of proposing such provisions. There is nothing in the Bill to cover the various offences capable of being committed by the holder of the special license, going outside his district. A host of new provisions would be necessary for that purpose.

Hon. G. W. Miles: Could not they be inserted?

Hon. J. NICHOLSON: That would take a very long time, and the Chief Secretary desires to get the Bill through to-day. Moreover, the principal Act would have to be examined to see whether it requires amendment to meet the case of the special or district license. I know that in the country there are many lads of 16 who can drive better than grown men.

Hon. G. W. Miles: And so there are in the city.

Hon. J. NICHOLSON: Yes. It would not be fair to the Chief Secretary, however, to interpolate at this stage a clause striking at the roots of the Bill and of the principal Act.

Hon. C. F. BAXTER: Mr. Nicholson has taken up three main points, namely, sympathy, reference to the district, and the contention that the offence of driving outside the district could not be punished. Mr. Nicholson's sympathy extended to an endeavour to destroy the amendment. As to the reference to the district, it means, of course, the road district. The Minister has power to make the driver declare his district. On the point that no penalty could be imposed, the amendment is in the form of a proviso to Clause 21, which prescribes penalties; and so a breach of the amendment would be a breach of the clause and would carry penalties accordingly. There are numbers of lads under the age of 18 well capable of driving a motor vehicle almost anywhere.

Amendment on the amendment (that the words proposed to be left out be left out), and a division taken with the following result:—

Ayes	..	..	..	..	13
Noes	..	..	..	..	7
Majority for ..					6

AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. J. R. Brown	Hon. G. Potter
Hon. A. Burvill	Hon. H. Stewart
Hon. E. H. Gray	Hon. Sir E. Wittenoom
Hon. V. ...	Hon. H. J. Yelland
Hon. G. A. Kempton	Hon. E. Rose
Hon. W. J. Mann	(Teller.)

NOES.

Hon. J. M. Drew	Hon. J. Nicholson
Hon. J. W. Hickey	Hon. H. Seddon
Hon. Sir W. Latblain	Hon. E. H. Harris
Hon. J. M. Macfarlane	(Teller.)

Amendment on the amendment thus passed.

Amendment on the amendment (that the words "license may be granted to a person not under the age of 16 years permitting him to drive a motor vehicle in the road district in which he resides" be inserted) put and a division taken with the following result:—

Ayes	12
Noes	8

Majority for	..	4
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AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. J. R. Brown	Hon. G. W. Miles
Hon. A. Burvill	Hon. G. Potter
Hon. E. H. Gray	Hon. Sir E. Wittenoom
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. G. A. Kempton	Hon. H. Stewart

(Teller.)

NOES.

Hon. J. M. Drew	Hon. Sir W. Lathlain
Hon. J. Ewing	Hon. J. M. Macfarlane
Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. W. Hickey	Hon. H. Seddon

(Teller.)

Amendment on the amendment thus passed.

Hon. J. NICHOLSON: I feel now that members will experience a difficulty in being able to construe exactly the effect of this clause as it has been amended. Unless the hon. member responsible for introducing the clause is prepared to recast it, and insert the clauses that are necessary in the circumstances we shall be blamed by another place for putting forward legislation which they can challenge. The responsibility is on our shoulders, and it will do damage to the whole State. If the Leader of the House can be persuaded, with the time at his disposal, to confer with members responsible for the alteration and discuss the whole position in the presence of his officers, we might report progress so that that course might be pursued before the next sitting. I hope members will weigh the matter seriously before they proceed further with the clause. I shall be only too pleased to help in any way I can because what we have done is very unwise.

Hon. J. M. MACFARLANE: If I vote for the noes, shall I be abandoning the whole clause?

The CHAIRMAN: If the hon. member votes against the clause, he will vote for striking out the clause as it originally came to the Committee and as it has been amended by the Committee.

Clause, as amended, put and a division taken, with the following result:—

Ayes	12
Noes	9

Majority for	..	3
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AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. J. R. Brown	Hon. G. Potter
Hon. E. H. Gray	Hon. H. Stewart
Hon. V. Hamersley	Hon. Sir E. Wittenoom
Hon. G. A. Kempton	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. J. M. Macfarlane

(Teller.)

NOES.

Hon. J. M. Drew	Hon. J. Nicholson
Hon. J. Ewing	Hon. E. Rose
Hon. E. H. Harris	Hon. H. Seddon
Hon. J. W. Hickey	Hon. A. Burvill
Hon. Sir W. Lathlain	

(Teller.)

Clause, as amended, thus passed.

