Mr. NALDER: I move—

That the amendment be amended by inserting after the word "one" in line 6 of the amendment the words "or an offence involving grievous bodily harm."

That explains itself. As I said during the second reading, a youth, even at the age of 16 could inflict grievous bodily harm on any person and he could be exonerated by a very simple penalty, namely a period of imprisonment not exceeding three months. Therefore I would like these words to be inserted.

Amendment on amendment put and passed.

Amendment, as amended, put and passed.

Clause, as amended, agreed to.

Clause 3—Section 138A added:

The MINISTER FOR CHILD WELFARE: I indicated, during my second reading speech, that I had been advised by the departmental officers that the situation which the hon. member aims at covering in Clause 3 is already covered fairly adequately by two sections in the parent Act. In the circumstances the hon. member may be prepared to allow this clause to be defeated.

Mr. MARSHALL: As the Minister for Child Welfare has assured me that a similar provision is already in the Act, I will agree to the clause being defeated.

Clause put and negatived.

Title—agreed to.

Bill reported with amendments and the report adopted.

House adjourned at 2.20 a.m. (Thursday).

Legislative Assembly

Thursday, 20th December, 1956.

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CONTENTS—*continued.*

The SPEAKER took the Chair at 3.37 p.m., and read prayers.

QUESTIONS.

GOVERNMENT PRINTING OFFICE.

Cost and Profit.

Mr. MARSHALL asked the Premier:

(1) What was the value of Commonwealth printing executed in the Western Australian Government Printing Office for the years ended the 30th June, 1945, to 1956, inclusive?

(2) What was the profit shown by the Western Australian Government Printing Office for each of the above years?

(3) Do the amounts shown in No. (1) exclude the cost of paper on many contracts?

The PREMIER replied:

(1)

Year ended the 30th June,	£
1945	26,152
1946	25,177
1947	27,335
1948	36,112
1949	34,146
1950	41,263
1951	50,469
1952	62,544
1953	73,888
1954	66,907
1955	65,312
1956	83,371
Total	£592,676

(2)

Year ended the 30th June.	Expenditure. £	Revenue. £
1945	71,065	55,893
1946	86,161	65,811
1947	102,184	73,350
1948	137,821	98,521
1949	155,839	110,899
1950	184,867	113,202
1951	236,621	145,457
1952	308,443	204,831
1953	322,053	219,390
1954	330,925	196,517
1955	326,938	198,828
1956	392,793	237,087
Total:	£2,655,710	£1,719,786

As the Government Printing Office is a department controlled under the Consolidated Revenue Fund and not a trading concern, no profit and loss statement or balance sheet is prepared.

Printing is done for Parliament and non-paying departments for which no revenue is received, and which amounts to approximately 55 per cent. of production.

(3) The amounts shown in No. (1) include all costs of labour and material used in the work.

TRANSPORT.

(a) Claremont Bus Service.

Mr. CROMMELIN asked the Minister representing the Minister for Railways:

(1) What is the estimated profit or loss on the one-man buses on the Claremont route for the year ended the 30th June, 1957?

(2) Of the 294 return trips made by one-man buses on this route each week, how many are made—

(a) prior to 9 a.m.;

(b) between 9 a.m. and 12.30 p.m.;

(c) between 12.30 p.m. and 4.30 p.m.;

(d) between 4.30 p.m. and 7.30 p.m.;

(e) between 7.30 p.m. and cessation?

(3) How many passengers are carried by one-man buses in an average week on the Claremont route—

(a) prior to 9 a.m.;

(b) between 9 a.m. and 12.30 p.m.;

(c) between 12.30 p.m. and 4.30 p.m.;

(d) between 4.30 p.m. and 7.30 p.m.;

(e) between 7.30 p.m. and cessation?

The MINISTER FOR TRANSPORT replied:

(1) Loss £14,000.

(2) (a) 26.
(b) 10.
(c) 41.
(d) 30.
(e) 187.

(3) (a) 826.
(b) 331.
(c) 1,372.
(d) 903.
(e) 4,699.

(b) Swanbourne—Perth Trolley-Bus Service.

Mr. CROMMELIN asked the Minister representing the Minister for Railways:

(1) What was the loss on trolley-buses on the Perth-Swanbourne route for the years ended the 30th June, 1954, 1955, 1956?

(2) What is the estimated loss for the year ending the 30th June, 1957?

(3) Of the 511 return trips made by the trolley-buses each week on this route, how many are made—

(a) prior to 9 a.m.;
(b) between 9 a.m. and 12.30 p.m.
(c) between 12.30 p.m. and 4.30 p.m.;
(d) between 4.30 p.m. and 7.30 p.m.;
(e) between 7.30 p.m. and cessation?

(4) For the week ended the 1st December, 1956, it was stated 30,179 passengers were carried by trolley-buses on the Claremont route. How many were carried—

(a) prior to 9 a.m.;
(b) between 9 a.m. and 12.30 p.m.;
(c) between 12.30 p.m. and 4.30 p.m.;
(d) between 4.30 p.m. and 7.30 p.m.;
(e) between 7.30 p.m. and cessation?

The MINISTER FOR TRANSPORT replied:

(1) 1954, £32,584.
1955, £31,327.
1956, £34,989.

Separate sectional earnings for trolley-bus operation are not available. These figures are calculated on the total earnings and cost of operating all trolley-bus services.

(2) 33,975.

(3) (a) 127.
(b) 139.
(c) 150.
(d) 95.
(e) Nil.

(4) (a) 7,167.
(b) 7,477.
(c) 9,255.
(d) 6,280.
(e) Nil.

(c) Metropolitan Rail and Road Services.

Mr. COURT asked the Minister for Transport:

(1) What major reorganisation is contemplated to reduce the heavy deficit on Government operated metropolitan passenger transport in view of the fact that a 50 per cent. increase in metropolitan railway passenger fares would only make a partial reduction of the deficit even if patronage is maintained?

(2) (a) Has the Government given consideration to discontinuing Government operated metropolitan passenger transport and handing the task over to private companies for such passengers to be carried by road, instead of forming a transport trust?

(b) If so, with what result?

(3) (a) Has the Government contemplated discontinuing metropolitan rail passenger transport with a view to metropolitan passenger transport being handled by road through an expansion of private companies and a continuation of existing Government buses?

(b) If so, with what result?

The MINISTER replied:

(1) Consideration is being given to the establishment of a metropolitan passenger transport trust to reorganise and operate metropolitan passenger transport services.

(2) (a) No.
(b) Answered by (a).

(3) (a) No. The Stephenson report emphasises that railways are an essential part of the metropolitan passenger transport system to avoid congestion of road traffic;

(b) Answered by (a).

HOSPITALS.

(a) Fremantle, Revenue, Expenditure and Staff.

Mr. CROMMELIN asked the Minister for Health:

(1) At the Fremantle hospital, how many beds were available at the 30th June, 1954, 1955, 1956?

(2) How many—

(a) permanent medical staff;
(b) nurses and probationers;
(c) office staff;
(d) all other employees;

were on the staff at the 30th June, 1954, 1955, 1956?

(3) What were the salaries paid to—

(a) permanent medical staff;
(b) nurses and probationers;
(c) office staff;
(d) all other employees;

for the years ended the 30th June, 1954, 1955, 1956?

(4) What was the total maintenance cost of the hospital for the years ended the 30th June, 1954, 1955, 1956?

(5) What was the revenue received by the hospital for the years ended the 30th June, 1954, 1955, 1956?

(6) (a) Was there a profit or loss shown by the hospital for the years ended the 30th June, 1954, 1955, 1956?

(b) In each case, what were the financial results for the three years mentioned?

The MINISTER replied:

(1)

30/6/54; 200 beds.
30/6/55; 200 beds.
30/6/56; 200 beds.

(2)

	30/6/54	30/6/55	30/6/56
(a)	12	12	13
(b)	160	180	180
(c)	19	23	23
(d)	115	132	145

(3) Salaries paid to—

	30/6/54 £	30/6/55 £	30/6/56 £
(a)	9,313	11,998	14,527
(b)	56,321	57,963	67,271
(c)	12,538	13,968	19,179
(d)	71,895	74,981	87,276

(4) Total maintenance cost of the hospital—

(a) Year ended the 30th June, 1954 243,582

(b) Year ended the 30th June, 1955, ... 268,075

(c) Year ended the 30th June, 1956 303,055

(5) Revenue was—

(a) Year ended 30/6/54—

	£
Government subsidy	148,284
Other revenue	102,334
	250,618

(b) Year ended 30/6/55—

Government subsidy	150,576
Other revenue	115,614
	256,190

(c) Year ended 30/6/56—

Government subsidy	177,461
Other revenue	119,891
	297,352

(6) Answered by No. (5).

(b) Kojonup, Breach of Agreement.

Mr. NALDER (without notice) asked the Premier:

In the absence of the Minister for Health, will the Premier make some investigation into the report I have received today from the Kojonup Road Board that an agreement between the Health Department, the Lotteries Commission and the road board has broken down because of the inability of the Lotteries Commission to meet its obligations under the agreement regarding the Kojonup hospital?

The PREMIER replied:

Yes.

RAILWAYS.

(a) Painting of Kalgoorlie Loco. Sheds.

Mr. EVANS asked the Minister representing the Minister for Railways:

(1) Is it a fact that the loco. sheds in Kalgoorlie were painted twice this year?

(2) If so, on whose authority was the second painting undertaken?

(3) What was the reason for the second painting?

(4) What was the cost of the repainting?

The MINISTER FOR TRANSPORT replied:

(1) The interior of the diesel shed was painted one coat aluminium. Exterior was painted light cream in September, 1956, and finished in aluminium in October, 1956. Steam shed was not painted.

(2) The Railways Commission, following an inspection.

(3) To complete the outside of shed satisfactorily.

(4) Separate details are not recorded but could be extracted if required specially.

(b) Fire Caused by Locomotive, Beverley.

Mr. HEARMAN asked the Minister representing the Minister for Railways:

(1) Is it correct that train No. 136 departed Beverley at 1.26 p.m. on the 13th December, and started a fire within half a mile of the town of Beverley?

(2) Was this train using Collie coal?

The MINISTER FOR TRANSPORT replied:

(1) Yes. A small area of grass land was burnt.

(2) Yes.

(c) Mount Barker Crossing and Accidents.

Mr. HALL asked the Minister representing the Minister for Railways:

(1) Did he receive a report of a fatal accident at a railway crossing near Mt. Barker on the 17th December ?

(2) Have any other fatal accidents occurred at this spot?

(3) How many non-fatal accidents have occurred at this spot in the last five years?

(4) When is it anticipated that this crossing will be fitted with flashing lights?

The MINISTER FOR TRANSPORT replied:

(1) Yes.

(2) Yes.

(3) Nil.

(4) This particular crossing is not on the priority list prepared by the level crossing protection committee.

(d) Closure of Crossings, Gosnells.

Mr. WILD (without notice) asked the Minister for Transport:

(1) Has he seen the Press report of the meeting held at Gosnells last night about the closing of the two crossings in the district?

(2) Will he consider the request I made to him earlier in the week to hold his hand for a few days in order that the representations of the Gosnells Road Board, which should be here by now, could be considered?

The MINISTER replied:

(1) No, I have not seen the Press report.

(2) With regard to these closures, I may mention that an examination was made by the officers, as was pointed out in the replies to questions yesterday. Subsequently the matter was considered by Cabinet, and it was then referred to the Traffic Engineer of the Main Roads Department. He, after investigation, endorsed the recommendations of the first departmental committee in respect of the crossings that are now being closed.

I think it is essential for everyone—members and the public, too—to appreciate that many of these level crossings were laid down at a time when they were designed to cater for the horse and dray. Accordingly, for people then to have to go any distance was a considerable waste of time. But with modern motorised transport, the fact of having to go a few hundred yards additional, one way or another, to a railway crossing is not felt by those competent to judge as being anything that imposes hardship.

With regard to the work being undertaken, I am unaware of the stage that has been reached because after the decision and the gazettal were made, it became the responsibility of the Railways Commission to undertake the necessary work of physically closing the crossings, while, at the same time, making provision for pedestrians.

I shall refer the matter to the Minister for Railways to see how far the work has progressed, and whether it is possible to make some deferment, but, from what I stated initially, I feel that the fullest examination of the situation was made before the Government arrived at its final determination.

(e) Disability of Wholemilk Producer.

Mr. WILD (without notice) asked the Minister for Transport:

In order that the Minister can carry these investigations a little further I would ask him—

Is he aware that by the closing of the crossing south of Gosnells—also referred to in the article in tonight's paper—one wholemilk producer has no access whatever, and last evening was unable to get his milk over to what, for some years, has been the picking up point on the Albany Highway? Would he also have this crossing looked into?

The MINISTER replied:

Yes.

LAND SETTLEMENT.

(a) Tone River Blocks.

Mr. HEARMAN asked the Minister for Lands:

(1) How many blocks of land at Tone River have—

(a) been allotted to settlers;
(b) made available for selection?

(2) What representations have been made by the Upper Blackwood Road Board to his department for particulars of roads, townsites, etc., to be planned for this area?

(3) What information has the Upper Blackwood Road Board received in this connection from the Lands Department?

(4) When is it anticipated that further blocks will be in the hands of settlers at Tone River?

The MINISTER FOR MINES (for the Minister for Lands) replied:

(1) (a) Four.
(b) Four.

(2) Chairman (Mr. Purse) of Upper Blackwood Road Board called on the 12th December, 1956, at the Lands Department in connection with the subdivision at Tone River. He requested—

(a) A copy of the design of subdivision.
(b) Provision of a new road from south-west corner of location 12369 to north-east corner of location 9085 as part of Kojonup-Manjimup through-road.
(c) The visit of a senior survey officer in the first quarter of 1957 to meet local board and discuss problems of roads and reserves.

(3) Mr. Purse discussed his requests with the Divisional Surveyor, South, and, as a result—

(a) A copy of the design has been prepared and is now ready for forwarding.
(b) Instructions are being prepared for the survey of a new road.
(c) A senior officer will meet the board early in 1957 and discuss as requested.

(4) Further blocks will be released for selection in this subdivision as and when the Forests Department reports that timber has been removed. Timber is being cut out according to a prearranged plan which provided for the majority of the blocks to be freed in the very near future.

(b) Application by J. L. Pittendreigh, Tone River.

Mr. HEARMAN asked the Minister for Lands:

(1) When was an application for land in the Tone River area first received from Mr. J. L. Pittendreigh?

(2) When was this land allotted to Mr. Pittendreigh?

(3) Was the land for which Mr. Pittendreigh applied among the land gazetted as being available for selection?

(4) What was the cause of the delay in this land allocation?

(5) Is Mr. Pittendreigh now in a position to proceed with the development of this land?

The MINISTER FOR MINES (for the Minister for Lands) replied:

(1) On the 12th October, 1955.

(2) On the 9th December, 1955.

(3) Yes.

(4) The delay in advising allotment was two months only.

(5) Approval to all applications must await completion of survey examination. In this case, the approval will be issued at an early date.

(c) Amplification of Answer.

Mr. HEARMAN (without notice) asked the Premier:

In view of the absence of the Minister for Lands, I should be glad if he would pass on to the Minister for Lands the questions I am now putting to him. The answers I have been given regarding the Tone River blocks are contradictory. The second question I asked was—

> When was this land allotted to Mr. J. L. Pittendreigh?

and the answer I received was—

> On the 9th December, 1955.

The fourth question I asked was—

> What was the cause of the delay in this land allocation?

to which the Minister replied—

> The delay in advising allotment was two months only.

That answer cannot be right because, according to the Minister's answers, the land was allotted on the 9th December, 1955, and he said that the delay in advising allotment was two months only; yet it is less than one month since the land was allotted. Will the Premier have a look at the questions and the answers and ask the Minister for Lands to reconsider them and let me have some further information?

The PREMIER replied:

Yes.

MINING.

Cost of Gold and Coal Extraction.

Mr. HEARMAN asked the Minister for Mines:

(1) Was the member for Boulder correct when he stated that gold ore could be raised to the shaft head for as little as 31s. per ton on the Golden Mile?

(2) Was the member for Boulder correct in suggesting that coal should be more cheaply produced at the pithead than gold-bearing ore at the shaft head?

(3) Can he reconcile the price paid by the Government for coal of up to 72s. per ton, with the figures suggested by the member for Boulder in relation to the costs associated with gold-bearing ore?

(4) What tonnage of coal from all sources was used by the Government for the year 1955-1956?

(5) Are the protracted negotiations in connection with the entering into of Government contracts with the coalmining companies at Collie having a prejudicial effect on the Collie field?

(6) When will the Government be in a position to state what it thinks is a reasonable price to pay for Collie coal at the pit-head?

(7) Is the Government satisfied with the present price arrangement for the purchase of Collie coal?

The MINISTER replied:

(1) Gold-bearing ore is raised in Kalgoorlie by some companies for approximately 31s. per ton.

(2) and (3) The two industries, coal and gold, have a different set of conditions, therefore comparison is difficult.

(4) 713,658 tons, which includes gas coal for the gas works.

(5) Excessive capitalisation of the coalmining companies has created difficulties in arriving at a satisfactory contract price for coal.

(6) The Government has determined what it considers is a reasonable price for coal and cannot reconcile the prices sought by the companies with same.

(7) No.

EDUCATION.

(a) Boyanup School, Condition of Accommodation.

Mr. I. W. MANNING asked the Minister for Education:

(1) Is he aware that at the Boyanup school—

(a) the older portion of the school is showing signs of considerable deterioration due to age;

(b) that the classroom occupied by the infant classes is small and becomes extremely warm on a hot

day, and the pupils suffer considerable discomfort because of this;

(c) that the manual training shed facilities are inadequate and unsuitable;

(d) that the school assembly area requires bituminising?

(2) Will he give favourable consideration to effecting improvements to these items during the current financial year?

The PREMIER (for the Minister for Education) replied:

(1) (a) Yes.

(b) No. This is a three-room school, and the smallest room is 24ft. by 23ft. The school building provides adequate accommodation for the enrolment of 105.

(c) No.

(d) No funds are available for this purpose.

(2) Consideration is being given to the matter.

(b) Clevelānd-st. School, Provision of Electricity Supply.

Mr. OLDFIELD asked the Minister for Works:

(1) Is it intended to install electric lighting and power to the two classrooms recently added to the existing building at the Cleveland-st. school?

(2) If not, why not?

The MINISTER replied:

(1) Yes.

(2) Answered by No. (1).

(c) North Inglewood School, Resurfacing Bituminous Section.

Mr. OLDFIELD asked the Minister for Works:

When will work commence on the resurfacing of the bituminous section of the North Inglewood school?

The MINISTER replied:

The work will be carried out during the Christmas school vacation.

(d) North Inglewood, Brick Retaining Wall.

Mr. OLDFIELD asked the Minister for Works:

(1) Has any decision been reached regarding the provision of the brick retaining wall at the North Inglewood school to enable the parents and citizens' association to proceed with its proposals for ground improvements?

(2) If so, what was the decision?

(3) If not, why not?

(4) If it has been decided to proceed with this work, when will the work commence?

The MINISTER replied:

(1) Two retaining walls are involved—that on the street alignment is under discussion with the road board with a view to eliminating the wall and substituting a low bank.

The second wall is within the school ground.

There are no funds available at present for this wall. The matter will be reconsidered towards the end of the financial year.

(2), (3) and (4) See answer to No. (1).

(e) North Inglewood, Repairs and Renovations.

Mr. OLDFIELD asked the Minister for Works:

(1) Have tenders been called for the repairs and renovations to the North Inglewood school?

(2) If not, why not?

(3) If so—

(a) what was the cost submitted;

(b) what are the details of work to be carried out;

(c) when will work commence?

The MINISTER replied:

(1) No.

(2) The renovations are not due to be done until 1957-58.

(3) Answered by No. (1).

(f) Riverton School, Additional Classroom.

Mr. GAFFY asked the Minister for Works:

Will the extra classroom be erected at the Riverton school in time for the school opening in 1957?

The MINISTER replied:

No. The room should be ready for occupation in April, 1957.

(g) Applecross High School, Building Operations.

Mr. GAFFY asked the Minister for Works:

Is it the intention to commence building operations at the Applecross high school this financial year?

The MINISTER replied:

No.

(h) Hollywood High School, First Intake of Students.

Mr. COURT asked the Minister for Education:

(1) Has a decision been made when the first intake will be received into the proposed Hollywood high school?

(2) If not, when does he anticipate finality?

The PREMIER (for the Minister for Education) replied:

(1) No.

(2) It is not yet possible to say.

WUNDOWIE CHARCOAL IRON WORKS.

Disposal to Private Interests.

Mr. COURT asked the Minister for Industrial Development:

(1) Has any attempt been made by the Government to dispose of the Wundowie Charcoal Iron Works to private industry, and thus avoid the heavy financial commitment proposed for expansion, but retain the industry as a Western Australian venture?

(2) If not, is there any reason why this should not be done?

The MINISTER replied:

(1) No.

(2) Yes. Every reason.

(b) Reasons for Retention of Industry.

Mr. COURT (without notice) asked the Premier:

I understand that in my absence at the managers' conference, the Minister answered part two of my question regarding the Wundowie works to the effect that there was "every reason" why the undertaking should not be disposed of. Would the Premier give at least three or four reasons why it should not be done?

The PREMIER replied:

Time will not permit of my giving every reason. One reason is that it is desirable to retain this industry in the ownership of the State to ensure its continued operation. A second reason is to ensure a fair and impartial distribution of the product to local manufacturers who depend very largely on charcoal iron from Wundowie for the continuation of their manufacturing enterprises.

A third reason is that this industry is one in which experiments are still possible on a wider field. A fourth reason is that it could, with the passing of time, become a springboard, as it were, for the establishment in the south-west part of the State—possibly at or near Collie—of a fully integrated iron and steel industry.

Should the member for Nedlands desire any additional reasons, I shall be pleased to receive further questions from him on the opening day of next session.

(c) Control by Private Enterprise.

Mr. COURT (without notice) asked the Premier:

Regarding the charcoal iron works, would it not be possible to achieve all the objectives that the Premier mentioned through a suitably negotiated agreement with private industry, and thus avoid the State having to face the heavy financial commitment in respect of Wundowie?

The PREMIER replied:

No, because in the first place no such agreement could bind any company successfully, and with certainty, to continue the industry in operation for any worthwhile period.

CULTURED PEARL INDUSTRY.

Prospect of Establishment.

Mr. COURT asked the Minister for Fisheries:

(1) What progress has been made with the establishment of the cultured pearl industry in Western Australia?

(2) What are its prospects—

(a) on the Australian market;

(b) on the export market?

The MINISTER replied:

(1) Progress to date is considered to be quite satisfactory. The effect of the wet season on the project is now being awaited with interest.

(2) Australia being a very minor consumer of cultured pearls, it is anticipated that practically the whole of the output will be exported. There is a ready market overseas.

STATE TRADING CONCERNS.

(a) Saw Mills, Over-Production of Timber.

Mr. HEARMAN asked the Minister for Native Welfare:

(1) Can he advise what action has been taken to remedy the position of over production in the State Saw Mills, as referred to by him and by the general manager in the annual report?

(2) If no action has been taken, what are the Government's proposals?

(3) What is the present volume and value of the stocks held by the State Saw Mills?

(4) What was the volume and value of stocks held by the State Saw Mills on the 31st December, 1955, or the 30th June, 1955?

(5) How much of this stock is jarrah and how much is karri?

(6) What volume of stock is now held in excess of what the general manager of the State Saw Mills expressed as a reasonable stock in his annual report?

(7) What is the value of this excess stock?

(8) What is the present monthly volume of production and the present monthly volume of sales of the State Saw Mills?

(9) Is the financing of this excess stock holding the reason for the Government again reverting to treasury bills in the financing of its building programme?

(10) To what extent are State trading concerns being financed by the revenue raised from increased taxation?

The MINISTER replied:

(1) Beyond action covered in the annual report, the following steps have been taken—

(a) Carlisle log mill will not re-open in the new year.

(b) Proposals are under discussion with the South-West Timber Workers' Union for part-time operation of all mills operated by the State Saw Mills to the extent of loss of one day a fortnight. These discussions are exploratory with no decision or commitment by any party concerned. There is no suggestion for immediate implementation with resumption of work in the new year. Further action will depend on outcome of discussions and a continuing assessment of the need or otherwise for curtailment of production.

(c) Every effort is being made to stimulate sales on local, interstate and overseas markets, but a recent visit by the assistant general manager to Sydney, Melbourne and Adelaide was not encouraging.

(d) Representations have been made through appropriate channels for restriction of import licences for overseas timber for entry to other States.

(2) Answered by No. (1).

(3) State Saw Mills is a trading concern and publication of this information would be of value to competitors and interstate buyers to the detriment of the trading concern.

(4) As at the 30th June, 1955—volume 18,632 loads, value £265,111.

(5) 11,766 loads jarrah, 6,866 loads karri.

(6), (7) and (8) See answer to No. (3).

(9) No.

(10) None.

(b) Effect of Payment of Taxes, etc.

Mr. HEARMAN asked the Minister for Native Welfare:

What would be the annual cost to the State Saw Mills and State Brick Works if they were asked to pay sales tax, land tax, roads board rates, and vehicle licence fees?

The MINISTER replied:

Not available.

(c) Departmental Trading Preference.

Mr. HEARMAN asked the Minister for Native Welfare:

To what departments has the Government issued instructions to purchase only from State trading concerns and what products do these instructions govern?

The MINISTER replied:

All Government departments are expected to give preference in purchasing to State trading concerns.

LEGISLATION.

Rejection by Legislative Council.

Mr. JOHNSON asked the Premier:

(1) What legislation passed by this House has been rejected by the Legislative Council this session?

(2) Were any of these Bills the subject of statements in the Government policy speech prior to the last election?

(3) Was the policy endorsed by the electors at a general election?

The PREMIER replied:

(1) State Government Insurance Office Act Amendment Bill, Factories and Shops Act Amendment Bill (No. 1), Brands Act Amendment Bill (No. 2), Industrial Arbitration Act Amendment Bill, Jury Act Amendment Bill, Constitution Acts Amendment Bill, Electoral Act Amendment Bill (No. 1).

(2) and (3) Yes.

PARKING FACILITIES LEGISLATION.

Non-Interference with Existing Practice.

Mr. COURT asked the Minister for Transport:

(1) Can he give an assurance that the provisions of the City of Perth Parking Facilities Bill will not interfere with parking facilities which are now operating either with or without charge?

(2) Can he also give an assurance that in the future, owners of property who are building or altering premises will not be precluded, because of the Bill, from providing adequate off-street parking for the reasonable needs of their tenants and clients?

The MINISTER replied:

(1) Yes. Adequate protection for existing parking facilities is contained in the Bill.

(2) Yes, the Bill does not preclude owners of property from providing off-street parking for their tenants and the provision of public parking areas by property-owners will be welcomed so long as no severe traffic hazard is caused thereby

WATER RESTRICTIONS.

Exemption for Lawns at Schools.

Mr. OLDFIELD asked the Minister for Water Supplies:

(1) Are water restrictions anticipated during the forthcoming summer months?

(2) If so, will he agree to exempting State schools from the instruction where grassing has been carried out by parents and citizens' associations, and the associations are to attend to the watering during the holiday period?

The MINISTER replied:

(1) Yes.

(2) No. Available water will not permit the granting of this exemption.

ELECTORAL.

Advice for Enrolment, Suburban and South-East Provinces.

Hon. Sir ROSS McLARTY asked the Minister for Justice:

(1) Why are letters being sent out by the Electoral Department to residents in the Suburban Province and the South-East Province advising them as to their qualifications to enrol for the Legislative Council?

(2) Are there any particular reasons as to why such special attention should be given to those two provinces?

(3) Is it the intention to cover the whole of these provinces?

(4) If not, why not?

(5) Is it the intention of the Electoral Department to cover other provinces by letter, and if so, will he name them?

The MINISTER replied:

(1) To encourage Legislative Council enrolments.

(2) Special attention is not being given to the Suburban and South-East Provinces.

(3) The whole of these two provinces has been covered.

(4) Answered by No. (3).

(5) The North, North-East, South-East, Midland and Suburban Provinces have already been covered and finalised. Action is now in progress respecting the Metropolitan Province, and it is anticipated that all provinces will be covered before the 30th June, 1957.

TRAFFIC.

Parking Stalls.

Mr. CROMMELIN (without notice) asked the Minister for Transport:

Following on the question I asked yesterday as to whether it was an offence to park a car in a parking stall when a push bicycle was already parked next to the kerb, and to which the Minister replied that discretion in this matter would be used by the constable, would he advise me whether it is an offence to park a car in a stall while a bicycle is parked there?

The MINISTER replied:

It is rather unusual for a legal interpretation to be given in answer to questions; but, as I appreciate the position, bicycles are disregarded in the matter of the new City of Perth parking arrangements—that is to say, no special provision has been made for them nor is it intended that they should be covered.

The general experience is that push bikes just push in wherever they can, even in the cleared space of 5ft. between stalls. Although that would be an offence for a motorised vehicle, no notice is taken in the case of the push bikes. Therefore it depends on the circumstances. But I do not imagine for one moment that anything would be done to a motorist who parked in the stall where a push bike was already parked.

Mr. Crommelin: Don't you be so sure.

The MINISTER FOR TRANSPORT: I would find it difficult to believe that that would be the case.

LEAVE OF ABSENCE.

On motion by Mr. Ross Hutchinson, leave of absence for one week granted to Mr. Mann (Avon Valley) on the ground of ill-health.

BILLS (2)—THIRD READING.

1, Factories and Shops Act Amendment (No. 3).

2, Child Welfare Act Amendment (No.2).

Transmitted to the Council.

BILL—PUBLIC SERVICE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. SIR ROSS McLARTY (Murray) [4.5]: This Bill was introduced by the Premier last night and I support it. As is claimed by the Premier, the Legislative Council rejected the Bill sent from this Chamber to bring about the establishment of a board of three to replace the single Public Service Commissioner. I think the Government had a right to expect the Council to take that course. A similar Bill was introduced last session and the Government knew its contents and knew what was wanted. Yet the Government left it until yesterday to send that legislation to the Council for consideration and, as we know, it was rejected. If the Bill is to be introduced next session, I should think that the Premier would ensure that it was one of the first Bills introduced—

The Premier: Yes.

Hon. Sir ROSS McLARTY: —instead of introducing it at such a late stage in the proceedings. We must have someone to carry out the administrative duties as regards the Public Service and there is no alternative but to ask a commissioner to carry out those duties. The Premier has suggested that the Public Service Commissioner should be appointed for 12 months dating from the 31st of this month. There can be no objection to that and I am sure the House will agree to it.

The second provision in the Bill is also one which I feel merits the support of all members. As the Premier explained, certain officers have accrued long service leave because the Government asked those officers to carry on with their duties and to await a suitable time to take their long service leave. I think the Premier said that this applied specially to technical officers. As the Government has asked these officers to continue working without taking their long service leave, I think it would be an injustice if they had to forgo it. There is a maximum period of nine months in the Bill and I think a maximum should be prescribed. There is nothing further I wish to say, except that I support the Bill.

MR. JOHNSON (Leederville) [4.8]: To add to the Christmas spirit I would like to say that I have communicated with the officers of the Civil Service Association and they echo the sentiments of the Premier and the Leader of the Opposition.

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.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [4.11] in moving the second reading said: This Bill which comes to us from another place is for the purpose of enabling employees of the Lotteries Commission to enjoy the benefits of either superannuation or a contributory pension scheme with a life assurance association. Prior to 1954 the Lotteries Commission had no permanency and operated only under the authority of temporary legislation. But in 1954 Parliament agreed to legislation which conferred upon the commission permanency in its position and therefore made it possible for the commission to give consideration to extending to its employees the benefits of a superannuation scheme, as is done by many private firms and as is available to members of the Civil Service generally.

The Bill proposes that the commission's employees shall have an option as a group of contributing to the State superannuation fund or to an approved scheme of endowment assurance available through leading life assurance companies. Under such a scheme, the policies are issued on the lives of participating employees and maturing with bonuses at the retirement age or on death prior to retirement. The premiums of such policies are met from the combined contributions of the employer and the employee. There are a lot of these schemes in operation, particularly in private industry, and it is proposed, if the employees elect to adopt this method, that, from the funds set up from payments by the commission and by the contributions of the employees, premiums on the policies will be paid.

Hon. Sir Ross McLarty: Do they receive a lump sum or an annuity?

The MINISTER FOR WORKS: They can receive upon retirement either a lump sum or money in the form of a weekly pension as will be prescribed by the trustees. For those persons who cannot ordinarily qualify for life assurance because of some physical defect or some other disqualification, a form of pure endowment policy is available, which provides for the payment of a certain sum upon retirement or, in the case of prior death, the payment to an employee's widow or his estate of the full amount of the combined contributions, plus compound interest. It is likely that a scheme of endowment through a life assurance company would be favoured rather than payment to the State's superannuation fund, because the staff of the Lotteries Commission is comprised largely of female employees and, generally speaking, female employees do not elect to join the superannuation fund.

The Lotteries Commission has been assured by the secretary of the Superannuation Board that the contributions which it might be called upon to make under a scheme of endowment assurance would be no greater than would its subsidy be if the employees elected to join the State superannuation fund, nor would a precedent be created by the introduction of endowment assurance by the commission, because already several other semi-governmental bodies operate similar schemes for the benefit of their employees. It is felt that the commission should be made to contribute to a pension scheme that would give to each employee who elects to participate, that security which comes from the knowledge that provision has been made for his or her retirement.

Hon. Sir Ross McLarty: They could join either the superannuation scheme or the pension fund.

The MINISTER FOR WORKS: Yes.

Hon. Sir Ross McLarty: And take out units in the same way as civil servants?

The MINISTER FOR WORKS: Yes; they would have the opportunity of joining the State superannuation fund if they desired, or they could elect to participate in this pension fund scheme through life assurance policies. Previous experience indicates that the latter would be favoured particularly by female employees who feel they can get a greater benefit through endowment assurance than by becoming members of a superannuation fund. This is to give them the opportunity to get some such provision.

Up till now, they could not join the State superannuation fund, nor could they join the pension fund by means of life asurance from an insurance company for the reason I have already given, that the commission only had a year-to-year life, and under such a state of insecurity, it was inadvisable to call upon employees to contribute money towards the fund which might have to be discontinued at very short notice. But now that position has completely altered and the commission is permanent. So the way is open for it to provide an opportunity for its employees to obtain some provision for themselves and their dependants when they themselves reach the retiring age. I think the proposal is an excellent one.

Mr. Roberts: Can you give an indication of the basis of contribution by the employee and the commission?

The MINISTER FOR WORKS: Does the hon. member mean so far as the insurance policies are concerned?

Mr. Roberts: The percentage of wage.

The MINISTER FOR WORKS: Yes, quite easily. The fund is established on the ordinary endowment assurance tables which provide for a regular contribution in accordance with the amount of assurance that is sought and the age of the person seeking assurance at the time. The contribution for a man aged 45, for example, who desires to draw his pension at 65, will be considerably higher for the same amount of money as would be the case of an employee who is 21 and wishes to draw his insurance at 65.

The position will be that in accordance with the higher age, so the amount of insurance available will be less because the commission will not pay the higher premium in the one as against the other. I am not in possession of the information at present as to what level of contribution they propose to make except that it will be the same level of contribution they would be called upon to make under the State superannuation scheme for an employee electing to take out a certain number of units. The option will remain and comparable contributions will be made in respect of employees who wish to get their pension provision under assurance instead of through the State superannuation fund. I move—

That the Bill be now read a second time.

On motion by Mr. Roberts, debate adjourned till a later stage of the sitting.

(Continued on page 3732.)

BILL—MARRIAGE ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [4.22] in moving the second reading said: This Bill also comes to the Assembly from another place, and it seeks to make provision for three things. Firstly, it seeks to provide for a legal minimum marriage age of 16 years for females and 18 years for males. Secondly, it provides for a magistrate to hear and determine applications from persons of a lower age seeking to marry because of the certified pregnancy of the intended bride. The third provision is to the effect that no marriage otherwise properly contracted should be void if one of the parties is under the minimum age.

The Bill seeks to do neither more nor less than that. At present the position with regard to our legislation is that no minimum marriageable age is prescribed. We are bound therefore in this State by the common law of England which provides that a valid and binding marriage may be contracted when the male is 14 years of age and the female 12 years of age. That is the law as it applies here because we follow the common law of England on this question.

Hon. Sir Ross McLarty: That is remarkable.

The MINISTER FOR WORKS: Yes, but it is nevertheless a fact. Section 9 of the principal Act provides that no person under 21 years of age, unless married previously, may marry without parental or guardian's consent. In the absence or incapability of a parent or guardian, the consent of a justice of the peace may be obtained. If a parent, guardian or justice of the peace refuses consent, an appeal may be made to a judge or magistrate sitting in chambers. An appeal, however, cannot be allowed if the consent was refused by both parents when living together.