Clause 21—Amendment of Section 41:

Hon. J. NICHOLSON: I move an amendment—

That paragraph (p) be struck out.

This paragraph prohibits the use of any specified road by any vehicle, or by any person riding, driving, or in charge of any animal. Why should there be given that power to prohibit the use of a specified road in that way? I cannot see the reason for it.

The CHIEF SECRETARY: The paragraph is inserted so that the local authorities may, when the road is in a bad state of repair, or under construction, pass a regulation temporarily prohibiting the road being used. It is very necessary to have this provision.

Hon. J. NICHOLSON: What is sought is already provided for under the Roads Act.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 22—Regulations as to motor buses:

Hon. J. M. MACFARLANE: The Road Boards Association advised us that there has been a good deal of unpleasantness owing to the manner in which the bus traffic has been regulated.

The CHAIRMAN: Mr. Nicholson has an amendment in Subclause 1.

Hon. J. NICHOLSON: I move an amendment—

That in line one of paragraph (c) of Subclause (1), after "the" and before "fares," the word "maximum" be inserted.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in line one of paragraph (c) of Subclause (1), the words "including maximum and minimum fares" be struck out.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in Subparagraph (ii) of the proviso to Subclause (1), the words "may confer with the Commissioner of Railways and" be struck out.

This will make it obligatory upon the Minister to confer with local authorities concerned. As to providing power for the Minister to confer with the Commissioner of Railways, such a provision is unnecessary, as he would confer with that officer or any other officer as the Minister might desire.

Amendment put and passed.

Hon. J. M. MACFARLANE: I move an amendment—

That at the end of Subclause (2) the following words be added:—"But so that, subject to Subsection (3) of this section, the holder of any such license shall be entitled at any time to require the licensing authorities to specify in or indorse on his license any route in substitution for or in addition to any route specified thereon or indorsed thereon."

The object of the amendment is to overcome a difficulty. A bus owner who is plying on a certain route should have the right to have his route extended to the same distance that other buses may have the right to ply. I am advised that that right has been withheld in the past.

The CHAIRMAN: This amendment is not on the Notice Paper. I would again like to remind members of the Committee that it is customary when any amendment of an involved character is moved, and that amendment has not been placed on the Notice Paper, for at least three copies to be made available. The Minister should have a copy; "Hansard" should have a copy; and the Clerk should have one at the Table.

Hon. J. M. MACFARLANE: I plead guilty on this occasion. I proposed to place the amendment on the Notice Paper, but in view of the desire of the Leader of the House to finish up the Bill to-night, I was not able to do so. I was forced to bring forward the amendment this evening.

The CHIEF SECRETARY: I am rather surprised that an amendment of this description should have been moved. It is

one that would seriously interfere with the Minister in his effort to control bus routes. No such proposal has been suggested before and if agreed to, it would mean that the Minister would have absolutely no control over the route at all. It is necessary that the Minister should have the power.

Amendment put and negatived.

The CHIEF SECRETARY: I move an amendment—

That in line two of paragraph (g) of Subclause (3) after "shall," the word "not" be inserted.

The negative was inserted in another place, but in the course of reprinting the Bill, the "not" was dropped out.

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

Clause 35—Amendment of Part 1 of Third Schedule:

Hon. H. STEWART: I move an amendment—

That the following words be added to the clause:—"A further proviso is inserted in Part I. of the Third Schedule to the principal Act (inserted by the Act No. 37 of 1924) by inserting after the words 'For every exceeding 300 P.L.W., 12s. 6d.,' as follows: 'Provided that if it is proved to the satisfaction of the licensing authority that the license is required for a motor wagon used only on occasions by a farmer for the carriage of produce or farming requisites to and from his own farm; or for a motor wagon mainly used for the carriage of ore and mining requisites within a mining area; or for a motor wagon used only in connection with the sandalwood industry; or for a motor wagon mainly used for the carriage of supplies to and produce from cattle and sheep stations—the fee shall be one-fourth of such prescribed fee, with a minimum fee of fifteen shillings.'"

This is on all fours with a proviso inserted in the schedule last session granting a concession to horse-drawn vehicles. On the second reading I pointed out that a motion had been carried by the Road Board Conference asking for a concession to motor vehicles used as described. The concession will not apply to carriers' vehicles.

Hon. E. H. Harris: You suggest a minimum fee of 15s.

Hon. H. STEWART: If worked out on the power weight, it would not reach the minimum.