In England the law relating to marriage was governed principally by the ecclesiastical law as administered in the ecclesiastical courts. Under that law the age at which persons could get consent and marry was the age at which they reached puberty. For the male this was 14 years and for the female 12 years. When the ecclesiastical courts were merged in the high courts of justice in England the ecclesiastical law became part of the common law.

In 1929 the British Parliament passed an Age of Marriage Act which provided that a legal marriage could not be contracted when the parties were under 16 years of age. Unfortunately this Act is effective in the United Kingdom only and the common law of England still applies in any part of the British Commonwealth where it has not been altered by any local enactment. The only statutory enactment in this State which affects the common law is Section 9 of the principal Act which provides that persons under 21 years of age cannot marry without parental or guardian's consent. So the position in Western Australia is that if this consent is obtained, a marriage can be celebrated between the persons of any age whatever.

If the male is under 14 years or the female under 12 years the marriage is not void, but is voidable only; and it could be affirmed or disaffirmed by the parties as and when they reached the age of 14, in the case of the male, or 12 in the case of the female. In that respect members will see it is in the nature of an ordinary contract made by a minor which is voidable, and can be subsequenty affirmed in certain circumstances when the minor reaches the age of 21.

In this case if there is a marriage between two persons where the male is under 14 or the female under 12, that marriage is not void—it is voidable only. If the parties to the marriage decided to affirm the marriage upon reaching the age of 14, in the case of the male, or 12 in the case of the female, nothing can be done about it because it is a legal contract. This applies in all the other Australian States with the exception of Tasmania where, since 1942, the minimum age has been the same as that proposed in this Bill, namely, 18 for males, and 16 for females, except where an order to control is issued by the Registrar General or a police magistrate.

Information received from Tasmania indicates that these provisions have been satisfactory, and have provided for the occasional exceptional case. During the past three years the number of brides under 17 years of age has been 2.6 per cent. of the total, and those under 18 years of age about 4.6 of the total. Bridegrooms under the age of 17 years have been about .05 per cent. of the total and those under 18 about .09 per cent. The Registrar General in Tasmania exercises his discretion regarding under-age marriages very carefully. He requires the husband to be economically independent and the marriage to have a reasonable prospect of stability. He seldom permits an under-age marriage where it appears the male's motive is to escape prosecution.

In New Zealand the minimum age since 1933 has been 16, the law there providing that a magistrate may not issue a certificate and no marriage may be solemnised by a magistrate or minister if a person is under that age, but a marriage is not deemed unduly solemnised if this provision is infringed. There has been no substantial agitation in New Zealand to raise the male maximum age to 18. This may be because of the small number of bridegrooms who are under 18. The latest figures available in this connection were 28 in 1952 and 35 in 1953. I am informed that there is a body of opinion in New Zealand in favour of increasing the minimum age for both sexes to 17 or 18. I have no details of the law in other countries, but I understand that most European countries prescribe a minimum age of at least 16 years.

Turning now to the Bill, it will be noted that from its coming into operation, unless a stipendiary magistrate issues the necessary order, no marriage can be solemnised if the male is under 18, or the female under 16. A magistrate may authorise the marriage of persons under these ages if he is satisfied that the female is pregnant and that the marriage would be in the interests of the parties and of the expected infant.

A view has been expressed that this provision grants a privilege to females who may not be of good character, whilst denying it to females who could be of good character; meaning that if a female wishes to get married and she is under the age of 16, she can accomplish it by becoming pregnant, whereas another female who is not prepared to do that, cannot get permission to marry until after the age of 16. Consideration has been given to that argument, but it is felt there is no large substance in it. To start with, pregnancy alone will not be sufficient to gain permission to marry. The magistrate must be satisfied on other counts as well. He must be satisfied it will be in the interests of the parties concerned and of the expected infant, and if he is so satisfied, then permission will be granted.

The purpose of the legislation is not to encourage the marriage of persons under the age of 18 and 16 years respectively, male and female; it is to discourage or prevent that type of marriage. However, it is necessary to have power in the Act so that permission can be granted to marry when the parties are under these ages if the circumstances are such as to justify that course. It is considered that the only circumstances which would justify such a course are those I have outlined, and they are, the interests of the expected child would be considered, and it would also be taken into consideration whether it would be in the interests of both parties that they should be permitted to marry. If this is so, the magistrate will no doubt use this power and issue an order.

The magistrate may conduct his hearing in camera and may accept a medical certificate as evidence of pregnancy. The Bill provides that if any marriage is celebrated between under-age persons without a magistrate's approval, then it is not an invalid marriage. It is voidable only as

I have explained already. There are cases where the ages are wrongly stated and marriages do occur when, if all the facts had been correctly known, the contract would not have been possible. Whilst every care, of course, will be taken to see that the law is observed, provision must be made for the exceptional case which crops up.

The Bill provides that in these exceptional cases where under-age people do marry without having first obtained consent of a magistrate, then that marriage is not an invalid marriage; it is a voidable marriage. And when the under-age persons reach the prescribed marriageable age, they will be in a position to affirm or disaffirm the marriage which had previously taken place.

Mr. Crommelin: By whom does the marriage take place in the case of under-age people?

The MINISTER FOR WORKS: By a minister of religion. The provision appears in the legislation of New Zealand and other countries and is prompted by a realisation that mistakes as to age do occur and that when this is so, there is no justification for penalising the child of the marriage by making it illegitimate. I think that is the most important point which must be kept in mind.

We may be inclined to say that under no circumstances will we regard it as a valid marriage if persons under age marry without first getting the consent of a magistrate. If we do take that stand, then the result could be considerable hardship upon the unfortunate infant born of such a marriage, and the legislatures in other countries have taken the view that it is wrong to penalise a child in such cases by deliberately making it illegitimate.

Therefore, the provision ought to be in the law to provide that in such cases the under-age parent or parents can make the contract completely legal by affirming it when they reach the prescribed age. I repeat, and emphasise, that in cases where marriages do occur between under age people, such marriages are not invalid; they are voidable only, and can be validated by affirmation subsequently when the parties to the marriage reach the prescribed age.

In all cases of marriages of minors the registrar or the minister would require evidence of age, permission of parents or guardians when either party is under 21, and the order of the magistrate—if the Bill is agreed to—and the intended husband is under 18, or the bride under 16. The ages of 18 years for males and 16 years for females have been selected, not so much because they are the ages operating in Tasmania, but because, according to statistics in Western Australia, these are the critical ages.

I say "critical" in the sense that below these ages the marriages that occur are so few as to be almost negligible, whilst above those ages the numbers of marriages increase very markedly. They are the ages which our community customs show to be the general minima for marriages which take place in Western Australia.

The latest statistical figures which are available are for 1953. If we take the three years, 1951, 1952 and 1953, the average number of brides per year for these three years was two at 14 years of age, and 12 at 15 years. The average number under 16 years for these three years was thus only 14 per year. For 16 years and over, the average numbers were 66 at 16 years, 186 at 17 years, 367 at 18 years, 512 at 19 years and 528 at 20 years.

The average number of bridegrooms per year for the three years were one at 16 years, eight at 17 years, 42 at 18 years, 108 at 19 years and 212 at 20 years. The annual average of 14 brides under the age of 16 for the three years was about .0025 of the average number of brides. The average of the bridegrooms under 18 years would be .0015 of the total average number of bridegrooms. So it can be seen that the number of persons of very, very tender years who contract marriages is small indeed. However, it is considered there should be some legislation to control the position.

Mr. Perkins: Who requested the legislation? Was it requested by an organisation or is it just a Crown Law matter?

The MINISTER FOR WORKS: Women's organisations made representation to the Child Welfare Department and the Child Welfare Department itself has been responsible for the legislation reaching this stage. The proposals contained in the Bill have been very carefully considered by the director of the Child Welfare Department and the Registrar General and agreed to by both of them. It will be readily appreciated that the existing position, with no age prescribed, is not satisfactory and that there should be some legislation here—as there is elsewhere—to control and regulate the position. That is what the Bill seeks to do. I move—

That the Bill be now read a second time.

On motion by Mr. Crommelin, debate adjourned till a later stage of the sitting.

(Continued on page 3733.)

BILL—FIREARMS AND GUNS ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th November.

THE MINISTER FOR POLICE (Hon. J. J. Brady—Guildford-Midland) [4.46]: I have had the department examine the

proposal contained in this Bill, and there is no serious objection to it. At present if a person attends a gun club outing or a pigeon shoot and lends his gun to an onlooker, he is liable for allowing that person to use it and the person concerned is also liable for having used it. The amendment contained in the Bill will make it permissible for a visitor to a club to use a gun without being liable under the Act.

At the present time there are certain people who are exempted from being liable under the Act when carrying firearms. The existing position is that no licence is required by any person who is a member of the naval, military or air service of Her Majesty, or the Police Force, or of a rifle club, or who has in his possession any firearm for the use of such service or club: provided that the firearm is not used other than in the performance of such person's duty or when engaged in drill or target practice as the case may be; or any common carrier or warehouseman, or his servant, who carries a firearm in the ordinary course of the trade or business of a common carrier or warehouseman, or any person, by bona fide using at a shooting gallery under the supervision of the licensee, a firearm belonging to such licensee, a person who is the Governor or a person who is sent to the State to reside temporarily therein as the diplomatic or consular representative of a foreign State. As Minister controlling this department, I have no objection to the measure.

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.

BILL—MOTOR SPIRITS RETAIL CONTROL.

Second Reading—Ruled Out.

Order of the Day read for the resumption of the debate on the second reading from the 7th December.

The SPEAKER: Before further debate takes place on this measure, I wish to inform the House that I have carefully read the Bill introduced by the member for Mt. Lawley, which provides for "the controlling by a system of registration the retailing of motor spirits to encourage independent and competitive trading in such industry; and for other purposes." The Bill provides that a controller is to be appointed and Clause 4 says that the controller means the Chief Inspector of Factories, etc.

A multiplicity of duties is to be imposed on the controller, as provided for in Clauses 7, 8, 9, 10, 11, 12 and 13, and particularly in Clause 20. These duties would be superimposed on the Chief Inspector of Factories in addition to the ordinary duties of his office. It is reasonable for me to assume that he would seek a higher classification and extra staff would be required to provide the services referred to in the Bill.

This would mean increased expenditure from the Consolidated Revenue Fund, for which no authorisation has been provided. Such authorisation would require to be given in pursuance of warrants under the hand of the Governor directed to the Treasurer. I have referred to May's Parliamentary Practice under the heading "Money to be Provided by Parliament," page 733. It states, "Instances of charges imposed upon moneys to be provided by Parliament frequently occur," and cites the following:—

> The expenses arising out of the imposition of new duties on an existing department or authority.

As Parliament has made no provision for this increased charge, and the member is not competent to provide same—see Standing Order 391—I have no alternative but to rule that the Bill is ultra vires the Constitution Act.

Bill ruled out.

BILL—BANK HOLIDAYS ACT AMENDMENT.

Second Reading.

Debate resumed from the 12th December.

MR. COURT (Nedlands) [4.57]: I was hoping that before a vote was taken on the second reading of this measure some member of Cabinet would have expressed the Government's view of this legislation which has been before the House for some time, particularly in view of the fact that the issue has become a contentious one. A select committee has been held and its report tabled and considerable public interest has resulted.

To the best of my knowledge no Minister has spoken to the debate. As I see it, the Bill is of vital concern to the Government in the ordinary course of the administration of this State and it would be wrong if we stepped out of line with the other mainland States in this regard. I have always contended that this matter should eventually be decided at Premiers' Conference level.

I am conscious of the fact that banks have closed in Tasmania on Saturday morning but the mainland is an entirely different proposition from Tasmania. There is so much in common from Brisbane to Perth, in the commercial and economic life of the country, that banking is one of the issues on which we should move together, if possible.

Personally, I was hoping that the Government would indicate that it was prepared to take this question up at Premiers'

Conference level in order to ascertain the attitude of the other States, because it is apparent to me that there does not seem to be any great anxiety, on the part of the Labour-governed States, including New South Wales and Queensland, to abandon Saturday morning banking. Those two States cannot plead that they are dominated or influenced by a Legislative Council, because in New South Wales the Government has a majority in the Lower House and a substantial majority in the Upper House, while Queensland has had a Labour Government for the best part of 40 years and there is there no Legislative Council.

If one can believe the reports from Queensland, the Government there has no great desire to depart from the present system of Saturday morning banking, and I can understand its anxiety to retain it. I have previously said that this is not just a question of closing banks on Saturday morning and giving bank officers that morning off. If that were so, I do not know that the issue would matter so much, but we must take into account the whole significance of the banking system in the economy of the State and the Commonwealth.

I submit to the bank officers that they are in no different category from other people who select particular types of employment. A person decides to follow a rural or manual pursuit or a professional career and having done so, he must accept the pros and cons of that way of life.

The Minister for Native Welfare: At 14 or 15 years of age he would never think of it.

Mr. COURT: In these days there is a considerable amount of thought on the part of parents as well as the youth concerned, before employment is accepted.

The Minister for Native Welfare: Do you know of anyone who has done that?

Mr. COURT: Many. The Minister for Education spends a considerable sum of money per annum on seeing that a real effort is made towards that end. Furthermore, if a youth at 15 or 16 years of age finds he has entered the wrong calling, it is still easy for him to change to some other avocation. Many young men and women during their first few years of business life decide that they have made a wrong choice and change to some other calling. They may find that they are not cut out for indoor work and seek outdoor work, or vice versa.

Some people make the most extraordinary changes in the early years of their working lives and with great success. The unfortunate ones are those who persist in a calling after having made a wrong choice, because they have not the courage or decision to make a change more in keeping with their skill or temperament.

The Minister for Native Welfare: Your argument that most people consider these things is not a strong one.

Mr. COURT: A lad of 15 or 16 might rush into employment because of the salary offered or what he thinks is the glamour of the position, but he soon finds out that it is not all beer and skittles. Many people are attracted to banking, insurance or similar callings as they think it is a clean job where they will always wear good clothes, and so on. But they find that every job makes its demands on those who are to be successful in it. The grass always looks greener in the other man's paddock, and many people change their callings to their sorrow.

Mr. Johnson: What about bank clerks who have been in the job for perhaps 40 years?

Mr. COURT: They accepted the good and bad points of the profession and had ample time to make up their minds when they were younger and had the opportunity to change.

Mr. Johnson: You talk some awful rot.

Mr. COURT: That is your opinion! Fortunately, we are entitled to express our views here, in spite of the member for Leederville, who is a great believer in the one-party system and who thinks that so long as it is his party, everything is right.

The Premier: On the hon. member's argument, there would never be any change in employment conditions anywhere because somebody had at some time accepted the then existing conditions.

Mr. COURT: No, that is not so. I have not put up the proposition that there should be no change. The Premier was not here when I started to make my utterance and when I prefaced it by saying that these matters should be dealt with by the Government and that I would like it to give us the assurance that it would discuss the matter at a Premiers' Conference, if it is foreshadowed that there should be a change. But there is a time for all these things. Here we have a matter that is something important in the economic life of this State. This is a Bill that has been brought down by a private member and there is no utterance by the Government.

The Premier: The Government declared itself last session.

Mr. COURT: That was 12 months ago.

The Premier: The declaration still stands.

Mr. COURT: Coming back to the individual calling that one might select, we find that people go into certain professions and after a fair amount of research and study they can be assured, on becoming qualified, of steady employment, reasonable remuneration and very interesting careers, but there is not the big money offering that there is perhaps in following a successful commercial pursuit. However, one cannot have it both ways. So

we find that some people take up a professional life, some a commercial life and so on.

During the postwar years, it has been increasingly difficult to encourage young men and women into professions, especially those that have a long period of qualification such as law and architecture where a lengthy period of study is required and where it takes seven years or more to qualify before they can actively pursue the profession. Work is easy to get, money is good and naturally there has been a tendency for young people to take up commercial jobs and neglect the professions.

However, this tendency ebbs and flows and it will not be long before people realise that a professional calling is better than they thought it was; that it is worth the extra work and time they have to put in to study and qualify because it is a satisfying career. Banking, to a man who has reached its higher appointment level, is a satisfying career. It is an important calling and calls for a high degree of service. Banking is not just a job. Any man who takes on that career just to do a job, just to be a bookkeeper or something of the sort, is not cut out to be a banker in the true sense of the word.

I will now touch on one or two items that have been brought forward during the debate. It was suggested that people made a convenience of the banks. Of course they do! What are they there for? That is why the banks exist. If banks were not there for the convenience of the people, it would be of no use their existing at all. If the people did not use the services offering by the banks, those institutions would be out of business.

A further specific point was touched on by the member for Leederville when explaining some of the evidence and he referred to the question of shopping on Saturday morning. From memory, he was referring in detail to the evidence of Mr. Filear of the Chamber of Manufactures. To my amazement the hon. member said that there was such a thing as a "sicky," which people could take to do their shopping during a week day. That is a disgusting thing to say because what a member of Parliament says in this House is a public utterance, and for a member of Parliament to advocate that people should use a "sicky"—as it is known in industry—to go and do their shopping as a reason why banks should close on a Saturday morning, is a very undesirable state of affairs.

The Premier: What is a "sticky"?

Mr. COURT: A "sicky"—not a "sticky." The Premier has been connected with industry and commerce long enough to know the significance of the term, because it is very common. In the presentation of the evidence, unfortunately we have had a fairly partisan approach. We have had the member for Leederville presenting his side and emphasising the parts that he felt were advantageous to his cause when, in fact, he should have been endeavouring to present a balanced picture. He therefore forced two other members of the committee into the position that they had to go to the other extreme to present parts of the evidence to balance up what the member for Leederville presented. We cannot blame them for doing that.

As a result, I think we can say that the House has heard a fairly balanced statement by getting one side of the picture from the member for Leederville and the other side from the members for Narrogin and Harvey.

Mr. Marshall: Does your staff work on Saturday morning?

Mr. COURT: Some do and some don't. I, of course, always work on Saturday morning. I always have and probably always will.

Mr. Lapham: On Sunday, too, I suppose?

Mr. COURT: Yes, on Sunday too, but the hon. member had better not tell the factories and shops inspector! I consider this matter is one on which a decision should be made by the Commonwealth and the States. It is a matter that should be determined by the Premiers at one of their conferences as to whether they are going to deal with this question of Saturday morning banking on an Australia-wide basis, in the interests of the economy of the country. I oppose the Bill.

MR. LAPHAM (North Perth) [5.6]: As a member of the select committee that inquired into the closing of banks on Saturday morning, I feel I should have something to say. I support the Bill. I also support the report presented by the chairman. After hearing the evidence, I took the view that, as the Bank Officers' Association could not submit its case to arbitration in the normal way, by submitting its case to the select committee, it was, in effect, asking the committee, as an arbiter, to decide what should be done.

In consequence of that, I considered the Bank Officers' Association had submitted a good case and that it was entitled to and justified in having a five-day working week. It became very obvious, as the select committee proceeded to take evidence, that the witnesses generally were very perturbed, not so much about the inauguration of a five-day week for banks, but because of the fact that this might become the thin end of the wedge in a move to close the retail stores and other business establishments on Saturday morning.

So I made a special point of asking almost every witness—I think I missed one—whether it would be possible for

them, without any great inconvenience, to operate on a Saturday morning if a five-day week was granted to the banking industry. Without exception, every witness agreed he could operate without the banks being open, but in some instances there would have to be some reorganisation. Of course, the degree of reorganisation necessary varied with the knowledge possessed by each witness.

It was amazing to discover that some of the persons giving evidence, who were holding responsible positions in the metropolitan area, had little idea of the facilities that were offering for their convenience should the banks be closed on Saturday morning. Consequently, I felt that the evidence was a little one-sided because of the lack of appreciation of the real position by those witnesses. However, when evidence was taken from witnesses in the country there was, to some degree, a different approach to the question by them. With the exception of one witness in Bunbury, all the people who gave evidence in the country considered that they would be working under difficulty on Saturday morning if the banks were closed.

Nevertheless, they admitted to me that with a little reorganisation it would be possible for them to carry on their business on Saturday mornings without the assistance of the facilities offered by the banks. In order to arrive at a reasoned and balanced view in this connection, the committee purposely stayed behind in various country centres on a Saturday morning to ascertain exactly what took place at the banks. In the district of the member for Harvey, we kept a bank under surveillance to see what use was made of it, by whom and for what purpose. There was no doubt that in that hon. member's district, some reorganisation would be necessary if the Saturday morning closing for banks were granted.

However, I felt that even although some slight inconvenience might be experienced by a small number of people, it would not be of sufficient importance to warrant 3,000 bank clerks working throughout the State on Saturday morning. Therefore, merely because a small minority, would suffer a slight disadvantage, I consider it would be most unfair if the judgment I delivered opposed the majority, namely, the bank clerks themselves. Although a number of people in this particular district made use of the bank facilities on Saturday morning, there was no way of finding out whether it was necessary for them to take advantage of the facility on that particular morning.

There is no doubt in my mind that if a shop or a bank is kept open on any day of the week, including Sunday, someone will always make use of it. So it is not a true indication that merely because someone is using or patronising that particular establishment on a certain day, it is necessary that it should remain open on that day.

I disagree with the member for Nedlands in his statement that this measure should be dealt with on a Commonwealth basis, because, as I have indicated, the Bank Officers' Association in this State should have the right to present a case to arbitration the same as any other organisation, so that its members can have a five-day week, or have varying conditions operating in this industry. As I said, they are debarred for certain reasons from applying successfully to the Arbitration Court in this respect. By that, I mean the Arbitration Court has no power to grant a five-day week to bank officers because of certain laws.

I feel it would be unfair for the bank officers to be placed in a position where they are compelled to apply to the Commonwealth Arbitration Court as a Commonwealth organisation, and not as a State body. Thus we deprive them of a right which is available to other organisations. Because these people happen to work in banks, to cash cheques for customers or give change over the counter, we are in effect saying to them, "You have not the right of the normal worker. You have only the right to approach the Commonwealth Court." There is no merit in that contention. Their case should be viewed on a State basis.

Unfortunately, a certain amount of evidence submitted in that respect was confidential, and could not be included in the report. If members had that evidence before them, they would be able to judge this question far better than they can at the moment. I am referring to the evidence submitted by the armoured escort personnel which indicated that they could handle practically any contingency that might arise in the metropolitan area.

So, in the metropolitan area at least, there is not the slightest reason why the closing of banks on Saturday should not become the practice. Although there might be a certain amount of reorganisation necessary in the country, it is not of such a nature that the Saturday closing of banks in the country should be prohibited. I am very pleased to indicate my support of this measure; I also support the report which has been submitted by the chairman of the select committee.

HON. SIR ROSS McLARTY (Murray) [5.19]: I consider that we should have some comment from the Premier as to the attitude of the Government. He said that he had expressed the view of Ministers when a similar Bill was before Parliament last year. I have asked the member for Leederville why the closing of banks on Saturday mornings has not been put into

practice in the mainland States of Australia, and he said, perhaps facetiously, that it was because there was no banker or ex-banker in the Parliaments of the other States.

Mr. Johnson: That was not intended to be facetious.

Hon. Sir ROSS McLARTY: The Minister for Works agreed with him. I cannot believe that to be the case because the Bank Officers' Associations in other States are numerically stronger than the association in this State. They should not have any difficulty in enlisting the aid of a member of Parliament to introduce a Bill in any of the other States if they could get support for their proposal.

The business of banking is a national matter and affects every State. We have been told that there is a half-baked scheme in Tasmania under which the banks in certain districts close on Saturday mornings, but I understand that does not apply generally in Tasmania. I find it hard to understand why the banks have not closed on Saturday mornings in the other capital cities, if it is considered by the respective State Governments that such a move is desirable.

It was pointed out by the member for Nedlands that the Governments in some of the other States hold similar views to the Government in this State. Such a position has existed for very many years. If they wanted to introduce legislation of this kind to close the banks on Saturday mornings, there would be no difficulty in the way of party politics.

I ask again: Why has not such action been taken in the other States? There must be some reason. I have tried, but without success, to find out the reason. If the banks were to close on Saturday mornings in this State, personally, I do not think any great hardship would be inflicted on the average citizen or the average business. When reforms were advocated to do away with late shopping nights, the proposal met with some opposition, but today nobody would revert to late shopping nights.

[*Mr. Sewell took the Chair.*]

Hon. J. B. Sleeman: That would be foolish.

Hon. Sir ROSS McLARTY: With regard to the closing of shops on Saturday afternoons, which some people opposed, I am of the opinion that such closing is desirable. In my own district some years ago when a move was made to close shops on Saturday afternoons, there was considerable opposition. However, when the shops did close on Saturdays because of wartime regulations, no inconvenience was suffered by the people. It is not likely that the opening of shops on Saturday afternoons will come into operation again in those districts.

I can readily understand the attitude of the bank employees in wanting Saturday mornings off and so have the week-ends free. That attitude is quite understandable. One of the representatives of the banks said that, in his opinion, the profits of the banks would not be affected detrimentally with Saturday closing. That is an important point. If profits were affected, that would be a sound reason for banks not to close on Saturday mornings.

For my part, I have no hard feelings on this question at all, but I return again to the point I mentioned, that this proposal put forward by the member for Leederville has not been adopted in any of the mainland States. I suggested to some bank officers who were here a few evenings ago that they should make representation to the Premier to discuss this matter at a Premiers' Conference where reasons, valid or otherwise, could be given as to the desirability of keeping banks open on Saturday mornings.

It is unfortunate for bank officers and for the member for Leederville that this Bill is being discussed at such a late stage of the session. It has yet to go before another place. Should it not become law, I would suggest that the Government takes an interest in the matter. The member for Leederville will achieve his objective if the Government were to introduce a similar measure next session. I think the matter is important enough for the Government to introduce a measure similar to the one we are now discussing. Meanwhile, the Premier might consider it worth while to raise the subject at a Premiers' Conference. Perhaps he is prepared to tell us now whether he is willing to bring it before such a conference with a view to seeing if any uniformity can be agreed on for all the States of the Commonwealth.

THE PREMIER (Hon. A. R. G. Hawke —Northam) [5.27]: The attitude of the Government towards this Bill is the same as that last year. We feel that Parliament should so amend the existing legislation as to make it legally possible for the Arbitration Court to award a five-day week to bank employees on a basis which would be practicable. I do not want to commit myself to the suggestion made by the Leader of the Opposition in regard to taking this question to a Premiers' Conference. Obviously, if I said I would do so, my statement could be used in another place later on today or tomorrow as an additional excuse for defeating this Bill. I am prepared to go this far and say that should another place pass this Bill and it becomes law, I would certainly do my utmost to persuade other Premiers to bring in similar legislation in their respective Parliaments.

MR. JOHNSON (Leederville—in reply) [5.28]: I thank all members who have contributed to the debate on this measure,

and, in particular, the Leader of the Opposition and the Premier for their very temperate handling of the Bill. I trust that it is not only the proximity of Christmas that has mellowed the approach of the Leader of the Opposition. Although I know he finds it hard to understand why this particular matter has not been introduced by other Governments of the same colour as the one I support, he might possibly remember that the officers who work in banks are not necessarily well thought of as a group by members of my party, possibly not without some reason. Therefore, their approaches are less likely to be well received than are the approaches of organisations affiliated with the party.

But in giving the answer which I did to his interjection during my second reading speech—that I thought the reason was that there were no bank clerks in other Parliaments—I think I did really ring the bell because, in the interim, I have had sent to me a copy of the Queensland "Bank Officer." It is the latest issue of the magazine, dated the 22nd November of this year; and it is interesting to learn from that publication that the matter of the five-day week for banks has been raised in the Queensland Parliament by a Mr. Herbert.

The extract printed in the magazine comes from the Quuensland Hansard. Not having studied the particular Hansard, I cannot be sure, but I assume that the quotation is part of the Address-in-reply debate. The matter was introduced by Mr. Herbert; and answering the remarks of Mr. Herbert, the Minister concerned applied many of the arguments we have heard from members of the Opposition in this place.

I find that of particular interest, because, according to his speech, Mr. Herbert went into Parliament from the position of a teller in one of the principal city offices of a bank in Queensland. He happens to be a Liberty Party member, and his opposition is a Labour Government. I think it is the instinctive opposition offered to something brought from the other side of the House. The arguments adduced were almost identical with those we have heard from Liberal Party members during this debate, and I think they came from a a lack of knowledge of the subject as much as from the automatic opposition that exists between the two parties.

But it is of great interest, and I think it is the answer to the Leader of the Opposition, that practically the first action of a new Liberal Party member who entered Parliament after working in a bank, was to raise the same subject, and for the same reason, as was the case here. If the Leader of the Opposition would care to read this magazine, he would find that the arguments the Liberal Party member in the Queensland Parliament submitted were practically identical with mine, and that the opposition was practically the same as that which has been raised here. So I would say that this matter, which is an industrial reform sought by people in the industry and with a knowledge of the industry, in the realisation that it might be given to that industry without harm and with no major inconvenience to anybody else, is one that is well justified and is not a matter of politics but one coming from a banking background.

In dealing with the evidence taken by the select committee and the report thereon, I do not wish to discuss the matter at great length, because I covered nearly all of it in considerable detail in my speech on the second reading. But I would make an apology to the members for Harvey and Narrogin for assuming that, when dealing with the evidence, their background of knowledge was greater than it proved to be. What they have had to say since has proven that they took a rather surface view of the evidence; and, not having the background of banking knowledge which I possess, have given it weights that are not true weights. That is quite understandable.

I imagine that members will acknowledge that, with 30 years of banking experience, I must have some knowledge of the subject; and I am afraid I assumed that other members would see the matter from the same angle as I did. But, coming from different backgrounds, they did not do so. Having a background of retail trade, the member for Narrogin has, I think, assumed a somewhat similar view that the things that go over the counter are the things that matter. In retail trade, business is what goes across the counter, and it is on that basis that profit is made. That is the real business of retail trade.

The real business of banking is not what goes over the counter. What goes over the counter is just the shop window, the public relations. It is to banking what cleaning a windscreen is to selling petrol. It is not a matter of importance, and it is, in fact, a cost to banking and one in which there is no profit of any kind.

Mr. Ross Hutchinson: I think that what goes across the counter is of very great importance, and the hon. member was quite wrong in saying what he did.

Mr. JOHNSON: While I have very little respect for the opinion of the member for Cottesloe in relation to education, I have none with regard to his knowledge of banking.

Mr. Court: You do show such sweet reasonableness in your arguments!

Mr. Ackland: The House would be interested to know who you think has any knowledge about anything!

Hon. Sir Ross McLarty: It would be interesting to hear the member for Cottesloe's view about you.

The ACTING SPEAKER: The member for Leederville will address the Chair.

Mr. JOHNSON: The point I was trying to make is that the service that goes over the counter at a bank is only a service and not part of banking as such. The giving of change is not actually a function of banking.

Mr. Ross Hutchinson: What the hell is it?

Mr. JOHNSON: The function of banking is the holding and lending of money. The giving of change is something that can be done by anybody. If, in about 45 minutes' time, I tender a £1 note in payment for my evening meal, it will not be necessary for me to go to a bank to get change; someone will tender it to me.

The fact that banks do organise themselves for the giving of change makes it a service, and it is a service that tends to attract business to them. It brings people in, and is a service that combines well with the lodgement of deposits and is one that is appreciated by customers. That is true. It is good public relations. But it is not an essential part of banking.

As the chairman of the Associated Banks said in relation to this matter, it is only a service; and if it is done by somebody else, the banks will lose no sleep over it and no profit. In fact, if it is done by somebody else, those people might make a small profit. The evidence given by the armoured car group was to the effect that they made a charge for the service and made a profit from that charge, and that they could do so because they rendered a service to people who were prepared to pay for it. The banking evidence is that the work of the armoured car escort and similar people does not cut into banking profits but tends to improve and simplify the work of the banks.

I trust that I have made that point clear, because I want to try to drive home, if I can, the point that the real work of banking can be done by mail. There is no banking service that cannot be rendered through the post.

Mr. W. A. Manning: Do you do yours that way?

Mr. JOHNSON: In the main, yes. The last time I was in the bank with which I deal was for the purpose of getting a cheque book and meeting a couple of my friends with whom I used to work. I never go into my own bank otherwise except by accident.

Mr. Roberts: The individual may not, but the business world does.

Mr. JOHNSON: The business world does not have to.

Mr. W. A. Manning: The customer doesn't matter!

Mr. JOHNSON: That is entirely wrong. The customer matters, but the fact that the bank is open and gives change is of no real importance.

Mr. W. A. Manning: Service doesn't matter!

Mr. JOHNSON: The service to which the hon. member is referring is purely a way of attracting business to this or that bank, but is not a part of banking itself, and if none of the banks gave it, none of them would go broke.

Mr. I. W. Manning: Is there any bank in the world that doesn't?

Mr. JOHNSON: Yes; the Bank of England. It has practically no private customers.

Mr. Ackland: Do you know that from personal experience?

Mr. JOHNSON: No.

Mr. Ackland: I advise you to make quite sure. You are entirely wrong.

Mr. JOHNSON: Not entirely wrong.

Mr. Roberts: I think you are.

Mr. JOHNSON: The Bank of England has a very limited number of private customers, for which it provides a limited service. Its principal business is dealt with entirely free of the counter.

There is another matter with which I wish to deal; and it was the subject of a query by both the member for Nedlands and the Leader of the Opposition, who questioned whether this should be a State or Federal matter. I asked one of the wise men who came from the East to represent the Associated Banks whether they were worried that the closing of the banks in Western Australia would cause any difficulties, whether the banks in other States closed or did not. He said he did not think it would cause them any worry at all. The evidence is on the Table of the House, and I venture to say it should be worth while looking for that point. I do not remember which of the two gentlemen made the statement, but I think it was Mr. Leckie.

It is of further interest to note that one of those gentlemen said that it was the Bills of Exchange Act that kept the banks open. I thought it was rather an interesting point and worthy of study. I asked whether it was the Bills of Exchange Act that kept the banks open and actually he said it was the Bills of Exchange Act that prevented them from closing. The difference is one of emphasis; and it indicates that the Associated Banks, although not anxious to close, are not very strongly opposed to closing.

It is further interesting to note that they officially said they were not lobbying either for or against legislation on this matter. They came to give evidence as

requested, because the matter was of interest to them; but they would not lobby in relation to the evidence.

I would like to mention the second reading speech of the member for Harvey. He gave a number of quotations from various witnesses, and his quotations came practically entirely from their prepared statements in which they opposed the proposition. When dealing with evidence—evidence before a select committee is evidence in the normal way—we must take into consideration not only what people say when they first come before the committee for examination, but what they say when being examined and cross-examined.

It was noticeable that some witnesses displayed a degree of lack of knowledge of their business, but despite the fact that most of them started their prepared statements by asserting that they were opposed to the reform, all of them finished up, on query, by saying that they themselves would not be affected. So we have the situation that the evidence of these people is that they can manage without the banks on Saturday mornings.

The evidence of the banks is that their profit would not be affected if they did not open on Saturdays; and there is no evidence to indicate that anyone would be seriously affected.

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

Ayes	23
Noes	15
Majority for	8

Ayes.	
Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Gaffy	Mr. Norton
Mr. Grayden	Mr. Nulsen
Mr. Hall	Mr. Oldfield
Mr. Hawke	Mr. Potter
Mr. W. Hegney	Mr. Rhatigan
Mr. Jamieson	Mr. Rodoreda
Mr. Johnson	Mr. Sleeman
Mr. Kelly	Mr. O'Brien
Mr. Lapham	*(Teller.)*

Noes.	
Mr. Ackland	Mr. Nalder
Mr. Cornell	Mr. Owen
Mr. Court	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Hearman	Mr. Thorn
Mr. I. Manning	Mr. Wild
Mr. W. Manning	Mr. Hutchinson
Sir Ross McLarty	*(Teller.)*

Pairs.	
Ayes.	**Noes.**
Mr. Hoar	Mr. Brand
Mr. May	Mr. Bovell
Mr. Heal	Mr. Mann
Mr. Toms	Mr. Watts

Question thus passed.

Bill read a second time.

In Committee.

Mr. Moir in the Chair; Mr. Johnson in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment to schedule to Act 48 Vict., No. 9:

Mr. I. W. MANNING: I oppose the clause, which provides that each and every Saturday shall be a bank holiday. One of the outstanding points that has arisen from the second reading debate is that the view of the traders was that they required the banks to assist them in their business. When establishing or buying a business, they took into acocunt the fact that banking facilities were available to them on a Saturday morning and, depending on the type of their business, the banking facilities could have a considerable effect.

Small businesses—those catering for tourists and for week-end customers—could be seriously affected. If a person when purchasing or establishing a business committed himself for a considerable sum of money, he could be put into severe financial difficulties by a restriction of trade such as this. These people all told the select committee that alternative facilities were not suitable to them. We must have some regard and sympathy for these people.

The view of the public was brought to our notice and it was that they needed and used banking facilities on Saturday morning. This is linked with the volume of trade done on a Saturday morning. There is no doubt in my mind that the volume of trade done on a Saturday morning—

Mr. Ross Hutchinson: The member for Leederville says that is not important.