The CHIEF SECRETARY: I oppose the proposed new clause. The object is to grant a 75 per cent. exemption to farmers, miners, pastoralists and sandalwood cutters. A farmer might have the exemption if his motor was used for the carriage of produce

or farming requisites to and from his farm, and the pastoralist might have it for the carriage of supplies to and from his station. Every motor waggon used by the farmer or pastoralist would pay only one-fourth of the usual license fee. Where would the local authorities get their revenue? The motor waggons would go out and cut up the roads carting payable produce and supplies, and would give next to nothing in return to keep the roads in repair. Farmers and pastoralists know the value of good roads for motor traffic, and know they cannot be constructed without money. We are embarking upon an extensive road policy. Under the Federal-State road grant, obligations will be imposed upon the whole of the local authorities, and the new clause is an attempt to deprive them of portion of their revenue. Horse-drawn vehicles are few and far between and are used by struggling farmers. A concession was properly made to them, but to extend the concession to motor vehicles that carry the produce of farmers, perhaps in competition with the railways, is unreasonable.

Hon. H. STEWART: The Minister would have members believe that the horse-drawn vehicle is a thing of the past except with a few struggling farmers. That is not so. Parliament provided a concession to people who use their horse vehicles during only 25 per cent. of the working period of the year. Relatively to the use made of such vehicles their owners are contributing more than are people who use their vehicles to cart for a living. Under my proposal there would be no competition with the railways. If the concession is justified in the one instance, it is justified in the other.

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

Ayes	..	..	..	9
Noes	..	..	..	9

A. Tie	..	..	..	0
				—

AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. A. Burvill	Hon. H. Stewart
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. G. A. Kempton	Hon. J. Ewing
Hon. J. M. Macfarlane	(Teller.)

NOES.

Hon. J. M. Drew	Hon. J. Nicholson
Hon. E. H. Gray	Hon. G. Potter
Hon. E. H. Harris	Hon. H. Seddon
Hon. J. W. Hickey	Hon. J. R. Brown
Hon. Sir W. Lathlain	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

Amendment thus negatived.

Clause, as amended, put and passed.

Bill reported with further amendments.

Further Recommittal.

Bill further recommitted for the purpose of again considering Clauses 13, 14 and 37. Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 13—Amendment of Section 21:

The CHIEF SECRETARY: I hope this clause will be struck out with a view to re-inserting the clause as it originally appeared. My principal object is to delete the words contained in a particular amendment, because they are not likely to be acceptable to the Government. The amendment was—

And by adding a proviso to Subsection (1), as follows:—“Provided further that a license may be granted to a person not under the age of 16 years permitting him to drive a motor vehicle in the road district in which he resides, except in the metropolitan area.”

Hon. G. W. MILES: It is hardly fair to recommit this Bill, when we suspended the Standing Orders in order that it might be passed through this evening. The amendment referred to was fully debated. More members were then present, but if these recommittals go on there will be still fewer members left in the Chamber.

The Chief Secretary: I have seldom re-committed a Bill, but other members have repeatedly done so without any complaint from me.

Hon. G. W. MILES: This further stage should be postponed until to-morrow.

Hon. C. F. BAXTER: I would not have agreed to the suspension of the Standing Orders if I had known that the Chief Secretary would take advantage of the present position. My amendment was brought forward after full inquiry. A leading traffic authority supports the view I have expressed.

Hon. J. NICHOLSON: In view of the inconsistency of the clause, the Minister is justified in recommitting the Bill.

Hon. H. STEWART: Is the hon. member in order, under Standing Order 391, in discussing this clause? The Standing Order says that no member shall reflect upon any vote of the Council except for the purpose of moving that such vote shall be rescinded.

The CHAIRMAN: That is exactly what the amendment, if carried, would accomplish.

It would rescind a previous vote of the Committee.

Hon. H. Stewart: Should not this be done by direct motion?

The CHAIRMAN: The Standing Orders say that a Bill can be recommitted for the purpose of reconsidering any clause or every clause.

Hon. J. NICHOLSON: The Commissioner of Police has been given power to issue licenses to persons of 17 to drive motor vehicles, and also to persons of not less than 16. It is questionable whether the latter amendment will effect the desires of its supporters. No provision is made for a penalty in the case of these latter persons. It is impossible to import into this clause the alterations that have been effected without altering seriously the full cast of the Bill. I therefore suggest that we carry the amendment of the Chief Secretary deleting the words in question. Then an amending measure can be introduced containing the necessary clauses for a special license.

Hon. G. W. Miles: Next session?

Hon. J. NICHOLSON: No. What value is there in legislation which, on the face of it, is out of place? The other amendments required in connection with the special license could not be put forward by a member standing on his feet; they would have to be carefully thought out.