Mr. I. W. MANNING: He is very much biased. The volume of trade is to a great extent governed by the reason that brings people into town on a Saturday morning. If they come in to bank, they do their shopping as well; if they come into shop, they do their banking.

The view of the Associated Banks is that banking and service to the community is their line of business for which they make a charge and for which they hire staff. They view this with considerable alarm despite what the member for Leederville has said. He has told us that they were semi-neutral; but, to my way of thinking, their evidence was not neutral because three of the gentlemen who represented the Associated Banks indicated, in answer to my questions, they were not in favour of closing on Saturday mornings. They believe, to use their own expression, that to close banks whilst business is operating, is to put the cart before the horse.

If we close the banks on Saturday mornings it must reflect to the detriment of the business houses. The member for North Perth said this was a line along which he questioned the witnesses. He asked whether they could continue to function on Saturday morning without a banking

service, and they said they could, but they would be in considerable difficulty and their livelihood would be affected if banking facilities were not available to them.

The effect of this proposal would vary in different areas. In the city central block it would be different from what it would be in the suburban areas, and the effect in the country districts would be different again. The evidence taken in Bunbury is a classic example of this. To deny banking facilities to that area would be a great inconvenience to the trade of that town.

Whilst it is understandable that the Bank Officers' Association and its members would be in favour of having Saturday morning off, the debate and the evidence given before the select committee indicate that this could result in a serious injustice to the three sections of people I have mentioned—the traders, the public and the Associated Banks. It was clearly established that there was a real public need for banking services on Saturday mornings.

The member for Leederville indicated that he believed because he had been a bank officer, and we had not, he would be the only one likely to have any knowledge of the subject. While he might have some knowledge of it, it would be from one angle only. He perhaps served in a bank for 30 years, working behind a counter or doing whatever else he did there, but the member for Narrogin and I have a very good knowledge of banking from the other side of the counter. So, whereas he might claim to have knowledge, he certainly is wide of the mark in indicating that we would not know something about the subject. The member for Leederville has such an inflated opinion of his knowledge that it completely biased his outlook when taking evidence on the select committee.

The CHAIRMAN: Order! We are not discussing the evidence of the select committee and I want the hon. member to connect his remarks with the clause.

Mr. I. W. MANNING: The report of the select committee is the reason behind Clause 3 and I am pointing out that the chairman of the select committee was biased because when commenting on the evidence presented in favour of the closing of banks on Saturday morning, he asked us to give that evidence strong consideration. But when evidence opposing the closing of banks on Saturday mornings was under discussion, he said that it should be treated mildly. As regards the view of the Associated Banks, he said that their evidence should be treated as semi-neutral and evidence given by the trade and commerce people he said should be given very slight weight. For the reasons I have given, I oppose the clause.

Mr. W. A. MANNING: I feel very humble in speaking to this clause because of my inferior knowledge on anything commercial as compared to the knowledge of the member for Leederville; in fact, I scarcely dare to express an opinion on anything related to commerce. However, we must do what we can even if we are so inferior! The member for Leederville, when closing the debate on the second reading said that the service side of banking business was not banking. I have no argument with him about that, but associated with banking is service. That has always been the case but perhaps we are coming to a new era when no service will be given. But, to my mind, service is one of the most important parts.

The hon. member said that service could be rendered by others and he mentioned them. That is quite true, but at present that service is rendered by the banks. Someone must render that service and we had evidence that it was gradually being supplied in various ways. Concerning Saturday closing, the member for Harvey and I said—

> This matter may be reviewed in the future if and when alternative facilities are sufficiently extensive to cater for the needs of the community.

I submit that the banks can perhaps in the future close on Saturday morning; but at present they cannot do so without disrupting commerce in this State, because other interests are not yet ready to cater for the service side of banking.

If the banks wish to relinquish that side of their business, by all means let them do so and let them become moneylenders and cheque payers, which is what the member for Leederville wants. But we as a Parliament have a responsibility to see that commerce is not interfered with unnecessarily and by allowing the banks to close on Saturday mornings, before banking service is provided by someone else, we would be allowing commerce to be interfered with unnecessarily. I do not mind if the banks or others give the service; but it must be rendered by somebody and as yet those other facilities are not available. I oppose the clause.

Hon. L. THORN: I support the member for Harvey. This seems to have been a most one-sided select committee.

The Premier: What about the clause.

Hon. L. THORN: This clause is the Bill and I am surprised at the Premier allowing the member for Leederville to waste the time of the Chamber on a measure such as this.

The Premier: You are exhibiting dictatorship tendencies.

Hon. L. THORN: I was never built that way.

The Premier: You were not built.

Hon. L. THORN: I was properly made, the same way as the Premier. I would like to congratulate the member for North Perth on the fair way he presented his case. He did give both sides. But, after all, a select committee of this nature was purely industrial.

The CHAIRMAN: Order! Will the hon. member please confine his remarks to the clause.

Hon. L. THORN: Very well; but the clause is the Bill and the point I wanted to make was that this Chamber could expect no other finding than the one given by the select committee because there were three industrial representatives and two from this side of the Chamber on that select committee. I say that the time is not opportune for a measure of this nature.

Mr. Potter: It never is.

Hon. L. THORN: There is that rumbling noise from behind me again!

Mr. Marshall: Tell us why the banks do not close on Saturday mornings?

Hon. L. THORN: They should not close unless they provide other facilities for those who have to remain open. Why does not the hon. member put up a case for the shop assistants instead of bank officers? In Midland Junction, Saturday morning is the busiest time of the week for the banks. I was pleased to hear the member for Narrogin admit to his meagre knowledge of trading on the other side of the bank counter whereas the member for Leederville adopted a narrow "provokial" point of view, because all he had to do was to accept cheques and pay out a few bob to people who pay the salaries of bank officers.

The banks are rendering a service to the public by staying open on Saturday mornings and the member for Leederville wants to remove that service. The member for Leederville admitted that other facilities were being provided gradually and the member for Narrogin said that he had no argument—I agree with him—against the bank officers having a holiday on Saturday mornings if other facilities were provided. The mover of the Bill admitted that the facilities are necessary.

Mr. Roberts: This will force other sections of the community to work.

Hon. L. THORN: Yes, if we passed this Bill we would be favouring a few and I think that is distinctly unfair. In one way it was a sad day for this Chamber when a bank officer entered it, because they have such narrow parochial views regarding bank officers.

Mr. Potter: There is one on your side, too.

Hon. L. THORN: If this Bill is passed and I get an opportunity of voting for the closing of shops on Saturday morning, I will do so.

The Premier: Oh!

Hon. L. THORN: If bank officers have Saturday mornings off, the rest of the community should have the same privilege.

The Premier: We are all with you on that.

Hon. L. THORN: In the outlying districts where the workers live, in Parkerville, Stoneville, Mundaring—

The Premier: Where does that chap Rollinson live?

Hon. L. THORN: He lives in Middle Swan. His finances will be upset if he cannot have banking facilities on Saturday mornings. The Premier can tell me all about him if he wishes, because I do not care a continental.

Sitting suspended from 6.15 to 7.30 p.m.

Progress reported till a later stage of the sitting.

(Continued on page 3724.)

Sitting suspended from 7.33 to 10 p.m.

[*Mr. Sewell took the Chair.*]

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR LABOUR: I have to report that the managers met in conference on the Bill and reached the following agreement:—

Amendment No. 2.

No amendment made.

Amendment No. 3.

Amend as follows:—

Clause 5, page 4—After paragraph (a) add a paragraph to stand as paragraph (b) as follows:—

(b) by adding after the passage "Workers' Compensation Act Amendment Act, 1954" in paragraph (d) of Subsection (14) the passage: "; or

(e) of this sum of two thousand four hundred pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1956."

Amendment No. 4.

Clause 6—Insert the following:—

Section eleven of the principal Act is amended by substituting for the words "liability for permanent total incapacity" in line nine of Subsection (1) this passage "the sum of two thousand four hundred pounds."

Amendment No. 7.
No amendment made.

Amendment No. 8.
No amendment made.

Amendment No. 9.
No amendment made.

Amendment No. 10.
No amendment made.

Amendment No. 11.
No amendment made.

Amendment No. 13.
No amendment made.

Amendment No. 14.
No amendment made.

Amendment No. 15.
No amendment made.

Further amendments made:—

Clause 2 paragraph (b)—Delete.

Clause 14 paragraph (e)—Insert the following after the figure "(1)" in brackets, line 23—

Where following a clinical examination and/or an examination of x-ray films, a specialist is of the opinion that specialist treatment is desirable.

New clause.

Page 3.—After Clause 2 add a clause to stand as Clause 3 as follows: —

3. Section four of the principal Act is amended by adding after Subsection (5) a subsection as follows:—

(6) The amounts

(a) of total liability of an employer limited by Section 10A of this Act;

(b) (i) of three thousand pounds referred to in subparagraph (i) of paragraph (a),

(ii) of twenty shillings referred to in the paragraph following subgraph (iii) of paragraph (c), and

(iii) of two pounds ten shillings referred to in the paragraph following sub-paragraph (ii) of paragraph (c)

of Clause one of the First Schedule to this Act.

shall, notwithstanding the provisions of Subsection (5) of this section, be subject only to any increase or decrease in proportion to any alteration in the basic wage as declared by the Court of Arbitration after, but not before the coming into operation of the Workers' Compensation Act Amendment Act, 1956.

New Clause.

Page 4.—After Clause 5 add a clause to stand as Clause 6 as follows:—

6. The principal Act is amended by adding after Section 10 a section as follows:—

10A. Notwithstanding any other provisions of this Act which limit the total liability of an employer for compensation for injury to a worker where, after the coming into operation of the Workers' Compensation Act Amendment Act, 1956, a worker suffers personal injury by accident which arises out of or in the course of his employment and which results in permanent total incapacity, the employer shall be liable to pay as compensation to the worker for that injury a sum inclusive of weekly payments not exceeding two thousand seven hundred and fifty pounds.

New clause.

Page 12.—After Clause 14 add a clause to stand as Clause 15 as follows:—

15. Clause eleven of the First Schedule of the principal Act is amended by substituting for the words 'four hundred" in line five of subclause (i) the words "seven hundred and fifty."

Members cannot be expected to grasp the import of the subject matter which I have just read, but, to be concise, the conference agreed not to make amendments, as I have outlined, to the Legislative Council amendments, other than the increase from £2,400 to £2,750 in respect of permanently and totally incapacitated workers.

The amendment inserted in the 1954 Act in regard to the harnessing of the weekly payment or lump sums to basic wage variations will not apply to the £2,750 or to the £3,000 which has been agreed upon with respect to the maximum payment for dependants where death results from the injury until after this Act is proclaimed on the 31st January. The same will apply to the weekly allowance of £2 10s. in respect of dependant children so circumstanced as I have just mentioned.

The British Medical Association approached me in regard to Clause 14, and its representatives said they were not happy about the fact that an employer, who was a layman, would be able to direct

an injured worker to a specialist for treatment. In actual fact, no employer would ask an injured worker to leave the hospital or his home unless he had medical advice that specialist treatment should be obtained and, secondly, the prefix to Clause 14 had been agreed upon. That is after a clinical examination or an examination of x-ray films has been made by a specialist. From the wording of the report, it will be seen that the other amendments submitted by the Legislative Council have not been changed. I move—

That the report be adopted.

Hon. J. B. SLEEMAN: It would be better if we were told what we did not get as well as what we did get. In my opinion, these conferences are an abortion and I have been opposing them for many years. We are going from bad to worse and are not getting very far with them. It seems to me there are a couple of States in the East which go in for these conferences and we adopted the South Australian Standing Orders holus bolus in the early days. The Mother of Parliaments does not have them. I think we should all be given a pamphlet so that we can see what we have obtained and what we have not obtained. I am opposed to the conferences.

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

BILLS (2)—RETURNED.

1, Public Service Act Amendment.

2, Firearms and Guns Act Amendment. Without amendment.

BILL—BANK HOLIDAYS ACT AMENDMENT.

In Committee.

Resumed from an earlier stage of the sitting. Mr. Sewell in the Chair; Mr. Johnson in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 2 had been agreed to.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Councils Amendments.

Schedule of 14 amendments made by the Council now considered.

In Committee.

Mr. Sewell in the Chair; the Minister for Transport in charge of the Bill.

No. 1.

Clause 5, page 5, line 7—Insert after the word "either" the words "three months."

The MINISTER FOR TRANSPORT: This amendment relates to the period for licensing motor-vehicles. It will be remembered it was agreed in this Chamber that the quarterly period would be dispensed with on account of the terrific number of licences handled every three months, in many cases the new notice going out before all office operations were concluded in respect of the previous payment. There are also some ridiculous transactions. In the case of motorcycles where the licence fee is £1 per year, 5s. has been paid every quarter for licensing in that way, and all of the processes that had to go on in the office of the licensing authority made the position ridiculous. I suppose it is not possible to discuss the matter without there being a motion to agree or disagree?

The CHAIRMAN: That is so.

The MINISTER FOR TRANSPORT: In view of the opinions expressed and as there has been an increase in licence fees which will take a period of adjustment in the case of those on small incomes, I am prepared to accept the amendment. I move—

That the amendment be agreed to.

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

No. 2.

Clause 5, page 7, line 12—Delete the word "five" and substitute the word "two."

The MINISTER FOR TRANSPORT: Where there is a fleet of five or more vehicles, it is proposed that the owner can make arrangements with the licensing authority to have them all licensed at the same time. Where less than five vehicles are concerned, each one will be dealt with separately. I move—

That the amendment be not agreed to.

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

No. 3.

Clause 6, page 8—Delete paragraph (b).

The MINISTER FOR TRANSPORT: At present, local authorities can license certain types of vehicles at a concessional rate. This Chamber agreed that a local authority should grant in respect of one vehicle in each class belonging to a specified person and used for certain purposes, a concessional licence but that the licensing authority had discretion to allow more than one concessional licence to one person. It is felt that the local authority

would be the body denying itself revenue and if it seeks to be generous, it is the only loser. I therefore move—

That the amendment be not agreed to.

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

No. 4.

Clause 9, page 11—Delete.

The MINISTER FOR TRANSPORT: As far as I know, no exception has been taken to the proposal to increase the transfer fee, and as it left this Chamber, the Bill provided that the responsibility for effecting the transfer should lie with the person selling the vehicle and not with the buyer. I am informed that under the present system, within the last fortnight there was a case of a vehicle changing hands four times and eventually finishing up at Denmark, and throughout that period no licensing authority knew who owned the vehicle. It is felt that the licensing authority should know at any moment who is the owner and therefore responsible for a vehicle. A person buying a secondhand car and selling it would subsequently probably buy another and so the position would balance out and instead of paying the money when making the purchase, the fee would be paid when the car was sold. It is so that the authorities can keep track of vehicles that the innovation is sought. I move—

That the amendment be not agreed to.

Mr. JAMIESON: Recent experience has proved to me that the present set-up is more workable than what the Minister proposes. If I had a car and sold it and it changed hands four times in a week, I would have to see that the fourth man had effected the transfer. Under the present system, one signs a pro forma transfer slip when selling a vehicle and is absolved from further responsibility. I think the present system is preferable because there is a possibility that a licence might be nearly expired and under this set-up some responsibility would remain on the person who no longer had control of the vehicle.

Mr. Perkins: You can cancel a licence.

Mr. JAMIESON: That would upset the normal practice of trading in vehicles. The Minister quoted a singular case but such happenings would be very small in number in relation to the number of transfers taking place, and so I hope the Committee will agree to the amendment.

Mr. RODOREDA: Would the Minister clarify his remarks regarding the difficulty of the authorities knowing who owns a car at any stage? There would be a very small percentage of vehicles changing hands four times a week and it would be only in extremely few cases that the authorities would want to know who was the owner. Is there to be a penalty on the seller of a car if he does not notify the authorities within a certain time? If not, I do not see what would be gained. I do not think it should be the responsibility of the person disposing of the vehicle.

The MINISTER FOR TRANSPORT: There appears to be some confusion. It is not a matter of whether the vehicle is licensed but merely of a notification—speaking of the metropolitan area—to the police that John Smith is no longer the owner of the vehicle concerned. At present the new owner is expected to notify the authorities.

Mr. Rodoreda: When will that be done under the new system?

The MINISTER FOR TRANSPORT: I suggest that the person selling a car would effect the transfer forthwith so that he would no longer have any responsibility regarding the vehicle. I have particulars of an accident where the police were chasing about from person to person and eventually had to go to the country to find the owner of the vehicle. If they know who is the owner either he was the driver or he should know who was driving at the time. A car is a dangerous piece of machinery and I think there should be a a constant record of who is the owner. It is not asking too much for a person to notify the authorities when he disposes of a car, rather than leave it to the new owner.

Mr. PERKINS: I think there is something in the Minister's view. Country local authorities are all anxious to know where the plates they have issued to vehicles are and who is responsible for them. I can imagine that a case such as the Minister mentioned could occur where a vehicle changed hands several times in a short period. When one obtains a licence from a licensing authority, it is not an onerous responsibility on the owner to notify the authority to whom the vehicle is transferred. I can imagine that when a dealer is involved in a sale, it will be necessary for an owner to transfer the vehicle to the dealer and he will then have to transfer it to another party. There is something to be said for that.

Mr. JAMIESON: Could the Minister give us any idea of what the penalty for this offence is?

The MINISTER FOR TRANSPORT: I think it is a fine of £20.

Mr. Rodoreda: What is the time limit?

The MINISTER FOR TRANSPORT: I think it is 14 days.

Mr. ANDREW: The present procedure is that the buyer should notify the traffic authority of the transfer. The Minister has given us an illustration of a car changing hands four times. That could be remedied by the seller notifying the traffic

branch of the transfer instead of the buyer. I cannot see why if the buyer fails to register a transfer, a penalty cannot be imposed upon him. If the onus is placed on the seller to effect the transfer and he does not do so, the position is exactly the same as before. Unless the Minister can put up a better argument, I am inclined to oppose his point of view.

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

No. 5.

Clause 16, page 22—Delete.

The MINISTER FOR TRANSPORT: At present, there is a procedure laid down under the Traffic Act providing that a learner must be accompanied in a vehicle by a person who has held a driver's licence for 12 months. There is no provision in the Act, however, to cover a person who is learning to ride a motorcycle or the person who is trying to teach him.

Mr. Lawrence: How can anyone teach another to ride a motorcycle? Is the learner taught on the one cycle?

The MINISTER FOR TRANSPORT: In the Bill it is clearly set out how a person learning to ride a motorcycle may be taught by another person. The purpose of the provision is to ensure that the learner is accompanied by an accomplished motorcycle rider. The Police Traffic Branch feels that there should be some requirement to cover a person learning to ride a motorcycle. Therefore, I move—

That the amendment be not agreed to.

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

No. 6.

Clause 18, page 26—Insert a paragraph to stand as paragraph (a) as follows—

(a) by adding the following proviso to Subsection (1):—

Provided that it shall be a defence to a first offence to a charge under this subsection in respect of a person under the influence of drugs to prove that such drugs were taken by the person pursuant to the prescription of a duly registered medical practitioner or administered to the person by such a practitioner in the course of treatment for or in prevention of disease from which such person suffers or is likely to suffer.

The MINISTER FOR TRANSPORT: As this amendment will be the subject of a conference, at this stage it would be a little fatuous to attempt to knock into shape what appears at present because some of the provisions, to say the least, are most unrealistic. Accordingly, I move—

That the amendment be not agreed to.

Mr. JOHNSON: I consider that to submit this amendment to a conference is a policy of despair. We should make it clear to the Legislative Council that this provision should be dealt with by message between the two Chambers. This amendment is providing a defence for a person who is under the influence of drugs. The amendment seeks to give him the right to be examined by a doctor. This may be a good defence in a court case, but it does not make for safe driving. Anyone who takes drugs under the instruction of a doctor should not be allowed to drive a vehicle.

Mr. Oldfield: What about a person who has had a drug administered to him for the extraction of a tooth, the effect of which is not felt until later?

Mr. JOHNSON: I do not think that would be a defence. There are no excuses for anyone driving unsafely on the road. I oppose any suggestion that this amendment should be taken to a conference. It should be rejected immediately.

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

No. 7.

Clause 18, page 26—Insert a paragraph to stand as paragraph (b) as follows—

(b) by deleting the proviso to Subsection (2) and substitute the following:—

Provided that immediately after such person is charged the person laying the charge shall inform a relative or friend and/or a qualified legal practitioner nominated by the person charged and further that the person charged shall be granted the facility to contact this relative, friend and/or qualified legal practitioner.

When a person charged under this section is suspected of being under the influence of alcohol it is mandatory that he be afforded the right and facility, if he requests it, to be examined by a medical practitioner.

When a person charged under this section with being under the influence of alcohol denies such charge, he shall, if he agrees, be taken to the nearest hospital at which facilities exist, for the purpose of having a blood alcohol test taken by a medical practitioner at that hospital.

When a person charged under this section claims that his condition is the result of the use of drugs in conformity with the prescription of a medical

practitioner or of being the result of treatment by a medical practitioner, he shall without undue delay be examined by a medical practitioner or taken to the nearest hospital where facilities exist for the investigation of such a claim.

The MINISTER FOR TRANSPORT: I ask the Committee to reject this amendment for reasons similar to those I advanced previously, but with more emphasis. I move—

That the amendment be not agreed to.

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

No. 8.

Clause 19, page 29—Delete.

The MINISTER FOR TRANSPORT: This amendment, with which I disagree, has to do with the responsibility of the owner of a vehicle for the misdeeds committed in driving such vehicle unless he proves he was not actually driving at the time. It will be recalled that, at the instigation of the member for Blackwood, we deleted the word "shall" and inserted the word "may." That left it to the discretion of the court and I think that is sufficient safeguard. I move—

That the amendment be not agreed to.

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

No. 9.

Clause 21, page 33, line 13—Insert after the word "penalty" the words "for a first offence not exceeding twenty pounds and for any subsequent offence."

The MINISTER FOR TRANSPORT: I move—

That the amendment be not agreed to.

The reason for this provision appearing in the Bill was to make the Traffic Act conform to the Railways Act in regard to a penalty for an identical offence. I gave way to the Leader of the Country Party by making this provision more practical, but it becomes most ridiculous if there is to be a difference of penalty for the same offence. In other words, if one is charged under the Railways Act one can be fined £50, but if one is charged under the Traffic Act the penalty may be only £20. Therefore, I move—

That the amendment be not agreed to.

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

No. 10.

Clause 24, page 34, line 5—Insert after the word "duty" the words "or a person removing a motor-vehicle from trespass to land."

The MINISTER FOR TRANSPORT: The clause, to which this amendment relates, has to do with the trespassing of a motor-vehicle. We tried to make the penalties heavier than they were before. I admit there could be circumstances where a person wished to move a vehicle that was trespassing on his property. For instance, a person may have driven a vehicle into the drive-in of my house and left it there. If I decided to leave in my car, but another car was in the way, I would have to do something about it. The Traffic Department considers, and I am inclined to agree, that it is wrong to have legislation which will allow a person to take the law into his own hands and remove a vehicle. The proper recourse is to call the police in. Some people may damage the vehicles in the process of moving them, and other complications could arise.

Mr. Lawrence: If such a person had to go to hospital in a hurry, he would have to contact the police to remove the vehicle. That would be inconvenient.

The MINISTER FOR TRANSPORT: The hon. member has convinced me of the merits of this amendment. I therefore move—

That the amendment be agreed to.

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

No. 11.

Clause 26, page 37, item 1—Insert after the word "motorcar" the words "or for a motor utility truck not exceeding 75 p.w. units."

The MINISTER FOR TRANSPORT: The object of this amendment to enable utilities to be classified as motorcars for licensing purposes. That has not been the practice in the past. As it is possible that this measure will go to a conference, it would be possible to effect a reasonable compromise. But if the amendment is agreed to, that would be the end of the matter. I ask the Committee to be indulgent and to vote against the amendment. I move—

That the amendment be not agreed to.

Mr. PERKINS: Two points have to be considered in regard to this amendment. The Council suggests that a utility should be licensed as a motorcar for the reason that in many cases it is used as a car and because it carries very little more than a car. In the case of a vehicle of a certain power weight, that procedure might be desirable. The figure of 75 power weights shown in the amendment is too high. Under the Dendy-Marshall system, a Ford V8 engine is just under 24 units and under the R.A.C. system it is 32½ units. It is unlikely that the tare weight would be

more than 30 units. At the most such a vehicle would be no greater than 62 power weights.

Although the privilege is given to primary producers to license a utility as a motorcar, in some cases the utility has been licensed as a motor-wagon because the cost is less. I presume that the right will still remain. One motor-wagon owned by a producer is entitled to be licensed at half rate at 2s. 7½d. per unit which is less than the licence fee for a motorcar. Local authorities do not regard wagon cars in the category of 50 per cent. of the ordinary licence rate. If the Minister succeeds in disagreeing to this amendment, I hope he will take up the matter I have referred to.

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

No. 12.

Clause 26, page 40—Delete paragraph "(f)" and substitute the following—

(f) by deleting from under the heading "Passenger Vehicle and Carrier's Licenses" in Part 1 the item "Fee for a passenger vehicle licence, per wheel or per pair of dual wheels 10s." and substituting therefor the item "Fee for a passenger vehicle (other than a passenger vehicle licensed under the State Transport Co-ordination Act, 1933-1948) Licence, per wheel or per pair of dual wheels 15s." and by substituting the figures representing fifteen shillings in lieu of the figures representing ten shillings as the fee for a carrier's licence, per wheel or per pair of dual wheels.

The MINISTER FOR TRANSPORT: The Legislative Council apparently feels that the wheel tax imposed on passenger carrying vehicles or omnibuses should be abolished. For many years that tax has been paid. I do not think this amendment will affect the position very greatly one way or the other. However much this tax lags, the amount can be made up in the Transport Board charges. The mover of this amendment will not achieve what he seeks to do. In fact, he could impose a heavier burden on the omnibuses. The percentage tax on the gross takings of omnibuses is under review at the moment. An increase of even one-eighth per cent. in that tax would greatly exceed the amount of fees collected under the wheel tax. In the interests of the omnibus proprietors, it would be wise to retain the present procedure. I move—

That the amendment be not agreed to.

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

No. 13.

New clause—Insert a clause after Clause 13 to stand as Clause 14 as follows:—

Section twenty-three of the principal Act is amended by adding after the first proviso to Subsection (1) the following proviso:—

Provided also that, where a person under the age of eighteen years makes application for a licence to drive a motorcycle—

(a) the licence or renewal shall not be granted unless the applicant produces—

(i) the consent in writing of a parent or guardian of the applicant to such licence or renewal being granted; and

(ii) a certificate in writing that the applicant is of good character and a fit and proper person to hold such a licence and signed by a magistrate, a justice of the peace, a minister of religion, a police officer or any other person authorised by the Governor to sign such certificate for the purposes of this paragraph;

(b) the commissioner may, in lieu of requiring the applicant to satisfy an examiner that he is qualified to drive a motorcycle, or to apply for and obtain a learner's permit as provided by Section twenty-five of this Act, accept the certificate of the Safety Council Motor Cycle Driving School, or of a motorcycle club approved by the commissioner, that the applicant is qualified to drive a motorcycle.

The MINISTER FOR TRANSPORT: This is an entirely new amendment which has not been dealt with previously in this Chamber. Mr. Jones had in mind an amendment along these lines but he withheld the Bill pending the Government's measure to amend the Traffic Act. I do not like the Council's amendment although I sympathise with the motive behind it. If it is agreed to it will make the legislation too complicated. It is too much to ask a person under 18 years of age to get his parent's consent in writing, to obtain a certificate from a magistrate, justice of the peace or some other party, before the Traffic Department will consider any application for a licence made by him.

Mr. Ross Hutchinson: The Traffic Department is of that opinion.

The MINISTER FOR TRANSPORT: That is so. The authorities seem to think it is unnecessarily complicating this legislation. The police are not concerned with the character references, but only with the driving ability of the individual. Under this amendment a police officer can be asked to give a reference and that is something he should not be called on to do. In the final analysis, this amendment will make it possible for bodies, other than the police, virtually to become the licensing authorities. It is felt that the police should conduct the examination in all cases. I move—

That the amendment be not agreed to.

Mr. PERKINS: I support the Minister. This amendment is most impracticable. All sorts of complications could arise. There are many cases where young lads are employed a long way from their homes, or whose parents reside in another State. It may be of interest to point out that a considerable number of small powered motorcycles are used on farms, in lieu of stock horses. It may prove embarrassing to the employers if these lads are not able to obtain a licence without their parents' consent. The object of the amendment is worthy but the procedure is cumbersome.

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

No. 14.

New clause—Insert after Clause 16 a new clause to stand as Clause 17 as follows:—

Section twenty-nine of the principle Act is amended—

(a) by inserting after the word "shall" in line six of Subsection (1) the words "upon becoming aware of the accident." ;

(b) by deleting the words "if the court shall be satisfied that the person convicted was not aware of the occurrence of the accident or" in lines one, two and three in the proviso to Subsection (1).

The MINISTER FOR TRANSPORT: This is another new amendment which has not been discussed in this Chamber. The Police Traffic Branch is of the opinion, and I agree, that with the adoption of this amendment it would be utterly impossible to take action against a person involved in an accident who failed to stop, unless the body was strewn over the bonnet of the car. All that the motorist would have to do was to say that he was unaware the accident took place.

In nearly all cases the motorist should be aware of any such accident. The Traffic Branch informs me that great discretion is exercised in connection with this provision. If the accident results only in the brushing of a mudguard they are not concerned; but where there is injury or substantial damage, there is an obligation upon the motorist to stop and supply his name and address to the other party or to the police. 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 Mr. Evans, Mr. Crommelin and the Minister for Transport drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the conference managers' report.

BILL—LAND TAX ACT AMENDMENT.

Council's Requested Amendments.

Schedule of two amendments requested by the Council now considered.

In Committee.

Mr. Sewell in the Chair; the Treasurer in charge of the Bill.

No. 1.

Clause 5, page 3—Insert after the word "used" the following words:—"solely or principally."

The TREASURER: The Legislative Council on this occasion has requested the Assembly to make two amendments to this Bill. It is therefore necessary for us to deal with the amendments on the basis of requests. The first amendment requests that we insert after the word "used" on page 3, the words "solely or principally." The words would be inserted after the words "But where the land is used," immediately under the figures in the Second Schedule on page 3. In the event of the words being inserted the line would read "but where the land is used solely or principally for the purpose of a society," etc. I have no objection to the amendment and move—

That the amendment be made.

Question put and passed; the Council's amendment made.

No. 2.

Clause 5, page 3—Delete the words "pecuniary profit" and substitute the words "the purposes of profit or gain to the individual members thereof"

The TREASURER: This is in the following line in Clause 5. The Council requests that we delete the words "pecuniary profit" in this second line and insert in lieu the words "the purposes of profit or gain to the individual members thereof." That part of Clause 5, including the amendment we have agreed to make, would then read "But where the land is used solely or principally for the purpose of a society or association not carried on for the purposes of profit or gain to the individual members thereof," etc. There is no objection to this amendment, and I move—

That the amendment be made.

Question put and passed; the Council's amendment made.

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

BILL—PENSIONS SUPPLEMENTATION ACT CONTINUANCE AND AMENDMENT.

Second Reading.

THE TREASURER (Hon. A. R. G. Hawke—Northam) [11.13] in moving the second reading said: This Bill, in the event of both Houses agreeing to its provisions, will continue the existing Act for a further 12 months as from the end of this present month and will increase from 12s. 6d. to £1 per week the payment made from the fund on behalf of children. Members will recollect that the Legislative Assembly, earlier this year, agreed to a motion to have an investigation made into the superannuation legislation. Following that decision, the Government appointed as an investigator an ex-auditor general—Mr. Nicholas. He carried out an exhaustive inquiry and in the process took evidence or information from several persons who appeared before him.

His main recommendation is one which the Government was not able to see its way clear to accept. Briefly, that recommendation is that the first four units of pension shall be as they are now, at a per unit value of £1, and that the balance of the units contributed for by any contributor shall be at a unit value of 17s. 6d. The present unit values are 15s. per unit for the first eight units and 12s. 6d. per unit for each unit beyond eight.

Under the existing legislation, a supplementation payment is made to the pensioners who come under all the Government schemes—except, of course, the parliamentary scheme—of £1 per week. Mr. Nicholas recommended that the supplementation payments should cease. His other recommendation for an increase in unit values was such as to absorb the present supplementation payments in every instance. The Government decided not to agree to this main recommendation after detailed information had been prepared as to the actual effect which the recommendation would have on the various groups of pensioners and contributors to the superannuation fund.

I do not want to go through the whole list of comparisons that was prepared, because it is not necessary to do so in order to indicate to members the net result which would accrue in the event of the main recommendation made by Mr. Nicholas being adopted by the Government. The first four groups are the 2, 2½ 3 and 4-unit groups. At present the total amount of pension received per year by the 2-unit group is £130. This includes the £1 a week supplementation. The amount received by the 2½-unit group is £149 10s.; by the 3-unit group £169; and by the 4-unit group £208.

Under the suggested or recommended increases in unit values, as put forward by Mr. Nicholas in his report and his recommendation that all supplementary pension payments be abolished, these groups would receive exactly the same payments as they obtain now, and as they will receive in the event of the Bill which the Government has introduced, becoming law. In other words, those who are already pensioners in these groups and those who are still employed by the Government and are contributing to these two to four units of pension, would not receive any more or any less by way of pension per week, or per year than they receive at present.

The 5-unit pension group would receive an increase of £6 10s. per year; the 6-unit group, £13 per year and so on in small stages until we get to the 13-unit group which would get an increase of £91 a year. From that group right through to the 26-unit group, the amount of increased pension which would be received is quite substantial. For instance, a person in the 21-unit group would receive an increase of £195 a year; in the 24-unit group, £234 a year and in the 26-unit group—the highest group—the increase would be £260, and he would receive a total pension of £1,209 per year.

Mr. Nicholas recommended that the whole of the additional expenditure involved should be met by the Government from the Consolidated Revenue Fund, and not from the existing superannuation fund. The Government came to the conclusion that these recommendations were not recommendations which the Government could or should accept. As I pointed out, those in the lower unit groups would, under the recommendation, receive no benefit whatsoever, but those in the higher pension groups, who are already receiving an adequate pension, would receive increases up to as high as £260 a year which would give them a pension of £1,209 per annum.

I had some further figures taken out for the purpose of trying to show to members just how many of the existing pensioners would benefit from this recommendation and how many would receive either no benefit—or very little benefit—at all. The total number of pensioners when this table was prepared—only about a month ago—was 3,872. Of this number, 3,060 would receive no increase over the existing set-up or over the situation as it will exist in the event of the new Bill becoming law.

In other words, out of the 3,872 who now receive pensions, only 812 would receive any benefit. Some 3,060 would not receive a farthing benefit over and above what they receive at present. Of the 812 who would receive some benefit, 438 would receive very small benefits amounting to £6 10s. a year in some instances, £13 a year in others, and, I think, £19 in others. Therefore, out of the total number of pensioners of 3,872, only 394 would receive worth-while increases, and those pensioners are already receiving substantial pensions.

As I have said, Mr. Nicholas recommended that the increased money required to finance his recommendations should be taken by the Government from the Consolidated Revenue Fund. The Government was not prepared to take money from the Consolidated Revenue Fund for the purpose of increasing to a worth-while extent the pensions being paid to people who already receive what is a reasonably substantial pension. So we finally decided to continue the existing supplementation legislation which gives each pensioner, irrespective of whether he is on two or 26 units of pension, £1 a week over and above the legal unit value of pension.

Hon. Sir Ross McLarty: Does this Bill provide for that?

The TREASURER: It makes provision to continue the existing £1 a week supplementation. The Leader of the Opposition will remember that it was his Government that first introduced this principle; and I am sure it introduced it on what might be called a needs principle. In other words, it made the same increase by way of supplementation to every pensioner, irrespective of whether he was obtaining two units or 22 units of pension.

During the last three years the supplementation of pension units has been increased until, as I have mentioned, the supplementation total today per pensioner is £1 per week. The existing supplementation legislation will expire by the effluxion of time on the 31st December, this year. To ensure that the £1 per week supplementation shall continue, it is necessary to introduce the Bill.

Hon. Sir Ross McLarty: Is there any reason why this should be a continuance measure?

The TREASURER: I shall deal with that question in a moment. Before proceeding to it, I point out that the other provision in the Bill is to increase the payment to children, who receive a pension, from 12s. 6d. to £1 a week. This also was a recommendation made by Mr. Nicholas. He made two or three other recommendations, none of which, in the view of the Government, was of sufficient importance to warrant legislative action.

Coming back to the question asked a moment ago by the Leader of the Opposition, I would say that the Government in giving consideration to the main recommendation made by Mr. Nicholas, and to the situation that has developed in connection with the superannuation funds, came to the conclusion that the supplementation principle should be abolished as soon as a stage can be reached where it can be safely abolished. Obviously we have to develop something to put in its place.