Hon. H. Stewart: What about getting the Minister to report progress?

Hon. J. NICHOLSON: That has been suggested previously. However, we know that the Chief Secretary is desirous of getting the Bill through its remaining stages to-night.

Hon. G. W. Miles: Let the Bill come back from another place.

Hon. J. NICHOLSON: The amendment creating a special license would show this Chamber in an undesirable light.

The CHIEF SECRETARY: My desire in recommitting this clause was to afford the Committee an opportunity for giving the subject fuller consideration. I thought some members had not exactly grasped the question before the Chamber. Under the amendment creating the special license it will not be necessary for a boy of 16 to be examined as to competency.

Hon. E. H. Harris: Yet he would be examined if he were 17.

The CHIEF SECRETARY: Yes. He would not have to prove even his qualification as to eyesight. Nevertheless he would

be entitled to drive over the roads of a district possibly covering hundreds of square miles.

Hon. C. F. BAXTER: I cannot agree that the special license would be granted without examination, as this is a proviso to Section 21, which requires examination by the Commissioner of Police or his deputy before a license is granted. The Chief Secretary has stated—I do not know on what information—that a license is issued to a driver for a particular kind of vehicle. That is not so. The license is issued for the driving of a motor car, and the holder can drive any make of car he pleases. I have my own license here to prove that statement. The kind of car is not, and never has been, specified in the license.

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

Ayes	..	..	..	..	9
Noes	..	..	..	..	10

Majority against .. 1

AYES.

Hon. A. Burvill	Hon. J. M. Macfarlane
Hon. J. M. Drew	Hon. J. Nicholson
Hon. J. Ewing	Hon. H. Seddon
Hon. E. H. Harris	Hon. Sir W. Latblain
Hon. J. W. Hickey	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. E. H. Gray	Hon. G. Potter
Hon. V. Hamersley	Hon. H. Stewart
Hon. G. A. Kempton	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. J. R. Brown
	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 14—Amendment of Section 22:

The CHIEF SECRETARY: I move an amendment—

That after "words," in line three, there be inserted "who."

The word "who" has been dropped accidentally.

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

Clause 37—Amendment of Part III. of Third Schedule:

Hon. E. H. GRAY: Owing to lack of clearness on my part, some members have not fully understood the amendment to this clause moved by me. In 1919 a comprehensive Act was passed to govern motor traffic, which was rapidly developing. The license

fee for motor lorries then was 5s. per wheel, representing £1 per lorry; and a schedule was passed to deal with motors. In 1924, owing to further expansion of motor traffic and the necessity for licensing sharries, another schedule was carried during an all-night sitting. The new classification of lorries in that schedule raised the fee for a motor lorry not exceeding four tons load weight from £4 to £5. But for a four-ton motor lorry the license was £1, and was raised to £8 14s. Last year it was reduced to £5 16s., and my amendment will make it £2 18s.

Hon. G. W. Miles: This refers only to horse-drawn vehicles.

Hon. E. H. GRAY: That is so. I move an amendment—

That the following new clause be inserted to stand as Clause 37:—"Part III. of the Third Schedule to the principal Act as amended by Section 2 of the Traffic Act Amendment Act, 1925, is amended by deleting the words 'one shilling,' in line eight, and inserting 'sixpence' in lieu thereof; and is further amended by striking out 'the minimum fee being fifteen shillings,' and inserting in lieu thereof 'the minimum fee shall be ten shillings.'"

The CHAIRMAN: This is not an amendment of Clause 37. It is a new clause. The Bill has been recommitted for the consideration of certain existing clauses. I cannot accept the proposed new clause, unless the Bill be again recommitted.

Bill again reported with amendments.

Further Recommendation.

On motion by Hon. E. H. Gray, Bill again recommitted for the purpose of further considering Clause 35 and for the consideration of a new clause. Hon J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

New clause:

Hon. H. STEWART: I move—

That the following new clause be inserted—"Part I. of the Third Schedule to the principal Act (inserted by the Act No. 37 of 1924) is amended by inserting after the words 'For every exceeding 300 P.L.W., 12s. 6d.,' a proviso, as follows: 'Provided that if it is proved to the satisfaction of the licensing authority that the license is required for a motor wagon used only on occasions by a farmer for the carriage of produce or farming requisites to and from his own farm; or for a motor wagon mainly used for the carriage of supplies to and produce from cattle and sheep stations—the fee shall be one-fourth of such prescribed fee, with a minimum fee of fifteen shillings.'"