If the supplementation were to be abolished without anything else being put in its place, each pensioner would automatically lose £1 a week; and no one would desire that to happen. What the Government has decided to do is to have the whole of the superannuation scheme closely investigated—in fact, the investigation has already commenced. We realise that those who did, whilst they were in the employ of the Government, subscribe for the higher units of pension are entitled to some consideration. They paid high rates of contribution for the larger benefits which they were anxious to obtain on retirement.

We all know that the value of each £1 of pension has been reduced fairly substantially over the last few years because of the solid increase in the cost of living and, therefore, the depreciation in the value of the money. However, it is not a proposition which would appeal to the Government and I should think it would not appeal to Parliament either, to increase the units of pension substantially and ask the present day and future contributors to the fund to pay no more by way of contribution.

If the units of pension have lost their value, as indeed they have, the contributions to the fund have also lost real value. In that situation it becomes necessary to increase the rates of contribution to the fund if the Government is next session going to ask Parliament to readjust the units of pension so that each unit will, from the time Parliament deals with the matter next year, have a higher value. In other words, if we are to take action next session to increase the unit value from its figure of 15s. up to eight units and 12s. 6d. for each unit above eight, to £1 a unit for the first four and 17s. 6d. for each unit over four, obviously the fund has to obtain more revenue.

I do not think it is a proposition to ask the general taxpayer to finance increased unit value, especially to those who are now contributing to the fund and to those who will contribute to it in the future. That would not be a charge which could fairly be placed upon the taxpayers generally; it would be a charge to be placed at least partly upon the present day and future contributors and maybe the Government could also pay an increased amount over and above what it might have paid in the past. Clearly then the existing legislation and the existing fund, including the unit values, all require considerable investigation.

Mr. Cornell: Would that investigation cover the 1871 group?

The TREASURER: Yes, it would cover all groups of pensioners under the various government schemes. I indicated only a few moments ago that I thought probably the supplementation principle could be abolished quite fairly once we reached a stage where we could give a fair and reasonable value to each unit of pension. The Government is not opposed to making increases in existing unit values, but before the Government is prepared to ask Parliament to take action along those lines, it is necessary that a thorough investigation take place on the basis of present day and future contributors paying higher rates of contribution than they pay today. Obviously, it would be unfair to call upon the general taxpayer to foot the bill for an increased value per unit and to allow the present day and future contributors to get away with the same rates of contribution.

Mr. Cornell: To what extent, if any, has the cost of units been increased since they were established?

The TREASURER: There has been no increase in rates to the contributor. These supplementation payments which the Government of the Leader of the Opposition introduced, and which the present Government has increased with the support of Parliament, have all been met from Consolidated Revenue. I think that has been justifiable because it was an attempt on behalf of the Government and Parliament to make up to every pensioner at a flat rate of £52 per year some of the lost purchasing power in the value of money.

Mr. Cornell: But there is a limit to that.

The TREASURER: There is.

Hon. Sir Ross McLarty: In short, all this Bill does is to continue the supplementation Act for a further year, the pensioners will still continue to get the £1 a week and there will be some additional payments to the children—the payment per week for children will be increased from 12s. 6d. to £1. It does those three things?

The TREASURER: It does two major things: It continues the existing supplementation payment of £1 a week to all pensioners and it increases the payment for children from 12s. 6d. to £1 a week and extends the life of the legislation. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Ross McLarty, debate adjourned.

BILLS (2)—RETURNED.

1, Town Planning and Development Act Amendment.

With an amendment.

2, Land and Income Tax Assessment Act Amendment.

With amendments.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

Debate resumed from an earlier stage of the sitting.

MR. ROBERTS (Bunbury) [11.39]: I support this Bill because it has a great deal of merit. It will enable employees of the Lotteries Commission as a group to enjoy the option of contributing to the superannuation fund or to some group assurance scheme with one of the assurance companies. I take it that those employees, if they can form a group, will be permitted to contribute to either scheme. I also take it the employer that will contribute to the scheme will be the Lotteries Commission and not the State Treasury.

Further, I would also like the Minister to tell me whether consideration has been given to an employee's past services. This is the position with private firms as in the majority of superannuation schemes it is the usual practice for the employer to pay an additional amount over and above the normal contribution by something like one-fifth of 1 per cent. for each past year of the employee's service. I trust that the Government will give consideration to that point.

When introducing the Bill the Minister mentioned the aspect of female employees being able to join the scheme if one of the group assurance schemes was used. I think that is a good idea because there is a large staff turnover with female employees. They stay with an employer for a few years and then get married. I think the commission should be commended for giving consideration to its employees in this way and I support the second reading.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville—in reply) [11.42]: With reference to the point raised by the member for Bunbury as to whether the contribution of the employer would be met by the Lotteries Commission or the State Treasury, I wish to advise him that the

commission will meet that payment. No scheme has yet been outlined and I know it is the practice to give recognition for an employee's past service. But whether the commission has that in mind or not I could not say. The purpose of the Bill is to enable the commission to introduce a scheme and I have no doubt that the ideas which the hon. member has mentioned will be submitted by somebody and will receive consideration.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—MARRIAGE ACT AMENDMENT.

Second Reading.

Debate resumed from an earlier stage of the sitting.

MR. CROMMELIN (Claremont) [11.46]: I have studied this Bill to the best of my ability during the time the debate was adjourned and I consider it is wholly commendable. Accordingly, I support the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed.*

BILL—LOCAL GOVERNMENT.

In Committee.

Resumed from the 30th November, Mr. Moir in the Chair; the Minister for Health in charge of the Bill.

Clause 523—Land is ratable property (partly considered):

Mr. CROMMELIN: I move an amendment—

> That after the word "purposes" in line 10, page 387, the words "and is exclusively used for such purposes" be inserted.

Previously I endeavoured to explain that this clause was, and is working, unfairly in regard to the Municipality of Claremont, where there is situated the Royal Agricultural Society's showground. The showground, apart from being used for show purposes, is also used for running the speedway, football matches, the storage of goods, etc. In the circumstances, I feel it is not being used entirely for the purposes originally intended.

I also propose to insert a new Clause 528B which will enable the Municipality of Claremont to obtain some small compensation from the Royal Agricultural Society by way of a 3 per cent. rate on the amount of rents or revenue it may receive each year from the letting of the ground for any other period other than the actual Royal Show period. This would not cost the Royal Agricultural Society more than £90 to £100 a year and would be some small compensation for the work undertaken by the Municipality of Claremont on the showground.

The MINISTER FOR HEALTH: I have had this suggestion thoroughly investigated and have no objection to the amendment nor to the new clause referred to by the member for Claremont.

Mr. COURT: The proposition outlined by the member for Claremont adequately covers the situation. We know that the Claremont Muncipality is unfairly treated because so much of its property is non-ratable.

The Minister for Native Welfare: What about Midland Junction?

Mr. COURT: I think Claremont wins hands down. I think it is right and proper that some contribution should be made to the Claremont Municipality because of the heavy burden it carries in regard to education, thus relieving the State. However, I would like to know from the Minister if easing the burden of the Royal Agricultural Society, because of the nature of that society, has ever been contemplated. The society is naturally conserving its funds so that it can provide suitable amenities for the future and I understand its prospects of building a grandstand are fairly remote within a reasonable period of time. Could the Minister tell us if the Government has ever considered making a payment of, say, £500 to the Claremont Municipality to take the place of the normal ratable value of that property?

The MINISTER FOR HEALTH: The Government realises the part played in agriculture by the Royal Agricultural Society although no consideration has been given to affording it any financial relief. However, it has not been burdened so far as rates are concerned and it is something that will subsequenty be considered when necessary. The 3 per cent. as envisaged in the amendment would be very small and will not affect the society to any great extent, but it will help the Claremont Municipal Council.

Mr. Court: How much do you anticipate the Claremont Municipal Council will get out of this?

The MINISTER FOR HEALTH: Roughly £100. It is only a gesture and quite a small contribution.

Amendment put and passed.

Mr. W. A. MANNING: I move an amendment—

That the words "(c) a person or body for," line 13, page 387, be struck out, the remainder of paragraph (c) to become subparagraph (iii) of paragraph (b).

My reason for this amendment is that it is very doubtful just what those words mean. They could include a caravan park, entertainment place or theatre.

The MINISTER FOR HEALTH: I have no objection to the amendment.

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

Clause 524—Commissioner of Taxation to supply valuations:

Mr. COURT: I move an amendment—

That at the end of the clause the following proviso be added:—

Provided that the provisions of this section shall not apply where the council of a municipality elects in lieu of the foregoing to engage its own valuer or valuers each of whom shall be a member of the Commonwealth Institute of Valuers, and such valuer or valuers shall supply to the council, as it may in its discretion require, the unimproved value or the annual value of the ratable property of the district at such time and in such manner as determined by the council.

Because I believe my amendments on the notice paper will not be favourably received by the Government, I have not included all the consequential amendments as it would have involved the parliamentary draftsman in considerable work, and I do not want to unnecessarily delay the Chamber at this stage.

The Minister for Health: I am grateful for your kindly thought!

Mr. COURT: Clause 524 in its present form gives a local authority no option whatsoever as to the type or nature of valuations. They must be the Commissioner of Taxation's values and must be unimproved values. We should accept the principle that a local authority should have some option in this matter. Not all valuers are in the Taxation Department; some of the best are outside and belong to the Commonwealth Institute of Valuers, to which most of the senior valuers of the Taxation Department also belong.

There are many cases where the development of a district makes it most important that a local authority be allowed to have discretion in its own area. For many years the Nedlands Road Board used dual methods of valuation; some on the unimproved value system, which was most equitable and satisfactory for those particular areas, and in other parts some on the annual valuation system. When the road district became a municipality, it was obligatory to decide on one system or the other. Therefore it had no alternative but to adopt unimproved valuations throughout, because it was not permitted to have part on one system and part on another. Discretion to revert to the former more equitable system would make for better balance as unimproved values alone create anomalies.

The Minister for Lands: It is optional now.

Mr. COURT: That is so.

The Minister for Lands: Your amendment is a direct negative. Would not your purpose be better served by defeating the clause?

Mr. COURT: No, my amendment is a proviso.

The Minister for Lands: To preserve the status quo, should you not try to defeat the clause?

Mr. COURT: No. The unimproved value system has merit when the land is vacant but as an area develops, discretion is necessary. This proviso is to preserve the status quo. I seek to give the local authority the option to have either the Taxation Department's values or its own and either the unimproved value or the annual value. The City of Perth, our largest municipality as regards values, has its own valuers and is more up to date than the Taxation Department because it regularly revalues. The water supply values are all on annual values with one exception that, owing to an Act of Parliament, cannot be avoided.

The MINISTER FOR HEALTH: The Government's policy is to accept Taxation Department values as that would make for uniformity. I agree that there is something in what the hon. member said about the option to have the unimproved value or the annual value, but many local authorities are now adopting the unimproved capital value and as the old system was not uniform throughout the State, we think the Taxation Department values would bring about uniformity. I oppose the amendment.

Mr. COURT: I thank the Minister for being so frank and saying what I wanted him to say, that it is a matter of Government policy that we are opposing. It is equally our policy that the option should be allowed.

Amendment put and negatived.

Clause put and passed.

Clauses 525 to 537—agreed to.

Clause 538—Council to impose general rate:

Mr. COURT: I move an amendment—

That after the word "property" in line 16, page 401, the words, "or at the discretion of the council a rate for each pound of the annual value of the property" be added.

Again I have avoided moving a number of consequential amendments, but have moved this amendment to demonstrate our principle. The vexed question of annual values will no doubt arise when the measure is debated in another place. Without the optional system, the City of Perth would be in a mess in regard to the city block itself. If the lot ratio factor were ignored by the council, the situation would be intolerable. It is claimed that the unimproved value encourages maximum use of land, but maximum use of land in the city block would create an impossible position. Owing to its greater flexibility, the annual value system is much better. The Town Clerk of Perth has in his office a model that demonstrates what would happen if the theory of the advocates of unimproved value were put into practice. The situation would be such that if the council could not do it, the Government would have to legislate to control the position because conditions as to light, air and other matters would be impossible.

The MINISTER FOR HEALTH: I understand the intention of the hon. member. I can see some difficulties ahead, but they will be surmounted. At this juncture I must oppose the amendment on principle.

Mr. JOHNSON: I take it the member for Nedlands speaks on matters relating to the City of Perth after conversation with the Town Clerk. The question of unimproved as against annual values has to him an academic interest, but to those who live in the municipality, as I do, it has a real, financial interest. I was extremely interested to hear the word "flexibility" mentioned. Those whose pockets have been hurt in regard to valuations in the city are complaining about this flexibility because it is said that the valuations are unfair and inequitable. I was one of those who produced a good deal of evidence before the appeal board in relation to markets and valuations and that evidence showed in particular that annual valuations of properties in the suburbs were approximately 75 per cent. of market value.

Annual valuations of city property, made at approximately the same time, were only about 35 to 40 per cent. of the market values. We claimed that that was evidence of unevenness in valuations and that therefore we were entitled to relief at least equal to that enjoyed by the wealthy city owners. However, the legal eagles got busy and put forward the argument that the valuations chosen for comparison were not in the immediate vicinity of the property on which annual valuations were based, and therefore they could not be accepted.

I take this opportunity to point out that it becomes far more difficult for clever manipulators to exploit the people who own the houses in which they live for the benefit of the city investor, because that is going on in the City of Perth.

Mr. Roberts: If you had had a good case, you could have gone further with it.

Mr. JOHNSON: If I had had a lot of money, I could have gone a lot further with it.

Mr. Roberts: You did not need a lot of money.

Mr. JOHNSON: I would have had to obtain the services of a lawyer, and does the hon. member think I was going to pay a lot of money to lawyers? Not likely!

Mr. Court: With the knowledge that you say you have, it is a wonder that you did not defend the case yourself.

Mr. JOHNSON: I thought about that, too. However, the people in the district I represent do not appreciate this flexibility.

Mr. Ross Hutchinson: You don't know what you are talking about!

Mr. JOHNSON: That is a matter of opinion. The people of my district have been very concerned and public meetings, which were heavily attended, have passed resolutions to the effect that all valuations made in the City of Perth should be based on annual valuations. This took place about two years ago and the proceedings of the meeting were reported in the Press. The chairman of the meeting, the previous member for Wembley Beaches, Mr. Nimmo, moved an amendment to the Act relating to the appeal board which unfortunately did not have the full effect that we had hoped. The people of the district for obvious reasons are strongly in favour of annual valuations.

Mr. COURT: Again I thank the Minister for his frank approach to this proposition. He has put this forward as a matter of Government policy, and we have the reverse view that there should be flexibility. I do not propose to deal in detail with what the member for Leederville had to say because I can see that the Minister for Lands is getting a little concerned. I know that the member for Leederville has a warped attitude towards the City of Perth and therefore his views are always inclined to be very poisoned in regard to matters such as these.

Amendment put and negatived.

Clause put and passed.

Clauses 539 to 613—agreed to.

Clause 614—Interpretation:

Mr. COURT: I move an amendment—

That the definition of "auditor" on page 461 be struck out and the following inserted in lieu:—

auditor means

(a) in the case of a shire, a Government inspector of municipalities;

(b) in the case of a city or town, a person elected by the electors of the city or town in accordance with this Act and who is currently a member in good standing of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants and registered as an auditor under the provisions of the Companies Act, 1943-54:

Provided that if such person ceases to be a member of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants or ceases to be registered as an auditor under the provisions of the Companies Act, 1943-54, he shall forthwith be ineligible to be or continue as an auditor under this Act and the position shall automatically be declared vacant.

This amendment has been moved to allow us to press forward our attitude on the election of auditors. The part of the Bill to which we are directing attention is headed: "Accounts and Audit, Division I, Keeping and Audit of Accounts." In the clause there are two definitions, that of "auditor" and that of "books." My amendment concerns the definition of "auditor."

The Minister for Works: Compulsory unionism!

Mr. COURT: I thought that interjection would be made. Another member beat the Minister to it when I last spoke to the Bill, when it was originally introduced. If the hon. member wants me to elaborate on that, I can do so.

The Minister for Works: There is no need to elaborate. That is as plain as a pikestaff.

Mr. Ross Hutchinson: If the Minister feels that way, he should not oppose the amendment.

Mr. COURT: That interjection is very apt, but I shall not take advantage of it. The intention of the Government is to deprive municipalities of the existing right to have their auditors elected by the ratepayers. It is only right and proper that they should have such entitlement to election of auditors, as have the shareholders of a company. There are some weaknesses in the present Act which have been under consideration for very many years. If the Bill had not been in the offing for some years, representations would have been made to the Government to have the Act amended, because it merely refers to a "recognised institute," which does not mean very much as the local governing authorities have found out over the years.

Cases have occurred where persons have been elected as auditors of municipalities when, in fact, they have not the recognised qualifications, qualifications which I am sure the Minister for Works would not recognise, because if I remember rightly he himself is a member of the Australian Society of Accountants, as is the Minister for Education. The reason for inserting the qualifications in the amendment is twofold; firstly, to ensure that the candidates for election are qualified by recognised standards, just as one would expect doctors, lawyers, architects and other professional men to be qualified by recognised bodies.

The Minister for Health: We are not arguing against the qualification.

Mr. COURT: The Minister for Works was inclined to infer that this amendment was a form of compulsory unionism. If he can think of any other organisation of accountants, other than the Australian Society of Accountants, to which the great bulk of accountants in this country belong, or the Institute of Chartered Accountants, I would agree to its inclusion in the amendment.. As those two happened to be the bodies recognised in Australia as the main organisations of qualified accountants, I included them.

I went further in the amendment and that was to insist that the candidates should be registered as auditors under the provisions of the Companies Act. That has a very important bearing on the matter because it ensures that such auditors are known to the Registrar of Companies. They are people who have established a right to conduct audits under the Companies Act.

The Minister for Health: Officers in the department have those qualifications as well.

Mr. COURT: I am not disputing that. There are many men in the Government service who belong to those two bodies, and who possess the qualifications referred to in the amendment, but I cannot imagine any Government servant being registered as an auditor under the Companies Act, because it would be inconsistent for him to be able to have a private practice. The two qualifications, namely, membership in the institute and registration under the Companies Act, give an

assurance that these people are reputable auditors and possess the necessary qualifications.

The amendment does not prescribe the method of election because of the reasons I explained earlier. I did not want to put the Parliamentary Draftsman to the trouble of elaborate drafting to cover the position. Some of the local authorities will be very adversely affected if the Government has its way and insists on audits being conducted by Government inspectors.

The Minister for Health: That work has been satisfactorily performed in the case of road boards.

Mr. COURT: It will be argued by the Minister that road districts audits have been conducted by Government inspectors for many years, but not in all cases with satisfaction. The Government service has problems the same as anybody else, and the bigger it gets, the bigger the problems.

I admit there have been occasions when the Minister had cause to question some of the auditors that were put forward by the local authorities. That would invariably happen in any sphere. We have trouble in the medical, legal, architectural and other professions, just as there is trouble in the Government departments with auditors. I would say that some of the problems which arose from the audits conducted by Government inspectors have been given far less publicity than in the case of private auditors engaged by municipalities.

A Royal Commission was appointed to inquire into local government legislation, and I gave evidence before that body. By agreement with the commission, I appeared on behalf of the two recognised institutes in this State. My evidence is contained on page 762, of the 23rd May, 1950. It is significant that the commission did not find that the audits of municipalities should be the exclusive preserve of Government inspectors.

Another argument advanced by the supporters of Government inspectors conducting the audits is the fact that they have become specialised in this work. That argument can be discounted quickly. If a practising accountant can only practise in the fields in which he is specialised, he would have a restricted practice. He would have to specialise in bankruptcy law, company law, taxation law, or the law relating to bills of sale. That would not work out. It is no more difficult for a practising accountant to understand the workings of local government law than it is for him to understand the ramifications of the Bankruptcy Act, the Income Tax Act or the Companies Act. I suggest that many of those laws are much more involved than the law relating to local government.

I do not propose to touch on the duties of inspectors in their capacity as auditors, as set out in the Bill. I propose to refer to that aspect during the discussion on Clause 627. The Government has gone too far in accepting all these inspectors as auditors.

The MINISTER FOR HEALTH: I oppose the amendment, not because of the argument raised in regard to qualifications and efficiency of private accountants, but as a matter of policy. The Government inspectors did a very good job under the Road Districts Act. They were welcomed by the road boards. If they audit the accounts of shires, then they should also audit the accounts of the municipalities.

Mr. Court: Would you not allow them an option?

The MINISTER FOR HEALTH: Not just now. We can consider that subsequently.

Mr. W. A. MANNING: I support the amendment. The Minister stated that because the Government inspectors have done a good job under the Road Districts Act they should conduct the audits for municipalities. I would suggest that the auditors of municipalities have also done a very good job and there is no reason why they should not be permitted to conduct the audits of road boards. There has not been any cause for complaint against the work done by auditors of municipalities.

The Minister for Health: There have been some.

Mr. W. A. MANNING: Not as many complaints as have been received in respect of Government inspectors. There are two other matters which relate to this amendment. The first is decentralisation which is supposed to be the policy of the Government. We find that in towns and cities where qualified accountants practice and conduct the audits of municipalities, the Government proposes that Government inspectors from the city are the only ones capable of doing this particular type of work. I submit that is far from the actual position and far from good policy.

We are supposed to support decentralisation. These men have established their businesses in various towns and now are not deemed sufficiently qualified to do this job. It is usually good practice that when people are registered to do a particular professional job, those who have been earning their livelihood at that task for a number of years are also registered. Men are not deprived of their jobs. But here we have the Government saying that the present auditors of municipalities must resign and hand over to Government auditors.

That is entirely wrong in principle, and there is no reason for it. The amendment protects the position. It states that the qualified man shall do the job. These are not members of a union but qualified accountants who have had to obtain their degrees, not by paying a subscription but by their qualifications.

The Minister for Works: If they fail to pay their subscription, they lose it. That is where compulsory unionism comes in.

Mr. W. A. MANNING: There may be other reasons for that. If a man is interested in that work and has been doing it for a large part of his life, there is no reason why he should be disqualified because the Minister opposes it on principle. What sort of principle is it to deprive a man of a job he has been doing for a period of years?

Mr. JAMIESON: I do not know whether members opposite have had very much discussion with people associated with the principal administrative officers of local government with, perhaps, the exception of those high in municipal positions. It is my general experience that those who have been associated with both systems prefer the Government auditors. It seems strange that in nine cases out of ten, when there has been trouble with regard to finance in local government—

Mr. W. A. Manning: Which are the nine cases out of ten?

Mr. Court: You quote some! You are on very wrong ground, and you will force me to make some bitter criticism of Government auditors.

Mr. JAMIESON: In nine cases out of ten it is associated with municipalities. One has only to look at the Press clippings over the last two or three years to see that where there has been trouble, it has been with municipalities.

Mr. Court: Give us the names! Give us one!

Mr. JAMIESON: The hon. member should know; he reads the Press, the same as I do.

Mr. Court: Give us one municipality!

Mr. JAMIESON: I could give the hon. member plenty.

Mr. W. A. Manning: You are mentioning them, not we.

Mr. JAMIESON: I am making this speech, and not the hon. member.

Mr. Court: Be fair and give us one name!

Mr. JAMIESON: One glaring instance was in the Guildford-Midland electorate.

Mr. Court: Which are the nine cases out of ten?

Mr. JAMIESON: I rose to show how inconsistent the member for Nedlands can be at times. The first part of his amendment, as the Minister intimated, would be quite acceptable. It is not a bad principle at all, provided the other principle in the Bill for Government auditors did not exist.

The member for Nedlands claimed that this amendment in no way savours of compulsory unionism. I chided him during his speech a month ago on the Industrial Arbitration Act Amendment Bill, and asked him how far a professional man would go if he did not belong to an association. The hon. member said it was not compulsory, and I asked how far would a man get; and he said, "I will upset the hon. member's applecart completely. There is nothing to prevent the hon. member from putting his plate up in St. George's Terrace and calling himself 'Mr. Jamieson, Public Accountant' provided he pays fees under the Business Names Act and can induce people to be his clients. He is as free as the sea to do what I have said."

That might be true if the hon. member stuck to that principle. But he goes further in his amendment; and, in the second part, makes sure it is a system of compulsory unionism by taking his job away from a person once he fails to pay his fee. That is the principle that the hon. member and his colleagues so much opposed on the 22nd November.

Mr. Court: If we deleted the qualification requirements, would you support the amendment?

Mr. JAMIESON: No. I intimated that it was not a bad amendment except for the fact that the Government had already indicated it preferred auditors from the Government service. I do not think anybody on this side would find fault with the principle of men having qualifications and belonging to a society; but let the hon. member be consistent and not track here there and everywhere when he feels like it.

Mr. COURT: We have heard the most extraordinary utterances from the member for Beeloo. I think this session has upset his liver or something, because he first of all quarrelled with his Minister, and now he is quarrelling with us.

Mr. Jamieson: You are wrong. The Minister quarrelled with me.

Mr. COURT: I suggest he would be the first to scream to high heaven if I put up an amendment which provided for people without qualifications to be appointed. It is commonsense that they should have qualifications. If there were any other institutes, I would gladly include them, because I believe that all people with suitable qualifications should be allowed to nominate for this job. It is important in any professional undertaking that there should be certain ethical standards observed in the interests of all concerned. The Government officers, who are to be given great power under this Bill, do not need to have qualifications. They can just be appointed by the Minister in the ordinary course of their duties. In the ordinary sense of the word, they could be completely unqualified and still have powers.

Mr. Jamieson: They are doing routine work.

Mr. COURT: The hon. member has not read the Bill. Let him read it and he will be horror-struck.

Mr. Jamieson: It is repetitive work.

Mr. COURT: No, it is not. The hon. member has not read the Bill. One of the main concerns of local authorities is that if the Government provides the auditor, they will not know how much it will cost. The Government will send them a bill, and it will be cost-plus and plus.

The Minister for Native Welfare: Can you tell us what the cost would be for individual auditors in the country?

Mr. COURT: I have not advocated them for the shires. If the Minister wants me to go that far, I will. There is an increasing number of young practitioners going to the country. There is a degree of decentralisation.

The Minister for Native Welfare: There would not be a standard charge for auditing.

Mr. COURT: They do it as a public duty. The hon. member is forcing me to say something I did not intend to touch on. Practically every elected auditor does not do the work as an ordinary professional job. I know from my own experience when I was auditing for a municipality for many years—a work from which I resigned as a matter of policy when I entered this place—the whole approach to the fee, which was by negotiation, was that one should render some public service. Councillors give their services free, and it is up to others associated with those bodies to do likewise.

I can assure the Minister for Native Welfare that if he compares the fees charged by private auditors for Fremantle, the City of Perth, Claremont and other places, he will be surprised at how low they are compared with the charges for a comparable-sized job done by Government auditors; and if Government auditors take over, the charges will "rock" those local authorities. At present they know what the charge is going to be, but they certainly will not do so if a Government auditor takes over.

The complaint has been made that because of the institute's ethics, there is no competition in elections for auditors. That is completely wrong, because there have been many elections. Contrary to the common belief, every member is entitled to oppose any other member of the institute. The only thing necessary is to observe ordinary courtesy and mention when one proposes to nominate in opposition to another.

Amendment put and negatived.

Progress reported till a later stage of the sitting.

(Continued on page 3740.)

BILL—FIRE BRIGADES ACT AMENDMENT.

Returned from the Council with amendments.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Council's Message.

Message from the Council received and read notifying that it insisted on its amendments.

In Committee.

Mr. Moir in the Chair; the Minister for Transport in charge of the Bill.

The MINISTER FOR TRANSPORT: I move—

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

Question put and passed.

Resolution reported and the report adopted.

Assembly's Request for Conference.

The MINISTER FOR TRANSPORT: 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. Crommelin, Mr. Evans and the mover.

Hon. J. B. SLEEMAN: I do not think we should ask for a conference. For years I have been trying to get these conferences done away with It is about time we took these people on. The time has arrived when we should tell them that if they are going to pass a Bill, to pass it, and if not, to throw it out. We are like a lot of beggars going up all the time to get a few crumbs from the rich man's table. They give us a little bit each time to try to satisfy us. We should tell them where they get off; to jump in the lake and do what they like with the Bills.

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

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

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

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

Clause 4, page 4—Delete subparagraph (ii) of paragraph (c).

The MINISTER FOR WORKS: The Bill provides for a non-conforming use, and where a non-conforming use is permitted,

no compensation is payable. This subparagraph provides that should this non-conforming use be continued for a period of 12 months, or should improvements on the land, the subject of the non-conforming use, be destroyed by fire to the extent of 75 per cent., then it will be lost, and in these circumstances compensation will not be payable.

Although the provision was a desirable one in order to provide ultimately that town planning schemes might gradually reach completion by the disappearance of of non-conforming uses, I am prepared to accept the amendment. 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—LOCAL GOVERNMENT.

In Committee.

Resumed from an earlier stage of the sitting. Mr. Moir in the Chair; the Minister for Health in charge of the Bill.

Clause 614—Interpretation (partly considered):

Mr. COURT: I move an amendment—

That the words "Minister directs" in line 8, page 461, be struck out with a view to inserting in lieu the words "Council of each municipality directs."

It is getting to the stage of the ridiculous when we must tell these people what books they must keep. There are Government inspectors to do the audit, and the Minister has all sorts of other powers. Adequate protection is provided. If these people are in trouble over the form of accounts that they have, they will obviously have a chat with the department or the auditor and ask for advice and assistance. Many local authorities have good systems that they have evolved. I know several of them, each of which keeps its books on a basis slightly different from the others.

The Minister for Health: Don't you think it would be better to keep them on a uniform system?

Mr. COURT: No. Each local authority has its own peculiarities. If the system is efficient and provides the information the auditor wants and is satisfactory to the local authority, why should we interfere?

The MINISTER FOR HEALTH: I must oppose the amendment. I consider it is necessary that the local authorities should have a uniform and standardised system. We may get people with newfangled ideas which may be efficient; it would, however, be better from an audit point of view to have a system that was uniform throughout the State. We should have something that is standardised. This would be of advantage to the department. The matter should be subject to the direction of the Minister and not to the whims of various councils.

Amendment put and negatived.

Clause put and passed.

Clauses 615 to 625—agreed to.

Clause 626—Costs of audit:

Mr. COURT: I had intended to speak on the previous clause because under that provision the auditors appointed need have no qualifications whatever.

The Minister for Health: They have qualifications through experience. Unless a person has experience, it is sometimes only a licence to do something which they have no right to do.

Mr. COURT: But surely a man should be qualified by examination. All things being equal, the man with the qualifications is the one selected, but one with qualifications and experience would be better still.

The Minister for Health: If I had to choose between one qualified by experience or one qualified by examination, I would choose the one qualified by experience.

Mr. COURT: As regards this clause, the costs of an audit will be unknown. When we see the duties that are laid down for an auditor and the way Government auditors will perform their tasks in accordance with the procedure of Government audits, we realise that the costs will be fantastic in places like the City of Perth and the City of Fremantle.

The Minister for Health: I think local government authorities will welcome this.

Mr. COURT: No. The Minister ought to talk to those who have this threat hanging over their heads. These people are used to having a running audit which can be finished in a matter of hours at the end of the year. I rose to point out that there is no limit to the costs and there is no arbitration for those who consider they have had a raw deal and have been overcharged.

Clause put and passed.

Clause 627—General powers of auditors and inspectors:

Mr. COURT: This is an extraordinary clause. I have a letter from the Gnowangerup and District Road Board addressed to Hon. A. F. Watts, complaining bitterly about this clause and that is not the only complaint that has been received. This auditor man is given extraordinary powers.

The Minister for Health: Don't you think he should have them?

Mr. COURT: Within reason; but we do not want to give him the powers of a policeman. If he cannot get the information he wants through the ordinary com-

mercial methods for audits, there is something wrong and the Minister, in such a case, can get an inspector to check up. That is not an auditor's job.

The Minister for Health: It might be a case of mutilation where he would want all the information.

Mr. COURT: He will normally get it and if he cannot get a reasonable explanation from those concerned, the matter has got beyond ordinary audit procedure. Auditors are not policemen.

The Minister for Health: They are to a certain extent.

Mr. COURT: The phrase in the text books used to be that they are watchdogs and not bloodhounds. As regards Subclause (2) of Clause 628, I think the Minister has taken the penalties out of the Companies Act.

The Minister for Health: The need to use them would probably never arise.

Mr. COURT: In that case, why put them in? Cases of defalcation and mutilation of books can be dealt with under the ordinary law of the land. Under this, a member of a council could be called up by summons issued by the auditor, asked to give evidence and if he did not conform to those wishes, he would commit an offence. I do not think that is wanted in the Act. I oppose the clause.

Mr. W. A. MANNING: The Minister has more or less said that this clause is only for extraordinary cases. But these powers are given to any auditor whether he be a junior or a senior. He will have greater powers than a policeman has when questioning a criminal. He has the powers of a Royal Commissioner.

The Minister for Health: It is recommended by the department from experience.

Mr. W. A. MANNING: The Minister has the power to appoint a Royal Commission if necessary without giving those powers to an auditor. There is no question of legal assistance for those the auditor is questioning.

The Minister for Health: When you were Mayor of Narrogin, you did not have to worry about anything like that.

Mr. W. A. MANNING: We did not have anything like this in our Act. Why put something like this in the Bill which is not intended to be used? I think this is going a little too far.

Mr. Lawrence: He has not got the power to sentence.

Mr. W. A. MANNING: He makes his own decision; there is no limit on it.

Mr. HEARMAN: It seems to me that this clause enables the auditor to get the information he wants when he is examining the books of a local authority. If he is not satisfied with the information supplied or is not given the information he seeks, to my mind his function ceases when he refuses to give a certificate because the books are not in order.

The next step should be decided by the secretary of the Department of Local Government who should say whether or not the books were in order. The books should not be left to a junior official, and the Minister has not demonstrated any need for this power. No deliberate effort has ever been made to withhold information or frustrate an auditor in his work.

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

Ayes	....	....	20
Noes	....	....	12
Majority for	....	....	8

Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hawke	Mr. Potter
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Rodoreda
Mr. Johnson	Mr. Sleeman
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. Sewell
	(Teller.)

Noes.

Mr. Court	Mr. Nalder
Mr. Crommelin	Mr. Oldfield
Mr. Hearman	Mr. Owen
Mr. I. Manning	Mr. Roberts
Mr. W. Manning	Mr. Wild
Sir Ross McLarty	Mr. Hutchinson
	(Teller.)

Pairs.

Ayes.	Noes.
Mr. W. Hegney	Mr. Brand
Mr. May	Mr. Bovell
Mr. Heal	Mr. Mann
Mr. Toms	Mr. Watts
Mr. O'Brien	Mr. Thorn
Mr. Andrew	Mr. Ackland

Clause thus passed.

Clauses 628 to 681—agreed to.

New clause:

Mr. CROMMELIN: I move—

That the following be inserted to stand as Clause 528B:—

(1) In this section—

"trustees" means the trustees in whom any land is vested for agricultural or horticultural show purposes, and includes a body corporate.

(2) (a) Where land vested in trustees for agricultural or horticultural show purposes is not used exclusively for those purposes, the trustees shall not later than the 15th day of July in each year deliver to the council of the municipality of the district in which the land is situated, a return verified by statutory declaration made by the secretary showing the amount actually received by the

trustees from the letting or use of the show ground, or any buildings thereon by any person for any purpose other than for the purposes of an annual show, during the financial year ending on the 30th day of June next preceding.

(b) If the trustees fail to deliver the annual return, they commit an offence against this Act and shall be jointly and severally liable, upon conviction, to a penalty of not more than £5 for every day during which the default continues.

(3) The trustees shall keep and record in proper books of accounts these receipts, and shall keep the books open to inspection by any officer appointed by the Minister or council concerned.

(4) (a) Instead of paying rates which, but for this subsection would be assessed and payable in respect of the land used for agricultural or horticultural show purposes, the trustees shall pay to the council, not later than the 30th day of September in each year, a sum equal to 3 per cent. of the amount so received.

(b) Payment so made is in full satisfaction of the rates, which but for this subsection would be assessed in respect of the land.

This new clause is consequential to the amendment which was made to Clause 523.

The MINISTER FOR HEALTH: This new clause has been thoroughly investigated by myself and my department and I have no objection.

New clause put and passed.

Schedules 1 to 26, Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendments insisted on by the Council, and had appointed Hon. J. G. Hislop, Hon. A. R. Jones and the Chief Secretary as managers for the Council, the Chief Secretary's room as the place of meeting and the time 10 a.m. on the 21st December.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. A. R. G. Hawke—Northam): I move—

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

Question put and passed.

House adjourned at 2.7 a.m. (Friday).

Legislative Assembly

Friday, 21st December, 1956.

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