Before tea I moved a similar provision, but including exemption for mining prospectors and sandalwood getters. It led to a pretty close division, and I can only conclude that the Committee thought no exemption should be provided for sandalwood getters and prospectors. Consequently, I have excised those proposed exemptions from the provision.

The CHIEF SECRETARY: Mr. Stewart's amendment is an improvement in that it omits the sandalwood getter and the prospector and concentrates on the farmer and the pastoralist. I fancy the farmer's lorry, which is to be used only occasionally, will be found running everywhere on the roads once it is licensed at this specially low rate.

Hon. J. M. Macfarlane: The farmer's boy of 16 years will take it out for a holiday.

The CHIEF SECRETARY: A motor car might travel over a road twenty times and do less damage to it than the farmer's motor lorry would do on one occasion. There is no justification whatever for the proposed exemption.

Hon. V. HAMERSLEY: I am astounded at the remarks of the Minister. Actually good natural country roads, where no repairs are done by the department, stand up splendidly to the traffic. The owners of vehicles using them are mostly road board members who travel long distances to attend road board meetings. They certainly are not in the same category with mining prospectors. The man who is using a motor vehicle and is paying heavy rates to the local authorities should be given the same consideration as though he were using an ordinary wagon. The request is reasonable, and moreover, the motor vehicles are not doing the damage to the country roads that is being done to macadamised roads elsewhere. It has to be remembered above everything else that these people are already contributing heavily to the funds of the local authorities.

Hon. Sir WILLIAM LATHLAIN: One would imagine that the people referred to were the only ones who paid for services. In the metropolitan area people are debited with water rates for vacant ground that they may hold. In the building I occupy there is no water used except in connection with the sewer, and that is paid for separately. All the same the water rates come to between £600 and £700 a year. If we start making

exemptions it will be difficult to know where to stop.

Hon. J. NICHOLSON: The effect of the clause as it is now is that the man who is the owner of a motor vehicle, duly licensed and paying a low fee, could use the vehicle say on Monday for the purpose for which it was licensed, namely, the carriage of produce to and from his own farm, and on other days use it for other purposes. That is not what it is intended but that will be the effect of the amendment.

Hon. H. Stewart: It says "prove to the satisfaction of the licensing authority" which is the wording of the Act at present.

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

Ayes	..	..	..	7
Noes	..	..	..	8
Majority against				.. 1

AYES.	
Hon. A. Burvill	Hon. H. Stewart
Hon. J. Ewing	Hon. H. J. Yelland
Hon. V. Hamersley	Hon. W. J. Mann
Hon. G. A. Kempton	(Teller.)

NOES.	
Hon. J. R. Brown	Hon. Sir W. Lathlain
Hon. J. M. Drew	Hon. J. M. Macfarlane
Hon. E. H. Gray	Hon. J. Nicholson
Hon. J. W. Hickey	Hon. G. Potter
	(Teller.)

PAIR.	
AYE.	No.
Hon. G. W. Miles	Hon. H. Seddon

Amendment thus negatived.

Clause 35—Amendment of Third Schedule:

Hon. E. H. GRAY: I move an amendment—

That at the commencement of the clause the following words be inserted:—"Part III. of the Third Schedule to the principal Act, as amended by Section 2 of the Traffic Act Amendment Act, 1925, is amended by deleting the words 'one shilling,' in line eight, and inserting 'sixpence' in lieu thereof; and is further amended by striking out 'the minimum fee being fifteen shillings,' in lines nine and 21, and inserting in lieu thereof 'the minimum fee shall be ten shillings.'"

I trust members will do justice to those people who have been over-taxed for years. If they were exempt for two years, no more than justice would be done to them.

The CHIEF SECRETARY: I will content myself with merely opposing the amendment.

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

Ayes	..	..	..	6
Noes	..	..	..	8
Majority against				.. 2

AYES.	
Hon. J. R. Brown	Hon. W. J. Mann
Hon. E. H. Gray	Hon. G. Potter
Hon. J. M. Macfarlane	Hon. G. A. Kempton
	(Teller.)

AYES.	
Hon. A. Burvill	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. J. Nicholson
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. E. H. Harris	Hon. Sir W. Lathlain
	(Teller.)

PAIR.	
AYE.	No.
Hon. G. W. Miles	Hon. H. Seddon

Amendment thus negatived.

Clause, as previously amended, put and passed.

Bill again reported with further amendments and the report adopted.

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

BILLS (2)—FIRST READING.

1, Reserves (No. 2.)

2, Roads Closure.

Received from the Assembly.

House adjourned at 11.15 p.m.